



PO Box 889, La Jolla, CA 92038
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President: Joe LaCava
Vice President: Tony Crisafi
Treasurer: Jim Fitzgerald
Secretary: Nancy Manno

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month
La Jolla Recreation Center, 615 Prospect Street

Thursday, 3 March 2011

D R A F T AGENDA – ANNUAL MEMBER MEETING

- 6:00p
1. Welcome and Call To Order: Joe LaCava, President
 2. Verify Quorum (Need 20% of total Membership or 43)
 3. Adopt the Agenda
 4. Officer's Reports
 - A. Treasurer: Jim Fitzgerald
 - B. Secretary: Nancy Manno
 5. Bylaw Amendments – See attached
 6. Adjourn to Regular Meeting.

D R A F T AGENDA – REGULAR MEETING

- 6:10p
1. Welcome and Call To Order: Joe LaCava, President
 2. Adopt the Agenda
 3. Annual Elections
 - A. Elections – Today, Thursday, March 3, 3:00 pm to 7:00 pm. Bring your ID.
 - B. Results – Announced when available.
 - C. Challenge – Results can be challenged until Thursday, March 10, 5:00 pm. If no challenge ballots will be destroyed.
 4. Meeting Minutes Review and Approval: 3 February 2011
 5. Elected Officials Report – Information Only
 - A. Council District 2 – Councilmember Kevin Faulconer
Rep: Thyme Curtis, 619.236.6622, tcurtis@san Diego.gov
 - B. Council District 1 – Councilmember Sherri Lightner
Rep: Erin Demorest, 619.236.7762, edemorest@san Diego.gov
 6. Non-Agenda Public Comment
Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.
 - A. UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>

If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.

7. Trustee Comment

8. Officer's Reports

- A. Secretary
- B. Treasurer

9. President's Report – Action Items Where Indicated

- A. Community Planners Committee – No action in February
- B. Ray Weiss – Accepted his resignation.
- C. Bishops Library – Planning Commission Appeal denied, LJCPA exhausted ministerial remedies.
- D. 8490 Whale Watch Way – Hearing Officer Hearing continued, date uncertain.
- E. La Jolla Shores Advisory Board – “minor in scope” review process has been sustained.
- F. Princess Street/Beach Access – Coastal Commission hearing postponed to June 2011 or later.

10. CONSENT AGENDA – Ratify or Reconsider Committee Action

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items.

→ *Anyone may request that a consent item be pulled for reconsideration and full discussion.*

→ *Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.*

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, Chair Tony Crisafi, 2nd & 3rd Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

PDO – No Action in February

A. Styles Residence

DPR ACTION: Findings can be made for an Extension of Time, 6-0-0.

401-105 Nautilus – Extension of Time for a Coastal Development Permit and Neighborhood Development Permit for partial demo, remodel, and additions to three existing homes for a total 4,737 sf on a 6,500 sf lot. RM-1-1 zone.

B. Diarq-Westway Residence

PRC ACTION: Findings can be made for an SDP and a CDP with the annotations on drawing with 3 five-foot retaining walls instead of one sixteen-foot retaining wall.

8436 Westway Drive - Demolition of existing 2-story 3,297 sf house. Construction of new 2-story 7,453 sf (current permit is for 8,503 sf) single-family residence on a 20,094 sf lot, including hardscape, retaining walls, terraces, cantilevered pool and spa and relocation of driveway. Applicant is requesting an amendment to current Site Development Permit and Coastal Development Permit.

C. Island Divine Event

T&T ACTION: Recommend approval as presented, 5-0-1.

Scripps Park – Apr 30, 2011, 2pm – 7pm. Reserved on-street parking along the Park will be half of what was used last year.

D. La Jolla Half Marathon

T&T ACTION: Recommend approval as presented, 5-0-1.

Torrey Pines Road and into Village – Apr 17, 2011. Same setup as previous years.

E. Disabled On-street Parking – 325 Prospect Street

T&T ACTION: Recommend approval as presented, 5-0-1.

F. “No Pedestrian Crossing” and “Use Crosswalk” Signage

- T&T ACTION: Recommend denial as presented, 5-0-1.
La Jolla Scenic Drive South, between Nautilus and Soledad Mountain Road.
- G. Proposed Stop Sign on Kearsarge Road at Soledad Avenue
T&T ACTION: Recommend approval as presented (Kearsarge Road only), 4-1-1.
- H. Parking Spaces on 1500 block of Coast Walk
T&T ACTION: That the City shall restore the six parking spaces in the area of Coast Walk in question, if feasible, and that the City report to the T&T Board what it intends to do before commencing any work. 5-0-2.
11. REPORTS FROM OTHER ADVISORY COMMITTEES - Information only
- A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – *Inactive*
- B. COASTAL ACCESS AND PARKING BOARD – Meets 1st Tues, 4pm, Rec Center
12. Valet Parking Spaces on Prospect Street
Prospect Street between Cave Street and Herschel – Private proposal to add 3 new valet spaces at the east end of the block. Options debated at Traffic & Transportation (T&T) were (1) add the spaces in addition to the existing valet zone; (2) make no changes to the block; (3) shift the existing zone several spaces to the east; or, (4) relocate 3 of the existing spaces to a separate location a half block east.
Previous Action (Feb '11): Pulled from Consent Agenda.
Previous T&T Action (Jan '11): For the interested parties to conduct a study or survey that will indicate the number of businesses and residents for or against the options, 5-1-0.
Previous T&T Action (Sep '11): To not support any new valet spaces until there is a master plan.
13. Whitney Mixed Use – Whether to Ratify the Appeal to City Council
2202 & 2206 Avenida de la Playa - Coastal Development Permit and Site Development Permit to demolish existing structures, construct 2 residential units and 2,300 square feet of commercial space (3-stories, 9228 SF total) with basement parking on a 0.09 acre (3952 SF) site in the CC Zone of La Jolla Shores Planned District.
Previous Action (Feb '11) – City scheduled hearing at City Council for March 29, 2011.
Previous Action (Jan '11) – President filed appeal of Planning Commission Decision pursuant to LJCPA policy
Previous Action (Jan '11) – Planning Commission rehears projects, approves 5-0
Previous Action (Nov '10) – City Council sets aside approvals and remands back to Planning Commission
Previous Action (Sep '10) – Planning Commission denies appeal, approves project, 4-1
Previous Action (Aug '10) – Appeal Hearing Officer Decision, 12-2-2.
Previous Action (Oct '09) – LJCPA recommends denial, 14-1-1
14. Palazzo – Whether to Ratify the Appeal to City Council
2402 Torrey Pines Road – Coastal Development Permit for 50 residential condos (previously approved for 30 units, this application originally for 52) on a vacant 1.21 acre site (former Andrea Villa Hotel) in the V Zone of Shores Planned District. Single driveway to align with existing Torrey Pines Road/Ardath Road signalized intersection with modifications to signals with full right in/out, left in/out. Note: Subsequent to LJCPA action Applicant modified project to include an on-site loading zone and slightly increased side yard setbacks.
Previous Action (Feb '11) – President filed appeal of Planning Commission Decision pursuant to LJCPA policy
Previous Action (Feb '11) – Planning Commission approves project, 5-0
Previous Action (Jun '10) – LJCPA recommends denial 12-2-1.
15. 6604 Muirlands Residence– Whether to Appeal Project to Planning Commission
6604 Muirlands - A Coastal Development Permit, Vesting Tentative Parcel Map and Variance to demolish one existing single family residence, subdivide one parcel to create two lots and construct a new single family residence on each new lot with reduced front yard setback. The project site on a 20,456 sf site located in the RS-1-4 Zone. Note: Subsequent to DPR action, applicant redesigned project to eliminate

request for Variance as well as made other changes in response to DPR concerns.

