



PO Box 889, La Jolla, CA 92038

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President: Tony Crisafi
Vice President: Joe LaCava
2nd Vice President: Patrick Ahern
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

Wednesday January 8, 2014

DRAFT AGENDA- Special Meeting

6:00p

1. Welcome and Call To Order: **Tony Crisafi**, President
2. Adopt the Agenda
3. **Meeting Minutes Review and Approval**: 5 December 2013
4. **Elected Officials Report** – Information Only
 - A. Council District 1 – Council President Pro Tem Sherri Lightner
Rep: **Erin Demorest**, 619.236.7762, edemorest@saniego.gov
 - B. 39th Senate District – State Senator Marty Block
Rep: **Allison Don**, 619-645-3133, Allison.don@sen.ca.gov
 - C. 78th Assembly District - Majority Leader Toni Atkins
Rep: **Toni Duran**, 619-645-3090, Toni.Duran@asm.ca.gov
5. **Non-Agenda Public Comment**
Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.
 - A. UCSD - Planner: **Robert Clossin**, rclossin@ucsd.edu, <http://commplan.ucsd.edu/>
 - B. Joyce Abrams- District 1: Gang Prevention commission explanation & survey
6. **Non-Agenda Items for Trustee Discussion**
Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.
7. Officer's Reports
 - A. Secretary
 - B. Treasurer
8. **President's Report**
 - A. **Children's Pool Beach Closure @ Planning Commission rescheduled to January 16th.**
 - B. **Report from Ad Hoc committee on vacation rentals**
1st meeting is Jan. 6th @ 5:00p
 - C. **Hillel Draft EIR review comments extended to Feb. 11th**
 - D. **Trustee Elections in March-** You must have attended 3 meetings in the past 12 months, including February. Candidate Forum at Feb meeting.

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 a consent item be pulled for reconsideration and full discussion.

→ Items pulled from this Consent Agenda are automatically trailed to the next LJCPA 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 (vacant), 4th Tues, 4pm

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

No PDO & T&T Meetings in December.

A. **Harbach Residence**

DPR Motion: Findings can be made for an amendment to the Coastal Development Permit and Site Development Permit for a CDP for the single-family residence as presented for 5372 Calumet. 6-0-1

5372 Calumet Avenue- Coastal Development and Site Development Permit (Process 3) for ESL to demolish a one-story, single-family residence and construct a 4,757 square foot, two-story over basement, single-family residence on a 0.20-acre property. The site is located in the RS-1-7, Coastal Overlay (appealable), Coastal Height, Sensitive Coastal (bluffs), Parking Impact Overlay Zones, and First Public Roadway in the La Jolla Community Plan.

B. **The Reserve**

DPR Motion: Findings can be made for the Coastal Development Permit, Planned Development Permit, Site Development Permit (Environmentally Sensitive Lands) and Vesting Tentative Map to subdivide a 25.14 Acre site into three parcels (three Single-Family Dwelling Units). The site is located at 6850 Country Club Drive. 5-0-1-1

6850 Country Club Drive- (Process 4) CDP, PDP, SDP (ESL) and Vesting Tentative Map to subdivide a 25.14 Acre site into three parcels (three SDU). The site is located within Zone RS-1-4/Coastal Overlay (Non-appealable), Coastal Height, Parking Impact, Brush Management, Very High Fire Hazard, Earthquake Fault Buffer, and Open Space Overlay Zones in La Jolla Community Plan.

C. **Calle De La Garza**

PRC Motion: Findings can be made for a Site Development Permit and a Coastal Development Permit for Project Number: 333421. 8-0-0

8347 La Jolla shores Drive-'SUSTAINABLE EXPEDITE PROGRAM', PROCESS 3 CDP and SDP to demolish a single family residence and construct a new 2-story, 5,990 square foot, single family residence on a 0.22 acre lot located at 8347 La Jolla shores Drive (address will change to Calle de la Garza), in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal Overlay (non-appealable), Coastal Height Limit and Parking Impact Overlay Zones within the La Jolla Community Plan area.

D. **Qin Addition**

PRC Motion: Findings cannot be made to amend the existing Site Development Permit and Coastal Development Permit No. 99-1339, based on the insufficient setbacks on the East and North sides of the property, and the bulk of the project in relation to surrounding neighborhood. The proposed project, due to its form and relationship, will be disruptive of the architectural unity of the neighborhood. 7-0-0

2604 Hidden Valley Road- PROCESS 3 - CDP and SDP to amend CDP/LJSPD Permit No. 99-1339 to remodel and add 3,124 sq. ft. to an existing 9,167 sq. ft. single family residence on a 0.62 acre lot located in the Single family Residence Zone of the La Jolla Shores Planned District, Coastal Overlay

(non-appealable), Coastal Height Limit, Parking Impact Overlay Zone within the La Jolla Community Plan area.

E. Whale Watch Way Residence

PRC Motion: Findings cannot be made for a Coastal Development Permit and a Site Development Permit for Project Number: 328415, based on the limited information provided to the committee. 5-1-0

8490 Whale Watch Way- PROCESS 3 - CDP, and SDP to demolish an existing single family residence and construct a 7,001 two-story, over basement single family residence on a 20,093 sq.ft. lot. The site is located in the Single Family Zone of the La Jolla Shores Planned District within the La Jolla Community Plan area, Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking.

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. Girard Avenue Mixed Use- Full hearing at request of applicant

7610 Girard Avenue- 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 in Zone 1 of La Jolla Planned District within the La Jolla Community Plan in Council District 1.

*DPR Action (October 2013): Findings can **NOT** be made for a Coastal Development Permit and Map Waiver to waive the requirements of a Tentative Map to construct the proposed eight residential condominium units and one 5,125 square foot commercial condominium unit in a three-story building (where a maximum of only two stories is allowed) at 7610 Girard Avenue. The proposed design is consistent with neither the intent nor the letter of the LJPDO, which clearly is intended to promote pedestrian-friendly accessible commercial environments with two-story buildings. The proposed project is not consistent with the neighborhood character of existing commercial development in the immediate vicinity of this LJPDO Zone 1 project site. The quality of the plaza space at the lower level fronting Girard Avenue is very poor. The placement of commercial uses 5' to 7' below the sidewalk level is not consistent with the PDO requirement that commercial uses be placed at the ground floor. The limited visibility of the commercial spaces and the difficulty in accessing the lower commercial level is not consistent with the neighborhood commercial character, nor with the intent nor spirit of the LJPDO. The proposed three-story building violates the LJPDO whether or not the overall structure height conforms to the SDMC. (Leira/Kane 7-0-1)*

PDO Action (November 2013): (1.) Findings cannot be made. The project does not meet the requirements of the Planned District Ordinance because the building is three stories in a two story Zone. Citing, Muni Code Section 113.0261. Passed 6-0-0

(2.) Findings cannot be made. The proposed project does not conform to the Planned District ordinance as it exceeds 30 feet in height from the final, finished proposed grade. Citing LJ PDO Section 159.0110 (n) definitions. Passed 6-0-0

(3.) Committee finds that the project does not conform to the Planned District Ordinance based on LJPDO Statement of Intent and Purpose and the maintenance of traditional building scale and facades in new commercial development. Citing LJPDO Section 159.0101 subsection (b) 2. Passed 6-0-0.

12. Hillel Center for Jewish Life –Draft Environmental Impact Report

The proposed project is a SITE DEVELOPMENT PERMIT AND RIGHT-OF-WAY VACATION to develop a vacant site located at the southwest corner of the intersection of La Jolla Village Drive and La Jolla Scenic Way, just south of UCSD in two phases. Phase 1 would consist of the temporary use of the Cliffridge property until the new HCJL facilities (Phase 2) are occupied. Phase 2 would involve development of the 0.8-acre vacant parcel east of the Cliffridge property. The new facility would provide three new buildings of approximately 6,479 square feet of gross floor area (GFA) around a central outdoor courtyard. The project site is within a Single Family Zone of the La Jolla Shores Planned District, Coastal Height Limit Overlay Zone, Campus Parking Impact Overlay Zone, and the La Jolla Community Planning Area. (Legal Description: Lot 67 of La Jolla Highlands Unit No. 3, in the City of San Diego, County of San Diego, Parcel Map No. 3528 and Portion of Lot 1299, Miscellaneous Map 36, Pueblo

Lands, in the City of San Diego, County of San Diego). The site is not included on any Government Code listing of hazardous waste sites.

Comments Due Feb. 11th

The DRAFT EIR and associated technical appendices are available online at:

<http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml>

Note: The draft EIR was revised to update the Traffic and Cumulative Impacts sections to reflect other projects in the area. The draft EIR is being recirculated with this new information. The LJCPA commented on the previous version of the draft EIR (See

http://www.lajollacpa.org/minutes/ljcpa13_0307min.pdf, Item 17.) There is no change to the design of the project.

**13. Assessment of La Jolla Beaches, Rocky Shores & Biological Environment-
Action Item**

Whether to request via letter that the City of San Diego take the following action:

To initiate a comprehensive study of the La Jolla Beaches and Rocky Shores areas. The assessment may include a typical scoping meeting and professional studies. Presentation by Mike Costello

14. Adjourn to next Regular Monthly Meeting, Feb. 6th, 2014, 6:00pm



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La Jolla Community Planning Association

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

Thursday, 2 December 2013

DRAFT MINUTES -- Regular Meeting

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

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

2. Adopt the Agenda

Approved Motion: To approve the agenda as posted: (LaCava, Weiss: 14-0-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, LaCava, Little, Manno, Merten, Naegle, Steck, Weiss
Abstain: Crisafi (Chair)

3. Meeting Minutes Review and Approval

Approved Motion: To approve the Minutes of 7 November 2013 as presented in the Public Document (Fitzgerald, Collins: 12-0-3)

In favor: Ahern, Boyden, Brady, Collins, Emerson, Fitzgerald, LaCava, Little, Merten, Naegle, Steck, Weiss
Abstain: Bond (absent), Crisafi (Chair), Manno (absent)

4. Elected Officials Reports - Information Only

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

Rep: **Erin Demorest**, 619.236.7762, edemorest@sandiego.gov reported that 1) the relocation of the main entrance of the Venter Institute from Torrey Pines Road to Expedition Way was approved by the Coastal Commission; 2) the Avenida de la Playa Storm Drain, Sewer and Water project is under way; 3) Recirculation of the Hillel dEIR with comments due by January 28th has been noticed.

B. 39th Senate District – State Senator Marty Block

Rep: **Allison Don**, 619-645-3133, Allison.don@sen.ca.gov was not present

C. 78th Assembly District Majority Leader Toni Atkins

Rep: **Toni Duran**, 619-645-3090, Toni.Duran@asm.ca.gov was not present.

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

UCSD - Planner: Robert Clossin, rclossin@ucsd.edu, <http://commplan.ucsd.edu/> also mentioned the Coastal Commission approval of the Venter Driveway relocation. The SIO Coastal Meander Trail—a 400 foot pedestrian trail with coastal outlooks is being funded by UCSD and the Coastal Conservancy.

Member Mike Costello presented a draft of a letter he had prepared for Trustee consideration urging the City to institute a comprehensive study of all La Jolla Beaches and Rocky Shores rather than taking a piecemeal approach, i.e., not considering only the Children's Pool as is currently being done.

Member Sally Miller urged trustees not to recommend approval of any sidewalk café with less than 8' feet of public sidewalk remaining.

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

Trustee Weiss noted the upcoming digging up of Park Row and wanted additional reassurance from the City that the pavement would be replaced by concrete (present surface) and not asphalt.

