

La Jolla Community Planning Association

PO Box 889, La Jolla CA 92038

<https://lajollacpa.org>

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Final Trustee Minutes

1 July 2021, 6pm

President: Diane Kane

1st Vice President: Greg Jackson

2nd Vice President: Brian Will

Secretary: Suzanne Weissman

Treasurer: Larry Davidson

Regular Monthly Meetings: 1st Thursday, LJ Recreation Center, 615 Prospect St
(Meetings are currently being held online)

Links for Registration and Materials pages can be found at <https://lajollacpa.org/2021-agendas/>

Viewing, listening, and speaking at meetings require registration. To have attendance counted toward membership or voting, registration must be in the member's name. Meetings are recorded, and recording is publicly available. **Refer to projects or issues, not to applicants or opponents.** For action items, chair calls on public, then Trustees, closes discussion upon consensus, and calls for motions. Trustees vote by roll call or show of hands.

The public is encouraged to participate in Committee/Board meetings before LJCPA discussion:

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

Quorum Present: Ahern, Boyden, Costello, Courtney, Davidson, Hostomska, Ish, Jackson, Kane, Neil, Rasmussen, Rudick, Shannon, Weiss, Weissman. **Absent:** Manno, Steck, Will

1. Call to Order (6:05pm, action items)

1.1. Approve Agenda (action)

Motion: Approve Agenda: (Boyden/Jackson) **Vote:** Unanimous, Chair abstains: Motion carries.

1.2. Approve Minutes (action)

Motion: Approve Minutes as presented: (Boyden/Jackson) **Vote:** Unanimous, Chair abstains: Motion carries.

2. Non-Agenda Public Comment (information only)

Opportunity for public to speak on matters not on the agenda, 2 minutes or less. No votes or action unless properly noticed at least 72 hours in advance.

Brenda Fake, Friends of Coast Walk: We have done a major restoration on the trail; Fundraiser event with the LJ Sunrise Rotary took place last October and another is coming up in September. Slope repairs above Cave store at Goldfish point funded by last event was completed in March. Boy Scout troop #4 Eagle Scout project by Alex Von Muller repaired the railings at the bridge that were later torn off. Bishop's Community service led by May McConkey, now led by Maddy Cramer have held monthly clean ups. Initial fence repair on Coast Bl. is done. We are still working on revegetation and are \$35,000 short to complete projects at Goldfish Point. Go to friendsofcoastwalk.org to donate.

Janie Emerson: The Planning Commission hearing on 8423 El Paseo Grande project went as expected. Some commissioners' understanding of the LJSPDO is the antithesis of our understanding. They did not feel that the bulk and scale of the project is out of line with

the neighborhood and voted to deny the appeal. I suggest we let them know that we are actively trying to revise the LJSPDO.

Weissman: I did comment that we have submitted updates to the LJSPDO to the 2021 Code Update process. The commissioners are convinced that there are NO FAR limits in the Shores, therefore the project was approved. (Appeal denied)

3. Consent Agenda (consolidated ACTION item)

The Consent Agenda enables LJCPA to ratify recommendations from Joint Committees or Boards that findings CAN or CANNOT be made. Those recommendations thereby become LJCPA's. 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. 9872 La Jolla Farms Rd (643954, Golba)

(Process 3) Coastal Development Permit and Site Development Permit, an amendment to CDP No. 852026 and SDP No. 852027, for the construction of a new residential single dwelling unit, single story with two levels of basement, for a total of 18,422 sq.ft. of construction located at 9872 La Jolla Farms Road. The 1.52 acre site is in the RS-1-2 Zone, Coastal (Appealable) Overlay, First Public Roadway within La Jolla Community Plan. Council District 1.

