

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

Meeting Minutes – Feb 16, 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:

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

NON-AGENDA PUBLIC COMMENT:

- text

APPROVAL OF MEETING MINUTES:

ITEM 1: FINAL REVIEW 2/16/2021

Project Name: Windansea Barrier and Belvedere
Applicant: Jim Neri
Project Info: <https://opensd.sandiego.gov/Web/Projects/Details/666879>

LA JOLLA- (Process 4) CDP and SDP for a Public-Private partnership to install public improvements along

the west side of Neptune Pl. between Westbourne St & Palomar Ave. Improvement to include continuation of post and barriers, benches, trash receptacles and construction of a belvedere (gazebo). The 2.75-acre (approximately 1,376 linear feet) site is in the OP-1-1 and RM-3-7 Base Zones and Coastal (App.) Overlay Zone within the La Jolla Community Plan Area and CD1.

2/9/2021 APPLICANT PRESENTATION:

- Friends of Windansea formed in 1997 due to erosion and deferred maintenance.
- Benches already installed, no new benches installed
- Improved parking lot including maintenance
- More erosion occurring.
- Replace historic Belvedere torn down by vandals in 1982
- Adding post and chain to thwart unauthorized trails and subsequent erosion
- Approved plan in 2020 (DPR recommendation in 2018)
- Belvedere is smaller than existing at children's pool
- Previous approvals from LJ Historic Society, LJ Parks and Beaches, DPR, Windansea surf club, LJCPA
- 33 letters in favor of project including closest neighbor directly across street.
- Breaks in post and chain will guide people towards established paths and stairs
- Existing path in front of parked cars already built for improved safety
- Plan for Belvederes extrapolated from historic photos and existing surviving Belvederes elsewhere in LJ
- 9'-2" high at ridge, 6'-10" at eaves, 9' long, 6'-10" wide, starting 2'+ below sidewalk level.

2/9/2021 PUBLIC COMMENT:

- Merryweather: Lifeguards do not believe belvedere poses a nuisance, other 5 belvederes do not attract unsavories. Another belvedere replaced at children's pool. Please vote in favor.
- Woods: shocked by proposed project, residential area, not like our commercial beaches (lj shores or the cove) it's small residential, natural beach. It interrupts environmentally sensitive bluff. Save this jewel or let it turn into another commercial beach like the cove. Wipes away the history of this natural beach. Smoking, drinking, broken bottles as result of benches, homeless in the morning.
- Piegza: In favor of barrier and erosion control and appreciate former project, but not in favor of gazebo. Takes away from the natural beauty of the bluffs and prefer to see it remain natural. Instead of gazebo, prefer to see attention drawn to help pump house eye-sore.
- Baracchini: Oppose the gazebo, Windansea neighbor, starting group to fight gazebo, taking into account current science, CDC recommendations (Stop Windansea Gazebo) change.org/stopgazebo Over 500 signatures collected in 3 days. Many of supporting documents are over 20 years old. preservewindansea@gmail.com
- Armstrong: Surfer and Resident for 30+ years. This benefits those who can't maneuver all the way down to the beach. To sit out of sun for few minutes to enjoy the view. Resident directly across the street supports it. It is anything BUT commercial venture.
- Ahern: In favor: contributes to historic character, provides shade, minor impact on views, can security be addressed with open view from ROW.
- Best: Appreciate efforts to improve LJ, but vehemently opposed. Gazebo will NOT protect the slope. Proposed structure will detract from internationally recognized surfers' hut. Gazebo does not benefit community and require maintenance and increased police patrol. Other belvederes are NOT in

residential areas. Attract nuisance uses. It looks like a duck blind. Please find a better way to protect slope.

