



PO Box 889, La Jolla, CA 92038

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President: Tony Crisafi

Vice President: Joe LaCava

Treasurer: Jim Fitzgerald

Secretary: Helen Boyden

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month

La Jolla Recreation Center, 615 Prospect Street

Thursday, 2 May 2013

D R A F T AGENDA – REGULAR MEETING

6:00p

1. Welcome and Call To Order: **Tony Crisafi**, President
2. Adopt the Agenda
3. **Meeting Minutes Review and Approval**: 7 March 2013
4. **Elected Officials Report** – Information Only
 - A. Council District 1 – Councilmember Sherri Lightner
Rep: **Erin Demorest**, 619.236.7762, edemorest@sanidiego.gov
5. **Non-Agenda Public Comment**

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

 - A. UCSD - Planner: **Anu Delouri**, adelouri@ucsd.edu, <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.** LJCPA Committee Appointments - For ratification by trustees (see attached list) – action item
Committee Appointments by other groups to be ratified next month.
 - B.** Bernate Ticino CEQA appeal hearing – June 3rd @ 2p, City Council Chambers
Rescheduled by City Council President- Refer to City response letter enclosed.
 - C.** C.O.W. Training - All new Trustees required to take online Community Orientation Workshop or attend training Sat, May 18 (RSVP to SDPlanningGroups@sanidiego.gov). Please send your certificates to info@lajollacpa.org for record keeping.
 - D.** 705 Nautilus - building inspector confirmed this home is under the 30 ft height limit and is in compliance with the permits. The property is zoned to allow for a rental unit, but it doesn't have the off-street parking to accommodate one. DSD made contact with the owners and informed them they cannot have a rental unit because they don't meet the parking reqs. The ad for the rental unit has been taken down.

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

PRC – No Action this month

T&T – No meeting this month

A. Tree Removal- 7850 Ivanhoe Street

PDO ACTION: To recommend removal of the tree 5/2/0

Removal of a tree located at 7850 Ivanhoe Street that has caused damage to the sidewalk and continues to do so.

B. Goodwill

PDO Action: Proposed awning complies with the PDO 7/0/0

7631 Girard Ave. Awning re-cover for an existing awning. The awning frame will not change. Only fabric.

C. Adoption of DPR Committee Exhibit Requirements

DPR Action: To approve the Exhibit Requirements and continue refinements 6/0/0

Draft dated December 19, 2012, Benton's Document, Island Architects Statistics Sheet, see attachment.

D. Huckins Residence

DPR ACTION: Findings can be made for a Coastal Development Permit to construct a 3,818 sq ft, two-story, above basement, single family residence on a 7,000 sq ft vacant lot located at 1545 Virginia Way. 7-0-1

1545 Virginia Way - Sustainable Expedite Program (process 2) Coastal Development Permit to construct a 3,818 sq ft, two-story, above basement, single family residence on a 7,000 sq ft vacant lot.

10. REPORTS FROM OTHER ADVISORY COMMITTEES - Information only

A. COASTAL ACCESS AND PARKING BOARD – Meets 1st Tues, 5pm, Rec Center

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

11. Costebelle Residence SDP Amendment– Action Item

Whether to Ratify the April 4th, 2013 appeal of CEQA Exemption (April 4th, 2013 appeal deadline)

Appeal was filed on April 4, 2013, a non-agendized vote was taken on April 4th, 2013.

Trustees are asked to discuss and vote on the appeal filed.

12. Visin Duplex Project No. 280069- Action Item

Appeal Deadline: May 6th, 2013

Whether to appeal Development Services Staff decision to approve an application for a Process Two Coastal Development Permit (CDP) to demolish an existing duplex and construct a 3,273 square foot duplex on a 0.04 acre site due to incomplete LJ CPA process. The proposed project will conform to the Council Policy 900-14 criteria by generating 50% or more of the projected total energy consumption on site through renewable energy resources (i.e. photovoltaic). Property is located at 337 Playa Del Sur Street in the RM-3-7 Zone.

Time
Certain:
7:30p

13. **Morreale Residence - Action Item – pulled by Dan Allen**

1644 Crespo Dr. - A Coastal Development Permit to construct a 700 square-foot, detached guest quarters, on a 0.20-acre site

DPR Action (March 2013): Findings can be made for a Coastal Development Permit to construct a 700 square foot detached guest quarters, on a 0.20-acre site containing a single-family residence located at 1644 Crespo Drive. 7-0-1

Applicant: Brook Papier, Conrado Gallardo

14. **La Jolla Children's Pool Lifeguard Station - Information only**

The new La Jolla Children's Pool Lifeguard Station Project to demolish the existing condemned structure and will construct a new facility with public restroom, public plaza with hardscape and landscape, accessible ramp to the public restroom and a new lifeguard tower. The proposed tower will include public restrooms, male/female locker rooms for lifeguards, second observation area, Administration work area, first aid room, and main observation tower.

This project has already received the community's approval, applicant presenting an update to the trustees on the project schedule, duration, features and colors.

Applicant: Jihad Sleiman, PM, City of San Diego

15. **Children's Pool Beach Closure - Action Item**

A. Proposed amendment to the La Jolla Community Plan and Local Coastal Program to establish an Environmentally Sensitive Habitat Area (ESHA) and buffer area for the Children's Pool Beach. The amendment will also include modification to community plan policies related to beach access to prohibit access to the ESHA during harbor seal pupping season to contribute to the protection of sensitive habitat area for breeding pinnipeds, a Coastal Development Permit to prohibit access to the Childrens Pool Beach annually from Dec. 15th to May 15th which would require installation of two signs & a chain barrier and an amendment to the SD Municipal Code to add a Section 63.0102(e)(2) that would state:

"It is unlawful for any person to be upon or cause any person to be upon the beach of the La Jolla Children's Pool, starting from the lower stairs to the beach, beginning with the second landing, from Dec. 15 to May 15th."

B. Notice of Draft Negative Declaration "The recommended finding that the project will not have a significant effect on the environment is based on an Initial Study." Comments due May 18, 2013.

CPA Action (July 2012): Approved Motion: To reaffirm LJCPA opposition to a year-round "Rope Barrier" at Children's Pool beach and supports LJP&B action of June 2012 to give the community six months to come forth with feasible mitigation alternative for people and seals to share the beach, (Courney/Brady, 12-3-1).

LJ PARKS & BEACHES ACTION (June 2012): A motion was made to deny CDP Application No. 6-11-078 to install a year-round rope and to give to the community six months to come forth with feasible mitigation alternative for people and seals to share the beach. 15-0-0

Exhibits:

1. Proposed text changes to La Jolla Community Plan (see attached)
2. Notice of Negative Declaration -

http://docs.sandiego.gov/citybulletin_publicnotices/CEQA/PN1300%2520%2523225045%2520Draft%2520ND%25204-18-13.pdf

Applicant: Chris Zirkle, Deputy Director, Parks & Rec Open Space Division

Dan Daneri, District Manager, Shoreline Parks and Mechanized Beach Maint., Parks & Rec

Time
Certain:
9:30p

16. **Adjourn** to next Regular Monthly Meeting, June 6th, 2012, 6:00 pm



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La Jolla Community Planning Association

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

Thursday, 4 April 2013

DRAFT MINUTES – REGULAR MEETING

Trustees Present: Patrick Ahern, Cynthia Bond, Helen Boyden, Tom Brady, Bob Collins, Tony Crisafi, Janie Emerson, Jim Fitzgerald, Gail Forbes, Joe LaCava, Nancy Manno, Phil Merten, Myrna Naegle, Ray Weiss, Frances O'Neill Zimmerman.
Absent: Dan Courtney, David Little, Bob Steck.

1. **Welcome and Call To Order:** Tony Crisafi, President, at 6:02 PM

2. **Adopt the Agenda**

Approved Motion: Motion to adopt the Agenda, (Fitzgerald/Bond, 12-0-1).

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, LaCava, Manno, Merten, Naegle, Weiss.
Abstain: Crisafi.

3. Elections

A. Certify Election

President Crisafi announced no objections or challenges to the LJCPA Trustee election were filed; therefore the election results announced at the March meeting will stand.

B. Recognition of Outgoing Trustees – Council President Pro Tem Sherri Lightner

The Hon. CPPT Lightner recognized outgoing Trustees, **Dan Allen, Devin Burstein, Mike Costello, Laura DuCharme Conboy, Orrin Gabsch, Tim Lucas, Cindy Thorsen** and awarded each of them a certificate of commendation.

C. Swearing in of Incoming Trustees – Council President Pro Tem Sherri Lightner

The Hon. CPPT Lightner invited newly elected and re-elected Trustees present to come forward: She offered her congratulations and administered the LJCPA Oath of Office to: **Patrick Ahern, Helen Boyden, Janie Emerson, Myrna Naegle, and Ray Weiss.**

4. Election of Officers

A. President

Trustee Manno nominated **Trustee Crisafi** for President of the LJCPA.

Approved Motion: To elect Tony Crisafi as President of the La Jolla Community Planning Association, (Manno/Emerson, 12-0-1).

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, LaCava, Manno, Merten, Naegle, Weiss.
Abstain: Crisafi.

B. Vice President

Trustee Manno nominated **Trustee LaCava** for Vice President of the LJCPA.

Approved Motion: To elect Joe LaCava as Vice President of the La Jolla Community Planning Association, (Manno/Ahern, 11-0-2).

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Manno, Merten, Naegle, Weiss, Zimmerman.
Abstain: Crisafi, LaCava.

C. Secretary

Trustee LaCava nominated **Trustee Boyden** for Secretary of the LJCPA.

