



PO Box 889, La Jolla, CA 92038
<http://www.LaJollaCPA.org>
Voicemail: 858.456.7900
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President: Tony Crisafi
Vice President: Joe LaCava
Treasurer: Orrin Gabsch
Secretary: Dan Allen

La Jolla Community Planning Association

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

Thursday, 2 August 2012

D R A F T AGENDA – REGULAR MEETING

6:00p

1. Welcome and Call To Order: **Tony Crisafi**, President
2. Adopt the Agenda
3. **Meeting Minutes Review and Approval: 5 July 2012**
4. **Elected Officials Report** – Information Only
 - A. Council District 2 – Councilmember Kevin Faulconer
Rep: **Katherine Miles**, 619.236.6622, kmiles@sanidiego.gov
 - B. Council District 1 – Councilmember Sherri Lightner
Rep: **Erin Demorest**, 619.236.7762, edemorest@sanidiego.gov
5. **Non-Agenda Public Comment**
Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.
 - A. UCSD - Planner: **Anu Delouri**, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>
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. Trustee Special Election today – polls close at 7p.
 - B. Committee Appointments of Mathew Walsh (LJTC) to DPR sub-committee - For ratification by Trustees
 - C. Ad Hoc Committee appointments

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 CPA 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, 4p

A. SPOT Kids Sign

PDO Action: This sign substantially conforms to the PDO. 7-0-0

7632 Herschel Ave- New signage to be positioned on the front stucco wall above trellis.

B. Mazon EOT

PRC ACTION: The findings can be made for an Extension of Time for the CDP No. 569852 and SDP No. 569853. 5-0-2

7921 El Paseo Grande - EOT for CDP No. 569852 and SDP No. 569853 to demolish an existing residence and construct a 4,461 SF single-family residence on a 0.14 acre site

C. Palazzo SCR

PRC ACTION: The Findings can be made for Substantial Conformance of plans dated July 2, 2012 and submitted to the City against vested CDP No. 46240, SDP No. 4624, PDP No. 207962 and Map Waiver No. 219822. 6-0-1

2402 Torrey Pines Rd - SCR against PTS#19379; CDP No. 46240, SDP No. 46241, Planned Development Number No. 207962 & Map Waiver No. 219822. The original approval allows 30 dwelling units and SCR proposes 27 dwelling units

D. Lai Residence EOT

PRC ACTION: The findings can be made for an Extension of Time for CDPs 51302 and 40871, SDP 51303 and 40872 and Lot Line Adjustment 165689. 6-0-1.

2037 Torrey Pines Rd - Extension of Time for CDP 51302 and 40871, SDP 51303 and 40872 and Lot Line Adj. 165689 to construct a 6,700 SF residence on a 0.23 acre vacant site and demolish an existing two car garage and add a 677 SF three car garage and add a 1,196 SF guest quarters to an existing 1,787 SF res

E. Valet Permit 909 Prospect St

T & T ACTION:

909 Prospect St. - Request for Valet Parking permit for Barfly restaurant.

F. 9th Annual La Jolla Concours d'Elegance

T&T ACTION:

Friday April 6th to April 7th- Street Closures

G. Red Curb 7205 Olivetas

T&T ACTION:

7205 Olivetas – red curb opposite the driveway of 7205 Olivetas

10. REPORTS FROM OTHER ADVISORY COMMITTEES - Information only

A. COASTAL ACCESS AND PARKING BOARD – Meets 1st Tues, 4pm, Rec Center

B. COMMUNITY PLANNERS COMMITTEE – Meets 4th Tues, 7p, 9192 Topaz Way

11. Robbins Residence - Action Item

475 Gravilla Street - Variance for over height walls within the required setbacks, eliminate required on site parking and walls above 3' within the required visibility areas and Neighborhood Development Permit for a 5' wall in the public right of way.

DPR MOTION (June 2012): Findings can be made for a Variance for over height walls within the required setbacks, eliminate required on site parking and walls above 3' within the required visibility areas and Neighborhood Development Permit for a 5' wall in the public right of way at 475 Gravilla St. 5-0-0

LJCPA ACTION (July 2012): Pulled from Consent Agenda by Phil Merten.

Presenting: Matt Peterson, Applicant: Jim Robbins / Dan Linn

12. Increase speed limit from 25 MPH to 35 MPH - Nautilus Street – Action item

Nautilus St from W. Muirlands to Fay - an increase in the posted speed limit

T & T ACTION (June 2012): Motion to approve 2-3-1

LJCPA ACTION (July 2012): Pulled from Consent Agenda by David Little.

Applicant: City of San Diego

13. Bird Rock Mixed Use - Action Item

5702 La Jolla Boulevard - CDP to construct 10 residential for-rent units and 7,726 SF of commercial space on a vacant 0.37 acre site.

PDO MOTION (JULY 2012): The proposed Bird Rock Mixed Use project #259362 conforms with the LJ PDO. Balcony rail planters and grasscrete in the alley dedication area are recommended. 6-0-1

DPR MOTION (JULY 2012): The Findings for a CDP and NUP, that the development complies with the applicable regulations of the Land Development Code, cannot be made because the LJPDO does not allow tandem parking for commercial uses. 5-0-2

Full consideration at request of Applicant

Applicant representative: CA Marengo

14. CPA Role in Code Violations within the Community – Discussion / Action Item

DPR MOTION (JULY 2012): The DPR Committee recommends that the LJCPA take a formal position on projects where code violations negatively affecting community and neighborhood character have occurred. 7-0-0

9:30p

15. Adjourn to next Regular Monthly Meeting, September 6, 2012, 6:00 pm



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La Jolla Community Planning Association

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

Thursday, 5 July 2012

D R A F T MINUTES – REGULAR MEETING

Trustees Present: Dan Allen, Cynthia Bond, Tom Brady, Devin Burstein, Laura Ducharme-Conboy, Michael Costello, Dan Courtney, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Nancy Manno, Phil Merten, Cindy Thorsen.

Absent: Fran Zimmerman.

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

2. Adopt the Agenda

Approved Motion: Motion to adopt the Agenda, (Gabsch/Courtney, 13-0-1).

In favor: Allen, Bond, Brady, Burstein, Conboy, Costello, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Merten, Thorsen.

Abstain: Crisafi.

3. Meeting Minutes Review and Approval – 7 June Regular Meeting

Secretary Allen noted that the minutes would be expanded to specify the appointees of the other Parent Organizations to Joint Committees and Boards (Item 8A). **Trustee Manno** advised of an error in the listing of votes on the second motion on the UCSD Hillel Center (Item 14). **Trustee Conboy** pointed-out that in discussion of that item (Item 14) the property was said to be zoned R-1 when in fact it is zoned SF.

Approved Motion: Motion to approve the Minutes of the 5 April Meeting as corrected, (Fitzgerald/Thorsen, 10-0-4).

In favor: Allen, Bond, Burstein, Conboy, Costello, Fitzgerald, LaCava, Lucas, Manno, Thorsen.

Abstain: Merten, Brady, Gabsch, Crisafi.

4. Elected Officials Report - Information Only

A. San Diego City Council District 2 - Councilmember Kevin Faulconer

Rep: Katherine Miles, 619.236.6622, kmiles@sandiego.gov

Ms. Miles was not present.

B. San Diego City Council District 1 - Councilmember Sherri Lightner

Rep: Erin Demorest, 619.236.7762, edemorest@sandiego.gov

Ms. Demorest spoke about the two vacancies on the La Jolla Shores Planned District Advisory Board and the deferral of consideration of the powerplant proposed for City-owned land just east of I-805 in University City.

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

A. UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://physicalplanning.ucsd.edu>

Ms. Delouri was not present.

General Public Comment

Melinda Merryweather encouraged attendance at the 11 July Coastal Commission meeting on the rope barrier at Children's Pool in opposition to the City's application. **Jane Reldan** endorsed turnout in favor of the City's application. **Anne-Marie Butler-Copera** expressed concern with ongoing grading and changes to drainage at

6324 La Pintura. **Scott Hasson**, candidate for Trustee of the San Diego Community College District, spoke.

6. Non-Agenda Items for Trustee Discussion

Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.

