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President: Tony Crisafi
Vice President: Joe LaCava
Treasurer: Jim Fitzgerald
Secretary: Helen Boyden

La Jolla Community Planning Association

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

Thursday, 1 August 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, Joe LaCava, David Little, Nancy Manno, Phil Merten, Bob Steck, Ray Weiss, Frances O'Neill Zimmerman
Absent: Gail Forbes, Myrna Naegle

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

2. Adopt the Agenda

Approved Motion: To approve the agenda as posted (Fitzgerald, Emerson: 12-0-1)

In favor: Ahern, Bond, Boyden, Collins, Emerson, Fitzgerald, LaCava, Little, Manno, Merten, Steck, Weiss
Abstain: Crisafi

3. Meeting Minutes Review and Approval

Approved Motion: To approve the Minutes of 10 July 2013 (Merten, Collins: 12-0-1)

In favor: Ahern, Bond, Boyden, Collins, Emerson, Fitzgerald, LaCava, Little, Manno, Merten, Steck, Weiss
Abstain: Crisafi

4. Elected Officials Reports - Information Only

Council District 1 – City Council President Pro Tem Sherri Lightner

Rep: Erin Demorest, 619.236.7762, edemorest@sandiego.gov was not present, but submitted the following: Children's Pool Lifeguard Tower: The temporary lifeguard trailer has been relocated and the utilities will be transferred to it; new temporary lifeguard towers have been put up; demolition which will start next week was delayed due to difficulties getting permits from NOAA and by seagull nests; pedestrian traffic will be directed by orange mesh fencing and 8 public parking spaces will be blocked off for lifeguard and contractor parking. Bidding has been advertised for the La Jolla Cove Lifeguard Tower. It is expected that a contractor will be chosen by October 2013 with construction to start in November 2013. Laureate Park is now open. See 8 B.

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

Rep: Allison Don, 619.645.3133, allison.don@sen.ca.gov distributed the current newsletter and announced Senator Block's 10 minute talk at the La Jolla Town Council scheduled for August 8th at 5 PM. She stated that his bill SB 473 (adding pimping, pandering and human trafficking to the list of crimes that define a street gang, providing additional tools for law enforcement to prosecute gang members involved in human trafficking) had passed the Senate and was being heard in the Assembly.

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

UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://physicalplanning.ucsd.edu>, stated that four projects were nearing completion. The Theater District landscaping completion date is now September 2013.

Howard Tenenbaum inquired about the City Policy for replacing and repairing cast concrete streets.

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

Trustee Merten commented on the City policy for cast concrete streets: Utility cuts are replaced with new concrete; added sections may sink at different rates. City does not have funds to replace large sections.

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. By providing proof of attendance members maintain their membership status and become eligible for election as a Trustee. 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 a trustee. 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.

A. Treasurer

Trustee Fitzgerald reported that the beginning balance on July 1 was \$103.33. Donations received in July were \$124.27; expenses of \$98.06 included agenda printing and telephone expenses; leaving an ending balance of \$129.54. There were no meeting CD sales.

Trustee Fitzgerald commented on the special generosity of the Membership and Trustees and reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees. All donations are in cash to preserve anonymity.

8. President's Report –

- A.** Visin Duplex (Playa del Sur) - Planning Commission hearing on August 8th has been withdrawn by applicant to further evaluate issues with regards to historical significance.
- B.** The construction at Pump Station 27 in Laureate Park on Avenida de la Playa is complete.
- C.** Vacation Rentals – formalize discussion regarding vacation rentals in SFR zones

Approved Motion: To form an Ad Hoc Committee to investigate vacation rental policies in other cities and propose recommendations to the City. (LaCava, Fitzgerald: 13-1-1)

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

Opposed: LaCava

Abstain: Crisafi

D. Committee Appointments & Attendance – President Crisafi reiterated that committees are having a difficult time meeting quorums. Accordingly, he is reviewing attendance records and may make substitutions next month. In addition, two announced resignations, one each on DPR and PRC, will require new appointments to fill the vacancies.

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

T&T – July meeting cancelled due to lack of quorum.

A. 1860 La Jolla Rancho CDP

DPR Action: Findings can be made for a Coastal Development Permit to demolish an existing single family residence & garage, and construct a house with basement & observation deck and one-story media building with storage and bathroom at 1860 La Jolla Rancho Rd.

5-0-1

1860 La Jolla Rancho Road- CDP (Process 2) to demolish an existing single family residence & garage, and construct a house with basement & observation deck and one-story media building with storage and bathroom on a 1.07 acre lot

B. Neptune Apartments EOT

DPR Action: Findings can be made for an Extension of Time (EOT) for Coastal Development Permit and Site Development Permit to demolish 19 dwelling units and construct a 24 unit residential apartment complex at 6767 Neptune Place. 6-0-0

6767 Neptune Place - Extension of Time (EOT) for Coastal Development Permit and Site Development Permit (Process 3) to demolish 19 dwelling units and construct a 24 unit residential apartment complex on a 0.56 acre site

C. Sprint Coast Boulevard SCR

DPR ACTION: Findings can be made for a Substantial Conformance Review to remove & replace four existing antennas with four new antennas and install four new radio remote heads at 939 Coast Blvd. 5-0-1

939 Coast Blvd. - Substantial Conformance Review to remove & replace four existing antennas with four new antennas and install four new radio remote heads.

