

La Jolla Community Planning Association Regular Meeting Draft Minutes

2 July 2020

Regular Meetings: 1st Thursday each month, La Jolla Recreation Center, 615 Prospect St

PO Box 889, La Jolla CA 92038
<https://lajollacpa.org>
info@lajollacpa.org

President: Diane Kane
1st Vice President: Greg Jackson
2nd Vice President: Helen Boyden
Secretary: Suzanne Weissman
Treasurer: Mike Costello

Due to the COVID-19 public health emergency, LJCPA meetings currently are online only. Instructions for registering and attending are at <https://gregi.us/3edWxZt> (copy and paste the URL into your browser if clicking on it doesn't work). **Those who wish to attend (including viewing, listening, and possibly speaking at the meeting) must register in advance.**

Supplemental materials and comments: <https://lajollacpa.org/ljcpa-7-2-2020-materials-comments/>

Quorum present: Boyden, Brady, Costello, Courtney, Davidson, Fitzgerald, Ish, Jackson, Kane, Little, Mangano, Manno, Neil, Shannon, Steck, Weiss, Weissman **Absent:** Ahern

Call to Order (6:00pm)

This is a recorded meeting with a full agenda. Please make sure mobile or otherwise noisy **devices are off** or silent, and in online meetings keep microphones muted except when called on. Please **address the chair** and refer to projects or issues, not to applicants or opponents. If special facilities or access are required (for example, to display presentations), please notify the Chair one week prior to meeting. Chair calls on public and then trustees, closes discussion upon consensus, and calls for motions. Trustees vote by roll call or show of hands as appropriate.

LJCPA welcomes donations, which can be made in cash at physical meetings or by check payable to "LJCPA". Please email the Treasurer (emsmike@san.rr.com) for instructions and address.

1.1. Approve Agenda

Vote: Approved unanimous

1.2. Approve Minutes

Motion Approve minutes of meeting, June 4, 2020 (Boyden/Brady) **Vote:** unanimous

2. Non-Agenda Public Comment

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

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

PDO – Planned District Ordinance Committee, Chair Deborah Marengo, 2nd Monday, 4:00 pm

DPR – Development Permit Review Committee, Chair Brian Will, 2nd & 3rd Tuesday, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Vice Chair, Andy Fotsch, 3rd Monday, 4:00 pm

T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wednesday, 4:00 pm

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 workdays prior to the meeting date to insure availability.

Morton: Item of concern to CPA. While I am a proponent of property rights, I have received comments from neighbors about a developer doing extensive work and grading at 1365 Muirlands Dr without a building permit. **Kane:** The CPA is aware of this project and is working to bring the project into compliance and to community review.

Hadley: Council member Bry is meeting with director of DS to get answers to questions raised by this project. I hope to have more next meeting

Emerson: LISA meeting Wednesday. We will have a legislative update on AB 3243 which you should be aware of, also Complete Communities. UCSD has changed the name of the Future College Living Learning Neighborhood to Theater District Living Learning Neighborhood. We will be discussing that and changes in the project. Our hopes for summer street dining in LJ Shores have been dashed; we have been working with the City and Police Dep't but they do not have capability to support small businesses. We will discuss that and how to support small business.

LaCava: Jen Campbell has introduced a new proposal for STVR's that does not include enforcing the current regulations which make them illegal. Instead a new effort to legalize whole house rentals and home sharing. There are few details available but a fast track effort to bring it to City Council. I urge CPA to look at it. It is disconcerting to those who are opposed to STVR's and wish the City to enforce current regulations. This has been brought forward with NO input from residents or planning groups.

3. Consent Agenda

The Consent Agenda allows the LJCPA to ratify recommendations of the community joint committees or boards in a single vote, upon which those recommendations become the recommendation of the LJCPA. The public may comment on consent items, but there is no presentation or debate. Anyone may request a consent item be pulled for full discussion by the LJCPA at a future meeting.