Approved Motion: To elect Helen Boyden as Secretary of the La Jolla Community Planning Association, (LaCava/Fitzgerald, 12-0-2).

In favor: Ahern, Bond, Brady, Collins, Emerson, Fitzgerald, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.
Abstain: Boyden, Crisafi.

D. Treasurer

Trustee LaCava nominated **Trustee Fitzgerald** for Treasurer of the LJCPA.

Approved Motion: To elect Jim Fitzgerald as Treasurer of the La Jolla Community Planning Association, (LaCava/Brady, 12-0-2).

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.
Abstain: Crisafi, Fitzgerald.

5. Meeting Minutes Review and Approval – 7 March 2013

Approved Motion: To approve the Minutes of 7 March with correction made by Trustee LaCava: Re Agenda item #15: Vanessa Garcia did not appear, (LaCava/Ahern, 10-0-4).

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, LaCava, Manno, Merten, Zimmerman.
Abstain: Crisafi, Emerson, Naegle, Weiss.

6. Elected Officials Report - Information Only

A. Council District 1 – City Council President Pro Tem Sherri Lightner

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

The Hon. CPPT Lightner reported the revised Medical Marijuana proposal will be heard at the City Council on April 22 at 2 PM. The Children's Pool Lifeguard Tower will begin construction in April; the old one will be demolished by Memorial Day. The USPS has noticed the La Jolla Post Office for sale, with appeals due by April 6. Proposals to ease the use of gray water for single-family homes will be heard by the Natural Resources and Culture Committee soon, with approval expected by the end of 2013. A new proposal for the Tourism Marketing District is due for City Council review by June 11.

Trustees Merten and **Fitzgerald** inquired about oversized vehicle permits. **The Hon. CPPT Lightner** indicated the goal was to have permits available and processed on line and that there was no local administrative office to do the same. In response to: **Melinda Merryweather**: Dead seals cannot be removed from the Marine Protected area. In response to **Tim Lucas**: A replacement location for the La Jolla Post Office is unknown.

Agenda Modification: Swearing in of re-elected Trustee Fran Zimmerman and newly elected Trustee Gail Forbes.

The Hon. CPPT Lightner administered the LJCPA Oath of Office to **Trustees Zimmerman** and **Forbes** who were not present for the initial Swearing-in.

B. 39th District, California State Senate - State Senator Marty Block

Rep: Allison Don, 619.645.3133, allison.don@sen.ca.gov

Ms. Don introduced herself and left Senator Block's March/April newsletter and a flyer announcing a Community Town Hall on April 18.

7. Non-Agenda Public Comment - Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.

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

Ms. Delouri was not present.

B. General Public Comment

Melinda Merryweather reported she had met with **Mayor Bob Filner** and advised him about sharks attacking seals.

Amy Cheshire stated that driveway construction at 6604 Muirlands Drive apparently did not conform to the plans approved

by the LJCPA and asked the LJCPA to investigate whether the plans approved by the City were the same as approved by the LJCPA and that she and others had signed an agreement with the architect for.

Kim Whitney inquired whether the Meeting Agenda (approved in item 2) had met the required 72-hour notice. **President Crisafi** said it had not.

Mike Costello referenced a request from Parks and Beaches for an advance discussion of the reduced number of showers and toilets planned for the Children's Pool Lifeguard Tower.

Trustee Frances O'Neill Zimmerman referred to an editorial in the La Jolla Light with respect to California Assembly Bill 642 posing a threat to the Light and similar newspapers by allowing Internet-only publications to qualify as "newspapers of general circulation" for the purposes of legal advertising.

Trustee Zimmerman also stated the building under construction at 705 Nautilus Street (corner of Draper) apparently adheres to the SDMC, but appears to be 40' tall. It has a R-1 permit, but is advertising a unit for rent. This may be a Code Compliance issue.

8. Non-Agenda Items for Trustee Discussion - Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.

Trustee Brady mentioned that the Auto Show scheduled for Sunday April 7 at the Cove will have an admission-free area open to the public.

Trustee Merten asked that a City representative be invited to attend the next CPA meeting to demonstrate what is planned for the Children's Pool Lifeguard Tower and mentioned that a general contractor thought there could be some flexibility to modify the toilets and showers.

Trustee Merten also noted that in the Coastal Overlay Zone a 1200 sq ft. SFR home can be partially demolished and a replacement constructed with an inexpensive Over-the-Counter Permit by retaining 50% of the exterior walls. However, if a 7,000 sq ft SFR home is demolished and replaced by a 1200 sq. ft. SFR home, a costly discretionary permit is required.

Trustee Fitzgerald stated that he sees a pattern of changes to approved plans after a permit is executed. He stated it should be investigated and followed up on, e.g. MESOM.

Trustee Weiss referenced Ms. Cheshire's driveway issue as a concern. He also stated that the problem with MESOM was not that the plans were changed but that there had been a pictorial misrepresentation to the LJCPA. **Mike Costello** said he would forward an e-mail trail of correspondence with Coastal Commission staff about the MESOM project.

Trustee Merten, referencing previous Trustee comments, stated that the Code Compliance process did not come into play until a project was complete. While under construction, issues should be referred to Development Services Department.

9. Officers' Reports

A. Secretary

Trustee Boyden stated that if you want your attendance recorded today, please sign in at the back of the room. You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become a trustee. If you want to have your attendance recorded without signing in at the back, then hand to me before the end of the meeting a piece of paper with your printed full name, signature and a statement that you want your attendance recorded.

Eligible non-members wishing to join must have recorded attendance for one meeting and must submit an application, copies of which are available at the membership table and on-line at: www.lajollacpa.org.

B. Treasurer

Trustee Fitzgerald presented the financial report for the past month: March Beginning Balance: \$385.08 plus income from donations of \$177.57 less Expenses of \$203.86, leaving a balance today of: \$358.79.

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.

10. President's Report – Action Items where indicated

A. Revised Oversized Vehicle Ordinance was heard at the Land Use and Housing Committee on Wednesday, March 27. The proposed pilot program to restrict the parking of oversized vehicles on city streets would only encompass an area west of I-5, north of Downtown, south of Del Mar, and a portion of the City east of the I-5 across from Mission Bay. (This includes the entire La Jolla Community Planning Area.) See Neighborhood Parking Protection and Safety Ordinance for more information:

http://docs.sandiego.gov/ccagenda_luh/l130327.pdf. Erin Demorest, District 1 Council Representative for La Jolla, stated that two options: Pilot program or City-wide will be presented to the City Council.

B. Bernate Ticino CEQA appeal hearing – April 30th @ 2p, City Council Chambers

On March 25 Applicant requested LJCPA hearing on his project be delayed until after April 30th.

C. Costebelle Residence – project was presented with roof modifications to a true 3:12 pitch. LJAB recommended approval of the amendment on 3/19/13 5-0-0. Hearing Officer approved the amendment on 3/20/13.

D. Volunteers for subcommittees (T&T, DPR and PRC) – appointments will be ratified at May CPA meeting.

E. Costebelle Residence – confirm April 4th, 2013 appeal of Hearing Officer Decision (April 4, 2013 appeal deadline)- Possible Action item.

With respect to items C & E, President Crisafi distributed the filed appeal document and stated his conversations with City officials on how to proceed. Discussion followed on how to overcome lack of required notice.

Approved motion: To Reconsider the Motion to Adopt the Agenda. (LaCava/Emerson; 14-0-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.

Abstain: Crisafi.

Approved motion: To modify the Draft Posted Agenda so that 10 C. states: “Costebelle Residence – project was presented with roof modifications to a true 3:12 pitch. LJAB recommended approval of the amendment on 3/19/13 5-0-0. Hearing Officer approved the amendment on 3/20/13” and so that 10 E. states: “Costebelle Residence – confirm April 4th, 2013 appeal of Hearing Officer Decision (April 4, 2013 appeal deadline) - Possible Action item.” (requires 2/3 majority vote) (La Cava/Emerson; 14-0-1).

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.

Abstain: Crisafi.

Approved motion: To adopt the Agenda as modified.

(LaCava/Emerson; 14-0-1).

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.

Abstain: Crisafi.

Approved Motion: To ratify the President’s appeal of the Costebelle Residence (Merten/Naegle 11-2-2).

In favor: Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Manno, Merten, Naegle, Weiss, Zimmerman.

Opposed: Ahern, Forbes.

Abstain: Crisafi, LaCava.

11. 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. Huckins Residence

DPR ACTION: Findings can be made for a Coastal Development Permit to construct a 3,818

sq ft, two-story, above basement, single family residence on a 7,000 sq ft vacant lot located at 1545 Virginia Way. 7-0-1

1545 Virginia Way - Sustainable Expedite Program (process 2) Coastal Development Permit to construct a 3,818 sq ft, two-story, above basement, single family residence on a 7,000 sq ft vacant lot.

B. Feinswog Residence

DPR Action: Findings can be made for a Coastal Development Permit to demolish an existing single-family residence and construct a three-story, 5,524 sq. ft. single-family residence, with detached four car garage, with pool cabana and lot line adjustment, located at 1250 Rhoda Dr. 7-0-1

1250 Rhoda Dr. - La Jolla Coastal Development Permit to demolish an existing single-family residence and construct a three-story, 5,542 square foot single-family residence with detached four car garage with pool cabana and lot line adjustment

C. Morreale Residence – pulled by Dan Allen

DPR Action: Findings can be made for a Coastal Development Permit to construct a 700 square foot detached guest quarters, on a 0.20-acre site containing a single-family residence located at 1644 Crespo Drive. 7-0-1

1644 Crespo Dr. - A Coastal Development Permit to construct a 700 square-foot, detached guest quarters, on a 0.20-acre site containing a single family residence

D. T-Mobile – Hotel La Jolla SCR

PRC Action: This project meets the criteria for a Substantial Conformance Review. 4-0-1

7955 La Jolla Shores Drive - Replacement of all six panel antennas with new 4 G antennas for an existing wireless communication facility. No modifications are proposed to the existing equipment located on Hotel La Jolla formerly Summer House Inn in the LJSPD-V. Previously approved under Permit No. 452123 on May 21, 2007 with an expiration of May 21, 2017.

