

**UNAPPROVED MINUTES OF THE LA JOLLA
PLANNED DISTRICT ORDINANCE COMMITTEE
December 10, 2012**

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

Acting Chair Fitzgerald called the meeting to order at 4:00PM.

1. **Public Comment** – Issues not on today’s agenda (2 minutes maximum.)
No public comment.
2. **Chair Report / Board Discussion**
Note: Chair Report and Board Discussion deferred until after Project and Information Agenda items heard.
 - a. Review and Approve November Minutes: November Minutes not available; approval deferred to January 2013 meeting.
 - b. Letter sent by CPA regarding the role of the PDO committee in the city review process. (Fitzgerald) Fitzgerald indicated that, as of this date, the CPA had received no response from the City to the letter.
 - c. Issues regarding PDO compliance and means to promote enforcement.
 - d. Update: At the November 2012 PDO Committee meeting, the Committee questioned whether the 3 stories for the Girard Mixed Use project were in compliance with the PDO (3 stories not allowed in a portion of Zone 1). In subsequent discussion with the City, the City confirmed that the project did not comply with the PDO and, as a result, the applicant withdrew the project from further Community review (DPR Committee and CPA).

3. **Recommendations to CPA**

A.

Project Name: Ohana Cafe

Address: 456 Pearl St

Project Number: 285370

PDO Zone:LJPD-4

Applicant: Becky Kuba and Larry Chou

Agent: Roger Clark

City Project Manager: Tamara Adams

Date of App Notice: 9/4/2012

Scope of Work: Planning on opening a cafe roughly 1120 sq ft in size.

Modifications include a small kitchen and customer area, interior renovations, and new sectional door. Existing bathroom to remain. Note noted by applicant but noticed for pending discussion: Signage and façade improvements.

Notes from September 2012 Meeting:

- Presentation of current improvements. The committee offered advice that the façade improvements, as represented conformed to the PDO, except for the

palm-frond fringe. Committee expressed concern regarding the fire safety of restaurant occupants and advised the applicant to have the City review the palm-frond fringe for compliance with fire regulations.. A potential sign area was presented. The sign could not be reviewed for conformance with the PDO. Requested owner to present the actual design at the next meeting.

- Separate from the applicant's presentation. the Committee discussed the significant concern that this project once again represents the DSD's ongoing interpretation that an intensification of use is approvable in a commercial mall with significantly reduced parking requirements and without a hearing before the LJPDO.

Motion: No motion; applicant was asked to return next month and address Committee concerns/issues.

Committee December action: No action. This item was placed on the PDO Agenda for December by the Chair to allow the applicant the opportunity to make a follow-up presentation to the Committee (see comment above). The applicant elected not to present to the Committee.

4. Recommendations to DPR Committee

A.

Project Name: Conger CDP & TM

Address: 801 Pearl Street

Project Number: PTS#294307

PDO Zone: Zone 4

Applicant:

Agent: Mr. Alex Faulkner, Alex Faulkner Designs

City Project Manager: Godwin, Paul

Date of App Notice: 09/11/2012 Deemed Complete on 10/04/2012

Scope of Work:

The proposed project is located at 801 Pearl Street, within the La Jolla Planned District, Zone 4, the Coastal Height Limitation Overlay Zone (Prop D, CHLOZ), Coastal Overlay Zone (Non-appealable area two), Parking Impact (coastal) Overlay Zone (PIOZ), and Residential Tandem Parking Overlay Zone (RTPOZ), Transit Area Overlay Zone (TAOZ) of the La Jolla Community Plan (LJCP) and Local Coastal Program (LCP). (New Issue)

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2 The project proposes to remove an existing service station and construct a new mixed use project consisting of four retail spaces, one restaurant and twelve condominium units with a subterranean garage. (New Issue)

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3 The project site has the following associated development permits which should be noted on the title sheet C-6403 and CUP 10-642-0. At the time it is unclear what these discretionary permit permitted because Staff was unable to obtain a copy of these permits prior to project review due date. With the next submittal Staff should have a copy of these permits. If there is no intent to amend or use the approved

permits, the permit conditions for Project No. 294307 will include a condition showing the approval of a new development permit will rescind the previous approvals. (New Issue)

4 The following discretionary permits are required at the indicated decision process: A Coastal Development Permit (CDP, Process Three, Hearing Officer as decision-maker) in accordance with SDMC Section 126.0702(a) for development in the Coastal Overlay Zone. A Planned Development Permit (PDP, Process Four, Planning Commission as the decision-maker) in accordance with SDMC Section 143.0410(b)(2) to redistribute density without regard to zone boundaries. A Tentative Final Map (TM, Process Four, Planning Commission as decision-maker) in accordance with SDMC Section 125.0430 for the subdivision of land. (New Issue)

Committee action: No action. Subsequent to the Agenda being published, the applicant indicated that they wished to reschedule their presentation to the January 2013 PDO meeting. The Chair offered the applicant the opportunity to make an information-only preview presentation of the project to the Committee. The applicant elected not to make a presentation.

5. **Information Only**

Project Name: [Wells Fargo Lighting](#)

Address: [Girard Avenue](#)

Project Number:

PDO Zone:

Applicant: Brian Keefe

Agent:

City Project Manager: [N/A](#)

Date of App Notice:

Scope of Work: Recently a series of extremely bright and glaring canopy lights was installed at Wells Fargo on Girard Avenue. A citizen is working directly with the branch manager and indirectly with the corporate properties manager to correct the situation. It was requested to bring this to the attention of the La Jolla CPA before registering a formal code compliance complaint to the city. The preference is to resolve this without escalation, and provide any support from the CPA that is available.

A letter is attached outlining the nature of the problem.

Committee Comments/Discussion:

Committee made several recommendations to Mr. Keefe, including: 1) writing an additional letter to the bank branch manager, highlighting the over illumination, Code violation due to exposed bulbs, and encouraging the bank to comply with PDO and avoid getting City Code enforcement involved; 2) contact LJVMA, as they are working with local businesses to achieve compliance with PDO codes. If these recommendations are not successful, the PDO Committee offered to write a letter to the CPA, bringing the issue to their attention.

4:35 Meeting was adjourned

Respectfully Submitted,

Anna Palmer, Secretary.