



La Jolla Community Planning Association

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

Contact Us

Mail: PO Box 889, La Jolla, CA 92038

Web: <http://www.LaJollaCPA.org>

Voicemail: 858.456.7900

Email: info@LaJollaCPA.org

President: Joe LaCava

Vice President: Cindy Greatrex

2nd Vice President: Bob Steck

Secretary: Helen Boyden

Treasurer: Jim Fitzgerald

D R A F T AGENDA

Regular Meeting | Thursday, 7 May 2015, 6:00 pm

6:00pm

1.0 Welcome and Call To Order: Joe LaCava, President

→ Please turn off or silence mobile phones

→ Meeting is being recorded

2.0 Adopt the Agenda

3.0 Swearing In Newly Elected Trustee

4.0 Meeting Minutes Review and Approval: 2 April 2015

5.0 Elected Officials – Information Only

5.1 Council District 1 – Council President Sherri Lightner,
Rep: **Justin Garver**, 619-236-6611, JGarver@sandiego.gov

5.2 Mayor's Office – Mayor Kevin Faulconer,
Rep: **Francis Barraza**, 619-533-6397, FBarraza@sandiego.gov

5.3 39th Senate District – State Senator Marty Block
Rep: _____, 619-645-3133,

5.4 78th Assembly District – Speaker of the Assembly Toni Atkins
Rep: **Toni Duran**, 619-645-3090, Toni.Duran@asm.ca.gov

6.0 Non-Agenda Comment

Opportunity for public to speak on matters not on the agenda, 2 minutes or less.

6.1 City of San Diego – Community Planner: **Karen Bucey**, KBucey@sandiego.gov

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

7.0 Trustee Comment

Opportunity for trustees to comment on matters not on the agenda, 2 minutes or less.

8.0 Officers' Reports

8.1 Treasurer

8.2 Secretary

9.0 President's Report – Information only unless otherwise noted.

9.1 Bylaw Amendment – Status of City Approval

9.2 HLJH Residence, 820 Rushville – Appealed, no date set

9.3 Whale Watch Way – Appeal Hearing, Planning Commission, May 14

9.4 Whitney Mixed Use – Planning Commission

9.5 Short-Term Vacation Rental – Smart Growth & Land Use Committee Hearing, May 29th

9.6 **Appointments to Community Joint Committees and Boards – Action Item** (see attached)

10.0 Reports from Ad Hoc and non-LJCPA Committees - Information only unless noted.

10.1 Community Planners Committee <http://www.sandiego.gov/planning/community/cpc/index.shtml>

10.2 Coastal Access & Parking Board <http://www.lajollacpa.org/cap.html>

11.0 Consent Agenda – Action Item

The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the item/project is considered by the LJCPA.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4:00 pm

DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tues, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Interim Chair Phil Merten, 4th Tues, 4:00 pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4:00 pm

The Consent Agenda allows the LJCPA to ratify recommendations of the community joint committees and boards in a single vote with no presentation or debate. It is not a decision regarding the item but a decision whether to accept the recommendation of the committee/board as the recommendation of the LJCPA. The public may comment on consent items.

→ **See Committee minutes and/or agenda for description of projects, deliberations, and vote.**

→ **Anyone may request a consent item be pulled for full discussion by the LJCPA.**

→ **Items “pulled” from Consent Agenda are automatically trailed to the next LJCPA meeting.**

PDO & PRC – No recommendations to LJCPA this month

T&T – No report this month

11.1 Tyrrian Residences, 6752-6762 Tyrrian Street

DPR Recommendation: Findings can be made for a Coastal Development Permit, Map Waiver & Site Development Permit for deviations to construct one 1,461 sq ft residence; remodel and add 762 sq ft to an existing residence; and one existing residence to remain for a total of three residential condominiums at 6752-6762 Tyrrian St. 6-0-1.

11.2 Herschel Triplex, 7569 Herschel Avenue

DPR Recommendation: Findings can be made for a Coastal Development Permit to demolish 1 dwelling unit with detached garage and construct a three unit 'for rent' multi-family dwelling unit building at 7569 Herschel Ave. 6-0-1.

11.3 Tasende Gallery, 820 Prospect

DPR Recommendation: Motion to deny as findings cannot be made for a Coastal Development Permit to remodel the existing mixed use building to include restaurant use and residential addition. The use and location are not consistent with the Community Plan. The plans lack specificity of use and mitigation of noise, parking, odors. The impact of use and the intensity of use not consistent with the established residential use of the area. 5-1-1.

11.4 Altman Residence, 9696 La Jolla Farms Road

DPR Recommendation: Findings can be made for a Site Development Permit & Coastal Development Permit to Amend CDP/SCR to demolish existing accessory structure & construct a detached guest house, garage and storage structure at 9696 La Jolla Farms Rd. 6-0-1.

The following agenda items, when marked "Action Item," can be a *de novo* consideration of the Item.
Prior actions by committees/boards are listed for information only.

Time
Certain
6:30pm

12.0 Torrey Pines Slope Restoration, Torrey Pines Road (southside) westerly of Roseland Dr – Action Item

Site Development Permit (SDP) for the reconstruction of a sloughing slope and replacement of the existing gunite retaining wall with a new retaining wall. The new wall would be approximately 335 foot long and would have a simulated boulderscape face and would vary in height from 13 feet to 25 feet. The top of the new wall would have 44-inch high posts and cable safety railings with a concrete brow ditch immediately behind the wall. Jason Guise, Project Manager, City of San Diego.

City (Oct '13) – Issued Notice of Right to Appeal Environmental Determination

13.0 Climate Action Plan – Action Item

Update on draft City of San Diego's Climate Action Plan presented by the Climate Action Campaign. See <http://www.sandiego.gov/planning/genplan/cap/index.shtml>

14.0 Residential Development Regulations – Information Item

Presentation by private residents in Bird Rock on how current regulations and categorical exempt projects affect the character of single family neighborhoods.

15.0 Resolution regarding the City Council's approval of One Paseo – Action Item

Consider adopting the resolution distributed at the April meeting.

16.0 Adjourn to next LJCPA Meeting, Thursday, June 4, 6:00 pm

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2015-2016 Officers

President: Joe LaCava

Vice President: Cindy Greatrex

2nd Vice President: Bob Steck

Secretary: Helen Boyden

Treasurer: Jim Fitzgerald

DRAFT MINUTES

Regular Meeting | Thursday, 2 April 2015, 6:00 pm

Trustees present: Patrick Ahern, Helen Boyden, Tom Brady, Bob Collins, Mike Costello, Dolores Donovan, Janie Emerson, Jim Fitzgerald, Cindy Greatrex, Joe LaCava, David Little, Jim Ragsdale, Bob Steck, Ray Weiss, Brian Will, Fran Zimmerman

Trustees absent: Alex Outwater, Glen Rasmussen

1.0 Welcome and Call to Order by Joe LaCava, President at 6:01 pm

He announced that newly elected trustees were seated at the beginning of the meeting, though they would not take the oath of office until later in the meeting. He asked those present to turn off cell phones and similar items and said that the meeting was being recorded: audio only by the LJCPA and in video by someone who did not identify himself. The Secretary gave instructions to the trustees on filling out the voting sheets.

2.0 Adopt the Agenda

Approved Motion: To adopt the agenda as posted (Steck, Collins: 13-0-1)

In favor: Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Greatrex, Little, Ragsdale, Steck, Weiss, Will.

Abstain: LaCava (Chair)

3.0 Elections

3.1 Recognition of Outgoing Trustees – Council President Sherri Lightner thanked the trustees and members for their service to the community. She especially acknowledged the outgoing trustees: **Robert Mapes, Cynthia Bond, Dan Courtney, Phil Merten** and **Nancy Manno**, presenting certificates of appreciation to those present, Messrs. Merten and Courtney.

3.2 CP Lightner then swore in the newly elected and reelected trustees: **David Little, Janie Emerson, Tom Brady, Brian Will, Jim Fitzgerald** and **Dede Donovan**. **Glen Rasmussen** was absent. She then reported on the work occurring on the Torrey Pines Road Corridor: The chain link fence has been replaced and overgrown vegetation removed, opening up view corridors; the damaged sidewalk is being repaired, including removal of obstructions and installation of ADA compliant curb ramps. She also announced that the Mayor would release his proposed budget for fiscal 2016 on April 14. Public Budget Committee hearings will be held the week of May 4, (M-F, 9am to 2 pm) and also on May 11 at 6pm. All are welcome to participate in the process.

4.0 Election of Officers – Action Item

4.1 President

Trustee Boyden nominated **Joe LaCava** for President of the LJCPA.