- Longenecker: Owner of one of 3 properties directly across street. Oppose the project despite appreciation for post and chain improvements. It will require ADA improvements forcing it to be raised further impacting view. People come to this beach and rope off area for private use. Trash, urine, nuisance is a real issue. This is new construction on a sensitive coastal bluff.
- Baracchini: with respect to Coronavirus separation this is a horrible idea. This type of structure is not a good idea.
- Merryweather: We dedicated that shack and beach as historic and will remain like it is forever. This belvedere is part of that historicity.
- Woods: Interesting to hear comments, there are 4 different types of fencing here, in favor of mosts of this permit, just don't want belvedere.
- Longenecker: Plans are lacking specificity, would like to see geo report. Like all other aspects of plan
- Baracchini: Been here for 3 years. Friends of Windansea, how do you find them?
- Armstrong: Thank and congratulate Friends of Windansea for tremendous amount of work. I live on Palomar. Initially opposed to steps at Palomar but now think it's a wonderful addition. Older folks will benefit.

2/9/2021 COMMITTEE DISCUSSION:

- Costello: Popular area being loved to death. We have the opportunity to save the bluff. We have the right architect to do it right. Don't miss out. We have previously approved this. The bluff protection is the only change. We have to act now. City of SD will not protect this area. We have a group of motivated people trying to improve this area. Please do not dispirit them. Petitions are not always reliable. 175,000 signatures wanted Manson gang out of prison.
- Kane: We have a project that has been in the works for 20 years. The neighbors have been living in this groups good graces who have been maintaining and improving this beach. There is a request to replace the concrete streets. Major traffic problem. This is a public beach, not a private resident's beach. Suggest groups join forces to make significant improvements to all issues. Spend money on pump station rather than fighting this. What are the statistics on crime/problems in this area. Clearly public sees this as an attractive nuisance and this needs further study. Could nighttime security mitigate risks. Belvedere is part of historic determination. This does constitute reconstruction.
- Blackmond: Were there geology reports on bluff stability. (applicant: Geotechnical review is being required.) Traffic issue is separate from this project.
- Leira: Been here 63yrs. First place was near here on Bonair st. We had dinner in the old Belvedere. They are a mark of LJ. Windansea has always been crowded. It is the premiere surf break. How do you control crowds? Control the automobile. Need to limit auto access. It becomes really enjoyable. Something needs to be done on street for pedestrians
- Jackson: Surprised there wasn't already Geotech report, would like to see report as soon as available.
- Shannon: Change is often disturbing to people. This has been a conscientious effort to be sensitive to nature and history of this beach. In support of this belvedere. My mother would need a place to sit out of the sun. We have to be inclusive of the entire community. The pump house is a bigger problem.

2/9/2021 DELIVERABLES:

- Statistics on crime and nuisance

- Cross section further from waterline across street to include homes on other side
- Geotechnical report

2/16/2021 APPLICANT PRESENTATION:

- Presented expanded site section, Top of coastal slope coincides with boundary of previous disturbance and boundary of quality habitat. Proposed structure is 9' from top of slope. Floor of Belvedere approximately 2' below sidewalk level.
- Geotechnical survey: Letter from Geologist Robert Strau
- Police letter that no "bad behaviors" observed in other Belvederes.
- Propose to remove every other board on North, East, and South.
- Updated proposal again to only street façade with removed boards and shared sketched update. From bench up.

2/16/2021 PUBLIC COMMENT:

- Baracchini (Windansea Beach Preservation Association):
 - The construction on sensitive bluff is NOT a replacement. Permit application should be for new construction which is not allowed.
 - Violates SDMC and LJ Community Plan (LJCP)
 - Per city staff, Beach shack is the only historic structure, not the Belvedere
 - LJCP: Sensitive coastal overlay, existing Belvedere shows erosion beneath
 - No mention of Belvedere in Heritage Resources section of LJCP
 - Proposed construction obstructs public view as defined in LJCP
 - Geo Hazard Category #43
 - Outpouring of public opposition over 500 signatures and over 50 letters in opposition
- Merten: Lived in LJ for 45 years and can count on 1 hand the number of times people use the Belvederes (near the cove). Walking at Windansea sidewalk it feels like walking on beach without development. Narrow sidewalk often necessitates stepping off sidewalk to let others pass. Post and chain may prevent dogs from relieve themselves off sidewalk.
- Woods: Aerial map of Windansea historic shack site. Location of Belvedere is not on same parcel as historic shack.
- Olten: (LJ historic society) Personal opinion in support. Belvederes are important part of beach features. There once was a Belvedere at goldfish point and would like to propose historic designation for all and replace goldfish point. Previous letter in support from historic society 3 years ago.
- Merryweather: There was a Belvedere in 90s at children's pool which was rebuilt and it was considered reconstruction/replacement then. In 1983 city said they would replace it if the town council voted in-favor which did happen. Now the money is here.
- Ahern: Understand where neighbors coming from. Views and disturbance. Spoke to lifeguard captain and police. Report was no problems in existing Belvederes. Creates sense of place in LJ.
- Baracchini: Question about changes to plan. Appreciate everyone's participation and nothing personal.