Tim Golba, architect, asked that his client's project, Huckins Residence, be trailed to the Consent Agenda on a later date.

Approved Motion:

To Trail (A) Huckins Residence to a subsequent meeting

To accept the recommendation of the Development Permit Review Committee: (B) Findings can be made for a Coastal Development Permit to demolish an existing single-family residence and construct a three-story, 5,524 sq. ft. single-family residence, with detached four car garage, with pool cabana and lot line adjustment, located at 1250 Rhoda Dr and forward the recommendation to the City,

To accept the recommendation of the LJ Shores Permit Review Committee: (D) T-Mobile – Hotel La Jolla (7955 La Jolla Shores Drive) SCR: This project meets the criteria for a Substantial Conformance Review and forward the recommendation to the City, (LaCava/Brady, 14-0-1).

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.

Abstain: Crisafi.

12. Reports from Other Advisory Committees - Information only

- A. Coastal Access and Parking Board** - Meets 1st Tues, 5pm, La Jolla Recreation Center.
- B. Community Planners Committee** – Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego. **Trustee LaCava** reported that moving forward is a change to the SDMC allowing Craft Beer producers located in industrial zones to increase the size of their on-premises restaurants from a maximum of 3000 square feet to a maximum 25% of the premises.

13. Revised Medical Marijuana Ordinance –

March 2011 - the City Council adopted a medical marijuana ordinance that limited dispensaries to industrial zones and didn't allow dispensaries in most areas in District 1. Medical marijuana activists gathered signatures to force a referendum on the issue. The City Council voted to rescind the ordinance rather than putting it on a citywide ballot. The Mayor's office has drafted a revised medical marijuana ordinance which would allow for dispensaries in several areas of District 1. Mayor's office is tentatively planning to bring it to the City Council for approval on Monday, April 22 at 2 p.m

CPA Action (DEC 2009): Motion to deny acceptance of the report: "Recommendations from the Medical Marijuana Task Force," based on the provision regarding distance requirements, does not allow sufficient distance between dispensaries, ("Distance Requirements to be placed on dispensing collectives and cooperatives") 9-2-1

Maps, Executive Summary, and entire proposal had been transmitted to Trustees via e-mail today courtesy of **Erin Demorest** of Council District 1 Representative to La Jolla.

Trustees Zimmerman, Forbes, LaCava, Fitzgerald, Collins and Ahern and member Mike Costello spoke to the proposal.

Approved Motion: The LJCPA makes the following recommendations based on the “Draft Land Development Code Amendments – Medical Marijuana Compared to Previously Approved Medical Marijuana Amendment, March 1, 2013”:

1. Refer the proposal through the usual review process including all community planning groups and the community planners committee.
2. Retain the nomenclature of “medical marijuana consumer cooperative” instead of “medical marijuana dispensaries” in order to adhere to the language of the voter approved Compassionate Use Act of 1996.
3. In Section 113.0103, retain the definition for *youth-oriented facility*.
4. In Section 141.0614(a) retain the distance separations for churches, libraries, and *youth-oriented facility*.
5. In Section 141.0614(a) increase the minimum distance separations between medical marijuana consumer cooperatives from 600 feet to 1,320 feet.
6. Change Section 141.0614(c) to read: “*Medical marijuana consumer cooperative* shall not be located on a *premises* that includes any residential use or is zoned for residential use.”
7. Strike the proposed addition of 159.0302(a)(6); that is, eliminate La Jolla Planned District Ordinance, Zone 4 as a zone for allowed use.
8. Revisit the language of Section 42.15: Medical Marijuana Consumer Cooperatives to ensure it meets the goal of “*Find a balance between compassionate use on the one hand and the unhealthy aspects on the other.*”
9. Prohibit siting and location of Medical Marijuana vending machines.

(LaCava/Brady; 8-4-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, Forbes, LaCava, Merten.
Opposed: Emerson, Naegle, Zimmerman.
Abstain: Crisafi.

Approved Motion: The LJCPA preferred alternative is to have no medical marijuana dispensaries in accordance with Federal law. (Fitzgerald/Zimmerman; 7-5-1).

In favor: Bond, Collins, Fitzgerald, Forbes, Merten, Naegle, Zimmerman.
Opposed: Ahern, Boyden, Brady, Emerson, LaCava.
Abstain: Crisafi

14. La Jolla Half Marathon- Kiwanis Club of La Jolla is requesting street closures for the annual La Jolla Half Marathon
T&T Action (Mar 2013): none – no quorum

Applicant stated arrangement would be the same as previous years except that registration will be held in Kearny Mesa instead of at the La Jolla Recreation Center.

Approved Motion: To approve the street closure request. (Ahern/Emerson: 12-0-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Merten, Naegle, Zimmerman.
Abstain: Crisafi.

15. The Center for World Music - The Center for World Music is requesting approval for their event on May 11th at Ellen Browning Scripps Park.

T&T Action (Mar 2013): none – no quorum

Applicant’s representative **John Gabriel** requested 5 reserved parking spots.

Trustee Ahern (former chair of La Jolla Parks & Beaches Committee) indicated that the LJP&B had previously recommended approval of a special use permit for the proposed event.

Trustee Collins and others: **Sally Miller, Dan Allen, Pat Granger**, and **Ann Heinemann** also spoke on this issue.

Approved Motion: To allow three (3) reserved parking spaces at the western side of the park. (Ahern/LaCava; 11-1-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, Forbes, LaCava, Merten, Naegle, Zimmerman.
Opposed: Emerson.
Abstain: Crisafi.

16. Adjourn at 8:28 PM- Next Regular Monthly Meeting, May 2nd, 2012, 6:00 pm

UNAPPROVED MINUTES OF THE LA JOLLA PLANNED DISTRICT ORDINANCE COMMITTEE

April 8, 2012

Committee members **present:** Fitzgerald, Gabsch, Marengo, Palmer, Little, Dershowitz and Clifford.

Chair Stiegler called the meeting to order at 4:04PM.

1. **Public Comment** – Issues not on today’s agenda (2 minutes maximum.) None
2. **Chair Report / Board Discussion**
 - a. Review and Approve February Minutes: Motion to Approve: Fitzgerald/Orrin 6/0/2
 - b. Letter sent by CPA regarding the role of the PDO committee in the city review process. (Fitzgerald)
 - Issues regarding PDO compliance and means to promote enforcement. Chris Larson of the City of San Diego Development Services Department participated in a discussion of the role of the PDO Committee in the community review process. Mr. Larson indicated that the City does not require the PDO Committee to approve any project that has been given a building permit, and the city cannot force anyone to present to the PDO Committee. Discussion addressed “intensification of use” and questions related to increased parking requirements. Specifically for the project at 1205 Prospect Street, why did the restaurant, which replaced a retail establishment, not have to provide the additional parking as required by the PDO/Land-Use Code. Answer from Development Services: The building in question is classified as “mixed use”, and as a result, the higher parking requirements associated with the more intensive use (restaurant versus retail) were not required.
 - La Jolla PDO Committee has little /no visibility to new building permits, Chris Larson suggested that if La Jolla wishes notification, they could request this from Development Services like the Golden Hill’s Planning Group has done.
 - Community Committee encouraged Development Services to remain vigilant in ensuring all projects needing community review are sent into the community review process.

3. Recommendations to CPA

A. Project Name: Tree Removal - 7850 Ivanhoe Street
Address: 7850 Ivanhoe Street
Project Number: n/a
PDO Zone: Zone 5 La Jolla PDO
Applicant: TBD
Agent: Chris DeGregorio, Marengo Morton Architects, Inc.
City Project Manager: n/a
Date of App Notice: n/a

Scope of work: Removal of a tree located at 7850 Ivanhoe Street that that has caused damage to the sidewalk and continues to do so. Streets Division asked the proposed removal be run by the community as it runs into the public right of way. It is one of the large eucalyptus and they are proposing a podocarpus.

Discussion: The tree has a Heritage tag and is part of the Urban forest. The Committee expressed concern about the safety issues related to the tree roots intruding into the public right of way.

Motion: To recommend removal of the tree: Fitzgerald/Clifford 5/2/0

B. Project Name: Goodwill
Address: 7631 Girard Avenue, La Jolla, CA
Project Number:
PDO Zone:
Applicant: Aaron Clippinger 619-843-9989
Agent: Aaron Clippinger
City Project Manager: N/A
Date of App Notice: N/A

Scope of Work: See attached. Awning re-cover for an existing awning. The awning frame will not change. Only fabric.

Motion: Proposed awning complies with the PDO: Gabsch/second: Little Vote 7/0/0

4. Recommendations to DPR Committee

A. Project Name: Hope Residence Variance
Address: 8001 Ocean Street (Lane)
Project Number: 289049
PDO Zone: Zone 5 La Jolla PDO
Applicant: Judith Richards- Hope
Agent: Ron Despojado, Ron Despojado Architect
City Project Manager: William Zounes
Date of App Notice: October 29, 2012

Scope of Work: The subject property is 1 of 4 free-standing condominium units with its addresses on Ocean Street (sometimes referred to as Ocean LANE) accessible off Coast Boulevard South. The variance application requests a deviation from the current front, side, and street side yard setbacks for a 250 square foot second story addition with a 35 square foot deck.