Supporting materials, if any: <https://lajollacpa.org/ljcpa-7-2-2020-materials-comments/>

~~3.1. (pulled) Cass St ROW Vacation (659043, Sher)~~

~~(Process 5) Public Right of Way Vacation to vacate a portion of Cass Street and a portion of the alley abutting 990 Van Nuys Street. The 0.117-acre site is in the RS-1-7 Zone within the La Jolla Community Plan area. Council District 1.~~

~~DPR: Findings CANNOT be made. Passes 6-0-1~~

3.2. La Jolla Christmas Parade and Holiday Festival

Temporary Street Closures and No Parking areas related to the 63rd annual event 12/6/20
T&T: **APPROVED** 9-0-0

3.3. Pedestrian Hybrid Beacon at 2552 Torrey Pines Road

City request at location across from LJ Nursing and Rehab Center to enhance safety
T&T: **APPROVED** 9-0-0

3.4. 2365 Via Siena (638504, Sinnett)

(Process 3) Coastal Development Permit (CDP) and Site Development Permit (SDP) for the addition and remodel to an existing single dwelling unit for a total of 5,881 square feet located at 2365 Via Siena. The 0.28 acre site is located in the LJSPD-SF base zone of the Coastal (Non-appealable) Overlay Zone of the La Jolla Community Plan Area, and Council District 1.

PRC: **Findings CAN be made** given the owner's agreement to these three conditions: A. Eliminating the chimney on the North converting to a gas fireplace, roof deck chimney on the south side no higher than roof ridge line; B. Add landscaping between garage doors and change material of garage door; and C. Retaining walls at the front not to more than 6" above existing grade, if grading permit allowed. Passes 6-0-1

Item 3.1 Cass St. ROW vacation (659043, Sher) pulled.

Motion: Approve Consent Agenda items 3.2, 3.3, 3.4. (Jackson/Steck) Vote: unanimous,

4. Non-Project Discussions & Reviews

Supporting materials, if any: <https://lajollacpa.org/ljcpa-7-2-2020-materials-comments/>

4.1. Complete Communities (Kane/Mangano)

Kane: Complete Communities project (CC) has 4 separate parts. The first is the Master Parks Plan Update that we discussed last month. Parts 2 and 3 are Housing and Transportation. Part 4 is Facilities Financing. These are all integrated into one EIR, a complex, complicated piece of policy legislation. The community planning groups have been eliminated from discussion of the development of these plans during the last 18 months. The LJCPA was not aware of them until May, so we are behind in participating. The proposals we are looking at tonight were at the Planning Commission last month and are moving rapidly to City Council. The CC proposals are driven by state legislation to help the building industry produce more affordable housing. These proposals are the local response to pending state legislation. The Transportation element is driven by SB 743. It sets a deadline of July 1, 2020 to adopt Vehicle Miles Traveled – VMT – as a measure to assess the impacts of transportation on greenhouse gasses in environmental reports. That bill does not require the elaborate transportation element proposed. Many feel this program is being rushed unnecessarily.

The Housing Element encourages housing construction in multi-family and mixed-use commercial areas that are served by transit. A Transit Priority Area is within 1 mile of high-quality transit. It also provides incentive by removing regulatory barriers at all income levels especially very low, low and moderate income. The Parks Plan is one of the amenities given in exchange for higher density. A detailed explanation of details of Housing Element proposal as it affects LJ with maps showing areas affected followed – see supporting materials.

Recommendations:

- Support motion from Community Planners Committee recommending working in concert with other CPG's to present unified voice.

- Support CPG 's No vote to separate transportation element from housing element. This motion failed because of lack of time to review and questions whether the Route 30 bus line qualified as high-quality transit.
- Refer Housing Element to DPR and PRC to do case study testing on FAR and bulk and scale in areas proposed. Refer Transportation Element to T & T for analysis.
- Form ad hoc committee to study cumulative impacts of proposed density regulations. Ask City staff to provide a specific parcel list.
- Remove Coastal Zone from entire proposal: numbers don't work with 30' height limit; will encourage land speculation and spot zoning; will encourage repeal of Prop. D; skeptical that Process 2 projects will come to community for review; reduces supply of naturally occurring affordable housing.
- Reduce FAR to acknowledge 20' height limit and remove parcels zoned RM1-1 to 3

Discussion: Coastal Commission will have to approve; transportation program based on regional transportation plan for high quality transit in future in areas shown on map rather than Route 30 bus-line; need for further study to consider Parks Plan effect on other elements.

