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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

Thursday, 4 February 2010

La Jolla Recreation Center, 615 Prospect Street

FINAL MINUTES – REGULAR MEETING

Present: Michele Addington, Darcy Ashley, Tom Brady, Michael Costello, Dan Courtney, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Nancy Manno, Phil Merten, Glen Rasmussen, Greg Salmon, Ray Weiss.

Absent: John Berol

1. Welcome and Call To Order: **Joe LaCava**, President @ 6:10 PM

2. Adopt the Agenda

Approved Motion: To adopt the Agenda, (Ashley/Addington 13/0/1).

In favor: Addington, Ashley, Brady, Costello, Fitzgerald, Little, Lucas, Manno, Merten, Rasmussen, Salmon, Weiss.
Abstain: LaCava.

3. **Meeting Minutes:** Review and Approval: 07 January 2010

Approved Motion: To approve the Minutes of 07 January 2010, (Ashley/Salmon 11/0/3).

In favor: Addington, Ashley, Brady, Costello, Fitzgerald, Little, Lucas, Manno, Merten, Rasmussen, Salmon.
Abstain: Gabsch, LaCava, Weiss

4. Elected Official Reports – Information Only

A. Council District 2 – Councilmember Kevin Faulconer

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

Not present.

President LaCava reported for Ms. Curtis: Medical Marijuana Task Force is continuing its work. San Diego City Council action re Medical Marijuana: in early January focused on questions of regulation of facilities: expected to go to Land Use and Housing in early March. Task Force primarily discussing operation and enforcement issues.

President LaCava referred interested community members to San Diego City website for Medical Marijuana Task Force meeting Minutes and Agendas.

B. Council District 1 – Councilmember Sherri Lightner

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

Present: Made report: Commented on the volume of telephone calls/e mails re the recent severe storm and the need for patience within the community while repairs are being made as rapidly as possible. Invited community members to attend the LJSPDO meeting to hear Director of Neighborhood Code Compliance, **Robert Vachhi** speak. **Trustee Weiss** questioned scheduling of Street Sweeping. **Ms. Demorest** referred Trustees and community members to Councilmember Lightner's District One web site for additional information on these and other community questions.

5. Non-Agenda Public Comment

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

Esther Viti, Chair, Beautification Streetscape Committee invited the community to participate in the "La Jolla Clean-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.

**Time Certain simply means the item will not be heard any earlier than the listed time.*

Helen Boyden, Chair, LJS PDO, Permit Review Sub Committee announced an additional committee meeting in February.

Steve Haskins, Director, La Jolla Village Residents Association, (No Third Story). Announced a milestone in the lawsuit against the Bird Rock Station project. The Superior Court of California, County of San Diego, Judge Ronald S. Prager has ruled: San Diego City Council's approval of the "Negative Declaration" was incorrect. The project cannot proceed without a full EIR. **Mr. Haskins** suggested this ruling would essentially end these kinds of projects.

Joanne Pearson, Buckingham Drive, La Jolla, commented on community concern regarding a neighboring residential project, (1505 Buckingham Dr.): excessive size, no second notification re increased size of project.

President LaCava commented/clarified DPR subcommittee approval and noted the Appeal period has not been exhausted.

Trustee Merten commented: The project is on a very large lot, and therefore the FAR is very low.

Barbara Hinton, Buckingham Drive expressed opposition to this very large, massive project. **President LaCava** reiterated the Appeal period is still open.

David Katz spoke in opposition to the project; specifically expressed concern re ongoing water drainage problems in this area.

Trustees Gabsch, Weiss, Crisafi, Lucas, Ashley commented, with concern, on the Buckingham Drive project.

President LaCava acknowledged the DPR and the LJCPA made administrative errors in summarizing the scope of this project in the LJCPA Consent Agenda.

Trustee Merten commented and then described this project, when it came before the DPR sub-committee:

described the DPR sub-committee concerns relative to the project, and the applicant's modification of the project.

Trustee Merten considered the DPR sub-committee vote to be well informed and noted, (referring to **President LaCava's** previous remarks), that if there are community/neighbor objections, an appeal of the decision to approve the project remains an option, to those parties in opposition to the project.

Ellen Shively spoke on behalf of the proposed Marine Mammal Park.

Trustee Ashley has made available to the community, copies of the La Jolla Shores Planned District Urban Design Manual.