Trustee LaCava commented that the changes to Council Policy 600-24 mentioned last month do not alter our operating guidance. He reviewed the rule regarding abstentions from votes that calls for stating the abstainer's reason. **Trustee Merten** commented on the delayed mailing of notices from the City for two recent meetings of the La Jolla Shores Planned District Advisory Board. **Trustee Little** asked about the Ad Hoc Committee on Trustees Representing Project Applicants or Project Opponents. **Trustee Merten** replied the committee will meet in the near future and that Trustees will be notified by e-mail. **Trustees Little, Thorsen and Merten** discussed code compliance in cases of remodels and other projects handled by the city administratively (i.e. - without review by LJCPA or its committees), such as the 6324 La Pintura grading brought up under Non-Agenda Public Comment. **Trustee Merten** suggested that the LJCPA could consider these issues in our capacity as a California corporation, even though that is outside the scope of our role as a recognized advisory entity to the City. He suggested possibly holding separate monthly meetings to act in each capacity. **Trustee Allen** reported meeting of a committee of officers (Trustees Fitzgerald, Gabsch and Allen) over letters to LJCPA and to the City from Mr. & Mrs. Michael Bruser in regard to the Encore Trust project alleging that LJCPA actions in general were in contravention to rules, regulations and requirements, specifically Council Policy 600-24. A letter in response requesting specifics was sent with follow-up e-mail, and nothing further has been received. A report will be made to the City.

7. Officer's Reports

A. Secretary

Trustee Allen stated LJCPA is a membership organization open to La Jolla residents, property owners and local businesspersons at least 18 years of age. By providing proof of attendance one maintains membership and becomes eligible for election as a Trustee. Eligible non-members wishing to join the LJCPA must have recorded attendance for one meeting and must submit an application. Forms are on-line at www.lajollacpa.org.

B. Treasurer

Trustee Fitzgerald presented the results for the past month. June Beginning Balance: \$361.30 + Income \$331.02 – Expenses \$102.98 = July Beginning Balance: \$589.34. Expenses for the month included agenda printing, telephone expenses and meeting recorder batteries. The ending balance is higher than usual because the semi-annual rent payment of the meeting room was not made because the City has not confirmed the rate.

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 – Action Items where indicated

A. Trustee Special Election – candidate statements / last chance to announce candidacy! Election August 2nd.

Statements were made by **Bob Collins** and **Jane Reldan**. A written statement was read for **Bob Steck**, who could not attend.

B. California Coastal Commission Hearing – July 11th @ 8:30a – Children's Pool Rope Barrier Letter sent to Coastal Commission per Sept 2010 hearing .

C. COW Training

All Trustees please send your certificate of completion to info@lajollacpa.org for record keeping.

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 CPA 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

A. AT&T

PDO Action: Based on the conclusion that the top portion of the new enclosure, with no roof and its 7' 2" height, does not constitute a 3rd story, the proposed changes conform to the PDO. 8-0-0

5644 La Jolla Blvd - The proposed permit is to allow AT&T to continue operation of an existing wireless communication facility.

B. Robbins Residence – *Pulled by Trustees Merten and Costello*

DPR ACTION: Findings can be made for a Variance for over height walls within the required setbacks, eliminate required on site parking and walls above 3' within the required visibility areas and Neighborhood Development Permit for a 5' wall in the public right of way at 475 Gravilla St. 5-0-0

475 Gravilla Street - Variance for over height walls within the required setbacks, eliminate required on site parking and walls above 3' within the required visibility areas and Neighborhood Development Permit for a 5' wall in the public right of way.

C. Almeria Court EOT

DPR ACTION: Findings can be made for an Extension of Time for a NDP for Environmentally Sensitive Lands to construct 2 single family residences with 4,330 SF and 4,405 SF on two vacant lots of 11,443 SF and 11,485 SF at 2370 and 2380 Almeria Court. 5-0-0

2370 & 2380 Almeria Court - Extension of Time for NDP 436478 and 436963 for Environmentally Sensitive Lands to construct 2 single family residences with 4,330 SF and 4,405 SF on two vacant lots of 11,443 and 11,485 SF.

D. Girgis Residence

DPR ACTION: to recommend approval of the project as presented, with the changes requested by the presenters that the finish of the south retaining walls will be split-face concrete masonry units of an earth tone. 6-1-1

811 Havenhurst Point- CDP and SDP for Environmentally Sensitive Lands to demolish existing residence and construct a 7,384 SF single-family residence on a 0.40 acre site.

E. 19th Annual San Diego Triathlon Challenge

T&T ACTION: Motion to approve street closures. 6-0-0

Street Closures – Proposed street closures as in previous years, Oct. 21st Scripps Park.

F. End of Summer Fire Run

T&T ACTION: Motion to approve street closures. 6-0-0

Street Closures – Proposed street closures as in previous years, August 26th.

G. Stop Sign- Draper at Westbourne

T&T ACTION: Motion to approve all way stop sign. 6-0-0

Draper & Westbourne – proposed all way stop.

H. Increase speed limit from 25 MPH to 35 MPH - Nautilus Street – *Pulled by Trustee Little*

T&T ACTION: Motion to approve 2-3-1

Nautilus St from W. Muirlands to Fay - an increase in the posted speed limit.

I. Increase speed limit from 25 MPH to 35 MPH - La Jolla Scenic Dr. North

T&T ACTION: Motion to approve 6-0-0

La Jolla Scenic Dr North between La Jolla Parkway and 8199 La Jolla Scenic Dr. North where median starts- an increase in the posted speed limit.

J. La Jolla Food and Wine Festival

T&T ACTION: Motion to approve street closures 5-1-0

Street closure - Girard between Prospect and Kline, October 13th and 14th.

Approved Motion: Motion

To accept the actions of the Planned District Ordinance Committee: (A) AT&T: Based on the conclusion that the top portion of the new enclosure, with no roof and its 7' 2" height, does not constitute a 3rd story, the proposed changes conform to the PDO, and forward the recommendation to the City,

To accept the actions of the Development Permit Review Committee: (C) Almeria Court EOT: Findings can be made for an Extension of Time for a NDP for Environmentally Sensitive Lands to construct 2 single family residences with 4,330 SF and 4,405 SF on two vacant lots of 11,443 SF and 11,485 SF at 2370 and 2380 Almeria Court, and (D) Girgis Residence: Recommend approval of the project as presented, with the changes requested by the presenters that the finish of the south retaining walls will be split-face concrete masonry units of an earth tone, and forward the recommendations to the City,

To accept the action of the Traffic & Transportation Board: (E) 19th Annual San Diego Triathlon Challenge: Approve street closures, (F) End of Summer Fire Run: Approve street closures, (G) Stop Sign - Draper at Westbourne: Approve all way stop sign, (I) Approve increase of speed limit from 25 MPH to 35 MPH - La Jolla Scenic Dr. North, (J) La Jolla Food and Wine Festival: Approve street closures, and forward the recommendations to the City.

(Fitzgerald/Manno, 15-0-1).

In favor: Allen, Bond, Brady, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten, Thorsen.

Abstain: Crisafi.

10. Reports from Other Advisory Committees - Information only

A. Coastal Access and Parking Board - Meets 1st Tues, 4pm, La Jolla Recreation Center.

Did not meet in June

B. Community Planners Committee – Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego

Trustee LaCava reported that the CPC will hold a workshop on utility boxes.

11. Chase Bank - Action Item

5605 La Jolla Blvd - Neighborhood Use Permit to change of use from surf shop back to a bank (was Security Pacific Bank in 1970's). Project bypassed Consent Agenda at applicant's request. Signage under separate review.

PDO MOTION (May 2012): To approve applicant's NUP Application under prior nonconforming use; proposed use conforms to the PDO. 9-1-0

Changes since May 2012 PDO meeting: Redesign parking and ADA path to meet City standards.

Applicant's representative: **Steve Laub**

Mr. Laub made a presentation. **Trustees Little** and **Lucas** asked about parking and traffic. **Mr. Laub** said the City determined the project size was such that it would have no significant traffic impact. **Trustees LaCava** was concerned about exterior changes.

Approved Motion: To approve Chase Bank NUP Application under prior nonconforming use; proposed use conforms to the PDO, (Fitzgerald/Costello, 14-0-2).

In favor: Allen, Bond, Brady, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Merten, Thorsen.

Abstain: Crisafi, Little.

At this point the sequence of the agenda was modified to hear Item 14 at "Time Certain".

12. Children's Pool Rope Barrier – Action Item

City of San Diego proposal, pending before the Coastal Commission, for the installation and maintenance of a 4 ft. high, 152 linear ft. rope barrier with 3 ft. opening for ocean access, support posts, foundations and informational signs, on a year-round basis, in perpetuity, to provide a buffer between humans and seals.