- **DPR 6/8/21: findings CAN be made, 7-0-1**

3.2. 9430 La Jolla Shores Dr (675183, Ward)

(Process 3) Coastal Development Permit for the demolition of a 1,541-square-foot (SF) existing single-family residence and 400 SF existing detached garage, proposing a new 3,382 SF one story single-family residence, with a new detached 560 SF garage, located at 9430 La Jolla Shores Dr. The 0.28-acre site is in the RS-1-4 Zone, Coastal (Appealable) Zone, Coastal Height, 1st Public Roadway, and Transit Priority Area within the La Jolla Community Plan area. Council District 1.

- **DPR 6/15/21: findings CAN be made, 7-0-1**

3.3. Warwick's Mural (Warwick)

Mural of approx. 650 square feet on the second story facade of the Warwick's Building along Drury Lane and wrapping around the building to its Silverado Street exposure. The concept is a grid of portraits of literary artists, utilizing vinyl affixed to the building.

- **PDO 6/14/21: APPROVE, 7-0-0**

Motion: Approve Consent Agenda: (Jackson/Weiss) **Vote:** Unanimous, Chair abstains: Motion carries.

Rasmussen: Item 3.1 DPR suggested (not condition) to adapt the view corridor to make it more visible and to leave plantings on access trail but not plant on the fence that would require more irrigation.

4. Elected Officials, Agencies & Other Entity Representatives

4.1. Council 1 (Joe LaCava): Steve Hadley, 619-236-6611, srhadley@sandiego.gov

Hadley: All police in Northern division, nearly 150 officers, will be assigned to beaches starting tomorrow AM through Monday evening. LJ should have 10 – 12 officers working its beaches each day in addition to additional traffic control.

4.2. SD Mayor's Office (Todd Gloria): Matt Griffith, griffithm@sandiego.gov not present

4.3. Assembly 78 (Chris Ward): Rachel Granadino, 619-413-0674, rachel.granadino@asm.ca.gov not present

4.4. Senate 39 (Toni Atkins): Cole Reed, 619-645-3133, cole.reed@sen.ca.gov not present: see report in 7/1/21 Materials & Comments – Atkins 1Jul21.

4.5. SD Planning: Marlon Pangilinan, mpangilinan@sandiego.gov not present

4.6. UCSD Planning: Anu Delouri, 858-610-0376, adelouri@ucsd.edu not present

5. Local Project Reviews (action items as noted)

These may be *de novo* considerations. Actions by committees are listed for information only. Written comments can be submitted via the Materials & Comments page, link above. In general, applicants for each project have 10-15 minutes to present, an individual representing organized opponents (if there are such) has 10 minutes to respond, and members of the public have 15 minutes for 2-minute comments not already covered in presentations. Trustees then discuss the project for 20 minutes, at which point the President may call for motions and vote.

5.1. Cuvier St Vacation (679621, Williams) ACTION

(Process 5) Cuvier Street right-of-way vacation, CDP, and lot-line adjustment located south of Prospect Street, next to the La Jolla Recreational Center (615 Prospect) and The Bishop's School. The site is located in the LJPDO-6 and OP-1-1 Zones, and Coastal (Non-appealable-2) Overlay zone within the La Jolla Community Plan and CD 1.

- **DPR 5/11/21: findings CAN be made, 5-0-2**
- **T&T 5/19/21: APPROVE the proposed vacation of Cuvier St and the redistribution of diagonal parking spaces on Prospect Street and La Jolla Blvd, 10-0-0**
- **PDO 4/21/21: APPROVE, 10-0-0**

Jackson: The link on the Materials page for the LJPDO minutes for 4/12/21 meeting was in error. We discovered that we never received the minutes from the April 12, meeting of the LJ PDO committee when this project was discussed. The trustees agreed to hear the project presentation.