Trustee Little inquired as to the location of the off-street parking for two buildings on Turquoise. **Architect Tim Golba** replied that it was between the two buildings. It was noted that this was not a La Jolla project.

Trustee Courtney decried the current lack of holiday lights on the pedestrian bridge over Torrey Pines Road at the throat. **La Jolla Village Merchants President CA Marengo** said that the LVM were passing around the hat.

Trustee Naegle asked why the Ave. de la Playa work was being done during the holiday season, potentially affecting merchant business. **Ms. Demorest** replied that it was being done now to avoid the required summer season hiatus.

Trustee LaCava noted the December 5 article in the LJ Light about the successful fundraising for the Children's Pool sidewalk so that it could be accomplished during the construction of the CP Lifeguard station. He acknowledged **Member Phyllis Minick**, who initiated this project, for her commitment to the community and her intensive follow through on this project. He also mentioned the City Hike and Bike Coastal Trail with the challenges in establishing it from Sorrento Valley to Rose Creek in Pacific Beach resulting in a route going through UCSD and University City. Joe can provide additional information to anyone interested.

Trustee Boyden cited a book recommending architects explain projects so that their grandmother could understand them and to make display legible from ten feet away.

7. Officers' Reports

A. Secretary

Trustee Boyden stated that if you want your attendance recorded today, you should sign in at the back of the room. There are two sign-in lists: one for LJCPA members and a yellow one for guests.

LJCPA is a membership organization open to La Jolla residents, property owners and local business owners at least 18 years of age. Eligible visitors wishing to join the LJCPA need to submit an application, copies of which are available at the sign-in table or on-line at the LJCPA website: www.lajollacpa.org/. We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March.

You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become eligible for election as a trustee. You can become a Member after attending one meeting and must maintain your membership by attending one meeting per year. To qualify as a candidate in an election to become a Trustee, a Member must have documented attendance at three LJCPA meetings in the preceding 12-month period.

If you want to have your attendance recorded without signing in at the back, then hand to the Secretary 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.

Please note that members who failed to attend a meeting between March of 2012 and February 2013 (and similar for all time periods) have let their membership lapse and will need to submit another application to be reinstated

B. Treasurer

Trustee Fitzgerald reported that the beginning balance on November 1 was \$98.05. Receipts in November from donations and CD sales were \$338.25. Expenses including, agenda printing and telephone expenses were \$97.97, for an ending balance on November 30, 2013 of \$343.33.

Trustee Fitzgerald commented on the special generosity of the Membership and Trustees, citing a specially large contribution from an anonymous donor and reminded Trustees, Members and guests that LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees. He stressed the need for continued donations to support the expenses of the organizations. All donations are in cash to preserve anonymity.

8. President's Report

A. Children's Pool Beach Closure @ Planning Commission Dec. 12th

The City has issued a Negative Declaration of Environmental Impact on the proposed closure of the Children's Pool during pupping season. The City Council hearing date for this item is not yet determined. It was noted that the previously described Costello draft letter had not been noticed for action.

B. Report from Ad Hoc Committee on vacation rentals

1st meeting will be scheduled in January

C. LJCPA Committee Appointments - Action Item

For ratification by trustees – Ad Hoc Subcommittee on Vacation Rentals - Dan Courtney

Approved Motion: To appoint Trustee Courtney to the Ad Hoc Subcommittee on Vacation Rentals: (Emerson, Fitzgerald: 16-0-2)

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

Abstain: Courtney (Subject of Motion) Crisafi (Chair)

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 LJCPA 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

No T & T meeting in November

A. Neptune SCR

DPR Motion: Findings can be made for the Substantial Conformance Review of the Coastal Development Permit and Site Development Permit to reduce the number of units from 24 to 18 for a residential apartment complex, and as modified at the LJDPR meeting 19 November 2013, allowing for additional horizontal dimension to the step-back at the balconies, which shall be increased as follows: first floor: 2'-0", second floor: 1'-0", roof: 3'-0"; achieved either by an increased setback at the upper balconies or a reduced setback at the lower balconies 6-0-1

6767 Neptune Place- ****SUSTAINABLE BUILDING EXPEDITE PROGRAM**** SCR (PROCESS 2) to reduce the number of units from 24 to 18 for a residential apartment complex on a 0.56 acre site. The original project was approved pursuant to Coastal Development Permit No. 518964 and Site Development Permit No. 519873, and an Extension of Time for the permits was approved on September 11, 2013. The project incorporates a roof-mounted photovoltaic system consisting of solar panels sufficient to generate at least 50 percent of the project's projected energy consumption. The project site is located in the RM-3-7 Zone, Coastal Overlay Zone (Appealable), Coastal Height Limitation Overlay Zone, Sensitive Coastal Overlay Zone, Parking Impact Overlay Zone, Residential Tandem Parking and Transit Area Overlay Zones within the La Jolla Community Plan and the Local Coastal Program Land Use Plan.

B. BC Camino

DPR Motion: Findings can be made for an amendment to the Coastal Development Permit and Site Development Permit and Variance (Process 3) to amend CDP, SCR & Variance 91-0332 for an addition to a single-family residence 6-0-1

6106 Camino de la Costa - CDP, SDP and Variance (PROCESS 3) to amend CDP, SCR & Variance 91-0332 for an addition to a single-family residence consisting of an approximate 3,528 square foot addition and second driveway where only one is permitted, to an existing 5,493 sq ft, 2-story residence. The site is in the RS-1-5 zone, Coastal (appealable), Coastal Ht, Environmentally Sensitive Lands (bluffs), 1st Public Roadway, and Parking Impact Overlay zone in the La Jolla Community Plan.

C. Paydar Residence EOT

DPR Motion: Findings can be made for an Extension of Time amendment to the Coastal Development Permit No. 587174 as presented for a lot at 7227 & 7247 Fairway Road. 6-0-1

7227 & 7247 Fairway Rd -Extension of Time for Coastal Development Permit No. 587174 (Process 2) to demolish a single family residence and construct a 13,624 square foot residence with detached guest quarters on a 0.9-acre lot located at 7227 & 7247 Fairway Rd. The site is in the RS-1-4 Zone, Coastal (non-appealable), Coastal Height & Parking Impact Overlay Zones within the La Jolla Community Plan.

D. Ivanhoe Place

PDO Motion: Proposed signage conforms to the PDO 6-0-0

7776 Ivanhoe Avenue- Scope of work to include: Review of signage for LJPDO compliance in Zone LJPDO 1-A.

E. Coldwell Banker

PDO Motion: Signage, as altered by applicant, eliminating one banner and the remaining sign printed on both sides, conforms to the PDO 6-0-0

930 Prospect Street- Scope of work to include: Review of signage for LJPDO compliance in Zone LJPDO 1-A.

Approved Motion: To accept the recommendations of the DPR Committee that (A) Neptune SCR: Findings can be made for the Substantial Conformance Review of the Coastal Development Permit and Site Development Permit to reduce the number of units from 24 to 18 for a residential apartment complex, and as modified at the LJDP meeting 19 November 2013, allowing for additional horizontal dimension to the step-back at the balconies, which shall be increased as follows: first floor: 2'-0", second floor: 1'-0", roof: 3'-0"; achieved either by an increased setback at the upper balconies or a reduced setback at the lower balconies 6-0-1; (B) BC Camino : Findings can be made for an amendment to the Coastal Development Permit and Site Development Permit and Variance (Process 3) to amend CDP, SCR & Variance 91-0332 for an addition to a single-family residence 6-0-1; (C) Paydar Residence EOT: Findings can be made for an Extension of Time amendment to the Coastal Development Permit No. 587174 as presented for a lot at 7227 & 7247 Fairway Road. 6-0-1; and to accept the recommendation of the PDO Committee that: (D) Ivanhoe Place: Proposed signage conforms to the PDO 6-0-0; and (E) Coldwell Banker: Signage, as altered by applicant, eliminating one banner and the remaining sign printed on both sides, conforms to the PDO 6-0-0 and forward the recommendations to the City (LaCava, Manno: 17-0-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Courtney, Emerson, Fitzgerald, Forbes, LaCava, Little, Manno, Merten, Naegle, Steck, Weiss, Zimmerman
Abstain: Crisafi (Chair)

10. Reports from Other Advisory Committees - Information only

- A. Coastal Access and Parking Board** - Meets 1st Tues, 5pm, La Jolla Recreation Center. Item inadvertently omitted.
- B. Community Planners Committee** – Meets 4th Tues, 7p, 9192 Topaz Way. Item inadvertently omitted.

11. La Jolla Children's Pool Lifeguard Tower –Information Only

The La Jolla Children's Pool lifeguard station project kicked-off in June of 2013. Demolition is complete and the construction phase has begun. The Design-Build Contractor is installing Potable Water, Sewage and water proofing systems and constructing the building foundation. Construction will halt during the seal pupping moratorium (December 15, 2013 through June 1, 2014). Construction will resume on June 2, 2014, and is scheduled for completion by December 2014.

Applicant: Yousif Benyamin, Assistant Engineer – Civil, Public Works, City of San Diego

Presented by **Jihad Sleiman** Plans are to complete the slab before the pupping season begins. The two parking spaces used by the demolition crew have been restored and the color palette has been lightened in response to LJCPA request. Work will resume in June 2014.

12. Henely Residence No. 279093- Action Item

Appeal Deadline: Dec. 9th, 2013 / Planning Commission Hearing date: Nov. 14th, 2013 appeal denied, permit upheld

Whether to appeal the project to the California Coastal Commission

The appeal period for the environmental document was announced at the meeting as "closed" prior to the meeting. The environmental document noticing process is being challenged.

CPA Previous Action (Aug 2013): That the findings are not sufficient for a Coastal Development Permit (Little, Collins: 7-5-3)

SD Planning Commission Motion (Nov 2013): MOTION TO DENY THE APPEAL AND APPROVE COASTAL DEVELOPMENT PERMIT NO. 980406. 5-0-2

Trustee Merten recused and left the room

Attorney Julie Hamilton said she is representing a group of neighbors appealing the project to the Coastal Commission. The Planning Commission approved the project 5-0-2. The City stated that the group's environmental appeal to the City Council was filed after the deadline. Grounds for appeal are view blockage and existing illegal wall. **Member Mike Costello** stated that there is another group of neighbors also appealing. **Trustee Manno** cited the original LJCPA motion and how each trustee voted.

Approved Motion: To appeal the project to the Coastal Commission (Little, Brady 10-5-2)

In favor: Bond, Brady, Collins, Courtney, Emerson, Forbes, Little, Naegle, Steck, Zimmerman

Opposed: Ahern, Boyden, Fitzgerald, LaCava, Manno

Abstain: Crisafi (Chair) Weiss (not well enough informed to reverse previous vote)

Recused: Merten

13. West Muirlands Traffic Calming Median Chokers (Pulled by Trustee Zimmerman)

T&T Motion (Oct. 2013): Traffic Calming Median Chokers Approved 6-1

Neighborhood representative **Nancy Gardner** stated that the choker was similar to the one on Via Capri, but oval shaped. All neighbors directly affected were supportive and were present at this meeting. She also presented a petition signed by many others on the street. She cited the many accidents that have occurred on this street which was formerly one-way uphill towards Nautilus. City has a lot of experience on this, but costs and some other details requested by trustees and members were not available. Other neighbors speaking were **Ned Jerge** and **Frances Hull**. **Member Mike Costello** and **Trustees Zimmerman, Forbes, Little, and Courtney** commented.

