

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

Meeting Minutes – Jan 19, 2021 – 4:00 pm

Because of the continuing COVID-19 emergency, this meeting will be held online. You must register in advance to attend. Instructions and links are at <https://lajollacpa.org/ljcpa-online-meeting-instructions/>

Presentation materials will be made available in advance of the meeting through links on <https://lajollacpa.org/2021-agendas/> Applicants (or opposition) please send all materials to the DPR chair (brianljcpa@gmail.com) no later than **24 hours before the meeting . This should include the following:**

- **Your submitted drawings in a single PDF (required)**
- **Your most recent Assessment Letter and Cycle Issues combined in a single pdf (required)**
- **Your presentation slides (if to be presented) in a single pdf (optional)**

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1. *Public comments are an opportunity to share your opinion with the committee members. Comments should not be directed at the applicant team*
 2. *Plans are available for in-depth review by contacting the project manager at the city's Development Services Department before the meeting.*
 3. *Public comments will be strictly limited to **2 minutes per person**. Please review the following meeting minutes. If another member of the public has already said the same thing tonight or at a previous meeting, please move on to new information. It is not necessary to repeat previous comments.*
 4. ***Applicants:** Please present your project as succinctly as possible. Speak clearly and **CONCISELY**.*
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COMMITTEE MEMBER ATTENDANCE:

- Will, Jackson, Fremdling, Kane, Leira, Costello, Blackmond, Shannon

NON-AGENDA PUBLIC COMMENT:

- Meeting minutes update

APPROVAL OF MEETING MINUTES:

ITEM 1: FINAL REVIEW 1/19/2021

Project La Jolla View Reservoir
Applicant: City of San Diego: Bilal Oriqat, Gretchen Eichar
Project Info: <https://opensds.sandiego.gov/Web/Projects/Details/331101>

LA JOLLA-, Coastal Development and Site Development Permit Process CIP-2 (WBS# S-15027.02.06) for a proposed 3.11 million gallon circular concrete reservoir to replace the existing reservoir, replace the existing

Muirlands Pipeline in County Club Drive with a larger 30" PVC pipeline; and to demolish the existing La Jolla View Reservoir. Coastal Non App 1, Council District 1, Notice Cards 3. Notice of Final Decision to go to CCC.

- Project previously reviewed by DPR & CPA has not changed.
 - CEQA-related Environmental Document has evolved from an MND to an EIR.
 - Committee discussion will focus on potential project impacts and mitigation measures identified in the EIR. Committee Findings and Recommendations will result in Draft CPA response to EIR. Draft response will be discussed/ratified at February CPA meeting.

1/12/2021 APPLICANT PRESENTATION:

- First outreach began in 2015
- Both reservoirs at end of useful life, increase supply, improve water quality
- Demo two existing reservoirs, construct one larger buried reservoir, few above ground improvements (access hatches), temporary access drive for construction to later be removed and restored to native
- EIR notice of preparation in April 2018
- Draft EIR released December 31, 2020 for 45 day comment
- EIR mitigation areas addressed: noise, biological, cultural monitoring, paleontological, MMRP
- Email comments to DSDEAS@sandiego.gov
- 2.5 year project. Mass grading portion of project will generate most truck trips will generate 850 daily trips.

1/12/2021 PUBLIC COMMENT:

- Snyder: concerned with route getting trucks up road, understand 14,000 trips over 2 years. Concerned with public safety and 3 difficult corners.
- Reldon: I like to hike, conflict between two entities, considered environmental impact, proposed reservoir is 200' lower than upper reservoir to be demod. Object to project
- Brown: Park is used everyday. Best view area is exactly where reservoir will be. It will be years before it is usable again. Pumps can be used instead of increasing height. This would reduce project time.
- McNeil: What alternatives have been made to refurbish similar aging reservoirs?
- Shakar: Geotechnical concern, its heavy, landslide area. how can the foundation hold this.
 - Appendix I
- Ahern: What is elevation of reservoir above grade/railings?
 - Fully buried, access hatches, top of reservoir will have 3-5' of soil above. Hatches 2' above grade, no fence around facility
 - Fencing at the site
- Ahern: Will there be parking, where and rendering?
- Ahern: Will there be hiking access during and after?
- Ahern: What is intended use for lower reservoir after demo?
- Ahern: Can you ease curve into country club space and add sidewalks?
- Ahern: Can we have a full list of plants and mitigation?
- Lazarides: There was a landside east of gate in 2008 due to water line leak.

- Neil: Surface erosion: will the new temporary road increase surface erosion and the need to include a storm water retention plan. Draft EIR states elevation is significant factor and there are higher elevations. There is recreational use there.
 - Temporary erosion control will address
- McGrory: City answer regarding access over top of the hill, What is the trail impact? How does the proposed perimeter fence affect fences. EIR is light on biological resource management and mitigation. Can the exchange reservoir be dedicated to park, not sold to developer? Utility can otherwise sell it. Danger on that corner cannot be overstated. Are there other ways to get to top of hill.
- Shakar: Consider elevated sidewalk.
- Allen: What is being done about electric transmission lines going through areas? Can we see rendering of communication tower as well.

1/12/2021 COMMITTEE DISCUSSION:

- Leira: Geotechnical report needs to be examined closely. Can the existing reservoirs be rebuilt and supplemented with a third? Concerned with construction access. Any provisions for road repair? Coordinate with LJ parks committee.
- Kane: Agree streets are murder, no place to walk, and heavily used open space. How can this section of LJ come out better than before this project? Work with LJ Parks and Beaches. Concerned with proposed fencing. Can it be a public amenity? Street repairs as well. Needs serious mitigation. Additional pedestrian amenities. Construction management plan? What is happening with dirt, maps, access, staging.
- Costello: What does soil weigh compared to water (130lb/ft³ soil)

1/12/2021 DELIVERABLES:

- How many truck/trips? Could we see a graph of estimated daily.
- What alternatives have been made to refurbish similar aging reservoirs?
- Foundations?
- Site plan and rendering to show fencing and hatches. How will trail access be affected
- MORE ... SEE PUBLIC AND COMMITTEE COMMENTS ABOVE. Also video recording of meeting is available.

1/19/2021 APPLICANT PRESENTATION:

The following are all in response to questions from last week.

- Proposed reservoir is below the high reservoir and above the low reservoir
- The reservoir will be fully buried (provided section). Two access hatches will not extend more than 2' above grade.
- There will be no permanent fencing, only a 2' guard rail at south paving to prevent cars from driving over reservoir. Gate will remain at Encilia Dr.
- Existing electric lines will be demolished and lines paralleling Country Club will remain.
- Provided image of similar access hatch at another location. Concrete rectangle on ground.
- Provided photo of existing antenna mast which will be relocated back to site once complete
- Image of wood guard rail at edge of paved area.
- Rendering not prepared in time for this meeting
- All pipelines will be buried and are pressurized so they can rise and fall
- Stockpile location will reduce 1000s truck trips.

