



# La Jolla Community Planning Association

Regular Meetings: 1<sup>st</sup> Thursday of the Month | La Jolla Recreation Center, 615 Prospect Street

Contact Us

Mail: PO Box 889, La Jolla, CA 92038

Web: <http://www.LaJollaCPA.org>

Voicemail: 858.456.7900

Email: [info@LaJollaCPA.org](mailto:info@LaJollaCPA.org)

President: Cindy Greatrex

Vice President: Bob Steck

2<sup>nd</sup> Vice President: Joe LaCava

Secretary: Helen Boyden

Treasurer: Jim Fitzgerald

---

## FINAL MINUTES

### Regular Meeting | Thursday, 1 October 2015, 6:00 pm

Trustees present: Patrick Ahern, Helen Boyden, Tom Brady, Bob Collins, Mike Costello, Dolores Donovan, Janie Emerson, Jim Fitzgerald, Cindy Greatrex, David Little, Alex Outwater, Jim Ragsdale, Glen Rasmussen, Bob Steck, Ray Weiss, Brian Will

Trustees absent: Joe LaCava, Fran Zimmerman

**1.0 Welcome and Call To Order: by Cindy Greatrex, President at 6:00pm.** She asked those present to turn off their cell phones and announced that the meeting was being recorded by the LJCPA in audio only and by a private party who does not identify himself in both audio and video.

#### 2.0 Adopt the Agenda

**Approved Motion: To adopt the posted agenda correcting the date of the next LJCPA meeting in Item 16 to November 5, 2015. (Steck, Emerson: 9-0-1)**

In favor: Boyden, Collins, Donovan, Emerson, Fitzgerald, Little, Ragsdale, Steck, Will

Abstain: Greatrex (Chair)

#### 3.0 Meeting Minutes Review and Approval: 3 September 2015

**Approved Motion: To approve the minutes of the September 3, 2015 LJCPA regular meeting as posted. (Collins, Fitzgerald: 10-0-1)**

In favor: Boyden, Collins, Donovan, Emerson, Fitzgerald, Little, Ragsdale, Steck, Weiss, Will

Abstain: Greatrex (Chair)

#### 4.0 Elected Officials – Information Only

##### 4.1 Council District 1 – Council President Sherri Lightner

Rep: **Justin Garver**, 619-236-6611, [JGarver@sandiego.gov](mailto:JGarver@sandiego.gov) Reported that Short Term Vacation Rentals were discussed by the Community Planners Committee on September 22<sup>nd</sup> and is scheduled to be taken up by the City's Code Monitoring Team and Technical Advisory Committee on October 14<sup>th</sup> and by the Planning Commission on Thursday December 3. On November 17<sup>th</sup> the City Council will hear the Public Utility Department's cost of service study and proposed water increase.

##### 4.2 Mayor's Office – Mayor Kevin Faulconer

Rep: **Francis Barraza**, 619-533-6397, [FBarraza@sandiego.gov](mailto:FBarraza@sandiego.gov) was not present.

**4.3 39<sup>th</sup> Senate District –State Senator Marty Block** spoke about his career. He offered to help with constituent issues with state government agencies (see contact info of Sarah Fields) and described his sponsorship of constituent events. He outlined his legislative accomplishments and interests, including Community College 4-year degrees, protecting seniors, water issues and cell tower issues. When the legislature is in session, he holds local office hours every Friday; now when it is not in session, every day. His local Rep: **Sarah Fields**, 619-645-3133, [Sarah.Fields@sen.ca.gov](mailto:Sarah.Fields@sen.ca.gov)

##### 4.4 78th Assembly District – Speaker of the Assembly Toni Atkins

Rep: **Toni Duran**, 619-645-3090, [Toni.Duran@asm.ca.gov](mailto:Toni.Duran@asm.ca.gov) was not present.

**4.5 Julio de Guzman**, of the City Attorney Criminal division described the program for some arrested for

---

*If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.*

misdemeanors and infractions to be offered time doing community clean-up in exchange for removing the criminal offense from their records. About 66% are currently accepting the offer.