Approved Motion: To support the T & T motion approving the West Muirlands Traffic Calming Median Chokers (Little, Manno: 15-2-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Courtney, Fitzgerald, Forbes, LaCava, Little, Manno, Merten, Naegle, Steck, Weiss

Opposed: Emerson, Zimmerman

Abstain: Crisafi (Chair)

14. Café la Rue Sidewalk Café- Full hearing at request of applicant

1132 Prospect Street- (Process 2) A Neighborhood Use Permit (NUP) for a 198-square-foot sidewalk cafe for an existing restaurant at 1132 Prospect Street in Zone 1 of the La Jolla Planned District within the La Jolla Community Plan and Local Coastal Program Land Use Plan, Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact Overlay Zone (Coastal), and Transit Area Overlay Zone.

PDO Action (November 2013): Proposed project has issues with a clear path, not addressing the encroachment; remainder of project conforms to PDO 5-1-1.

Applicant: Carey Algaze

It was noted that the DPR had a failed motion to approve, but no other motion was made. So, therefore, there is no recommendation from the DPR. It was suggested the DPR minutes did not correctly reflect the DPR's action; nevertheless, the LJCPA review is a de novo hearing.

Presented by **Ms. Algaze** who noted presence of **La Valencia managing director Mark Dibella** and **Architect CA Marengo**.

Ms. Algaze noted changes that had been made in response to DPR queries: Palm tree will be moved and fitted out with square grate, so that there is an 8' pedestrian passage remaining. Valet station is now entirely on private property. Gate has been removed. Tables have been reduced in size and number to allow for ADA bathrooms. Total Café La Rue table seating has been reduced. Sidewalk will not be completely replaced at suggestion of City; they will remove and relay tiles; keep ADA slope <2%. City Historical Review wanted them not to have rounded railings, but use squared corners to match other railings. The sharp corners abruptness along sidewalk can be softened with use of large planters. She queried the "no" votes on the DPR and got the opinion that the "elderly" did not want to sit outside and some felt there was a liability from cars overrunning the curb. There will be no heaters.

Member Michael Morton inquired about the palm tree grate. **Patsy** and **David Marino, Norma Khatamed** and **Mr. Vaneson** spoke in favor. **Ms. Algaze** presented a packet of a dozen or so letters in support of the Café La Rue, many from business people with LJV addresses.

Trustee Merten questioned the visual effect of the differing heights above the sidewalk from one end to the other. Response was that it was ameliorated by the railing along the dividing line. **Trustees Ahern, Little, Fitzgerald, LaCava** and **Weiss** expressed support. **Trustees Courtney, Zimmerman, Emerson** expressed concerns. Trustees **Boyden, Manno, Bond** and **Forbes** had queries answered.

Approved Motion: To recommend approval of the Café la Rue Sidewalk Café (Little, LaCava: 10-7-1)

In favor: Ahern, Boyden, Brady, Fitzgerald, Forbes, LaCava, Little, Manno, Merten, Steck

Opposed: Bond, Collins, Courtney, Emerson, Naegle, Weiss, Zimmerman

Abstain: Crisafi (Chair)

15. Whitney Mixed Use- Revised Building Design

PROCESS 3 - TM Waiver, CDP, and SDP to demolish existing structures, construct 3 story building with 2 residential condo units and

2,000 sq. ft. of commercial space with basement parking on a 0.09 acre site at 2202 and 2206 Avenida De La Playa in the CC Zone of the La Jolla Shores Planned District within the La Jolla Community Plan area, Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking.

PRC Motion (Nov 2013): Findings can not be made for a Site Development Permit or a Coastal Development Permit based on the excessive upper floor building area, which is out of character in form and relationship with the other mixed use buildings in the area. 4-0-2

Trustee Naegle abstained and left the table to participate as a neighbor for items 15, 16, and 17

Architect Tim Martin presented the changes made to the project since the previous LJCPA review. The basement parking is now accessed by two car elevators instead of a ramp. One residential parking space has been gained underground. An open-on-two-sides, covered courtyard has been created adjacent to the parkway, decreasing the GFA. Upper story setbacks have been increased on the north, south and west sides resulting in a very articulated building that is reduced in bulk and scale. There is no setback at any level on the east side. Commercial structures can build to the lot line. The FAR is now 2.16. The foundation design has been changed to a mat slab, eliminating the need for deep caissons. There will be temporary shoring while the basement is being built. Streets usually follow these configurations: Residential: 10-28-10; commercial: 10-40-10. Alleys are 20'-25' with no parkway. Calle Clara is 30' with no parkway. Vertical landscaping will soften lines. [DPM **Tim Daly** later stated that buildings on the north side of Calle Clara were built with it designated a street. Structures on the south side of Calle Clara were built under "alley regulations." The City Engineer has determined that Calle Clara is an alley and adjacent construction does not need to follow the restrictions such as visibility triangles and curb cuts that are required for streets.]

Those commenting against: **Julie Hamilton, Attorney for La Jolla Shores Tomorrow** and **Mike McCormack** commented on size of projects. **Member Bernard Segal** commented on street vs. alley designation. **Members Althea Brimm** and **Dolores Donovan** commented on changes in La Jolla Shores. **Member Peggy Davis** commented on ground water, soil and project size. **Abstaining Trustee Naegle, adjacent resident:** commented as a neighbor on prior plans for walls facing the side edges of property.

Those commenting in favor: Applicant Bob Whitney: noted FAR's, pre PDO buildings, City response to request for a variance, building setbacks, characteristics and post construction changes to other structures in area. **Member Michael Morton:** noted changes in La Jolla Shores; role and character of the LJS commercial area. **Member CA Marengo:** commented on the project articulation and street vs. alley issues. **Bobby Whitney, son of applicant:** noted landscaping options and ground water solutions.

Trustee questions and comments (any response in parentheses): **Trustee Brady:** Stop signs (at east end but not west); **Trustee Ahern:** elevator noise (underground not an issue); **Trustee Forbes:** Bicycle element (will do in front setback); **Trustees Boyden, Collins and Zimmerman** noted setback, continuing change in the Shores, and light and air concerns. **Trustee LaCava** had talked to Whitney and PRC members. He commented on light and air concerns, prior existing buildings and conditions when the applicant purchased the property. He stated that he could support the project if there was a 5' setback on the east side at the 2nd and 3rd floor.

Approved Motion: To support the PRC Motion that : Findings cannot be made for a Site Development Permit or a Coastal Development Permit based on the excessive upper floor building area, which is out of character in form and relationship with the other mixed use buildings in the area. (Zimmerman, Manno: 13-3-2)

In favor: Bond, Boyden, Collins, Courtney, Emerson, Fitzgerald, Forbes, Little, Manno, Merten, Steck, Weiss, Zimmerman

Opposed: Ahern, Brady, LaCava

Abstain: Crisafi (Chair), Naegle (wishing to participate as neighbor)

16. Whitney Mixed Use – Draft Environmental Impact Report

The proposed project is a SITE DEVELOPMENT PERMIT and COASTAL DEVELOPMENT PERMIT to demolish existing previously conforming 1,519-square foot single-story residential and 1,538-square foot single-story commercial structures and construct a new three-story 8,518-square foot mixed-use building with commercial and residential condominiums. The 0.09-acre project site is located at 2202 and 2206 Avenida de la Playa within the La Jolla Shores Planned District area of the La Jolla community.

PRC Motion (Dec. 2013): The PRC committee approves in concept the responses to the Draft Environmental Impact Report for the Whitney Mixed Use Project as were discussed and agreed upon by the Committee on December 3, 2013. 5-0-2

NOTE: The DRAFT Environmental Impact Report is available online at:

http://google.sannet.gov/search?partialfields=&sort=date%3AD%3A%3Ad1&proxyreload=1&num=100&requiredfields=STARTED:T RUE.ENDED:FALSE.PATH:CEQA&layout_type=datetitlelink&getfields=DOCUMENT_URL.TITLE.DOC_DATE&output=xm l_no_dtd&ie=UTF8&client=scs_ ocd&filter=0&site=documents&config=ceqa.js&proxystylesheet=scs_ ocd&q=

Public Comment:

Julie Hamilton: cited document flaws; urged the LJCPA, as the recognized planning group experts, to comment on the dEIR and possibly ask for additional time. An opinion, even if handed in late, is in the public record and will be considered by the decision maker. **Member Dolores Donovan:** urged asking for extra time. **Bernard Segal:** Section 6.2.2 does not deal with future cumulative effects. **Kim Whitney, Applicant,** felt additional time would add to their already considerable expense. Member **Michael Morton** inquired as to where the PRC comments were. [They were part of the Public Documents which had been prematurely removed from the table.]

Trustee Emerson, PRC member, feels that the motion does not correctly characterize the PRC process, but the PRC comments as expressed are valid. She decried the expense to the applicant of producing such an inadequate document. **Trustee Merten** outlined the PRC process; shortness of time; that a first draft had supporting statements based on SDMC. **Trustee Boyden** noted lack of alternatives as prescribed by CEQA, citing **Attorney Hamilton's** written remarks. **Trustee LaCava** said LJCPA should not ask for more time, but agreed that many resources had been wasted. **He** and **Trustees Merten and Fitzgerald** said we should offer an opinion on the adequacy of the document.

Approved Motion: The La Jolla Community Planning Association finds that the Whitney dEIR is inadequate and disagrees with its conclusions that the project is in conformance with the La Jolla Shores PDO, the La Jolla Shores PDO Design Manual and the San Diego Municipal Code. (Fitzgerald, Zimmerman: 10-3-1)

In favor: Bond, Boyden, Brady, Emerson, Fitzgerald, Little, Manno, Merten, Steck, Zimmerman

Opposed: Ahern, LaCava, Forbes,

Abstain: Crisafi (Chair), Naegle (wishing to participate as neighbor)

Failed Motion: To send Trustee Merten's comments on the dEIR to the City under the LJCPA letterhead and signed by the LJCPA President (Boyden, Little: 6-7-1)

In favor: Bond, Boyden, Fitzgerald, Little, Merten, Zimmerman

Opposed: Ahern, Brady, Emerson, Forbes, LaCava, Manno, Steck

Abstain: Crisafi (Chair), Naegle (wishing to participate as neighbor)

17. Adjourn at 9:55 PM to next Regular Monthly Meeting, January 2, 2014 6:00 pm.

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

COMMITTEE REPORT
For
DECEMBER 2013

December 10 2013 Present: Benton (Chair), Costello, Collins, Kane, Mapes, Merten, Welsh
December 17 2013 Present: Benton (Chair), Costello, Collins, Leira, Mapes, Welsh

1. NON-AGENDA PUBLIC COMMENT 12/10/13

Costello: The Children's Pool matter will be heard by the Planning Commission at their meeting that starts at 9:00 am on December 12.

Costello: When the CPA considered the DPR vote on Café la Rue at La Valencia Hotel, the resolution was not properly presented. The DPR should have considered a new resolution that findings could not be made, and obtain a clear affirmative vote, if possible.

Costello: The Bonair Triplex with the variances was approved in the Senior Planner's hearing. The project will go to the Planning Commission.

Merten: It appears that appeals are more successful when the findings of the environmental document are considered and can be reversed. It appears that this is happening more frequently at the City Council level, rather than the Planning Commission.

2. NON-AGENDA PUBLIC COMMENT 12/17/13

Costello: The CPA will be holding a special meeting on Wednesday regarding the EIR for the Whitney project in La Jolla Shores.

Costello: The Children's Pool project will be before the Planning Commission on Thursday, no public comment, but for a vote by the Commission. This will be the tenth time this has come before the Planning Commission.