D. Sudberry Residence – pulled by Trustee Emerson

PRC Action: The findings can be made for an amendment to Coastal Development Permit and a Site Development Permit based on plans presented, dated 7-23-2013. 4-1-0

Demolition of existing SFR located at 8053 Calle del Cielo plus a portion of existing SFR located at 8039 Calle del Cielo. Construct a single SFR over walk-in basement and related site improvements over both lots (total lot size, 44,140 sf; GFA= 17,629 sf). Seeking an amendment to CDP and SDP.

E. Cohen Residence EOT –pulled by Trustee Boyden

PRC Action: Findings cannot be made for an Extension Of Time due to public safety concerns relative to the steepness of the driveway and its impact on the adjacent sidewalk, per 126.0111 paragraph 2.G.1. 3-1-1

Extension of Time for Coastal Development Permit 556216 and Site Development Permit 556217 to demolish an existing 1,690 square foot residence and construct a new 3,842 square foot single family residence with a 753 square foot garage on a 0.13 acre property. The project site is located at 8130 La Jolla Shores Drive.

Approved Motion:

To accept the recommendations of the DPR Committee that the findings can be made for: (A) a Coastal Development Permit to demolish an existing single family residence & garage, and construct a house with basement & observation deck and one-story media building with storage and bathroom at 1860 La Jolla Rancho Rd.; (B) an Extension of Time (EOT) for Coastal Development Permit and Site Development Permit to demolish 19 dwelling units and construct a 24 unit residential apartment complex at 6767 Neptune Place; and (C) a Substantial Conformance Review to remove & replace four existing antennas with four new antennas and install four new radio remote heads at 939 Coast Blvd and forward the recommendations to the City. (Manno, Weiss: 14-0-1)

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

Abstain: Crisafi

10. Reports from Other Advisory Committees - Information only

A. Coastal Access and Parking Board - Meets 1st Tues, 5pm, La Jolla Recreation Center. Will not meet in August.

- B. Community Planners Committee** – Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego. – **Trustee LaCava** reported that the Committee heard a 40 minute presentation by Bill Fulton, recently appointed Planning Director, on the future direction of the newly reestablished department.

11. Henely Residence– Full hearing at request of applicant

615 Wrelton Dr. - CDP for an interior and exterior remodel and 4,064 sq. ft. addition to an existing 1,733 sq. ft. single-family one-story residence, and a new non-habitable accessory building and associated site improvements to include new landscaping, site walls, Jacuzzi and new driveway on a 0.32 acre property.

DPR Action (July 2013): To deny the project because the property is being illegally used as a hotel and will continue to be used as a hotel after construction. 1-2-3

DPR Action (July 2013): Findings can be made for a Coastal Development Permit at 615 Wrelton Drive. 1-1-4

DPR Action (July 2013): To table the project until the issues raised can be clarified by Code Enforcement and the City Attorney relative to this property. 5-0-1

Trustee Merten recused himself and left the room. The applicant is a client and personal friend.

President Crisafi stated that the City Attorney has opined that the San Diego Municipal Code is silent on the use of Single Family Residences as vacation rentals.

Presented by **Claude-Anthony Marengo**. This is a five bedroom house intended for owner occupancy. He stated the slope is already disturbed and the majority of the new structure is in the same place. The soil will be recompacted, to a depth of 15 feet. Drainage will be collected and pumped to the street. The second story covers about 35% of the street frontage of the first story. Geological investigation will continue, particularly with respect to the existing retaining walls, making adjustment during the construction process. Due to the short driveway, guest parking will be provided abutting the property in the street. He responded to queries by **Trustees Manno, Fitzgerald** and **Zimmerman**: the compaction resulting in no need for caissons; the FAR being .44 where .50 is allowed; the pool was staying; no deviations were being requested; and the total square footage for house and garage would be 6297.

Civil Engineer Daniel Valdez, representing neighbors, made several criticisms of the as yet incomplete geological studies, but said issues could probably be ironed out.

Neighbors testifying against the project citing current use and condition of the property, party noise, potential for flooding, view considerations, size of the usable footprint included: **Mr. Gafford, Dr. Nathaniel Rose, Charles Redfern, Alex Jvirblis, Mary Kenyon, Evelyn Hill, Brandon Wander, Elisha Shaprut, and Mike Costello**.

Additional comments and queries were made by **Trustees LaCava, Boyden, Little, Collins, Emerson, Manno, Crisafi, Weiss** and **Fitzgerald**: establishing side yard setbacks, driveway width and length, jacuzzi being built in the ground, building height, party noise from rentals, sympathizing with the noise problem, but also stating that it was a separate issue not under LCPA jurisdiction, the fact that NCCD requirements with respect to unpermitted retaining walls would be fulfilled during the permitting process.

