

## New Findings: Belvedere Replacement Project (Neri 666879)

Preserve Windansea <preservewindansea@gmail.com>

Mon 2/15/2021 8:13 AM

To: La Jolla Community Planning Association <info@lajollacpa.org>

To: La Jolla Development Permit Review Committee (LJDPR)

From: Suzanne Baracchini, Kate Woods, Jim Best of Preserve Windansea Beach Association (PWBA)

Date: February 15th, 2021

Subject: New Findings Materials for Final Review Meeting, February 16th, 2021, Windansea Barrier and Belvedere, Neri Project 666879

Ahead of the Final Review for the Windansea Barrier and Belvedere Project, we at Preserve Windansea Beach Association, a La Jolla based community organization which advocates for environmental justice and social equity, are **strongly opposed** to the Belvedere portion of the Neri project. We would like to emphasize our appreciation for the LJDPR Volunteer Committee and its comments during the Preliminary Review meeting. We revisited your comments and ask that you take the following findings into consideration when casting your vote for this project.

### 1. **La Jolla Community Plan:** Please refer to pages 15-25

<https://www.sandiego.gov/sites/default/files/lajollacommunityplanaug2014.pdf> we would like to bring your attention to the following items included in the Framework of the Plan that would prohibit the construction of a **non-historic structure** on the delicate bluffs of Windansea Beach. The Windansea Belvedere built in the early 1900's was not designated as an Historic Structure and therefore is a **New Construction** on Windansea Bluffs.

- a. Page 15: **"The Sensitive Coastal Overlay Zone** identifies where special development regulations for the environmentally sensitive areas of the shoreline and coastal bluff tops are located. The purpose of this zone and applicable regulations is to help protect and enhance the quality of sensitive coastal bluffs, coastal beaches and wetlands." Windansea Beach Bluffs are part of this Sensitive Coastal Overlay Zone, as described in the plan and are shown to have numerous Geological Hazards such as fault lines and unstable bluffs (see Figure 5, page 17).
- b. Page 18: **"Geological Hazards:** (Figure 5, Page 17) Projects that are proposed within this zone are required to undergo a comprehensive geotechnical analysis and geological report, prior to the City issuing building permits, to determine the extent to which construction is possible". We are very concerned that no **Geotechnical Report** has been performed for such a sensitive ocean bluff location. We ask that you require this be performed before moving forward with a vote.
- c. Page 18: **"Heritage Resources** (Figure 21, page 111) identifies sites and structures that have been formally registered as historic by the City's Historical Resources Board." There is no mention of an Historic Belvedere Structure at Windansea Beach in the La Jolla Community Plan. Therefore this a "New Belvedere" and not a "Replacement Belvedere" as stated in the title of this permit application and throughout related documents.
- d. Page 22: **"Visual Resource:** (Figure 9, Page 36) The Natural Resources and Open Space System Element recommends the preservation of public views from public vantage points within the community as identified in Figure 9." This map clearly shows that preservation of public views & vantage points are designated at Rosemont and Palomar Streets where

they intersect with Neptune Place, the exact location of the proposed Belvedere construction.

2. **Municipal Code Findings:** See attached

3. **Land Deed:** From our research we have determined that the **Belvedere and Windansea Beach are not recorded as Historic Landmarks.** Only the Surfers Shack is recorded as an historical landmark in San Diego. (You can view Historical Landmarks using this link <https://www.sandiego.gov/sites/default/files/legacy/planning/programs/historical/pdf/register.pdf#search=%22windansea%20site%3Asandiego.gov%20%22surf%20shack%22%22> Surf Shack #358 (page 92) is designated Historic, no other structures at Windansea are recorded as Historic. **Please note in public comments Friends of Windansea (applicants) states “We dedicated that shack and beach historic” we believe this not to be true.**

4. **Petition Stop The Belvedere/Gazebo (518 Opposing Signatures):** We do not feel like Social equity is being satisfied here, this is a project desired by few and opposed by many in the community. This petition was only created one week ago and has 518 signatures, see attachment.

5. **Letters of Opposition: (30+ Letters)** see attachment.

6. **Based on Diane Kane's comments at Preliminary Meeting we took the following action:**

Diane Kane suggested “we attempt to join forces with Friends of Windansea (Jim Neri, project applicant).” Please see our letter to Friends of Windansea attached. Their responses were disappointing indicating they had no desire to join forces on this project.

7. **Request for Apology:** We are again requesting a written public apology from Mike Costello, a La Jolla Development Permit Review committee voting member for his offensive comment on a public zoom meeting that our above Petition “reminded him of the Petition used to try and release the Manson murders from jail.” This was disturbing to many on the zoom who have sent their comments via email.

We at Preserve Windansea Beach Association are regular citizens and concerned residents of the Windansea Community. We have no expert knowledge in these issues but have done our best to provide support materials for our opposition to the “Belvedere Project”. We are currently seeking the advice of an environmental specialist and an attorney so we can be better informed and represented moving forward.

Please add this letter and all attachments to the materials section for the final review meeting, Tuesday, February 16th, 2021.

Sincerely

Preserve Windansea Beach Association

[Preserwindansea@gmail.com](mailto:Preserwindansea@gmail.com)

 [Letter to Friends of Windansea.pdf](#)

 [Ocean Bluff OP 1-1 Muni Codes.pdf](#)

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 [Windansea Coast Aerial with Parcel designations...](#)

 [Windansea Shack Historic Deed.pdf](#)