Trustee Ashley reported: the Barkett Street vacation, expected to be heard at City Council in February, has been continued to March 02, 2010. **Trustee Ashley** appealed to the community to support the decision of the LJCPA to deny the street vacation, by appearing and speaking at the March 02, 2010 City Council meeting.

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

Please refer to Agenda Item #10.

6. President's Report – Action Items Where Indicated

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

No specific actions taken in January 2010.

B. Rainbow Curbs – With success of Phase 1 (12 spaces), City moving forward on balance.

This nearly one-year-old project will, at last, be completed this month, (February 2010). The community will have 45 new/additional on street parking spaces, at the cost of a few gallons of paint.

C. City's Wireless Task Force – Mtgs are 2nd and 4th Wednesday, 8am

Community members interested in wireless issues were invited to participate in Task Force meetings by President LaCava, chair of this citywide task force.

D. Sustainable Buildings – Expansion of incentives being considered.

San Diego City briefly considered amending the incentive programs, before discarding the suggestions as inappropriate.

E. Rigoberto's (fka Taco Bell) – Code Compliance success story.

The proprietors of "Rigoberto's, unaware of La Jolla "rules," were appraised of the rules by Code Enforcement and are now in compliance.

F. Website Renewal – Domain and hosting for 2 years, \$116 (Trustees to ratify).

Approved Motion: Motion to ratify expense of \$116.00 for website renewal. (Addington/Costello 15/0/1).

In favor: Addington, Ashley, Brady, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Salmon, Weiss.

Abstain: LaCava.

G. Expiring Memberships – Sent out 3 emails, tonight is last chance to renew in order to vote.

President LaCava noted: This is the last opportunity to become a member/renew a membership, enabling a vote in the March election.

H. Annual Member Meeting – Thursday, March 4, 2010, 6:00 PM shall be the Annual Meeting of the Members as provided for in the bylaws with the regular March meeting to immediately follow. (Trustees to ratify).

Approved Motion: Motion to ratify March 04, 2010 as annual Member meeting. (Gabsch/Fitzgerald 15/0/1).

In favor: Addington, Ashley, Brady, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Salmon, Weiss.

Abstain: LaCava.

I. Annual Elections – Thursday, March 4, 2010

President LaCava noted:

1. Voting will be from 3:00 pm to 7:00 pm, La Jolla Rec Center.
2. Neither Proxy votes nor electioneering within 90 feet is allowed per the bylaws.
3. Bring Proof of Identity per the bylaws.
4. *Be nice to poll workers, they are volunteers serving the community.*

Trustee Michelle Addington will chair the Election Committee and will appreciate volunteer assistance during the election.

7. Officer's Reports

A. Treasurer – Jim Fitzgerald

Beginning Balance: \$326.63 + Income \$195.04 – (Expenses \$64.48) = Ending Balance: \$457.19.

Expenses: Printing, telephone.

Trustee Fitzgerald commented on the generosity of the Membership 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.

B. Secretary – Nancy Manno

Remarks, prepared by **John Berol**, read 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 must have recorded attendance for one meeting and must submit an application, which is available at the membership table and on-line.

8. 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 full discussion.

Items pulled from this Consent Agenda are 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. JORDON RESIDENCE

DPR - Findings can be made that the project meets requirements for the CDP, 10-0-0.
448 Coast Blvd. South - Coastal Development Permit for a 155 SF storage room addition and a 273 SF deck to an existing single-family residence in Zone 5 of the LJ Planned District.

B. MARCUS RESIDENCE Pulled by Trustee Lucas

PRC – Findings can be made, 5-2-1 (See minutes for full committee comment)
8551 Sugarman Drive - Demolition of existing house and construction of a new two story single-family house with a basement/garage and a pool. Lot Size: 11,585 sq. ft. Existing: 1676 sf; Proposed addition: 3072 SF (originally proposed 4537 SF). La Jolla Shores Planned District. Note: Applicant returned to PRC with a redesigned project.

C. SPRINT NEXTEL/CLEARWIRE CLIFFRIDGE PARK

PRC – Findings can be made for CUP, 6-0-1.
8311 Cliffridge Avenue (Cliffridge Park) - Conditional Use Permit for a Clearwire wireless communication facility inside two existing foul poles concealed behind RF transparent materials with a new above ground 4'x4' equipment inside a chain-link fence with slats. The project consists of new panel antennas and directional antennas on two exist pole with new RF ray domes. The associated equipment will be installed inside the existing chain-link fence enclosure.