Previous Action (Feb '11) – Hearing Officer approves project

Previous Action (Oct '10) – LJCPA ratifies recommendation of denial on consent

Previous Action (Sep '10) – DPR recommends denial, 6-0

16. Community Gardens, City-wide – Possible Action

Note: Because of the lengthy agenda there is the possibility that this item will not be heard.

City-wide proposal to amend the Municipal Code to allow Community Gardens by right in all Commercial lots subject to certain operational restrictions; City may also consider allowing on-site sale of produce. City Council is encouraging further amendment to allow Community Gardens by right in Residential Zones as well (sales would not be allowed). The City is gathering input as to what operational, zoning, and locational restrictions should be imposed on Community Gardens in residential zones.

17. Adjourn to next Regular Monthly Meeting, April 7, 2011, 6:00 pm

Looking ahead to our April meeting:

Seat Newly Elected Trustees
Election of Officers

Looking ahead to our May Meeting:

Appointments to Joint Committees and Boards
<http://www.lajollacpa.org/committees.html>

PROPOSED BYLAW CHANGES

*** Only includes those sections with changes ***

Strikeout = Text to be deleted; *Underline* = Text to be added

La Jolla Community Planning Association Corporate Bylaws
Adopted & Effective 3 March 2011 ~~5 March 2009~~

ARTICLE VI LJCPA Trustee Duties; Meetings and Committees

Section 2. B. Committees

(3) COMMUNITY JOINT COMMITTEES AND BOARDS

In order to achieve the diversity and equality of representation of the La Jolla community and to meet the objectives of Council Policy 600-24 regarding broad representation of the various geographic sections of the community and diversified community interests, Community Joint Committees and Boards have been formed and are required. The LJCPA shall appoint its Members to the following Community Joint Committees and Boards as long as each Community Joint Committee and/or Board continues to meet.

a. COMMUNITY JOINT COMMITTEES

(i) DEVELOPMENT PERMIT REVIEW (DPR)~~COASTAL DEVELOPMENT PERMIT (CDP)~~ COMMITTEE

Trustees of the LJCPA shall appoint five Members of the LJCPA to serve on the DPR~~CDP~~ Committee. The purpose of the Development Permit Review Coastal Development Permit Committee is to review and make recommendations regarding all discretionary permit applications filed for projects located within the La Jolla Community Plan boundaries, excluding the La Jolla Shores Planned District. This Committee receives public input in a review process that uses the regulations and guidelines established in the San Diego Municipal Code and La Jolla Community Plan in effect at the time of the project submittal to the City of San Diego. The DPR~~CDP~~ Committee holds regularly scheduled public meetings. The DPR~~CDP~~ Committee will normally consist of ten members, five appointed by the LJCPA and five members appointed by the La Jolla Town Council.

(ii) LA JOLLA SHORES PERMIT REVIEW COMMITTEE (LJSPRC)

The Trustees of the LJCPA shall appoint ~~one~~three Members ~~and one alternate~~ of the LJCPA to serve on the La Jolla Shores Permit Review Committee. The purpose of the La Jolla Shores Permit Review Committee is to review and make written monthly recommendations regarding all applications for permits referred to it within the boundaries of the La Jolla Shores Planned District. This review is intended to insure compliance with the La Jolla Community Plan and Local Coastal Program Land Use Plan, the La Jolla Shores Planned District Ordinance, the La Jolla Shores Planned District Urban Design Manual, and City of San Diego ordinances concerning Sensitive Coastal Resources, Resource Protection, Hillside Review, Zoning Variances, Conditional Use Permits and Special Permits. The LJSPRC holds regularly scheduled public meetings. The LJSPRC will normally consist of eight members, five members appointed by the La Jolla Shores Association and three members appointed by the LJCPA~~five members, two members and one alternate appointed by the La Jolla Shores Association, two members and one alternate appointed by the Community Planning Committee of the La Jolla Shores and one member and one alternate appointed~~

by the LJCPA.

(iii) PLANNED DISTRICT ORDINANCE (PDO) COMMITTEE: The Trustees of the LJCPA shall appoint three Members of the LJCPA to serve on the PDO Committee. The purpose of the PDO Committee is to insure uniform and consistent enforcement of the La Jolla Planned District Ordinance (LJPDO), to assist the City of San Diego City in clarifying the LJPDO, to assist applicants in understanding and interpreting the LJPDO and the permit process, and to develop recommendations for changes to the ordinance. The PDO Committee reviews and makes written monthly recommendations regarding all applications for Coastal Development Permits within the La Jolla Planned District to the LJCPA, the La Jolla Town Council, and the local manager/advisory board of the Business Improvement District Promote La Jolla, Inc. This committee forwards its recommendations to the Development Permit Review Coastal Development Permit Committee when associated with a discretionary permit otherwise direct to the LJCPA where applicable to enable the respective organizations Coastal Development Committee to incorporate these recommendations in its review and public comment discussion. The PDO Committee holds regularly scheduled public meetings. The PDO Committee will normally consist of nine members, three appointed by the LJCPA, three appointed by the La Jolla Town Council and three appointed by the local manager/advisory board of the Business Improvement District Promote La Jolla, Inc.

b. COMMUNITY JOINT BOARDS

(i) LA JOLLA COASTAL ACCESS AND PARKING (LJCAP) BOARD

The Trustees of the LJCPA shall appoint three Members of the LJCPA to serve on the LJCAP Board. The purpose of the LJCAP Board is to review and make recommendations concerning all coastal access and parking issues within the La Jolla Community Plan boundaries. The LJCAP Board holds regularly scheduled public meetings. The LJCAP Board normally consists of nine members, three members appointed by the LJCPA, three members appointed by the La Jolla Town Council, and three members appointed by the local manager/advisory board of the Business Improvement District Promote La Jolla, Inc.