Approved Motion: To Elect Joe LaCava as President of the LJCPA (Boyden, Fitzgerald: 14-0-1)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Greatrex, Little, Ragsdale, Steck, Weiss, Will.

Abstain: LaCava, Chair

4.2 1st Vice President

Trustee Emerson nominated **Cindy Greatrex** for 1st Vice President of the LJCPA (**Second, Trustee Collins**)

Trustee Bob Steck nominated himself for 1st Vice President (**Second Trustee Weiss**)

For Trustee Greatrex: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Greatrex, Little, Ragsdale, Will. (Counted 10, does not match)

For Trustee Steck: Steck, Weiss (Counted 3, does not match)

Abstain: LaCava, Chair

4.3 2nd Vice President

Trustee **Donovan** nominated **Bob Steck** for Second Vice President of the LJCPA

Approved Motion: To Elect Bob Steck as Second Vice President of the LJCPA (Emerson, Donovan: 14-0-1)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Greatrex, Little, Ragsdale, Steck, Weiss, Will.

Abstain: LaCava, Chair

4.4 Secretary

Trustee **Greatrex** nominated **Helen Boyden** for Secretary of the LJCPA

Approved Motion: To elect Helen Boyden as Secretary of the LJCPA (Greatrex, Weiss 14-0-1)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Greatrex, Little, Ragsdale, Steck, Weiss, Will.

Abstain: LaCava, Chair

4.5 Treasurer

Trustee **Greatrex** nominated **Jim Fitzgerald** for Treasurer of the LJCPA

Approved Motion: To elect Jim Fitzgerald as Treasurer of the LJCPA (Greatrex, Boyden: 13-0-2)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Greatrex, Little, Ragsdale, Steck, Weiss, Will.

Abstain: Fitzgerald, (Candidate), LaCava, Chair

5.0 Meeting Minutes Review and Approval: 5 March 2015

Approved Motion: To approve the minutes of the March 5 Member and March 5 Regular meetings of the LJCPA (Ragsdale, Emerson: 11-0-5)

In favor: Ahern, Boyden, Collins, Costello, Emerson, Fitzgerald, Greatrex, Ragsdale, Steck, Weiss, Will

Abstain: LaCava, Chair; Brady, Donovan, Little, Zimmerman (all not present)

6.0 Elected Officials – Information Only

6.1 Council District 1 – Council President Sherri Lightner

Rep: **Justin Garver**, 619-236-6611, JGarver@sandiego.gov made no additional report

6.2 Mayor's Office – Mayor Kevin Faulconer

Rep: **Francis Barraza**, 619-533-6397, FBarraza@sandiego.gov was not present

6.3 39th Senate District – State Senator Marty Block

Rep: **Hilary Nemchik**, 619-645-3133, Hilary.Nemchik@sen.ca.gov, announced that Senator Block had introduced SB 352 which allows victims of elder abuse to get protective orders against their abusers. She said she was moving on, but that Senator Block would appoint a new representative.

6.4 78th Assembly District – Speaker of the Assembly Toni Atkins

Rep: **Toni Duran**, 619-645-3090, Toni.Duran@asm.ca.gov was not present

7.0 Non-Agenda Comment

Opportunity for public to speak on matters not on the agenda, 2 minutes or less.

7.1 UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/> announced that the comment period for the Draft EIR for the Center for Novel Therapeutics would close on April 16th. The documents are available at the website cited. In response to **Trustee Zimmerman** she stated that work on the Southwest Fisheries Building D at SIO would not increase its height, but would only include inside work.

7.2 Others

Christopher Beach, President of the La Jolla Music Society, said their new facility planned for Fay Avenue would enhance the cultural life of La Jolla. The Society has already raised \$57.5 of the \$62.5 million needed to construct the Conrad Prebys Performing Arts Center (The Conrad). The facility will have a 500 seat concert hall and a 150 seat cabaret theater. They are just beginning the formal application process with the City and expect to begin construction in 2016 and open in 2018. www.theconrad.org

City Planner for La Jolla, Karen Bucey, announced the required COW training for new trustees would be held on May 16 from 8 AM to Noon. The internet version of the COW is currently offline to update it with information from the revised City Policy 600-24. Trustees who have taken the COW previously do not have to take it again.

Jeff Powers representing Protect San Diego’s Neighborhoods which opposes the One Paseo project, which was approved by the City Council. He asking support from community planning groups across to sign a resolution opposing the development. The signatures gathered for a referendum are now being reviewed by the City Clerk’s office. He warned that other communities could be affected by this precedent setting density increase in the future. <protectsdneighborhoods.com>

Phil Merten thanked the group for the opportunity to serve the LJCPA as a trustee. He noted several organizations involved in advising the City about land use in La Jolla; cited relevant documents(La Jolla PDO, La Jolla Shores PDO, La Jolla Shores Design Manual, La Jolla Community Plan); and distributed copies of the sections of the SD Municipal Code that enumerate the findings that must be made before discretionary permits can be issued.

8.0 Trustee Comment

Opportunity for trustees to comment on matters not on the agenda, 2 minutes or less.

Trustee Zimmerman commented on the lack of information as to when street sweeping takes place and the need for signs. Many times streets are parked up on the assigned days.

Trustee Emerson asked that the proposed resolution opposing the One Paseo Issue be on the May LJCPA agenda; the Chair agreed.

9.0 Officers’ Reports

9.1 Treasurer-President LaCava presented the report, thanked the community for their contributions that are now supplemented by a \$500.00 grant from the City.

Beginning Balance as of 03/01/2015	\$ 380.87	\$ 380.87
Income:		
Collections: March 05 Meeting	\$ 215.36	
CD	5.00	
	<hr/>	
Total Income	\$ 220.36	\$ 220.36
Expenses:		
Agenda printing	\$ 125.97	
Telephone	57.83	
PO Box Rental, 6 months 04/01/2015 through 09/30/2015	64.00	
	<hr/>	
Total Expenses:	\$ 247.80	(\$247.80)
Ending Balance as of 03/31/2015		\$ 353.43

9.2 Secretary

Trustee Boyden stated that if you want your attendance recorded today, you should sign in at the back of the room. There are three sign-in lists: one for LJCPA members and a yellow one for guests. The third is for elected officials.

LJCPA is a membership organization open to La Jolla residents, property owners and local business 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 the sign-in table or on-line at the LJCPA website: www.lajollacpa.org/. We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March.

You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become eligible for election as a trustee. You may document your attendance by signing in at the back, providing the Secretary 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, or providing independently verifiable proof of attendance.

You can become a Member after attending one meeting and must maintain your membership by attending one meeting per year. To qualify as a candidate in an election to become a Trustee, a Member must have documented attendance at three LJCPA meetings in the preceding 12-month period.

Please note that members who failed to attend a meeting between March of 2013 and February 2014 (and similar for all time periods) have let their membership lapse and will need to submit another application to be reinstated.

10.0 President's Report – Information only unless otherwise noted.

10.1 Report Out on Closed Session – President LaCava reported that no action was taken.

10.2 Bylaw Amendment – City Approval in process

10.3 HLJH Residence, 820 Rushville – Notice of Decision, Mar 20th
LJCPA ratified DPR's 5-4 vote; Consider Appeal. 12 business day deadline.

Sary Frymann, Ed Comartin and Trustees Costello and Zimmerman spoke to this project that would replace smaller buildings there and said it was out of character for the neighborhood. **Trustee Will** stated that the development on Rushville was different from that on Eads where the smaller buildings were.

Approved Motion: To file an appeal of the staff decision to grant an SDP and a CDP for this project (Zimmerman, Emerson, 11-3-2)

In favor: Boyden, Brady, Collins, Costello, Donovan, Emerson, Greatrex, Little, Ragsdale, Weiss, Zimmerman

Against: Ahern, Steck, Will

Abstain: LaCava, Chair, Fitzgerald (Not familiar with project)

10.4 Whale Watch Way – Appeal Hearing, Rescheduled to Planning Commission, Date Not Set (See #16)
Possibly April 30 or May 21, per applicant

10.5 Sacido Residence – Planning Commission denied appeal

10.6 Whitney Mixed Use – Consideration of revised enviro determination & 1/20/11 decision, Planning Commission, April 16th [mailed notice received April 3]. The environmental document can be found. At the time of this meeting, the April 16th Planning Commission agenda had not been posted.