D. AT&T GILMAN COURT

PRC – Findings can be made for CUP renewal, 6-0-1.
7660 Gilman Court - CUP renewal of existing AT&T Wireless site located just north of electric substation. NUP for an existing wireless communication facility at 7660 Gilman Court. Also seeking SDP for environmentally sensitive lands adjacent to site.

E. LA JOLLA HALF MARATHON

T&T – To approve the proposal, 6-0-0.
29th running of the event with no changes from previous years.

F. CHANGE SPEED LIMIT ON LA JOLLA BLVD (From 35mph to 30mph)

T&T – To deny the request, 5-1-0.
City found 85% is 37mph and thus stretch from Camino de la Costa to Gravilla is eligible for speed limit reduction.

G. "DO NOT BLOCK" SIGNS AND PAINTING INTERSECTION OF PEARL & FAY

T&T – To reject the proposal, 6-0-0.

H. CHANGE SPEED LIMIT ON TORREY PINES ROAD (From 45mph to 40mph) Pulled by Trustee Merten

T&T – To approve the proposal, 5-1-0.
City stated analysis would allow reduction from Pottery Park Driveway to North Torrey Pines Road.

Approved Motion: Motion to accept the recommendation of the DPR Committee: (A) Jordan Residence: Findings can be made that the project meets requirements for the CDP and forward the recommendation to the City. To accept the recommendation of the DPR Committee: (C) Sprint Nextel/Clearwire Cliffridge Park: Findings can be made for CUP and forward the recommendation to the City. To accept the recommendation of the PRC Committee (D) AT&T Gillman Court: Findings can be made for CUP renewal and forward the recommendation to the City. To accept the recommendation of the T&T Committee (E) La Jolla Half Marathon: to approve the Proposal and forward the recommendation to the City. To accept the recommendation of the T&T Committee (F) Change Speed Limit On La Jolla Blvd. (From 35mph to 30mph): To deny the request and forward the recommendation to the City. To accept the recommendation of the T&T Committee (G) "DO NOT BLOCK" Signs and Painting Intersection of Pearl & Fay: To reject the proposal and forward the recommendation to the City. (Ashley/Gabsch 15/0/1).

In favor: Addington, Ashley, Brady, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Salmon, Weiss.

Abstain: LaCava.

9. REPORTS FROM OTHER ADVISORY COMMITTEES *Information only unless otherwise noted*

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – Inactive

San Diego City has determined there is a retroactive conflict of interest re certain Board members.

B. COASTAL ACCESS AND PARKING BOARD – Meets 1st Tues, 4pm, Rec Center

No report/action this month.

10. UCSD/SIO – SEWER RELOCATION

SIO Campus, Biological Grade (North end) – Easement Vacation/Abandonment and Coastal Development Permit (Process 5) for existing City sewer main easements to be relocated from a parking lot into an existing private road. All to support realignment of a city sewer line that also services private residences on Allentown Road and La Jolla Shores Lane.

Explanatory presentation: **President LaCava** suggested the Trustees, in addition to either expressing approval or denial of the Project, may consider simply accepting the report, thereby assuring the City that the La Jolla CPA heard the Proposal.

Presentation: **Anu Delouri, UCSD – Planner. Ms. Delouri** described the Project and referred the Trustees to the UCSD web site for additional information. **Trustee Costello** had questions re parking lot. **Trustee Crisafi** questioned/ expressed surprise re lack of an EIR report. **Ms. Delouri** will provide follow-up information for **Trustee Costello** and **Trustee Crisafi**.

Approved Motion: Motion to accept the University's, (UCSD), report for the above-described project. (Merten/Costello 12/2/2)

In favor: Addington, Ashley, Brady, Costello, Courtney, Fitzgerald, Little, Manno, Merten, Rasmussen, Salmon.

Opposed: Gabsch, Lucas

Abstain: LaCava, Weiss.

11. CANDIDATE FORUM

Opportunity for candidates in March election to present their qualifications and reasons for running (maximum 2 minutes each.)

Candidates: **Devin Burstein, Michael Costello, Laura DuCharme Conboy, Timothy Lucas, Robison Whittemore, Ray Weiss** introduced themselves and presented their qualifications for the Members consideration.

Approved Motion; Motion to confirm the eligibility of the six declared Candidates. (Ashley/Gabsch 11/0/4).