- The front yard setback is currently 15'. The current residence extends over the front property line and protrudes approximately 2'-6" into the street right-of-way. We are requesting a 0' setback where 15' is required.
- The side yard setback is 4'. The existing residence observes a 3' setback. We are requesting to maintain the current 3' setback where 4' is required.
- The street side yard setback has a standard dimension of 10' and a minimum dimension of 7'. The existing residence observes a 3' setback. We are requesting to maintain the current 3' setback where 10' and 7' are required.

- The current eave projection is limited to a minimum of 2'-6" away from the property lines. We are requesting a maximum projection into the setbacks, which would observe a 1' setback away from the property line.
- The current Street Frontage setback is 16' measured from the face of curb. We are requesting a 13' setback from face of curb.
- Current development standards require 150 sq. ft. of private open space per unit. Current lot coverage does not allow as such, therefore our design proposes a 35 sq. ft. second floor balcony to satisfy this requirement.

Within the same property, the unit at address 8007 Ocean had been granted a variance that allowed vertical expansion observing a side yard setback of 3'-1", a street side yard setback of 3'-1", a rear yard setback of 3'-1" where 15' is required, and an eave projection setback of 1'. Applicant was asked to return to discuss his position on the written variance.

Action: None-Applicant did not make return presentation to the PDO Committee.

B. Project Name: Starbucks Torrey Pines
Address: 1055 Torrey Pines Road
Project Number: 310878
PDO Zone: La Jolla Community Plan
Applicant: Starbucks
Agent: Elizabeth Valerio
City Project Manager: Jeanette Temple
Date of App Notice: 1/31/13

From LJPDO Minutes March 2012:

"Scope of Work: Change of use from Bank to restaurant (taking 1625 sq.ft. portion of the bank to convert into Starbucks). Sufficient parking on site. Exterior design change including adding 1099 sq.ft. outdoor patio. Location and placement of dumpster, façade colors and signage.

- Committee discussion with applicant included: 1) the adequacy of proposed on-site parking with project's intensification of use (from bank to restaurant); 2) PDO compliance of proposed signage with and without a pylon sign (use of pylon sign affects amount/square footage of allowable signage on the building itself); 3) PDO compliance of proposed exterior materials and colors.
- Committee action: None. Applicant will return to PDO Committee with finalized project."

Current Application is described as:

Coastal Development Permit and Site Development Permit for outdoor seating of approximately 1,099 square feet, for and existing Starbucks in an existing commercial building at 1055 Torrey Pines Road in Zone 2 of LJPDO within the La Jolla Community Plan, coastal overlay (non-appealable), Coastal Ht. Limit, Transit Area in Council District 1. The proposed seating area requires a CDP for intensification of use (additional parking required) and a Site Development Permit (development in the PDO that requires a CDP). Section 142.0530(b) requires outdoor seating areas to be included for parking requirements.

The permit request is under "mixed use" to include the space of Chipolte & Starbucks, for outdoor seating. The applicant is required to provide 23 parking spaces, has provided 36, will be adding additional landscaping. No new signage to present with this permit is being requested.

Motion: Proposed parking and landscaping conform to the PDO: Fitzgerald/ Little Vote 7/0/0

5. Information Only

A. Project Name: "Sur la Table"

Project Address: 7643-45 Girard Avenue

Project Number: TBD

PDO Zone: LJPD-1

Applicant: Howard Greenberg, Trilogy Real Estate Management, Inc.

Agent: Andrew Benton, Alcorn & Benton Architects

City Project Manager: TBD

Date of App Notice: TBD

Scope of Work: This is a courtesy presentation for the proposed tenant improvement and upgrade of the existing building at 7643-45 Girard. The project is a commercial tenant improvement combining the two existing retail spaces into a single space of 6,577 square feet of retail, cooking classroom area, and accessory spaces (restrooms, warewash, storage, hall and office). The existing footprint and height of the building will *not* be altered. The appearance of the storefront will be enhanced, which will include the removal and redesign of the awning and signage.

Sur la Table is a retailer of utensils, countertop kitchen equipment and sealed packaged food aimed at the residential sales market. General cookware, appliances and utensils shall be stored, demonstrated and sold at this store location. Tasting, appliance and kitchen demonstrations shall be performed at this location.

B. PDO - April 8, 2013 Meeting

Project Name: "La Plaza"

Project Address: 7863 Girard Avenue

Project Number: 315006

PDO Zone: Zone 5 La Jolla PDO

Applicant: Jon Williams, Davlyn Investments

Agent: Jim Alcorn, Alcorn & Benton Architects

City Project Manager: n/a

Date of App Notice: n/a

Scope of Work: This is a courtesy presentation for the proposed renovation and upgrade of the existing building where Panera Bread Company is currently located. This will be a Process 1 Administrative Permit. In attempt to create a better connection to the street portions of the building will be removed to create Paseos to allow pedestrians to freely walk into the property. Sidewalks may also be upgraded with new materials per San Diego standards to encourage pedestrians to walk into the property and these materials will be extended to the street. The Paseos reduce the leasable area of the existing building from 32,580 square feet to 28,439 square feet (4,141 square foot difference). Also, to help create a better connection to the street, new doors will be added to the storefronts on Girard Avenue and Wall Street at ground level. To upgrade the building for accessibility, a new 30' elevator/clock tower will be built on Girard Avenue. The majority of the building will remain white plaster with window storefronts. Additionally, wrought iron railing, wooden trellises, painted tile, and stone (or porcelain) pavers will be used.

Reduction of 2000sq", 59 parking spaces are required, provision of 113 space, includes a 30' Tower.

C. Project Name: "Girard Village Collection"

Project Address: 7438-7470 Girard Avenue

Project Number: TBD

PDO Zone: LJPD-1

Applicant: Charles Zohoury, La Jolla Pearl Plaza, LP

Agent: Jim Alcorn, Alcorn & Benton Architects

City Project Manager: TBD

Date of App Notice: TBD

Scope of Work: This is a courtesy presentation for the proposed renovation and upgrade of the existing buildings at 7438 to 7470 Girard. The goal is to present a more unified and refined appearance to the buildings and to create permeable portions of the façade that encourage and extend street activity along this portion of Girard. On the ground floor, four new open-air café seating areas will be created from within the existing building footprint. New awnings will be added and tile will be removed and replaced with stone facing along the lower portions of the facade. A new trellis will provide shade along the façade. Storefront windows and doors will also be upgraded. The walls of the passageway between the two buildings will be upgraded by creating a colonnade with trellises and planting.

For the second story, we propose to add new shutters, low rooftop balconies, railings and trellises. Within 7470 Girard, the existing offices on the second floor in the back are to be converted to four (4) studio apartments, approx. 600 square feet each. A deck that faces Drury Lane on the rear façade will be added, accessible from the units' shared hallway and stairway. Open exterior stairways will be brought up to code. The Drury Lane façade also proposes new awnings and balconies. An existing single-story portion of the 7438 building along Drury Lane will have a new saw-tooth sky-lit roof.

Respectfully submitted,

Anna Palmer

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

COMMITTEE REPORT

For
April 2013

April 9 2013 Present: Benton (Chair), Collins, Costello, Grunow, Kane, Liera

April 16 2013 Present: Collins, Costello, Grunow, Kane (Chair Pro Tem), Liera, Merten

1. NON-AGENDA PUBLIC COMMENT 4/9/13

David Little: Provided a 6-page handout regarding the 30-foot Height Limit. Proposition D is not based on a measurement to the finished grade as still widely believed today. This myth was propagated by Development Services 20 years ago, but still plagues us today. Using the finished grade produces a variable measurement point and this violates the intent of Proposition D.

Costello: The project at 6604 Muirlands came to us in 2010, it was very contentious. At the LJCPA, neighbors reported that a very important part of the project and eventual approval, the driveway, is not constructed as promised/permitted.

2. SUBCOMMITTEE MOTION 4/9/13: As Chairman Benton recused himself for the remainder of the meeting following presentation of Starbucks Torrey Pines, motion to elect Diane Kane Chair Pro Tem. (Costello/Benton 5-0-0)

In Favor: Benton, Collins, Costello, Grunow, Liera

Oppose: 0

Abstain: Kane

Motion Passes

recorder setting 0001 00 42 40

3. PRELIMINARY REVIEW 4/9/13 & FINAL REVIEW 4/16/13

Project Name: **STARBUCKS TORREY PINES**

1055 Torrey Pines

Permits: CDP, SDP

Project #: PO# 310878

DPM: Jeannette Temple, (619) 557-7908

Zone: Zone 2

jtemple@sandiego.gov

Applicant: Elisabeth Valerio, (323) 954-8965

Scope of Work:

(Process 3) Coastal Development Permit and Site Development Permit for outdoor patio seating of approximately 1,099 square feet, for an existing Starbucks in an existing commercial building at 1055 Torrey Pines Road in Zone 2 of La Jolla Planned District within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Ht Limit, Transit Area.

APPLICANT PRESENTATION 4/9/13: (Elisabeth Valerio)

DISCUSSION: DPR Members discussed the inadequate design of the current parking lot. Expressed the opinion this is the opportunity to improve the parking lot and its circulation. This is needed as a Starbucks usually has a great deal of traffic. Parking on Virginia Way is All Day, it should be One Hour since the commercial area needs turn-over.