LJCPA ACTION (Sept 2010): Motion to deny a "Rope Barrier" to remain in place year round on the Children's Pool Beach because the "Rope Barrier" creates more problems than it resolves and findings cannot be made for a Coastal Development Permit. Passed 10-1-2

LJ PARKS & BEACHES ACTION (June 2012): A motion was made to deny CDP Application No. 6-11-078 to install a year-round rope and to give to the community six months to come forth with feasible mitigation alternative for

people and seals to share the beach. 15-0-1

Presenting: **Ed Harris** (Sergeant, San Diego lifeguards, representing California Teamsters Local 911)

Mr. Harris presented the lifeguard's union proposal, which he made at the LJParks & Beaches meeting and which led to the motion from that group. The proposal is aimed at coexistence of people and seals, conflict reduction between factions and cleaner sand and water. Several speakers addressed the proposal: **Agnes Hancock, Melinda Merryweather, Susan Geller, Elen Shively, Jean Tennis, Phil Hancock, June O'Hara, Dianne Piella** and **Carol Archibald. Trustee Burstein** read a July 2011 letter from LJCPA iterating our position against a "Rope Barrier". **Patrick Ahern**, President of LJP&B, said their resolution was in response to the Coastal Commission staff report that there was no better mitigation to the City's proposed year-round "Rope Barrier". **Jane Reldan** made a presentation in favor of the City's application and in rebuttal to the lifeguard's union proposal. Further comments were made by **David Singer, Rob Whittemore, Mandy Merryweather, Laura Meldrone** and **Phyllis Minick. Trustees Thorsen, Brady, Burstein, Crisafi, Bond, Merten, LaCava, Lucas** and **Fitzgerald** commented. Significant discussion issues were apparent lack of enforcement by the City of noise, signs and access regulations, history of public use, history of seal arrival and the monitoring requirements imposed on the City by the Coastal Commission staff report.

Approved Motion: To reaffirm LJCPA opposition to a year-round "Rope Barrier" at Children's Pool beach, and to support LJP&B action of June 2012 to give the community six months to come forth with feasible mitigation alternative for people and seals to share the beach, (Courney/Brady, 12-3-1).

In favor: Allen, Brady, Burstein, Conboy, Costello, Courtney, Gabsch, Little, Lucas, Manno, Merten, Thorsen.

Opposed: Bond, Fitzgerald, LaCava.

Abstain: Crisafi.

13. Zegarra Retaining Wall – Action item

2974 Caminito Bello - SDP for Environmentally Sensitive Lands for the construction of an existing retaining wall adjacent to a canyon and a NDP for an existing free standing solid wall within the Public Right-of- Way along La Jolla Scenic Dr.

PRC ACTION (June 2006): Move to approve wall within the setback areas with conditions. 1. Provide setback information on site plan, 2. Conform wall to municipal code for wall heights, 3. Apply for variance if required 4-0-0

CPA ACTION (Aug 2006): To approve the consent calendar. Item #3 only. Amendment to Motion: Golba. If the Committee conditions trigger a Variance the applicant will return to the committee. 14-0-0

PRC ACTION (Feb 2012): More information is needed. Continue item to a future meeting. 6-0-1 See Feb 2012 PRC committee report for further information.

PRC ACTION (March 2012): Finding for a Neighborhood Development Permit cannot be made 4-2-2

LJCPA ACTION (Apr 2012): Pulled from Consent Agenda by applicant

Presenting: **Brian Longmore**, Applicant: **Julian Zegarra**

Mr. Longmore made a presentation on the history of the project. **Helen Boyden** detailed the considerations of the PRC. Points of contention are the design principles (oversize wall height and architectural unity), sideyard public view and Community Plan scenic overlook. **Trustees Gabsch, Courtney, Little, Conboy, Thorsen, Crisafi, LaCava** and **Costello** commented.

Failed Motion: Findings can be made for a Neighborhood Development Permit for the project as proposed by the applicant for a 5 ½ to 6 foot-high existing free standing solid wall within the Public Right-of-Way from property line to property line along the La Jolla Scenic Dr. (Burstein/Thorsen, 6-9-1).

In favor: Brady, Burstein, Courtney, LaCava, Lucas, Thorsen.

Opposed: Allen, Bond, Conboy, Costello, Fitzgerald, Gabsch, Little, Manno, Merten.

Abstain: Crisafi.

Failed Motion: To uphold the motions of the PRC that 1) Finding for a Neighborhood Development Permit (The proposed development will not adversely affect the applicable *land use plan*.) cannot be made, because the solid wall along La Jolla Scenic Drive does not comply with *the Visual Resources* section of the *Open Space Preservation and Natural Resources Protection Policies of*

the Natural Resources & Open Space System Element of the La Jolla Community Plan pertaining to the preservation and enhancement of public views from Identified Public Vantage Points (LJCP pages. 46 and 47), and 2) Finding for a Neighborhood Development Permit (The proposed development will comply with the applicable regulations of the *Land Development Code* including any allowable deviations pursuant to the *Land Development Code*.) cannot be made because the solid wall along La Jolla Scenic Drive does not provide the public view corridors within both side yard setback areas as required by LDC Sect. 132.0403(b); and the overall height and length of the solid wall within the street ROW does not comply with the *Design Principle* section of the *General Design Regulations* of the LJSPDO [Sect. 1510.0301(b)], because the overall height and length of the solid wall within the ROW is so different in form and relationship from development on adjacent parcels it will disrupt the architectural unity of the area, (Conboy/Gabsch, 7-8-1).

In favor: Bond, Conboy, Costello, Fitzgerald, Gabsch, Little, Merten.

Opposed: Allen, Brady, Burstein, Courtney, LaCava, Lucas, Manno, Thorsen.

Abstain: Crisafi.

Failed Motion: To approve the recommendations of the City staff, (Allen/Costello, 8-8-0).

In favor: Allen, Brady, Crisafi, Costello, Courtney, Fitzgerald, Manno, Thorsen.

Opposed: Bond, Burstein, Conboy, Gabsch, LaCava, Little, Lucas, Merten.

12. Belvedere Promenade – Action Item

Proposed reconfiguration of Prospect/Girard Dip that would convert northbound lane to a pedestrian promenade and reconfigure the southbound lane to two-way traffic. Seeking support for concept.

T & T MOTION (June 2012): Motion to approve 4-2-0

Presenting: **James Alcorn**

Mr. Alcorn showed a model and provided handouts. **Trustees LaCava, Costello, Allen, Courtney, Gabsch, Brady** and **Manno** discussed the concept. Significant issues are parking on the Lower Girard hill, restaurant loading access and sidewalk cafes. A fund raising effort is planned

Approved Motion: To approve the concept for Belvedere Promenade as presented with the applicant to come back with a final version for review, (Conboy/Thorsen, 15-0-1).

In favor: Allen, Bond, Brady, Burstein, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten, Thorsen.

Abstain: Crisafi.

15. Lewis Residence – Action item

1705 Valdes Dr. - Variance and Coastal Development Permit for an over-height wall in the front yard setback of an existing single family residence.

DPR ACTION (June 2012): The findings for a Variance and Coastal Development Permit for an overheight wall in the front yard setback of an existing single family residence at 1705 Valdes Drive can be made. 2-3-0

Presenter: **Walter Crampton**

Mr. Crampton presented photos and provided a handout. **Trustees Merten, Thorsen, Conboy, LaCava** and **Little** discussed the project. Comments concerned the aesthetics of alternatives shown.

Approved Motion: The findings for a Variance and Coastal Development Permit for an overheight wall in the front yard setback of an existing single family residence at 1705 Valdes Drive can be made, (LaCava/Conboy, 12-3-1).

In favor: Allen, Bond, Brady, Burstein, Conboy, Costello, Courtney, Fitzgerald, LaCava, Lucas, Manno, Thorsen.

Opposed: Gabsch, Little, Merten.

Abstain: Crisafi.

16. Adjourn, at 10:00 PM.

Next Regular Monthly Meeting, 2 August, 6:00 pm.

La Jolla Planned District Ordinance Committee

Chair: Ione R. Stiegler, FAIA

AGENDA – MONDAY, March 12, 2012

4:00 PM, La Jolla Recreation Center, 615 Prospect Street, Room 1 UNAPPROVED MINUTES OF THE LA JOLLA PLANNED DISTRICT ORDINANCE COMMITTEE July 9, 2012

Present: Stiegler, Fitzgerald, Gabsch, Marengo, Rasmussen, Dershowitz; Parker. Members of the public are also present.

Item 1: Public Comment. None.

Item 2: Chair Report. None.

- a. The Minutes from June were approved 4-0-2.
- b. No discussion on PDO Compliance letter.
- c. No discussion about remodelers contacting PDO. Puesto doors to be investigated.