10.7 Short-Term Vacation Rental – Smart Growth & Land Use Committee will consider this at their meeting on April 22nd.

11.0 Reports from Ad Hoc and non-LJCPA Committees - Information only unless noted.

11.1 Election Committee – No challenge to the March election was received.

11.2 Community Planners Committee <http://www.sandiego.gov/planning/community/cpc/index.shtml> - no action

11.3 Coastal Access & Parking Board <http://www.lajollacpa.org/cap.html> -now meets quarterly

12.0 Consent Agenda – Action Item

The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the item/project is considered by the LJCPA.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4:00 pm

DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tues, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Interim Chair Phil Merten, 4th Tues, 4:00 pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4:00 pm

The Consent Agenda allows the LJCPA to ratify recommendations of the community joint committees and boards in a single vote with no presentation or debate. It is not a decision regarding the item but a decision whether to forward the recommendation of the committees/boards as the recommendation of the LJCPA. The public may comment on consent items.

PDO – No recommendations to LJCPA

T&T – No report

PRC – no consent items

12.1 Abalone Residence, 5664 Abalone Place

DPR Recommendation: Findings CAN be made for a Coastal Development Permit (Process 3) to demolish an existing residence and construct a new 3,101 sq ft residence including a 516 sq ft attached garage, for a total living area of 2,585 sq ft, located at 5664 Abalone Pl. 5-1-1.

12.2 Clausen Residence, 7404 Monte Vista Avenue

DPR Recommendation: Findings CAN be made for a Coastal Development Permit and Site Development Permit to construct a 1,068 sq ft addition and modify site retaining walls to an existing residence located at 7404 Monte Vista Ave. 6-0-1.

12.3 Cohen Residence, 5616 Abalone Place

DPR Recommendation: Findings CANNOT be made for a Coastal Development Permit (Process 3) to remodel an existing 1,913 sq ft residence, add a 1,150 sq ft second story addition with attached decks, retaining walls, ramp and pool located at 5616 Abalone Place, due to the lack of conformance to the La Jolla Community Plan, due to the placement of the swimming pool in the front yard, the lack of clear massing, and the lack of onsite parking: note that the development is large enough (and not using 50% of the top plate) to comply in this new development. 4-2-1.

12.4 Dumke Residence, 1247 Inspiration Drive

DPR Recommendation: Findings CAN be made for a Substantial Conformance Review of the existing Coastal Development Permit and Site Development Permit PTS #61168 located at 1247 Inspiration Drive. 6-0-1.

12.5 Neff Addition, 447-453 Westbourne Street

DPR Recommendation: Findings CAN be made for a Neighborhood Development Permit (Process 2) to construct a 962 sq ft addition to an existing residence, an existing 528 sq ft residence to remain, and an existing 1521 sq ft duplex to remain located at 447 - 453 Westbourne St, with the additional finding that the 3-foot step back at the second floor is not recommended for this project. 6-0-2.

No items were pulled for a full hearing

Approved Motion: **To accept the recommendations of the DPR Committee for 12.1 Abalone Residence, 5664 Abalone Place that the Findings CAN be made for a Coastal Development Permit (Process 3) to demolish an existing residence; for and construct a new 3,101 sq ft residence including a 516 sq ft attached garage, for a total living area of 2,585 sq ft, located at 5664 Abalone Pl.; for 12.2 Clausen Residence, 7404 Monte Vista Avenue that the findings CAN be made for a Coastal Development Permit and Site Development Permit to**

construct a 1,068 sq ft addition and modify site retaining walls to an existing residence located at 7404 Monte Vista Ave; for **12.3 Cohen Residence, 5616 Abalone Place** that the findings CANNOT be made for a Coastal Development Permit (Process 3) to remodel an existing 1,913 sq ft residence, add a 1,150 sq ft second story addition with attached decks, retaining walls, ramp and pool located at 5616 Abalone Place, due to the lack of conformance to the La Jolla Community Plan, due to the placement of the swimming pool in the front yard, the lack of clear massing, and the lack of onsite parking; note that the development is large enough (and not using 50% of the top plate) to comply in this new development; for **12.4 Dumke Residence, 1247 Inspiration Drive** that the findings CAN be made for a Substantial Conformance Review of the existing Coastal Development Permit and Site Development Permit PTS #61168 located at 1247 Inspiration Drive; and for **12.5 Neff Addition, 447-453 Westbourne Street** that the findings CAN be made for a Neighborhood Development Permit (Process 2) to construct a 962 sq ft addition to an existing residence, an existing 528 sq ft residence to remain, and an existing 1521 sq ft duplex to remain located at 447 - 453 Westbourne St, with the additional finding that the 3-foot step back at the second floor is not recommended for this project and forward the recommendations to the City. (Collins, Greatrex: 14-0-1)

In favor: Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Greatrex, Little, Ragsdale, Steck, Weiss, Will, Zimmerman
Abstain: LaCava, Chair

13.0 Midway Bluff Stabilization, Midway Street dead-end at coastal bluff

(Process CIP-2 Staff Decision) Coastal Development and Site Development Permit to perform bluff stabilization. Work will include a new retaining wall, replacement of an existing fence, existing concrete and seating area with new decomposed granite, ADA compliant path of travel, new bench, new drought tolerant and native landscaping, new ADA ramps at the corner of Calumet Avenue and Midway Street, at the western terminus of Midway Street just west of Calumet Avenue
DPR (Aug '14) – Review of concept plans, no recommendation.

Presented by **George Freiha, Project Manager for the City Public Works Dept.** This project will repair the previous washed-out bluff and lookout. They will dig down to solid ground and build up with the wall matching the existing terrain with a tie in to similar properties. The project is expected to start in October 2015 and take about 6 months at a cost of \$160,000. **Trustees Ahern expressed concern regarding the treatment of the retaining walls and whether it would look natural. Trustees Emerson and Ragsdale** suggested the bench be similar to the newly installed benches at the North Comfort Station at Kellogg Park for durability. **Don Schmidt** asked that the project be presented to the Bird Rock Community Council for information only.

Approved Motion: That the findings can be made for an SDP and a CDP for the Midway Bluff Stabilization Project (Costello, Little: 15-0-1)

In favor: Ahern, Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Greatrex, Little, Ragsdale, Steck, Weiss, Will, Zimmerman
Abstain: LaCava, Chair

14.0 Bucknell Retaining Wall, 5805 & 5817 Bucknell Avenue

Site Development Permit (Process 3) to construct a 6-foot retaining wall above a 9-foot retaining wall in the rear portion of a vacant 1.44-acre site and connecting to the existing wall on the adjacent lot with an existing single family residence located at 5805 & 5817 Bucknell Avenue. The sites are in the RS- 1-2, Coastal Height, Environmentally Sensitive Lands, Geo 53 and Brush Management Overlay zones.
LJCPA Action (Mar '15): Pulled from consent agenda.
DPR Action (Feb '15): Findings CANNOT be made for a Site Development Permit to construct a 6-foot retaining wall above a 9-foot retaining wall in the rear portion of a vacant 1.44-acre site and on the adjacent lot with an existing single family residence located at 5805 & 5817 Bucknell Avenue. This is based upon the findings that: The walls will disturb the visual quality of the canyon. 5-4-1

Presented by John Leppert, Julie Rochfort and Sean Tobias (son of the owners). The proposed wall will be on previously disturbed land and no deviations and variances are needed. There are two parcels of land, one with a house on it. The wall is proposed for the vacant lot, which had previously been granted a discretionary permit to build a home, which has expired. The wall is being proposed now with the prospect of a permit to build a residence in the future. The two-tiered wall will be of the same design as the walls on the two adjacent lots and will connect to or overlap with those walls. The walls will be landscaped with native plants. The house across the canyon have no clear view that will be obstructed.

In response to a question by **Sally Miller**, it was stated that the wall would delineate the area of developable land and possibly enhance value for future sale. **Don Schmidt** expressed the opinion that the LJCPA should not make decisions until the environmental document was presented. The applicant noted the previous project obtained a Negative Declaration. **Myrna Nagel and John Berol** also commented. **Phil Merten** felt the project would disturb the visual quality of the canyon.

Trustees and DPR members: Mike Costello agreed with the disturbance of the visual quality of the canyon; **Brian Will and Jim Ragsdale** felt that was overcome by the connection with the two existing walls on either side of the project.

Trustee Steck established that there was no objection from adjacent neighbors or those across the canyon. In response to an internet photo shown of the property, it was established that that was an older photo and there were changes shown by developer photo that included landscaping grown on the wall (**Trustees Weiss, Donovan, Boyden**). **Trustee Zimmerman** raised the issue of how much landscaping would be supported in the future.