APPLICANT PRESENTATION 4/16/13: (Elisabeth Valerio)

Provided for FINAL REVIEW: *Applicant response in italics*

- a. Please improve the parking lot and circulation design. Indicate parking relationship to building, curb cuts, and the number of spaces. *Revised plan shown. Required parking spaces, 23; providing 38.*
- b. Please indicate turning movements of cars onto Torrey Pines Rd and Virginia Way. *Done*
- c. Please show the relationship of the flower shop, traffic circulation. *Done*
- d. Indicate loading zones and trash pickup. *Done*
- e. Provide accurate drawings to indicate current site situation, and updated proposed plans. *Done*

Please provide for FINAL REVIEW on 05/14/2013:

- a. Please indicate path of pedestrian travel from Bloomers to the deck.
- b. Provide a clearer exhibit showing ADA handicapped parking, the sidewalks, and path of travel to office and commercial spaces.
- c. Please provide a statement from the City that the ADA path of travel around the building is adequate.
- d. Please close the driveway from Torrey Pines Rd to Bloomers, use space for parking.

recorder setting 02 01 36 07

4. PRELIMINARY REVIEW 4/9/13*

**This project qualifies for a Coastal Exemption. The applicant requested a Courtesy Review and Vote.*

Project Name: **GIRARD VILLAGE COLLECTION**

7438-7470 Girard Ave.	Permits:	CDP
Project #: 317104	DPM:	Cherlyn Cac, 619-446-5293
Zone: LJPD-1		CCac@sandiego.gov
	Applicant:	Paul Benton, (858) 459-0805

Scope of Work:

Coastal Development Permit for project to remodel the existing building façade, create outdoor café areas and remodel second story offices to apartments in an existing commercial building at 7438-7470 Girard Ave., in Zone 1 of La Jolla Planned District within the La Jolla Community Plan, Coastal Overlay, Coastal Ht Limit, Coastal Parking Impact, Residential Tandem Parking, Transit Area overlay.

APPLICANT PRESENTATION 4/9/13: (Jim Alcorn, Paul Benton)

The City DPM and the Applicant believe the project could be exempt from the requirement for a Coastal Development Permit, and the project could be done with ministerial processing. The DPR is asked to give Community input.

Mixed Use. No change in use. As a whole site, the intensity of use does not change. Upstairs, current office space will be converted to 4 small studio apartments averaging about 600 sq. ft. each. Stairs only, no elevator. Remainder of upstairs office space stays office use.

Apts 1.25 spaces /unit = 5 parking spaces. 1.7 parking spaces/ 1,000 sq. ft. commercial

Parking. 51 spaces on the property and next door, both same owner. Parking was previously approved by NUP, non-conforming today.

SUBCOMMITTEE MOTION: to combine the Preliminary and Final Reviews.

(Collins/ Liera 5-0-0)

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

Oppose: 0

Abstain: 0

Motion Passes

SUBCOMMITTEE MOTION: To endorse the project's exemption from requiring a Coastal Development Permit, the Project is a good example of using an existing building, reducing the intensity of use, and enhancing the façade.

(Liera / Collins 5-0-0)

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

Oppose: 0

Abstain: 0

Motion Passes

recorder setting 0001 01 03 48

5. PRELIMINARY REVIEW 4/9/13* (PREVIOUSLY REVIEWED 2/19/2013.)

**This project qualifies for a Coastal Exemption. The applicant requested a Courtesy Review and Vote.*

Project Name: **THE PLAZA**

7863 Girard Ave.

Permits:

CDP

Project #: PO# 315006

DPM:

Cherlyn Cac, 619-446-5293

Zone: LJPD-1

CCac@sandiego.gov

Applicant:

Paul Benton, (858) 459-0805

Scope of Work:

Remodel entrance areas, walks, and interior public spaces in an existing 2-story building on a 0.27 acre site at 7863 Girard Avenue in Zone 1 of La Jolla Planned District within the La Jolla Community Plan.

APPLICANT PRESENTATION 4/9/13: (Jim Alcorn, Paul Benton)

The City DPM and the Applicant believe the project could be exempt from the Coastal Act, a CDP, and the project could be done with ministerial processing. The DPR is asked to give Community input.

This is the former Jack's building. Will be converted to 3 separate buildings, public open space separating buildings, an elevator tower at the Girard entry. Tower not completely designed yet.

Sidewalks will be repaved with patterned concrete, the interior space will have tile. Will remove outside tables on the sidewalk. Sometime later, the valet parking could return.

DISCUSSION: The Committee discussion centered on the removal of the sidewalk tables, not increasing intensity of use, maybe lessening, removing the Jack's awnings, enhancements. Enhanced paving. No big changes. Asked that the color palette be consistent with the Athenaeum. Tower design was an issue. Nothing to trigger a CDP.

SUBCOMMITTEE MOTION: To endorse the project's exemption from requiring a Coastal Development Permit, as the buildings will remain, and there is a de-intensification of use, and there is enhancement without a change in use.

(Liera / Collins 5-0-0)

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

Oppose: 0

Abstain: 0

Motion Passes

recorder setting 0001 01 22 47

Please provide for FINAL REVIEW:

- Please provide tower design in final form.
- Provide a color palette considering relationship to neighboring buildings (Athenaeum?).
- Provide a landscape plan.
- Show a paving plan.

6. PRELIMINARY REVIEW 4/9/13*

**This project qualifies for a Coastal Exemption. The applicant requested a Courtesy Review and Vote.*

Project Name: **SUR LA TABLE-GIRARD**

7643-7645 Girard Ave.

Permits: DEH, Building Permit

Project #: 320612

DPM: Bryan Hudson

Zone: LJPD-1

Applicant: Paul Benton, (858) 459-0805

Scope of Work:

Health Department Review and Building Permit for commercial tenant improvement combining two existing retail spaces into a single space of 6,557 sf of retail, cooking classroom area and accessory spaces within an existing building at 7643-7645 Girard Ave. Located in Zone 1 of La Jolla Planned District within the La Jolla Community Plan.

APPLICANT PRESENTATION 4/9/13: (Jim Alcorn, Paul Benton)

The City DPM and the Applicant believe the project could be exempt from the Coastal Act, a CDP, and the project could be done with ministerial processing. The DPR is asked to give Community input. Converting the old furniture store to a cooking school. Removing non-compliant awnings, removing gratings. Parking access from the alley. 6,600 sq. ft. x 1.7 = 12 parking spaces. Have 10 parking spaces currently grandfathered, but not making it worse.

SUBCOMMITTEE MOTION: to combine the Preliminary and Final Reviews.

(Collins/ Grunow 5-0-0)

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

Oppose: 0

Abstain: 0

Motion Passes

SUBCOMMITTEE MOTION: To endorse the project's exemption from requiring a Coastal Development Permit based on the improvement and enhancement for the front façade, no intensification of use, and retaining the existing building's use.

(Grunow / Costello 5-0-0)

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

Oppose: 0

Abstain: 0

Motion Passes

recorder setting 0001 01 36 23

7. FINAL REVIEW 4/16/13 (PREVIOUSLY REVIEWED 3/12/2013, 3/19/2013)

Project Name: **VISIN DUPLEX**

337 Playa Del Sur St

Permits: CDP

Project #: PO# 280069

DPM: Jeffrey Peterson, (619) 446-5237

Zone: RM-3-7

japeterson@sandiego.gov

Applicant: Sarah Horton, (619) 231-9905

Scope of Work:

(Process 2) Sustainable Expedite Program Coastal Development Permit to demolish an existing duplex and construct a 3,273 square foot duplex on a 0.04 acre site at 337 Playa Del Sur Street in the RM-3-7 Zone within the La Jolla Community Plan, Coastal Overlay Zone (Non-Appealable Area 2), Coastal

Height Limitation Overlay Zone, Parking Impact Overlay Zone, Residential Tandem Parking Overlay Zone, Transit Area Overlay Zone.

APPLICANT PRESENTATION (Sasha Varon, Sarah Horton)

Provided for FINAL REVIEW: *Applicant response in italics*

- a) More documentation from the HRB Staff, including original report Jan. 2010.
- b) Provide the evidence that supports the Report's conclusion that the structures have lost integrity.
- c) Please re-send the Reports, attachments, and other documentation.

DISCUSSION:

Prof Blackmond's letter read aloud requesting a continuance to allow John Eisenhart and Ron May the opportunity to write an independent report. Support for a Continuance was expressed since not hearing counter-arguments could be reason for an appeal to the California Coastal Commission, also the LJCPA needs our recommendation based on complete information, and not hearing the neighbors' consultant's report would be a reason to pull this project from the LJCPA Consent Agenda, causing delays. DPR Members asked that the report be available before the next DPR Meeting and the authors and Scott Moomjian present their best reports, and that this be ASAP, i.e. at the next DPR Meeting. The Applicant's Architects agreed to this strategy for a resolution and asked for a Continuance until 14 May.

recorder setting 02 00 31 25

8. ACTION ITEM 4/9/13: Adoption of DPR Committee Exhibit Requirements

Chairman Paul Benton agreed to synthesize a combined document from the draft dated December 19, 2012 with the 2011 Document and the information format used by the Island Architects statistics sheet.

recorder setting 0001 01 52 54

9. ACTION ITEM 4/16/13: Adoption of DPR Committee Exhibit Requirements

See attached draft dated December 19, 2012, Benton's Document, Island Arch. Statistics Sheet

Discussion:

Add date original structure built, sq. ft., and number of levels. Ask for site plan. Floor plan, major elevations, show adjacent property. For commercial projects, show pedestrian access, automobile access, and parking.

Post the Exhibit Requirements on the CPA website. (Send to DSD Project Managers?)

Reduce the size of the document, to one page?

Suggestion that we approve the Exhibit Requirements, get it into circulation and improve it as we get feedback.

SUBCOMMITTEE MOTION: To approve the Exhibit Requirements and continue refinements.

