

La Jolla Community Planning Association

President: Tim Golba Vice President: Lance Peto Secretary: Sherri Lightner

REGULAR MEETING – June 6, 2007

Present: Dave Abrams, Darcy Ashley, Tim Golba, Lynne Hayes, Sherri Lightner, Mark Lyon, Phil McConkey, Marty McGee, Phil Merten, Paul Metcalf, Michael Morton, Alice Perricone, Lance Peto, Rob Whittemore

Absent: Orrin Gabsch, Todd Lesser, Robert Thiele, Ray Weiss

Late: Abrams, McConkey

AGENDA ITEMS:

1. Welcome and Call to Order:

THE CHAIR, TIM GOLBA, CALLED REGULAR MEETING TO ORDER 6:10 PM.

2. Request for Agenda Modifications

1. Sherri Lightner – Question about Item 16. It is on the consent agenda and listed as an agenda item. Golba - Application is a Process 2 and at applicant's request it was placed on the agenda (July meeting will not be timely, if we pull at this meeting and hear in July).
2. Joe LaCava – Item 10. b. – 2, 3 and 4 will not be discussed at this meeting. Remove from the agenda.

6:13 PM - Morton and McGee arrived.

3. Approval for the May 3, 2007 Minutes

Regular Meeting: Corrections were made [Title of the Minutes, Second on the Motions to Approve the minutes at the May meeting and the Treasurer's Report was added].

APPROVED MOTION: To approve the minutes for the Regular May 3, 2007 CPA Board Meeting as corrected. (Whittemore/Lyon: 11-0-1) Abstention Weiss – Not present at the meeting.

Affirmative Votes: Ashley, Hayes, Lightner, Lyon, McGee, Merten, Metcalf, Morton, Perricone, Peto, Whittemore

Abstention: Weiss

APPROVED MOTION: To approve the minutes for the Special May 3, 2007 CPA Member Meeting as corrected. (Whittemore/Lyon: 11-0-1) Abstention Weiss – Not present at the meeting.

Affirmative Votes: Ashley, Hayes, Lightner, Lyon, McGee, Merten, Metcalf, Morton, Perricone, Peto, Whittemore

Abstention: Weiss

4. President's Report – Tim Golba

- 1.) CPC updates – Planning Dept. Funding: At the CPC [Community Planners' Committee] May meeting it was announced that due to budget cuts, planners will be attending community planning group meetings quarterly, instead of monthly. Our planner will continue to attend the monthly meetings.
- 2.) Membership Committee Procedural Issue – Joe La Cava – Discussion of the membership year and how is it to be recorded.

APPROVED MOTION: Operating Membership Year will be from March 1st to the end of February of the following year. (Peto/Hayes: Unanimous)

Affirmative Votes: Ashley, Hayes, Lightner, Lyon, McGee, Merten, Metcalf, Morton, Perricone, Peto, Weiss, Whittemore

- 3.) COW Training for Trustees – June 23rd: The trustee meeting packet has information about the COW (Community Orientation Workshop) for the trustees. It will be conducted on June 23rd. All new trustees must attend and any trustees who have not attended within 10-15 years should attend. The City must have documentation showing attendance for indemnification purposes.
- 4.) Committee Appointments: Email Tim Golba if you are interested in serving on one of the committees. There are joint and standing committees. The committee possibilities include: Coastal Development

Permit, Planned District Ordinance, La Jolla Shores Permit Review, Membership, Traffic & Transportation, Community Parking District Advisory Board and the Bylaw committee. If you are currently a member of the Bylaw Committee and would like to be removed, please contact Tim Golba.

- 5.) July meeting date: Mr. Golba polled the Board to see if there would be a quorum on July 5. Mr. Thiele and Mr. Gabsch have said they could attend. By show of hands 11 Trustees indicated that they could attend.
 - 6.) Armstrong Residence Appeal and hearing date: The Armstrong Residence project will be heard at CDP next Tuesday. Mr. Merten presented a brief history of the project's review process, the appeal of its approval to San Diego City Council and its remand to the Planning Commission. It will be heard at Planning Commission on July 12 and the applicant has applied for variances. The project has been renoticed for the variances. It is the variance requests, which will be considered by the CDP committee.
 - 7.) BAIA Reconsideration: After the time certain (Grady Residence).
- NL) Ray Weiss commented that Google brings up, as the first selection for the La Jolla CPA, the defunct website hosted by Promote La Jolla. Mr. Golba requested Ms. Sherer have that purged from the PLJ website.

