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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, 3 December 2009

La Jolla Recreation Center, 615 Prospect Street

D R A F T MINUTES

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, Ray Weiss.

Absent: John Berol, Greg Salmon.

1. Welcome and Call To Order: **Joe LaCava**, President @ 6:05 PM.

2. Adopt the Agenda

Approved Motion: To adopt the Agenda, (Brady/Rasmussen 13/0/1).

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

Abstain: LaCava.

3. **Meeting Minutes:** Review and Approval: 05 November 2009.

Approved Motion: To approve the Minutes of 05 November 2009, (Merten/Fitzgerald 11/0/3).

In favor: Addington, Brady, Costello, Crisafi, Fitzgerald, Little, Lucas, Manno, Merten, Rasmussen, Weiss.

Abstain: Ashley, Gabsch, LaCava.

4. Elected Official Reports – Information Only

A. Council District 2 – Councilmember Kevin Faulconer

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

Not present.

B. Council District 1 – Councilmember Sherri Lightner

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

Present: Made report: Commented: Ongoing discussion of budget cuts, strongly urged community suggestions/participation. A full report/information is available on line on Councilmember Lightner's website. Ms.

Demorest is always available to the community and Trustees to answer questions after the meeting. **Trustee**

Little posed a question/commented re: How to access earmarked funds/taxpayer funds to assist in meeting budget short-falls/requirements. **President LaCava** suggested a source might be the CCDC.

5. 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/>

Not present.

Member Sally Miller: Commented on Star decorations in the Village; some are not lighted. **President LaCava** stated some lighted decorations are not plugged-in and a coordinated effort is being made to rectify.

Member Pat Granger: Requested assistance with a problem with newspapers/throwaway advertisements littering her driveway: is this littering, if so how can it be ameliorated?

Trustee Lucas: Presented a report on the La Jolla Shores PDO Committee's on-going effort to update their PDO.

Member Michelle Fulks, BBRC member, presented an invitation to the Community to participate in the fourth annual Bird Rock Home Tour, scheduled Saturday, January 30, 2010. The Bird Rock Elementary School will greatly appreciate sponsor participation this year because of the current economic situation.

Community Member Denise Hernandez: Requested assistance in obtaining a Zone 4 CUP for an Infant & Child Care facility. **President LaCava** stated that LJCPA is not the precipitating group and cannot take action, however **President LaCava** will provide follow-up consultation for Ms. Hernandez.

6. President's Report – Action Items Where Indicated

A. Community Planners Committee (<http://www.sandiego.gov/planning/community/cpc/>)

Primary discussion: Medical Marijuana dispensaries: will be addressed by Trustees: Agenda Item 12.

B. CEQA & Environmental Documents – Outstanding issue resolved, the City Attorney opines that CPA is not required to review before rendering a recommendation.

President LaCava reported: per the San Diego City Attorney, the LJCPA, acting as a Land Use advisory body, need not wait for environmental documents before proceeding to review a project. This opinion confirms traditional LJCPA policy of proceeding to review single-family houses, absent the environmental document. Regarding large projects, i.e., schools, churches, life guard stations, with substantive environmental documents that require consideration; LJCPA does review documentation prior to submitting recommendations. **President LaCava** expressed concern re the manner in which this issue has been resolved, and anticipates a discussion in regard to those concerns, next month at the CPC meeting.

C. MLPA – Blue Ribbon Task Force recommends expanded reserve at La Jolla Shores, new reserve from Crystal Pier (PB) to just south of WindanSea Beach.

President LaCava reported: The Marine Life Protection Act Blue Ribbon Task Force has made a proposal to greatly limit surface fishing and spear fishing by expanding the reserve at La Jolla Shores, and to establish a new reserve from Crystal Pier north to just south of Windansea Beach. The reserve would extend two miles out from the coastline. The proposal has not been approved. **Trustees Rasmussen, Gabsch** commented.

D. City's Wireless Task Force – First meeting will be January 2010.

E. Hillside Residence – Update on City's Approval

The Hillside Residence project, at 7430 Hillside Drive, was denied by Coastal Development Permit sub-committee and their decision was ratified by the LJCPA. The City, acting on the denial, required the applicant to redesign the project. The redesigned project resolved the issues of concern to the CDP and LJCPA. Subsequently, a City Hearing Officer then approved the redesigned project. **President LaCava** noted that it is encouraging when our decisions are validated.

F. LJ Shores Permit Review Committee – CPA seat still open. **President LaCava**, again, asked for names to be submitted for this important committee.