Approved Motion: That the findings are not sufficient for a Coastal Development Permit (Little, Collins: 7-5-3)

In favor: Bond, Brady, Collins, Emerson, Little, Steck, Zimmerman

Opposed: Ahern, Boyden, Fitzgerald, LaCava, Weiss

Abstain: Courtney, Crisafi, Manno

Recused: Merten

12. Biddulph Residence– Full hearing at request of applicant

7106 Vista Del Mar – CDP and SDP (Process 3) to demolish a 3,321-square-foot, two-story residence, process a lot line adjustment, and construct a 2875-sq ft, two-story over a 2129-sq ft basement, single-family residence on a 0.12-acre site
DPR Action (July 2013): Findings can be made for a Coastal Development Permit and Site Development Permit to demolish a 3,321-square-foot, two-story residence, process a lot line adjustment, and construct a 2875-sq ft., two-story over a 2129-sq ft. basement, single-family residence located at 7106 Vista Del Mar as modified at the LJDP meeting 16 July 2013. 3-2-1

President Crisafi, architect for the applicant, recused and left the room. **Vice President LaCava**, chaired and stated that four communications for the project and 13 against had been received and previously distributed to the trustees.

Presented by **Matt Peterson** who distributed a packet of drawings and neighborhood character photos. He described compromises and redesigns made after the initial presentation to DPR (reflected in approved DPR motion): project height lowered, increased articulation, decreased basement area, increased lot area, reduced flagstone and increased landscape and added trees. The presentation included area and site maps, building envelope vs. allowed envelope and view retention overlays, and the mix of one, two and three story homes in the vicinity. He stated that the FAR is .54 and .59 is allowed.

Neighbor **Jeremy Horowitz (7105 Vista Del Mar)** made a presentation in opposition to the project. He cited page 90 of the LJ Community Plan and emphasized the increased bulk and scale created by the walk out basement, saying it effectively created a home equivalent in square footage to the lot size. He presented different views showing overlay of proposed versus current property.

Other neighbors speaking against: Tim McGarry, Julie Ellmer, Gordon Dunfee, Maureen Shifton, Drew Livermore, Nic Sacks, Elly Cochrane, Melinda Callaway, Cory Kincaid, Tom Porter, Tom Shifton, Dale Beed, and Ben Hiddleston, some of whom had written letters. They emphasized the effect of the basement on bulk and scale as well as the project compromising the view along the path to the beach.

Trustees Zimmerman, Ahern, Little, Courtney, Merten, Collins, Bond, Brady, Fitzgerald, Boyden spoke about the project, most discussing the basement effect, neighborhood character, view along path to the beach and possible precedent setting.

Approved motion: The findings cannot be made because the project is not in conformance with the La Jolla Community Plan because the proposed building's bulk neither maintains nor enhances the existing neighborhood character with regard to surrounding structures as viewed from the public right of way. (Ahern, Emerson: 12-0-2)

In favor: Ahern, Bond, Brady, Collins, Courtney, Emerson, Fitzgerald, Little, Manno, Merten, Steck, Zimmerman

Abstain: Boyden, LaCava

Recuse: Crisafi

13. La Jolla CPA Input to the City's FY2015 Public Infrastructure Budget- Information Only. Action is expected to be taken at the September LJCPA meeting. Review & recommend projects that have not yet been funded, only partially funded and thus delayed, or have yet to be taken up by the City.

References:

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

http://docs.sandiego.gov/councilcomm_agendas_attach/2013/Infra_130520_7.pdf

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

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

Chaired by **Vice President LaCava**. He stated that the projects recommended by planning groups last year that were funded in the City's FY2014 budget were very small projects. This year the city's General Fund which is the primary fund for infrastructure is -\$100,000. The projects recommended by LJCPA last year are cited in the first link above. Trustees last month requested approximate costs for last year's recommendations and were e-mailed details. Even though there appears to be no funding available, it is always good to have projects in the wings.

The following additional proposals were received by **Vice President LaCava** prior to the meeting:

Repair sidewalk at the northeast corner of La Jolla Boulevard and Colima

General sidewalk restoration

Add sidewalks to both sides of North La Jolla Scenic Drive at Pottery Canyon (maybe 700 feet total)

The following proposals were made during the discussion

Reduce curb height at Olivetas/Coast Blvd/Prospect intersection.

Repair street lights (this is not an infrastructure item but a maintenance issue)

Move fence on rocks at Cove to possibly alleviate stench formation

Trustees Fitzgerald, Boyden, Little and Courtney commented. In general, there was support for retaining last year's recommendations and perhaps adding the additional proposals as lower priority items. A suggestion was made to add pictures to the applications.

14. Adjourn at 9:22 PM to next Regular Monthly Meeting, September 5th, 2013, 6:00 pm.