(ii) LA JOLLA TRAFFIC AND TRANSPORTATION (T & T) BOARD: The Trustees of the LJCPA shall appoint two Members of the LJCPA to serve on the T & T Board. The purpose of the Traffic and Transportation Board is to serve as the focal point for traffic and transportation matters concerning the community of La Jolla with governmental agencies and with the public, and to investigate, evaluate and propose recommendations to the LJCPA, the La Jolla Town Council, the local manager/advisory board of the Business Improvement District Promote La Jolla, Inc., the La Jolla Shores Association, and the Bird Rock Community Council. The T & T Board holds regularly scheduled public meetings. The T & T Board will normally consist of ten members, two members appointed by the LJCPA, two members appointed by the La Jolla Town Council, two members appointed by the La Jolla Shores Association, two members appointed by the local manager/advisory board of the Business Improvement District Promote La Jolla, Inc., and two members appointed by the Bird Rock Community Council.

(iii) LA JOLLA COMMUNITY PARKING DISTRICT (LJCPD) ADVISORY BOARD

The La Jolla Community Parking District Advisory Board was established by resolution of the City of San Diego. Trustees of the LJCPA shall appoint one Member of the LJCPA to serve on the La Jolla Community Parking District Advisory Board. The purpose of the LJCPD is to advise the City of San Diego on the creation of parking policies and practices that are in the best interests of the

community of La Jolla. The LJCPD normally consists of nine members, one appointed by the LJCPA, three appointed by the local manager/advisory board of the Business Improvement District~~Promote La Jolla, Inc.~~, one appointed by the La Jolla Town Council, one appointed by the La Jolla Shores Association, one appointed by the Bird Rock Community Council and two at large.

C. Rules Regarding All Committees and Boards

The Board of Trustees of the LJCPA shall review recommendations of each Community Joint Committee and Board and take action as the Board of Trustees deems appropriate. All committee appointees appointed by the LJCPA shall be appointed by the President and ratified by the Trustees. The President, with the ratification of the Board of Trustees, may appoint representatives of the LJCPA to other community joint committees or boards as deemed to be in the best interest of the community of La Jolla.

Members ~~of the LJCPA~~, who are duly appointed to serve on a Community Joint Committee or Board, may be indemnified by the City in accordance with Ordinance No. O-19883 ~~O-17086~~ NS, and any future amendments thereto, provided they satisfy any and all requirements of the Ordinance~~Administrative Guidelines~~.

All committee recommendations to the City must be brought forth to the Board of Trustees for formal vote at a noticed public meeting. In no case may a committee or subcommittee recommendation be forwarded directly to the City as the formal recommendation of the LJCPA without a formal vote of the Board of Trustees.

Section 7. Trustee Training

Each LJCPA Trustee is required to attend an orientation training session administered by the City as part of planning group and individual member indemnification pursuant to Ordinance No. O-19883~~O-17086~~ NS, and any future amendments thereto. Newly seated Trustees must complete a basic orientation training session within 12 months of being elected or to the Board of Trustees or the Trustee will be ineligible to serve.

ARTICLE VIII LJCPA Policies and Procedures, Community Participation

Section 3. Community Participation

(1) Public Input

During all discussions, the President shall solicit testimony from the public attending each meeting. Votes taken on public issues shall include a tabulation of the votes of those in attendance, recorded as such in the minutes of the meeting.

(2) Community Outreach

Regularly scheduled meetings and annual elections shall be publicized in local neighborhood newspapers as well as on the LJCPA website. Announcements shall be sent via electronic communications to all organizations, including but not limited to the La Jolla Town Council, the local manager/advisory board of the Business Improvement District~~Promote La Jolla, Inc.~~, The La Jolla Shores Association, the Bird Rock Community Council, and individuals who have notified the Membership Committee of their interest in receiving any and all electronic notices. Notices shall be posted publicly at the La Jolla Recreation Center.

*** End of Proposed Changes ***



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President: Joe LaCava
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La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month
La Jolla Recreation Center, 615 Prospect Street

Thursday, 3 February 2011

D R A F T MINUTES – REGULAR MEETING

Present: Tom Brady, Devin Burstein, Michael Costello, Dan Courtney, Laura Ducharme Conboy, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Nancy Manno, Phil Merten, Greg Salmon, Rob Whittemore, Ray Weiss.

1. Welcome and Call To Order: Joe LaCava, President @ 6:03 PM

2. Adopt the Agenda

Approved Motion: Motion to adopt the Agenda, (Fitzgerald/Merten 11/0/1).

In favor: Brady, Conboy, Costello, Crisafi, Fitzgerald, Gabsch, Little, Manno, Merten, Weiss, Whittemore.

Abstain: LaCava.

3. Elected Officials Report – Information Only

A. Council District 2 – Councilmember Kevin Faulconer

Rep: Thyme Curtis, 619.236.6622, tcurtis@sandiego.gov

Ms. Curtis was not present.

B. Council District 1 – Councilmember Sherri Lightner

Rep: Erin Demorest, 619.236.7762, edemorest@sandiego.gov

Ms. Demorest was present: Reported: S D City Council repealed the "Super Center" ordinance, believing it not cost effective to argue in favor of the Ordinance. Re: Charlotte Beach Public Access, Councilmember Lightner's office is working closely with City departments to explore full public access to the Charlotte Beach.

4. Non-Agenda Public Comment

Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.

A. UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>

Ms. Delouri was present, made report: Information regarding report is available on the UCSD website.

Community Member Mr. Bob Whitney discussed FAR calculations, referring to conflicting information presented to the LJCPA and by the San Diego Development Services Department.

LJCPA Member Ms. Esther Viti, Chair of the Nell Carpenter Beautification/Streetscape Clean Up Committee, of the La Jolla Town Council, invited the Community to continue to participate in the monthly La Jolla clean up.

LJCPA Member Ms. Helen Boyden: noted there will be a Planning Commission hearing re the Palazzo Project on February 17, 2011. This project was denied, (12/2/1) at the June 2010 LJCPA meeting.

Trustee Merten presented information re the Cardenas Residence Deck Addition. Trustee Merten has notified San Diego City Attorney Jan Goldsmith and Director, Development Services Department, Kelly Broughton, by letter of his concerns regarding Project No. 216821, Combination Permit Approval No. 771687.

LJCPA Member John Berol discussed technical documents he has reviewed, regarding the Water Reuse Program/Water Purification Demonstration Project. Mr. Berol suggested it would be prudent to oppose this project unless the City demonstrates how it will design a management system to avoid the propensity of humans to make mistakes and cover them up."

If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.

5. Meeting Minutes Review and Approval: 06 January 2011

Approved Motion: Motion to approve the January 06, 2011 Minutes, (Brady/Conboy 11/0/3).

In favor: Brady, Burstein, Conboy, Costello, Crisafi, Fitzgerald, Little, Manno, Merten, Weiss, Whittemore.

Abstain: Courtney, Gabsch, LaCava,

6. Officer Reports

A. Secretary: Nancy Manno

Presented by President LaCava, for secretary Nancy Manno: If you want your attendance recorded today, please sign-in at the back of the room. You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become a Trustee. If you want your attendance recorded without signing-in at the back, then hand to me before the end of the meeting a piece of paper with your printed full name, signature and a statement that you want your attendance recorded. Eligible non-members wishing to join the LJCPA must have recorded attendance for one meeting and must submit an application, which is available at the membership table and on-line.