Item 3: SPOT Kids Sign 7632 Herschel Ave. (action item; Project # n/a)

The sign for approval protrudes slightly above the parapet; normally signs are not allowed to protrude above roofline but in this case, the roofline has both a parapet and a gable that is higher. Also, the allowable sign square footage (this is less) cannot fit on the parapet above the front door; there is a trellis that obscures the roofline area above the front door. If the average roof height is considered, this sign is below that. Also, a fence exists behind the sidewalk, not in the public right of way. Applicant is requested to return to PDO Committee on the fence issue because that was not on the agenda.

Rasmussen/Gabsch Motion Approved 7-0-0: This sign substantially conforms to the PDO.

Item 4: Bird Rock Mixed Use 5702 La Jolla Blvd. (action item; Project # 259362)

CA Marengo of Marengo Morton Architects presented for consideration The Bird Rock Mixed Use Project. This was formerly the “Bird Rock Station” project at the old Peterson Chevron site. The current project includes no subterranean parking or 3d stories. The 2d floor is 10 units (that will become condominiums; 6 are 2 bedroom) of residential space totaling 10,759 sf. There are balconies. 26 parking spaces (12 tandem and 2 single spaces; the tandem spaces to be used by the retail lessees will have the inside space assigned to employees) assigned per the code requirements to either the residential use or the retail (24 + 1 ADA are required). Trash area is in the rear not a thru alley. Resident’s storage overhangs the parking area somewhat, are of low height accessed by pull-down ladders. A truck cannot fit past the overhang. There is parking for motorcycles and bicycles available; applicant will provide. The main commercial anchor tenant faces the roundabout—too small for a grocery, which would require more parking. Retail ceiling heights are 14’. The roof has hidden solar panels. There is vegetation at the rooflines to provide privacy at balconies and hide the solar panels. Applicant will add more vegetation at balcony decks and grasscrete in the alley. The footprint was reduced to accommodate landscape

NEXT MEETING – MONDAY, APRIL 9, 2012

Please check <http://www.lajollacpa.org> 72 hours prior to meeting, meeting may be cancelled if no projects are on the agenda.

**FOR ADDITIONAL INFORMATION, PLEASE CONTACT IONE R. STIEGLER, FAIA, CHAIR, 858-456-8555 OR
istiegler@isarchitecture.com**

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.

La Jolla Planned District Ordinance Committee

AGENDA – MONDAY, March 12, 2012 (continued)

requirements (the 15, 172 sf lot requires about 3800 sf of landscape, per the PDO. The City is requesting a new VAP from Chevron; applicant does not understand why this is, because there is no underground parking.

After discussion, the following Motion by Fitzgerald/Dershowitz passed 6-0-1(D. Marengo recusing):

That the proposed Bird Rock Mixed Use project #259362 conforms with the La Jolla Planned District Ordinance. Balcony rail planters and grasscrete in the alley dedication area are recommended.

The meeting adjourned at about 5 PM.

Respectfully submitted,

Glen Rasmussen
PDO Committee Secretary

NEXT MEETING – MONDAY, APRIL 9, 2012

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LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

COMMITTEE REPORT
FOR
July 2012

7/10/2012 Present: Benton (Chair), Collins, Costello, Grunow, Liera, Merten, Thorsen

7/17/2012 Present: Benton (Chair), Collins, Costello, Kane, Merten, Thorsen, Welsh

2. NON-AGENDA PUBLIC COMMENT 7/10/12

Merten: talked about the permits which are approved by the SD City, not reviewed by us, having Muni Code violations. Asked that we conduct a formal discussion in the future. This is outside the present charge of a planning group, but the issue of violations requires a venue. Then ask the LJCPA and Town Council to look into violations. Do we wish to engage in the matter of Code violations? I.E., this would include ongoing violations in constructions at 1223 Muirlands?

Mike Flood: Are you referring to violations in place or proposed? *Both*

Anne Marie Butler: other examples too, can we add some addresses to be looked at? *Note on the sign-in sheet you want to be updated by email.*

3. COMMITTEE ACTION 7/17/12

Chairman Benton announced that **Mr. Mathew A. Welsh** has been appointed by the LJ Town Council to be one of their representatives on LJDPR. Mr. Welsh served on this Committee in 1992. His career has been in design work in LJ and historic work. In that he attended more than the required three meetings this year, the Committee believed Mr. Welsh should be seated and given voting privileges immediately.

SUBCOMMITTEE MOTION:

(Thorsen/Costello 6-0-0) Motion to seat Mr. Welsh and allow him voting privileges.

In Favor: Benton, Collins, Costello, Kane, Merten, Thorsen

Oppose: 0

Abstain: 0

MOTION PASSES

4. PRELIMINARY REVIEW 7/10/12 + FINAL REVIEW 7/17/12

Project Name: **BIRD ROCK MIXED USE**

Project #:	5702 La Jolla Boulevard	Permits:	CDP
	PO# 259362	DPM:	Morris Dye 619-446-5201
			mdye@sandiego.gov
Zone:	PDO Zone 4	Applicant:	Grace Davila 619-405-0041
Scope of Work:			CA Marengo 858-459-3769

(Process 3) Coastal Development Permit to construct 10 residential for-rent units and 7,726 SF of commercial space on a vacant 0.37 acre site at 5702 La Jolla Boulevard in Zone 4 of La Jolla Planned District within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact, Residential Tandem Parking, Transit Area.

APPLICANT PRESENTATION 7/10/12 (CA Marengo):

The site is the old gas station located LJ Blvd and Bird Rock Ave. Two story project, a motor court slightly depressed below ground level for tandem residential and tandem commercial parking, alley parking entry, photovoltaic panels on roof. Approved by LJPDO on Monday, 10 July 2012. PDO requests now included in plan: some buffer planting on the balconies integrated into railing wall, planting by driveway (Grasscrete),

gates at parking entrances, light shields, bike and motorcycle parking, Retail is 5,500 sq ft, 15,172 sq ft, landscaping 25% required 3,796 sq ft. Only two bedroom and single bedroom units. Fold-down access ladders to storage spaces.

DISCUSSION 7/10/12:

Collins: How many commercial entry doors are there? *Five.* How many parking spaces? *There are eight commercial parking spaces, all tandem, the City agreed that tandem is OK for employee parking.* (The following information added to this report after the meeting: Per sheet A-1.1 dated 2-28-12, there are 6 required parking spots for commercial, 18 required for residential, and one required ADA. Total of 25 parking spots.)

Liera: Parking is supposed to be accessed from the alley. *Yes, it is as per PDO.* I would like to see how this project fits with the surrounding buildings and the Neighborhood.

Thorsen: Are the parking spaces dedicated and numbered? *Yes.* Cycles Issues says that tandem parking is not acceptable for commercial parking. *We disagree (using it for employees).*

Merten: Looking at the LJPDO and the LDC can't see commercial tandem parking is permitted. *City is OK with it since it is for employees as opposed to patrons. Examples: Bird Rock Surf, Cam del la Costa (Dana's) How do you address customer parking, we don't, just getting employees off the street is all needed.*

Thorsen: What about the bank? *We changed our mind about a bank since Chase was approved up the street.*

Troy Cockrell: Will this parking be mandated / mandatory for employees? Can it be enforced? *Yes. Otherwise it could be a Code Compliance issue.*

George Ashley: what is the height of the solar panels? *goes above roof level, up lift of 12 – 18 inches, and hidden by plants.*

Greg Winford: will be adding parking demand on LJ Blvd and side streets. *BR Traffic Plan increased parking.*

Darcy Ashley: thanks for having a 2 story project. Are there any compact size car parking spaces? *No, they are all 9x18 ft.* How many parking spaces are served by each garage door? *Four tandem spaces per garage door.*

George Ashley: What will the alley setback be? *You will get another 2'6", and in between openings maybe 5 ft.*

Benton: What is the siding? *Hardie shake and trim board. And river rock, charcoal roof.*

Costello: BRCC Pres. Joe Parker asked me to be their delegate, presented an email. The BRCC would like you to present these project at one of our meetings. *We don't have the budget, people can come to the DPR and CPA meetings.* Still, there is so much history and community interest in this project, the local group would like you to bring this to them.