(Collins/Costello 6-0-0)

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

Oppose: 0

Abstain: 0

Motion Passes

recorder setting 02 02 17 53

La Jolla Shores Permit Review Committee Minutes

Tuesday April 23, 2013

Committee members in attendance: Helen Boyden (chair), Laura DuCharme-Conboy, Dolores Donovan, Janie Emerson, Tim Lucas, Myrna Naegle, John Schenck. Absent: Phil Merten.

1. Non-Agenda Public Comment – 2 min. each for items not on the agenda

Laura Conboy: La Jolla Historical Society is hosting a young architects camp for middle school to high school children during the summer. There is a one week session for each age group. It will be held at Bishops school. Contact the Historical Society for more information.

2. Chair Comments

- On April 4, the LJCPA approved its President's appeal of 7940 Costebelle to the Planning Commission, no date as yet.
- On April 16 the LJSAB approved the Gaxiola residence. The project approved had been modified from what had been presented to the PRC committee.
- LJS AB agendas have an official posting URL of:
<http://www.sandiego.gov/planning/community/profiles/lajolla/pddoab.shtml>
- The Sudberry project has been deferred to May to resolve some of the cycle issues.
- The Viterbi project will not be heard until some issues are resolved with the City.

3. Project review –

Dimenstein Residence - 8445 La Jolla Scenic Drive

- Project No. 313406
- Type of Structure: Single Family Residence
- Location: 8445 La Jolla Scenic Drive
- Project Manager: Glenn Gargas; 619-446-5245; ggargas@sandiego.gov
- Owner's rep: Scott Spencer; 858-459-8898; scottspencerarchitect@gmail.com

Project Description: Remodel and construct a 6,000 sf two-story addition to a 3,775 sf SFR to total 8,733 sf SFR on a 21,665 sf site at 8445 La Jolla Scenic Drive. Coastal Height Limit and Campus Impact Parking Zones.

The project is seeking: Site Development Permit (SDP)

The chair stated that she lived near the project but not within 300' and walked by it frequently. It would have no effect on her property.

Presented by Scott Spencer, Architect:

What they are proposing is a house somewhat similar to the 2-story house being built next door to the south. They are remodeling the first floor which will have a larger footprint than the present configuration. Much of the increase in space will be from the second floor addition. The proposed project will result in a 7970 sq ft house, plus 750 sq ft garage. There will be 7 bedrooms and 7 parking spaces. There are 3 existing garage spaces accessible from two driveways, which they

wish to retain. There will be a green play area on the south side of the house and a swimming pool in the back yard just before the land begins slopes down. The first floor additions are mainly at the northeast section of the lot. Second floor is stepped back from 2' to 4' from first floor for privacy and to soften the lines of the house. The city reviewer pointed out that the planes were softened.

The style of the house is going from a Craftsman/Ranch look to a Mediterranean/Tuscan style with a tile roof. Elevations were presented to the committee. Rear elevation shows a little courtyard. The pad height will stay the same but the finished floor will be 2" higher. A materials board was presented. The roof tiles are subdued earth tones and have 3 colors, from red to brown. The stone veneer is earth tone to gray. The stucco is a lighter tan. The window trim is a darker brown to contrast slightly with the stucco.

For drainage, the rooftop water and side yard water will drain to the street in front. For the rear third of the property they will channel the water into the several-lots-long brow ditch system that the neighbors to the south, the Arons also are using. There is 42.4% green landscape. They don't have the complete landscape plan yet and do not know how many of the older trees will remain. They will be preserving one of the large pine trees at the rear.

There is an issue with the city about having 2 curb cuts. The City wants only one curb cut but that will eliminate access to one of the garage parking spaces. The property owner wants to keep the existing 2 curb cuts. **Zachary Dimenstein** (owner): This is a remodel, rather than a complete tear-down and rebuild which was the case with the Aron residence next door, where the city made them eliminate one curb cut. He hopes that they city engineers will let them keep the existing curb cuts as it helps with parking. **Spencer:** They just received these comments back from the city and haven't had a chance to work with the city staff on this issue. If they have to eliminate one curb cut, they will add a fifth parking space in a row facing the south property line midway down the property. The City has asked them to mark out the parking spaces on the site plan.

Committee questions

Conboy: Are you keeping 50% of the existing first floor walls? **Spencer:** No, they are keeping less than 50% of the first floor walls. **Conboy:** If it was 50% then there might be prescriptive rights that would allow them to keep both driveways. They are not in the Coastal Overlay Zone so different rules apply. What is the length of the single car driveway? **Spencer:** The single driveway is 20' from property line, slightly more from sidewalk. But it is in the 20' setback so you can't count the driveway as a parking space. The single curb-cut is 12' wide, the double curb-cut is 14' . **Boyden:** I think that the city code is for 12' maximum width on curb-cuts in Impact Parking Zones. **Emerson:** What would you do to with the parking space if the north curb cut/driveway is closed off? **Spencer:** Remove the garage door and add a window –possibly other enhancements. Couldn't use the space for parking as you can't get to it, unless you do some sort of a jumbled tandem parking scheme, but that isn't allowed in this area.

Boyden: The existing house goes up to north property line. **Spencer:** There is a garden shed that goes to the wall between the properties. That shed will be removed. **Boyden:** What are the side setbacks? **Spencer:**

Current north setbacks: 6.5' at garage, 1' at shed, 15' at rear corner of house

Proposed north setbacks: 6.5' at garage, 6' where shed removed, 4' at midpoint, 8' at the rear corner.

Donovan: Is concerned about the privacy for the neighbors to the north with the second story addition. This addition will tower over the house to the north. **Board discussion ensued:** The neighbors to the north have a partial second story towards the rear and the 2-story element of the proposed house begins about the mid point, so shouldn't be an issue. The neighbor's driveway is next to the property line and their garage and house are 20' away. **Spencer:** They are stepping the second story back 5'. The neighbors have a garden shed that is 3' from property line.

Donovan: The neighbor's (Aron) house on the south has bedrooms at rear. Will there be privacy issues? **Spencer:** They have minimized the windows to the rear. Most are small and up high. The rooms at the rear are bedrooms and bathrooms so they are designing for privacy as well. They will probably use some type of opaque glass or smart glass for bathrooms. **Dimenstein:** He is friends with the Arons. They don't want to look into their windows and vice versa. They are working with the Arons on the window alignment issue. **Colin Hernstad (contractor for the Arons):** Arons are also sensitive to privacy issues. Have installed opaque glass already on many north facing second floor windows, in addition to vegetation and plantings that will help.

Boyden: Have you contacted any of the people on Sugarman Drive or Cranbrook Court? They had concerns about the bluff stability when the Aron project was being reviewed. **Spencer:** No.

Boyden: Do you have the 300' setback survey? **Spencer:** Yes, but only 1 copy. **Boyden:** Can you email the spreadsheet to me for distribution? **Spencer:** Yes. **Boyden:** Neighborhood character photo survey? **Spencer:** Has photos, but not mounted on a board. Can do that for next time.

Lucas: Will the older eucalyptus trees removed? **Spencer:** They have not decided what can stay and what will need to be removed. The city had concerns that some of these trees could have nesting birds. They want a survey of the trees made prior to any removal work. Nesting season is typically April through August.

Lucas: Will you elaborate on the drainage plan? The downslope neighbors had concerns during the Aron project, and there had been some sort of a blowout on the bluff further south. **Spencer:** Retention basin can go to the street. They are doing a detailed geological report. They are not adding any extra water than is already on the lot. Water from the roof and the side yard will be sent to the street. Water at the rear will feed to the brow ditch to the south and be handled as the Aron's is. Water going to the street needs to be filtered, so there will be some sort of a retention basin in a grassy area for this. **Lucas:** How will you drain the pool for maintenance? **Spencer:** There would have to be some sort of a pump to send the water to the street. They haven't thought about that yet. **Lucas:** Where and how will the pool equipment be sited? With houses so close to the property lines, pool equipment noise could be an issue. **Spencer:** They have not decided yet. They will look into putting it into an enclosure with noise suppression. **Lucas:** Will you be putting down pilings for the pool as it is near where the slope drops off quickly? **Spencer:** They haven't finalized the design of the pool or its depth. Their soils engineer says that they do not need pilings. They will need to do paleontological monitoring during excavation.

Schenck: In the cycles the city had issues about the parking spaces and the driveways. **Spencer:** The city wanted the parking spaces drawn on the plans with dimensions. They also want the north driveway closed. We will be negotiating with the city to try to retain the driveway.

Conboy: Looking at the aerial photo there are many large trees and a garden on the property to the north. With you building a second story will there be any shading issues? Have you talked with the neighbor about that. **Spencer:** They have not talked with the neighbor about this yet - the northern neighbor. **Conboy:** The city cycles noted a small fault running through the property. **Spencer:** Their consultant identified a small fault running through the property. The city geologist has asked our consultant to identify where the fault is on the site plan, and address any issues with the fault. **Conboy:** How will engineer locate the fault? Dig down 25' and inspect it? **Dimenstein:** This is a continuation of a potential fault from other properties. It was extrapolated to show that it continues through the rear (east) 25% of their property at the back bluff. They cannot dig into the bluff. **Spencer:** Once it has been documented on the site plan, and the architects, soils engineers, etc. will have to address it. They city will file a disclaimer, so that the city will not be liable for any damages due to the fault becoming active. Depending on what the geological report says, the pool would be the only structure affected and might need to be reinforced. The house is not affected by the fault.

Emerson: The house on Spindrift that the committee reviewed last year had a guest house that had to be carefully oriented due to a fault. This is a potentially important issue. She also has concerns that the setbacks on the north side property line are too close. She is looking for better setback conformity with the neighborhood.