**5.0 President’s Report** – Information only unless otherwise noted.

- 5.1** Bylaw Amendment – Slotted for November 2015 City Council Review, no date as yet
- 5.2** Whitney Mixed Use – 182513 Appeal Hearing: City Council, October 5, 2:00
- 5.3** Short-Term Vacation Rental – Update sent to Membership and draft legislation recently adopted by the City Council is available at the LJCPA website, under the subhead :”Community Projects and Issues.”
- 5.4** Cost of Service Study Presentation – **Brent Eidson, Public Utilities Department** stated that the City Charge for Water Service (see Garvin Report above) is based on cost of service including, cost of water purchase from the County and Metropolitan Water District (LA) (85% to 90% of our water); replacing infrastructure; reduction in water usage, credit worthiness and local supply issues. Info may be found at [sandiego.gov/water](http://sandiego.gov/water). All residents have been mailed a descriptive brochure.
- 5.5** La Jolla CIP Update: Hardcopy was made available describing the status of the proposed Capital Improvement projects submitted by the LJCPA.
- 5.6 ACTION:** Appoint Alex Outwater to LJCPA Ad-Hoc Bylaws Committee

**Approved Motion: To ratify the appointment of Trustee Outwater to the LJCPA Ad Hoc Bylaws Committee. (Emerson, Ahern: 12-0-3)**

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Little, Ragsdale, Steck, Will  
 Abstain: Greatrex (Chair) Outwater (Candidate), Weiss (already on committee)

**6.0 Non-Agenda Comment**

Opportunity for public to speak on matters not on the agenda, 2 minutes or less.

- 6.1 City of San Diego – Community Planner: Karen Bucey**, [KBucey@sandiego.gov](mailto:KBucey@sandiego.gov) stated that training on the Code Enforcement policies of the City will be offered on October 29<sup>th</sup>. RSVP is requested.
- 6.2 UCSD - Planner: Anu Delouri**, [adelouri@ucsd.edu](mailto:adelouri@ucsd.edu), <http://commplan.ucsd.edu/> reported in absentia that UCSD has 12 construction projects in planning or construction. See website.

**7.0 Trustee Comment**

Opportunity for trustees to comment on matters not on the agenda, 2 minutes or less.

**Trustee Boyden** cited section 1510.0107 (a) of the SDMC (LJSPDO section) which states that the provisions of Chapters 11, 12, 13; Divisions 1,2,5,6, and 8 of Chapter 14, Article 2; and Chapter 14, Articles 3,4,5,6,7 of the Land Development Code apply in the La Jolla Shores Planned District and thus can be considered in project evaluation by the LJCPA. She noted that the La Shores Planned District Advisory Board at past meetings she has attended has declined to evaluate concerns in these sections as not being their charge.

**8.0 Officers’ Reports**

**8.1 Treasurer**

<b>Beginning Balance</b> as of 9/1/15	\$ 333.79
<b>Income</b>	
• Collections	\$ 91.00
○ CD Sales	<u>0</u>
<b>Total Income</b>	\$ 91.00
<b>Expenses</b>	
• LJ Rec Center Rent (Oct-Dec)	\$ 128.00
• PO Box Rental (1 yr.)	130.00

○ AT&T telephone	<u>75.70</u>
<b>Total Expenses</b>	<u>\$ 333.70</u>
<b>Net Income/(Loss)</b>	\$(242.70)
 <b>Ending Balance of 9/30/15</b>	 \$ 91.09

## 8.2 Secretary

**Trustee Boyden** stated that if you want your attendance recorded today, you should sign in at the back of the room. There are three sign-in lists: white ones for LJCPA members and government representatives 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/](http://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 may document your attendance by signing in at the back, providing 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, or providing independently verifiable proof of attendance.

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.

For complete membership information you should refer to the current LJCPA bylaws which can be found on the website. Refer to Article III, Section 1.