Costello: what are the alley dimensions and turn around? *17.6 ft and 23ft 3 1/2in back up.* (Per sheet A-1.1 dated 2/28/2012: back up length is 20' - 3 1/2")

Troy Cockrill: How long will it be before construction? *At least 6 months before digging up dirt.*

Darcy Ashley: Can we have a copy of the plans for the BRCC? *No, we could lose control of changes and updates.*

Provided for FINAL REVIEW 7/17/12:

Applicant response in italics

1. Continue contact with neighbors. *N/A*
2. Please present plans to the BRCC. *No, doesn't have budget to go to BRCC.*
3. Please provide a street scene of buildings to the North along LJ Blvd and across Bird Rock Ave. *Done.*
4. Please switch Golden Medallions for Jacaranda. *Yes, but asks BRCC to deal with City staff on street tree issue.*
5. Please show landscaping highlighted in color. *Done, Landscaping illustrated in green, 25.8%. Landscape on roof to screen solar panels. Planter boxes on balconies.*

6. Please provide some architectural treatment for the North wall(s) facing the LJ Promenade Building and parking entry. Place some motif on the wall, or? *(can't make more openings as per Fire Code, 25% open fenestrations used for parking openings, so can't have open windows on North side) Will place nice stone treatment as in front facade. Will look like windows with closed shutters.*

7. Please provide documentation that tandem commercial parking is permitted by 1) the LJ PDO and 2) by the SD Muni Code. *With an NUP tandem commercial parking could be permitted, we can apply for an NUP anytime in this process (by Muini Code, Chris Larsen) LJPDO?*

8. Please bring documentation as to the appropriate alley width requirements, and parking backup distance that applies (90 degrees? or for alley). **Need 21 ft for alley back up from parking spaces, measured from gate to the other side of alley (not ROW).**

DISCUSSION 7/17/12: Applicant response in italics

Thorsen: What about the LJ PDO and tandem parking for commercial? LJPDO says residential, small lots, and minor rehabilitation projects. Don't mention commercial. *We can use a NUP by Muni Code.* But PDO supersedes Muni Code.

Qualifies as underground parking for FAR

Merten: what is FAR? *1.3 allowed*, does it include the parking area *No*

Darcy Ashley: what is building height at the alley? *28 ft* What about commercial loading zone? *loading will be in the back, park in alley, with a call button.*

George Ashley: Alley is only one car at a time, in a two way alley. Alley is 14.5 ft, how do you get 21 ft? *from the building on the other side to the beginning of the parking space.* What about parking for customers, not enough parking already. *Trying to get people to walk "Walkable Community".*

Benton: Do you have parking dedicated to retail? *6 spaces for employees*

Costello: exactly how many residential parking spaces? *20 residential, option for one ADA residential, 6 retail including 1 ADA*

Kane: How many residential parcels access that alley? *10 or 12 houses.*

Merten: FAR question, is the area below grade, and storage area required to be in FAR calculation? *No, storage area is less than 5 ft.* This (FAR- floor or not) is still not clear to me. On parking, you are asking for a NUP for parking, LJPDO says tandem parking allowed for residential uses, not commercial. The LJPDO is part of the Land Dev. Code, one of the findings for an NUP is that the project be in compliance with the LDC. It is difficult to make a finding for the NUP since what you are proposing is counter to the PDO, LDC.

Marengo: *you had tandem commercial parking presented before.* **Merten:** I don't recall that. **Marengo:** *sure, the (unintelligible) project, the Jeff Elden project, the "pink building with the bridge" by Lupi's, and the project at Cam de la Costa have tandem parking.*

Benton: Mr Marengo, do you wish to have this Agenda Item continued until another day to bring additional information on the projects you just mentioned? *I don't know what additional information I would give you.* Tell us about the projects you just listed, or do you want us to go for a vote today? *Vote today.*

Thorsen: The other finding required for the NUP, the dev will not effect the applicable land use plan, and I think it will.

Benton: two issues: tandem parking for commercial, NUP related to that.

Kane: How many spaces will be in front of the building? *None, there is a bus stop.*

Costello: Is there a limit to the amount of tandem parking allowed for residential? It seems that having all tandem spaces will cause problems, as maybe half the drivers will park elsewhere. *No limit.*

Thorsen: Safety issue because of congested alley, because it was poorly constructed. *Most alleys are 15 ft, Fire Marshall is mandating that alleys be expanded to 20 ft as new projects are built.*

Benton: Chair will entertain a Motion.

Welsh: The plan seems to meet City Code, but is this a workable plan?

Costello: BRCC has been asking for you to bring this to Bird Rock beginning last Winter. There is so much history, I think you owe it to the Community. There are issues. Many people don't know why you are not doing excavation of the contaminated soil. *Asked that people attend other Com. Group meetings.*

Chair: Makes Motion that the Project be Approved. Fails for lack of a second. It sounds like we need more time. **Marengo:** needs vote for his client to move forward.

SUBCOMMITTEE MOTION 7/17/12:

(Merten/Thorsen 5-0-2) The Findings for a CDP and NUP, that the development complies with the applicable regulations of the Land Development Code, cannot be made because the LJPDO does not allow tandem parking for commercial uses.

In Favor: Collins, Costello, Kane, Merten, Thorsen

Oppose: 0

Abstain: Benton, Welsh

MOTION PASSES

5. PRELIMINARY REVIEW 7/10/12

Project Name: **TONG RESIDENCE EOT**

961 La Jolla Rancho Road	Permits:	EOT for CDP 139245 + SDP 141335
Project #: PO# 280468	DPM:	Mike Westlake 619-446-5220 mwestlake@sandiego.gov
Zone: RS-1-4	Applicant:	Albert Morone 760-294-7122

Scope of Work:

(Process 3) Extensions of Time for Coastal Development Permit 139245 and Site Development Permit 1413335 for Environmentally Sensitive Lands to demolish an existing Single Dwelling Unit and construct a new 6,796 SF single dwelling unit with attached 3 car garage on a 18,100 SF lot located in the RS-1-4 zone, at 961 La Jolla Rancho Road in the Coastal Zone (non-appealable), within the La Jolla Community Plan.

APPLICANT PRESENTATION (Albert Morone):

Project was previously approved by the SD City 19 June 2008. existing house 5,200 sq ft, planning 6,796 sq ft, allowed 8,326 sq ft. New owner doesn't want to change plan, just EOT. Discussed drawings.

DISCUSSION 7/10/12:

Merten: First reviewed in 2008 as Kelly residence, Merten represented the neighbors across the street. Presently, not representing anyone (ended in 2008) , and has no financial interest in the project. Therefore, no need to recuse. SD Plan. Commission. approved plan in 2008.

Findings for EOT is that if new conditions are required to bring into compliance with State law or local law, then findings can not be made. This project does not comply with the Com Plan or the Muni Code, therefore findings can't be made. **Benton:** Is this condition or circumstance new or does it pre-date June 2008?

Merten: Regardless of what the Plan. Com. did, the conditions need to be applied now. **Liera:** Has this project broken ground / been started? **No.** That makes a big difference.

Issues: 1) LJ Rancho Rd is a street in our Com Plan which has a coastal View Corridor, VC, 2) project's street trees will obstruct VC. 3) deck area is more than 3 ft above grade and projects into the VC, 4) overall structure height – (in order for structures to be measured independently they must be > 6 ft apart) pool and assorted and not so separated. The bottom of the pool to the top of the roof is greater than 30 ft. 5) Retaining walls in residential zones can't be > 12 ft (it is a structural wall supporting a swim pool, is ~19 ft) 6) retaining walls in side yard should not be > 6 ft., theirs exceed 6 ft. 7) House corner is in the VC.

Thorsen: PC approval was in error, requires a new SDP and CDP.

Morone: The SD City was satisfied that all issues were resolved.

Thorsen: Policy 117 for building permit, doesn't meet condition of being in the public interest.

Mike Flood: Representing La Jolla Corona Estates, Unit two. Interested neighbor involved in 2008.

Agrees with Phil Merten. Architectural Committee feels this does not meet restrictions of the subdivision; neighborhood height limit, plus VC. Architectural Committee opposes project, if approved, will sue, litigate.

Collins: It is easier to build a conforming project.

Merten: Pool and retaining walls (using retaining walls to hold both) should not be permitted on slopes as per steep hillside guidelines.

(7/17/12 Item will be continued in August.)

6. PRELIMINARY REVIEW 7/17/12

Project Name: **EC ENGLISH SCHOOL**

1010 Prospect Street

Permits: SDP & Conditional Use Permit

Project #: PO# 280323

DPM: Patrick Hooper 619-557-7992

phooper@sandiego.gov

Zone: PDO Zone 1A

Applicant: CA Marengo 858-459-3769

Scope of Work:

Brandon Smith 760-805-1730

(Process 3) Site Development Permit and Conditional Use Permit to amend 93-0685 to increase the number of students from 65 to 312 and number of employees from 10 to 36 for an English language vocational school in an existing building at 1010 Prospect Street in Zone 1A of the La Jolla Planned District within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact, Transit Area.