15. Grady Residence – March 27, 2007 meeting of the L Jolla Shores Permit Review Committee 8436 Westway Drive - Time Certain – 6:30 PM – Pulled at the April Meeting for Trustee Consideration. Scheduled for hearing at the May 3, 2007 meeting, but there was insufficient time before adjournment to hear the project.

Presenter was Jim Alcorn. Issue for the project was the appearance of the rear wall of the house. It can seem to be a retaining wall. There were issues with the landscaping of the rear of the site with the neighbor to the south. The trees have been moved from the corner of the property to closer to the rear wall/pool. The new FAR is 0.42. The existing FAR is 0.3, where 0.6 is allowed. The rear wall is about 17 feet at its tallest point.

6:30 PM Phil McConkey arrived.

6:33 PM Dave Abrams arrived.

Mr. Lyon – Question about the rear yard setback. The minimum rear yard setback is 7 feet.

Ms. Hayes – Are the trees existing or new? Trees are new and then the applicant explained the rear yard setback in detail.

6:38 PM Mr. McGee returned to the meeting.

Mr. Merten – Question about the 17-foot tall wall. Suggested moving more trees in front of the tallest portion of the wall to screen it from below.

Ms. Lightner – Question about materials. Spanish limestone in variegated pattern with zinc trim and roof. The zinc starts gray and finishes gray.

APPROVED MOTION: Approve the project (Grady Residence, 8436 Westway Drive) as presented. (Morton/Peto: 12-0-2)

Affirmative Votes: Ashley, Hayes, Lightner, Lyon, McConkey, McGee, Merten, Metcalf, Morton, Perricone, Peto, Whittemore

Abstention: Abrams, Weiss

5. Treasurer's Report – Lynne Hayes

**Previous ending balance: \$683.84 Collected at May Meetings: \$204.95 Expenses: \$102.25
Ending Balance: \$786.54**

4. President's Report (Continued)

- 7.) The BAIA project was heard and approved by the Board at the May 3, 2007 meeting. A complaint was made that one of the Trustees recused from the matter, but did not leave the room as required by the CPA Bylaws (Article 6, Section 12). Lengthy discussion about the hearing of the project, the information presented relative to the project and the impression that the project was not fully heard, because the question was called early in the project discussion.

APPROVED MOTION: Request guidance from the City Attorney on whether a Trustee, who is a principal in/agent of a firm, needs to leave the room in order to recuse. The Baia project heard at the May 3, 2007 CPA Board Meeting will not be pulled for reconsideration. (McGee/Lyon: 9-4-1)

Affirmative Votes: Abrams, Hayes, Lyon, McConkey, McGee, Merten, Metcalf, Perricone, Peto
Negative Votes: Ashley, Lightner, Weiss, Whittemore
Abstention: Morton

Discussion of the Motion.

Mr. Weiss – need decision from City re: the Base Zone Regulations decision of the City Attorney. Concern that this disputed issue would affect the vote.

Mr. Whittemore – Read the CPA bylaws section requirement for recusal.

Mr. Merten – Doesn't understand the difference to the Board of whether the recused party is in the back of the room or outside the room. Doesn't seem material.

Ms. Lightner – Will not support the motion. It is not up to the City to interpret our bylaws. They are clear that the recused party is to be outside.

Ms. Perricone – The recusal requirements of 600-24 have been waived because our practice has been to not have people leave.

Mr. Morton – We are advisory.

Mr. Whittemore – The Administrative Guideline were not adopted by the San Diego City Council. Our Bylaws control.