3. FINAL REVIEW 12/10/13 (PREVIOUSLY REVIEWED 11/19/13)

Project Name: **HARBACH RESIDENCE**

5372 Calumet

Permits: CDP, SDP

Project #: 319596

DPM: Glen Gargas, (619) 446-5142

Zone: RS-1-7

GGargas@sandiego.gov

Applicant: David Dombroski, 858 792-2800

Scope of Work:

Coastal Development and Site Development Permit (Process 3) for ESL to demolish a one-story, single-family residence and construct a 4,757 square foot, two-story over basement, single-family residence on a 0.20-acre property. The site is located at 5372 Calumet Avenue, in the RS-1-7, Coastal Overlay (appealable), Coastal Height, Sensitive Coastal (bluffs), Parking Impact Overlay Zones, and First Public Roadway in the La Jolla Community Plan.

APPLICANT PRESENTATION 12/10/13 (David Dombroski):

The applicant presented the supplemental information requested:

- a) A summary of neighborhood character on this side of the street for a distance of at least 5 homes.
- b) An historic report of the existing home.
- c) A geologic report.

DISCUSSION 12/10/13

A discussion ensued about the historic nature of the neighborhood, with several Shepard homes, although this home is not a Shepard home. The project was reviewed further, with a review of the floor plans, the easement dedications at the north and south sides, the scale of the improvements relative to others in the neighborhood.

SUBCOMMITTEE MOTION: Findings can be made for an amendment to the Coastal Development Permit and Site Development Permit for a CDP for the single-family residence as presented for 5372 Calumet.

(Merten/Costello 6-0-1)

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

Oppose: none

Abstain: Benton

Motion Passes

Chairman Benton noted that he will recuse himself from Item 4.

SUBCOMMITTEE MOTION: Mr. Merten was nominated to serve as Chair pro Tem for Item 4.

(Collins/Kane 5-0-2)

In Favor: Collins, Costello, Kane, Mapes, Welsh

Oppose: none

Abstain: Benton, Merten

Motion Passes

4. FINAL REVIEW 12/10/13 (PREVIOUSLY REVIEWED 08/21/12, 11/20/12, 11/19/13)

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

Scope of Work:

(Process 4) CDP, PDP, SDP (ESL) and Vesting Tentative Map to subdivide a 25.14 Acre site into three parcels (three SDU). 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, Earthquake Fault Buffer, and Open Space Overlay Zones in La Jolla Community Plan.

APPLICANT PRESENTATION 12/10/13 (Greg Shannon, James Alcorn):

The applicant presented the project with supplemental information as requested by the Committee. The Design Guidelines had been previously distributed to members of the Committee, and were available for review.

DISCUSSION 12/10/13

A discussion ensued about the Design Guidelines, the relation of the project to the site and the adjacent properties. The neighbors inquired about the height limitations, the scope of the proposed Coastal Development Permit, and the fences at the perimeter of the property.

SUBCOMMITTEE MOTION: Findings can be made for the Coastal Development Permit, Planned Development Permit, Site Development Permit (Environmentally Sensitive Lands) and Vesting Tentative Map to subdivide a 25.14 Acre site into three parcels (three Single-Family Dwelling Units). The site is located at 6850 Country Club Drive.

(Costello/Kane 5-0-1-1)

In Favor: Collins, Costello, Kane, Mapes, Welsh

Oppose: none

Abstain: Merten, as Chair Pro Tem

Recuse: Benton

Motion Passes

5. COURTESY REVIEW 12/10/13

Project Name: **VILLA K-L CDP**

1228 Park Row

Permits: CDP

Project #: 345149

DPM: Jeff Peterson, (619) 446-5237

Zone: RS-1-7

JAPeterson@sandiego.gov

Applicant: Patrick McInerney, 619 994-7991

Scope of Work:

****SUSTAINABLE BUILDING EXPEDITE PROGRAM **** CDP (Process 2) to demolish an existing residence and construct a 4,885 sq. ft. single family residence and detached guest quarters on a 9,425 sq. ft. site. The property is located at 1228 Park Row in the RS-1-7 zone of the La Jolla Community Plan area, Coastal Overlay (non-app 2), Coastal Height Limit, Parking Impact, Residential Tandem Parking, and Transit Area Overlay Zones.

APPLICANT PRESENTATION 12/10/13 (Patrick McInerney):

The applicant presented the project, with a review of his impressions of the neighborhood character, the unique configuration of the site, the two street frontages (Park Row and Silverado) the interpretation of the setbacks, and the scale and massing of the proposed residence.

A discussion ensued about the nature of the proposed home, the scale, massing, and some of the features, as well as the access and parking. The applicant indicated that he would prefer to retain the existing driveways at both frontages.

Please provide for PRELIMINARY REVIEW:

- a) Provide street views of the proposed residence at both street frontages, showing the proposed residence in relation to its neighboring houses.
- b) Provide longitudinal site sections through the property, extending across both Park Row and Silverado, showing the relation to the houses across the street.
- c) Provide a survey of neighborhood character for a distance of at least 5 homes on both streets, including the relative height, number of stories, developed floor area, and setbacks.
- d) Clarify the calculation of the setback at the side yard.
- e) Cycle Issues are scheduled to be returned December 22; please provide these when they are available.
- f) Provide the historic report of the existing home.

6. PRELIMINARY REVIEW 12/17/13

Project Name: **HART RESIDENCE**

6101 Camino de la Costa

Permits: CDP

Project #: 342370

DPM: Renee Mezo, (619) 446-5001

Zone: RS-1-7

rmezo@sandiego.gov

Applicant: Chris Balzano, 619.692.9393 x14

Scope of Work:

CDP (Process 3) to remodel and add a 2,085-square-foot, second story addition to an existing 3,154-square foot single-family residence on a 0.33-acre site located at 6101 Camino De La Costa. The site is in the RS-1-7, Coastal (appealable) Zone and the Coastal Height and Parking Impact Overlay Zones within the La Jolla Community Plan.

APPLICANT PRESENTATION 12/17/13 (Chris Balzano):

The applicant presented the proposed design, which is a second-story addition to the existing house, plus modification to the existing garage and home. The applicant noted that little change is proposed to the landscaping.

DISCUSSION 12/17/13

A discussion ensued about the treatment fronting the pedestrian way to the south, the neighborhood character, the extent of the design, and the parking.

Please provide for FINAL REVIEW:

- a. Verify if the pedestrian way to the south is a view corridor.
- b. Provide a site section that extends across the alley and to Avenida Cresta.
- c. Provide photographs and a composed street frontage with the adjacent homes at least 3 homes to each side of the project area.
- d. Confirm that the existing driveway can be retained as this property is served by an alley.
- e. Provide information about the changes fronting the pedestrian walkway: landscaping and fencing, including the design information, plant designation, and the design of the fence.



THE CITY OF SAN DIEGO

DEVELOPMENT SERVICES DEPARTMENT

Date of Notice: December 6, 2013

PUBLIC NOTICE OF A RECIRCULATION
DRAFT ENVIRONMENTAL IMPACT REPORT
SAP No.: 24000958

The City of San Diego Development Services Department has prepared a recirculated draft Environmental Impact Report (EIR) for the following project and is inviting your comments regarding the adequacy of the document. The draft EIR and associated technical appendices have been placed on the City of San Diego web-site at: <http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml>.

Your comments must be received by January 28, 2014, to be included in the final document considered by the decision-making authorities. Please send your written comments to the following address: **E. Shearer-Nguyen, Environmental Planner, City of San Diego Development Services Center, 1222 First Avenue, MS 501, San Diego, CA 92101** or e-mail your comments to DSDEAS@sandiego.gov with the Project Name and Number in the subject line.

General Project Information:

- **Project Name:** HILLEL CENTER FOR JEWISH LIFE
- **Project No.** 212995 / **SCH No.** 2010101030
- **Community Plan Area:** La Jolla
- **Council District:** 1

Subject: SITE DEVELOPMENT PERMIT AND PUBLIC RIGHT-OF-WAY VACATION to allow the applicant to develop the Hillel Center for Jewish Life (HCJL) to provide religious programs for Jewish students at the University of California San Diego (UCSD), including meetings, one-on-one counseling, and administrative offices. Hillel currently uses a residential structure located at 8976 Cliffridge Avenue (Cliffridge property) to provide these religious programs. The vacant site is located at the southwest corner of the intersection of La Jolla Village Drive and La Jolla Scenic Way, which is just south of UCSD. Hillel has identified a need for additional space to improve services and provide a full range of religious programs in a centralized location for Jewish students at the UCSD campus (the project cannot be located on land owned by UCSD due to church and state separation issues). Hillel proposes to develop the HCJL in two phases to provide additional space for religious programs in three buildings around a central courtyard, referred to as the Phase 1/Phase 2 project throughout the Environmental Impact Report (EIR). Should the Phase 1/Phase 2 project not be approved by decision makers, an alternative to the project was also analyzed at full detail throughout the EIR. This alternative is referred to as the Existing with Improvements option. Under this alternative, the Cliffridge property that is currently being used by Hillel would be converted to permanent use. Both project proposals are described below.

Phase 1/Phase 2 project

Phase 1 would consist of the temporary use of the Cliffridge property as a space used for religious programs until the new HCJL facilities (Phase 2) are occupied. Additional temporary parking would be constructed, but no modifications would be required to the residential structure itself. Phase 2 would involve development of the 0.8-acre vacant parcel east of the Cliffridge property. The new facility would provide additional space for religious programs in three new buildings providing approximately 6,479 square feet of gross floor area (GFA) around a central outdoor courtyard. A surface parking lot would be constructed east of the courtyard and structures. Landscaping and pedestrian pathways would be provided throughout the permanent HCJL, including the existing cul-de-sac between the existing residential structure currently occupied by Hillel and the vacant parcel. Upon occupation of the new HCJL facilities, the temporary use of the Cliffridge property would expire and revert back to a single dwelling unit use. A right-of-way vacation for a portion of the La Jolla Scenic Drive North is being requested. Phase 1/Phase 2 would also dedicate a 0.05-acre area along the northern property frontage to the public ROW. In addition, a deviation for driveway curb cut requirements is being requested. The project has been designed to meet the standards required to obtain a Leadership in Energy and Environmental Design (LEED) Silver rating.

Existing with Improvements Option

An option is proposed in the event the Phase 1/Phase 2 project is not approved. Under this option, Hillel would not develop new facilities or provide landscaping as described above. Instead, Hillel would permanently use the Cliffridge property to provide for religious programs in the existing residential structure on a permanent basis. This would involve construction of permanent on-site parking and other improvements to the interior of the structure to bring the Cliffridge property into compliance with the Municipal Code for this use. Modifications would be completed to the interior of the structure, parking would be provided at the rear of the property, and the existing architectural design would remain intact. Discretionary actions required to implement the Existing with Improvements Option include a SDP for development within the LJSPD. A deviation from the Maximum Paving and Hardscape in Residential Zones Requirement is also requested under the SDP to accommodate on-site parking.

The project site is bounded to the north by La Jolla Village Drive, to the east by La Jolla Scenic Way and to the south by La Jolla Scenic Drive. The project site is within a Single Family Zone of the La Jolla Shores Planned District, Coastal Height Limit Overlay Zone, Campus Parking Impact Overlay Zone, and the La Jolla Community Planning Area. (Legal Description: Lot 67 of La Jolla Highlands Unit No. 3, in the City of San Diego, County of San Diego, Parcel Map No. 3528 and Portion of Lot 1299, Miscellaneous Map 36, Pueblo Lands, in the City of San Diego, County of San Diego). The site is not included on any Government Code listing of hazardous waste sites.