Tom Mullaney, Uptown Planning Group, Parks Plan is a NO parks plan. With projected 320,000 people in SD in the next 30 years adding no new park space will cause people to come to beaches affecting the entire community. This plan won't help underserved communities; instead of a 3 acre park they will get a swing set. Consider a statement today that you cannot accept Complete Communities as currently written and require more time to analyze and understand it.

Motion: Ratify CPC motion, adopt as our own, and notify appropriate city entities of this action. (Jackson/Boyden) **Vote:** Unanimous, chair abstains

Motion: Ratify NO vote at CPC to separate Transportation Element from Housing Element because we have not had time to review it. (Jackson/Boyden) **Vote:** Unanimous, chair abstains

Motion: Set up ad hoc committee to analyze numbers, study EIR and other data (Jackson/Mangano) **Vote:** Unanimous, chair abstains

Motion: Coordinate with other Community Planning Groups (Weiss/Mangano) **Vote:** Unanimous, chair abstains

Motion to remove Coastal Zone from entire project withdrawn for further discussion.

5. Project Reviews (may be *de novo* considerations)

Prior actions by committees are for information only. The Chair may call for motion and vote after a specified allotment of time to applicants and opponents.

Supporting materials, if any: <https://lajollacpa.org/ljcpa-7-2-2020-materials-comments/>

5.1. 411 Sea Ridge (659048, Salvagio)

(Process 3) Coastal Development Permit and Site Development Permit to demo an existing residence and construct a new two-story, 5,067 square foot residence, including garage, carport, decks, balconies and site improvements at a site located at 411 Sea Ridge Rd. The 0.21-acre site is in the RS-1-7 Zone, SCOZ-CB, FP 100, and the Coastal (Appealable) Overlay Zone within the La Jolla Community Plan area, and Council District 1.

DPR: **Findings CAN be made.** Passes 4-3 (chair breaks tie)

Kevin Leon with Mark Lyon Architect for applicant presentation showing drawings in supporting materials. Issues from DPR meeting;

- Drawing showing project superimposed into streetscape to show that it fits into neighborhood. Meets height and FAR requirements.
- Overhead view showing compatibility of footprint with neighboring properties. Also a view from below showing height is compatible with neighboring properties from rear.
- Drawing showing reduced roof decks pulled in from neighboring properties. All meet code requirements.
- Slide showing view from LJ Blvd and traffic circle with house superimposed showing ocean visible.
- Drawing showing view of required view corridors on both sides of house.
- Carport is allowed by code; it does not count in FAR.
- Landscape plan shows proposed grass pavers in front of carport that take place of driveway.
- Engineers report on stability of bluff; new house does not encroach any closer than existing house, existing pool remains. Civil engineer designed drainage system to prevent any water flowing over bluff – all water directed to street.
- Les Reid, engineer, explanation of bluff studies: the property to the east, 417 Sea Ridge, had a dysfunctional sump pump for many years that caused damage to bluff but did not affect Salvagio property. He performed many technical studies to confirm stability of bluff on this property.

Davidson: questioned what was done to insure that Salvagio property will not be affected by neighboring property. **Reply:** explanation of how this property is stable and different from property at 417 that suffered from a unique problem.

Mangano: is pool structure same as existing. **Reply:** Pool and house are built on natural material and are very stable.

Neil: comments that internal courtyard contributes to greater mass where massing should be minimized. **Reply:** we tried to keep character of existing house that has a courtyard.

Costello: showed pictures telling history of flooding and erosion problems with the bluff over many years. These serious problems will continue. **Reply:** referred to his full report included in supplemental materials which addresses the issues with the bluff and explained the work done to show water damage was only on 417 property.

Costello: San Diego Municipal Code states that driveways on a single premise have to be separated by 45 feet. There are 2 driveways where there are 2 places to put cars, so this project does not conform to the SDMC. This second driveway will remove street parking in beach impact overlay zone: **Reply:** Only one driveway; the grass in front of the carport is not a driveway; there is no curb cut because there is a rolled curb.