Ms. Ashley (after the vote) When the Trustees have project on the agenda that the applicant will be submitting a packet of information (like the Baia residence at the May 3, 2007 meeting), the Trustees should be sent that information with the rest of the meeting information. Mr. Lyon requested that all such information should come through the CPA Chair.

NL) Noya Residence – the City approved 205 Prospect Street without input from the CPA. Six variances were approved for the project. There have been complaints raised by a number of people. There has been correspondence with the City (DSD and Field Inspection) about the project. The property has been visited twice by the Field Inspector and the Senior Planner. So far the only discrepancy, which has been found, is that the alteration, which was made to the carport, was not part of the original project. The neighbor has retained legal counsel. Do we as a group want to continue to push this issue?

Lengthy discussion by Trustees and members of the public.

MOTION: The Trustees support the CPA President's further action and investigation of this project with the City of San Diego. (Weiss/McGee: 13-0-0)

Affirmative Votes: Abrams, Ashley, Lightner, Lyon, McConkey, McGee, Merten, Metcalf, Morton, Perricone, Peto, Whittemore, Weiss.

6. Public Comment

Sheila Harden – Community Relations for CCDC (Center City Development Corporation). The recently approved Downtown Plan is good through 2030. There will be eight new parks and two new fire stations. Every resident of the area will be within five minutes walking of a park. Navy Broadway Complex is moving forward. CCDC is 32 years old. For every \$1 of public investment there are \$10 of private. There are now 14,800 dwelling units of which 2650 are affordable. There is 6,900,000 sq. ft. of commercial/office space, 6800 hotel rooms and 60,000 jobs. Visit the website for additional information www.ccdc.

Mary Coakley – Map Project Update – Handout flyer was given to the Trustees and public in attendance. Examples of the bronze castings of fish that are a part of the map were presented. There will be a preview of the Map on Thursday, June 14 at Kellogg Park at 10 AM. Pam Slater-Price (Supervisor for County District 3) and Daniel Tucker (Sycuan Tribe of the Kumeyaay Nation) will be attending. The Map Project is still soliciting donations.

Ellen Shibley (sp?) – Visitor to Children's Pool. Keep Beach for children to observe seals. Support the rope barrier, which will be used to protect them.

Joy Sonyato (sp?) – A new citizen activist who was at the decertification hearing and was moved to tears by the hearing. Encouraged the CPA to keep fighting it may help the other planning groups as well.

Rob Whittemore – Escobar-Eck's memo about the City Attorney's direction related to the Base Zone Regulations is patently false. She asserts that the City Attorney memorandum effectively rezones all of the Planned Districts. He has read 19 PDO's, which would not be affected by the City Attorney's direction. Chapter 13 is incorporated in the L Jolla Shores Planned District Ordinance. Center City's PDO incorporates 22 of the regulations, Mount Hope PDO incorporates 4 and La Jolla Shores 17.

Phil Merten – Gives as much credence to the City Attorney letter as he does by the statement in the letter that all of La Jolla supports this.

1. **COMPACT** – No report – Gail Forbes not present.
2. **Bird Rock Community Council** – Joe La Cava reported that Chuck Patton is the new President of the BRCC. July 19th is the date of the Taste of Bird Rock. Check the website www.BirdRock.org for information. The neighborhood traffic calming devices will begin installation next week. Bids on the other improvements are in and construction will start in August or September. The construction is expected to last nine months.
3. **UCSD Community Planner** – Anu Dehlouri reported that the University House Environmental document would go out midmonth for a 45-day public review cycle. Commencement activities will be June 16, 17 and 18. The Rady School was dedicated on June 1, 2007. Their MBA graduation will be the afternoon of June 18. At next month's meeting UCSD will provide an update on current projects.

Sherri Lightner – The Salk Institute has been placed on the World Monument Fund's 100 most endangered sites list for 2008. She will send the website address to Tim Golba.