Approved Motion: That the findings can be made for an SDP for the Bucknell Retaining Wall Project (Steck, Fitzgerald: 8-6-1)

In favor: Boyden, Brady, Donovan, Fitzgerald, Greatrex, Ragsdale, Steck, Will
Against: Collins, Costello, Emerson, Little, Weiss, Zimmerman
Abstain: LaCava, Chair

15.0 Silver Street Village Homes, 7601 Draper Ave & 720 Silver Street

– (Process 5) CDP, SDP, VTM & EV to demolish two structures and construct 18 attached single family residential condominium units located at 720 Silver St and 7601 Draper Ave. Deviations requested regarding ground floor zoning requirements. The 0.739 acre lot is located in the LJ PD-3 zone of the La Jolla Planned District in the Coastal Non-Appealable Overlay Zone.

LJCPA Action (Mar '15): Pulled from consent agenda.

DPR Action (Feb '15): Findings CAN be made for a Coastal Development Permit and Site Development Permit, Vesting Tentative Map and Easement Vacation to demolish two structures and construct (18) eighteen attached single family residential condominium units located at 720 Silver St and 7601 Draper Ave. 5-1-1.

Trustee Little who had had the project pulled from the consent calendar because: it is spot zoning; it is environmentally insensitive, removing commercial space, forcing customers to drive further; this change of use should be by a variance, not a deviation, and it would not qualify for a variance. He said it set a precedent for future similar action.

Presented by **Bill Berwin** who stated that these lots had been residential when first developed in 1921. The current 2004 community plan shows it as medium to high density residential. However, the PDO in 1984 shows it as mixed use, presumably to accommodate the then use of several lots on this side of Silver Street. These lots are connected to the rest of the LJPDO by a very narrow strip. The density proposed is less than allowed. There will be a parklike area on a small adjacent parcel of City owned land. Several palm trees in the 5' sidewalk will stay, with the sidewalk offset to accommodate them; there will be an unplanted strip next to the curb for access from parked cars. There will be three sets of adjoined units parallel to Draper, with the ones adjacent to Draper opening onto the sidewalk, not gated. Others will open onto driveways between the three units. The garages (two spaces per unit) and driveways between the buildings will be gated. Additional information provided by **Landscape Architect Jim Neri** and by **Attorney Matt Peterson** who said variances are not used for

“Use” changes; deviations are used by City Council direction to satisfy the state mandate for infill. This Process Five project will be decided by the City Council.

Questions raised by **Sally Miller** and **Trustees Zimmerman, Emerson, and Boyden** are answered in the above narrative. **Trustees Ragsdale, Costello and Fitzgerald** spoke in favor, citing: attractiveness of design, previous precedents, previous residential use, dubious prospect of commercial success on this street. **Trustee Donovan** was opposed due to increasing residential density.

Approved Motion: That the findings can be made for a Process 5, CDP, SDP, VTM and EV for the Silver Street Village Homes (Steck, Fitzgerald: 8-6-1)

In favor: Boyden, Collins, Costello, Fitzgerald, Greatrex, Ragsdale, Steck, Will

Against: Brady, Donovan, Emerson, Little, Weiss, Zimmerman

Abstain: LaCava, Chair

16.0 Whale Watch Way

PROCESS 3 - CDP, and SDP to demolish an existing single family residence and construct a 7,016 sq. ft. enclosed, two-story, over basement single family residence on a 20,093 sq. ft. lot at 8490 Whale Watch Way. The site is located in the Single Family Zone of the La Jolla Shores Planned District within the La Jolla Community Plan area, Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking.

PRC Action (Mar '15): Findings cannot be made for a Site Development Permit or a Coastal Development Permit for Project No. 328415. It is not compatible with the neighborhood in form, bulk and scale. In particular, the east side of the building envelope is incompatible with the neighboring structures. The size, form, and relationship of the proposed project will disrupt the architectural unity of the neighborhood. 3-2-1.

City Action (Feb '15): Appeal hearing at Planning Commission continued indefinitely.

City Action (Dec '14): Appeal hearing at Planning Commission continued to Feb 2015.

LJCPA Action (Jul '14): Appeal Hearing Officer Approval, 14-0-1.

City Action (Jun '14) – Hearing Officer approved project.

LJCPA Action (Feb '14) – Ratify PRC action, 15-0-1.

PRC Action (Jan '14) – Findings cannot be made, 5-0.

Paul Metcalf presented the changes that had been made since the Planning Commission continued the project requesting changes to reduce the bulk and scale. He presented street views and a south section showing the relationship of the proposed projected to the house to the east, outlining the improvement in view. There is no longer a wall facing that property, but a series of corridors with a structure height of 15' at the southeast corner rising parallel to the property line. Changes have been made to the texture and form of the “wall.” He showed aerial views of the hillside from the west. There is 25% lot coverage, GFA of 9000sf with a FAR of 0.45 equivalent to what is allowed on similar sized lots elsewhere in La Jolla and the City as a whole. He said that the Planning Commission hearing would likely be April 30 or May 21st.

Michael Morton felt that this was a modern interpretation of the courtyard home and that La Jolla has always welcomed new design.

PRC Chair Phil Merten stated that the PRC noted that perimeter has been pulled in and there is some size reduction with the east side wall still going from 15' to 22', but with a longer section of 15' before it begins to rise and that the changes were not significant.

Sally Miller, Myrna Naegle, Kim Whitney and Bob Whitney commented.

Phil Merten cited the La Jolla Shores Design Manual with reference to a property's relation to others. With its 0.45 FAR (or 0.75 with the 2-story courtyard included) this project dwarfs the adjacent houses which have FARs of 0.21 and 0.23. The changes made do not significantly change these relationships.

Trustees Zimmerman, Emerson, Donovan, Little, Boyden and Fitzgerald all alluded to the bulk and scale and lack of change from the previous version. **Trustee Costello** said that the house in total would be too bright.

Approved Motion: To reaffirm the previous LJCPA vote to appeal the Hearing Officer decision to the Planning Commission as the changes made are not significant enough. (Weiss, Emerson: 12-1-1)

In favor: Boyden, Brady, Collins, Costello, Donovan, Emerson, Fitzgerald, Greatrex, Little, Ragsdale, Weiss, Will, Zimmerman

Against: Steck
Abstain: LaCava, Chair

17.0 Group Job 820 – Action Item

Update on the progress of the work as well as a request to waive the summer moratorium for early replacement of the water pipe on Exchange Place between Prospect Place and Torrey Pines Road due residents dealing with discoloration of the water because of very old pipes which contain oxidized iron (rust) which is not harmful to consumers.

Presented by **Vic Salazar** and **Brian Wilson**, private contractors on the city job. The adjacent residents are in favor of waiving the moratorium. This is not an area frequented by tourists. They are now wrapping up the sewer replacement component and expect to finish Cave Street by the end of April. The issues are the quality of the street and the discoloration of the water to the homes. The water pipes are 1930's era cast iron pipes. The sewer pipes are PVC. This entire project started in December 2013, but the current phase started two months ago. They can expect to finish it by the end of July. Neighbors cited the discoloration to laundered clothes. Speaking to support the moratorium waiver were **Sary Frymann** and the authors of e-mails on the subject to the LJCPA: **Gale and Guido Baccaglioni** and **Jennifer Alaura Hunt**. **John and Ingrid Keating** also sent an e-mail. Also speaking were **Trustees Little** and **Weiss**, the latter affected by the construction but not the water discoloration. **President LaCava** noted the problem had been discovered in 2014 and there was no reason this replacement should have been delayed requiring a waiver of the summer moratorium.

Approved Motion: To approve the request to waive the summer moratorium for Group Job 820 for early replacement of the water pipe on Exchange Place until such time as the project is completed. (Little, Zimmerman: 13-0-1)

In favor: Boyden, Brady, Costello, Donovan, Emerson, Fitzgerald, Greatrex, Little, Ragsdale, Steck, Weiss, Will, Zimmerman

Abstain: LaCava, Chair

18.0 Adjourn to next LJCPA Meeting, Thursday, May 7, at 9:22 pm.

**UNAPPROVED MINUTES OF THE LA JOLLA
PLANNED DISTRICT ORDINANCE COMMITTEE**

DRAFT MINUTES- MONDAY, April 13, 2015

4:00 PM, La Jolla Recreation Center, 615 Prospect Street, Room 1

Committee members present: Ione Stiegler (chair) Ovanessoff , Fitzgerald, Dershowitz, Palmer, Parker, Marengo,

Visitors: Ed Comartin, Dave Little, Marcela Escobar-Eck, Sharon Wampler, Sue Wagener

1. **Public Comment** – None

2. **Chair Report / Board Discussion**

- a. March minutes to be reviewed in May
- b. Discussion of neon of lights inside & outside of business in PDO, item is being removed and is now closed.
- c. Parking assigned to the commercial portions of the Turquoise Street development: Discussion regarding the letter sent to the city 3-4 months prior, Ione has not had the chance to follow up with the city and their stance. The PDO discussed how the existing parking situation does not seem to meet the current zoning and required parking needs. David Little suggested that this be used as an example of “what we do not want” to occur in La Jolla, he feels that this is a blatant code violation and the suggested that the next letter to be sent should come from CPA rather than PDO.