Applicant: Hillel of San Diego

Recommended Finding: The recirculated draft EIR concludes that the project would result in significant environmental impacts to the following areas: **BIOLOGICAL RESOURCES, NOISE, and PALEONTOLOGICAL RESOURCES.**

Availability in Alternative Format: To request this Notice, the recirculated draft EIR, and/or supporting documents in alternative format, call the Development Services Department at 619-446-5460 or (800) 735-2929 (TEXT TELEPHONE).

Additional Information: For environmental review information, contact E. Shearer-Nguyen at (619) 446-5369. The draft EIR and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Fifth floor of the Development Services Center. If you are interested in obtaining additional copies of either the Compact Disk (CD), a hard-copy of the draft EIR, or the separately bound technical appendices, they can be purchased for an additional cost.

For information regarding public meetings/hearings on this project, contact John Fisher at (619) 446-5231. This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on December 6, 2013.

Cathy Winterrowd
Interim Deputy Director
Development Services Department



La Jolla Community Planning Association

To: E. Shearer-Nguyen, Environmental Planner
City of San Diego, Development Services Department Center

From: Tony Crisafi, President, La Jolla Community Planning Association

Subject: LJCPA Comments on the Draft Environmental Impact Report for the UCSD
Hillel Center for Jewish Life

Project # 212995/ SCH # 2010101030

Date March 11, 2013

The attached is a summary of the comments and actions taken by the La Jolla Community Planning Association at its March 7, 2013 meeting related to the DEIR for UCSD Center for Jewish Life. What follows is the Motion of the organization, with the referenced documents. For purposes of clarity, to facilitate responses on the items of concern, oversized, italicized & underlined numbers were inserted for each comment in order to distinguish these numbers from the original text.

Sincerely,

Tony Crisafi, President
La Jolla Community Planning Association

La Jolla Community Planning Association (LJCPA)

Motion:

regarding the Hillel Draft Environmental Impact Report (DEIR):

That the Hillel Draft Environmental Impact Report (DEIR) is deficient and contains major errors and omissions regarding: 1) the proposed Hillel project's immediate and cumulative impacts on the surrounding neighborhood; and 2) the project's substantial, precedent-setting non-compliance with the La Jolla Shores PDO, the Municipal Code, and the La Jolla Community Plan. The LJCPA adopts the findings and conclusions of the Ad Hoc Com. Minutes and three attached letters. These deficiencies are documented in the attachments to this motion and include, but are not limited to the DEIR:

- A. Ignoring that a student center is not an allowed use in a residential neighborhood.**
- B. Ignoring the La Jolla and City-wide precedent that would be set by allowing a student center in a residential neighborhood—e.g., UCSD's website currently recognizes 60 spiritual student organizations on campus.**
- C. Failing to consider possible alternative sites close to UCSD where the zoning would permit a student center.**
- D. Failing to consider the impact of the soon-to-be-open Venter Institute in assessing the project's traffic impact—in fact, the new Venter Institute is not even mentioned in the DEIR.**
- E. Failing to point-out the lack of required on-site parking spaces for Hillel's stated use for the project (i.e., a place of religious assembly) as well as failing to substantively address the associated loss of on-street parking in a Parking Impact Overlay Zone.**
- F. Failing to provide findings to support the requested vacation of a public right-of-way.**
- G. Failure to adequately consider the visual/community-character impacts of the proposed student center project on the surrounding residential homes and neighborhood, including: a) setbacks, b) bulk and scale, c) intensity of use, d) noise.**

Attachments:

- Minutes of the LJCPA Ad Hoc Committee, which reviewed the Hillel DEIR.**
- Phil Merten letter to the Ad Hoc Committee, dated 2/27/13, regarding the Hillel DEIR**
- Ross M. Starr, Ph.D. letter to City of San Diego Development Services Department, dated 1/30/13, regarding the Hillel Center for Jewish Life (submitted to the Ad Hoc Committee).**
- Julie Hamilton letter to the Ad Hoc Committee, dated 2/27/13, regarding the Hillel DEIR.**

La Jolla Community Planning Association
Ad Hoc Committee to Review the Hillel Project's draft EIR

La Jolla Recreation Center
615 Prospect Street

Ad Hoc Com. Members: LJCPA Trustees Brady, Costello (Chair), Courtney, Fitzgerald
Public Attendees: 18 members of the public signed in, and 5 opted not to sign in.

Committee Objective: to discuss the **Draft EIR** of the "UCSD Hillel Center For Jewish Life" and prepare a response to the DEIR for the La Jolla Community Planning Association. The La Jolla Community Planning Association will vote on the response on 7 March 2013.

Minutes (not approved) and Report from the 27 Feb 2013 Meeting.
(Note: Items were rearranged for organization and clarity.)

Items of Discussion, Errors, or Omissions of the DEIR:

I. I. Project Alternatives Contrary to the DEIR statements a very reasonable range of **alternative sites** exist.

A. Alternate Sites are available in the area.

1) undeveloped land is available North of Genesee Ave near the Lawrence Family Jewish Community Center

2) developed commercial space is available North, East and South of the UCSD Campus

B. An example of a currently existing student religious center situated in a properly zoned area:

The Newman Center Catholic Community at UCSD
4321 Eastgate Mall (off Genesee Ave)

II. Cumulative Impacts.

2. Construction of nearby institutions. The Venter Institute, being constructed across Torrey Pines Rd., is not mentioned. The impact of the Venter Institute was not considered, including the increase in traffic volume, driving/traffic hazards, and parking. Venter has applied for a permit for a curb cut which will open on Torrey Pines Rd. This curb cut will be about 150 ft from La Jolla Village Dr. By law, the DEIR must consider impacts that will change traffic near the project. These must be considered for both **Cumulative Impacts** and **Traffic**.

3. Traffic. A single family house generates 10 ATD, Hillel currently yields 200 ADT (based on data of current use, not proposed larger facility). That is 20 times the amount of traffic from a house. The projected ADT seems unrealistically low, and does not

account for increased use if the facility is successful. The large difference in traffic is another reason why the Municipal Code prohibits this use.

DEIR didn't discuss the safety of reducing the street width of LJ Scenic Drive North by 2 feet (to 34 ft). Corners will be non-standard and the cornering radius will be non-standard. Drivers will not expect this, how will safety be affected?

The Venter Institute (45,000 sq ft, 140 parking spaces) and three other planned projects across Torrey Pines Rd are not considered. Venter alone should add significant traffic, but not counted in the DEIR. Venter traffic will be required to turn right, go South on Torrey Pines Rd. Anyone going North, East or West will: 1) go to the traffic lights at Glenbrook and Dunaway to do a U-turn on Torrey Pines Rd., or 2) drive through the neighborhood on Cliffridge and La Jolla Scenic Drive to avoid one set of lights at Torrey Pines Rd and La Jolla Village Drive. This impact is not discussed.

Traffic in Summary. The DEIR is required to consider major future and cumulative impacts.

4. A. Precedent Setting for student centers in Single Family Zones

The mechanism could be to purchase a single family house, then change use to a student center. Lot ties could make larger student centers. The DEIR, pg 6-2, states that UCSD has 54 spiritual organizations. As of this date there are 60 spiritual organizations listed from a total of 530 student organizations at UCSD.

B. Student Centers are prohibited in Single Family Zones by the Municipal Code.

C. The Precedent Setting, then Cumulative Impact will be that the 60 spiritual organizations could all be allowed to build a student center in the residential zone changing the zones character. The Hillel facility would be the precedent here and in other single family zones in the City.

D. There will be a Precedent Setting Growth Inducement Impact.

5. Noise. DEIR refers to reduction of noise from the buildings interior. There is no mention of noise generated outside the buildings, outside ceremonies, people entering and existing buildings at night, opening-closing car doors, talking, traffic. The DEIR did not evaluate the maximum use of the facility complex, or at the maximum capacity, or the out of doors uses. There was an acknowledgement that noise will exceed that from the Cliffridge house.

Noise Ordinance allows Single Family Residential: **50 dB(A)** 7 AM to 7 PM
45 dB(A) 7 PM to 10 PM
40 dB(A) 10 PM to 7 AM

Places of worship are allowed exterior noise of: **65 CNEL**
Higher educational institutions are allowed: **70 CNEL** (that is, weighted over 24 hr, instead of one hr weighting for Residential) DEIR pg 4.8-1, 4.8-2. Expected / allowable noise levels associated with the Hillel Project is incompatible with Single Family Housing.

6. III. Visual Effects and Neighborhood Character DEIR Section 4.12
Applicable Design Regulations Section 4.12.1.3

Excerpts from Mr. Merten's Letter below.

Section 4.12.1.3 (b) **Land Development Code/La Jolla Shores Planned District**

Ordinance, includes excerpt from the La Jolla Shores PDO which states:

General Design Principle and Requirements

No structure shall be approved which is substantially like any other structure located on an adjacent parcel. Conversely, no structure will be approved that is so different in quality, **form**, materials, color, and **relationship** as to disrupt the architectural unity of the area.

7. Single-Family Zone Development Regulations

The specific LJSPD Development Regulations for the Single Family Zone that are relevant to the visual aspects of the project include the following:

Building and structure setbacks shall be in general conformity with those in the vicinity.

The report correctly identifies 'building and structure setbacks being in general conformity with those in the vicinity' as being a relevant design regulation, but never attempts to explain how the proposed project complies with this regulation. This glaring omission may be due to the fact that the proposed build and structure setback along La Jolla Scenic Drive North are not in general conformity with those in the vicinity (across the street) and therefore is so different in relationship to the street that the project will disrupt the architectural unity of the area.

(Ad Hoc Com. summary: The houses are generously set back about 40 ft from the street with their garages closer to the street giving a back and forth pattern. The very much more massive Hillel will be too close to the street and out of neighborhood context.)

Therefore, the proposed project is not in accordance with the General Design Principal section or the Building and structure setback regulations of the LJSPDO.

8. The LJSPDO states: General Design Regulations

To conserve important design character in La Jolla Shores, some uniformity of detail, scale, proportion, texture, materials, color and building form is necessary.

Create harmonious form relationships among houses. Groups of houses should appear related to one another rather than jumbled together without pattern.

Strive for consistency within groups through use of recurring shapes and materials. All the houses in one eye span should be designed to tie together and relate to one another. This is just another glaring omission from the draft report relating to neighborhood character. *See Mr. Merten's Letter for complete content.*

More Visual Effects and Neighborhood Character

9. Visual Effects. The 2 level houses referred to by the DEIR are way off to the East, and are at a significantly lower elevation than the Hillel buildings, causing them to be far less prominent. The Hillel buildings will be the most prominent around with the second story structures dominating from La Jolla Village Drive

10. Level of Activity. There will be many more people using Hillel than a single family house and the activity will be at all hours of the day and evening. The activities from several locations will be consolidated here. If the facility is successful, than activity level will be greater than the current sum.

11. Traffic, ADT. Hillel currently yields 200 ADT, a single family house yields 10 ADT.

12. People. more people with more noise than Single Family zones. Hillel states an artificial limit on the number of students using the center. If it is successful, the number of students will certainly be greater than stated.

13. No Enforcement. There is no mechanism to maintain or enforce the level of activity or number of people at events.

14. from Dr. Starr's Letter Omission 4, Site's required use and dedication of La Jolla Scenic Way: Open space on the site is required as mitigation of development on Gilman Dr. Driveway access to the project on La Jolla Scenic Way violates the dedication of La Jolla Scenic Way. *See Dr. Starr's Letter for complete content.*

IV. Project Objectives.

15. A. Goal of walking distance. UCSD is ~ 2 ½ miles E to W, and ~ 1 ½ miles N to S with classrooms and dorms spread throughout. Locating a student center at any point on the UCSD periphery cannot satisfy the walking distance goal because of the homogenous spread of dorms and classrooms. There is simply no single point to be near.

