

La Jolla Community Planning Association

Trustee Meeting Minutes Final

5 November 2020 6pm

Regular Monthly Meetings: 1st Thursday, 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 (copy-paste into browser if clicking fails):

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

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

<https://lajollacpa.org/ljcpa-11-5-2020-materials-comments/>

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.

Mobile or noisy **devices should be off or silent**, and **microphones muted** except to speak. **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.

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 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, Brady, Davidson, Fitzgerald, Ish, Jackson, Kane, Mangano, Manno, Neil, Steck, Weiss, Weissman, **Absent:** Costello, Courtney, Shannon

1. Call to Order (6:00pm)

1.1. Approve Agenda (action item)

Motion: Remove item 6.3.1, Ratify members for 2021 Election Committee.
(Manno/Boyden)

Manno: Per M. Pangilian voting procedures and protocols for CPG's are currently under review and SD Planning Dep't intends to provide guidance prior to the December meeting; therefore, formation of an election committee, establishment of election procedures and protocols are premature.

Vote: unanimous, 1 abstention. Motion carries.

Motion: Approve agenda as amended. (Neil/Jackson) **Vote:** unanimous, 1 abstention.
Motion carries.

1.2. Approve Minutes (action item)

Motion: Approve minutes as presented. (Jackson/Fitzgerald) **Vote:** unanimous, 1 abstention. Motion carries

2. Non-Agenda Public Comment

Opportunity for public to speak on matters not on the agenda, 2 minutes or less. No LJCPA votes or action unless requests have been submitted to the President in writing at least 72 hours in advance.

Emerson: Congratulations to our CD 1 Representative, Joe La Cava. Items coming up at the at the La Jolla Shores Association meeting on Nov. 11, at 6 pm are: Landscaping and maintenance along LJ Parkway, STVR's, possible improvements for next year – let me know. We have applied to extend outdoor dining to all of next year. The City has suggested we get letters of support from the community groups so please send a short letter in support to me to include with our application the City. Noted for next months CPA agenda action item.

La Cava: Thanks to all for electing me for City Council: LJ came out big and I appreciate that. The track record I built with you over the past and the focus on local issues resonated with you. Covid will play an important part in how we move forward between tenants, landlords and small businesses who are struggling. It will be difficult if we don't get some help from Washington and will impact on City finances. We will be looking at some budget cuts and we will keep you informed. Keep up your good work at the Planning Group; it is important. I look forward to hearing from you.

*Congratulations and applause for Joe!
Courtney arrives.*

3. Consent Agenda (consolidated action item)

The Consent Agenda enables LJCPA to ratify approval and denial recommendations from joint Committees or Boards in a single vote. 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. 460/462 Westbourne (663879, Bolyn)

(Process 3) CDP, SDP, and TM to demolish an existing single dwelling unit, subdivide existing lot into four single lots, and construct four two-story single dwelling units (each ranging 3,814 – 4,120 SF) over full basements with attached garages located at 460-462 Westbourne Street. The 0.3-acre site is in the RM-1-1 Zone and Coastal (Non-Appealable 2) Overlay Zone within the La Jolla Community Plan area. Council District 1.

DPR: Findings CAN be made, passes 4-1-1

3.2. 7214-7216 Fay Ave (662116, Golba)

(Process 3) CDP, SDP, and TM to demolish an existing residence and construct two single family homes with detached garages totaling 5,254 sq ft under the small lot subdivision ordinance and a waiver to undergrounding existing utilities at 7214-7216 Fay Ave. The 0.161 acre site is in the RM-1-1 Zone, Coastal (Non-appealable) overlay zone within the La Jolla Community Plan area. Council District 1.

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

3.3. 242-248 Playa del Norte (662091, Golba)

(Process 3) CDP, SDP and TM to demo 2 residences and construct on 2 separate lots a SF residence over basement with companion unit at 242-248 Playa del Norte. Each lot proposes a two-story, 2,615-sf residence over basement and a detached 372-sf one-bedroom companion unit. The 0.132-acre site is in the RM-3-7 Zone and the Coastal (App. & Non App.) Overlay Zone within the La Jolla Community Plan area, and Council District 1.