Recommendations to CPA

- a. None

3. **Recommendations to PDO Committee**

- a. Project Name: 1111Prospect
Address: 1111Prospect Street
Project Number: PTS 403401
PDO Zone: Zone 1
Applicant: PHP Management (Peter Wagener)
Agent: Atlantis Group (Marcela Escobar-Eck)
City Project Manager: Morris Dye
Date of App Notice: submitted 12/23/14
Scope of Work: A Planned Development Permit (Process 4) for a deviation to allow a maximum of 50% office floor area on the ground floor where the LJPDO Zone 1 sets a maximum of 25% office floor area on the ground floor. The project will still provide the required 75% street frontage as retail.

Currently the building has less than 50% retail and more than 25% office space.
The group discussed the possibility of reconfiguring the presented floor plan, along with

NEXT MEETING – MONDAY, MARCH 9, 2015

Please check <http://www.lajollacpa.org> 72 hours prior to meeting, meeting may be cancelled if no projects are on the agenda.

**FOR ADDITIONAL INFORMATION, PLEASE CONTACT IONE R. STIEGLER, FAIA, CHAIR, 858-456-8555 OR
istiegler@isarchitecture.com**

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.

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different possibilities for more retail store frontage with the office space located behind the retail.

Signage: As shown presents a problems, with the retail store fronts and commercial moniker.

Motion by Stiegler: The committee cannot make the findings that this proposal meets the PDO requirements. Seconded by Fitzgerald. Vote: 7/0/0 (Motion Approved)

Follow: Motion by Stiegler: The PDO committee is willing to consider a condition where more than 25% of the ground floor is office use: while no more than 25% of the linear street frontage is non retail. Seconded by Fitzgerald. Vote 6/1/0

4. Information Only

a. None

Meeting Adjourned at 5:30

Respectfully submitted,
Anna Palmer, Acting Secretary.

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LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

April 14, 2015 Present: Collins, Costello, Leira, Mapes, Ragsdale, Welsh, Will

April 21, 2015 Present: Collins, Costello, Leira, Mapes, Ragsdale, Welsh, Will

1. ELECTION OF CHAIR PRO TEM (4/14/15)

As Mr. Benton is absent, a Chair Pro Tem was elected.

SUBCOMMITTEE MOTION: To nominate Mr. Costello Chair Pro Tem.

(Ragsdale / Leira 6-0-1)

In Favor: Welsh, Will, Collins, Mapes, Ragsdale, Leira

Opposed: 0

Abstain: Costello

Motion Passes

2. ELECTION OF CHAIR PRO TEM (4/21/15)

As Mr. Benton is absent, a Chair Pro Tem was elected.

SUBCOMMITTEE MOTION: To nominate Mr. Costello Chair Pro Tem.

(Will / Mapes 6-0-1)

In Favor: Welsh, Will, Collins, Mapes, Ragsdale, Leira

Opposed: 0

Abstain: Costello

Motion Passes

2. NON-AGENDA PUBLIC COMMENT

Issues not on agenda and within LJ DPR jurisdiction. Two minutes maximum per person. **None Presented**

3. APPROVAL OF MEETING MINUTES 4/21/15

Meeting March 17, 2015

SUBCOMMITTEE MOTION: To approve the Meeting Minutes of March 17, 2015.

(Will / Collins 6-0-1)

In Favor: Welsh, Will, Collins, Mapes, Ragsdale, Leira

Opposed: 0

Abstain: Costello, as Pro Tem

Motion Passes

4. REVIEW AND APPROVAL OF MINUTES 4/21/15

Meeting April 14, 2015

SUBCOMMITTEE MOTION: To approve the Meeting Minutes of April 14, 2015.

(Collins / Mapes 6-0-1)

In Favor: Welsh, Will, Collins, Mapes, Ragsdale, Leira

Opposed: 0

Abstain: Costello, as Pro Tem

Motion Passes

4. FINAL REVIEW 4/14/15 *(Previously reviewed 2/10/15 and 2/17/15)*

Project Name: Tyrian Residences
6752-6762 Tyrian Street
Project #: 379612

Permits: CDP, Map Waiver & SDP
DPM: Jeff Peterson, (619) 446-5237
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Zone: RM-1-1

Applicant: jpeterson@sandiego.gov
Ricardo Torres
(619) 231-9905

LA JOLLA # 24004885 'SUSTAINABLE BUILDING EXPEDITE PROGRAM' (Process 4) Coastal Development Permit, Map Waiver & Site Development Permit for deviations to construct one 1,461 sq. ft. residence; remodel and add 762 sq. ft. to an existing residence; and one existing residence to remain for a total of three residential condominiums at 6752-6762 Tyrian St. The 0.17 acre lot is located in the RM- 1-1 zone of the La Jolla Community Plan Area and the Coastal Non-Appealable Overlay Zone.

APPLICANT PRESENTATION 2/10/15: (Ricardo Torres, Sasha Varone, Jim Neri)

The proposed project was presented, including the photographs of the neighboring houses, and the existing houses on the site. The existing main house is to be unchanged.

The lot has two front yards, and the vehicular access to Tyrian Street is waived.

The Deviation requested is to allow parking spaces within the street setbacks.

The project is a contemporary design, consisting of two stories above a subterranean garage. The three units are separated by 6 feet at the narrowest point.

The project is presently under review by the Historic Review Board.

The Landscape Plan was presented by Jim Neri: the site conforms to the development requirements for multifamily housing. Some green areas are paved with turf block. Some fencing is provided.

DISCUSSION 2/10/15

A discussion ensued about the composition of the houses on the site. The steep-pitched roofs were described as a significant part of the neighborhood character.

The preservation of certain existing trees was discussed: this is contained in the landscaped plan. Please provide for the next presentation:

- a. A composite study of the elevations relative to the neighbors on both sides of Tyrian Street and Electric Avenue: this may be drawn or photographs.*
- b. Site sections across both streets and through the front elevation of the houses across the street as well.*
- c. Materials sample board.*
- d. Demonstrate neighborhood character with photos of similar examples of this style of development within approximately 500 feet of the proposed project.*
- e. Demonstrate step-backs at the second level.*
- f. Provide information on the selection of turf block.*
- g. Please provide additional information on the proposed Deviations, and why a Variance is not appropriate for this project.*
- h. Please describe how this proposed design will “enhance and strengthen” the neighborhood character, per the La Jolla Community Plan.*
- i. Please provide the results of the historic review, currently underway. The La Jolla Historic Society has not yet provided a recommendation.*

The Applicant requested that this matter be continued to a later meeting.

APPLICANT PRESENTATION 2/17/15: (Ricardo Torres, Sasha Varone, Jim Neri)

The proposed project was reviewed, with the additional materials requested. The overall design was presented, including the comparisons to other examples in the neighborhood.

The use turf block was discussed, which will have an underground drip irrigation system.

A Deviation is requested to permit parking within the setbacks: the project will be two stories in height rather than 3 stories if the Deviation is not approved.

There has been a minor change to the landscape plan, including an approach walk. The La Jolla Historical Society has reviewed the project and recommended further review. The HRB will hear the project March 26.

DISCUSSION 2/17/15

A discussion ensued about the character of the neighborhood, and the application of the Deviation to this project. The alternative of a Variance was also discussed.

The pattern of neighborhood character was discussed in some detail, and compared to this project.

Diane Kane expressed concern that there is not yet a finding about the historic nature of the existing building, and advised that the La Jolla Historical Society is recommending that this building be designated.

A discussion ensued about the requested Deviations, and the parking calculations.

The committee discussed the significance of presenting an historic finding before the DPR Committee can vote on a resolution for the project.

The Applicant requested that this matter be continued to a later meeting.

APPLICANT PRESENTATION 4/14/15: (Ricardo Torres, Sasha Varone, Jim Neri)

Documentation was presented that the project structure is not historic (the structure will be retained anyway). A key issue of the Project was the bold modern rectangular style. The style was changed to a Spanish style. Committee Members and the Public commented that they liked to change, and expressed appreciation.

SUBCOMMITTEE MOTION: Findings can be made for a Coastal Development Permit, Map Waiver & Site Development Permit for deviations to construct one 1,461 sq ft residence; remodel and add 762 sq ft to an existing residence; and one existing residence to remain for a total of three residential condominiums at 6752-6762 Tyrian St.