- 3,000 vehicle trips to remove permanent soil export with a max of 50 truck trips per day.
- Temporary roadway will follow path of final pipeline and reduce multiple impacts
- All topography and native vegetation will be restored as best possible.
- Contractor will be dictated to on how to handle traffic safety and traffic control measures and the community comments will factor into those instructions. Emergency services vehicles will be accommodated in the traffic control plan.
- Mass grading will be limited to 80 days
- CEQA impacts related to transportation are discussed in the analysis in the EIR.
- Country Club will patch and repair any damage and a new slurry coat will be applied over length of Country Club affected.
- Continuous sidewalks are not possible on Country Club due to existing topography and utilities
- Project does not increase pressure or flow to the delivery system (only storage) Provides redundancy and reliability, but not increase flow.
- Geologists took boring samples, Foundation under reservoir is very stable, formational material. No landslides on or immediately adjacent to site.
- Temporary drainage will be built under temporary access road to allow normal storm flow patterns
- Contractor will be responsible for stormwater BMP plan. All rainwater is collected onsite during rain event. Once complete additional permanent erosion control measures will remain.
- Other reservoir sites are not feasible, elevation is critical, only this site provide all parameters required: generally flat (knoll), existing reservoir is not functioning due to elevation.
- Route through LJ is the most direct route. Routes through PB is not feasible. 2 miles longer (time, cost, green house gas). Direct impacts to residents is larger. Private property which would require easements.
- There will be controlled vehicular and pedestrian access at all times along with Emergency vehicles.
- EIR Appendix has thorough bio mitigation, EIR requires 2 to 1 mitigation ratio so offsite was necessary.
- Site is potential gnat catcher habitat, protocol surveys came back negative within project area and buffer. Continued monitoring required throughout.
- No state or federally threatened species on project site or buffer (barrel cactus will be salvaged stored and replanted)
- The area does not have current officially approved trails and so recreational uses are not allowed or accounted for in EIR. Natural Open Space does not allow recreational use. Trail use can be conditionally allowed but requires design and permitting. None of these “social trails” meet these requirements and EIR is accurate. Signage identified does not constitute legal trails.
- There is no permanent fencing proposed because there are no permitted trails on site.
- Muirlands will be replaced as entirely separate project
- LJ exchange place will be demolished and restored to flat grade

1/19/2021 PUBLIC COMMENT:

- Kane: Instructions from LJCPA: This is a review of EIR, not a review of the project, is the EIR adequate and address alternatives. Specific deficiencies in the EIR
- McGrory: Not a trail? City put up signs that say it is. Lower exchange reservoir will be demolished and returned to native. Concerned with allocation, need 60 day extension.
- Albers: Concerned EIR does not address stockpile sliding down. (Applicant: BMPs based on state law – section 5.11).

- Davies: How deep is excavation? How close is fault? What is location of storm drains? (Applicant to provide answer at CPA)
- Shakar: Concerned with depth of boring, concerned with footing depth, EIR did not evaluate potential sliding of homes above reservoir, Need one block of sidewalk or overpass over Country Club.
 - Applicant: Footings are adequate to a safety factor. There is a large shallow foundation around perimeter of tank. Wall footing depth is 3'. Formation is "Cabrillo Foundation" and hundreds of feet thick. Some borings to 84'. Once foundation is located there is nothing else below that.
- Ahern: Visibility issue with antenna, this is a rare/unique natural park. Easement could be improved to widen curve.
- Baroff: 50 truck trips/day is a large number, concerned with turn up exchange from TP road, not light or stop sign. Concerned trucks may choose alternate route and exacerbate problem. Continuous management control at TP/Exchange intersection.

1/19/2021 COMMITTEE COMMENT:

- Jackson: Fairly clear that community needs more assurance about revegetation plans. Trail issue has something wrong going on, needs sorting. Statements that contractors will follow rules is rarely proven correct. Contracts should have severe penalties for contractors failing to provide all measures required.
- Fremdling: Who polices it?
- Kane: Construction drawings seem complete but difficult to read. Possible to provide improved laymans drawings. How much needs to be exported (contaminated) or can more remain onsite. What size trucks will haul soil? Conveyor belts to divert soil down to Exchange and off of Country Club. There is a highly used trail system even if "social". Community will need mitigation if trails lost. Don't throw that back on us. I would like a cross section where pipe is going in canyon. Can soil remain there instead of export via truck. Agree a stretch on exchange could use an overhead structure for pedestrians, it is heavily used. There is room "air space".
- Leira: Not satisfied with review of alternatives. Several projects are always better than one big. We have canyons and hillsides in LJ that need loving care, even Rose Creek. Offsite mitigation should be as close as possible. Want to preserve trails. Concerns with impacts of temporarily filled canyon.
- Costello: Can we reduce the number of truck trips by placing above ground somewhere? Alternate location? That is not in the project alternatives. Need more time to get these answers, please extend the deadline. Let's talk about use of land as part of this project. Re-contractor promises, without enforcement there is no compliance
- Blackmond: ditto
- Shannon: Everything has a useful life. Infrastructure projects have told us that nothing is ever done to plan. Numerous cases where problems or changes occurred. Tax upon community will be greater than estimated. If you put a dollar value placed on disruption, there would be other alternatives.
- Will: Who owns the land and what can be done with it. (Applicant to provide answer at CPA) McGrory enlightened answer and potential to provide no build easement once vacated.
- Kane: community experience when plans left to contractor has been abysmal. This is not temporary. Infrastructure improvement is ongoing. No follow through with construction plans.

1/19/2021 COMMITTEE MOTION:

- The EIR for this project is incomplete, and therefore findings **CANNOT** be made in favor of the requested CDP and SDP. Specifically, the EIR is inadequate with regard to
 - contractor oversight,
 - the evaluation of access alternatives,
 - traffic management,
 - pedestrian and other nearby resident safety,
 - excavation soil handling,
 - trail access and restoration,
 - how and where species mitigation best benefits the community,
 - revegetation, and
 - handling of properties the project will vacate.

We suggest that the comment period be extended by at least 60 days to enable satisfactory revision of the EIR in collaboration among relevant City and community organizations. (Jackson/Kane)

- Motion Passes 7-0-1

ITEM 2: ACTION ITEM 1/19/2021

Project CODE UPDATE
Applicant: Diane Kane
Project Info: <https://lajollacpa.org/2021-agendas/>

- 2021 Code Update:
 - Status report of LDC code revisions submitted to City in 2020; brainstorming session on potential Code Revisions to submit in 2021 cycle.
 - See Materials page of CPA website for list of previously submitted issues. 2021 submittals may include additional items not identified on 2020 list.

1/12/2021 APPLICANT PRESENTATION:

- 50% rule needs work: Suggestion to combine sequencing/serial permitting with this issue.
- Carports: There are changes going through system
- Basements: Geiler believes staff is counting some basements
- Beachfront Lot FAR: Where taking advantage of mean high tide line and large homes on small pads
- Project Noticing: Approached CPG to take this up.
- Prop D height limit: City also wants that cleaned up.

1/12/2021 PUBLIC COMMENT:

- text

1/12/2021 COMMITTEE DISCUSSION:

- Leira: 50% rule: Older homes use 30% of allowable FAR.
- Kane: 50% rule is imbedded in CCC. Needs a lot of work.

1/12/2021 DELIVERABLES:

- Review next week.

1/19/2021 APPLICANT PRESENTATION:

- Will: update on email to Geiler re height measurement for Prop D and building separation
- Will: explanation of steep slope lot area for FAR calculation and hw it might apply to beach lots
- Kane: update on discussion with Geilar on how to update 50% rule and its complicated, not clear how they want it handled. Requested guidance.
- Kane: Basements they are counting some of basements (when above grade). Possible options to count % of subterranean basement.

ITEM 3: FINAL REVIEW 1/19/2021

Project Name: Foxhill – 7007 Country Club Dr
Applicant: Kent Coston
Project Info: <https://opensd.sandiego.gov/Web/Projects/Details/508125>

LA JOLLA (Process 3) Tentative Map, Coastal Development Permit, and Site Development Permit to create two lots with existing single dwelling unit on a lot and new lot with construction of a new 14,226 SF two-story single dwelling unit with attached garage, pool house, and pool on a site containing ESL. The 8.77-acre site is located at 7007 Country Club Dr. within the RS-1-4 zone and the Coastal Overlay Zone (Non-Appealable Area 1) of the La Jolla Community Plan area. CD-1.