7. City of San Diego Planning Department: No report.

8. Keely Sweeney – CD 1 Representative for Council President Peters - The Phase II contract for the La Jolla Blvd. improvements will be awarded soon. Hardhat Communications will be doing the Public Relations for the project. The CPA bylaws issue is expected back to Council before November. Whittemore asked whether we would be required to have two sets of bylaws or could we get an exception to 600-24 for that. The READ properties for sale included some sites in La Jolla. One of the properties was pulled from the list at the San Diego City Council because there was concern that the sale might affect the bike path. The bike path (Fay Avenue) will be kept as it is. Referred to a memo from Peters related to the budget. The office wants to make certain that there is enough money for brush clearance and street repaving. CBDG funds will be used for ADA improvements, some of which will be in the Cliffridge area. Question re: Via Capri temporary stop signs. Peters has made no recommendation. Has not made a determination that his answer to the stop signs is no. His concern is that the signs may be needed for more than a year. They are working on a liability agreement and when that is completed then they will recommend placement of the stop signs. Question re: CBDG funds. There will be more curb cuts for access; there will be an audible signal at Pearl & Girard and improvements for the Cliffridge restroom and parking lots. Mr. Weiss commented re: street repairs. He asked that when concrete streets are dug up, asphalt should not be used to patch the holes. The concrete streets should not have asphalt patches. Ms. Morrison asked about a midblock street light for 2110-2200 Avenida de la Playa. She also requested streetlights at the pedestrian crosswalks in the commercial area of La Jolla Shores. Ms. Coakley: Would it be possible to bring information on telecommunications. Suggested that there should be a plan for design commonality. Perhaps Mike Aguirre can address it at the next meeting. Dr. Katz – this is a San Diego City Council Issue – the placement of the antennas in the Public Right of Way is a giveaway of City Property.

9. Thyme Curtis - CD 2 Representative for Kevin Faulconer – Park & Recreation will have additional funding for 2008 for brush management. June 9, 2007 the Newsrack Ordinance goes into effect.

10. COMMITTEE REPORTS & CONSENT ITEMS:

A) Coastal Development Permit Review Committee:

- (1) **T-Mobile La Jolla Rancho** – Denied at May 8, 2007 by vote of 7-0-0 and at May 15, 2007 by a vote of 6-0-0 approved "The LJCPA should automatically appeal any approval of the project by Development Services Department to the next higher decision maker." - **See Agenda Item 16.**
- (2) **Wells Residence, 6019 Folsom Drive** – Approved unanimously at the May 15, 2007 CDP meeting. **ON CONSENT.**

APPROVED MOTION: To accept recommendation of the CDP Committee and forward recommendation to the City. (Merten/McGee: 12-0-0)

Affirmative Votes: Abrams, Ashley, Lightner, Lyon, McConkey, McGee, Merten, Morton, Perricone, Peto, Whittemore, Weiss.

- (3) **Edwards Residence, 7971 Prospect Place** – Approved unanimously at the May 15, 2007 CDP meeting. **ON CONSENT.**

APPROVED MOTION: To accept recommendation of the CDP Committee and forward recommendation to the City. (Merten/Abrams: 12-0-0)

Affirmative Votes: Abrams, Ashley, Lightner, Lyon, McConkey, McGee, Merten, Morton, Perricone, Peto, Whittemore, Weiss.

- (4) **Ragen Residence, 6309 Avenida Cresta** - Approved unanimously at May 15, 2007 CDP meeting. **ON CONSENT.**

APPROVED MOTION: To accept recommendation of the CDP Committee and forward recommendation to the City. (Merten/Abrams: 12-0-0)

Affirmative Votes: Abrams, Ashley, Lightner, Lyon, McConkey, McGee, Merten, Morton, Perricone, Peto, Whittemore, Weiss.

B) Planned District Ordinance Review Committee:

- (1) **Draper Avenue Condos, 7516 Draper Avenue, PDO Zone 5** - Unanimously approved at the May 7, 2007 PDO meeting.

APPROVED MOTION: To accept the recommendation of the Committee. (McGee/Abrams: 12-0-1)

Affirmative Votes: Abrams, Ashley, Lightner, Lyon, McConkey, McGee, Merten, Metcalf, Morton, Peto, Whittemore, Weiss.

Abstention: Perricone

C) La Jolla Shores Permit Review Committee (LJSPRC)

- 1.) **Kafaji Residence, 7758 Via Capri** – Approved 3-1-1 at the May 22, 2007 meeting.

