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President: Tony Crisafi
Vice President: Joe LaCava
Second 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, 8 January 2014

FINAL MINUTES -- Special 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, Myrna Naegle, Bob Steck, Ray Weiss, Frances O'Neill Zimmerman
Trustee Absent: Phil Merten

1. Welcome and Call To Order: Tony Crisafi, President at 6:04 PM

2. Adopt the Agenda

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

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

3. Meeting Minutes Review and Approval

Approved Motion: To approve the Minutes of 5 December 2013 as distributed (Collins, Little, 13-0-1)

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

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 Ave. de la Playa Sewer/Storm Drain renewal is on schedule. La Jolla Cove Lifeguard station construction will begin in January. Children's Pool Lifeguard station work will resume in June after the pupping season. Sewer/Water reconstruction is being done on Coast Blvd between Cave Street and Scripps Park. Street is open, but there is no parking due to construction equipment. Member Daisy Fitzgerald, thanked Ms Demorest for intervening to restore parking on Girard during the holiday shopping season. Street work had started prematurely.
- 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 LJCPA jurisdiction, two (2) minutes or less

- A. **UCSD: Robert Clossin, AICP, Director, Physical and Community Planning:** rclossin@ucsd.edu, is working with the Coastal Commission to get the Venter Institute access changed and to develop the 400' pedestrian trail at SIO to connect to present and future overlooks. They hope to start in a couple of weeks. The trail will be decomposed granite and will adhere to the ADA standards of <= 5% grade.
- B. **Joyce Abrams- District 1 Gang Prevention Commission:** distributed and collected a 20-question survey to trustees and attendees asking about awareness of gang activity.

Cheri Jacobs Asten, Representing the Paralegic Assn. presented a vision of what the Children's Pool would look like with ADA accessibility.

Clint Carney of I Love a Clean San Diego --a 60-year-old organization devoted to Environmentalism and Education. They organize environmental cleanups and can be contacted for assistance. Website: cleansd.org

Tim Lucas, PRC Committee member, referred to the Whitney project dEIR heard by the LJCPA last month, saying the PRC has spent many hours reviewing the dEIR and the LJCPA ignored all the work, possibly due to a lack of time. He referred to **Trustee Merten's** remarks in the December PRC minutes about the importance of the land use expertise of official community groups in providing advice on environmental determinations.

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

Trustee Fitzgerald referred back to Tim Lucas's remarks and asked that the LJCPA recognize the PRC's work on the Whitney dEIR, by requesting that the LJCPA have it on the agenda in February to supplement the motion made in December.

Trustee Little referred to the project parking scheme at 904-910 Turquoise, saying DSD decisions with respect to variances would set a precedent. **Trustee LaCava** stated that this project was in Pacific Beach.

Trustee LaCava clarified his remarks made at the December LJCPA meeting: He should have said that Special Member meetings require two weeks notice, but Special Trustee meetings only require one week notice.

Trustee Zimmerman requested efforts to assure accurate vote counts. **Trustee LaCava** said he would also count the votes.

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. Reference to upcoming election was made.

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 December 1 was \$343.33. Receipts in December from donations were \$170.00. Expenses including agenda printing, Rec Center rent and telephone expenses were \$430.60 for an ending balance on December 31, 2013 of \$82.73. The 2013 summary is: Beginning Balance, \$175.16; Total Revenue, \$2056.98; Total Expenses, \$2149.41; Ending Balance, \$82.73.

Trustee LaCava has stated that website expenses (every two years) will be due in 2014.

Trustee Fitzgerald commented on the special generosity of the Membership and Trustees 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 rescheduled to January 16th.**
- B. **Report from Ad Hoc committee on vacation rentals**
1st meeting was Jan. 6th @ 5:00p Minutes provided at this meeting (see attached)
- C. **Hillel Draft EIR review comments extended to Feb. 11th**
- D. **Trustee Elections in March-** In order to run for a Trustee in the March election you must have attended three meetings in the period from March 2013 to February 2014. The candidate forum will be at the February meeting.
- E. **President Crisafi** also requested that committees adhere to the Rec Center closing time or else the LJCPA will be charged for the overtime use

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 PDO & T&T Meetings in December.

A. Harbach Residence (pulled by John Ellison)

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 (pulled by Kevin Johnson)

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 (pulled by the applicant to return to PRC)

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 (pulled by the applicant to return to the PRC)

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.

Approved Motion: To accept the recommendation of the PRC Committee for (C) Calle de la Garza: that the findings can be made for a Site Development Permit and a Coastal Development Permit for Project Number: 333421 and forward the recommendation to the City. (Fitzgerald, Emerson: 15-0-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Little, Manno, 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. No report
- B. Community Planners Committee** – Meets 4th Tues, 7p, 9192 Topaz Way. Did not meet in December

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.

Philip Quatrino of P Q Design Studio stated that DSD had approved the project as a 3-story building in 2011 and the LJCPA had recognized in 2012 that the 3-stories violated the LJ PDO. This redesign includes a 5,000 sf commercial and

retail complex below and 8 residential units (1400sf to 2000sf) in the two stories above. There are 9 commercial and 10 residential (in tandem) parking spaces underground.