B. Treasurer: Jim Fitzgerald

Beginning Balance: \$24.03 + Income \$305.29 – (Expenses \$243.31)= Ending Balance: \$61.98.

Expenses include: Printing, (a larger expense than usual due to greater number of appeals), telephone. Trustee Fitzgerald commented on the special generosity of the Membership and Trustees at the January meeting, and reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees. All donations must be in cash to preserve anonymity.

7. Candidate Statements

Candidates present their qualifications and reasons for running (2 minutes each).

A last opportunity to announce candidacy.

President LaCava called upon previously announced Candidates to present their statements and called for unannounced Candidates: The following LJCPA Members, in order of appearance, presented statements of qualifications:

Mr. Dan Allen

Trustee Tony Crisafi, LJCPA Vice President

Trustee Jim Fitzgerald, LJCPA Treasurer

Trustee Orrin Gabsch

Trustee David Little

Ms. Ariadne Milligan

Trustee Ray Weiss

Ms. Jane Emerson

Ms. Cynthia Bond

Trustee Joe LaCava, LJCPA President

President LaCava called one last time to LJCPA Members for self-nominations from the floor. Seeing none he announced that the nomination period was now closed.

LJCPA Member Mr. Ed Ward noted President LaCava has been an exceptionally fine president and thanked him for his service to the La Jolla community ... Trustees and community members enthusiastically expressed their agreement.

8. President's Report – Action Items Where Indicated

President LaCava dispensed with the President's Report, with the exception of items C and G, due to a full Agenda, and asked the audience to refer to their copies of the printed Agenda for information.

A. Community Planners Committee – No action

B. Bishops Library – 3-2 vote to support the appeal was deemed a rejection of the appeal after the fact.

C. 8490 Whale Watch Way – Hearing Officer Hearing changed to Feb 9: Delayed to March 11, 2011.

- D. Whitney Mixed Use – Planning Commission Unanimously Approved, LJCPA appealed to City Council.
- E. La Jolla Shores Advisory Board – “minor in scope” review, discussion continues on Feb 15.
- F. Torrey Pines Road Corridor – Community forum continues, Thurs, Feb 24. See info at lajollacpa.org

G. Traffic & Transportation Board Appointment – Orrin Gabsch to fill the balance of term - Ratify
Approved Motion: Motion to ratify the appointment of Trustee Gabsch to the La Jolla Traffic & Transportation Board, (Merten/Crisafi 12/0/3
In favor: Brady, Burstein, Conboy, Costello, Courtney, Crisafi, Fitzgerald, Lucas, Manno, Merten, Weiss, Whittemore.
Abstain: Gabsch, LaCava, Little

- H. Elections – Running for a 3-year seat with only 2 years of eligibility > Allowable but disclose to voters
- I. Elections – Thursday, March 3, 3:00 pm to 7:00 pm
- J. Annual Member Meeting – Thursday, March 3, 6:00 pm

9. CONSENT AGENDA – Ratify or Reconsider Committee Action
Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items.

→ *Anyone may request that a consent item be pulled for reconsideration and full discussion.*

→ *Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.*

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, Chair Tony Crisafi, 2nd & 3rd Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

A. Everybody Luvs Chocolate: *Pulled: President LaCava*

PDO ACTION: The two signs conform to the PDO, 8-0-1.

5628 La Jolla Boulevard - Change in use from vacant retail to retail/confectioner; signage.

B. Valet Parking Spaces on Prospect Street: *Pulled Ms. D. Marengo*

T&T ACTION: For the interested parties to conduct a study or survey that will indicate the number of businesses and residents for or against the options, 5-1-0.

Prospect Street between Cave Street and Herschel - Possible reconsideration to either maintain the existing valet zone, shift the existing zone 4 spaces to the east, or relocate 3 of the spaces to a separate location a half block east.

C. Trevino Residence

DPR ACTION: Findings can be made for a Coastal Development Permit, 8-0-0.

5342 Chelsea Street - Demolish existing residence and construct a new sustainable, 3,563 SF, two story over basement, single family residence on a 0.14 acre site in the RS-1-7 Zone.

D. 1912 Spindrift (See also Item #14): *Pulled: Trustee Merten*

PRC ACTION: The findings for a CDP and SDP can be made, 4-3-0.

1912 Spindrift - Demolish existing residence and construct a 4699 sq. ft., two-story single family residence on a 13,511 sf parcel. La Jolla Shores PDO.

E. Rosen Residence

PRC ACTION: The findings can be made for plans modified from those presented to the City and dated 1-27-2011, 3-1-0.

8814 Robin Hood Lane - Remodel of existing 1726 sf single family residence including an 858 sf second-story addition on an 8,550 sf lot.

Approved Motion: Motion:

To accept the recommendation of the Development Permit Review Committee: (C) Trevino Residence, 5342 Chelsea Street: Findings can be made for a Coastal Development Permit: Demolish existing residence and construct a new sustainable, 3,563 SF, two story over basement, single

family residence on a 0.14 acre site in the RS-1-7 Zone, and forward the recommendation to the City.

To accept the recommendation of the Permit Review Committee: (E) Rosen Residence: 8814 Robin Hood Lane: Findings can be made for plans modified from those presented to the City and dated 1-27-2011: Remodel of existing 1726 sf. single family residence, including an 858 sf. second-story addition on an 8,550 sf lot, and forward the recommendation to the City.

(Weiss/Fitzgerald 15/0/1)

In favor: Brady, Burstein, Conboy, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, Lucas, Little, Manno, Merten, Salmon, Weiss, Whittemore.

Abstain: LaCava

10. REPORTS FROM OTHER ADVISORY COMMITTEES - Information only

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – *Inactive*

B. COASTAL ACCESS AND PARKING BOARD – Meets 1st Tues, 4pm, Rec Center: *No Report*

11. Friedman Residence

6318 Muirlands Drive - Coastal Development Permit to demolish an existing residence and construct a 6,904 square foot single family residence on a 0.35-acre site in the RS-1-2 Zone.

Previous ACTION (Jan '11): Pulled by applicant from Consent Agenda.

Previous DPR ACTION (Dec '10): Findings cannot be made for Coastal Development Permit. 8-0-0.

Speaker: Brion Jeannette

Mr. Brion Jeannette, Project Architect: Presented a Power Point/photographic slide presentation of the Proposed Project.

Trustee Crisafi presented a summary of the Development Permit Review Committee's primary issues/concerns re Proposed Project: The view from canyon toward the rear of the residence, the second story/placement of second story of residence. Trustee Crisafi noted: Mr. Jeannette's presentation, at this meeting, was new/provided new information, and because standard, reasonably expected information had not previously been made available to the DPR committee, the committee was unable to make a determination re this project and therefore voted unanimously to deny the project.

