

La Jolla Community Planning Association

Trustee Meeting Draft Minutes

3 September 2020 6pm

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

Online meeting, registration required. Instructions:

<https://lajollacpa.org/ljcpa-online-meeting-instructions/>

Copy and paste the URL into your browser if clicking on it fails. Viewing, listening, and speaking at the meeting require registration. To have attendance counted toward membership or voting, registration must be in the member's name.

Meetings are recorded. Please make sure mobile or noisy **devices are off** or silent, and in online meetings keep microphones muted except to speak. Please **address the chair** and refer to projects or issues, not to applicants or opponents. For Action Items, 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 in cash at physical meetings or by check to "LJCPA". Please email the Treasurer (emsmike@san.rr.com) for instructions and address.

The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the issues or projects are 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, Chair Andy Fotsch, 3rd Monday, 4:00 pm

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

Materials & Comments page for projects, issues, & reports:

<https://lajollacpa.org/ljcpa-9-3-2020-materials-comments/>

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

1. Call to Order (6:07pm)

1.1. Approve Agenda (action item) Motion to approve. (Boyden/Steck) **Vote:** unanimous, Motion carries

1.2. Approve Minutes (action item) Motion to approve (Jackson/Boyden) **Vote:** unanimous, Motion carries.

2. Non-Agenda Public Comment

Opportunity for public to speak on matters not on the agenda, 2 minutes or less. In general, requests for LJCPA to take formal action or positions should be submitted to the President at least 72 hours in advance so that the public can be notified via the published Agenda.

Rasmusen: On behalf of Melinda Merryweather, thanks to CPA and T & T for their support on La Jolla Farms Rd. red curbs. Ten red curbs were replaced adding ten parking spaces on that road.

Moore: I am Will Moore running for City Council District 1. I am a small business lawyer, active in community for a long time making sure San Diego follows the model of LJ as a walkable community. Appreciate your vote. 858-210-7999

Merten: Two projects under construction that significantly exceed the overall structure height allowed for hillside development. On steeply sloping sites in Coastal Zone the maximum overall height of a structure is 30 ft. plus 10 ft. for slope, or 40 ft. max. DSD has allowed at 7615 Hillside Dr. an overall structure height of more than 55 ft. and at 2042 Via Casa Alta an overall height of 74 ft. I am asking CPA to take an active role to convince DSD to require these 2 projects be brought into conformance with overall height limitations of the SDMC. If allowed to stand, these code violations will set a precedent for future projects in LJ.

Little: to clarify this is not the same measurement as Prop. D 30 ft. plumb line measurement.

3. Consent Agenda (consolidated action item)

The Consent Agenda enables LJCPA to ratify recommendations of joint committees or boards in a single vote, upon which those committee/board recommendations become the recommendation of 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 LJCPA at a subsequent meeting.

3.1. 1821 Torrey Pines (648590, Christensen)

(Process 5) Public Right-of-Way Vacation and Coastal Development Permit to vacate a portion of Torrey Pines Rd located at 1802 Amalfi St, 1834 Amalfi St, 1821 Torrey Pines Rd & 7840 Sierra Mar Dr. The site is in the RS-1-5 Base Zone and Coastal (Appealable) Overlay Zone within the La Jolla Community Planning Area, and Council District 1.

DPR: Findings CANNOT be made, right-of-way should be retained for possible enhancement, expansion, or modification of Torrey Pines Rd, passes 4-1-1

3.2. 8455 El Paseo Grande (665412, Harper)

(Process 3) Coastal and Site Development Permit for demolition of an existing single dwelling unit and construction of a new single dwelling unit, located at 8455 El Paseo Grande. The 0.142-acre site is in the LJSPD-SF zone, Coastal (Appealable), Coastal Height

Limit, Parking Impact and Residential Tandem Parking Overlay Zones within La Jolla Community Plan area, Council District 1.