APPLICANT PRESENTATION (CA Marengo):

Correct numbers, increase to 300 student, 25 teachers. There was confusion about location for CUP, not the Living Room Coffee House, but are really below and in back. Was an office, replacing with school use.

Described current and proposed locations. Area calc and parking spaces reviewed: 65 spaces plus 5 ADA required.

DISCUSSION:

Applicant response in italics

Welsh: Going from office space to school decreases use and frees up parking spaces. *Yes, less intensification of use.*

Collins: the lower two floors are not functional for parking because of flooding. Elevators are not operating properly. *Those would be corrected before approved.*

Kane: Is the proper functioning a Code requirement by City, could enforcement be required? *It would be if this is part of a discretionary permit, it would be written into the permit. Then it would be enforceable.*

Thorsen: Is there any shared use parking? *No* What is sq ft? *12,061sq ft.* Does this need a traffic study? *No, we think the City, at first, thought we were building a school, not using existing buildings. So, we don't need a traffic study.*

Collins: Check on the ADA rules for these on level one? *Glad you mentioned it.*

Dan Allen: Where is the parking access? *The first floor is street level, the elevators are for the floors above. Collins: one elevator doesn't work, the other works half the time.*

Benton: there is an increase of 4.5 x the number of students.

Collins: the teachers will drive? *Yes, most students are expected to take the bus.* There will be a lot of students around there, lot of activity. How do the surrounding businesses feel about that?

Costello: What is the projected demographics, ages, of the student body? *High school and younger, some adults.*

Kane: What will the hours of class times be, evenings, split shifts, weekends? *I'll get that.*

Thorsen: What about the effect on neighboring businesses? Between classes students flood the surrounding area, can you tailor classes so as not to do that? *On property we have two big plazas, once we occupy will have another. It is not possible to say they will not congregate in other areas too.*

Applicant will return, 2nd Tuesday in Aug, after LJPDO review.

Please provide for FINAL REVIEW:

1. Demographics of student population
2. Can you create attractive areas that will attract students to congregate?
3. What are the hours of operations of school?
4. Status of elevator, its function, flooding in parking structure?
5. Will the parking be valet parking?

7. PRELIMINARY REVIEW 7/17/12

Project Name: **WU/TSAI RESIDENCE**

9882 La Jolla Farms Road

Permits: CDP

Project #: PO# 260171

DPM: Tim Daly 619-446-5356

tdaly@sandiego.gov

Zone: RS-1-2

Applicant: Janay Kruger 858-454-4326

Scope of Work:

(Process 3) Coastal Development Permit to demolish existing residence and construct a 10,759 SF single family residence and a 951 SF companion unit on a 2.37 acre site at 9882 La Jolla Farms Road in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, First Public Roadway, Parking Impact, Residential Tandem parking.

APPLICANT PRESENTATION (Janay Kruger, Mark Singer, Tony Christensen, Clara Wu):

Project is sensitive to the site. Existing house is 10,383 sq ft, proposed 11,710 sq ft (house, guest house, garage). 2.37 acres, 52% open. FAR supports 33,000 sq ft, we are 1/3 that. The is house to look like it has always belonged there; natural materials, colors. New house is simple design with natural colors, non-reflective materials, 1.8 ft below height limit. Actually less massive than many surrounding homes. Salk Institute is to the North, Encore is South. Total of 11 easements. 15 ft wide View Corridor, VC, dedicated in perpetuity, seen from road and pedestrian walkway. Working with West neighbor on VC. Also drainage and surfer trail (Box Canyon) easements.

DISCUSSION: *Applicant response in italics*

Kane: I like the project, how does it relate to the surrounding houses, what is neighborhood context?

Welsh: What is driveway material? **Concrete, and not as wide as existing**

Paul Metcalf: This has not been seen by his client (Encore), it would be nice to see some elevations.

Don't see much problem, glad to see guest house moved back (guest house is in line where Encore's was). If Dr Wheeler's trees were removed the VC could actually be a reality. We ask that the fence at the surfer trail be moved back 4 ft like Encore did. What material for the fence? Would like to see more Landscape plan. Solar plans will be moved to the flat roof.

Kruger: Friday Wheeler didn't mention removing trees.

Merten: Would like you to address Paul Metcalf's concerns. Your fence is at the easement line, move the surfer trail back to give the same width as per Encore. Move the guest house out of VC easement, looks like roof projects into easement.

Kane: for the public walking down that trail it would be nice to have a unified treatment.

Welsh: we need a street view.

Kane: report back that you have talked to the neighbors.

Please Provide for FINAL REVIEW:

1. Surfer trail easement, move the fence back to give the same width as Encore.
2. Surfer trail easement, landscape treatment and treatment of fence.
3. Illustrate neighborhood context, simulation of street scene, showing both sides of property.
4. Report that the neighbors have been contacted (Encore and Wheelers).

8. DPR POLICY ITEM 7/17/12

A discussion and action item as to whether or not the DPR Committee recommends that the LJCPA take a formal position on projects where code violations affecting community and neighborhood character have occurred.

DISCUSSION:

- 1) Projects built may not always be what was approved.
- 2) Projects may have been built without ever applying for a permit.
- 3) City Staff may have approved items which are in violation of Code.

Community Groups are reluctant to be involved in addressing Code violations because this may be outside our mandate. There is currently no voice for the Community or expertise to deal with these problems. Could we do something more effective than just a neighbor in dealing with the City? Would we like to encourage the CPA to get involved in addressing Code violations?

SUBCOMMITTEE MOTION:

(Kane/Collins 7-0-0) The DPR Committee recommends that the LJCPA take a formal position on projects where code violations negatively affecting community and neighborhood character have occurred.

In Favor: Benton, Collins, Costello, Kane, Merten, Thorsen, Welsh

Oppose: 0

Abstain: 0

MOTION PASSES

La Jolla Shores Permit Review Committee Minutes

4:00 p.m. Tuesday July 24, 2012

Committee attendance: Helen Boyden (chair), Laura DuCharme Conboy, Janie Emerson, Tim Lucas (arrived during Mazon EOT), Phil Merten, Myrna Naegle, John Schenck
Absent: Dolores Donovan

1. Non-Agenda Public Comment – None Given

2. Chair Comments

- The LJCPA did not get a majority on any of three different motions on the Zegarra Wall NDP, See minutes posted at lajollacpa.org
- Gaxiola has resubmitted-the PM has advised that he will communicate again when the current cycles have been finalized
- It has been learned that the easement paralleling Avenida des las Ondas and Westway, emptying into Calle del Oro on the Gaxiola property has been vacated
- Applications have been received for SDPs and CDPs for properties at 8415 Avenida de Las Ondas and 2351 Vallecitos. They will likely be heard in August.
- At its July 17th meeting the LJS AB approved all items on a 4-0 vote. A Process One (LJ Scenic) and a Concept design (Cliffridge Avenue) in the Campus Impact Overlay Zone were sent to the City with a note that they were in that zone and that the Concept Design was 5 bedrooms. A Process One (Revelle) that featured a 2,000 sf addition to a 2,800 sq ft house was approved. See next item for agenda posting location.
- LJS AB agendas have an official posting URL of:
<http://www.sandiego.gov/planning/community/profiles/lajolla/pddoab.shtml>
- Plans have been received for an SDP for ‘Environmentally Sensitive Lands and CDP for previously done grading/slope repair at 2712 Glenwick Place.

3A. Mazon EOT -7921 El Paseo Grande

- Project No. 283102
- Type of Structure: Single Family Residence
- Location: 7921 El Paseo Grande
- Project Manager: John Fisher; 619-446-5231; jsfisher@sandiego.gov
- Owner’s Rep: Ricardo Torres; 619-231-9905; RTorres@golba.com

Project Description: New SF residence to replace an existing SFR Extension of Time for Coastal Development Permit No. 569852 and Site Development Permit No. 569853 to demolish an existing residence and construct a 4,461 square-foot single-family residence on a 0.14 acre site at 7921 El Paseo Grande in the SF Zone of La Jolla Shores Planned District, and the Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking, Transit Area, Parking Impact Zones. No change from Approved Exhibit “A.”

Seeking: Extension of Time only to approved CDP/SDP project

Previous PRC/CPA action: Approved with conditions by PRC 4-0-0 on 10-28-2008 and by the CPA on consent on 11-06-2008.