16. B. There is to be a **consolidation of uses** from different areas to this site, yielding an increase in intensity of use at the single location.

17. C. There is no enforcement of Hillel's stated limits of use.

18. D. Purpose of the Facility.

House of Worship or Student Center?		DEIR pg 3-15 Table 3-1,
Student Center	3,682 sq ft	57%
Library/Chapel	984 sq ft	15%
Leadership Building	1,813 sq ft	28%
Gross Building Area	6,479 sq ft	100%

Of the floor area, only 15% is for Library/Chapel, yet 57% is for a Student Center. Ostensibly, teaching Leadership is also a Student Activity (then 85%). The obvious conclusion is that the Project is **a Student Center, which is not an allowed use in a Single Family Zone.**

19. Paraphrased Summary from Dr. Starr's Letter. Inaccuracy 2, Attendance: (The inclusion of a large kitchen and square footage lend themselves to greater uses than stated.) *See Dr. Starr's Letter for complete content.*

20. V. Parking. An unacceptable land use impact would arise if the City declared this a religious institution but failed to apply the parking standards for a religious institution.

<u>LDC requires Religious Inst.</u>	<u>Plans in the DEIR show</u>	<u>Required</u>
1 parking space / 3 fixed seats	there are no fixed seats	NA
or 30 spaces / 1,000 sq ft assembly area	reasonable assembly area (1,600 sq ft or 3,000 sq ft)	48-90 spaces

Hillel is providing 27 parking spaces. This is substantially less than the 48-90 spaces that would be required by Code for a church, temple, or place of religious assembly, assuming 25% (1,600 sq ft) or 46% (3,000 sq ft) of the total space available in the facility was available for this purpose. 27 parking spaces would be adequate only if less than 14% of the facility were designated for religious assembly. As a result, within the DEIR, the proposed Hillel project appears to have at least two distinct definitions—a religious institution for “allowed use” purposes and a “student center” (or something else) for required parking purposes

21. In addition to not meeting the parking standards, the proposed project will be removing 8 on street parking spaces, and the cul-de-sac vacation with red curb will lose another 20 or so spaces.

VI. ROW Vacation. Vacation of the cul-de-sac at LJ Scenic Drive North.
Paraphrased Summary from Dr. Starr’s Letter.

22. Omission 1, Right of Way Vacation: (The four Municipal Code findings for a ROW Vacation can’t be meet.)

23. Omission 2, Traffic Safety, ROW Vacation: (Dangerous turn, unsafe visibility, dangerous blind corners) *See Dr. Starr’s Letter for complete content.*

24. Parking impact. The Google photo in the DEIR shows UCSD students using the street for parking. Up to 22 on street parking spaces will be lost if the cal-de-sac is vacated and the curb painted red for the standard sight distance, DEIR pg 3-45.

25. Other Uses will be Impacted. The cal-de-sac is used 365 days a year. People use it as a turn-around, parking. The City uses it to park heavy equipment when needed.

26. VII. Cliffridge Property. The use of the Cliffridge property for an office building in a Single Family Zone is illegal (Muni. Code 131.0401). **Continued use of an office and Phase I** should not be permitted. Phase I would require a deviation for the additional 6 parking spaces and reduction in landscape/increase in hardscape. They should also apply for a Residential High Occupancy Permit. This would be a significant impact on the surrounding community and should not be (is not) allowed.

Please read the attached written comments received from:

- Mr. Phil Merten,
- Dr. Ross Starr
- Ms. Julie Hamilton,

Finally, the above items will be arranged into a Motion for a response to be presented to the LJCPA for a vote on 7 March 2013.

Phil Merten 27 Feb 2013

please consider the following comments:

Section 4.12. of the EIR deals with '**Visual Effects and Neighborhood Character**'

Section 4.12.1.3 deals with '**Applicable Design Regulations**'

Section 4.12.1.3 (b) **Land Development Code/La Jolla Shores Planned District Ordinance**, includes excerpt from the La Jolla Shores PDO which states:

General Design Principle and Requirements

Design Principle:

Originality and diversity in architecture are encouraged. The theme “unity with variety” shall be a guiding principle. Unity without variety means simple monotony; variety by itself is chaos.

No structure shall be approved which is substantially like any other structure located on an adjacent parcel. Conversely, no structure will be approved that is so different in quality, **form**, materials, color, and **relationship** as to disrupt the architectural unity of the area.

This section of the report also correctly states:

Single-Family Zone Development Regulations

The specific LJSPD Development Regulations for the Single Family Zone that are relevant to the visual aspects of the project include the following:

- Building and structure setbacks shall be in general conformity with those in the vicinity.

27. The report correctly identifies 'building and structure setbacks being in general conformity with those in the vicinity' as being a relevant design regulation, but never attempts to explain how the proposed project complies with this regulation. This glaring omission may be due to the fact that the proposed build and structure setback along La Jolla Scenic Drive North are not in general conformity with those in the vicinity (across the street) and therefore is so different in relationship to the street that the project will disrupt the architectural unity of the area.

28. The front exterior walls of the existing dwellings along the south side of La Jolla Scenic Drive North have front yard setbacks on the order of 40 feet. These structures have attached garages of 22 to 24 feet in width that are setback 12' to 15' from the front property line. The cumulative affect of the existing dwellings are front yard structure setbacks that alternate between 12' and 36' and 15' and 40' and 12' and 40' and 15' and 36' etc. along the entire length of La Jolla Scenic Drive North. In contrast, the subject

southeastern building proposes a south building facade 80' long setback 10' to 11' from the street property line, and the subject western building proposes a south building facade 70' long setback 10' to 11' from the street property line. Taken together these two structure present a exterior facade of more than 170' in length setback just 10' to 12'. The subject development and its proposed setback from La Jolla Scenic Drive North is definitely not in in general conformity with those in the vicinity; and the form and relationship of the proposed structures to the street is so different in relationship from that of existing structures in the vicinity that the proposed project will disrupt the architectural unity of the area. Therefore, the proposed project is not in accordance with the General Design Principal section or the Building and structure setback regulations of the LJSPDO.

Finally, the LJSPDO states:

General Design Regulations

Concurrent with the adoption of the La Jolla Shores Planned District Ordinance, the City Council adopted architectural and design standards, by resolution, to be used in evaluating the appropriateness of any development for which a permit is applied under the La Jolla Shores Planned District Ordinance; such architectural and design standards shall be filed in the office of the City Clerk as a numbered document.

29. The numbered document is the *La Jolla Shores Design Manual*. Unfortunately, the EIR makes no mention of the *La Jolla Shores Design Manual* or three of its provisions that state:

30. To conserve important design character in La Jolla Shores, some uniformity of detail, scale, proportion, texture, materials, color and building form is necessary.

and

31. • Create harmonious form relationships among houses. Groups of houses should appear related to one another rather than jumbled together without pattern.

32. • Strive for consistency within groups through use of recurring shapes and materials. All the houses in one eye span should be designed to tie together and relate to one another.

This is just another glaring omission from the draft report relating to neighborhood character.

Ross M. Starr, Ph.D.
8675 Cliffridge Ave.
La Jolla, CA 92037
January 30, 2013

Ms. E. Shearer-Nguyen
Environmental Planner
City of San Diego Development Services Center
1222 First Avenue, MS501
San Diego, CA 92101

DSDEAS@saniego.gov

Subject: UCSD Hillel Center for Jewish Life, Project No. 212995

Dear Ms. Shearer-Nguyen

Thank you for providing the Recirculated Draft EIR for the subject project, previously known as Hillel of San Diego Student Center II. I am grateful that you have managed this process gracefully and with professionalism. The following comments are provided with respect.

I note the following inaccuracies and omissions:

33. Inaccuracy 1, Religious Characterization: The UCSD Hillel Center for Jewish Life formerly known as Hillel of San Diego Student Center II is characterized in the recirculated DEIR as a ‘church..., temple..., or building... of a permanent nature, used primarily for religious purposes.’ The development, on the contrary, is a student social center as the original name implies. This is made abundantly clear by public remarks of the promoter of the project Mark Steele, on October 27, 2010: “The facility really is primarily simply a student center, study center, some office space, and that is no longer to be used for any major gatherings whatsoever.” Thus, within the meaning of the La Jolla Shores Planned District Ordinance, it is not a permitted use --- university facilities are not allowed in the LJSPD.

That the project is a student activity center --- as its original name implies --- is verified by the Hillel of San Diego mission statement (Appendix 1). The mission statement clearly defines Hillel as a student social organization with an ethnic/religious affiliation, not a church, temple, or synagogue.

The use of the project for large social gatherings is verified by the details of the structure: a 400 sq. ft. kitchen with 8-burner stove top; ground floor men’s lavatory with two toilets, one urinal, three sinks, and a shower, ground floor women’s lavatory with three toilets, three sinks and a shower. The 3,682 square foot HCJL Student Center and the 1,813 square foot HCJL Professional Leadership Building dwarf the 984 square foot library/chapel. This is not a structure primarily for religious purposes --- a grudging (primarily symbolic) 15% of the building (library/chapel) may be for religious purposes.

34. Inaccuracy 2, Attendance: The DEIR asserts that except on “rare” occasions, maximum public attendance at the project will be 50 persons, and that large events, e.g. Shabbat meals, will not be held at the project. Of course this estimate is not binding on future use of the facility. The assertion is simply inconsistent with the design of the project. It is a 6,479 square foot structure that includes a 400 sq. ft. kitchen with 8-burner stove top; ground floor men’s lavatory with two toilets, one urinal, three sinks, and a shower, ground floor women’s lavatory with three toilets, three sinks and a shower. The structure includes ample space and accommodations for gatherings of hundreds of persons, Shabbat meals, guest speakers, holiday celebrations. The showers (to accommodate bicycle traffic) can also facilitate overnight accommodations (e.g. at Sukkot). Expansion of open assembly space in the structure can be arranged without additional permits by interior remodeling. The 2006 version of the proposal was explicit in including weekly Shabbat meals and holiday celebrations; the current proposed structure is suited to accommodate them.

The relevant attendance figure is not the applicant’s estimate of future use, but the occupancy load of the building. A building with approximately 3000 square feet of open assembly space, 984 square feet of library, and approximately 1000 square feet of offices would ordinarily imply an occupant load of approximately 290 persons (see <http://www.scribd.com/doc/13284922/Section-1004-Occupant-Load>). That is the peak use figure that is relevant.

35. Inaccuracy 3, Required Parking: The DEIR includes a remarkable misstatement, “There are no specific parking regulations for the proposed use of Phase 2 of the HCJL in the City’s Municipal Code.” On the contrary, of course, the LJSPDO and the Municipal Code are quite clear in Municipal Code section **1510.0107** (a) and **142.0530(c) Table 142-05F**. If one accepts the recirculated DEIR’s premise that the proposed use is a “church..., temple..., or building... of a permanent nature, used primarily for religious purposes” then the municipal code requires “Churches and places of religious assembly,” to provide “1 [parking space] per 3 seats; or 1 per 60 inches of pew space; or 30 per 1,000 square feet assembly area if seating is not fixed.” The 27 proposed parking spaces are suitable for 900 square feet of assembly area. The actual structure of 6,479 square feet might then be construed to require 195 parking spaces. Of course interior open space suitable for group assembly in the structure is smaller, approximately 3000 square feet. A minimum of ninety (90) parking spaces is required by the LJSPDO and the Municipal Code; the proposal is at least 63 parking spaces deficient.

Perhaps the recirculated DEIR is premised on semantic misconstruction, that the HCJL is “building... of a permanent nature, used primarily for religious purposes” but not a “place of religious assembly.” The intent of the Municipal Code is clear --- those terms are intended as synonymous.