Victor Krebs: I support the street vacation and the Lot Line Adjustment for Cuvier St. What has not been presented in the materials is that Bishops will ultimately be constructing a building that completely fills their parcel in the back of the cul de sac. At the completion of the street vacation and LLA, bishops will have an 8,000 sq.ft. parcel that is zoned ½ Open Space and ½ Zone 6. To build what is shown on plans, Bishops will need to ask the City to have the part zoned Open Space rezoned to Zone 6 which will require

numerous discretionary reviews. Demonstrating a public benefit will help achieve the rezoning. Bishops will get a 100% increase in building size with no associated cost for the increase. Slides presented explaining benefits to each party of proposed actions. I would like to see Bishops open discussions now, before approvals, with a group of stakeholders about a public benefit that could be provided to the Rec Center. Mr. Williams, is there any reason Bishops would be opposed to starting some preliminary discussions with stakeholders in the community?

Brian Williams, representing Bishops: We are proud and honored to team with the Rec Center. Bishops is a valuable member of the cultural district, a 501(C)(3) nonprofit. Expanded park land and new space for Bishops will be the end result. E.B. Scripps gave the land for Bishops; we have worked with the city and community over the years doing street vacations. This is consistent with that history. 800 students, 100 staff support local businesses and maintain historic structures.

Trace Williams, architect for Rec Center: Presented slides showing the project, street vacation and lot line adjustment presented to the community groups that was unanimously approved by PDO. This is part of a larger concept for the Cultural District of LJ. The project will renovate the building, new playground and further amenities for the community extending into Cuvier St. to accommodate the multiple amenities requested by the community. This is the vacation of the remaining piece of Cuvier St. that originally extended to Pearl St. Part of our project is to slow traffic along Prospect and provide more parking; 10 new spaces and 4 new ADA spaces will be added and restriping to calm traffic.

Costello: Clarify why Bishops involved? **Reply**: each party owns ½ of the street to be vacated to the center line of the street.

Kamal Asaff, teacher at Bishops School: This project enhances the vision of E.B. Scripps to create a Cultural Zone that combines physical play at the Rec Center, spiritual dynamics of the Episcopal Church, the arts component, medical, academic and intellectual activities. It will become a treasured spot in LJ.

Mary Munk: Important and necessary improvement and I appreciate the contributions of Bishops throughout the planning stages.

Davidson: How will costs involved with street vacation be handled? **Reply**: Engineering costs, work related to street vacating, storm water, etc. are being shared by both parties and we will see that Bishops covers its fair share.

Weiss: Who actually owns the street? Does Bishops actually own ½ of the street? Different streets have different ownership arrangements. **Reply**: The city has told us that when it determines that a street is non-essential it can be reverted back to the adjacent property owner. That is the principle we are operating under.

Jackson: I am reasonably comfortable that what is being proposed is legal. However, does this feel like a fair transaction? Should there be a 'quid pro quo?'

Ahern: This is a complicated issue; a little more discussion would be helpful along with the LJ PDO minutes.

Motion: Accept the street vacation only: (Boyden/Costello) Vote: 9-3-3, Motion carries.

In favor: Ahern, Boyden, Costello, Courtney, Hostomska, Ish, Rudick, Shannon, Weiss

Opposed: Jackson, Rasmussen, Weissman

Abstain: Davidson, Kane, Neil

Discussion:

Rasmussen: By splitting the land as proposed in the LLA, Bishops gets the benefit of a buildable parcel and some open space as well; that open space could go to the Rec Center as a 'quid pro quo' for the exchange.

Kane: The issue is to vacate the street, not these other matters.

Ahern: Will there be further consideration on how the vacated street will be shared?

Kane: The applicant is asking for a street vacation, a LLA and a CDP.

Rasmussen: Are we approving the LLA as presented, or can it be negotiated further?

Wilson: Further discussions can be had with Planning & City Council with the development agreement and conditions of approval, but that is not in the purview of this CPA decision. Now we are asking for approval of the plan as shown drawn by a civil engineer.

Costello: Could we split the motion and vote only for the vacation?

Boyden: The motion is for the street vacation only.

After extensive discussion about questions on the LLA, Parking, verification of land ownership, discussions with Bishops on potential public benefit to the Rec Center expansion for Bishops and the need for additional information, the item was continued without a decision.

Williams: Bishops will work with the Visioning Committee to get a proposal back to you that you will feel comfortable with.