Presented by: Ricardo Torres and Sasha Varone

This is a single-family residence and there have been no changes to the plans. They are seeking an Extension of Time on a Coastal Development Permit issued in 2009.

Boyden: This may or may not be germane to the EOT discussion, but would like to know whether the conditions specified in the original LJS PRC motion and approved on consent by the LJ CPA in 2008 were applied to the plans. The original LJS PRC motion was: "Findings can be made to approve the project subject to the following conditions and changes: The north side span in excess of 50' must be articulated with a minimum of 18" offset. The owner's rep must meet with neighbors on Paseo del Ocaso to review the plan and possible redesign to address sun exposure." Do you know anything about that? It is not germane here. **Torres:** Since the Exhibit "A" approval, there have not been any changes. What the city reviewed and approved and what the board reviewed 3 or 4 years ago is all the same. He does not know if the specific conditions in the motion were met or if there was follow through.

There was some discussion by the board on how the conditions of the original motion would have been tracked during the building process and how follow-through should have been made. This was an informational inquiry and not part of the EOT consideration.

Boyden: Are there any hydrology issues or regulation changes that affect the project? **Varone:** No. There are changes to the hydrology requirements for the city, but they don't apply to this type of project.

Public Comment: None given.

Motion: Conboy; **second:** Merten

The findings can be made for an Extension of Time for the CDP No. 569852 and SDP No. 569853.

Motion carries: 5-0-2

Approve: Conboy, Emerson, Merten, Naegle, Schenck; abstain: Boyden (chair), Lucas (not present for first part of presentation)

3B. Palazzo SCR

Project No. 280783

- Type of Structure: Multi-building residential condos
- Location: 2402 Torrey Pines Road
- Project Manager: John Fisher; 619-446-5231; jfisher@sandiego.gov
- Owner's Rep: Claude-Anthony Marengo; 858-459-3769; camarengo@marengomortonarchitects.com

Project Description: Process 2 Substantial Conformance Review against PTS#19379; Coastal Development Permit No. 46240, Site Development Permit No. 46241, Planned Development

Number No. 207962 & Map Waiver No. 219822. The original approval allows 30 dwelling units and Substantial Conformance Review proposes 27 dwelling units at 2402 Torrey Pines Road in the LJSPD-V, Coastal Height Limit Coastal Overlay Zone (non-appeal area)

Seeking: Substantial Conformance Review

Previous LJCPA/PRC Action: On October 14, 2004, the La Jolla Community Planning Association voted 10-0-2 to recommend approval of the project with conditions [on consent from the LJSPRC] Planning Commission report 05-204.

Boyden: The permit for the original 30-unit project was issued in 2005. Last year the PRC heard a proposal for a 50-unit project on this property, but this never progressed to the permitting stage .That 50-unit proposal is not under consideration here. The only thing under consideration is a Substantial Conformance Review (SCR) on a 27-unit proposal versus the original 30-unit design. he forwarded project materials and new cycle letters to the board. She has materials for the original approved project and the current project being proposed. Mr. Marengo followed up with the city and received an email yesterday from Farah Mahzari, Transportation Reviewer. The email states: “The site plan dated 7/20/2012 [sic] reflects all the revisions the transportation department has requested and substantially conforms to the originally approved CDP/SDP, PTS #19379. We have no additional comments.”

M. Naegle: Discloses that she was opposed to the 50-unit proposal last year and had talked with residents of Del Charro Woods at the time of that proposal. She does not have any conflicts of interest regarding the proposal being presented today.

Presented by C.A. Marengo

The site is presently owned by Intergulf Development Corporation. During the review process for the 50-unit proposal, they heard from Del Charro Woods and Sandpiper residents and were aware of issues that they had with that project. They have made adjustments to the SCR proposal after input from the neighbors, increasing setbacks for some of the buildings, separating some of the buildings, and angling the buildings to break up the linear look of the original design and provide more relief to the outline. The project has an internal access road with a cul-de-sac, similar to the original design.

A plan of the proposed 27-unit design and the 30-unit design with the building outlines superimposed was shown to the committee. Balconies and overhangs were not shown on this view, only the footprint of the building. Only the buildings fronting Torrey Pines Road have any balconies that project out at the front. The presentation showed how the buildings were now angled and the differences in setbacks.

The buildings closer to the Sandpiper development are now 4' lower in height (26' overall). The other buildings remain at 30' height, and have parapet walls to hide heating and cooling ducts and solar panels.

Parking is located under each 3-story unit at the street level. Guest, motorcycle and bicycle parking is situated at various points between the buildings. This is similar to the original 30-unit design. Deliveries will take place on the private street, turnarounds at the cul-de-sac and not on the street in front (Torrey Pines Road) which was one of the big issues of the 50-unit design.

The landscaping meets the 30% requirement.

Committee:

Schenck: What are the differences between the iterations of this project? How is this project different from the one seen last year by the committee? **Marengo:** The original project was for 30 units with a garage, and the proposal last year was for 50 units with a full underground garage across the property. The 30- unit proposal was approved and has been vested. Due to the economic downturn the 50-unit proposal was developed and a new application process was started, but it was never completed and no permits were issued. This new proposal is for 27 units with an access road and parking below each unit.

Merten: Are the visibility triangles shown at the driveway entrance? **Marengo:** yes

Conboy: Did you ever do a street elevation showing the transition from Del Charro Woods up to Sandpiper? **Marengo:** We did one for the Planning Commission on the original 30-unit design that went from the gas station all the way to the curve in Torrey Pines Road. The project is in keeping with the whole flow of buildings. **Conboy:** The Sandpiper is taller and boxier. **Marengo:** It is on a higher level lot and has a driveway adjacent to our property which gives the perception of bulk. **Conboy:** Would you consider lowering or articulating the front archway to break it up a bit while still gaining a noise barrier? **Marengo:** We can look into it.

Emerson: This appears bulkier than the Del Charro Woods, mainly because of the peristyle arch over the entrance. The Del Charro Woods are individual buildings. **Marengo:** This arch was designed as a noise barrier from the street traffic on Torrey Pines Road and was part of the original design.

Emerson: Could you use the transparent panels on part of the arch or some other material to make it appear less massive. **Marengo:** It would be better to lower the arch a little and keep the materials the same rather than try to use a transparent material. This is designed to be a portico style entrance with lighting for the driveway placed above in the ceiling.

Naegle: The transportation department had issues with structures within 40' of the entrance driveway. **Marengo:** This was an issue of clarification in the plans. The reviewer did not realize that the front entrance design was the same as the original permitted design. The reviewer has cleared this issue.

Boyden: Looking at previous permit and substantial conformance review. In the SCR guidelines there is a paragraph that begins "The wholesale substitution of one type of housing product for another (e.g., going from an approved multi-family apartment building to an attached town-house design) is not generally in substantial conformance." Also, the guidelines state that conditions within the original permit can not be changed. On the original design the trash containers were sited in the garages and a private trash pickup service will be used. **Marengo:** That is still the same. There will be individual containers for each unit sited in the garage and a private pick up will be used. **Boyden:** Looking at diagram for the garage the parking spaces look tight – does it meet code? **Marengo:** Yes. 8' x 9' spaces. **Conboy:** It is tight, but it works. I have seen similar designs. **Boyden:** Is there still a path along the driveway? **Marengo:** Yes. Also path along the entrance archway area. **Boyden:** Is there still a roofdeck recreation area to provide a barbecue and picnic table with umbrella? **Marengo:** No. This was originally planned to be on the roof of the front units and over the archway. We do not want access to the roof areas. Any recreation areas will be sited on the ground level of the property.

Boyden: Can you show the landscape plan? **Marengo:** Ground level planting is 14,467.5 sq ft, which is about 675 sf less than the 30% requirement They will be using second and third story balcony planters to provide the remaining 675 sq ft. The 30% requirement is for 15, 555.5 sq ft. and with the balcony planters they have 15,563 sq ft. There will be a requirement in the HOA or ownership agreement to maintain these plantings. Balcony plantings were also used in the original 30- unit approved design. There curb areas are in grasscrete and account for 420.8 sq ft. in this total. The street itself has interlocking pavers 24' wide which are not counted.