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

3.4. 420 Bonair (668517, Renner)

(Process 2) CDP to demo a detached garage and carport to an existing residence, and construct a 873-sf two car garage/workshop, a carport, and a 1,118-sf companion unit above and covered deck at 420 Bonair Street. The 0.06-acre site is in the RM-1-1 Zone, the Coastal (Non-App) Overlay Zone, Coastal Height Overlay Zone, Transit Priority Area, FEMA Floodway and Floodplains, Geohazard 53 within the La Jolla Community Plan Area, CD 1.

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

3.5. 1425-1491 Buckingham (668543, Pallamary)

(Process 2) Coastal Development Permit for a lot line adjustment between 1425 Buckingham Drive (Parcel 1) and 1491 Buckingham Drive (Parcel 2), each with an existing single-family dwelling unit. Parcel 1 will increase by 2,700 SF. The parcels are located in the RS-1-1 Zone, Geo Haz 53, Coastal (NAPP-1) within the La Jolla community plan. Council District 1

DPR: Findings CAN be made, passes 7-0-1

~~3.6. (pulled by applicant) 8216 Caminito Maritimo (629762, Sammon)~~

~~(Process 3) Site Development Permit and Neighborhood Development Permit for the addition of 4,515 square feet to an existing single residential condominium unit of 4,771 square feet for a total of 9,286 square feet located at 8216 Caminito Maritimo. The 0.18 acre site of the LJSPD-SF base zone of the La Jolla community plan area with prior development approval SDP#630146 & NDP# 644794. Council District 1.~~

~~**PRC: Findings CANNOT be made because of the project's bulk & scale, structure height, large lot coverage and small garage setback**, passes 7-0-1~~

3.7. 7300 Girard

Valet Parking Zone in front of the Marine Medical Building at 7300 Girard Avenue, to operate between the hours of 8am and 5pm, Monday through Friday.

T&T: Recommend approval, passes 7-2-0

8216 Caminito Maritimo (629762) Pulled.

Motion : Approve items on Consent 3.1 – 3.5, 3.7 (Jackson/Weiss) **Vote :** unanimous, 1 abstention (chair). Motion carries.

4. Project Reviews (action item)

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 votes.

4.1. 7606 Girard (664566, DeBartolo)

(Process 2) CDP for a 2 story, MU building on an existing parking lot, including 1,960-sf of retail, 18 DUs (1 very low-income units per 100% Density Bonus), and parking at 7606 Girard Ave. The 0.278-acre site is in the LJPD-1 Zone, the Coastal (Non-App.2) Overlay Zone, the Coastal Height Limit Zone, the Parking Impact Zone, the Residential Tandem Parking Zone, the Transit Area Zone, and the Transit Priority Area in the La Jolla Community Plan area, and CD 1.

DPR: Findings CAN be made, passes 4-0-1

PDO: Motion to approve, fails 2-4-1

Presentation: Pauly DeBartolo, project architect. Presented slides showing location at 7606 Girard, aerial and street views. (*See Materials & Comments on website*)

- Triangular shaped lot – existing surface parking lot that sits behind Vons in LJ Village, frontage at intersection of Girard and Torrey Pines Rd., Drury Lane at rear, Vons to the south, commercial buildings to north.
- Underground utilities along southern property line have created a pedestrian pathway through the property which is an important part of the urban fabric of the Village that we want to maintain even though we will remove some of the utilities that are no longer in use.
- The location is in the heart of the Village, walkable to coastline and Village amenities.
- It is a mixed-use property that achieves continuation of streetscape, an activation of retail along Girard Ave., brings housing to village on smaller scale and enhances the fabric of Village by maintaining existing pedestrian connection.
- Slides showing the design was inspired by the eclectic nature of the Village and a desire to keep project smaller in scale. Complements adjacent buildings on Girard Ave. and possible space for Mural Project.
- Aerial slides and drawings showing the layout of upper level divided into 3 distinctive blocks: one responds to Girard Ave., one steps away from pedestrian link providing articulation and landscaping, one open air corridor wraps around to

protect internal space giving sense of intimacy, patios and attic space to allow higher ceilings and cross ventilation.