7. Officer's Reports

A. Treasurer – Jim Fitzgerald

Beginning Balance: \$636.76 + Income \$104.38 – (Expenses \$70.38) = Ending Balance: \$670.76.

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. **Trustee Lucas** requested mention be made of the Annual LJCPA election in March. **President LaCava** noted: For those members interested in becoming a candidate for a Trustee position: attendance at three LJCPA meetings is a requirement. Attendance at the December 2009 and

January, and February 2010 meetings would meet this requirement. **President LaCava** clarified: a membership requires attending only one meeting per year. There will be a candidate forum at the February LJCPA meeting.

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 – LJShores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

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

PDO – No action at December meeting

T&T – No meeting in November

A. DICKINS/JOHNSTON

DPR ACTION: Findings can be made for a CDP, 6-0-1

9410 La Jolla Shores Drive - Coastal Development Permit to demolish existing residence and construct a 5,794 sf single family residence on a 15,061 sf site in the RS-1-4 zone

B. SOROKIN DUPLEX

DPR ACTION: Findings cannot be made for a CDP, 5-2-1

247 Kolmar Street - Coastal Development Permit to demolish existing residence and construct two residential for rent units on a 0.11 acre site in the RM-1-1 zone.

C. PACE RESIDENCE

DPR ACTION: The findings can be made for CDP & SDP and applicant agreed to comply with scenic overlook regulations, 8-0-0.

1405 Inspiration Drive - Coastal Development Permit and (Process 3) Site Development Permit to demolish existing residence and construct a 8,660 sf. single family residence on a 1.17 acre site in the RS-1-4 zone.

D. CARDENAS RESIDENCE Pulled by member Rob Whitemore

PRC ACTION: Project as presented with plans reviewed that had been submitted 10/31/2009 and printed 11/2/2009 meets the findings for a Site Development Permit for environmentally sensitive lands, 4-0-0.

8466 El Paseo Grande – Process 3 Site Development Permit for Environmentally Sensitive Lands (coastal beach). Extension of existing deck with support wall and surrounding guardrail/screen wall with storage space below; addition of retaining wall with masonry fence and cable guardrail above supporting new turf area; 6' fence at south property line; increase in height of existing site wall at the house entry and addition of planting areas and enhanced driveway paving. Lot Size: 11,879 sf; Existing House: 3467 sf; Zoning: LJSPDO.

Note: Plans reflect change in deck construction method from imported fill and concrete to beams and woods requiring no fill.

Approved Motion: Motion to accept the recommendation of the DPR Committee: to approve (A) Dickens/Johnston Residence and forward the recommendation to the City. To accept the recommendation of the DPR Committee: to approve (C) Pace Residence and forward the recommendation to the City. (Ashley/Gabsch 14/0/1).

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

Abstain: LaCava.

Approved Motion: Motion to confirm the action of the DPR Committee: Findings cannot be made for a CDP (B) Sorokin Duplex and forward the action to the City. (Ashley/Fitzgerald 14/0/1)

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

Abstain: LaCava.

9. REPORTS FROM OTHER ADVISORY COMMITTEES

Information only unless otherwise noted

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

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

The Coastal Access and Parking Board did not meet in December.

10. BARKETT STREET VACATION

DPR ACTION: Findings for CDP can be made, 5-0-0.

T&T ACTION: Findings for street vacation cannot be made, 5-3-0.

Pulled from Oct 1 2009 consent agenda by applicant.

7724 Prospect Place & 7709 Prospect Place - Coastal Development Permit and Public Right of Way Vacation. The site is located within the RS-1-7 zone.

Presented by Jeff Barfield, AICP, RBF Consulting and Steve Hawxhurst, P.L.S., RBF Consulting, on behalf of the applicants: William and Lisa Barkett & Ken and Tara Nitahara.

President LaCava read a letter from neighboring property owners, **Ann Cullington, Gina Powell-Clayton, Naomi Thomas, Loraine Slack, George Campion, Mr. & Mrs. Charles Key, Dr. Jean Wickersham**, who are opposed to the proposed street vacation. Neighbors **Loraine Slack, Naomi Thomas** spoke in opposition.

Trustee Brady expressed concerns re loss of public parking. **Member Daisy Fitzgerald** commented on public parking. Applicant **Ken Nitahara, Mr. Barfield** and **Mr. Hawxhurst** responded to Trustees questions. **Trustee Merten** requested clarification re the DPR committee's approval and the T & T committee's denial of the proposal.