Mr. Alan Johnson, neighbor immediately to the south of Proposed Project expressed concerns re impact of the second story of Proposed Project. Noted general neighborhood concern re impact of Proposed Project on the canyon preserve. Mr. Johnson noted that "story poles" would have been very helpful in determining the impact of the Proposed Project, expressed disappointment that although requested, poles had not been erected.

Ms. Elizabeth Taft, neighbor, expressed concerns re drainage of the area and impact Proposed Project might have on area drainage.

Ms. Pat Granger, community member, questioned public access to canyon preserve.

Ms. Cindy Thorsen, LJCPA member, DPR Committee member, noted committee concerns re the proposed Project impact on the canyon preserve, the canyon open space, the views from across the canyon.

Trustee Crisafi again noted applicants' reluctance to provide information to the DPR Committee.

Trustees Conboy, Costello, Merten expressed concerns re scale of project, location of second story of project.

Trustees Courtney, Gabsch, Little, Lucas, Salmon, Whittemore, President LaCava commented.

Mr. Jeannette responded, in detail, to the Trustees comments and questions.

Trustee Crisafi referring to the PP presentation: The images on page 38, when clarified in discussion with Mr. Jeannette, identified the proposed development to appear visually compatible with the adjacent existing development, especially after Mr. Jeannette identified the Johnson Residence, which was somewhat obscured by the vegetation in the image. Trustee Crisafi referring to page 38, reiterated his comments re lack of information, noting the DPR Committee had, in three sessions devoted in aggregate six hours to review of proposed project.

Trustee Weiss: Am I correct, in that DPR Committee requested an additional setback of second story and you, (Mr. Jeannette), agreed to request, believing solution would meet requirement of DPR concerns?

Mr. Jeannette: Yes, however Client declined solution.

Trustee Gabsch: reiterated/agreed with DPR Committee's concern re setback of second story.

Withdrawn Motion: Friedman Residence, 6318 Muirlands Drive: To approve Coastal Development Permit: Findings can be made (Salmon/Burstein).

Trustee Whittemore: Discussing Motion: Unable to support the Motion because consensus opinion, (including opinion of Applicant's representative), re second story setback was not supported by Applicant.

Failed Motion: Motion to close debate and vote immediately, (Call The Question), (Gabsch 7/7/2)

In favor: Courtney, Crisafi, Gabsch, Little, Lucas, Weiss, Whittemore.

Opposed: Brady, Burstein, Conboy, Costello, Fitzgerald, Manno, Merten.

Abstain: LaCava

Declining to vote: Salmon

Trustees resumed discussion of proposed project and Motion.

Mr. Jeannette asked for the opportunity to return to his client and propose changes requested by Trustees.

There ensued a general discussion among Trustees regarding possible solutions to those concerns expressed by the Trustees re the proposed Project.

Trustee Fitzgerald made reference to, and invoked LJCPA Policy that prohibits project approval with conditions and the applicability of this policy to the project under consideration.

Trustee Salmon withdrew his previous Motion.

A Discussion ensued among those Trustees not supporting the project and, in order to comply with the setback requirements of the La Jolla Community Plan, suggested an 18-inch set back of the second floor from the first floor. A compromise suggestion was made to move/place the entire building 18 inches to the north.

Mr. Jeannette agreed to this modification and it was made part of the proposal.

Approved Motion: Motion to approve the Project, as modified, to move residence to the North by eighteen inches, (Salmon/Burstein 8/7/1).

In favor: Brady, Burstein, Conboy, Courtney, Crisafi, Fitzgerald, LaCava, Salmon

Opposed: Costello, Gabsch, Little, Manno, Merten, Weiss, Whittemore

Abstain: Lucas

12. Fire Lane north of 2100 Block of Avenida de la Playa, One-way Eastbound

CPA approved (May 2010) original proposal to change this lane from two-way to one-way westbound. This direction conflicts with city refuse collection so revised proposal is for one-way eastbound.

Previous Action (Jan '11): Pulled from Consent Agenda

Previous T&T Action (Dec '10): Approve as one-way eastbound, 6-0-2.

Previous Action (May '10): Approved T&T recommendation on consent.

Previous T&T Action (Apr '10): Approved as one-way westbound.

President LaCava presented a summary of the history of this proposal and the current discussion among the residents affected by the proposed change. Trustees Salmon, Burstein, Courtney, Conboy, Brady, Little, Lucas, Fitzgerald, Whittemore, Merten questioned, commented. President LaCava responded.

Approved Motion: Motion to deny the proposal to make the Fire Lane north of 2100 Block of Avenida de la Playa a one-way street, (Burstein/Courtney 15/0/1)

In favor: Brady, Burstein, Conboy, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Salmon, Weiss, Whittemore.

Abstain: LaCava

13. Charlotte Public Beach Access – Possible Action

7957 Princess Street – The California Coastal Commission (CCC) is reportedly proposing to withdraw its previous requirement for public access across the subject address as part of a resolution of a long-standing litigation re violations of the Coastal Act on the property; "lifeguard emergency" access would be restored. Further a \$3.3 million mitigation fee is being proposed in light of the previous violations. There are other modest requirements being considered by the CCC but those are not part of this agenda item. The Community Plan calls out this trail as "Princess Street (emergency access)".

Note: Coastal Commission Hearing, Thurs, Feb 10th, Chula Vista Council Chambers.

Previous Action (Aug '08): Conditional Approval of minor alterations and amendment to SDP, 6-5-0.

President LaCava presented: Summarized the history of the Charlotte Public Beach Access, (Princess Street Beach Access / Kretowicz Beach Access).

Ms. Brenda Fake, community member, advocated for public access. Trustees Brady, Burstein, Conboy, Courtney, Gabsch, Fitzgerald, Little, Lucas, Salmon, Weiss commented, strongly advocated for public

access to the Charlotte Beach.

Approved Motion: Motion: The La Jolla Community Planning Association supports the restoration and maintenance of the historic full and open public beach access at 7957 Princess Street and not simply "emergency lifeguard" access. And incorporating this access into the La Jolla Community Plan and Local Coastal Program. Furthermore, any funds that the Coastal Commission may seek to recover as mitigation for previous obstruction of such access and/or for non-conforming development at the subject property must be restricted for use solely within the La Jolla Coastal area, (Burststein/Salmon 16/0/0).

In Favor: Brady, Burststein, Conboy, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten, Salmon, Weiss, Whittemore.

14. 1912 Spindrifft Residence:

Will be heard only if pulled from the Consent Agenda

1912 Spindrifft - Demolish existing residence and construct a 4699 sq. ft., two-story single-family residence on a 13,511 sf parcel. La Jolla Shores PDO.

PRC ACTION: The findings for a CDP and SDP can be made, 4-3-0.

Trustee Crisafi, (Applicants Architect) recused himself from discussion.