- Because of challenging shape of site we are asking for a few deviations, none that affect the building envelope:
 - To provide affordability we ask for a single unit on the ground floor in the front 50% of lot pulled away so it is not visible from Girard Ave.
 - Eliminate 600 sf loading zone required by PDO. This would have limited our ability to have 18 units on site, reduced our parking demand, created financial implications. Hearing the PDO committee's concern we added a turn-around bay in the parking area that City staff has accepted. We have 13 parking spaces where 12 are required. We converted one space to a shared van loading space so that delivery trucks can pull into that space providing a loading space on site as mitigation for no loading dock.
 - To maintain the pedestrian link we have 70% retail frontage instead of 75%.
 - Reduce the driveway width to 22 ft. instead of 24 ft. required and City staff has accepted.

Forbes: Charcoal grey on frontage not earth tone approved by PDO? **Reply:** Grey and black tile examples available in Village, we thought fit in.

Golba: Variances/deviations described in presentation are actually 'incentives'. This project, as part of the affordable housing density bonus track, is allowed by right up to 5 incentives. This is a good project.

Davidson: Is there a possibility to make attic space into living area and are these condos or apartments – possible STVR's? **Reply:** Intent is to provide maximum flexibility for residents. These are apartments and no intent for STVR.

More comments supporting and praising project.

Motion: Findings can be made for approval of this project (Jackson/Fitzgerald)

Weiss: What is nature of PDO objections?

Kane: Variances or incentive rules were not clear to PDO board at time of review. The final findings are up to CPA.

Neil: Which unit is affordable and what income level? **Reply:** Upper unit, very low-income level.

Vote: unanimous, 1 abstention (chair) Motion carries.

5. Non-Project Discussions & Reviews (action items as noted)

5.1. LJ Shores PDO Update (action item, Weissman)

Proposal from Ad Hoc Committee to be endorsed by LJCPA

Weissman: The matrix on the screen is for presentation purposes, not for submission to City. The La Jolla Shores PDO presents a lot of problems. It is difficult to enforce, its provisions are subjective and provide little numerical regulations for development. It dates to 1974 when no one imagined single family homes as large or expensive as we see today. It is out of date and needs revision. For Matrix (*See Materials & Comments:*

<https://lajollacpa.org/wp-content/uploads/2020/11/LJSPDO-Update-Matrix-Draftfinal.pdf>)

- It is part of the San Diego Municipal Code, Chapter 15, Article 10.
- Its boundaries are roughly Princess St. Hillside Dr. on the south, SIO on the north, Gilman Dr. on the east.
- Note the La Jolla PDO, Chapter 15, Article 9 is a different ordinance covering the area around LJ Village. This PDO is has more detailed regulations.
- Item 1 is a correction to recognize the La Jolla Shores Design Manual by name as the guide to development in LJ Shores referenced in the Ordinance.
- Item 2: The LJSPDO needs numerical provisions to define limits on size of structures relative to lot size. See description of issues listed on the Matrix attached. The recommendation is to utilize the provisions set forth in the SDMC, Chapter 13, Article 1, Division 4, Section 26 and Table 131-04J for residential zones as the start with possible revisions.
- Item 3 regarding fences and retaining walls also can utilize the provisions in the SDMC to provide numerical definitions where none are specified in the LJSPDO.
- Item 4 adds a code section to allow for an angled, stepped back building envelope for single family residences. See description of issues in Matrix attached. Step back of upper stories and relative size of structure are the most often cited problems during project reviews. The suggested code section showing a 12% setback for upper stories sets the minimum required setback; this also could be adjusted during review with City update process. The drawing is an example of how this might work allowing flexibility for contemporary designs while providing setbacks to reduce the perception of bulk.
- Item 5: This would clear up ambiguity in dwelling unit density provision that it applies to all lots not just those created after 1972.

These recommendations apply only to the residential zone on the LJSPDO. This is a work in progress.

Neil: Code Update process requires that each item be uploaded individually, so each item will be acted upon individually. These are only recommendations; CPA will need to work with City just as was done by Dave Ish with last year's MC Updates.

Morton: Design Guide was only a planning document and has not been updated. I object to inserting that into the LJSPDO until it has been updated. I also object to shoving FAR regulations from City Code into PDO.