(Leira / Will 6-0-1)

In Favor: Welsh, Will, Collins, Mapes, Ragsdale, Leira

Opposed: 0

Abstain: Costello

Motion Passes

4. FINAL REVIEW 4/14/15

Project Name:	Herschel Triplex	Permits:	CDP & SDP
	7569 Herschel Avenue	DPM:	Jeff Peterson, (619) 446-5237
Project #:	398346		japeterson@sandiego.gov
Zone:	MF-3-7	Applicant:	Rebecca Marquez, Golba
			619-231-9905

LA JOLLA 'SUSTAINABLE BUILDINGS EXPEDITE' (Process 2) CDP to demolish 1 dwelling unit with detached garage & construct a three (3) unit 'for rent' multi-family dwelling unit building at 7569 Herschel Ave. The 6,290 sq ft lot is located in the MF-3-7 Zone in the La Jolla Community Plan Area, Coastal Overlay Zone (Non-appealable area 2), Coastal Height Limitation Overlay Zone.

APPLICANT PRESENTATION 3/17/15: (Sasha Varone, Jim Neri)

- *The proposed project was presented, with exhibits that show the site context and the proposed site development. The development will observe a front yard setback greater than the required minimums. A landscape plan was presented that shows the front yard patio areas, with pocket patio areas at the side yards. Information was provided on the adjacent buildings to each side.*
- *A total of 6 parking spaces are provided in the garage, with the potential for parallel parking fronting the alley. The proposed FAR is 1.36 where 1.8 is allowed.*
- *The historic report was provided in 2011 and a finding was made that the property was not historically significant due to extensive alterations.*

DISCUSSION 3/17/15

A discussion ensued about the character of the neighborhood.

Please provide for the next presentation:

- A section through the roof showing the screening of the rooftop photovoltaic collectors.*

- b. A section through the site showing the relationship of the building to the adjacent buildings at the zero-setback area and at the increased side yard setback area.
- c. Materials sample board.
- d. Colored renderings of the elevations.
- e. A view from the alley with the two adjacent buildings, and the buildings across the alley.
- f. A copy of the historic report.

The Applicant requested that this matter be continued to a later meeting.

APPLICANT PRESENTATION 3/17/15: (Sasha Varone, Chad Beaver, Jim Neri)

Sections were shown of the roof, and the site and adjacent buildings. Materials samples were shown, as well as colors. Historical Report presented, not historic. Landscape plan in front is to give living space, not just lawn.

SUBCOMMITTEE MOTION: Findings can be made for a Coastal Development Permit to demolish 1 dwelling unit with detached garage and construct a three unit 'for rent' multi-family dwelling unit building at 7569 Herschel Ave. (Collins / Ragdale 6-0-1)

In Favor: Welsh, Will, Collins, Mapes, Ragsdale, Leira

Opposed: 0

Abstain: Costello

Motion Passes

5. FINAL REVIEW 4/14/15 (Previously presented 3/10/15 and 3/17/15)

Project Name:	Tasende Gallery	Permits:	CDP & SDP
	820 Prospect	DPM:	Jeff Peterson, japeterson@sandiego.gov
Project #:	393503	Applicant:	James Alcorn
Zone:	LJPD 1A		

La Jolla (Process 2) Coastal Development Permit to remodel an existing 9,320 sq ft mixed use building to include a restaurant use and a 550 sq ft residential addition. The 6,889 sq ft lot is located in the LJPD-1 zone of the La Jolla Planned District in the La Jolla Community Plan Area and the Coastal Non-Appealable Overlay.

APPLICANT PRESENTATION 3/10/15: (James Alcorn)

- The Project is to establish a high end type restaurant, an art galley, and an apartment for the owner. Current owner will live there. Zoned LJPD-1A.
- 13 parking spaces are required, 10 are on site in back as tandem spaces. An agreement will be made for 4 or 5 more spaces, and valet parking.
- The second level will be served by an elevator and stairs from Prospect. Trash will be picked up from the alley. Loading will be from Prospect, like the other local restaurants.
- The galley and restaurant hour of operation will be noon to 10 PM. The design will conform to City sound generation requirements.

DISCUSSION 3/10/15 (James Alcorn)

Three neighbors expressed concerns over restaurant noise, odors, numbers of people on the deck, alley traffic, and effects on their quality of life.

Please provide for the next presentation:

- a. Provide a photo montage showing the proposed Project of the street view from Prospect, also provide a montage of the alley view including the proposed restaurant terrace.
- b. Please provide details of the roof treatment, including the addition over the existing terrace.
- c. What will the seating capacity of the restaurant be?
- d. How and where will the restaurant be vented?
- e. Where will mechanical equipment be located and how screened?
- f. Consider overhead deck screening for the neighbors, such as outdoor type fabrics.
- g. Investigate sound dampening materials for outdoor deck surfaces.
- h. Four parking spaces are needed. If valet parking will provide these, do you need a parking agreement? If so, where?

- i. Consider a restaurant with only indoor seating or enclose the deck space with a solid roof.
- j. What is the Muni Code reference for the parking requirement?
- k. With the hours of operation of the restaurant from noon to 10 PM, what will the hours be for setup and cleaning?

The Applicant requested that this matter be continued to a later meeting.

FINAL REVIEW - APPLICANT PRESENTATION 3/17/15: (James Alcorn)

- The proposed project was presented, with exhibits that show the additional information requested. The photo montage was presented.
- Additional drawings were presented which show the relationship of the various uses to the street and the alley, and to the properties to the east and west. A roof plan was presented.
- The parking spaces provided will be available for all users, but will be disabled accessible, with the use of an elevator from the parking garage.
- The required parking will be either 13 or 14 spaces, and this count in excess of the 10 provided onsite will be provided by a valet and parking agreement that will be condition of the CDP. The section of the SDMC that addresses parking requirements is 142.0530.a. The hours of operation will be from noon to 10 pm, plus another hour before and after for setup, preparation, and cleanup.

Provided for this presentation (with the responses in the meeting):

- a. Provide a photo montage showing the proposed Project of the street view from Prospect, also provide a montage of the alley view including the proposed restaurant terrace. *The photo montage was presented.*
- b. Please provide details of the roof treatment, including the addition over the existing terrace. *A roof plan was presented showing location of equipment, vents, skylight, photovoltaics and screening.*
- c. What will the seating capacity of the restaurant be? *30 seats outside, 70 seats inside.*
- d. How and where will the restaurant be vented? *Center of the roof, covered, and with scrubbers.*
- e. Where will mechanical equipment be located and how screened? *Provided, on roof and screened by trellis.*
- f. Consider overhead deck screening for the neighbors, such as outdoor type fabrics.
- g. Investigate sound dampening materials for outdoor deck surfaces. *A noise study will be done.*
- h. Four parking spaces are needed. If valet parking will provide these, do you need a parking agreement? *Yes. If so, where? A large number of possible locations were shown.*
- i. Consider a restaurant with only indoor seating or enclose the deck space with a solid roof.
- j. What is the Muni Code reference for the parking requirement? *142.0530 a, and table 142.05E*
- k. With the hours of operation of the restaurant from noon to 10 PM, what will the hours be for setup and cleaning? *Add an hour to each end of time frame.*

DISCUSSION 3/17/15

- A discussion ensued about the character of the neighborhood, the nearness of the condominium building to the west, and the possible effect of the ventilation and exhaust air equipment. The control of sound to the adjacent properties was discussed.
- Benna Fisher, a resident of Park Prospect to the west of the site read a letter of opposition signed by residents of 22 of 30 units at that property. The concerns were an increased sound level, odors of cooking, increased traffic including the valet parking, and the access in the event of an emergency.
- Jennifer Luce, a resident of 800 Prospect, described her concerns about the proposed use, and the change to the current environment of the units, and the effect on Casa de Manana across the alley to the north.
- Liz Cramer asked various questions about the specifics of the project and the hours of operation. Katie Reichert expressed concerns about the generation of noise and odors.
- Emelie Brodard asked a question was asked about the design of the lighting. The lighting will be similar to the existing, and directed downward toward the seating areas.
- James Oehler stated that the residents of 800 Prospect Street to the west have a vested interest that the restaurant will fail, and how the proposed restaurant will dramatically affect the character of the neighborhood which is relatively quiet compared to other parts of Prospect Street, and that the exhaust fumes from a resident will affect the occupants of the 800 Prospect who rely on open windows for ventilation and cooling: to summarize, the proposed restaurant is incompatible.
- Mike McGee described the balance between the needs of the commercial use and the needs of the community, including the relation of the scale to other buildings in the neighborhood.