36. Inaccuracy 4, Precedent: Section 6.3 of the DEIR notes “development of the project would not encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively.” Locating UCSD facilities, purported to be religious, in the single-family residential area sets a precedent. There are dozens of religiously affiliated organizations at UCSD, ranging from the [Acts 2 Fellowship](#) to the [Zoroastrian Youth Connection of San Diego](#) (see <http://tonga.ucsd.edu/studentorgregistration/RdOnlyList.aspx?frmFocus=18>). If the Hillel project is approved, each would then be able to cite the Hillel project as precedent, showing that it also should be allowed to locate in the residential neighborhood. The

recirculated DEIR correctly notes that such follow-on development requires financial support and a choice of location; Phase 1 creates an ample precedent.

Quoting from the recirculated DEIR:

While there is a potential for other UCSD student religious organizations to seek off campus facilities in the project area, the constraints of finding a suitable site would be a limiting factor. The area in which the project is proposed is mostly developed, with UCSD and Scripps in close proximity to the project site as well as existing residential uses. Although there are small pockets of undeveloped land nearby, future development in this area is largely constrained by existing development, allowed uses, permitting and environmental review requirements, and the cost of acquiring land. Therefore, development of the project would not encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Translating these remarks: the precedent is indeed set. Approval of the HCJL project (formerly known as Hillel of San Diego Student Center II) means that any UCSD student religiously-affiliated organization with enough money to buy several adjacent (already developed) lots will be freed by the HCJL precedent to install its own student center in the single-family neighborhood. The single-family area can become a neighborhood of religiously affiliated student organizations and their administrative offices.

37. Omission 1, Right of Way Vacation: The DEIR notes that a right of way vacation on the 8900 block of La Jolla Scenic Dr. will be required to undertake the project, but it does not investigate whether the required right of way vacation is lawful. The municipal code requirements for a right of way vacation are

(a) There is no present or prospective public use for the *public right-of-way*, either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated;

(b) The public will benefit from the action through improved use of the land made available by the vacation;

(c) The vacation does not adversely affect any applicable *land use plan*; and

(d) The public facility for which the *public right-of-way* was originally acquired will not be detrimentally affected by the vacation.

All four of the findings must be fulfilled.

A full review of the project will demonstrate that none of the findings can validly be made. This reflects in part the distinctive topography of the 8900 block of La Jolla Scenic Dr. The roadway in that area has a peculiar Z-shape configuration including turns of 120° at the east (La Jolla Scenic Way) and west (Cliffridge Ave.). See Appendix 2. This configuration is inherently unsafe due to restricted visibility, a peril that will be exacerbated by the student center traffic. Planned use of the vacated right of way by the proposed project includes narrowing the hardscape pavement on the 8900 block. Narrowing the roadway makes a street with dangerous blind corners more dangerous still. Hence finding (a) cannot be made.

The vacation facilitates landscape of the property, a public benefit. But there is a serious public cost: loss of on-street parking in a heavily trafficked area. Finding (b) cannot be made.

Pages 71 through 77 of [\(La Jolla\) UCSD Hillel Center for Jewish Life / Project No. 212995 / Draft EIR / App-A-NOP Comment Letters](#) document decades of City land use planning

---- indeed including planning documents signed by Mr. Mark Steele ---- designating the area as open space and not suitable for development. Finding (c) cannot validly be made.

The right of way provides the hardscape street pavement of the 8900 block of La Jolla Scenic Way. The proposed vacation would allow narrowing the pavement, adversely affecting traffic flow and traffic safety on the 8900 block. Finding (d) cannot validly be made.

38. Omission 2, Traffic Safety: The recirculated DEIR and the associated traffic study do not address traffic safety on the 8900 block of La Jolla Scenic Dr. The roadway in that area has a peculiar Z-shape configuration including turns of 120° at the east (La Jolla Scenic Way) and west (Cliffridge Ave.). See Appendix 2. This configuration is inherently unsafe due to restricted visibility, a peril that will be exacerbated by the student center traffic. Planned use of the vacated right of way by the proposed project includes narrowing the hardscape pavement on the 8900 block, making a roadway with dangerous blind corners more dangerous still. Such development will open the City to liability judgments for capricious action resulting in an unsafe traffic condition.

39. Omission 3, Violation of the La Jolla Shores Planned District Ordinance: The recirculated DEIR does not recognize that the proposed development violates the LJSPDO. The Ordinance is clear; university facilities do not belong in the single family residential area.

40. Omission 4, Site's required use and dedication of La Jolla Scenic Way: Open space on the site is required as mitigation of development on Gilman Dr. Driveway access to the project on La Jolla Scenic Way violates the dedication of La Jolla Scenic Way.

41. Omission 5, Traffic Impact Analysis' failure to consider cumulative effect of Venter Institute: The JC Venter Institute is currently under construction on UCSD land on the corner of Torrey Pines Rd. and North Torrey Pines Rd. The Institute is immediately across Torrey Pines Rd. from the proposed HCJL. The Institute structure includes forty-five thousand (45,000) square feet with corresponding vehicular traffic on the adjacent La Jolla Village Dr. and Torrey Pines Rd. The Traffic Impact Analysis takes no account of the cumulative effect of HCJL and the Venter Institute.

Thank you very much for your personal patience and professionalism in this matter. Thank you for noting these inaccuracies and omissions in the DEIR. The violations of the Municipal Code and La Jolla Shores Planned District Ordinance should be noted so that the San Diego Planning Commission and the San Diego City Council can validly deny the project.

Yours truly,

Ross M. Starr

Appendix 1: Hillel of San Diego Description and Mission Statement (from <http://ucsdhillel.org/about/> January 26, 2013)

About

Hillel of San Diego, accredited by Hillel: the Foundation for Jewish Campus Life, serves an estimated 5000 Jewish undergraduate and graduate students at institutions of higher education across San Diego County. Students from all backgrounds are invited to participate in Jewish life on campus. Social, cultural, educational, and community service programs provide opportunities for students to build relationships with each other and develop Jewish community

Hillel of San Diego Mission Statement

To be a vibrant Jewish campus presence and to involve the maximum number of university-age Jews in ways that foster a lasting commitment to Jewish life.

To further this mission, we commit ourselves to the following goals:

- Serving the needs of individual Jewish students
- Creatively engaging and empowering Jewish students through personal interactions and compelling programs
- Building a strong sense of belonging and Jewish identity
- Nurturing intellectual and spiritual growth in a pluralistic community
- Advocating for Jewish student needs on campus and in the community
- Linking the campus community to the larger Jewish community, locally and globally
- Helping students cultivate a closer connection to Israel
- Developing a campus and organizational culture in which the quality of the relationships attracts involvement.

TO: LA JOLLA COMMUNITY PLANNING ASSOCIATION
AD HOC COMMITTEE – HILLEL DEIR

FROM: JULIE HAMILTON

SUBJECT: RESPONSE TO DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
UCSD HILLEL CENTER FOR JEWISH LIFE

DATE: FEBRUARY 27, 2013

Public Notice of Availability

42. The public notice fails to provide an accurate and stable project description. The public notice fails to describe the project as a student center and fails to describe the vacation of public right-of-way that is part of the project. The project description in the public notice and throughout the DEIR describes the two sites as .2 acres and .8 acres – is the size of the site with or without the ROW vacation? The site should be described without the vacation since the vacation is part of the proposed project.

43. Availability of the Draft EIR and all supporting documents is confusing; the notice states the documents are available at the Development Services Center, but requires the reader to return to page one and look for the location of the Development Services Center. The notice fails to state the Draft EIR is also available for public review at the Downtown Library and the La Jolla Branch Library (this is explained in the Executive Summary of the DEIR – but with no notice of this availability, the public would have no way of knowing the DEIR was available at the libraries).

Summary

44. S.1 - The Project Synopsis again fails to provide an accurate and stable project description. The synopsis fails to describe the project as a student center and fails to include the vacation of public right-of-way in the project description.

45. S.1.2 - Project Objectives artificially manipulate outcomes by setting a goal of locating the facility within walking distance of the southern portion of the UCSD campus - why the southern portion? Do more Jewish students attend classes and live along the southern edge of UCSD? Including this limitation within the project objectives prejudices the feasibility of an alternative site.

46. S.5 - The project alternatives do not provide a reasonable range of "feasible" alternatives that would reduce or avoid significant impacts. As an initial point, the DEIR finds the only significant impacts are noise (impact of noise from La Jolla Village Dr. on the facility), biological resources (nesting raptors), and paleontological resources. The DEIR fails to recognize significant impacts on Land Use, Transportation/Circulation/Parking or Visual Effects and Neighborhood Character. With the DEIR failing to recognize significant impacts in key issue areas; there is little need to provide alternatives and/or mitigation measures that reduce these impacts.

47. The "Reduced Project" alternative does not result in a reduced project - it eliminates the Library/Chapel and the second floor of the Student Center, but retains the use of 8976 Cliffridge for the Student Center. This alternative actually results in a larger student center than the proposed project. It may reduce impacts on community character through a reduction in structure size but it does not reduce the parking impact because the square footage is more than proposed. This impact also does not reduce traffic impacts or land use impacts. In addition, there is nothing to prevent future expansion of the center.

48. The "Site 675" alternative is a red herring. As an initial matter, the DEIR fails to adequately describe the location or existing setting of this site. There is no map within the DEIR showing the location of the site. The site location described is deceptive in that it leads the reader to believe the site is located at the corner of Gilman Drive and La Jolla Village Drive. In fact, Site 675 is located more towards the middle of the block along La Jolla Village Drive between the theater district and La Jolla Village Dr. It is unlikely this is the only alternative site within walking distance of UCSD. Regardless, this site is steep and small - it does not meet the standards for an alternative site.

Project Description

49. The EIR must contain an accurate, stable and consistent project description with sufficient specific information to allow a complete evaluation and review of the project impacts. The EIR must consider the "whole of the project" and include foreseeable future activities that are a consequence of project approval.

50. The project description is not accurate, stable and consistent. The project description is confusing and difficult to read throughout the different sections of the DEIR including the notice of availability, summary and DEIR. The project description repeatedly fails to recognize the project as a student center, minimizing any references to the purpose of the project to serve the students of UCSD. The size of the site is described as .2 acres for 8976 Cliffridge and .8 acres for Site 673 - is that the size of the site before or after the vacation?

51. The project site should be described with the lot size prior to the vacation consistently throughout the document. The project description should accurately describe the vacation of public right-of-way and provide a numerical value to the amount of land acquired through the vacation.

52. The project description for the Existing with Improvements Option varies between the notice of availability (religious programs), project synopsis (administrative offices, one-on-one counseling, and meetings with students, p.S-1), and project description (permanent office and administrative use, p.3-15). The Cliffridge property is currently used for administrative offices; a use that is not allowed in the single family zone of the La Jolla Shores Planned District.

53. The project description relies on artificial limitations on the number of students using the student center by stating "attendance would not be expected to exceed 100 persons at any one time." p. 3-19. CEQA requires the project description include all reasonably foreseeable

activities, meaning the project description must rely on the maximum capacity of the proposed student center rather than artificial limitations on attendance with no means of enforcement.

54. The project description fails to describe all required discretionary approvals. Figure 3-1 includes a note that a lot consolidation parcel map will be required; but the project description fails to list or describe this discretionary approval. The project description describes the existing and proposed use of the Cliffridge Property as administrative offices; use of this property for administrative offices will require an amendment to the La Jolla Shores Planned District Ordinance.

