



PO Box 889, La Jolla, CA 92038

<http://www.LaJollaCPA.org>

Voicemail: 858.456.7900

info@LaJollaCPA.org

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month

Thursday, 1 April 2010

La Jolla Recreation Center, 615 Prospect Street

FINAL MINUTES – REGULAR MEETING

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

Absent: Laura Ducharme Conboy, Ray Weiss.

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

2. Adopt the Agenda

Approved Motion: To adopt the Agenda, (Gabsch/Fitzgerald 14/0/1).

In favor: Addington, Brady, Burstein, Costello, Crisafi, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Salmon, Whittemore.

Abstain: LaCava

3. Elections

A. Certify Election Results: President LaCava stated there were no protests.

Approved Motion: To certify the results of the March 2010 Election, (Fitzgerald/Gabsch 10/0/5).

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

Abstain: Burstein, Costello, LaCava, Lucas, Whittemore.

B. Swear in Newly Elected Trustees

President LaCava invited the newly elected Trustees to come forward and administered the LJCPA Trustees oath to Rob Whittemore, Michael Costello, Devin Burstein, Tim Lucas. Newly elected Trustees Laura Ducharme Conboy and Ray Weiss were absent and will be sworn in at the May 2010 LJCPA meeting.

4. Election of Officers

Trustee Gabsch nominated Joe LaCava for President of the LJCPA:

Approved Motion: To elect Joe LaCava President of the La Jolla Community Planning Association, (Gabsch/Addington 14/0/1)

In favor: Addington, Brady, Burstein, Crisafi, Costello, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Salmon, Whittemore.

Abstain: LaCava.

Trustee Whittemore nominated Tony Crisafi for Vice President of the LJCPA:

Approved Motion: To elect Tony Crisafi Vice President of the La Jolla Community Planning Association, (Whittemore/Gabsch 15/0/1).

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

Abstain: LaCava.

Trustee Whittemore nominated Jim Fitzgerald for Treasurer of the LJCPA:

Approved Motion: To elect Jim Fitzgerald Treasurer of the La Jolla Community Planning Association, (Whittemore/Gabsch 15/0/1).

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

Abstain: LaCava.

Trustee Costello nominated Nancy Manno as Secretary of the LJCPA:

Approved Motion: To elect Nancy Manno Secretary of the La Jolla Community Planning Association, (Costello/Gabsch 15/0/1)

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

Abstain: LaCava.

5. Meeting Minutes Review and Approval: 04 March 2010

Approved Motion: To approve the Minutes of 04 March 2010, with correction made by Trustee Costello: Trustee Michele Addington was present, not absent, (Merten/Costello 14/0/2).

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

Abstain: LaCava, Whittemore

6. Elected Official Reports – Information Only

A. Council District 2 – Councilmember Kevin Faulconer

Rep: **Thyme Curtis**, 619.236.6622, tcurtis@san Diego.gov

Ms. Curtis was not present

B. Council District 1 – Councilmember Sherri Lightner

Rep: **Erin Demorest**, 619.236.7762, edemorest@san Diego.gov

Present: Made report: Children's Pool update: described Councilmember Lightner's proposal. Additional information on this proposal and other subjects of community interest can be accessed on Councilmember Lightner's website.

7. Non-Agenda Public Comment

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

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

Ms. Delouri was not present.

Member **Esther Viti**, Chair of the Nell Carpenter Beautification/Streetscape Committee of the La Jolla Town Council, invited the Community to participate, to volunteer, to "Clean-up La Jolla. Ms. Viti thanked the many volunteers who have participated in previous "Clean-up's," and noted they have made a significant difference.

Member **Mary Coakley** presented an update on "JJ," and "JJ's" trip to the Foundry and noted additional information on the progress of "JJ" can be accessed on the La Jolla Shores website.

President LaCava acknowledged, and asked the Trustees and Members to acknowledge, the accomplishments of **Esther Viti** and **Mary Coakley** and their extraordinary service to the La Jolla community.

8. President's Report – Action Items Where Indicated

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

This committee is continuing its work, now in its third year, on the Administrative Guidelines, an interpretation of San Diego City Council Policy 600-24, with anticipated completion mid 2010.

B. Children's Pool Management Plan – City Council NR&C Subcommittee, April 5

President LaCava noted: The San Diego City staff report on the Children's Pool can be accessed on-line.