PRC: Findings CANNOT be made, excessive bulk and scale for neighborhood, cantilevered upper floor violates Shores design principles, passes 7-0-1

3.3. 7928 Ivanhoe

Convert one parking space in front of 7928 Ivanhoe Avenue from 2-hour restriction to 15-minute short term green curb.

T&T: Recommend approval, passes 9-0-0

Motion: Approve items 3.1 – 3.3 on Consent Agenda (Jackson/Brady) Vote: unanimous
Motion carries

Boyd: To PRC and DPR, the minutes need to include the full motion with reasons findings cannot be made.

4. Project Reviews (action item)

These may be *de novo* considerations, and in that case actions by committees are listed for information only. In general, applicants for each project will be allowed 10 minutes to present, an individual representing opponents (if there are such) will be allowed 10 minutes to respond, and 15 minutes will be allowed for 2-minute public comments not already covered in those presentations. Trustees will then have 20 minutes to discuss the project, at which point the President may call for a motion and vote.

4.1. 7342 Remley (649756, Pintar)

(Process 2) Coastal Development Permit for the demolition of an existing 3,196 square-foot single-family residence to construct a new 4,685 square-foot single family residence located at 7342 Remley Pl. The 0.213,196-acre site is in the RS-1-4 and the Coastal Overlay (Non-Appealable) Zone within the La Jolla Community Plan area, and Council District 1.

DPR: Findings CAN be made, passes 5-0-1

Tripp Bennet, project architect, Presented slides included in Materials & Comments.

- Floor area of existing structure is 3196 sq.ft., .36 FAR, new structure increases FAR to .54, below allowable; not 3 times the size of existing as has been circulated in neighborhood petition.
- Proposed project is a 2 story home over an underground basement with exception that the portion of house where basement daylight is counterbalanced with single story above.
- At no point is house over 2 stories and is consistent with several other 2 story homes on Remley Pl.
- Two directives from Pintars were that the design be consistent with the LJ Community Plan and be sensitive to private views.
- We began reviewing plans with neighbors 2 months before submitting plans and continued after.

- The 2 story massing was limited to upper north east corner of the lot to preserve the majority of west and south-west views on Manoogian property and to minimize impact on private views of Schmock and Freeman properties across the street.
- Manoogian said he will pursue all legal grounds to block current design and make process difficult.
- For neighbors across the street plans were revised significantly to reduce bulk and scale.
- The additional garage on Romero was added to relieve parking problems on Remley Pl.
- Massing of structure steps down with the natural slope; the main floor is 2 ft. lower than existing house and the 2 story portion on left side is sunk below grade to reduce height to 1 ½ stories above grade.
- Rt. side garage remains single story; 2 secondary bedrooms are below grade under garage to reduce impact to neighbors where they were allowed above garage at considerably less expense.

Matt Peterson, attorney representing applicant. Showed slides with proposed project superimposed to show impact on neighbors.

- Lower accessory garage is separated from main house by 8'9" on one side and 6'1" on the other.
- Geotechnical engineer, Robert Randall has concluded that the project will stabilize entire area due to building and foundation design rather than destabilize adjacent properties in answer to neighbors' concerns
- The project meets all City requirements per cycle issues reports.
- Described FAR survey showing how FAR and sq. footage of proposed home fits in with other properties in area.
- Staging plan shows that construction will be staged on Romero site to control impact on Remley Pl. parking for workers is available nearby.
- Traffic safety issues were addressed by Coffey Engineering and determined to be safe.

Sid Smith representing neighbors: Our major concerns are:

- Safety, the auxiliary garage on Romero is unsafe because of speeding traffic on Romero Dr., a narrow road. Will set precedent of a wall of garages on Romero Dr.
- Stability, the area is prone to mud slides and is near to an existing fault.
- The large house does not fit with neighborhood and obstructs views.
- We were not given notice and would like more time to review plans.

Glen Rasmussen: Explained diagram (see Materials & Comments "rasmussen remley over") showing that portions of the house were above the 30' height limit measured from existing or proposed grade on slope, whichever is lower per SDMC.