Mr. Matt Peterson presented for the Applicant. Mr. Peterson clarified that the size of the house has been downsized to 3,475 feet in response to the Permit Review Committee and City comments, as described in the handout to Trustees. Mr. Peterson summarized: Applicant purchased home at 1900 Spindrifft Drive; when adjacent property at 1912 Spindrifft became available, applicant purchased this property, with intention to demolish existing non-conforming structure and build a guest home on property, (1912 Spindrifft Drive), combining the two properties into an estate. San Diego City considers property at 1912 Spindrifft Drive to be a separate entity, requiring conformity to applicable City Codes and to La Jolla Shores PDO. Mr. Peterson presented a Power Point slide presentation, exhibiting the proposed Project.

LJCPA Member, John BeroI noted the proposed eight-foot northern side yard setback and the southern 0 side yard setback, establishing a view corridor, illustrates an advantage of the LJ Shores PDO; the ability to do something different, in accordance with an existing situation.

LJCPA Member Don Schmidt commented re the Archeology report, the significance, and the sensitivity of this particular area in regard to Native Americans.

LJCPA Member, Permit Review Committee Chair, Helen Boyden discussed the issues presented to the PRC Committee, the concerns expressed by committee members, primarily the closeness of the residence to the street, (Spindrifft Drive). President LaCava noted the PRC approval was based on a southern side yard set back of two feet and northerly set back of six feet; the current proposal is for 0 feet and 8 feet respectively. Trustee Merten, PRC Committee member presented his several concerns re the proposed Project referring to the La Jolla Shores Design Manual and the La Jolla Shores Planned District Ordinance with particular emphasis on the building set back, the parking plan and the disruption of the architectural unity of Spindrifft Drive.

Trustees Courtney, Lucas, Weiss, Conboy, Costello, Gabsch, Little, Salmon, commented/questioned.

LJCPA Member Cindy Thorsen inquired re plans for the existing Boat House. Trustee Crisafi, as Applicants Architect and Mr. Peterson responded in considerable detail.

Discussion of the Motion: Trustees Weiss, Salmon requested clarification re set backs, view corridors, parking, encroachment of mean high tide line. Mr. Patterson responded to the satisfaction of the Trustees.

President LaCava sought verification that the 8 feet northerly side yard setback would not have any vegetation blocking public views from the street to the ocean. Mr. Peterson confirmed that was true and the rendering in the PowerPoint presentation was an early draft and not indicative of the current proposal. Trustee Merten reiterated his belief that the proposed Project did not conform, in several aspects, to the LJ Shores PDO.

Trustees Costello and Gabsch noted their continuing concerns re set back, parking.

Failed Motion: Motion: Findings can be made for a CDP and SDP: 1912 Spindrifft Drive: Demolish existing residence and construct a 3475 sq. ft., two-story single-family residence on a 13,511 sf parcel, with an eight foot northerly side yard setback, a 0 foot southerly side yard set back, (Burststein/Manno 5/6/4)

In favor: Brady, Burstein, Fitzgerald, Lucas, Manno,
Opposed: Conboy, Gabsch, Little, Merten, Weiss, Whittemore
Abstain: Costello, Courtney, LaCava, Salmon,
Recused: Crisafi (Mr. Crisafi left room).

Approved Motion: Motion to reconsider previous Motion, (Whittemore 10/4/1)
In favor: Brady, Burstein, Conboy, Costello, Courtney, Fitzgerald, Manno, Salmon, Weiss, Whittemore.
Opposed: Gabsch, Little, Lucas, Merten,
Abstain: LaCava,
Recused: Crisafi (Mr. Crisafi left room).

Approved Motion: Motion: Findings can be made for a Coastal Development Permit and Site Development Permit: 1912 Spindrift Drive: Demolish existing residence and construct a 3475 sq. ft., two-story single-family residence on a 13,511 sf parcel, with an eight foot northerly side yard setback, a 0 foot southerly side yard set back, (Burstein/Manno 9/4/2)
In favor: Brady, Burstein, Conboy, Costello, Fitzgerald, Lucas, Manno, Salmon, Whittemore.
Opposed: Gabsch, Little, Merten, Weiss.
Abstain: Courtney, LaCava,
Recused: Crisafi (Mr. Crisafi left room).

15. CPA Bylaw Amendment – Recommendation to Members
Consideration and possible recommendation to Members to amend the bylaws at the March 2011 Annual Meeting. The late hour necessitated Agenda Item 15 be deferred to the March LJCPA Meeting.

16. Adjourn @ 9:45 PM to next Annual Member Meeting, March 3, 2011, 6:00 pm

17. Adjourn to next Regular Monthly Meeting, March 3, 2011, 6:10 pm

Looking ahead to our March meeting:

Elections – Polls open from 3:00 pm to 7:00 pm for Members to vote. Bring photo ID

Annual Member Meeting – Need 20% for quorum.

Regular Monthly Meeting immediately following, including announcement of election results.

**UNAPPROVED MINUTES OF THE LA JOLLA
PLANNED DISTRICT ORDINANCE COMMITTEE
February 14, 2011**

Present: Stiegler, Little, Fitzgerald, Marengo, Rasmussen, Wagenseller

A quorum was established at 4 pm. Dewhurst resigned for personal reasons.

The January minutes were approved Marengo/Fitzgerald 6-0

Public Present:

Don Hodges hodgesarchitects@gmail.com;

Scott Peters scott@scottpeters.com

Mary Coakley coakleym@san.rr.com

Marie Lia mbllaw@earthlink.net

Trudy Armstrong trudy@sdfoundation.org

James Alcorn 7751 Girard Ave

Alexis Knepp alexisknepp@sbcglobal.net

Michael Dershowitz mdershowitz@san.rr.com

Dan Allen danallen@alum.mit.edu

Public Comment

Mary Coakley gave a presentation of a proposed alternative plan for the Riford Center's proposed ADA renovations to the main entrance and a 3' ADA side door on Bonair St, financed through a CDBG grant. A plan was provided of an alternative concept developed by architect Don Goertz and several neighbors of the facility. The neighbors are afraid that the proposed side entrance (on Bonair St) could become the main entrance. They propose a ramp on the west elevation from south to north to the current entrance and landing, and stairs down to the north, both against the building. These could be built within the Riford's property line, which includes some of the current sidewalk, but they would narrow the sidewalk. Mary indicated the City would accept a narrowed sidewalk. The City has not been asked to approve plans yet. The Riford Center is proceeding with funding approval for their ADA renovations; Don Hodges of the Riford Center has met with Don Goertz. This will be placed on the March PDO agenda.

