



# La Jolla Community Planning Association

Regular Meetings: 1<sup>st</sup> Thursdays | La Jolla Recreation Center, 615 Prospect Street

Contact Us

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President: Joe LaCava

Vice President: Bob Steck

2<sup>nd</sup> Vice President: Patrick Ahern

Secretary: Helen Boyden

Treasurer: Nancy Manno

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## Final Minutes

### Special Meeting | Wednesday, 9 July 2014

Trustees present: Patrick Ahern, Cynthia Bond, Helen Boyden, Bob Collins, Janie Emerson, Joe LaCava, Nancy Manno, Robert Mapes, Phil Merten, Alex Outwater, Jim Ragsdale, Bob Steck, Ray Weiss, Rob Whittemore, Frances O'Neill Zimmerman

Trustee absent: Dan Courtney

#### 1.0 Welcome and Call to Order: Joe LaCava, President at 6:06 PM

He asked that cell phones be turned off and announced that the meeting was being recorded.

#### 2.0 Adopt the Agenda.

Trustees Whittemore, Zimmerman, Weiss, Outwater, Emerson, Merten, Boyden and President LaCava commented with respect to communication issues.

#### Approved Motion: To adopt the agenda as posted with the exception of continuing Item 14.0 "City's Response to the Election Challenge" to the August 7, 2014 LJCPA Regular Meeting. (Whittemore/Weiss: 10-1-3)

In favor: Bond, Collins, Emerson, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore, Zimmerman.

Against: Steck

Abstain: Boyden (uncertain of consequence), LaCava (Chair), Manno (did not hear all of discussion)

#### 3.0 Meeting Minutes Review and Approval: 5 June 2014

#### Approved Motion: To approve the Minutes of June 5, 2014 as posted and distributed. (Manno/Merten: 13-0-1)

In favor: Bond, Boyden, Collins, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Steck, Weiss, Whittemore, Zimmerman

Abstain: LaCava (Chair)

#### 4.0 Elected Officials Report – Information Only

4.1 Council District 1 – Council President Pro Tem Sherri Lightner

Rep: **Justin Garver**, 619-236-6611, [JGarver@sandiego.gov](mailto:JGarver@sandiego.gov) reported.

As of last Tuesday the La Jolla Shores Lifeguard Tower glare problem had been repaired at a cost of \$120,000, and the LJ Cove odor problem was treated on July 2. Member CA Marengo, on behalf of the LJVMA, asked that publicity about the odor problem be restrained. The Oversize Vehicle Parking Ordinance will go into effect on August 1: Vehicles taller than 10' or longer than 27' will not be permitted to park on the street between the hours of 2 AM and 6 AM without a permit allowing parking for 72 hours. Permits will be available online, but he did not know whether the Police Department or the Street Division would be issuing the permits. The LJCPA will be informed about "Waterwise Workshops." He stated that all La Jolla groups (not specified) would be invited to have representatives participate in the evaluation of proposed Deco Bike installations and suggest alternatives. **Member Bob Whitney** asked that CCPPT Lightner be asked to get involved in the Challenge to the Election with a view toward expediting a resolution. **Trustee Ray Weiss** reiterated a previous request to investigate improving the sidewalk on the west side of TPR near Prospect due to various impediments resulting in sidewalk widths as narrow as 12".

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

Rep: **Allison Don**, 619-645-3133, [Allison.don@sen.ca.gov](mailto:Allison.don@sen.ca.gov) was not present.

4.4 78<sup>th</sup> Assembly District - Majority Leader Toni Atkins

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

## 5.0 Non-Agenda Comment

Opportunity for the public to speak on matters not on the agenda and within LJCPA jurisdiction, two minutes or less.

**5.1 UCSD - Planner: Anu Delouri**, [adelouri@ucsd.edu](mailto:adelouri@ucsd.edu), <http://commplan.ucsd.edu/> was not present.

**5.2 Member Melinda Merryweather** asked for consistent follow-up on projects with view corridor restrictions to monitor compliance. **Trustee Merten** offered his assistance. **Member Bob Whitney** inquired as to when the Trustees would decide about how to respond to the City's response to the Complaint to the Mayor about the March election. **President LaCava** said it would be on the agenda for August 7<sup>th</sup> and in response to **City Planner Lesley Henegar** said that it was continued since trustees felt that they did not have enough information. **Member Mike Costello** attended the Coastal Commission hearing and reported that the Coastal Commission had approved the Henely project with the addition of conditions not previously imposed by the City: reduction in square footage and lowering the height of the structure from two stories to one story in the view corridor. Neighbors, previously opposed to the project, withdrew their opposition.