Community commenters: **Member Daisy Fitzgerald** commented that the project would compromise Jonathan's loading dock. **Member Sally Miller** questioned the need for more commercial space when there were so many vacancies. **Members Pat Granger** and **Alex Outwater** also commented. Responses from the applicant clarified that the property was now vacant and leased by Von's for employee parking, but Von's did not purchase the property which is located between Von's and Everett Stunz on Girard and is screened from the street. Only a patio cover will be torn down. Possible tenants have been identified. DSD has determined that the commercial level did not count as a story.

Architect Paul Benton, chair of the DPR subcommittee, discussed the varying heights of the commercial level with respect to the street grade and concluded that the ground floor does not conform to the specific required measurements in the two-story zone of the LJ PDO.

Trustee Boyden said that the project's conclusion that there was no 3rd story as the commercial level was a basement conflicted with the PDO requirement that commercial activity be restricted to the ground floor. **President Crisafi** stated that there seemed to be a discrepancy with the height of the residence above the sidewalk. **Trustee Forbes** inquired whether Von's parking had or needed a permit for shared use and stated that the residences would be subject to noise from the commercial loading activity. **Trustee Fitzgerald** quoted the requirement of SDMC (113.0261) that the first story be no more than 2.6" above grade and that the first residential story did not qualify. No applicant response to these comments.

Approved Motion: The findings CANNOT be made for a Coastal Development Permit for the Girard Avenue Mixed Use Project as the project does not conform to the LJ PDO on the height or ground floor retail requirement and that the building is a 3-story building in a 2-story zone and referencing SDMC 113.0261. (LaCava, Manno: 13-3-1)

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

Approved Motion: That the actions and findings of the LJ PDO and DPR subcommittees as presented in Item 11 of the January 8 LJCPA agenda be included as supporting information to the main LJCPA motion for the Girard Avenue Mixed Use Project. (Emerson, Fitzgerald: 16-0-1)

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

Approved Motion: That the color palette and finishes for the Girard Avenue Mixed Use Project do not conform to the requirements of the LJ PDO. (Forbes, Collins: 12-0-5)

In favor: Bond, Brady, Collins, Courtney, Emerson, Fitzgerald, Forbes, Little, Naegle, Steck, Weiss, Zimmerman
Abstain: Ahern, Boyden, Crisafi (Chair), LaCava, Manno (other abstentions, lack of confirming display)

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.

Michael Rabkin, Executive Director of Hillel of San Diego, commented that Hillel had not been informed of this item being on the agenda and that he was not prepared to respond to any issues raised.

Trustee Boyden stated that the LJCPA had sent an extensive response to the previously circulated dEIR (included with today's agenda) and that additional comments should be directed at changes reflected in the recirculated version. **Trustee LaCava** said that City staff confirmed that previously sent comments were still live, but they could be resent by the LJCPA.

Trustee Emerson asked that the dEIR be reviewed by the PRC. **Taxpayers for Responsible Land Use Attorney Julie Hamilton** recognized the LJCPA's previous work and suggested that the PRC review the changes in the recirculated dEIR at its January meeting in making recommendations to be heard by the LJCPA in February.

Approved Motion: That consideration of the recirculated Draft Environmental Impact Report for the Hillel project be referred to the Permit Review Committee for review at its January 28 meeting and returned to the LJCPA for its February 6 meeting. (Emerson, Brady: 13-2-1)

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

Opposed: Boyden, LaCava

Abstain: Crisafi (Chair)

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.

Member Mike Costello presented information showing the increases in marine mammal activity at La Jolla beaches (from Goldfish Point south) in the last 40 years, suggesting that spreading of sea lion habitat would occur in the future, potentially endangering humans with increased numbers of shark attacks. He cited several groups that had been inconvenienced. He asked that the City be asked to do the study referenced above and come up with a comprehensive management plan. He characterized a NOAA letter sent to the City as saying that Children's Pool mandated year round shared use.

Trustees Weiss and LaCava said that the NOAA letter said only that shared use was allowable.

Member Melinda Merryweather stated that more than 15 years ago at a Congressional hearing, the State told the City not to encourage the seals. She said something needed to be done to control the stench and save the village beaches from further degradation. **Cheri Jacobs Aspen** raised the ADA issue at the Children's Pool. **Trustee LaCava** advised that she keep her issue separate from public discussion about the seals.

Member Alex Outwater and **Trustees Weiss, LaCava, Boyden, Ahern, Manno** and **Brady** expressed general support for the need to address this problem. Suggestions were made that a science-based study was necessary; all levels of government needed to be involved; other community groups, such as LJVM and Parks and Beaches should be consulted; outside funding needed to be secured; and that some small efforts might be successful.

Approved Motion: That the LJCPA supports finding a permanent solution to the stench at the La Jolla Cove that does not compromise other beaches in the area. (LaCava, Brady: 8-4-1)

In favor: Ahern, Boyden, Brady, Courtney, Emerson, Fitzgerald, LaCava, Manno

Opposed: Bond, Forbes, Little, Weiss

Abstain: Crisafi (Chair)

14. Adjourn at 8:59 PM to next Regular Monthly Meeting, Feb. 6th, 2014, 6:00pm