Krebs: I, along with other community members, would like to be included in these discussions

5.2. Roundabout by "The Cross" (Issakov) ACTION

The impetus for a roundabout at the entrance to the Veterans Memorial Park at the top of Via Capri is the danger and difficulty of turning left from Via Capri to the cross, or to leave the cross to continue straight on LJ Scenic Dr S, at busy traffic times. This can cause backups too. City staff commented that that location is a good candidate for a roundabout and added it to the unfunded needs list.

- **T&T 5/19/21: APPROVE, 9-0-0**

Serge Issakov: Presented image of proposed traffic roundabout at the intersection of Via Capri, LJ Scenic Dr. S. and Soledad Park Rd. and described the traffic problems. Dave Abrams took this plan to City traffic engineers who evaluated it, decided that it was a good candidate and added it to the unfunded needs list. My question is how to increase priority on unfunded needs list and how to get funding?

Motion: Findings can be made for approval: (Jackson/Weiss) **Vote:** Unanimous, Chair abstains, Motion carries.

6. City/State/UCSD Project Reviews (action items as noted)

6.1. Coast Blvd Cave (659359, Arnhart) ACTION

(Process CIP/Public Project-5) WBS B-20040.02.06 (FUND 400169) After-the-Fact Site Development Permit & Coastal Development Permit for work performed under Emergency SDP and CDP agreement (PTS# 644723) located within the public right-of-way and adjacent coast bluff and cave opening to the north below Coast Boulevard, adjacent to 1210 Coast Blvd. Coastal (Appealable & Non-Appealable) Overlay Zone; Council District 1.

- After the fact (ATF) approval of SDP for emergency project, *de novo* review

James Arnhart, Jess Arcillas, Project Managers: Presented slides and photographs describing the project:

- Transportation and Storm Water Department noted pavement cracking along Coast Bl.
- A geotechnical survey and evaluation were done finding a high probability of collapse of additional supporting roof rock resulting in the formation of voids or sinkholes causing damage to the street, utilities and/or injury or death due to a vehicle or pedestrian falling into a sinkhole
- DSD issued an agreement for emergency CDP and SDP and other necessary approvals, hired an emergency contractor to begin construction.
- Scope of the work was explained in detail with photographs of the progress of the work and final result. See materials & Comments on CPA website.
- We are requesting a formal recommendation of approval from the LJCPA to finalize the after-the-fact SDP/CD.

Neil: Compliments to Mr. Arcillas for a well prepared presentation and good project.

Ahern: Were the sandbags and concrete blocks only part showing? We want to minimize the view from the ocean of additional concrete on the bluffs and see that we are notified of any additional work.

Shannon: Concerned about future modifications to the coast and the use of large amounts of concrete in the bluffs.

Davidson: Will there be future inspections of the caves to see that this doesn't happen again? Are there other potential fault lines. **Reply:** Not sure but I believe they are doing inspections.

Motion: Findings can be made for approval. (Jackson/Boyden) Vote: Unanimous, Chair abstains, Motion carries.

7. Policy Discussions, Reviews, & Recommendations (action items as noted)

7.1. Code Compliance (Kane) ACTION Continued to next month.

7.2. State Housing Legislation (Kane) ACTION

SB 9 & 10 and proposed moratorium of 2020 SD ordinance enacting ADUs.

Geoffrey Hueter, Neighbors for a Better San Diego: SB 9, in addition to allowing a lot split and putting two houses on each lot, it also allows an ADU. The one year owner occupancy requirement should be 5 – 7 years if it is really intended for home ownership. SB 9 passed the Senate and is now in the Assembly; it is unlikely to get through the Assembly and passed before the July 14, recess. SB 10 allows a 10 unit apartment on any lot in SD plus 2 ADU's and one JADU. This currently is an opt-in provision and we want to make sure that stands. It has less support than SB 9, but is unlikely to get through before the July 14, recess.