## 9.0 Reports from Ad Hoc and non-LJCPA Committees - Information only unless noted.

### 9.1 Community Planners Committee

<http://www.sandiego.gov/planning/community/cpc/index.shtml> No report

### 9.2 Coastal Access & Parking Board <http://www.lajollacpa.org/cap.html> No report.

### 9.3 Ad Hoc Committee on Residential Single-Family (RS) Zoning Chair Sharon Wampler

reported the committee had met with Robert Vacchi of DSD to discuss solutions including the possibility of revising the categorical exclusion provisions. Twice monthly meetings are noticed by the regular LJCPA process. **Trustee/Committee Member Ragsdale** stated that they had had five meetings.

The following agenda items, when marked "Action Item," can be a *de novo* consideration of the Item.  
 Prior actions by committees/boards are listed for information only.

## 10.0 MARISMA TRAVEL CENTER NUP 1654 Marisma Way- Action Item

**DPR Recommendation:** Findings CAN be made for a Neighborhood Use Permit for the Home Occupation at 1654 Marisma Way only, limited to one client visit per week. 4-1-1.

**Approved Motion: To continue the item to the November 5 meeting of the LJCPA as the applicant was not present. (Ahern, Emerson: 11-1-1)**

In favor: Ahern, Boyden, Brady, Costello, Emerson, Fitzgerald, Outwater, Ragsdale, Steck, Weiss, Will  
Opposed: Little  
Abstain: Greatrex (Chair)

**11.0 KAPLAN-GASTON 5606 Dolphin Place- Action Item**

**DPR Recommendation:** Findings CAN NOT be made for a Coastal Development Permit and Site Development for a 1st and 2nd story addition to an existing single family residence at 5606 Dolphin Place, because the project does not transition or relate well to other neighboring houses. It appears to have excessive hardscape and inadequate landscape, and it impacts too strongly on the neighboring house to the east where a careful transition from one to two stories was necessary. 4-1-1.

**Sandra Brower, Attorney at Higgs, Fletcher and Mack**, representing the applicants, stated that no Site Development Permit is required. She said that the 300 sf and 500 sf additions, to the first story and creating a second story for the now one-bedroom house, and adding a second bedroom were modest and required no variances and meet all city requirements. In response to neighbor concerns, they have lowered the height, made a second-story setback and opaqued the upstairs bathroom and stairway windows. Some changes presented here had not been seen by the DPR committee. The neighbors wanted more.

**Architect Mel McGee** described the changes in more detail. He noted that this is not a historic house and that the home to the west is two stories the whole length of the house so the Kaplan house has no view to the west, but they are siting the proposed second story to create a view to the southwest. Additionally there will be a privacy wall.

**Owner Bob Kaplan**, now working in DC, previously lived in San Diego, affiliated with UCSD. They are returning in San Diego to retire and to resume his affiliation with UCSD for research in cardiology. They would like the second bedroom for visiting grandchildren to use.

In opposition, **Attorney Julie Hamilton** representing Rick and Ann Kruse, the neighbors to the east, stated that the Kaplan project GFA should have included the carport (with three sides enclosed) which would have increased the FAR beyond the allowable. It is a unique architectural home. The proposed home is too tall and too close with a narrow side yard setback. It eliminates the Kruse's ocean view. There is also a guest house on the site now. She cited the fact that the bedrooms have outside entrances leads to the risk of it being used for STRVs.

**Chair Greatrex** stated that conjecture was not an acceptable argument.

Also speaking in opposition were neighbors **Richard Kruse, Portia Wadsworth and Carey Kincaid** Speaking in favor was **Ed Ward**, citing individual property rights.

Several trustees stated that the FAR issue was of concern. **Trustee Costello** said the house did not transition to the neighborhood. Other commenters were Trustees **Little, Will, Emerson, Ragsdale, Donovan, Ahern, Steck**. Trustees **Will** and **Ragsdale**, who are DPR members, had not been at the DPR meeting when this project was reviewed.