## 6.0 Trustee Comment

Opportunity for trustees to comment on matters not on the agenda and within LJCPA jurisdiction, two minutes or less.

**President LaCava**, at the request of **Trustee Collins**, said that **Mayor Faulconer**, at a community meeting, had appeared sympathetic to **Trustee Merten's** query about assuring consistent application of City codes by DSD and other city entities.

**Trustee Emerson** said a neighbor in the 8400 block of La Jolla Shores Drive was being bothered by an adjacent vacation rental. **President LaCava** said a report was being made under item 9.1.

**Trustee Zimmerman** noted the sudden appearance of notices for stop signs on West Muirlands Drive, one at Fay Avenue, without community review. The LJCPA had heard a proposal for a traffic island, but the Chair stated that the City did not always seek community review on traffic control measures. **Trustees Zimmerman** and **Merten** said the one at Fay was a bad idea. **President LaCava** will contact the City.

**Trustee Whitemore** stated that following his complaint made at a recent LJCPA about the excessive lighting at the SIO Pier, that there had been about an 80% reduction.

## 7.0 Officers' Reports

### 7.1 Secretary

**Trustee Boyden** stated that if you want your attendance recorded today, you should sign in at the back of the room. There are two sign-in lists: one for LJCPA members and a yellow one for guests.

LJCPA is a membership organization open to La Jolla residents, property owners and local business owners at least 18 years of age. Eligible visitors wishing to join the LJCPA need to submit an application, copies of which are available at the sign-in table or on-line at the LJCPA website: [www.lajollacpa.org/](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.

Please note that members who failed to attend a meeting between March of 2013 and February 2014 (and similar for all time periods) have let their membership lapse and will need to submit another application to be reinstated.

Emphasis was placed on the need to fill out an application form in addition to attending a meeting in order to become a member.

## 7.2 Treasurer

**President LaCava** presented the treasurer's report which had been prepared by **Treasurer Nancy Manno**. He reminded trustees and attendees that collections at the meetings are the only source of income for the LJCPA and that all contributions must be in cash. He thanked the members for their generosity in supporting the organization.

<b>Beginning Balance</b> as of 6/01/14	\$ 225.70
<b>Income</b>	
- Collections	\$ 115.00
- Loan from Manno to LJCPA	100.00
<b>Total Income</b>	\$ <u>215.00</u>
<b>Expenses,</b>	
Agenda Printing	55.30
Telephone	49.19
Rec Center rent: 7/3/14 to/including 12/4/14	<u>282.00</u>
	\$ 386.49
<b>Ending Balance</b> as of 6/30/14	\$ <b>54.21</b>

## 8.0 President's Report – Information only unless otherwise noted.

### 8.1 Special Election – Voting Results (See Item 15)

**8.2 Planned District Ordinance Appointment:** No appointee as yet.

**8.3 City Council** approved \$20,000 in its 2014-2015 budget to reimburse planning groups. Each CPG could receive \$500.00. That would about cover the rent the LJCPA pays for the Rec Center. It has not yet been decided how to disburse the money.

### 8.4 Rec Councils

– **President LaCava** obtained confirmation from the City that Rec Councils have a role in reviewing private projects in public parks. La Jolla's parks are represented by Parks & Beaches, Rec Center Council and the La Jolla Shores Association.

### 8.5 Torrey Pines Corridor Update

– Date and time for rescheduling by T&T in July has not been determined

### 8.6 Children's Pool Popping Season Closure

– Coastal Commission Hearing, San Diego, Aug 13-15; date and time not as yet announced.

### 8.7 REMEDY: AT&T-Cliffridge – Correct Minutes of April 3<sup>rd</sup> (See attachment) – Action Item

-In response to **Member Bob Whitney's** request to further amend the April minutes, **President LaCava** stated that no other change was on the agenda and his request had already been denied.