In favor: Addington, Ashley, Brady, Courtney, Fitzgerald, Gabsch, Little, Manno, Merten, Rasmussen, Salmon.

Abstain: Costello, LaCava, Lucas, Weiss.

12. PROSPECT RESIDENTIAL CARE

Continued from CPA meeting of January 7, 2010

484 Prospect Street - Conditional Use Permit (CUP) to change the use from office to a residential care facility in an existing 17,838 square foot building in Zone 5A of the La Jolla Planned District.

Note: Action may include waiving CPA Policy prohibiting Conditional Approvals.

Presentation: **Ms. Diana Scheffler**, James Alcorn & Associates for Applicant: 484 Prospect Senior Living.

The Applicant's representatives, and the Applicant made an extensive presentation, focusing principally on the Operating Conditions that are to be made a part of their application for a CUP. **Trustee Lucas** asked for clarification re Courtyard area. Community member, **Ms. Kim Basinger** questioned the Applicants representative in regard to the Courtyard area and valet parking services.

President LaCava opened public discussion to those community members who wished to speak in support of the project, (there were none), and then to those community members who wished to express their concern regarding the negative impact of the project.

Presentation: **Mr. Morris Nachtomi** and **Mr. Mathew Loonin**: 464 Prospect Street Homeowners. An extensive presentation, describing the negative impact of the project, was made by **Mr. Nachtomi** and **Mr. Loonin**, Resident Homeowners of 464 Prospect Street. **Mr. Nachtomi** and **Mr. Loonin** principally focused their remarks on the very severe negative impact this project will have on the individual residents of 464 Prospect, their quality of life, their privacy, and the extensive negative impact on the surrounding area. Resident, **Mr. Peter Clark** expressed concerns re density and institutionalization. Resident, **Mr. Will Newburn** expressed concerns re density, privacy and urged the Trustees to consider the long term effect the project will have on the residents of 464 Prospect, as well as the surrounding community. Resident, **Mr. Jack Florio**, expressed concerns re density and the lack of answers to questions he posed to the Applicant. Trustees **Addington, Ashley, Brady, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Salmon, Weiss** and **President LaCava** commented on the Applicants proposal and thoughtfully questioned the Applicants representatives. Trustees addressed the concerns of the Resident's of 464 Prospect and thoughtfully questioned those Residents who voiced their concerns regarding the project.

Failed Motion: Motion to deny: Findings cannot be made for CUP: the proposed use is inappropriate at the proposed location, due to the substantial increase in density and hours of use. (Addington/Fitzgerald 6/8/1).

In favor: Addington, Costello, Fitzgerald, Gabsch, Lucas, Manno.

Opposed: Ashley, Brady, Courtney, Little, Merten, Rasmussen, Salmon, Weiss.

Abstain: LaCava.

Failed Motion: Motion to approve the proposed use, (CUP), as presented, including the Operating Conditions, dated February 04, 2010, and include an Annual Review with representatives from 464 Prospect, 484 Prospect, the LJCPA and San Diego City as participants. (Courtney/Ashley 7/7/1)

In favor: Ashley, Brady, Courtney, Little, Merten, Rasmussen, Salmon.

Opposed: Addington, Costello, Fitzgerald, Gabsch, Lucas, Manno, Weiss.

Abstain: LaCava.

Trustee Merten: Citing Robert's Rules of Order regarding the obligation of the chair to break a tie vote: requested the maker of the last motion to repeat his motion: **President LaCava** repeated **Trustee Courtney's** previous motion and the Trustees did vote, thereby allowing the Chair, (**President LaCava**), to break the tie vote.

Failed Motion: Motion to approve the proposed use, (CUP), as presented, including the Operating Conditions, dated February 04, 2010, and include an Annual Review with representatives from 464 Prospect, 484 Prospect, the LJCPA and San Diego City as participants. (Courtney/Ashley 7/8/0)

In favor: Ashley, Brady, Courtney, Little, Merten, Rasmussen, Salmon.

Opposed: Addington, Costello, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Weiss.

13. ADJOURNMENT @ 9:10 PM

Next Regular Meeting: Thursday, 4 March 2010

A. Annual Members Meeting

B. Annual trustee elections (6 seats)

1. Voting open from 3 pm to 7 pm, La Jolla Recreation Center
2. Neither proxy voting nor electioneering within 90 feet is allowed.
3. Bring Proof of Identity.
4. Be nice to poll workers, they are volunteers serving the community.