**Approved Motion: To return the project to DPR for further review. (Ragsdale, Donovan: 9-5-1)**

In favor: Boyden, Collins, Costello, Donovan, Emerson, Little, Outwater, Ragsdale, Will  
Opposed: Ahern, Brady, Fitzgerald, Steck, Weiss  
Abstain: Greatrex (Chair)

**12.0 CONRAD PREBYS PERFORMING ARTS/EASEMENT VACATION 7600 Fay Ave- Action Item**

**DPR Recommendation:** Findings CAN be made that made that the proposed project conforms to the La Jolla Community Plan for a Coastal Development Permit and Site Development Permit to demolish an existing retail building and construct a 44,014- square-foot, 2-story over basement level Performing Arts Center located at 7600 Fay Avenue. 6-0-1.

**Christopher Beach, Artistic Director Emeritus of the La Jolla Music Society**, noted that they were proposing a 500-seat auditorium with state of the art acoustics and a 150-seat cabaret type venue.

They will bookend an extensive courtyard opening onto the street. He noted that three subcommittees had unanimously approved the project. He introduced Conrad Prebys who was present at the hearing.

**Ray Porfilio of Epstein Joslin Architects** stated that the project lies at the low point of the street, between the Gaines and Spa Buildings. They will be expanding the size of the current 60" drain to 66" which will improve drainage in this major runoff site which will benefit other properties. They will be reducing the amount of impervious materials on the site. They are not increasing the "usage" but just moving their activities up the street from their current Sherwood Hall location. They will have six parking spaces on site. They have purchased 67 spaces at the Bank of American Building for daytime parking. For nighttime events they will be using parking in nearby office buildings, e.g. Schwab, PHP and Merrill Lynch as well as La Jolla Presbyterian Church. Attendees with tickets will be informed of the arrangement for each event. Valet parking in front of the complex will open up for public parking when there is no event. The FAR is 1.15, less than allowed in this Community Commercial Zone.

**Dave Sorenson** was also present.

Public comment in support: **Nancy Warwick, Kate Adams, Phyllis Pfeiffer, Charles Castle**, citing the many annual and regular community events that will be held in the facility.

Many trustees spoke favorably of the project. In answer to various trustee comments, it was stated that rents will be the same as they would in Sherwood Hall with discounts to non-profits. More details on the drain and parking were provided. They are unable to provide underground parking under the 500-seat auditorium as it is needed for air control and parking not possible in the drain area. Under the 150-seat cabaret, the area is so narrow that one could have only 15-20 spaces per level. **Marcella Escobar-Eck** stated that though there may not be contracts for parking, the requirement will be in the permit conditions—flexibility is needed.

Trustees commenting included: **Costello, Brady, Weiss, Little, Emerson, Collins, Donovan, Outwater, Fitzgerald**.

**Approved Motion: To accept the DPR recommendation that the findings CAN be made that made that the proposed project conforms to the La Jolla Community Plan for a Coastal Development Permit and Site Development Permit to demolish an existing retail building and construct a 44,014- square-foot, 2-story over basement level Performing Arts Center located at 7600 Fay Avenue. (Weiss, Brady: 14-0-1)**

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Little, Outwater, Ragsdale, Steck, Weiss, Will

Abstain: Greatrex (Chair)

### **13.0 801 PEARL STREET- CONGER 801 Pearl Street- Action Item**

**DPR Recommendation:** Findings CAN be made for a Coastal Development Permit and Site Development Permit and Tentative Map (Process 4) to remove an existing service station and construct a new mixed-use project with four retail units and 12 residential units with a subterranean garage: total development 23,340 sf, at 801 Pearl Street. With the request that the City complete the Environmental Study and study the issue of left hand turn lanes at Pearl Street and Eads Avenue, and add a stop sign at the top of the driveway ramp leading from this project. 5-0-1.