- Michael D. Francisco described the significance of the heritage resources on the current project, in that they contribute to the character and charm, and contribute to the neighborhood experience.
- Ed Comartin noted that there are few restaurants immediately next to a residential unit.
- The members of the Committee discussed the appropriateness of the outdoor dining area, the context of the neighborhood, and requested an opportunity to review the traffic study and the noise study.

Please provide for the next presentation:

- a. The completed noise study
- b. The completed traffic study
- c. Sections and photographs that show the relationship of the proposed restaurant to the adjacent buildings to the east and west and to the buildings across the alley.

The Applicant requested that this matter be continued to a later meeting and requested that the neighbors of the building to the west nominate a representative to communicate with on their concerns.

FINAL REVIEW - APPLICANT PRESENTATION 4/14/15: (James Alcorn)

- a. A letter was presented indicating how a noise study, pre and post operating restaurant, could be done.
- b. A traffic study was presented indicating insignificant impact. Acknowledged four parking spaces need to be located off site.
- c. A letter was presented explaining that filters could remove odors and particulates. Local restaurant examples were given. The latest City C.I.L. due Friday. The sidewalk will be patterned. Some art work removed for water management. First floor will have clear glass to give “see thru to the ocean” (10%). More parking will be contracted and valet used.

DISCUSSION, MEMBERS. Issues were noise of outside seating of the restaurant, noise of grease trap cleaning truck, trucks blocking alley. Noise mitigation measures are not presented. Would rather approve a deviation for a deck’s hardcover than have unresolved noise issues. Regardless of percentage of area, the restaurant is the primary use, ie parking too.

DISCUSSION, PUBLIC.

- Jim Oehler presented for the residents of 800 Prospect, Park Prospect. Presented 42 letters in opposition. Quite transitional area of the Village. The history has been the area is/was residential. Read the parts of the LJ Community Plan, development should enhance, Vision Statement, should contribute to charm, etc.
- James S., Bruce Hopkins, Jennifer Luce, Nina Sagheb, Mike DeFrancico, Janet Green, Richard Schulman expressed opposition.
- Speaking in favor of the project were Mrs. Manno, Mr. Manno, Mr. Ahern, Betina Tasende. The Tasendes have lived there for 36 years, no problems, the large roof top A/C unit is quite, has not been a noise problem

SUBCOMMITTEE MOTION: Motion to deny as findings cannot be made for a Coastal Development Permit to remodel the existing mixed use building to include a restaurant use and a residential addition. The use and location are not consistent with the Community Plan. The plans lack specificity of use and mitigation of noise, parking, odors. The impact of use, and the intensity of use are not consistent with the established residential use of the area.

(Ragsdale / Collins 5-1-1)

In Favor: Welsh, Collins, Mapes, Ragsdale, Leira

Opposed: Will

Abstain: Costello

Motion Passes

6. PRELIMINARY REVIEW 4/14/15

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name: Altman Residence

9696 La Jolla Farms Road

Permits: SCR CDP & SDP

Project #: 353040

DPM: Laura Black, (619) 446-5245 lblack@san Diego.gov

Zone: RS-1-2

Applicant: Jon Dominy, (619) 692-9393

•• SUSTAINABLE BUILDING EXPEDITE PROGRAM •• Site Development Permit & Coastal Development Permit (Process 3) to Amend CDP/SCR 91-0270 and SCR No. 63365 (PTS 261261) to demolish an existing accessory structure & construct a detached guest house, garage and storage totaling 5,228 sq ft to an existing single family residence

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located on a 3.82-acre lot at 9696 La Jolla Farms Rd. The site is in the RS-1-2 Zone within the La Jolla Community Plan.

APPLICANT PRESENTATION 4/14/15: (Jon Dominy)

This Project was previously approved by the LJDPR and they are returning with revisions. Remainder of Minutes being written.

Please Provide for FINAL REVIEW.

- a. Please provide photos of the View Corridor.**
- b. Provide sections of the View Corridor (longitudinal and transverse?).**

APPLICANT PRESENTATION 4/21/15: (Jon Dominy)

Provided for FINAL REVIEW.

- a. Please provide photos of the View Corridor. *Several photographs provided.*
- b. Provide sections of the View Corridor (longitudinal and transverse?). *Several sections provided thoroughly illustrating the View Corridor.*

The View Corridor will be a recorded easement, as well as the MMPHA. A large number of trees will be removed from the View Corridor, the gate will be View compliant.

SUBCOMMITTEE MOTION: Findings can be made for a Site Development Permit & Coastal Development Permit to Amend CDP/SCR to demolish an existing accessory structure & construct a detached guest house, garage and storage structure at 9696 La Jolla Farms Rd

(Ragsdale/ Collins 6-0-1)

In Favor: Welsh, Will, Collins, Mapes, Ragsdale, Leira

Opposed: 0

Abstain: Costello, as Pro Tem

Motion Passes

7. PRELIMINARY REVIEW 4/14/15

Project Name:	Brockett Residence	Permits:	CDP & SDP
	7804 Ivanhoe Avenue	DPM:	Sandra Teasley
Project #:	397287	Applicant:	Endre Bartanyi 858-755-6005
Zone:	LJPD 2		

Coastal Development Permit to demolish an existing office building and construct a 4,104 sq ft single family residence located at 7804 Ivanhoe Ave. The 3,750 sq ft lot is located in the LJPD-2 zone of the La Jolla Planned District in the La Jolla Community Plan area and the Coastal Non-Appealable Overlay zone.

APPLICANT PRESENTATION 4/14/15: (Endre Bartanyi, Anne Chaffin)

Current structure is not historically significant. The new design is a beach cottage style, in keeping with the neighborhood. Sidewalks will be 5 ft wide. Proposing a 3 ft picket fence in ROW. Stairs and elevator will go to the roof. Project needs LJ PDO approval. Landscaping plan explained, using drought tolerant plants.

Please Provide for FINAL REVIEW.

- a. Change design of picket fence to a straight line design.**
- b. Notify the neighbor of your plan for demolition and new construction.**
- c. Provide sections of the streets from the corner showing your proposed house and the structures on each side. Show how roof lines and heights relate.**

APPLICANT PRESENTATION 4/21/15: (Endre Bartanyi)

Provided for FINAL REVIEW.

- a. Change design of picket fence to a straight line design. **New design presented.**
- b. Notify the neighbor of your plan for demolition and new construction. **Done, neighbors in attendance.**
- c. Provide sections of the streets from the corner showing your proposed house and the structures on each side. Show how roof lines and heights relate. **Several sections and drawings provided.**

DISCUSSION: Discussion centered on the City Issues Letters of the ROW, setback, and building height, all cleared. The Neighbors, Public Attendees, and the Committee Members expressed how much they liked the design. A concern expressed by many was that the Project has not yet been heard by the PDO Committee. The feeling was that the zoning issue should have been heard by PDO before coming to DPR.

SUBCOMMITTEE MOTION: The DPR Committee recognizes that the PDO Committee has not heard this Project and could have significant issues with it. Findings can be made Coastal Development Permit to demolish an existing office building and construct a single family residence at 7804 Ivanhoe Ave (in the LJPD-2 zone).

(Will / Leira 6-0-1)

In Favor: Welsh, Will, Collins, Mapes, Ragsdale, Leira

Opposed: 0

Abstain: Costello, as Pro Tem

Motion Passes

8. PRELIMINARY REVIEW 4/14/15

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name:	1111 Prospect Street PDP	Permits:	PDP, CDP & SDP
Project #:	1111 Prospect Street	DPM:	Morris Dye, mdye@sandiego.gov
Zone:	403401	Applicant:	
	LJPD 1		

(Process 4) Planned Development Permit to deviate from the development regulations of the La Jolla Planned District to allow 50% office use on the ground floor where a maximum of 25% office use is allowed at an existing 33,485 sf Retail/Office Building located at 1111 Prospect Street. The 0.475 acre site is in Zone 1 of the La Jolla Planned District, Coastal (Non-appealable) Overlay Zone within the La Jolla Community Plan Area.

APPLICANT PRESENTATION 4/21/15: (Marcela Escobar-Eck)

The site used to be a hotel, then a Victoria's Secret. It has been difficult to find tenants and the site has been vacant for 3 years. They seek a Process 4 deviation from the LJPDO to allow 50 percent office use on the ground floor where a maximum of 25 percent office use is allowed, and to allow greater than 25% street frontage for office. The LJPDO requires minimum of 50 percent of the ground floor be retail, 75 percent of the structures street frontage length be retail and a maximum of 25 percent of the ground floor be for office use and a maximum street frontage length restriction of 25 percent. PDO Committee voted the Project did not conform. The Applicant passed out a well written four page statement about Findings and rationale. Also presented were two pages of drawings clearly showing the site plan, dimensions, and use.