Weiss: the functional aspect of grass pavers in front of carport is a driveway. Question about possible fault in bluff. **Reply:** minor fault in 417 not near Salvagio property.

Question on Code section re: driveways – Costello: SDMC Code section 142.0560 called out in Cycle issue letter.

Confirm that view corridors on side will be recorded against deed.

Comment about DPR meeting vote. DPR members were split evenly just as here.

Motion: Findings cannot be made for SDP or CDP because SDMC states that there shall be at least 45 ft. between driveways serving the same premise; here there are two driveways. (Costello/Little) **Vote:** 13-3-1: Motion carries;

In favor: Brady, Costello, Courtney, Davidson, Ish, Little, Mangano, Manno, Neil, Shannon, Steck, Weiss, Weissman

Opposed: Boyden, Fitzgerald, Jackson

Abstain: Kane (chair)

5.2. 7595 Hillside (522708, Cass)

(Process 3) Site Development Permit and Coastal Development Permit to demolish an existing dwelling and construct a 7,091 sq ft 2-story over basement dwelling located at 7595 Hillside Dr. The 0.797-acre site is in the single family (SF) zone of the La Jolla Shores Planned District, Coastal (Non-appealable) overlay zone within the La Jolla Community Plan Area. Council District 1.

PRC: Findings CANNOT be made, since project appears not to conform overall height limit; committee could not agree on driveway parking, retaining wall, steps; project lacks support from direct neighbor; questionable viability of the exterior stairways; potential encroachment of structure on property line; and too many issues unresolved. Passes 6-0-1

Jess Gonzales, architect, presentation:

Began with comments on the history of the project that was passed by PRC in February, but because of a misunderstanding about the addition of minor details it was returned to PRC and denied there. The issues for the denial have been fixed; we have improved the project with the help of the community and now we believe the project meets all design criteria.

Following drawings show what has been done to correct PRC concerns.

- The project is a two story home that shares the same shape of the existing home; it takes up the same length with large frontage. Much of it sits below street level so it does not block neighbors' views as much of it is underground.
- The retaining wall along the front was separated from the house to reduce the overall height limit.
- The 2 off street parking spaces were increased to meet code requirements by shortening the garage space.
- The stairway landing along the side of the guest quarter was pushed back from the property line.
- The angle of the driveway was changed to resolve visibility issue.
- A large space in front was created for construction staging to keep materials off the street with plans for traffic control. We will build from bottom up.

Now we are in compliance.

Kane: What are the setbacks on north property line and describe the floor plan? **Reply:** 6ft. main and lower floor plan drawings described.

Merten, representing John and Ann Gilchrist, neighbors across the street, presentation of objections to the plan based on plans submitted to City on May 1. The CPA has a duty to consider compliance with the SDMC, so technical issues are a concern; also a duty to review applications referred to you from the City. The plans just presented have not been submitted to the City so they may not apply.

- The drawing presented tonight showing the construction staging area is not correct; the lower floor extends into that area and will be excavated.
- Driveways are substandard length per MC.
- In plans presented tonight the driveways are the required length, but the driveway on the right is not viable because of too great slope gradient; therefore only 1 viable space is provided in contradiction of SDMC requirement for 2 additional parking spaces.
- The existing 2 parking spaces are eliminated.
- Further explanation showing driveway gradient slope on the right is too steep.
- Unauthorized development in Public Right of Way – stairs and retaining walls.
- Side setback on right side of plan is 16", the other side is 21". The LJSPO says setbacks should be in general conformity with the area. There are no comparable side setbacks in that area.
- Overall structure height is over allowed height of 40 ft. because retaining wall and fence need to be included in the calculation which makes it 49 ft.

- The landing at stairway on left side requires an 8 ft. retaining wall which will need shoring. The shoring will extend over the property line.
- Shoring needed to construct front retaining walls will extend into the PROW.
- No detail provided for 5 foot metal fence adjacent to the roadway which will be in PROW.
- Documentation is not available in the environmental report for impact on the seasonal wetland below.

For these reasons the proposed project as currently designed is not in accordance with the LSPDO or the applicable sections of the SDMC.