Presented by **Architects Jim Alcorn and Paul Benton**. **Architect Alcorn** described the project as 4 retail units totaling 5400 sf and 12 residential units situated on three parcels, two fronting on Pearl Street, the other on Eads. Because the parcels are in different zones, FARs, parking and other requirements will be averaged with the resultant FAR being 1.12. The underground garage will open onto Eads with a 5%-12%-5% gradient on the ramp. There will be 39 spaces where only 31 are required and they will be divided between those for retail customers and those individually assigned to specific residences with several for guests. With the gas station gone, three more street parking spaces will be freed up. This new version of the project will have greater setbacks than the previous one. They will have two stories with a 25' average

height, with 3' chimneys on top. There will be several street trees, including jacarandas on Eads. Two dumpsters will be situated in an indented loading zone in the alley. Exterior surfaces will be various shades of off white and terracotta tiles.

**Connie Branscomb** said she had owned a house six lots south of this project since 1966 and felt that previously Pearl

Street had been considered the divider between the area to the north and the R-2 properties.

**Don Swortwood** decried the continuing loss of character in La Jolla neighborhoods--that we've given it away.

**Trustee Costello** said he was pleased with the many changes in this new version. In response to other trustee questions, **Messrs. Alcorn and Benton** further described the averaging provisions of two different zones and the parking arrangements. **Trustees Brady, Weiss, Little, Will, Fitzgerald and Emerson** commented. **Trustee Ragsdale** inquired about the traffic count with respect to the environmental study. The traffic count indicated a decrease of 288 trips per day. Since there are fewer than 500 trips daily, no special environmental provisions are needed.

It was noted that traffic will increase on Eads, but substantially decrease on Pearl. The City is being asked to study the need for left turn lanes and exit stop sign.

**Approved Motion: To accept the DPR recommendation that the findings CAN be made for a Coastal Development Permit and Site Development Permit and Tentative Map (Process 4) to remove an existing service station and construct a new mixed-use project with four retail units and 12 residential units with a subterranean garage: total development 23,340 sf, at 801 Pearl Street. With the request that the City complete the Environmental Study and study the issue of left hand turn lanes at Pearl Street and Eads Avenue, and add a stop sign at the top of the driveway ramp leading from this project. (Costello, Brady: 13-0-1)**

In favor: Ahern, Boyden, Brady, Collins, Costello, Emerson, Fitzgerald, Little, Outwater, Ragsdale, Steck, Weiss, Will

Abstain: Greatrex (Chair)

#### **14.0 SPEED LIMIT- PRESTWICK DRIVE Between Calle de Oro and Dunaway Drive- Action Item**

**T&T Recommendation:** Findings CAN NOT be made for a City Staff proposal to increase speed limit between Calle de Oro and Dunaway Drive from 30 MPH to 35 MPH, pending receipt of resident petitions. 10-0-1.

Prestwick residents **Pat Miller** and **Susan Goulian** presented petitions signed by members of 82 households on Prestwick Drive asking that the speed limit not be raised from 30 MPH to 35 MPH to enable radar enforcement as the City proposed. **Trustee Ahern** estimated that there were about 111 homes on this street segment. Residents felt that raising the speed limit would just encourage drivers to go faster. It was pointed out that the continuing segments of the road, Calle del Oro and Dunaway Drive would remain at a lower speed limit and radar could be used there.

**Chair Greatrex** had spoken to T&T Chair Dave Abrams and he had indicated that he felt the matter was intended to go to the LJCPA. **Trustee/T&T Brady** and **T&T member Donna Aprea** indicated they thought T&T members wanted this to go direct to LJCPA, though others expressed concern that other groups might feel left out.

**Approved Motion: To accept the recommendation of the T&T Board that the findings CAN NOT be made for a City Staff proposal to increase speed limit between Calle de Oro and Dunaway Drive from 30 MPH to 35 MPH. (Outwater, Ahern: 12-0-1)**

In favor: Ahern, Boyden, Brady, Costello, Emerson, Fitzgerald, Little, Outwater, Ragsdale, Steck, Weiss, Will

Abstain: Greatrex (Chair)

#### **14.0 Consent Agenda- Action Item**

**The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the item/project is considered by the LJCPA.**

PDO – Planned District Ordinance Committee, Chair Lone Stiegler, 2nd Mon, 4:00 pm

DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tues, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Chair Phil Merten, 4th Tues, 4:00 pm  
T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Thurs, 4:00 pm

The Consent Agenda allows the LJCPA to ratify recommendations of the community joint committees and boards in a single vote with no presentation or debate. It is not a decision regarding the item but a decision whether to accept the recommendation of the committee/board as the recommendation of the LJCPA. The public may comment on consent items.