Merten: LJS Design Manual is incorporated into the LJSPDO and referred to as the architectural design requirements. All this section does is add the name into the Ordinance. It is important because some people don't know what the design regulations are. LJ Shores are is only area in City where property owners are not protected from overdevelopment on adjacent properties. Incorporating the citywide FAR regulations makes sense. LJ Shores used to be one of the most difficult places in town to get a project approved because City staff applied LJS Design Manual when it evaluated projects. As mentioned, in 2010 City staff dropped the ball and refused to act as a design review board; it is critical that we put some numerical limits on projects.

Ahern: Has this been reviewed by our committees, i.e. DPR?

Kane, Emerson: DPR is not involved with LJSPDO. Members of committee were from PRC, LJS Advisory Board, DPR and Public. Committee was formed last year to address LJ Shores after DPR recommendations were made.

Boyden: The Design Manual was hard to find in the past, so it is important to have it named in the LJSPDO.

Courtney: I do have reservations on FAR recommendation; it should have more review.

Neil: During 7 meetings we reached out to committees with emails of draft working docs to PRC and all interested parties. Notices of our meetings were Eblasted to CPA list, meeting notices and minutes were on the CPA website. We tried very hard to reach out to the community.

Boyden: Move forward with all 5 items. These are not final and will require work with City just as Dave Ish did last year.

Motion: Forward all recommendations to 2021 City Code Update Process: **Vote:** 13-1-1 Motion carries.

In Favor: Ahern, Boyden, Courtney, Davidson, Fitzgerald, Ish, Jackson, Mangano, Manno, Neil, Steck, Weiss, Weissman

Opposed: Brady

Abstain: Kane (chair)

Neil: To clarify how the City Code Update Process works: we upload each item onto an internet platform that the City has now incorporated for annual updates. If City decides a topic has merit, they will incorporate parts into a series of workshops hosted by a City Manager. All interested City staff log in to discuss if the recommendation is practical and useful. This is not final from us. This is us saying we both know we have these problems. Would you look at these specific issues and help by rewriting code to make everyone happy?

5.2. Short Term Vacation Rentals (action item, Jackson)

Review, modify, and approve letter putting LJCPA on record asking that the Commission postpone action on any STVR ordinance until there is broader consultation with affected communities. <https://lajollacpa.org/wp-content/uploads/2020/10/stvr-letter-b.pdf>

Jackson: Jen Campbell brought this STVR proposal backed by Unions and STVR providers to City Council. It is a long, detailed, 82-page proposal that allows a large number of STVR's under certain complicated limits. It is being rushed to City Council for approval; it is very controversial. Do we want to send or modify this letter asking for deferral of action on this law? (see Materials and Comments on CPA website)

Boyden: I am in favor of sending. It bothered me that no information for how permits would be distributed throughout the city.

Mangano: Distribution system was proposed as a lottery, but at the last meeting members of the CPG expressed problems with the law and felt it should not be rushed.

Emerson: BRCC has endorsed and the LJSA will endorse to make stronger argument with several groups together.

Ahern: Questioned meaning of bullet point #2. It appears to say STVR's are prohibited which contradicts other parts of the letter.

After some discussion it was agreed to change word 'prohibited' to 'affected'.

Weiss: Bullet point #3 change word 'extensively' to 'broadly' to be less accusatory of Ms. Campbell.

Fitzgerald: The code currently prohibits STVR's. We need community input to determine if the community wants that law changed. This letter needs to be stronger demanding community input about this law and stating that it will support it. Recommend not to decide anything now.

Steck: Delete word 'with' three times in last paragraph; don't begin sentence with 'But'.

Courtney: Law is a step in right direction. We should offer specific suggestions rather than just to delay.

Motion: Send letter as corrected and address it to current and future Mayor and City Council in addition to the Planning Commission (Brady/Boyden) Vote: 13-1-1: 1 objection, Courtney, 1 abstain, Kane (chair): Motion carries.

5.3. Complete Communities (action item)

The City Council may vote on the revised Complete Communities plan as soon as Nov 9, despite little involvement with CPGs. Updated documents are available; the updates address some but not all of the objections LJCPA raised. LJCPA may wish to take a formal position.