Public Comment

Representative from Del Charro Woods: Nick Sauer

They had had concerns with the 50-unit project proposal. They met with Paul Lamme, Del Charro Woods, Sandpiper, and the Shore Tower residents. They also had a general membership meeting with the Del Charro Woods residents on the 25th of June. There are 53 units in the Del Charro Woods. Most of the residents were in favor, some opposed. They feel the project is much better with the 27 units than the 50-unit design. **Conboy:** Did they compare this to the original 30-unit design? **Sauer:** That wasn't part of the general discussion; some of the original members might have objected. At the meeting with Lamme, the Sandpiper residents had no major objections and were satisfied that there were no privacy issues from the units along that side of the property. Sauer has looked at the numbers from the original 30-unit design and the 27-unit proposal and in his opinion it appears to be in substantial conformance as far as the building sizes are concerned. They are going to work with Paul Lamme on issues of traffic and landscaping. Traffic is generally bad in the area, so maybe by working together they can make some improvements.

Boyden: City objected to some of the parking spaces being smaller? **Marengo:** They are all 18' x 9', which meets the code. Only one space is partially obstructed. **Boyden:** Townhomes don't have to have elevators or meet ADA requirements. **Marengo:** Correct. This meets all the requirements for a townhome. **Boyden:** How does the entrance tie in with the traffic light in front? **Marengo:** There will be a leg added to the traffic light so it will now be a 4-way light. The Del Charro Woods residents will be made aware that there is now a fourth leg to the light and will wait in the clear zone until it is safe.

Merten: Feels that from a community review standpoint, this project meets the requirements under a SCR.

Lucas: Has concerns with reduced parking, even though there are fewer units. More parking is always better. **Marengo:** We are following the city parking requirements for resident and visitor parking which are based on a percentage of the bedrooms. There are fewer spaces because there are fewer bedrooms now. **Lucas:** I understand, but you still have 11 fewer spaces than on the original approved design. The city code doesn't really specify under substantial conformance whether that is based on percentages or on actual number of spaces. **Marengo:** It would make sense that it is based on percentages. **Lucas:** Did the original 30 unit project meet the 30% requirement on the ground floor? **Marengo:** No, balcony plantings were used. This was the project that started the discussion on whether grasscrete could be counted as greenspace. **Lucas:** Was the original project a Process 3 or Process 4? **Marengo:** Process 4. **Lucas:** You have fewer units and 11 less parking but still can't provide all of the landscaping on the ground level? **Marengo:** Green space has increased on the ground level from original 30-unit design. The original design had 12,318 sq ft. on the ground level and this 27 unit design has 14,467.5, so ground level planting has increased and there is less planting on the balconies. **Lucas:** Thank you for clarifying.

Motion: Conboy Second: Emerson

The Findings can be made for Substantial Conformance of plans dated July 2, 2012 and submitted to the City against vested CDP No. 46240, SDP No. 4624, PDP No. 207962 and Map Waiver No. 219822.

Motion carries: 6-0-1. Approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck; Abstain: Boyden (chair)

3C. Lai Residence EOT 2037 Torrey Pines Road

- Project No. 278685
- Type of Structure: Single Family Residence
- Location: 2037 Torrey Pines Road
- Project Manager: Glenn Gargas ; 619-446-5142; ggargas@saniego.gov
- Owner's Rep: Gary Cohn/Mike Goetz; 858-755-7308; gary@cohn-arch.com

Project Description:

Extension of Time for Coastal Development Permit 51302 and 40871, Site Development Permit 51303 and 40872 and Lot Line Adjustment 165689 to construct a 6,700 square foot residence on a 0.23 acre vacant site behind 2037 Torrey Pines Road and demolish an existing two car garage and add a 677 square foot three car garage and add a 1,196 square foot guest quarters to an existing 1,787 square foot residence located at 2037 Torrey Pines Road on a 0.22 acre site Coastal Overlay (non-appealable), Coastal Height Limit, Parking Impact Overlay Zones.

Seeking: Extension of Time to SDP/CDP

Previous CPA/PRC Action: Subcommittee . . . approved this project by a 3-0 vote on October 26, 2004. The LJCPA heard this item on November 3, 2004 and approved on consent. No vote given. [Planning Commission Report 01-2006]

June 26, 2012: To continue the item to the next meeting. : Motion: Emerson; second: Naegle Motion carries 6-0-1: Approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck; abstain: Boyden See full LJSPRC minutes online for all comments.

Boyden: The committee has not heard from any neighbors on the drainage issue, other than the one letter received last meeting. On the cycles from the city the main remaining issue is water quality.

Presented by: Gary Cohn and Justin Suter (civil engineer on drainage issues).

There have been drainage issues through the years. The drainage from other properties tends to collect on the Lai property due to the lower elevations. The proposal is to collect it and discharge this onto Torrey Pines Road. Drainage will be handled by an underground pipe from neighboring properties (especially from the Gammage property). The current drainage ditch where the underground pipe will go will be filled in to match the original topography. They will have a rock-lined ditch to pull particulates out of the water per 2001 clean water requirements.

Lucas: How big is the drainage pipe? **Suter:** Believes it is 8” Lucas: What is the capacity? **Suter:** Doesn't know. Thinks that it was designed to handle a 100-year storm.

Merten: Are the water quality requirements at the state level or local? **Suter:** These are the state Water Quality Board requirements they are conforming to. They have been advised by Thomas Bui at the city that the plans do not need to be changed to address any possible new state water quality requirements. The project only needs to provide a checklist on the new requirements that would affect the project and update the Water Quality Technical Report. Any changes to the drainage to meet new requirements will be addressed at the construction phase. Based on the design in the original CDP that was issued, **Bui** does not think that changes need to be made to the design at this time.

Schenck: How many time extensions can they have? **Boyden:** This is it. Three years. This was due to issues at Planning Commission and the law suit.

Motion: Merten Second: Emerson

Motion: The findings can be made for an Extension of Time for CDPs 51302 and 40871, SDP 51303 and 40872 and Lot Line Adjustment 165689.

Motion carries: 6-0-1

Approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck; abstain: Boyden (chair)

4. PRC Hearing Practices – if time permits --for discussion and possible action

Continue discussing current practice of requiring first city cycles prior to hearing and disposition of change/conditions placed on approval –analogous and complementary to LJCPA current procedures. Possibly suggesting modifications/additions

The committee had a general discussion of the proposed practices.

The discussion turned to the merits of approving projects with conditions and how to track projects if there were conditions in the motion. Some felt that conditions could be useful, while others felt it was better to have the applicant come back with changed plans instead of conditions.

For smaller changes the committee would allow the applicant to annotate and sign the plans reflecting those changes and the motion by the committee would reflect the annotations. There are still issues with tracking the changes to make sure that the final plans and construction reflect what the applicant agreed to. These annotations are for smaller changes only. For larger changes the applicant would need to come back with revised changes.

Specific comments

Emerson: Thinks that the second paragraph should be changed from “The La Jolla Shores Permit Review Committee will not approve a project with conditions” to “is not allowed to approve conditions per LJ CPA policy”. We are not allowed to approve a project with conditions per the CPA. Thinks that we should be able to approve projects with conditions.

Conboy: Suggests that we should contact the hearing officer or Planning Commission and advise them that there is a set of plans with changes that the applicant has agreed to.

Lucas: We are careful to put into our motions that were changes agreed to by the applicant and noted on the plan. Our motions typically are passed on consent and get forwarded to the city.

Boyden: Does not believe we should approve projects with conditions. We are also careful to put in our motions specific reasons why a project may or may not comply with the PDO or SDMC in addition to any minor changes agreed to.

Merten: There is a potential problem of these changes getting lost in the system. So the alternative is for the applicant to make changes to the plans and re-submit them to the city before coming back to the committee for approval. If we do accept notations on the plans, then he agrees with Conboy that there should be some sort of follow up from the committee.

Boyden: Any follow up would have to be made after the CPA has voted on the project either through consent or a full hearing. Our committee's findings are not forwarded, only the CPA's actions are sent to the city. We do receive a notice of hearing, and we could contact the Hearing Officer or Planning Commission at that point.

Conboy: Presented the procedures the city has for sending out notices. When an applicant submits a project for discretionary permits, the city has 30 days to do a completeness check of the package to make sure all the materials, forms, drawings, plans, etc., that are required are there. If they deem that the project package is complete, they take it in with two sets of mailing labels for all neighbors within 300' of the project. At that time the city project manager prepares the first notification using one set of mailing labels. It is given to the mailing department for sending out at this time. Sometimes the mailing department runs behind and the first mailing gets delayed. At the time the city project manager distributes the plan packets (submittal packages) to the various departments and planning groups for review. It is not uncommon for the plan packets to be received by a planning group before the first public notice is received. The second set of labels is used for the public hearing, sent out at least ten business days ahead of the hearing.

No vote was taken on the proposed practices.

Meeting adjourned.