President LaCava discussed the T & T denial. **Trustee Addington** commented on the reasons for T & T denial.

Trustee Costello, (Member DPR), in agreement with the DPR committee decision, commented favorably.

Trustees Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Rasmussen, Weiss questioned/commented.

Trustee Crisafi, (Chair, DPR), in agreement with the DPR committee decision, commented extensively on his reasons for supporting the Street Vacation, and spoke to the conflict between the Community plan and the City concern, primarily with water pollution, specific to this Street Vacation **President LaCava**, in response to Trustee concerns, described City process/ applicable City procedures re a Street Vacation.

Approved Motion: Motion to not approve the proposed street vacation due to no perceived public benefit, including a net loss of public parking, (Brady/Addington 10/2/2).

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

Opposed: Costello, Crisafi,.

Abstain: LaCava, Weiss

11. NEPTUNE APARTMENTS

DPR ACTION: The findings can not be made for CDP & SDP due to proposed bulk & scale and community character of proposed structure as required by the La Jolla Community Plan, 4-2-0.

Pulled from Nov 5, 2009 Consent Agenda

6767 Neptune Place - Coastal Development Permit & Site Development Permit to demolish existing buildings and construct 24 residential for rent units on a 0.56 acre site in the RM-3-7 Zone.

The Neptune Apartments project was pulled from the November LJCPA Consent Agenda by **Trustee Merten**. At the invitation of **President LaCava, Trustee Merten** described his reasoning for pulling this project: The Neptune Apartments project is significant in terms of size and scope, is oceanfront, and therefore deserved review by the entire LJCPA Board, in addition to the review by the DPR Subcommittee.

Claude Anthony Marengo presented the project. The applicant, represented by **CA Marengo**, declined to make a presentation on the project, with the exception of one graphic board emphasizing that: (1) upper stories are stepped back, (2) the project reduced setbacks along the two side yards (public view corridors) from the existing building, (3) underground parking is provided. **Trustees Merten, Costello** made comments. **President LaCava** commented.

Member Devin Burstein spoke in opposition to the project.

Approved Motion: Motion to ratify the Development Permit Review committee's decision to deny the Neptune Apartments project, (Courtney/Fitzgerald 8/3/2).

In favor: Brady, Costello, Courtney, Fitzgerald, Little, Manno, Rasmussen, Weiss.

Opposed: Addington, Crisafi, Merten.

Abstain: Gabsch, LaCava

Trustee Gabsch: Reason for abstention: The lack of a complete presentation pertaining to the project.

President LaCava, with the enthusiastic agreement of the Trustees and Members wished "Bon Voyage" to **Trustee Ray Weiss**, who will attend the Convention On Climate Change in Copenhagen.

12. MEDICAL MARIJUANA DISPENSARIES

Proposed Amendments to City Municipal Code – Discussion and possible action on City Task Force's proposed land use recommendations to regulate Medical Marijuana Dispensaries. Task Force recommendations reportedly to be heard at City Council on December 8.

President LaCava briefed the Trustees, referring to the Task Force "Report To The City Council" document.

Trustees Addington, Costello, Courtney, Fitzgerald, Gabsch, Little, Manno, Merten, Rasmussen discussed/commented on the report and were generally concerned with the larger implications of the initiative, relative to the La Jolla community. Although there was not opposition to the initiative or the report per se, the Trustees were generally uncomfortable with the report and there were concerns that at least one recommendation specified in the report could not be supported. **Representative Erin Demorest**, (CDC 1), referred to the relative "Process Levels." **President LaCava** delineated the various Process Levels, relative to the Medical Marijuana Dispensaries. **Community members Robert Padilla, Sally Miller, Pat Granger** commented.

Approved Motion: Motion to deny acceptance of the report: "Recommendations from the Medical Marijuana Task Force," based on the provision regarding distance requirements, does not allow sufficient distance between dispensaries, ("Distance Requirements to be placed on dispensing collectives and cooperatives"). (Rasmussen/Fitzgerald 9/2/1).

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

Opposed: Costello, Little.

Abstain: LaCava.

13. ADJOURNMENT: 8:30 PM

Next Regular Meeting: Thursday, 7 January 2009

Future Items:

A. Time running out to renew Memberships and be eligible to vote in March elections.

B. Call for candidates in January to run in March trustee elections, need to have attended 3 CPA meetings in 12 months prior to March election.

C. Call for volunteers for Election Committee

D. Candidate forum in February

E. Annual trustee elections (6 seats) in March