APPROVED MOTION: To accept recommendation of the LJSPRC Committee and forward recommendation to the City. (Lyon/McGee: 12-0-1)

Affirmative Votes: Abrams, Ashley, Lyon, McConkey, McGee, Merten, Metcalf, Morton, Perricone, Peto, Whittemore, Weiss.

Abstention: Lightner

- 2.) **Kusman Residence, 8335 Camino del Oro** – Approved 4-1-0 at the May 22, 2007 meeting.

PULLED from consent by Whittemore/Lightner.

Question from Mr. Whittemore – Would it be possible to have an answer to the base zone regulations in La Jolla Shores by the July meeting?

- 3.) **T-Mobile Tom Turner, 7650 Gilman Court** – Approved unanimously at the May 22, 2007 meeting.

APPROVED MOTION: To accept recommendation of the LJSPRC Committee and forward recommendation to the City. (Lyon/McGee: 13-0-0)

Affirmative Votes: Abrams, Ashley, Lightner, Lyon, McConkey, McGee, Merten, Metcalf, Morton, Perricone, Peto, Whittemore, Weiss.

D) Traffic & Transportation Board (T&T):

- a. **Taste of Bird Rock Street Closure** – Unanimously approved at the May 24, 2007 T&T meeting.

APPROVED MOTION: To approve the recommendation of the T&T Committee. (Morton/Weiss: 13-0-0)

Affirmative Votes: Abrams, Ashley, Lightner, Lyon, McConkey, McGee, Merten, Metcalf, Morton, Perricone, Peto, Whittemore, Weiss.

12. Children's Pool Lifeguard Station – Jihad Sleiman. Presentation by Jihad Sleiman (City of San Diego Project Manager), Alex Garcia (City of San Diego), John Greenhaugh (City of San Diego Lifeguards), and Dan Stewart (RJC Architecture). This is an informational presentation. They will return next month for a vote on the project. There were three criteria for this project. 1) Working with the existing structure, 2) 270 degree line of sight up and down the coast at the request of the Lifeguard

and 3) The plan needs to be compact. Retain the existing footprint or as close to it as possible. There are two elements to the design. The solid portion which houses the wet facilities (First Aid station, shower, ADA restroom and restrooms) – Hull portion. The Bridge Portion with is lighter and on top. It will be wood construction. The building is a simple quiet design. Want to pick up the color of the sandstone and hardscape. Materials will be fibrous cement siding. Wood will be used with aluminum windows.

COMMENTS:

- Put the observation station above ground and the balance of the facility below ground.
- Point of Order by Sally Miller. Project is not the purview of the CPA. It should have gone to the Parks and Beaches Committee of the LJTC. Applicant replied that they had attempted to contact Parks and Beaches but there was no response from the Parks and Beaches Committee.
- McGee – the existing bathroom is not in good shape. Redo the lower level so that it is more modern. Consider the redo of the restroom as an alternative design. Perhaps lifeguard could share the restroom with the public.
- Perricone – Would not want to share the restroom. Would like a design, which is more quaint, and village looking.
- Weiss – The Old Casa building is a good model for the station. Encourages the placement of the functional portion below grade. It is needed to be as high as possible to get a better line of sight. Energy efficiency concern with the amount of glass given in the presented design.
- Golba – One in a million sites are as special as this site. It ought to look like La Jolla, feel like La Jolla – try to do a LEED building.
- Morton – Try for a more dynamic building. Do not use fibrous cement siding. Use natural surfaces. Consider the use of cobbles.
- Merten – why not use a tower design (similar to a light tower).
- Miller question answered – Old building was 500 sq. ft. with a 450 sq. ft. pump station – total of 950 sq. ft. The height will be 25 feet from the sidewalk.

Applicant stated that the money to fund this project will come from bonds and they anticipate all projects will move forward when the City can enter bond market.