2/16/2021 COMMITTEE DELIBERATION:

- Blackmond:
- Costello: Thank you everyone. This may not be a designated historic structure but it is a historic structure. It WAS there. This is a valuable amenity at the beach and I think this is a project that will benefit the community.

- Fremdling: Agree sidewalk is narrow, but every time someone steps towards beach, bluff suffers and the bluff preservation is MOST important. Worked with Historic Society and always bemoaning the things that were lost. This is a small structure with minor physical impact with significant social impact. Identity of LJ. Pump house is WORST eyesore.
- Jackson: Immensely complicated for 2 reasons. Much “smoke” being blown. Two projects clumped together. Feels like ploy. Would prefer to see Belvedere separate separate from everything else. All for everything BUT the Belvedere. We have to look at greater good to community not just immediate neighbors. Does not follow that Belvedere gone 40 years ago still has a place on our beach. Not much actual square footage of shade. Drowning in inputs but still torn. Wish they came to us separately.
- Kane: Thank the opposition for rising to the occasion to learn how our review works and providing well organized arguments. Regarding geo. CCC/former resident/and architect discussed bluffs. SDMC 143.0143(f) a distance of 5’ from bluff edge may be granted for at grade accessory structures (includes decks, open shade structures, seating) are permitted without Geotech report. At time Belvedere was destroyed city did not have designation procedure in place. It does not required designation to be treated as historic and any potentially historic structure can be treated as historic and held to SI standards. Per SI there are 4 treatments, one of which is “reconstruction”. Without reconstruction we would not have Old Town State Park. This is reconstruction of a historic eligible structure. Swayed by fact that this is an ADA structure. There’s a lot of upset over something really small.
- Leira: Support project. Support stabilization of bluffs. Support reconstruction of Belvedere which is part of our cultural landscape. They are a signature element of LJ. The only place they exist. A bit concerned with all fencing, but acknowledge there are good reasons as well. Other places has put in a wooden plank adjacent to sidewalk.
- Shannon: Visited this beach for years. People have so much history and emotion on this beach. Being part of community groups for 15 years, I have seen and heard this before. Emotional responses. If city takes lead, look out, but if community group takes the lead, the energy is there to maintain and protect our resources. In favor. This is unique and valuable.
- Blackmond: Does this project meet the criteria? If the city had the money it would have already been built and it is clear it would have been a historic structure. Wish we could see more information on Geology report. Would otherwise vote in favor.
- Will:

2/16/2021 MOTION:

- Findings CAN for (Costello/Fremdling)
- Discussion on motion: Kane: Is that for the project as modified. Costello: Yes and clarified by applicant.
- Motion PASSES 6-1-1

ITEM 2: FINAL REVIEW 2/16/2021

Project Name: Cove Sweets Paraiso
Applicant: Paul Benton
Project Info: <https://opensd.sandiego.gov/Web/Projects/Details/676701>

LA JOLLA (Process 3) Neighborhood Use Permit and Coastal Development Permit to construct an open air landscape deck on an existing concrete deck above a two-level underground parking garage at the La Jolla Cove Hotel and Suites located at 1141-1171 Coast Boulevard. The 1.32-acre site is in the La Jolla Planned District Zone 5, the Coastal (Appealable Area) Overlay Zone, and the Sensitive Coastal Overlay Zone within the La Jolla Community Planning area, and Council District 1.