Weiss: we rarely see a project declined by PRC 6-0-1. With all the changes involved I would like to see the project go back to PRC before we decide.

Courtney: How much of the 34,000 sq.ft. lot is level and how high is the retaining wall at back of property? **Reply:** Pad from existing house being used is about 25% of lot, the retaining wall about 2 to 8 ft.

Fitzgerald: Have the plans we see tonight been reviewed by the City? With a lot of open issues this project is not in final form. We don't have the City's review.

Gonzales: I agree; let the City review. I will wait for next cycle issues.

Manno, Weiss left meeting; reflected in vote count

Motion: Do not vote now; send back to applicant to return to PRC and CPA when the City has finished their last cycle review and we have benefit of their input and other comments on how the issues are resolved. (Fitzgerald/Boyden) **Vote:** 12-2-1: Motion carries.

In favor: Boyden, Brady, Costello, Courtney, Davidson, Fitzgerald, Ish, Little, Jackson, Mangano, Shannon, Weissman

Opposed: Neil, Steck

Abstain: Kane (chair)

6. Elected Officials, City Agencies, & Other Entities

6.1. 39th Senate District: State Senator Toni Atkins, Senate President Pro Tempore

Rep: Miller Saltzman, 619-645-3133, Miller.Saltzman@sen.ca.gov

Saltzman: Senator Atkins is well aware of bluff issues. Following are items of interest:

- Senator is working on creating a housing production package offering solutions about housing shortages
- Governor signed the budget. It includes protective funding for schools and health & human services and maintains 300 M. for homeless funding. It avoids program cuts and middle-class tax increases while looking at a 54 B. deficit where we had a surplus at the beginning of the year.

- A renter/landlord stabilization plan to enable agreement between renters and landlords to resolve unpaid rents limiting foreclosures and evictions.
- 25 B. economic recovery fund established through prepaid future tax vouchers that would provide economic stimulus.
- Senator supports peaceful protests and believes in de-escalation and demilitarization and more outreach in community policing.
- Driver’s licenses expired before July 20 are ok and can be renewed online.

Feel free to reach out to our office about that, unemployment or Covid-19 issues.

One question about renter/landlord plan and request for more information about housing bills for next meeting.

7. Officer Reports

7.1. Treasurer

Beginning Balance as of June 1, 2020		\$851.21
Income		
Collections, June 2020	\$30.00	
CD Sales	\$00.00	
Total Income		<u>\$30.00</u>
Expenses		
Agenda printing	\$00.00	
Rec Center	\$00.00	
Zoom Meeting Expenses	\$00.00	
Total Expenses		<u>\$00.00</u>
Net Income/(Loss)		\$30.00
Ending Balance of June 30, 2020		<u>\$881.21</u>

“Donations can be made by mailing a check made out to the LJ CPA. Email the Treasurer at EMSMIKE@SAN.RR.COM for instructions and address.”

7.2. Secretary no report

7.3. President

Supporting materials, if any: <https://lajollacpa.org/ljcpa-7-2-2020-materials-comments/>

7.3.1. Ratify appeal of 304-306 Kolmar project

Motion: Ratify appeal of 304 – 306 Kolmar Project (Jackson/Boyden) **Vote:** 13-1-1. Motion carries

In favor: Boyden, Brady, Costello, Courtney, Davidson, Ish, Little, Neil, Jackson, Mangano, Shannon, Steck, Weissman

Opposed: Fitzgerald

Abstain: Kane (chair)

7.3.2. Ratify LJCPA letter to City on noticing requirements

Motion: Ratify LJCPA Letter to City on noticing requirements: (Jackson/Fitzgerald)

Vote: Unanimous, chair abstains

8. Non-Agenda Trustee Comment

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

Ish: Land Development Committee update meeting: serial permitting and garage conversions were continued. More next time.

Courtney: Can we do anything to persuade Mayor to close beaches and beach parking lots during holidays? **Hadley:** we have asked Mayor for his plan to enforce wearing of masks and social distancing but have had no response. I suggest everyone send letters to Mayor.

9. Adjourn to LJCPA special meeting (16 July 2020, 5pm)