- Varon – Wants it to be compact, but it is the main lifeguard station for La Jolla and should be big enough. Would like the applicant to check the project for the glare at sunset with all of the glass, which is proposed. Is it possible to do a hybrid station, where the funding could come from Park and Rec for the restrooms and Fire and Life Safety for the rest of the station?
- Katz – Cannot use a shared restroom. There are public health and safety issues if the restroom were to be shared with the public. What about making it round, like a lighthouse.
- Coakley – would like to see a smaller footprint, which would pull back from the edge so that you could walk all around the station including the side where the seals are.
- Member of the public – Will the old pump station be used? No.
- Joe LaCava – Would like an iconic design for an iconic location. The location is special and that should be celebrated.
- Winter – It is an uninspired building. This should be more than just a functional building. It should be a sort of trophy.
- Anderson – Trustee of LJTC and a member of the Parks & Beaches Committee working on the lifeguard stations for the Cove and the Children's Pool. Does Joel Ollen (sp?) know you are here? The applicant responded, yes. Mr. Anderson has been working on the Children's Pool Lifeguard station for over three years. Project started at 1400 sq. ft. After a lot of work the committee was able to get the size scaled down to 1000 sq. ft. Then there was a change in staff and the size of the Lifeguard station was back to 1400 sq. ft. This needs to go back to the LJTC's Parks & Beaches committee.

Applicant stated that the program for the Lifeguards included the following elements: Reception area; Locker area (Male/Female); Second Observation Area; Work station area, and Main Observation area.

13. La Jolla Community Parking District – Yvette Marcum was the CPA's parking Board representative. The alternate is Marty McGee. McGee introduced another member of the Community Parking District Advisory Board. Mr. Metcalf described the Parking Board. Mr. Wagner is the Chair, Mr. Mosier is the Vice Chair and Ken King is the Secretary. Downtown and Uptown have parking meters, which add \$3M to those communities. It may appear as if the Board has not been doing much, but they have

gone on a lot of field trips to other beach communities to collect information. What the Board has come up with is the Management Framework which has been sent to the Trustees and is posted on the website. The Framework document was handed out. There will be another Forum hosted by the Community Parking District on Tuesday June 12 at 6:15 and in the Recreation Center. The Mission Statement from 1-½ years ago was read. The solution to the problems of pollution and gridlock are in the plan – need new tools. Briefly reviewed the document sections and recommended attending the next forum.

14. Scripps Park Plan – Neil Murray to present an update on the progress of the Scripps Park Plan

Patrick Ahern stated that they are seeking approval of the Master Plan for Scripps Park. The power point presentation this evening is informational only. Mr. Ahern and Neil Murray described the work that was done to develop the Master Plan. After the approval, an Action Plan will be developed.

APPROVED MOTION: To support the efforts of the Scripps Park Project. (Whittemore/Perricone: 10-0-0)

Affirmative Votes: Abrams, Ashley, Lightner, Lyon, McGee, Merten, Metcalf, Perricone, Peto, Whittemore.

15. T-Mobile La Jolla Rancho. Mike Morgansen

Mr. Merten briefly described the proposed project and the committee actions on the proposal. The finding that the Land Use Plan will not be adversely affected could not be made for the requested permit. Mr. Morgansen presented a package of information, which included the coverage maps (with and without the proposed antenna), which showed that the location satisfied a need for coverage. He presented design information. Is it really necessary that we provide coverage to any carrier that requests it? Mr. Merten asked if the 17 antennas for Alta La Jolla, which will include about half T-Mobile antennas, would provide coverage, which is not shown on the coverage maps? Applicant said yes.

APPROVED MOTION: To approve the consent agenda denial of the T-Mobile La Jolla Rancho and the committee recommendation of action should City Staff approve the placement (Please see the CDP minutes for My 8 and 15, 2007) (Lightner/Whittemore: 10-0-0)

Affirmative Votes: Abrams, Ashley, Lightner, Lyon, McGee, Merten, Metcalf, Perricone, Peto, Whittemore.

Meeting adjourned at 9:50 PM. Next regular meeting at 6:00 p.m. on July 5, 2007. Recreation Center Auditorium.

Submitted by Sherri Lightner, 6/14/07