10/13/2020 Applicant Presentation

- Split off southerly 2 acres
- 8700sf house, 3700sf garage and additional space
- Turnaround deeded at end of country club and then easement along western edge for access to 4 homes below
- Fire dept turnaround, existing sewer easement, water, adjacent
- Biofiltration onsite to store and mitigate offsite flow
- 6 parking spaces (or more) provided, mechanical in basement to keep noise down and height limits
- Public and one bedroom on main level, 5 bedrooms on 2nd floor
- Retaining walls on West side
- Complies with 30' at all locations
- This project is not part of the Reserve development permit

10/13/2020

- Fitzgerald: Lives behind. Originally there were 4 lots subdivided. How will this building sit on the lot.
 - Applicant: largely shielded by large trees

10/13/2020 Committee Deliberation

- Kane: Was this part of previous planned development?
 - Applicant: No this is split off from the Foxhill lot
- Kane: What is architectural style?
 - Applicant: French Revival to match Foxhill
- Jackson: Can you expand upon different methods for measuring and complying with 30'
 - Will solar panels go over height limit
 - Applicant: no, either on ground or on roof where not close to height limit
- Fremdling: Beautiful mansion but wimpy roof, fake mansard, it deserves a proper pitched roof. Can it be lowered so that it has a proper roof under the height limit. Look at trayed ceilings and lower plate height to allow for more roof.
- Kane: goes to first question, what is the style? Proportioning is lacking. Needs to be graced with something elegant
- Shannon: It appears a lot of your designs (from website) have flat roofs.

- Applicant: We designed to this client's stylistic preferences. Trying to keep under height limit.
- Will: What is driving 12' basement height. Topography change from garage entrance to front door on uphill side

10/13/2020 Deliver for Next Time

- Aerial Satellite (oriented true north) showing entire site, and entire reserve (with project in place)
- Renderings to show architectural style, materials
- Take lower of existing or proposed topo and raise 30' for all sections/elevations
- Like to see specific plan for balance of Copley estate
- Would like to see open space easement requirements (color is helpful)
- 3D rendering showing site topography
- Site sections through site to adjacent properties (beyond property lines)
- Landscape plan, should identify new vs proposed landscape
- Rendering from across canyon
- Slope analysis, color coded retaining walls, height and how treated

1/19/2021 APPLICANT PRESENTATION:

- Aerial view of project along with birdseye site of rendering of total former Copley property
- Project is entirely on Foxhill parcel, un-related to the "Reserve"
- Slope analysis: No where near steep slope threshold.
- Majority of landscape will remain (except under house)
- Sections provided beyond PLs
- Sloped roofs increased to improve proportions.
- Renderings provided.
- Height Limit Clarified

1/19/2021 PUBLIC COMMENT:

- Shakar: If measured from garage (applicant: all included as one building)
- Fitzgerald: Confirmed you'll hardly see anything from across canyon. Thank you for putting that rendering together.
- Pintar: Visible from Via Valverde? (applicant no)

1/19/2021 COMMITTEE COMMENT:

- Fremdling: like improvements, in favor
- Kane: Still issue with roof, seem small, withhold for now
- Leira: commend architect for exhibits
 - Does our previous approval allow lot split on Foxhill? (approval did not include Foxhill)
 - House looks crowded up against Foxhill.
 - Tall at garage rendering
 - Loop road takes up too much grading and hardscape
 - Where are AC condensers (applicant: not on roof)
- Costello: Roof could still be better.
- Blackmond: in favor
- Shannon: Hard to build 8,700sf house without making some impression on neighborhood. I think it's done well
- Will: Would like to see 515' line on elevations

1/19/2021 COMMITTEE MOTION:

- Findings **CAN** be made for CDP/SDP as presented (Jackson/Fremdling)
- Motion Passes 7-0-1