Item A: La Jolla Community Foundation Information Item: Public Art

Scott Peters indicated the San Diego Foundation enables local donations to the La Jolla Community Foundation to be used for La Jolla Projects. The LJCF is taking donations for noncontroversial public art to beautify the Village (these are privately funded, engaging known artists); the LJCF may also fund interpretive signage at beaches, new fencing along with the Torrey Pines Corridor project and Throat beautification that was not accomplished. The LJCF seeks input on colors and locations of public art, such as those accomplished at 2 sites. They have identified 8-10 potential sites, including the south-facing wall at Rubios/LJ Brewery driveway, where an artist has proposed a large canvas rendering of a grain of sand. A discussion was held and the Committee generally agreed that such art projects do not fall into the definition

of a “sign” as long as the project does not convey commercial information. The PDO committee recommended that Art project funding should include maintenance and removal funding. Peters represented that the art will be changed every 1-3 years. It was noted that the PDO does prohibit certain exterior finishes such as shiny metal, and certain finishes like mosaics and marble must be less than 10% of a façade. Scott believes the PDO did not contemplate art, but the projects will not be placed on front walls. The LJCF wanted to hear the PDO committees concerns and will come up with a defined program; they would like to return to our committee to present their proposed program. The PDO Committee expressed that it does not want to be an “art jury” so it was encouraged that the LJCF develop a process of choosing the aesthetics. No action was taken by the Committee at this time. The proposed program will return and be reviewed.

Item B: Green Dragon Residential Development on Coast Blvd.

Marengo recused as her landlord at Goldfish Point Café is the developer. Jim Alcorn and Alexis Knepp presented as an information item renderings of 3 projects (below what was the Chart House), in City Process, known as Gables, Jack O Lantern and East Cliff. No commercial component is proposed, but the City indicates the first floor of these structures cannot be used for residential purposes, because there are two front yards. The Committee expressed agreement that these should be entirely residential. The City and Coastal Commission mandate design elements similar to those of the four 1991 razed cottages and similar to the Brockton Villa restaurant location. Since this block bounded by Prospect, Cave St and Coast Blvd is under one ownership, the City may include this project as within the CDP for the Trattoria Acqua (Coast Walk). There is some indication the “commercial” requirement could be satisfied by placing it on Prospect St. A discussion was had about driveway access and curb cuts. 4½ public parking spaces will be lost. The proposed action to be presented to the PDO will be for a Special Use Permit, CDP and PDO permits (if the SUP is obtained, it must comply with the PDO). There is a view corridor these structures observe, from the Green Dragon shops on Prospect. Due to the loss of a quorum no action could be taken on this item.

Item C: Proposed PDO Letter

Stiegler requested Board input to her draft letter dated 1/27/11, concerning signage issues in Bird Rock. Marengo observed that the BRCC is a “micro BID” gaining BID Council funding and therefore must assure compliance with the PDO. The Committee suggested that Ione request to address the BRCC before sending the revised letter.

The meeting was adjourned at 5:00 p.m. The next PDO meeting is scheduled for March 14, 2011 at 4:00 p.m.

Respectfully Submitted
Glen Rasmussen, Secretary

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

**COMMITTEE REPORT
FOR
FEBRUARY**

- 2/8/2011 Present:** Collins, Ducharme-Conboy, Costello, Crisafi (Chairman), Hayes, Liera, Merten, Thorsen
- 2/15/2011 Present:** Ducharme-Conboy, Costello, Crisafi (Chairman), Hayes, Liera, Merten, Thorsen

FINAL REVIEW

Project Name: **EAST CLIFF / GABLES / JACK O’LANTERN TOWNHOMES**

1241, 1245, 1249 Coast Blvd.	Permits:	CDP
Project #: PO#224418	DPM:	Sandra Teasley 619-446-5245 steasley@sandiego.gov
Zone: LJ PDO -1A	Applicant:	Architects Alcorn & Benton, Project Mgr.Hamid Bagheri 858-459-0805 bagheri@jamesalcorn.com

Scope of Work:

(Process 3) Coastal Development Permit to construct 3 for rent single family residences (Floor Area: 600 sf, 2,451 sf and 2,540 sf) on a site with existing commercial buildings on a 39,640 SF site in the LJ PDO 1A Zone of the La Jolla Community Plan, Coastal Overlay Zone (appealable), Coastal Height Limit Overlay Zone, Coastal Parking Impact, Residential Tandem Parking Zone, Transit Area Zone. Council District 1.

From 8 Feb 2011

Subcommittee Motion: The La Jolla Community Plan will support the residential development and will not support the commercial development on this part of Coast Blvd as there is adequate commercial development on Prospect St. The Committee would like the Applicant to return with the Project for review and determination of all other issues.

(DuCharme/Thorsen 8-0-0)

In Favor: Collins, Ducharme-Conboy, Costello, Crisafi, Hayes, Liera, Merten, Thorsen

Oppose: 0

Abstain: 0

Motion passes

From 15 Feb 2011

Please provide for FINAL REVIEW:

- 1. Clarify views from public vantage points, ie bluff/edge of walkway from Prospect. Show “cones of view” with elevations. Demonstrate enhancement as per The Community Plan (Public Views to be enhanced).**
- 2. Get site sections from Prospect to Coast thru every unit from top of bluff/edge of walkway from Prospect.**
- 3. Consider reducing curb cuts at former Mosher Studio. (Goal is to increase parking.)**
- 4. Clarify which buildings are Heritage Structures.**
- 5. Show articulation on Site Plan. Since you know floor elevations, show how buildings set back on a diagram.**
- 6. Identify mature trees on site or their replacements.**
- 7. On landscape plan to show terraces as they step up on a site plan. (correct North arrow)**
- 8. Study diagonal angled parking spaces on Coast. (Increase #?)**
- 9. What is lot coverage?**

**La Jolla Development Permit Review
Committee Report – February 2011
Page 2**

PRELIMINARY REVIEW

Project Name: **ARIZA RESIDENCE**

1654 Marisma Way

Project #: PO#228561

Zone: RS-1-2

Permits: CDP

DPM: Jeannette Temple 619-557-7908
jtemple@sandiego.gov

Applicant: Dewhurst & Associates
Carlos Perez 858-456-5345
carlos@dewhurst.com

Scope of Work:

(Process 2) Coastal Development Permit to demolish an existing one story residence and construct a 5,660 sf two story single family residence on a 0.16 acre site within the La Jolla Community Plan, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone. Council District 1

Presenter: Dan Sehlhorst, AIA

Please provide for PRELIMINARY REVIEW:

- 1. Cycles Issues Letters**
- 2. Other?**

Project Name: **STYLES RESIDENCE**

401, 403, 405 Nautilus

Project #: PO#222330

Zone: RM-1-1

Permits: EOT for CDP& NDP

DPM: Glenn Gargas 619-446-5142
ggargas@sandiego.gov

Applicant: Shawn Styles 858-472-4397
sstyles@kfmb.com

Scope of Work:

(Process 2) Extension of Time for Coastal Development Permit #263494 & Neighborhood Development Permit #285546 to for a partial demolition, remodel reconfiguration and additions to three existing single family residences to total 4,737 sf on a 6,500 sf lot. Unit A (1,644 sf) &Unit B (1,046 sf) are two story building with attached garage & Unit C (2,044 sf) is a two story residence with attached garage, all within the La Jolla Community Plan, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone, Beach Parking Impact Zone, Residential Tandem Parking Zone, Transit Zone. Council District 1

Subcommittee Motion: to Merge Preliminary and Final Reviews and Findings can be made to approve an Extension of Time.