**Approved Motion: To approve the corrections to the April 3, 2014 minutes as presented in the attachment to the agenda, reflecting that the motion denying the AT&T-Cliffridge project was the recommendation of the LJCPA. (Merten, Zimmerman: 14-0-1)**

In favor: Ahern, Bond, Boyden, Collins, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Steck, Weiss, Whittemore, Zimmerman

Abstain: LaCava (Chair)

**8.8 Whale Watch Way Residence – Consider Appeal of HO’s June 25th Decision – Action Item**

*Previous PRC Action (Jan ’14) – Findings cannot be made, 5-0. Excerpt of minutes attached.*

*Previous LJCPA Action (Feb ’14) – Ratify PRC action, 15-0-1*

*Previous City Action (Jun ’14) – Hearing Officer approved project*

**Trustee Merten**, who had represented the LJCPA at the Hearing Officer hearing, stated that the HO had consulted with the Deputy City Attorney at the hearing and what was said was not public. Although environmental concerns had been raised, the LJCPA had not commented on the environmental document (MND), but projects could now be appealed to the City Council on other than environmental grounds. The project GFA had been lowered by changing the design so that some areas could now be considered basement and other areas had been opened up without changing the bulk of the project. **Member Bob Whitney** and **Trustees Boyden, Costello** and **Whittemore** commented.

**Approved Motion: To appeal the Hearing Officer’s approval of this project to the Planning Commission, basing the appeal on the motion to deny by the PRC and ratified on consent by the LJCPA: “Findings cannot be made for Site Development Permit or a Coastal Development Permit for Project No.328415. It is not compatible with the neighborhood in form, bulk and scale. In particular, the east side of the building envelope is incompatible with the neighboring structures. The size, form, and relationship of the proposed project will disrupt the architectural unity of the neighborhood.”**

**Merten/Emerson: 14-0-1)**

In favor: Ahern, Bond, Boyden, Collins, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Steck, Weiss, Whittemore, Zimmerman

Abstain: LaCava (Chair)

**9.0 REPORTS FROM AD HOC and NON-LJCPA COMMITTEES - Information only**

**9.1 Ad Hoc Committee on Short-term Vacation Rentals** <http://www.lajollacpa.org/minutes.html#vr>

**Committee Chair, Trustee Boyden**, reported that the committee had completed its work at its June 25<sup>th</sup> meeting. It had adopted recommendations identifying the problems created by Short Term Vacation Rentals; asking the City to address the problem; for modifying the CAPP program; requiring permits for STVRs; suggesting additional funding mechanisms for enforcement; suggesting items to be included in the permits. The committee was not able to come to agreement on a recommendation for either maximum length or frequency of STVRs. The minutes will be posted on the website shortly and interested parties were informed of the deferral of consideration of the recommendations by the LJCPA to August or September and how the meetings would be announced.

**9.2 Community Planners Committee** <http://www.sandiego.gov/planning/community/cpc/index.shtml>

**President LaCava (CPC Chair)** reported that the CPC is working on amendments to Policy 600-24. Also under consideration is establishing “Park Equivalencies” for those communities that have less park area than recommended by the City General Plan. La Jolla is one of those areas.

**9.3 Coastal Access & Parking Board** <http://www.lajollacpa.org/cap.html> did not meet last month.

**10.0 CONSENT AGENDA – Ratify or Reconsider Committee Action**

The 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 a consent item be pulled for reconsideration/full discussion.**

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

→**See committee minutes for description of projects, deliberations and vote.**

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, Interim Chair Phil Merten, 4th Tues, 4pm  
T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm.

The PDO and T & T Committees did not meet in June.

**10.1 AMIN RESIDENCE** DPR Motion: Findings CAN be made for a Coastal Development Permit to amend CDP No. 617242 for the construction of a 6,818 square foot, single family residence on a vacant 0.71-acre located at **7001 Country Club Drive**. 6-0-1.

**10.2 HART RESIDENCE** – pulled by **Trustee Manno**

DPR Motion: Findings CAN be made for a Coastal Development Permit to remodel and add a 2,085-square-foot, second story addition to an existing 3,154-square foot single-family residence on a 0.33-acre site located at 6101 Camino De La Costa. 5-1-1.

**10.3 LASKA RESIDENCE ADDITION, 8151 Calle Del Cielo** - pulled by **Member Tim Lucas**

CDP and SDP for a 2,856 sq. ft. second floor addition, remodel and add 427 square feet to the first floor with basement addition, and new 3-car garage of 854 sf to an existing single family residence on 20,101 square feet.  
PRC Motion: Findings CAN be made on a Coastal Development and Site Development permit. 5-2-0.

**10.4 VITERBI RESIDENCE, 2712 Glenwick Place**

CDP, and SDP for Environmentally Sensitive Lands for previous grading/slope repair on an approximately 0.14 acre portion of a site containing an existing single family residence to remain.

PRC Motion: Findings COULD be made for a Coastal Development and Site Development Permit for Environmentally Sensitive Lands subject to the changes noted in red on the plans and dated 6/24/2014. 6-0-0.