2/9/2021 APPLICANT PRESENTATION:

- Cove suites hotel. Proposed project is behind hotel and below grade bound by retaining walls on remaining 3 sides. Additional Landscape on front of site as well.
- Adding landscaped deck over existing surface level parking
- PDO requires 50% landscape, 50% of that must be vegetated.
- Proposing to add 14 mexican fan palms along street with pedestrian level climbing vine. Additional planting on hotel side of sidewalk, terraces on property
- Subtropical theme on raised deck including artificial turf.
- Existing planting at pool deck level will remain.
- Meet and exceed landscape requirements for city and PDO 5.
- Under water budget allowance as well.

2/9/2021 PUBLIC COMMENT:

- text

2/9/2021 COMMITTEE DISCUSSION:

- Kane: Clarify project, decking over parking, landscape over the top? (applicant: yes) Any comments from PDO review? (app: Could we possibly better connect new deck to pool area. Correct nomenclature that penthouse is NOT a restaurant. They were pleased we were improving traffic.) Can you do any rain water capture? Will be required to capture and treat water. Not sure yet weather it can be re-used. Water will go to storm sewer once treated. What will hardscape be? (applicant: 3 types, broom concrete in service areas. stone, tile or concrete pavers on deck area. DG mulch within planting areas.) Plant pallet? (applicant: shared plant images)
- Leira: Request aerial view with proposed plan related/linked to other unique interstitial spaces and even link to red rest/red roost. Where do the La Valencia stairs sit with respect to this.

2/9/2021 DELIVERABLES:

- Aerial view with proposed plan related/linked to other unique interstitial spaces and even link to red rest/red roost. Where do the La Valencia stairs sit with respect to this.

2/16/2021 APPLICANT PRESENTATION:

- Landscape exhibit showing public and site access.

2/16/2021 PUBLIC COMMENT:

- none

2/16/2021 COMMITTEE DELIBERATION:

- Leira: Ultimate goal not to forget this exhibit. Pedestrian infrastructure.
- Will: keep in mind future compatibility with additional access across PLs to private property paths if they come to fruition.
- Kane: Agree, village improvements are being discussed.
- Will: stairs at Eddy Vs

2/16/2021 MOTION:

- CAN (Jackson/Costello)

- PASSES 7-0-1

ITEM 3: ACTION ITEM 2/16/2021

Project CODE UPDATE
Presenter(s): Diane Kane, Brian Will
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.

2/9/2021 APPLICANT PRESENTATION:

- Will: present height document after meeting with Geiler.
- Kane: Updates on noticing and conversations with CPG.

- Kane: 50% and serial permitting. Submitted 2 different proposals which went nowhere. Committee member from Central Coast suggested entire Land Development Code for coastal zones. Follow-up with Mayor's office and Additional meeting with Councilmember Joe LaCava.

2/9/2021 PUBLIC COMMENT:

- Fitzgerald: Lawsuit because city introduced "lower of existing or proposed" builder contended that city amended proposition. What is cities position on structure separation? (Will: if the structures can be built independently they don't link the buildings)

2/9/2021 DELIVERABLES:

- Will to "redline" proposed changes.
- Committee to edit text for clarity.

2/16/2021 APPLICANT PRESENTATION:

- Text

2/16/2021 PUBLIC COMMENT:

- Text

2/16/2021 COMMITTEE DELIBERATION:

- Leira: 6' separation must be structurally independent
- Will: Propose that anything allowed as encroachment into setback does not count towards separation.
- Fitzgerald: Whole list of things (far from exhaustive) is there a definition of structurally independent. What is definition of structure.

2/16/2021 MOTION:

- Send to CPA requested updated to height limit with BW revisions per committee suggestion (Kane/Leira)
- Passes 7-0-1

50% wall demo plus 50% of existing FAR increase up to FAR limit, and 3 years from final inspection before do it again.

Motion (Jackson/Kane)

Passes 7-0-1

Beach front use steep slopes (Kane/Blackmond)

Passes 7-0-1

Basements: basements as currently designed count as 50% sf towards FAR.

(Kane/Fremdling)

Passes 7-0-1