DISCUSSION: There was a great deal of discussion by the Applicant, the DPR Members and the Public about strategies and permutations of mixes of retail/office in frontage and space. There was interest in the visitors' center. DPR Members and the Public had several suggested mixes of use.

Please Provide for FINAL REVIEW.

- a. Please return to the PDO Committee, meet 25% frontage requirement or other options.
- b. Continue to seek prospect frontage.
- c. Study office to visitor serving areas.
- d. Identify uses up and down the streets, one block each Prospect and Herschel.
- e. Provide street view renderings / visual simulation of proposed uses.

9. PRELIMINARY REVIEW 4/14/15

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name:	401-403-405 Nautilus TM	Permits:	TM, CDP
Project #:	395761	DPM:	Glenn Gargas, ggargas@sandiego.gov
Zone:	LJPD 1	Applicant:	Robert Bateman

Tentative Parcel Map Waiver and Coastal Development Permit, an Amendment to Coastal Development Permit No. 263494 to convert an existing duplex and an under construction residence located at 401, 403, and 405 Nautilus Street to condominium ownership. The 6,499 square foot project site is located in the RM-1-1 zone of the La Jolla Community Planning Area and the Coastal Non-Appealable Overlay Zone.

THE ITEM, 401-403-405 NAUTILUS TM, WAS CONTINUED.

FINAL REVIEW 4/21/15

APPLICANT PRESENTATION 4/21/15 (Robert Bateman)

Project was approved as three apartments, now the Applicant wishes to convert them to condos. Two sets of tandem parking, six spaces. Utilities underground, 2.5 ft alley dedication.

Public Comment: There was disapproval of the condo conversion concept by the Public. Why conversion? Reply: From the architect's perspective, condominium design is one of the most litigious and architects can limit their liability by designing an "apartment" building and let the developer take the risk of condo conversion. There is no difference with San Diego Zoning and California Building Code. Both Condos and Apartments are multi-family category in both codes. FAR, setbacks, density, parking, and construction requirements are all the same. Condos afford pride of ownership.

Please Provide for FINAL REVIEW.

- a. Please provide a condo map / site plan showing clear delineation of common areas and areas for each condo.
- b. Please provide a landscaping plan.

La Jolla Shores Permit Review Committee Minutes

4:00 p.m. Tuesday, April 28, 2015

Draft of 4/29/15

La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

Executive Summary: no motions regarding applications for permits were made.

Committee members in attendance: Phil Merten (Interim Chair), Dolores Donovan (Secretary), Janie Emerson, Tim Lucas, Myrna Naegle, John Schenck, Bob Steck. **Absent:** Laura Ducharme-Conboy.

1. Welcome and Call to Order: Phil Merten, Interim Chair

2. Adoption of Agenda:

Motion to adopt: Donovan. Second: Lucas. Discussion: Merten amended motion to place the Chair's Comments at the end of the agenda. The amended motion passed by a vote of 6-0-1 (chair abstains).

3. Non-Agenda Public Comment:

None given.

4. Committee Member Comment:

Emerson announced that the City Council re-hearing of the proposed One Paseo development would take place on May 18. The ramifications of the One Paseo decision will impact planning throughout San Diego County. All are urged to attend the hearing on May 18.

5. Chair Comment:

Postponed to end of meeting.

6. Federal and State Environmental Regulations (Informational Presentation):

An informal presentation by Dolores Donovan on Federal and State laws protecting birds from injury and death arising from construction activity. (See Exhibit A, attached to these minutes.)

7. Project Review:

Evans Residence Addition and Remodel SDP (Informational Presentation)

- Project No. 414580
- Type of Structure: Single Family Residence
- Location: 8039 La Jolla Shores Drive
- Applicant: Rick and Leslie Evans
- Applicant's Rep: Robert Davidson, IS Architecture 858-456-8555

Project Description: The project involves a whole house remodel and addition. The project will add approximately 1100sq.ft. to the existing 1,932sq.ft. house. The single story house will be enlarged and remodeled but remain a single story house. The house, built in 1952, has already undergone a single disciplinary review by City of San Diego Historic Staff where it was deemed to not meet local designation criteria as an individually significant resource.

Committee Discussion

Committee discussion focused on the following issues: decrease of the south setback by 3 feet and the impact on the neighbor. The presenter was asked to provide information on windows in the wall of the neighbor to the south and the functions of the portions of their home immediately adjacent to the proposed project; how the presenter will satisfy the 30% green landscaping requirement. Discussion ensued on whether xeriscape and other non-green permeable landscaping materials satisfy the "green" landscape requirement or whether a green groundcover plant was required.

The meeting was adjourned at 5:30 p.m.

The next PRC Meeting will be Tuesday, May 26, 2015, 4:00 pm.

Minutes respectfully submitted by Dolores Donovan.

EXHIBIT A
LAWS PROTECTING BIRDS
01/27/2015

California State Fish and Game Code:

3503. It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.

12002(c). Violation of Sec. 3503 is [a criminal misdemeanor] punishable by a fine of not more than \$5000 or imprisonment in the county jail not more than six months, or by both fine and imprisonment.

3503.5. It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey) or to take, possess or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

12010(a) ...the maximum punishment for each violation of Section 3503.5 relating to a bird-of-prey designated as endangered, threatened, or fully protected is a fine of five thousand dollars (\$5,000) or imprisonment in the county jail for a period of not to exceed one year, or both the fine and imprisonment.

California Fish and Game Commission Regulations

251.1. Harassment of Animals

Except as otherwise authorized in these regulations or in the Fish and Game Code, no person shall harass, herd or drive any game or non-game bird or mammal or furbearing mammal. For the purposes of this section, harass is defined as an intentional act which disrupts an animal's normal behavior patterns, which includes, but is not limited to, breeding, feeding or sheltering. This section does not apply to a landowner or tenant who drives or herds birds or mammals for the purpose of preventing damage to private or public property, including aquaculture and agriculture crops.

Sec. 12000: Violations of Fish and Game Code regulations are [criminal] misdemeanors.

Federal Migratory Bird Treaty Act

16 U.S.C. Sec. 703. Taking, killing, or possessing migratory birds unlawful.

“...it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, offer to purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or eggs of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof...”

16 U.S.C. Sec. 707(a) ... any person ... or [company] who shall violate [16 U.S.C. 703] shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$15,000 or be imprisoned not more than six months, or both.

IMPORTANT PHONE NUMBERS

To report bird harassment, killing and/or destruction of bird nests, call
California Department of Fish and Game (CALTIP Hotline) 888-334-2258

To report nest disturbance or inappropriate tree trimming in the coastal zone, call
California Coastal Commission (Enforcement Officer): 562-590-5223

For assistance with nesting surveys, call **858-467-4201**

IMPORTANT FACTS ABOUT NESTING BIRDS¹

The Time of Year that Birds Typically Nest

Many species nest between March 1 and August 31. California Department of Fish and Game often requires surveys for raptors from January 15 to September 15. However there are several species that court and nest outside this time frame, for example, some herons and egrets, many raptors (birds of prey), and most hummingbirds. In general, nesting birds, especially hummingbirds, hawks and owls, may be found at any time of year, depending on the species. Consult an independent qualified biologist for safe trimming times upon discovering any large nest.*

***NOTE:** *Certain species such as hawks, owls, herons, egrets, crows, and ravens also often re-use nests. If a large nest made of twigs is encountered, even if unoccupied, assume that it belongs to one of these birds and do not disturb it.*²

¹ Audubon Society (Los Angeles) *Guide to Bird-Friendly Tree and Shrub Trimming and Removal* (March 2009)

² Ibid.

La Jolla Community Planning Association Proposed Committee Appointments | 2015 – 2016

Development Permit Review

1. Paul Benton
2. Mike Costello
3. Robert Mapes
4. Jim Ragsdale
5. Brian Will

Planned District Ordinance

1. Jim Fitzgerald
2. Peter Ovanesoff
3. (Call for 3rd appointee)

La Jolla Shores Permit Review Committee

1. Laura DuCharme Conboy
2. Tony Crisafi
3. Bob Steck

Traffic & Transportation Board

1. Tom Brady
 2. Dave Abrams
 3. Fran Zimmerman
- (Select only 2)

Community Planners Committee

1. Joe LaCava
2. Cindy Greatrex, Alternate

La Jolla Coastal Access & Parking Board

1. Glen Rasmussen
2. Tom Brady
3. Ray Weiss