→ See Committee minutes and/or agenda for description of projects, deliberations, and vote.

→ Anyone may request a consent item be pulled for full discussion by the LJCPA.

→ Items “pulled” from Consent Agenda are automatically trailed to the next LJCPA meeting.

T&T- No meeting in September. DPR- No Recommendations to LJCPA. PDO- No Recommendations to LJCPA.

---

#### **15.1 Fan Residence 8295 Prestwick Drive**

PRC Recommendation: Findings **cannot** be made for (Process 3) Coastal Development Permit and Site Development Permit to demolish an existing residence and construct a new 5,757 sq ft 2-story residence over 1,381 sq ft basement at 8295 Prestwick Dr. The 0.132 acre site is in the Single Family (SF) zone of the La Jolla Shores Planned District, Coastal (Non- appealable) overlay zone within the La Jolla Community Plan Area. Council District 1, because the proposed residence is not in compliance with PDO in that it does not conform to the character of the neighborhood. 4-2-1

#### **15.2 Evans Residence, 8039 La Jolla Shores Drive SDP**

PRC Recommendation:

Findings **can** be made for SDP, and for a CDP should that prove to be necessary, for a 1,389 sq ft addition and remodel of a 1,932 sq ft existing single family residence at 8039 La Jolla Shores Dr. The 0.183 acre site is in the SF zone of the La Jolla Shores Planned District, Coastal (Non-appealable) overlay zone within the La Jolla Community Plan Area. Council District 1. 7-0-0

#### **15.3 Davis Residence, 8430 La Jolla Shores Drive SDP**

PRC Recommendation:

Findings **can** be made for an SDP to construct a 1,118 square-foot addition and associated remodel to an existing single family dwelling unit located at 8430 LJ Shores Drive, with a second-story north side setback of four feet, as noted on the plans before the Committee and dated 9-22-2015. The 0.13-acre site is located within the Coastal Overlay Zone (Non-Appealable) at 8430 La Jolla Shores Drive in the LJSPD – SF zone(s) of the La Jolla Shores Planned District within the La Jolla Community Plan area and Council District 1. 6-0-1.

**Approved Motion: To accept the recommendations of the PRC for 15.1 Fan Residence 8295 Prestwick Drive that the findings cannot be made for (Process 3) Coastal Development Permit and Site Development Permit to demolish an existing residence and construct a new 5,757 sq ft 2-story residence over 1,381 sq ft basement at 8295 Prestwick Dr. The 0.132 acre site is in the Single Family (SF) zone of the La Jolla Shores Planned District, Coastal (Non- appealable) overlay zone within the La Jolla Community Plan Area. Council District 1, because the proposed residence is not in compliance with PDO in that it does not conform to the character of the neighborhood; for 15.2 Evans Residence, 8039 La Jolla Shores Drive SDP that the findings can be made for SDP, and for a CDP should that prove to be necessary, for a 1,389 sq ft addition and remodel of a 1,932 sq ft existing single family residence at 8039 La Jolla Shores Drive; and for 15.3 that the findings can be made for an SDP to construct a 1,118 square-foot addition and associated remodel to an existing single family dwelling unit located at 8430 LJ Shores Drive, with a second-story north side setback of four feet, as noted on the plans before the Committee and dated 9-22-2015 and forward the recommendations to the City. (Emerson, Weiss: 12-0-1)**

In favor: In favor: Ahern, Boyden, Brady, Costello, Emerson, Fitzgerald, Little, Outwater, Ragsdale, Steck, Weiss, Will

Abstain: Greatrex (Chair)

**16.0 Adjourned at 9:30 pm to next LJCPA Meeting, Thursday, November 5, 6:00 pm**