The figures in the DEIR have all been reduced from larger figures – even when expanded the figures are difficult to read and evaluate.

Environmental Setting

55. The description of the existing environmental setting sets the baseline for measuring changes to the environment that will result from the project and determining whether the environmental effects are significant. The environmental setting should be set at the time the project was initiated – prior to Hillel’s efforts to purchase the land for the sole purpose of construction of the student center, in 2000. At that time Site 673 was designated for open space, the Cliffridge property was not used for administrative offices, and there were significantly more trees on the property providing a more suitable environmental for raptors.

Environmental Impact Analysis

LAND USE

56. The land use section assumes the project site is designated residential in the Community Plan, however when the project was initiated the project site was designated open space.

57. The Existing with Improvements Option would allow a non-conforming use (administrative offices) within the single family residential zone of the La Jolla Planned District. The DEIR fails to acknowledge the significant land use impact caused by allowing a use that is not permitted in the zone.

58. The proposed deviation for the Existing with Improvements Option would allow six parking spaces in a zone that is specifically regulated to prevent the excessive paving of single family residential lots to provide more parking than typically warranted for a single family residence. This is a significant land use impact directly caused by allowing a non-conforming use. Should the Cliffridge Property be abandoned by Hillel in the future, this will create a non-conforming residence specifically disallowed in the Campus Impact Overlay zone. This is a conflict with the “mini-dorm” regulations adopted by the City of San Diego to preserve the character of the single family neighborhoods located in proximity to the three major universities

in the City of San Diego. The proposed deviation will result in a significant land use impact due to its inconsistency with the land development code.

59. The DEIR fails to recognize the inherent conflict in determining the proposed student center is a “building of a permanent nature, primarily used for religious purposes” but not requiring the project to comply with the parking requirements for religious institutions in the land development code. Either the project is not “building of a permanent nature, used primarily for religious purposes”, thus causing a significant land use impact; or the project has failed to comply with the land development code parking requirements for religious institutions also causing a significant land use impact.

60. The DEIR fails to consider the significance of allowing a student center with a religious affiliation into a single family zone where no other student center has been allowed. Approval of the student center may set a precedent to allow over 50 student organizations with religious affiliations at UCSD to also build or occupy structures within the single family zone of the La Jolla Shores Planned District.

61. The DEIR fails to consider the impact of allowing a 6,500 square foot student center across a narrow road from low profile, low density single family residences. The introduction of the student center introduces a level of noise and activity that does not currently occur in this single family residential neighborhood. The vacant lot is not used to host events for 100 people and few other structures in the immediate vicinity are designed to accommodate more than 100 people with hours of operation from 7:00 am to 10:00 pm. No other development in the immediate vicinity presents a 100 foot unbroken wall directly across from single family residences. The DEIR fails to consider the significant impact on the surrounding community by allowing the incompatible use of a student center in a single family residential neighborhood.

62. The proposed project is not consistent with the La Jolla Shores Design Manual – which is an integral part of the La Jolla Shores Planned District Ordinance. Per the City’s thresholds of significance, this inconsistency with the La Jolla Shores Design Manual and La Jolla Shores Planned District Ordinance is a significant land use impact.

63. The DEIR appears to rely on consistency with some of the goals, policies and objectives of the applicable land use documents to justify ignoring or failing to comply with all of the land use goals, policies and objectives. Although some aspects of the student center may be laudable – this does not forgive or nullify the significant impacts caused by development of the student center. Inconsistency with these goals, policies and objectives should be the crux of the land use analysis in the DEIR.

TRANSPORTATION/CIRCULATION AND PARKING

64. The study area fails to encompass all effected streets – the analysis should also include impacts to Glenbrook Way as this road will likely be used as a by-pass due to the construction of the Venter Institute and the right-turn only limitation out of the student center

parking lot. **65.** The study fails to provide traffic volumes for existing conditions on Cliffridge Avenue and Glenbrook Way that are necessary to set a baseline against which to compare the effects of the student center.

66. Although the DEIR discusses a bus stop at the project site and transit service in the La Jolla Community and at UCSD – the DEIR does not provide detail on transit and shuttle service specifically to the bus stop. Without knowing what transit routes are served by the bus stop and how frequently, the DEIR fails to set the necessary baseline against which to compare the project.

67. The traffic impact analysis relies on artificial limitations on attendance at the student center and fails to evaluate the reasonably foreseeable use of the student center based on maximum capacity. Therefore the analysis does not adequately evaluate the impact of the proposed student center on transportation/circulation/parking.

68. The traffic impact analysis does not comply with the standards identified in the City's Traffic Impact Study Manual and relies on a flawed methodology for determining trip generation rates. Therefore the analysis is flawed and fails to identify significant impacts to transportation/circulation/parking.

69. There is no basis for the conclusion that 80 percent of the students attending the student center would walk and the remaining 20 percent would arrive with two students per vehicle. These values grossly underestimate the number of vehicle trips generated by the project and the amount of parking required. The methodology and values are not consistent with the methodology and values established by the City's established policies and procedures and grossly underestimate the impact of the project on transportation/circulation/parking.

70. The traffic impact analysis failed to consider traffic generated by the Venter Institute, a major facility under construction directly across Torrey Pines Road from the project site. Therefore, the traffic impact analysis fails to adequately analyze the impact of the project on transportation/circulation/parking.

71. The DEIR fails to acknowledge the project site is located in the Parking Impact Overlay Zone within the analysis of transportation/circulation/parking; therefore the DEIR fails to set the necessary baseline against which to compare the proposed project. The proposed project does not provide the parking required by the land development code in addition to removing 8 existing on-street parking spaces. For religious institutions, the land development code requires 1 parking space for every 3 fixed seats or 30 parking spaces for every 1,000 square feet of assembly area. The project is providing 27 parking spaces for a 6,500 square foot student center. The figures in the DEIR show 120 seats requiring a minimum of 40 parking spaces. The project description anticipates events drawing 100 people, indicating some assembly area within the student center. There are at least four potential assembly areas within the project requiring at least 30 spaces per every 1,000 square feet. Assuming less than ¼ of each building will be used for assembly area during significant events – the project provides at least 1,600 square feet of

assembly area requiring 48 parking spaces (not including any outside assembly area). The proposed project does not meet either standard and includes only 27 parking spaces. The project also requires the removal of 8 on-street parking spaces. Therefore, the proposed project will result in a significant impact on parking.

72. The project description fails to accurately describe the proposed vacation of right-of-way and fails to acknowledge the vacation would reduce the existing street width by two feet measured curb to curb. 73. The traffic hazards section failed to analyze the impact of a narrower street on traffic safety given the irregular curve radius at the intersections of La Jolla Scenic Way and La Jolla Scenic Drive North; and La Jolla Scenic Drive North and Cliffridge Avenue. Local residents have provided substantial evidence of the hazard of narrower streets in this congested area. 74. In addition the DEIR has failed to consider the hazard created by placing the project driveway within 150 feet of La Jolla Village Drive. There are two left turn lanes merging from westbound La Jolla Village Drive onto southbound La Jolla Scenic Way. These lanes merge into one lane on La Jolla Scenic Way in the vicinity of the project driveway. This creates a significant traffic conflict at the project driveway and will have a significant impact on transportation/circulation/parking.

VISUAL EFFECTS AND NEIGHBORHOOD CHARACTER

75. The existing conditions description fails to note the residential development to the east of the project across La Jolla Scenic Way is at a significantly lower elevation; this creates an improper baseline against which to compare the project. Similarly, the existing conditions fails to note the theater district at UCSD is screened from the project site and adjacent residential neighborhood by elevation changes and substantial vegetation. The DEIR intentionally misleads the reader to believe the existing conditions are such that a comparison of the project will show no visual impact.

76. The DEIR fails to consider the design policies of the La Jolla Community Plan and Local Coastal Program Land Use Plan.

77. This section is organized in a manner that makes it difficult to consider the overall impact of the project because the section is broken up by element. Regardless, the DEIR fails to consider the visual impact of a 100 foot wall along the southern property line that is most visible to the existing single family residential neighborhood.

78. The proposed project presents large buildings totaling 6,500 square feet in a neighborhood characterized by single family residences that are typically less than 2,500 square feet. Two of the buildings present sheer walls along the street frontage of La Jolla Scenic Drive North, across a narrow residential street. The single family residential development directly across the street consists of single story residences with varied front facades. A few residences have a partial second story well setback from the front yard. The proposed buildings are visually strong and contrast severely with the single family residences located directly across the street. The project does not conform to the general design and bulk of the adjacent buildings and does

not promote harmony in the visual relationships and transitions between new and older buildings. Therefore, the student center will have a significant visual impact.

79. The project proposes a two-story, 6,500 square foot student center in a single family residential neighborhood characterized by single story residences on large lots with varying front yard setbacks. The project site is a visually prominent site located at the entrance to UCSD and the La Jolla Highlands. The proposed project presents a significant visual contrast to the surrounding single family residential community and places a large institutional structure on a vacant lot that is essentially the entrance to the La Jolla Highlands neighborhood. There is no evidence to support the conclusion the project will not have a significant impact on the visual quality of the area and the community character. This is particularly ironic given the efforts of the three religious institutions in the neighborhood to minimize their impact on the visual quality and community character of the neighborhood.

Significant Unavoidable Environmental Effects/Irreversible Changes

The DEIR fails to recognize and acknowledge significant impacts on Land Use, Transportation/Circulation/Parking and Visual Effects and Neighborhood Character.

Growth Inducement

80. The proposed project is a student center with a religious affiliation attempting to be categorized as a building of a permanent nature, used primarily for religious purposes. In addition, if the Phase 1/Phase 2 project is not approved, the DEIR characterizes the administrative offices of this student organization as a building of a permanent nature, used primarily for religious purposes. If this interpretation of the La Jolla Shores Planned District Ordinance is allowed, it will set precedence for allowing any student organization with a religious affiliation to follow suit. There are more than 50 similar organizations at UCSD, all of which could propose a similar project in this neighborhood. Therefore, the proposed project will have a significant growth inducing impact because it allows a use not previously allowed in this zone.

Cumulative Impacts

81. The DEIR fails to consider the Venter Institute located directly across Torrey Pines Road from the project site. Therefore the cumulative impacts analysis is incomplete.

Project Alternatives

82. CEQA requires the DEIR evaluate a reasonable range of alternatives that would feasibly attain the project objectives but would avoid or substantially lessen the significant effects of the project. The stated project objective of locating the project along southern portion of UCSD artificially limits the consideration of alternative sites. There is no justification for this limitation as it does nothing to promote the objective of serving students where they live and attend classes. There is no evidence the Hillel students only live and attend classes along in the

southern portion of UCSD. In fact, housing is provided in several areas on and adjacent to the campus and is not limited to the southern portion of the campus.

83. The DEIR fails to provide a reasonable range of alternatives and fails to provide a viable alternative site. The alternative site discussed is a red herring in that it is essentially a steep hillside between La Jolla Village Drive and the theater district at UCSD. The alternatives analysis fails to provide the information necessary for the public to adequately consider the site as there is no figure showing the location of the alternative site.

84. The reduced project alternative does not result in a reduced project in that the combination of the reduced project and the Cliffridge Property results in a larger project than the proposed project.

85. The DEIR fails to acknowledge significant impacts to land use, transportation/circulation/parking and visual effects and neighborhood character – therefore the DEIR fails to consider feasible alternatives that eliminate or substantially reduce those impacts.

Mitigation Monitoring and Reporting Program

86. The DEIR fails to provide mitigation measures that would eliminate or substantially reduce significant impacts to land use, transportation/circulation/parking and visual effects and neighborhood character.