**Approved Motion: To accept the recommendation of the DPR Committee that for 10.1 Amin Residence: Findings CAN be made for a Coastal Development Permit to amend CDP No. 617242 for the construction of a 6,818 square foot, single family residence on a vacant 0.71-acre located at 7001 Country Club Drive; and to accept the recommendation of the PRC that for 10.4 Viterbi Residence, 2712 Glenwick Place: the findings COULD be made for a Coastal Development and Site Development Permit for Environmentally Sensitive Lands subject to the changes noted in red on the plans and dated 6/24/2014; and forward the recommendations to the City. (Outwater/Collins: 14-0-1)**

In favor: Ahern, Bond, Boyden, Collins, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Steck, Weiss, Whittemore, Zimmerman  
Abstain: LaCava (Chair)

**Item 10.2 Hart Residence (pulled by Trustee Manno)**

**Item 10.3 Laska Residence Addition (pulled by Member Tim Lucas)**

**11.0 Skylark Canyon Sewer Replacement – Information Only**

This project will rehabilitate 1,390 linear-feet of existing 8-inch sewer mains and laterals, including rehabilitation of manholes within the La Jolla Community. No vehicles would enter the canyon, and all equipment will be hand-carried or brought in using wheelbarrows to the manhole. All staging will occur on street surfaces.

**Presented by Francis S. Marquez, City of San Diego.** Total budget for planning, design and construction is about \$1.2 million. Work is expected to begin by September and be finished by February/March 2015. Affected property owners are being contacted individually.

**12.0 Wu Residence, 7615 Hillside Drive – Action Item**

PROCESS 3 - CDP and SDP to demolish an existing structure and the construct a 7,345 sq. ft. two story single family dwelling unit with a basement. The site is located at 7615 Hillside Drive. The site is located in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone, Coastal Height Limit.

*Previous Action by PRC (May '14): Findings CAN be made for a Coastal Development Permit and a Site Development Permit to demolish the existing structure and construct a 7,345 sq ft house at 7615*

*Hillside Drive, Project No. 361774, based on plans presented today, dated March 15, 2014. 3-1-1.*

**PRC meeting minutes attached.**

*Previous Action by LJCPA (Jun '14): Pulled from Consent Agenda*

**Presented by Francisco Mendiola and Jess Gonzalez.** PRC Member **Myrna Naegle** said she had pulled the project as it was out of character with the neighborhood. **Trustee** and PRC member **Janie Emerson** said she had abstained at the PRC because she felt characterizing this as a two-story building with basement was misleading and felt it was really a three-story building.

A scale model of the project and adjacent homes was presented. Photos of nearby homes, elevations and sections were displayed.

**Trustee** and PRC Chair **Phil Merten** stated that because the lower level was built into the hillside, even though its façade was fully visible, the criteria were met for considering it a basement. He also said the footprint was smaller than the current house. The elevations and setbacks were similar to nearby homes.

**Trustees Collins** and **Zimmerman** were still concerned about the basement issue. In response to queries by **Trustees Manno, Weiss, Outwater, Whittemore** and **Bond**, the following was presented: Prop "D" height was 36'5"; height above the street was 21'; drainage was within 1.2% of the current and will use an existing storm drain; the basement story looks relatively tall because the slope has to be accommodated and it will look better than the current "pilings" aspect.

**Approved Motion: To support the action of the PRC that: "Findings CAN be made for a Coastal Development Permit and a Site Development Permit to demolish the existing structure and construct a 7,345 sq ft house at 7615 Hillside Drive, Project No. 361774, based on plans presented today, dated March 15, 2014." (Merten/Ragsdale 12-2-1)**

In favor: Ahern, Bond, Boyden, Manno, Mapes, Merten, Outwater, Ragsdale, Steck, Weiss, Whittemore, Zimmerman

Against: Collins, Emerson

Abstain: LaCava (Chair)

### **13.0 LA JOLLA BEACH TOWNHOMES TM, 6633 La Jolla Boulevard – Action Item**

Coastal Development Permit and Tentative Parcel Map (Process 3) to convert 4 residential dwelling units under construction into condominiums on a 0.115 acre property. The site is located at 6633 La Jolla Boulevard, in the RM-3-7 zone of the La Jolla Community Plan area and Coastal Zone (non-appealable), Coastal Height Limitation, Parking Impact, Residential Tandem Parking, and Transit Area Overlay Zones, within the La Jolla Community Plan area.