Boyden: Are you using the same foundation? **Spencer:** With a second story they will have to add deeper footings and deal with side loads. They may have to replace the slab if it can't be reinforced. They are still working on the engineering for this. **Boyden:** The city had an issue with a planter in the right of way. **Spencer:** The planter is existing and is 5' into the right of way. They will most likely do an encroachment maintenance removal agreement. **Boyden:** She has an issue with the size of the house. This is several hundred square feet larger than the Aron house being built and will be the biggest house along this street. She has concerns that each new house is becoming bigger than its neighbor, and that it will have a negative effect on this area.

Naegle: What are your front yard and rear yard setbacks? **Spencer:** The front setback is not changing; it will remain at 28'. The rear setback will be 84'. **Boyden:** How far is the second story from street? **Spencer:** 50'. **Boyden:** This seems to be similar to the Aron house setback.

Public Comment

Burt Lazerow, Sugarman Drive area: What is the greatest extent of the shadow to the property on the north? **Spencer:** They have not calculated it. Doing some quick math here – factoring setbacks and eaves heights, and a 45% sun angle, could not see any shadow extending more than 20' on to the neighbor's property during winter maximum. The shadow would be likely much less, this is all an estimate and not scientific. The existing tree probably casts a bigger shadow than the house will.

Board Discussion:

Donovan: She is concerned that La Jolla Shores is losing its character as the houses get progressively larger. The larger houses are closer together; there are sun and shading issues, as well as noise issues. There will be less outdoor space and therefore less outdoor living. That vision of the future is one that the La Jolla Shores PDO was intended to prevent. **Spencer:** Many of the lots along this street are long and narrow. There really isn't a lot of outdoor space along the sides. The outdoor space is all at the back of the houses, and that is what this design does.

Conboy: Looking at the front elevation you have a 4 in 12 roof pitch. Could you reduce the plate height to lessen the bulk and scale and perhaps cast a smaller shadow? If you have vaulted ceilings you could reduce the roof height and still have the spacious feel inside. **Spencer:** Most of the upper floor is 9' plate except for master bedroom which is 10' plate. No vaulted ceilings. **Conboy:** There is one room shown on the elevation that looks higher? **Spencer:** That is one of the kids' bedrooms with a 9' plate. It should be the same height as the other bedrooms. This could be a drawing error.

Lucas: Do you show the 30' limit on your plans? **Spencer:** Yes, the chimney is 30' and the roofline 28' at highest. The roof averages around 23' for most of the second floor. Finished grade is the same as current, not moving any fill. **Lucas:** He is concerned about the older trees on the property due to the designated green belt that runs in the middle of La Jolla Scenic North. He would like to preserve as many as possible.

Motion: Lucas **Second:** Conboy

Continue the item to a future meeting. Would like the following information from the applicant:

- Setback survey with street addresses added and averages provided to committee
- Provide a streetscape showing proposed structure and photos of the other houses. Make a reasonably accurate presentation, and include the 2 houses to the north and the 3 to the south – six in all
- Parking plan with parking spaces identified and measured
- Single curb cut and north driveway issue resolved with the city
- Update on seismic information if available
- Pool equipment location and sound mitigation
- Pool drainage plan
- Will they be adding solar voltaic panels? If so, how will they be situated?
- Landscape plan. What trees will be retained?

Motion carries: 6-0-1

Approve: Conboy, Donovan, Emerson, Lucas, Naegle, Schenck

Oppose: None

Abstain: Boyden (chair)

DPR Committee Exhibits (Draft: DK, December 19, 2012)

Dear Applicants:

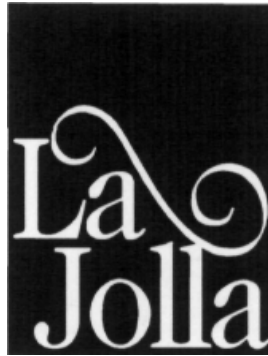
The Development Permit Review Committee of the La Jolla Town Council and the La Jolla Community Planning Association will review your development plans for completeness and compliance with the all relevant permits and regulations required under the **San Diego Land Development portion of the Municipal Code**.

We will also review your project for its ability to fulfill the long-range vision in the **La Jolla Community Plan**. This is the most important part of our review. We have to assess your proposed project's "consistency with the scale and character of the community. To that end, we will review your project for compatibility with its neighborhood context and geographical setting. That includes assessing the "constraints and opportunities" of the site, its topography, marine, coastal and canyon views, vegetation, bulk and scale of adjacent properties, and privacy concerns of neighbors. We want to know how your proposal will enhance your neighborhood, strengthen its existing character and add to the public realm as experienced from the street, sidewalk and public locations from which it can be viewed in the immediate vicinity.

To expedite your review and provide the greatest amount of disclosure to the general public during the development phase of your project, please provide the following exhibits, as applicable, for the committee:

1. Project concept drawings.
 - a. Large scale, uncluttered presentation drawings of the major elevations of your project.
 - b. Add color and enlarge and embolden the lettering and relevant measurements to a size that can be easily read from a distance of 15-20 feet.
 - c. Add indications of the maximum allowable building envelope for your property. Delineate the 30' height limit allowable in the coastal zone, and indicate the lowest and highest points for your measurements, existing and finished grades.
 - d. Enhance line weight and shade your drawings to indicate plane articulation, wall and window depth, change of building materials or other features that articulate the façade.
2. Materials board or other information regarding exterior treatment.
3. Landscape concept plan. Follow instructions for drawings in #1.
4. Neighborhood bulk and scale analysis.
 - a. Provide plot plan that indicates size of lots within a two block radius of your property (obtainable from Google Earth, Apple Maps, Zillow or other online source.)
 - b. Add footprints of existing structures. Include the footprint of your project in a visible red color.

- c. Add your project to the exhibit to approximate its bulk and scale in relationship to the general neighborhood. If there is an existing building on your lot, indicate both existing and proposed new construction so they can be analyzed for change to the neighborhood. Show photos of the existing building.
 - d. Provide spreadsheet with lot square footage, improvement square footage and FAR for area indicated on map.
 - e. Calculate same numbers for your project and note where it falls in the continuum of your study area.
- 5. Adjacent property compatibility analysis.
 - a. Provide scaled cross sections that note the location and profile of your project and its relationship to its closest neighboring structures. This may be next door, across the street, or both. Show changes in elevation between your property and others.
 - b. Include the location of relevant walls, fences, vegetation, secondary structures, easements and view corridors. Show same in conjunction with adjacent properties, and the public right of way.
- 6. Streetscape compatibility analysis.
 - a. Provide a scaled image of the street frontage on your block and indicate how your project will fit into the existing neighborhood context. This can be accomplished in a photo collage or concept drawing. The appearance of your project (building design massing, landscape, fencing) should be carefully represented and inserted into the existing streetscape.



Community Plan and Local Coastal Program Land Use Plan

April 2013 Edits
CPA for Children's Pool ESHA

City of San Diego Planning Department
202 C Street, MS 4A
San Diego, CA 92101



Printed on recycled paper.

This information, or this document (or portions thereof), will be made available in alternative formats upon request.

This plan presents the coastal issues that have been identified for the community; it proposes policies and recommendations in the various elements of the community plan to address those issues. These issues are summarized below:

- **Public Access to the Beaches and Coastline**

The Natural Resources and Open Space System Element recommends a comprehensive sign program to identify existing locations along the coast where public access to the shoreline exists; Figure 6, 9 and Appendix G identifies the existing coastline access points from La Jolla Farms to Tourmaline Surfing Park; and the Transportation System Element incorporates recommendations for improving bicycle access to Ellen B. Scripps Park and La Jolla Shores Beach and other public shoreline areas of La Jolla.

The plan also states that the City will review new developments for the potential of prescriptive rights of access in accordance with the California Coastal Act and state law.

- **Environmentally Sensitive Habitat Areas**

The Natural Resources and Open Space System and Residential Elements recommend that development be designed to prevent significant impacts upon sensitive habitats and identified endangered or threatened plant and animal species. In addition, a specific, Environmentally Sensitive Habitat Area that has seasonal access restrictions and buffer is designated for the Children's Pool Beach in order to protect breeding pinnipeds. No public access is permitted below the top of the lower staircase leading down to the sand from the sidewalk during seal pupping season. The beach area is designated as an Environmentally Sensitive Habitat Area pursuant to Sections 30107.5 and 30240 of the California Coastal Act and the lower staircase is a buffer for the ESHA.

- **Recreation and Visitor Serving Retail Areas**

The Commercial Land Use Element recommends retention of existing hotel, retail and visitor-oriented commercial areas in proximity to the beach and coastline parks in order to maintain a high degree of pedestrian activity and access to coastal resources.

- **Preservation or Conservation of Historic Resources**

The Heritage Resources Element recommends preserving the historical integrity of these community landmarks and archeological sites per the Secretary of Interior's Standards as well as maintaining the existing Cultural Complex within downtown La Jolla in order to retain the distinctive architectural, educational and historic heritage of the community.

- **Provision of Parks and Recreation Areas**

The Community Facilities Element recommends the preservation of existing resource and population-based parks and the identification of additional park and recreation opportunities throughout the community.