C. Medical Marijuana Dispensaries – City Council LU&H Subcommittee, March 24

President LaCava reported: A draft proposal, incorporating refinements proposed by District One Councilmember Lightner, is expected to be submitted to the San Diego City Council in the near future. **President LaCava**, in regard to his expressed opinion on the subject of Medical Marijuana, noted he had been misquoted in the La Jolla Village News newspaper. **Trustee Addington** noted there are now multiple dispensaries in close proximity. **President LaCava** noted a similar problem in the Bird Rock area.

D. Committee Appointments – Send your interest in serving to info@lajollacpa.org

President LaCava noted an immediate need for a Membership Committee Chair.

9. Officer's Reports

A. Treasurer - Jim Fitzgerald

Beginning Balance: \$469.88 + Income \$176.67 – (Expenses \$113.92) = Ending Balance: \$532.63.

Expenses: Printing, telephone, filing fee: \$20.00, California Statement of Information.

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.

Trustee Little questioned the reasoning behind the need for the LJCPA to remain a Corporation. **President LaCava** and **Trustee Whittemore**, in response stated the several specific benefits a corporate structure afforded the LJCPA and the reasoning behind the decision to retain the corporate structure of the LJCPA.

B. Secretary – Nancy Manno

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

Agenda Item #12 is Time Certain @ 6:30 PM: is heard out of sequence.

12. Water Main Replacement Project (Group Job 790)

Information Only (10 minutes)

Nautilus Street between West Muirlands Drive and Scarlatti Place - Slated to begin late spring/early summer 2010 and should be completed in 11 to 12 months.

Project presented: **Jennifer Dill**, Katz & Associates, Inc. Described project in detail. Project is slated to begin in late May 2010, after anticipated official approval to proceed in early May 2010. **Ms. Dill** noted they are working closely with La Jolla High School and Muirlands Middle School to minimize the impact regarding School pick-up/drop off times, and at the suggestion of **President LaCava**, **Ms. Dill** agreed to try to minimize detours to West Muirlands Drive. **Trustees Addington, Lucas, Rasmussen** and member **Bob Collins** commented/questioned: **Ms. Dill, Sarah Rosetto**, (Katz & Associates Inc.), **Chris R. Gascon, P.E.**, City of San Diego & **Ron Susi**, Orion Construction responded.

10. CONSENT AGENDA – Ratify or Reconsider Committee Action

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

DPR – No Recommendations

PRC – No Recommendations

A. Spencer & Company Interiors

PDO ACTION: 7-0-0 to approve the project 1006-1010 Torrey Pines Road – New awning and signage.

B. Pet Parade Street Closure

T&T ACTION: To Approve Proposal, 6-0-0.

Herschel south of Silverado – Closure for Pet Parade and Festival similar to last year's event. Sunday, May 23, 2010, 8:00 am to 3:00 pm.

C. San Diego Triathlon: Pulled: President LaCava

T&T ACTION: To Approve Proposal, 6-1-0.

La Jolla – Street closures for cycling leg of triathlon centered in Mission Bay. Route goes up Soledad Avenue, left on Soledad Mountain, left on La Jolla Scenic South, right on Nautilus, right on Fay, right on Pearl, left on Girard, right on Torrey Pines Road continuing on to La Jolla Village Drive. Sunday, March 20, 2011, 7:45 am to 10:30 am. See minutes for additional details.

Approved Motion: Motion to accept the recommendation of the PDO Committee, (A) 1006-1010 Torrey Pines Road – Spencer & Co. Interiors: new awning and signage, and forward the recommendation to the City. To accept the recommendation of the T & T Committee (B) Herschel south of Silverado – Closure for Pet Parade and Festival similar to last year's event. Sunday, May 23, 2010, 8:00 am to 3:00 pm., and forward the recommendation to the City, (Gabsch/Salmon 15/0/1).

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

Abstain: LaCava.

11. REPORTS FROM OTHER ADVISORY COMMITTEES

Information only unless otherwise noted

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – Inactive

This committee is currently inactive

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

This committee, although active, will not meet in April.

13. V-Calm Sign on Lower Cardeno Drive

T&T – Recommend approval of new V-Calm Sign, 6-0-0.

Pulled from March 4 Consent Agenda

Proposed Location: Just north of Kaimalino Lane for Southbound Traffic

President LaCava presented: **Trustee Courtney** commented in opposition: stated Torrey Pines Road V Calm signs deserved priority. **Trustees Gabsch, Manno, Merten, Rasmussen** commented. **Member Bob Collins** commented. Councilmember Lightner's representative **Erin Demorest** commented. **President LaCava** explained the current City process regarding V-Calm signs on Torrey Pines Road.