Kane: Changes in the Housing Solutions proposal that affect LJ are: RM-1-1 zones removed, FAR adjusted to 2.5. Other changes such as more inclusionary housing and some FAR's have been lowered from 8.0. The revised proposal will not have the same impact as the original, but it is still appealing to infill developers and affordably housing specialists. Per Barbara Bry the housing proposal is likely to pass the Council on Monday; the most we can hope for are some amendments.

The letter, shown as Exhibit A, was discussed: The revisions suggested to the Parks Plan, 1 – 5, and to the Housing Solutions, 1—5 that resulted from discussions at the CPG meeting and meeting with Barbara Bry were explained by Kane.

Emerson: LJSA will endorse. It is critical to have many people speaking at the Council hearing Monday.

Davidson: Letter should explain why we are asking for 1.8 FAR instead of 2.5. Also #5 for Housing is not clear.

Weiss: format letter

Forbes: Parks provisions have not been well vetted. Inequity in the park system should be addressed in Parks Plan. CPA needs to endorse concept of equity in Parks section of letter.

Mangano: Could we add suggestion for oversight and monitoring committee made up community members?

Hadley, Kane: Bry asked for only 2 to 3 amendments to support.

Motion: Approve letter subject to Kane polishing things discussed. (Ahern/Weiss) Vote: Unanimous, 1 abstaining (Kane, chair). Motion carries.

6. Officer Reports

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

Jackson for Costello: No activity. Ending balance \$793.21.

Weiss left:

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 as noted)

6.3.1. Endorse amendments to DPR Bylaws (action item)

DPR bylaws currently are inconsistent with the newer LJCPA bylaws in a few important respects, mostly having to do with how quorums and votes are counted when DPR membership falls below 10, as it has for the past two years. The proposed amendments correct this, and a couple of ambiguities. To take effect, amendments must be approved by DPR (approved 20 Oct, 5-2-1), by the LJCPA Trustees, and by the Town Council Directors.

Boyden: suggestion that '50% of members' should be changed to 'majority'.

Jackson: CPA bylaws specify *half* for quorum at subcommittee, not *majority*.

Neil: Wording needs to be more specific. Changes should go back to DPR to clarify.

Motion: Accept changes to DPR bylaws as presented by Jackson (Boyden/Davidson) Vote: 5-8-1. Motion fails.

In favor: Boyden, Davidson, Fitzgerald, Ish, Mangano,

Opposed: Ahern, Brady, Courtney, Jackson, Manno, Neil, Steck, Weissman

Abstain: Kane (chair)

7. Elected Officials, City Agencies, & Other Entities

7.1. Council District 1: Council member Barbara Bry

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

Hadley: We are continuing to watch other items of interest to the community such as possible removal of deed restrictions to UCSD, vending ordinances that may appear on Council agenda before end of term.

7.2. 78th Assembly District: Assembly member Todd Gloria Not present

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

7.3. 39th Senate District: Senator Toni Atkins

Rep: Miller Saltzman, 619-645-3133, Miller.Saltzman@sen.ca.gov

Saltzman: Bills now law as of 9/30: tenant relief act for stability and relief providing legal and financial protections, law to provide protective equipment & cleaning supplies to schools to make sure they don't lose expected revenue over closures due to Covid. Small businesses can exclude PVP loans from state income taxes, \$100 M. hiring tax credit for small business for \$1,000 tax credit per employee, flavored tobacco removed from stores, SD has received \$38 M. for project 'homekeep' for homeless housing, by 2035 only zero emission vehicles will be sold. Please contact me for more info.

7.4. City of San Diego

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

7.5. UCSD

Planner: Anu Delouri, adelouri@ucsd.edu Not present

8. Adjourn to next LJCPA meetings

Special meeting 19 November 2020, 6pm

Regular meeting postponed to 10 December 2020, 6pm

EXHIBIT A



La Jolla Community Planning Association

the city's Complete Communities proposal and provide suggestions for improvement of the Parks Master

approach to address the city's shortage of affordable housing and parkland, especially in "Communities of Concern." a "one size fits all" approach that fails to recognize the uniqueness of San Diego's communities. The lack of input from individual Planning Groups, despite