(Thorsen/Ducharme 6-0-0)

In Favor: DuCharme Conboy, Crisafi, Costello, Liera, Merten, Thorsen

Oppose: 0

Abstain: 0

Motion passes

PUBLIC DISCUSSION ITEMS –

- A. MEHL RESIDENCE** - *previously reviewed & approved Oct 19, 2010*
- B. Vons Parking lot** – *diminishing parking spaces*
- B. Friedman Residence, 6318 Muirlands Dr.** *project review & CEQA exemption review*
- C. Palazzo Project** - *at Planning Commission 17 Feb -Chair Tony Crisafi will represent LJCPA*
- D. 6604 Muirlands** - *at Hearing Officer 23 Feb.*



Agenda Item No. 9.c.
Bishop's Library
(information only)
LJCPA, 3 Mar 2011

La Jolla Community Planning Association

1 February 2011

Planning Commission
City of San Diego
1222 First Ave, 4th floor
San Diego, CA 92101

RE: Continued Hearing: THE BISHOP SCHOOL LIBRARY – PROJECT NO. 197212

Honorable Commissioners,

I am writing you in response to a reported interpretation by the City Attorney's Office of your action at the subject hearing on January 20, 2011.

As you recall a motion to deny the appeal failed for lack of a second. A second motion was offered to uphold the appeal. The motion was predicted to fail and it did under a 3-2 vote. Deliberations included something to the effect that "this will not be decided today." The Commission continued the hearing to February 10 and directed the applicant to provide supplemental information. There was no objection by anyone to that continuation.

As I understand the City Attorney's Office has opined that under the Commission's rules and long held understandings that the 3-2 vote was a failure to uphold the appeal and thus constituted "no action" by the Commission curtailing the hearing. Under "no action" the appeal is deemed to have failed and the Hearing Officer approval stands. My understanding is that as it now stands this legal opinion will be announced at the Commission's February 10 meeting, further, that the hearing on the subject project has ended and the appeal is denied.

I take exception to that and urge you to pursue the continued hearing as planned.

The Commission's rules state "...if the four affirmative votes can not be obtained...". It does not offer a standard as to how that condition is to be satisfied; there is simply no basis for anyone to assert that there is only one opportunity to obtain four votes. I believe that the Commissioners themselves have the right to set the standard of when that condition has been satisfied. If the Chair had announced that the 3-2 vote was a failure to obtain the votes and the Commission would be taking no action that would have been appropriate closure under the rules. But the deliberations make it clear that the Commission clearly has not yet given up in their effort to obtain four affirmative votes in either direction.

PO Box 889, La Jolla, CA 92038 ♦ 458.456.7900 ♦ <http://www.LaJollaCPA.org> ♦ info@LaJollaCPA.org

Further, the most recent opinion on this topic by former City Attorney Aguirre speaks to the concept of “no action”. In re-reviewing the testimony it is quite clear to me that the Commission was not falling into a position of “no action”; instead the Commission appeared quite deliberate in their intention to continue. I hear a prediction that the motion will fail supplemented with something to the effect of “...this will not be decided today...” Clearly this is not a Commission that is embarking on a “no action” but instead a momentary stop to vote before continuing the deliberations. Once the predicted failure of the motion occurs, I hear the Commission resume the meeting by outlining the next steps including scheduling the next meeting. There was no objection or protest by Commissioners in continuing the hearing. Clearly the Commissioners were of the mind to continue the hearing. I assert that the open and transparent actions of the Commissioners can rightly be considered a de facto waiver of their rules.

Last, there is a matter of due process. I believe the Commission’s intent was quite clear at the hearing. To have the Commission’s action interpreted in an opposite manner a week after the hearing deprives the Commission of its right to control its proceedings.

I respectfully urge you to declare that the Commission is within its full rights under the rules to continue with the hearing on February 10th as previously scheduled.

It may be advisable in light of the City Attorney’s Office direction, to entertain a reconsideration of the motion, amend the motion appropriately, and re-vote in order to remove any doubt about the Commission’s intentions to continue to explore this item for at least one more meeting.

The appellants will be prepared for the continuance on February 10th to minimize impact to the applicant.

The appellants may or may not be happy with the Commission’s actions at the end of the day but this is the right thing to do.

Thank you for your time and consideration of this matter.

Sincerely,

La Jolla Community Planning Association



Joe LaCava, President



Agenda Item No. 13
Whitney Mixed Use
LJCPA, 3 Mar 2011

La Jolla Community Planning Association

9 February 2011

Sent via email, a hard copy will not be sent

Ms. Elizabeth Maland, City Clerk
City of San Diego
202 C Street, Second Floor
San Diego, CA 92101

Mary Wright, City Planning & Community Investment
City of San Diego
202 C Street
San Diego, CA 92101

Andrea Dixon, City Attorney's Office
City of San Diego
1200 Third Ave., Suite 1620
San Diego, CA 92101

Kelly Broughton, Development Services Department
City of San Diego
1222 First Avenue, MS 301
San Diego, CA 92101

RE: Whitney Mixed Use Project, Letter from Schwartz Heidel Sullivan, dated February 8, 2011

Dear Mss. Maland, Dixon, Wright, and Mr. Broughton,

I have been made aware of the referenced letter that was sent to Ms. Maland and cc'd to other city departments, the Mayor's Office, and City Council Offices.

Despite the seriousness of the issues raised you should know that neither the applicant nor his representative has brought any of the allegations to the La Jolla Community Planning Association's (LJCPA) attention. Accordingly, I will not be responding to their letter at this time. I will add that the applicant and I did have a conversation about one of the issues and I explained how to file a complaint.

The LJCPA stands ready to participate in any inquiries the city may wish to make in light of the referenced letter; furthermore, the LJCPA is always prepared to deal with complaints that are brought to our attention especially when filed pursuant to the city-approved LJCPA Bylaws and/or Council Policy 600-24.

Since becoming President of this organization three years ago I have made it my top priority to maximize transparency and accountability in the LJCPA's operations. I recognize that our authority stems solely from the City's and the community's confidence in our ability and our integrity. I have invited the community to complain if they took issue with our conduct, continually made refinements to our operation, and, took appropriate action when a misstep was discovered. Despite such efforts I realize that our actions are sometimes not popular with applicants, project opponents, and/or the city. Certainly the community dialogue, the LJCPA's role, and the public hearing process has been particularly challenging on the referenced project. Nevertheless, I am confident in the manner the LJCPA has exercised its responsibilities.

Regards,

La Jolla Community Planning Association

Joe LaCava, President

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