Failed Motion: Motion to support V-Calm sign on Cardeno, with the understanding that prioritizing for the funding for the sign would rank behind the funding for V-Calm signs for Torrey Pines Road, (Courtney/No second). Motion failed: lack of second to Motion. At the discretion of the Chair, President LaCava, no vote was taken.

Approved Motion: Motion to support the action of the T & T Committee: Approval of V-Calm Sign on Lower Cardeno Drive, (Fitzgerald/Addington 15/0/1).

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

Abstain: LaCava.

14. Aroma and Barfly Sidewalk Café

PDO – Voted 7-0-0 to table the project to give the applicant the opportunity to revise the project and return to the PDO Committee, objected to sidewalk "clear path"

Moved to CPA Agenda to resolve for timely response.

909 Prospect - (PROCESS 2) Neighborhood Use Permit for a sidewalk café encroachment into public right of way at 909 Prospect Street in Zone 1 of La Jolla Planned District within the La Jolla Community Plan, Parking Impact, Transit Area, Coastal Overlay (non-appealable), and Coastal Height Limit Overlay zones

President LaCava noted: The Planned District Ordinance sub-committee voted 7/0/0 to table this project to give the Applicant the opportunity to revise the project design and return to the PDO. The Applicant indicated they preferred not to change the design and requested the project be brought to the LJCPA for full consideration of the project.

Project presented: **Mark Bausback, Architect: Mr. Bausback**, for Applicant **Mr. Oved Haskell**, (present), described the Project, with a focus on the Sidewalk Café encroachment into Public Right of Way. **Trustee Fitzgerald** discussed the reasons behind the PDO decision, indicated the PDO Committee considered the Project attractive, however the Project as currently proposed does not conform to the LJPDO, therefore the Project cannot be approved. **Trustees Crisafi, Little, Lucas, Salmon** commented. **Trustee Merten** commented/quoted from the Municipal Code: the LJPDO absolutely does prevail. **Members Bob Collins, Don Schmidt, Esther Viti** commented. **President LaCava** referred to/discussed the Municipal Code/the PDO relating to Sidewalk Cafes. There was general discussion, primarily relating to variances, among **Trustees Crisafi, Courtney, Fitzgerald, Merten, Rasmussen, Whittemore, and President LaCava**. **Trustee Gabsch**, who serves on the PDO Committee stated: the PDO Committee has never approved less than an eight foot clearance/has always maintained an eight foot clearance for a Sidewalk Café.

Failed Motion: Motion to support the Aroma and Barfly Sidewalk Café as proposed because it is consistent with San Diego Municipal Code, Section 141.0621, (Rasmussen/Salmon 4/11/1)

In favor: Brady, Burstein, Rasmussen, Salmon.

Opposed: Addington, Crisafi, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Whittemore.

Abstain: LaCava.

During discussion of the Motion and prior to the vote on the Failed Motion: **Trustees Fitzgerald, Costello, Crisafi, Whittemore** spoke to a Trustee obligation to preserve the integrity of the La Jolla PDO.

Approved Motion: Motion to deny the Aroma Café and Barfly Sidewalk Café on the basis of non-conformity to the eight foot clearance requirement, (Public Right of Way encroachment), of the La Jolla Planned District Ordinance, which supersedes San Diego Municipal Code, Section 141.0621, (Fitzgerald/Little 12/3/1)

In favor: Addington, Brady, Crisafi, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Whittemore.

Opposed: Burstein, Rasmussen, Salmon.

Abstain: LaCava.

15. Whitney Mixed Use – Mitigated Negative Declaration

CPA – Vote 14-1-1 to recommend denial of the project (October 2009)

2202 & 2206 Avenida de la Playa – Consideration of submitting a response on the Mitigated Negative Declaration (Deadline of March 28 delayed to April 2 for CPA).

President LaCava presented a draft letter in response to the MND. **Trustee Fitzgerald** thanked **President LaCava** and **Trustee Merten** for their preparation of the letter. **Trustee Merten**, during discussion of the Motion, offered and read an addition to the letter. The maker of the Motion accepted the addition.

Approved Motion: Motion to approve the La Jolla Community Planning Association Draft Letter in response to the Whitney Mixed Use – Draft Mitigated Negative Declaration, with an addition by Trustee Merten and corrections by Trustee Gabsch: (Burstein/Fitzgerald 13/2/1).

In favor: Addington, Burstein, Crisafi, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Whittemore.

Opposed: Brady, Salmon.

Abstain: LaCava.

16. ADJOURNED: 8:00 PM to Next Regular Meeting on May 6, 2010, 6:00 pm