The San Diego ADU Ordinance was passed in Oct. 2020 stating that it was to bring the Code in line with the State ADU law. The state law allows 1 ADU, 1 JADU, 16 ft. height limit, 4 ft. setbacks on sides and rear property lines, waives fees on the first 750 sq. ft. unit. Slides were shown comparing the state ADU law with the SD ADU Ordinance showing that the SD Ordinance exceeds what is required by the state ADU law and explained how SD Ordinance is far more damaging to neighborhoods, infrastructure and taxpayers. The Transit Priority Map was also explained. We recommend that SD ought to do no more than what the state requires. The Coastal Overlay Zone will be subject to the ordinance once the Coastal Commission approves it.

Kane: Per Marlon Pangilinan the changes to the ADU ordinance adopted in 2020 was in response to the state law. This is going to the Coastal Commission to allow ADU's to be affected in the Coastal Zone this fall.

Jackson: A legitimate policy question is the need for more housing in CA, which is getting lost in these alarming reviews. Where to build that housing is a difficult question. There is a large amount of unused FAR in LJ currently – mostly in the RM1-1 zone – that can accommodate 2 units but have only a single-family house. Why isn't more development occurring in these available areas? **Hueter:** Supply will never meet demand. Densification will only drive prices up. The current proposals will not reduce housing affordability.

Merten: There are many underutilized multi-family zones in SD. That is where additional densification should be accepted up to the zoning limit.

Danna Givot: City of SD upzoned all of the single-family zoning in the city without taking it through the proper channels. The projects we have described have already been approved. We are asking for the City to rescind the legislation approved in Oct. 2020, then the state code will go into effect.

Hueter: Ask City Council to amend its ADU ordinance to precisely conform to state ADU law. The relevant code section is §141.0302

Motion: Empower the President to prepare a letter on LJCPA behalf asking City Council to amend its ADU ordinance to precisely conform to state law with respect to ADU’s. (Weiss/Neil)

Vote: Unanimous, Chair abstains: Motion carries.

Kane: Greg, Ray, Kathleen and I will craft a letter to be ratified next time. I will present this at the CPG also.

8. Officer Reports (action items as noted)

8.1. Treasurer

Beginning Balance as of June 1, 2021	\$729.70
Total Income	\$00.00
Total Expenses	<u>\$00.00</u>
Net Income/(Loss)	\$00.00
Ending Balance of June 20, 2021	\$729.70

Donations can be made by mailing a check made out to the LJCPA. Email the Treasurer via info@lajollacpa.org for instructions and address.

Davidson: I have submitted an invoice to the City for reimbursement of expenses for last half of the year for \$231.51.

8.2. Secretary no report

8.3. President ACTION as noted

1. Parks Master Plan update: I just received an update that the current draft is not ready. A 4th draft is coming out to incorporate materials from the Park & Rec Board hearing. Parks & Beaches discussion: Parks Foundation is looking at hiring a consultant to study a Park Ballot Measure to provide a solid source of funding for our parks both existing and new.
2. The City has added a new infrastructure app to provide information on capital projects on the City’s master list. We have already submitted our capital project priority list, but we can add to it.

3. The village Merchants Association and Town Council is considering doing a workshop on parking in the village initially slated for September but now pushed into the future. Would this group want to be involved in this?

Motion: I move we participate in the parking workshop. (Jackson/Courtney) **Vote:** Unanimous, Chair abstains. Motion carries.

9. Reports from Standing, Ad Hoc, and Other Committees (information only)

No reports

10. Non-Agenda Trustee Comment (information only)

Opportunity for Trustees to comment on matters not on the agenda, 2 minutes or less. No votes or action unless properly noticed at least 72 hours in advance.

Rudick: Thanks to the La Jolla Cove Hotel we now have a Cove-Camera found on the bottom of lajollabythesea.com home page. You can see everything going on at La Jolla Cove.

11. Adjourn to next LJCPA meeting: 9:02 pm

Regular meeting 5 August 2021, 6pm

Prepared by

Suzanne Weissman

Secretary