*Previous Action by DPR (June '14): Findings CAN be made for a Coastal Development Permit and Tentative Parcel Map to convert 4 residential dwelling units to condominium ownership consisting of one 3-bedroom unit and three 2-bedroom units under construction into condominiums on a 0.115 acre property at 6633 La Jolla Boulevard. The bedroom count is to be as indicated in the marked Tentative Parcel Map dated June 10, 2014 and included in the Condominium Association bylaws. 6-0-1. See DPR meeting minutes attached.*

**Presenter Claude-Anthony Marengo** said he had asked for a full hearing since he thought a neighbor was going to pull the project, but those concerns had been addressed. There is no change to the building from the previous project. Conversion from apartments to condominiums is done to facilitate the permit process.

**Approved Motion: To ratify the recommendation of the DPR Committee that : Findings CAN be made for a Coastal Development Permit and Tentative Parcel Map to convert 4 residential dwelling units to condominium ownership consisting of one 3-bedroom unit and three 2-bedroom units under construction into condominiums on a 0.115 acre property at 6633 La Jolla Boulevard. The bedroom count is to be as indicated in the marked Tentative Parcel Map dated June 10, 2014 and included in the Condominium Association bylaws. (Collins, Ahern: 13-0-2)**

In favor: Ahern, Bond, Boyden, Collins, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Steck, Weiss, Zimmerman

Abstain: LaCava (Chair), Whittemore (personal)

#### **14.0 City's Response to Election Challenge – Action Item (Continued to August 7, 2014 (See Item 2.0))**

Consideration and possible adoption of the City's recommendations to "cure and correct operations" as detailed in the City's letter of June 26, 2014 (attached.)

*Previous Action (June 26, 2014): City of San Diego response to complaint.*

*Previous Action (May 16, 2014): Complaint against LJCPA filed with City of San Diego*

*Previous Action by LJCPA (Mar 25, 2014): Response to Election Challenge*

*Previous Action (Mar 11, 2014): Election Challenge filed with LJCPA*

**President LaCava** noted during discussion of Item 2.0 that trustees should refrain from reviewing any advocacy material from fellow trustees prior to hearing the item in August.

#### **15.0 Special Election Results – Action Item**

Polls closed at 7:00 pm on July 3rd. Upon final verification of the count, the Election Committee reported the results to the LJCPA President. The **Chair of the Elections Committee** took custody of and sealed the election ballots.

**President LaCava** announced and certified the results: Sixty-three (63) members voted; there were no write-in votes. Four provisional ballots were denied because of no ID and/or no membership application on file. **Michael Costello** received 43 votes; **Cindy Greatrex**, 52 votes; **Michael Morton**, 15 votes.

**Cindy Greatrex** was elected to the term expiring in March 2017; **Michael Costello** was elected to the term expiring in March 2016.

Any challenge to the election results must be filed with the **Chair of the Elections Committee (Bob Steck, [Bob.Steck@edwardjones.com](mailto:Bob.Steck@edwardjones.com))** in writing within one week of the announcement of the results of the election; that is by no later than Wednesday, July 16<sup>th</sup> at 10:00 pm. If no challenge to the election results has been made within said time period, the ballots shall then be destroyed. (Source: LJCPA Bylaws, dated June 27, 2013)

**President LaCava** noted that newly elected trustees will be seated at the August meeting pending resolution of the Election Challenge.

**City Planner Lesley Henegar, Members Bob Whitney and Michael Morton and Trustees Weiss, Bond and Zimmerman** commented. The Chair stated that these were the seats vacated by the resignations of **Jim Fitzgerald** and **Gail Forbes** and stated that the City's response to the Election Challenge was to be addressed at the August 7 meeting.

#### **16.0 LA JOLLA SHORES PLANNED DISTRICT ORDINANCE – Action Item**

Does the LJCPA want to revisit possible amendments to the Shores PDO? This could include working with the La Jolla Shores Association and the La Jolla Shores Planned District Ordinance Advisory Board to engage the La Jolla Shores community, the City of San Diego, and Council District 1 in an open conversation about a targeted update.

*Previous Action by PRC (June '14): That the PRC ask the CPA to appoint an ad hoc committee to research the process for a mini-update to the LJSPDO. 6-0-0.*

The Chair announced that this item would be continued until the August 7 meeting and, in response to a query from **Member Bob Whitney**, stated that the action would only be to decide on whether/how to move forward on a mini-update to the LJSPDO as requested by the PRC, and not to discuss any possible changes.

#### **17.0 Adjourned at 7:59 PM to next Regular Monthly Meeting, 7 August 2014, 6:00 pm**