PHYSICAL ACCESS POINTS: (*dedicated)

1. Torrey Pines City Beach -U.C.S.D. access road off La Jolla Farms Rd. and trail south of glider port
2. Scripps Institution of Oceanography (public parking & stairs)
3. Kellogg Park-La Jolla Shores Beach*
4. Boat launching ramp at Avenida de la Playa
5. Walk at south end of the Marine Room restaurant
6. Princess Street (emergency access)
7. Scenic overlook from Coast Walk off of Torrey Pines Road (public parking, lateral access)
8. Cave Store access to Goldfish Point
9. La Jolla Cove -Ellen B. Scripps Park *
10. Coast Boulevard Park: Boomer Beach
11. Coast Boulevard Park: Shell Beach
12. Coast Boulevard Park: Children's Pool [\(For more information regarding the ESHA with seasonal access restrictions refer to Appendix G Subarea E\)](#)
13. Coast Boulevard Park: South Casa Beach
- 13a. Coast Boulevard Park: Wipe-out Beach
14. Nicholson's Point Park
15. Dedicated walkway at 100 Coast Boulevard South*
16. Stairway at the end of Marine Street (Jones Beach)
17. Paved walk at end of Vista Del Mar; heavily used for beach access*
18. Street at the end of Sea Lane
19. Walk at the end of Vista de la Playa
20. Fern Glen at Neptune Place
21. Windansea Shoreline Park at the west end of Fern Glen, Belvedere, Westbourne, Nautilus & Bonair Streets*
22. La Jolla Strand Shoreline Park at the West End of Gravilla, Kolmar, Rosemont Streets, and Palomar Avenue*
23. Hermosa Terrace Shoreline Park at west end of Palomar Avenue*
24. Paved easement between 6406 and 6424 Camino de la Costa
25. Cortez Place between 6160 and 6204 Camino de la Costa
26. Mira Monte Place between 6040 and 6102 Camino de la Costa -unimproved street
27. Paved stairs and walk at the end of the 5900 block of Camino de la Costa
28. Stairway from Bird Rock Avenue to tide pools
29. Pathway and stairs extending to the shore from Linda Way
30. Tourmaline Park*

wildlife habitats. In addition, the open space designations and zoning protect the hillsides and canyons for their park, recreation, scenic and open space values. The location of the public and private dedicated and designated open space and park areas in La Jolla are shown on Figure 7 and include, but are not limited to, all lands designated as sensitive slopes, viewshed or geologic hazard on City of San Diego Map C-720 dated 12/24/85 (last revision).

Visual Resources

La Jolla is a community of significant visual resources. The ability to observe the scenic vistas of the ocean, bluff and beach areas, hillsides and canyons, from public vantage points as identified in Figure 9 has, in some cases, been adversely affected by the clutter of signs, fences, structures or overhead utility lines that visually intrude on these resources.

Mount Soledad provides magnificent vistas of the coast of San Diego and is a regional landmark and an important visual resource for the community to preserve. Its slopes form a unique visual backdrop of significant scenic value which provides a natural relief from the commercial development that characterizes La Jolla's village area. Moreover, public views to La Jolla's community landmarks such as the San Diego Museum of Contemporary Art, and to historic structures, including the La Jolla Recreation Center and the La Jolla Woman's Club, are to be preserved. Significant public views of the coast are provided from Ellen B. Scripps Park and Kellogg Park. Other identified public vantage points are shown in Figure 9.

Shoreline Areas and Coastal Bluffs

The entire coastline of La Jolla stretching from La Jolla Farms to Tourmaline Surfing Park provides dramatic scenic beauty to the City of San Diego is considered an important sensitive coastal resource and should be protected.

The maximum use and enjoyment of La Jolla's shoreline is dependent upon providing safe and adequate public access to such major and special use recreational areas as La Jolla Shores Beach, Ellen B. Scripps Park, Coast Boulevard Park, Marine Street Park, Coast Walk, Windansea Beach, Calumet Park, Tourmaline Surfing Park and the Bird Rock tidepool areas.

Public access to this resource is limited, particularly along portions of Bird Rock, La Jolla Hermosa and in La Jolla Farms, due to steep slopes, cliff erosion and sensitive rock formations and restricted parking. Beach access is also limited in the seasonal Children's Pool Beach Environmentally Sensitive Habitat Area and buffer during the seal pupping season in order to prevent significant disruption.

This plan identifies two types of physical access: lateral (movement along the shoreline) and vertical (access to the shoreline from a public road). Public access at designated beach and shoreline points has been improved with the addition of stairways or ramps at certain points along the coastline including Tourmaline Surfing Park, Linda Way, Bird Rock Avenue, Windansea Park, La Jolla Strand Park, Jones Beach, Coast Boulevard Park, Shell Beach, Scripps Park, Children's Pool and La Jolla Shores Beach.

SUBAREA E: COAST BOULEVARD

Shoreline Access:

- a. La Jolla Cove. Small (.4-acre) pocket beach at the north end of Ellen B. Scripps Park. Concrete stairways provide access down bluff. Heavily used. The Cove and adjacent bluffs are an important visual and historical resource. Site of the La Jolla Roughwater Swim.
- b. Ellen Scripps Park. Dedicated 5.6-acre bluff top park. The park is a major recreational focal point for visitors to La Jolla. A scenic walkway along the bluff edge provides outstanding coastal views. A ramp down the bluff provides access to Boomer Beach. Heavily utilized. No off-street parking.
- c. Shell Beach. Small pocket beach south of Ellen B. Scripps Park. Stairway has been damaged.
- d. Children's Pool. Small (.7-acre) artificial pocket beach held in place by seawall. Lifeguard facilities. Stairway access down bluff. Heavily utilized. A specific, Environmentally Sensitive Habitat Area that has seasonal access restrictions is designated for the Children's Pool Beach in order to protect breeding Harbor Seals. No public access is permitted below the top of the lower staircase leading down to the sand from the sidewalk during seal pupping season. This area is designated as an Environmentally Sensitive Habitat Area pursuant to Sections 30107.5 and 30240 of the California Coastal Act.*See discussion below.
- e. South Casa Beach. Small pocket beach accessible by concrete stairway. Part of Coastal Boulevard Park.
- f. Coast Boulevard Park. Dedicated 4.55-acre Shoreline Park between the stairway at Ocean Street and the stairway south of La Jolla Boulevard. Several unimproved trails provide access down gentle bluffs and vegetation dunes. Moderate-to-heavy use. No off-street parking.
- g. Vehicular access. Graded area near intersection of South Coast Boulevard and Coast Boulevard provide beach access for emergency vehicles.
- h. Concrete stairway next to pump station. Provides pedestrian access to adjacent pocket beach and north end of Nicholson's Point Park.

* On June 8, 2010, the City of San Diego City Council, via Resolution R-305837, directed the City Attorney "to draft an ordinance amending the Municipal Code...to prohibit public access to the Children's Pool beach during harbor seal pupping season, from December 15 to May 15" and directed the Mayor or his designee "to amend the Local Coastal Program, only if required, to prohibit the public from entering the beach during harbor seal pupping season from December 15th through May 15th. In order to effect this directive, staff proposed the establishment of an Environmentally Sensitive Habitat Area during pupping season for the Children's Pool beach in accordance with California Coastal Act Section 30107.5;

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments."

Upon adoption of an ESHA, Coastal Act section 30240 requires:

"Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas...." and "[d]evelopment in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas."

The La Jolla Community Plan/LCP places high value on coastal access and resource protection and the community plan policies are all considered to have equal value. In addition, the Coastal Act recognizes the value of various, competing goals in Section 30001, it also sets out a strategy on how to resolve conflicts between those goals in Section 30007.5:

The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.

Therefore, in order for the LCP to be consistent with the Coastal Act, compliance with Section 30007.5 is required. The basis for the prohibition of public access onto the lower staircase leading down to the sand from the sidewalk and onto the Children's Pool beach during the seal pupping season via establishment of an ESHA that restricts seasonal access is based on such a prohibition being the most protective of significant coastal resources.

In conjunction with the LCP amendment, the City Council also adopted an ordinance by adding a Section 63.0102(e)(2) as follows: *It is unlawful for any person to be upon or to cause any person to be upon the beach of the La Jolla Children's Pool, starting from the lower stairs to the beach beginning with the second landing, from December 15 to May 15.*

D R A F T
La Jolla Community Planning Association
Joint Committees and Boards
2013 – 2014 Appointees

**all appointees from other groups to be elected at their May 2013 mtg
& will be ratified at the June 2013 LJ CPA mtg*

Development Permit Review

LJCPA Appointees

vacant

Mike Costello

Paul Benton, Chair

Lynne Hayes

vacant

LJTC Appointees

Angeles Leira

Diane Kane

Bob Collins

Beth Gaenzle

vacant

La Jolla Shores Permit Review Committee

LJCPA Appointees

vacant

Phil Merten

Laura Ducharm Conboy

2012-2013 LJSA Appointees

Helen Boyden, Chair

Janie Emerson

Dolores Donovan

Tim Lucas

Myrna Naegle

La Jolla Planned District Ordinance Committee

LJCPA Appointees

Orrin Gabsch

Glen Rasmussen

David Little

Appointees By Others

Michael Dershowitz - LJTC

Jim Fitzgerald – LJTC

Jennifer Van Galder - LJTC

Bill Berwin – LJ BID

Sheila Fortune – LJ BID

Deborah Marengo – LJ BID

Joe Parker - BRCC

Ione Stiegler - BRCC, Chair

Traffic & Transportation Board

LJCPA Appointees

Dan Courtney

Orrin Gabsch

Appointees By Others

BRCC – Michelle Fulks

BRCC – Patrick Ryan

LJSA - John Kassar

LJSA - Lesser, Todd, Chair

LJSA – Joe Dicks (alt)

LJTC – Robert Hildt

LJTC – Earl Van Inwegen

LJ BID - Kelman, Keith

LJ BID – Tom Brade

D R A F T
La Jolla Community Planning Association
Joint Committees and Boards
2013 – 2014 Appointees

Coastal Access & Parking Board

Ward
ALLEN

Community Planner's Committee

Representative – Joe LaCava
Alternate – Tony Crisafi