Scott Manoogian, neighbor: Enumerated number of neighbors opposed to the project and the safety issues of garage on Romero Dr.

Public Comment:

Mike Pallomary, engineer familiar with height limit measurement interpretations: Height limits on this project are in compliance with the SDMC and Prop. D rules.

Phil Merten: Explained this project does comply with height limitation. The Rasmussen exhibit is misleading because the part shown to be above the height limit line is on the opposite side of the house where the existing grade is higher.

Other comments: Sette, Noonan, McGrory, Hamon spoke in favor. Baron, Mc Peters, Barnhorst, Sebrechts, Lazarides spoke against citing safety issues of garage on Romero Dr. and the large size.

Peterson rebuttal: Refuted Manoogian's letter with list of misinformation and inaccuracies. There have been no recorded complaints about traffic safety problems on Romero Dr.

Trustee Comment:

Little: Height measurement contradicts SDMC referring to Rasmussen diagram.

Costello: Described his data table showing the project falls within average sq. footage and FAR of surrounding properties. (see Materials & Comments)

Fitzgerald: Impressed with Pintar's efforts to respect neighbors' concerns.

Wiess: Asked for further explanation of Pallomary and Merten's explanation that height measurement complies with Prop. D and SDMC. **Peterson**: We did cross sections through the entire structure every 6 ft. to make sure that every cross section slice through that house complied with the height limit. (see Materials & Comments "Peterson "overall structure height exhibit")

Ahern: For disclosure, I represented seller and worked with buyer's agent, Noonan, on the sale, but I have no conflict of or direct economic interest. I sympathize with the neighbors but the design complies with the Community Plan and the SDMC; the architectural character fits within the neighborhood.

Courtney arrives

Kane: Garage will be softened with planting and rick front at DPR suggestion.

Motion: Findings can be made to support findings of DPR. (Fitzgerald/Costello) **Vote**: 13-2-2. Motion carries.

In Favor: Ahern, Boyden, Brady, Costello, Davidson, Fitzgerald, Ish, Jackson, Mangano, Manno, Steck, Weiss, Weissman

Opposed: Little, Neil

Abstain: Courtney, Kane (chair)

5. Non-Project Discussions & Reviews (action item)

(Note: The planned discussion and possible LJCPA action concerning UCSD's "Theater District Living and Learning Neighborhood" will not take place at this meeting, since the various presenters involved were unable to agree on a fair format and LJCPA cannot act without a full, fair discussion at a properly noticed meeting. See related item under President's Report, below.)

6. Officer Reports

6.1. Treasurer (see Materials & Comments page for report)

Costello: We had a \$30 donation; our ending balance is \$911.21. Bill from Post Office for \$130 is due next month. Contact me if you are interested in making a donation.

6.2. Secretary

Weissman: If you register and attend an online meeting your attendance will count towards your meeting attendance requirement

LJCPA is a membership organization open to La Jolla residents, property owners and local business and non-profit 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 on-line at the LJCPA website: www.lajollacpa.org/. In the interest of time I refer you to the website for further details on membership and the updated attendance records.

We encourage you to join to increase our membership to help us show a strong voice at City Hall. Membership does not require any work on your part except to attend one meeting a year. The benefits are that you will learn about new developments in your community as well as voting in the Trustee elections and at the Annual Meeting in March.

6.3. President (action items)

6.3.1. Ratify appointment of Complete Communities Ad Hoc Committee (see Materials & Comments page for list of members)

Motion: Ratify Complete Communities Ad Hoc Committee Members. (Jackson/Boyden)

Vote: unanimous, Motion carries

6.3.2. Approve letter to UCSD Regents explaining why LJCPA currently is unable to comment on the "Theater District Living and Learning Neighborhood" project (see Materials & Comments page for drafts)

Kane: I want to table item 6.3.2 to approve letter to UCSD Regents until after we hear update from UCSD Rep. Anu Delouri, item 7.5.

Costello: If this is going to be a presentation by UCSD, it should have been noticed per Brown Act. It is not appropriate to give data and information without members of public here to expecting to hear it unless it is the regular monthly update.

Neil: This will take time from hearing Dave Ish's report on the LDC update in item 9 on the agenda that has been postponed twice because we ran out of time. Please limit to 5 minutes.

Motion: Table item 6.3.2 and hear item 7.5 out of order (Kane/Boyden) **Vote:** 9.7.1 Motion carries

In Favor: Ahern, Boyden, Courtney, Davidson, Fitzgerald, Ish, Mangano, Steck, Weiss

Opposed: Brady, Costello, Jackson, Little, Manno, Neil, Weissman

Abstain: Kane (chair)

Delouri: Discussion about UCSD efforts to monitor Covid 19 and efforts of UCSD researchers to study the virus. Outlined return to campus of students, faculty and staff in the fall and the multiple safeguards to keep the community safe. Only single occupancy rooms for undergraduates, 7,000 returning students including daily screening, periodic testing, face masks and quarantine when required per CDC guidelines.

I will now provide an update on TDLLN. Prior to providing this update I will share that since March, 2020, the University has been working with leadership of the LJ Community . . .

Emerson: I object to this when the opposition is not allowed to give their presentation. When University pulled out we would not be allowed to present.

Manno: I object and am infuriated that Anu is proceeding in such an arrogant way when the University specifically pulled out of the forum that was planned.

Donovan: We have not been given adequate notice on this presentation so we can prepare our own presentation on behalf of the community. This is a presentation disguised as an update.

Motion: I move that we defer items 6.3.2 and item 7.5 until the October meeting.
(Jackson/Boyden)

Discussion whether to discuss letter on agenda only, hear a time limited update on what is new or do nothing as Regents vote is in September.

Vote: 2-15-0 Motion fails

In Favor: Jackson, Mangano

Opposed: Ahern, Boyden, Brady, Costello, Courtney, Davidson, Fitzgerald, Ish, Kane, Little, Manno, Neil, Steck, Weiss, Weissman

Abstain: 0

Motion: Do not continue with UCSD presentation as it is now. (Davidson/Neil)

Anu: Can I provide my update like I would share at any meeting without sharing the graphics in the background that I thought would be helpful while I was presenting?

Manno: I am opposed to that; it seems like another end run.

Hadley: Is this new factual information that this committee is not aware of that they need to hear tonight that you can communicate in 30 seconds to 1 minute? **Reply** Yes, maybe 1 minute?

Brady: I think Anu should be able to finish her short update *after* we consider the letter.

Vote: 7.8.2 Motion fails.

In Favor: Costello, Davidson, Jackson, Little, Manno, Neil, Weissman

Opposed: Ahern, Boyden, Brady, Courtney, Fitzgerald, Ish, Mangano, Steck

Abstain: Kane, (chair) Weiss

Weiss: I abstained because I am employed by the University and feel it is inappropriate to take a position. Also we should not refuse to hear information.

Motion: Anu has 2 minutes to update us now with new information without any slides.
(Steck/Ahern) **Vote:** 8.6.3 Motion carries.

In Favor: Ahern, Boyden, Courtney, Davidson, Fitzgerald, Ish, Mangano, Steck

Opposed: Brady, Costello, Jackson, Manno, Neil, Weissman

Abstain, Kane (chair) Little, Weiss

Delouri: The images were not part of the slide presentation. I was not going to make any presentation; only the result of discussion with Kane to share a few graphics while I was providing my update to give a better understanding of the project whether or not the letter was on the table. You know what the project is and that it is on the UCSD campus primarily for academic and housing needs. The new information is that a CEQA consistency analysis for the project has been prepared. This is an addendum to the 2108 LRDP and

Environmental Impact Report which is available on our website. The consistency analysis concludes that the project is consistent with the 2018 LRDP EIR and does not result in any new significant impacts. This addendum is included on our website plandesignbuild.ucsd.edu. Also included on the website is a visual analysis of the project with pre and post project visual simulations from key vantage points and other project presentation exhibits. The project is scheduled to be heard by the Regents on Sept 15-17 for approval.

Discussion on letter:

Boyden: I suggest the following edits to letter V.2 in Materials & Comments:

- End 1st ¶ after 'matters' on 4th line.
- Change 'represents' to advises
- End 4th sentence in 2nd ¶ after 'core.'
- Add "The CEQA amendment has not been available to public until today."
- 4th ¶ delete 'and the Community are very' and add 'is'.

Further comments on which letter to send, send no letter. Letter V. 1 is in Memo form and does not ask to continue the decision on TDLLN. V.2 is in letter form and asks for continuance.

Little left

Motion: Send V.2 as amended with above edits. **Vote:** 10.3.3. Motion carries

In Favor: Boyden, Brady, Costello, Courtney, Davidson, Ish, Manno, Neil, Steck, Weissman

Opposed: Fitzgerald, Jackson, Mangano

Abstain: Ahern, Kane, (chair) Weiss

7. Elected Officials, City Agencies, & Other Entities

7.1. Council District 1: Councilmember Barbara Bry, Council President Pro Tempore

Rep: Steve Hadley, 619-236-6611, srhadley@sandiego.gov

Hadley: City is asking for CIP projects to prioritize for FY 22. I will gather information from other Community groups and your prior year's lists. They are looking for a 5 year list which may be a longer list. The Council Member may pick a few to prioritize. If you have new things to add please send to me; otherwise I will work off established list. We need information well in advance of budget process and it may overlap changes in administration.

7.2. 78th Assembly District: Assembly member Todd Gloria

Rep: Mathew Gordon 619-645-3090, mathew.gordon@asm.ca.gov

Gordon: The August 31, deadline for each house to pass bills has passed. The Governor has until Sept. 30, to act on the bills. From Gloria's office were bills on animal protection banning puppy mills, identity theft protections for victims of domestic violence, utility rate payor protections, police reform, accountability and ethnic studies. The Governor has issued new Covid 19 guidelines that sorts counties into tiers based on Covid 19 levels. SD is listed as substantial meaning some non-essential business are closed, others open with restrictions. Visit Covid19.ca.gov for information. Reminder: Census 2020 deadline is Sept. 30.

7.3. 39th Senate District: State Senator Toni Atkins, Senate President Pro Tempore

Rep: Miller Saltzman, 619-645-3133, Miller.Saltzman@sen.ca.gov not present

7.4. City of San Diego

Community Planner: Marlon Pangilinan, mpangilinan@sandiego.gov not present

7.5. UCSD

Planner: Anu Delouri, adelouri@ucsd.edu (above)

7.6. La Jolla Shores Association

Emerson: We will meet next Wed. 6 pm, discussing extension of successful outdoor dining for all of next year. Support all restaurants. Also discussing north comfort station renovation, working with Parks and Beaches on beach fires forming an ad hoc committee, the Pottery Canyon issue and UCSD project. We have \$3000 donation for trees in Kellogg Park and welcome input.

8. Non-Agenda Trustee Comment

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

Weiss: We should put on agenda projects that come to DPR, are told to come back and never show up.

Costello: Also projects for substantial conformance that get out of hand or height limit violations per Phil Merten that are ignored by DSD.

Hadley: Explained how City staff and City services have been impacted by Covid and have not caught up. That includes DSD and project reviews are behind.

9. Reports from Standing, Ad Hoc, and Other Committees

CPG Meeting:

Mangano: We need to collaborate and communicate with UCSD through the CAG advisory group. We should make list of items we want to hear and hold them accountable. At CPG meeting small lot development incentives and parking requirements were removed from the Housing Plan. Carports and serial permitting are being considered by City staff. My presentation on Kane's noticing letter was well received and CPG will discuss sending the letter from the CPG at next meeting. Kensington-Talmadge group is tracking assembly and senate bills. La Jolla is leading the conversations on the Complete Communities and influencing CPG members.

10. Adjourn to next LJCPA meeting (1 October 2020, 6pm)