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President: Tony Crisafi
Vice President: Rob Whittemore
Treasurer: Jim Fitzgerald
Secretary: Dan Allen



La Jolla Community Planning Association

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

Thursday, 1 March 2012

FINAL MINUTES – REGULAR MEETING

Trustees Present: Dan Allen, Cynthia Bond, Tom Brady, Laura DuCharme-Conboy, Michael Costello, Dan Courtney, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Nancy Manno, Phil Merten, Cindy Thorsen, Rob Whittemore, Ray Weiss.

1. Welcome and Call To Order: Tony Crisafi, President, at 6:59 PM

2. Adopt the Agenda

Approved Motion: Motion to adopt the Agenda, (Fitzgerald/LaCava, 15-0-1).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Manno, Merten, Thorsen, Weiss, Whittemore.

Abstain: Crisafi.

3. Meeting Minutes Review and Approval – 2 February

Approved Motion: Motion to approve the Minutes of 2 February, (LaCava/Merten, 14-0-2).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Gabsch, LaCava, Little, Manno, Merten, Thorsen, Weiss, Whittemore.

Abstain: Fitzgerald, Crisafi.

4. Elected Officials Report - Information Only

A. Council District 2 - Councilmember Kevin Faulconer

Rep: Katherine Miles, 619.236.6622, kmiles@sandiego.gov

Ms. Miles was not present.

B. Council District 1 - Councilmember Sherri Lightner

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

Ms. Demorest reported some surplus funds available in the City budget. The Managed Competition program resolved that trash pickup will continue with City forces. **Trustee Weiss** asked why trash pickup occurs on Martin Luther King Day. **Ms. Demorest** will look into that.

5. Non-Agenda Public Comment – Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.

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

Ms. Delouri provided written updates on campus development projects and for further information referred to the website physicalplanning.ucsd.edu. **Trustee Whittemore** asked about parking restriction at a viewsite near the Aquarium. **Ms. Delouri** will look into that.

General Public Comment

Luis Scharr, City of San Diego Engineering and Capital Projects Department, presented information on Pump Station #27 on Avenida de la Playa. The pump station failed in 2010. New equipment arrives in April. Heavy work is planned May through August, and all work should be done in October.

6. Non-Agenda Items for Trustee Discussion

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

Trustee Fitzgerald stated his objection to statements made about the LJCPA at the Planning Commission on 16 February at the hearing of LJCPA's appeal on Hennessy's Sidewalk Café by Mark Lyon where he questioned our motives and integrity.

Trustee Courtney requested a review of the City policy on crediting steep hillside lot area in determining building area ratios. **President Crisafi** said he would initiate an inquiry with the Development Services staff.

At this point the sequence of the agenda was modified to hear Item 12.

12. Children's Pool Walkway Beautification – Action Item

Coast Blvd. - Project of the La Jolla Parks & Beaches to redesign of the public promenade and belvedere on Coast Boulevard at the Children's Pool. Total improved area: 11,610 SF. Improved pathways: approx. 10,000 SF (475 linear feet). Planting area: 1,703 SF.

Previous Action: LJTC recommends approval, Feb '12

Previous Action: LJP&B recommends approval, Nov '11

PDO ACTION (FEB 2012): PDO Committee supports this project 8-0-0.

Project landscape architect **Jim Neri** made the presentation with plan. It is hoped to complete this work at the same time the Children's Pool lifeguard tower is rebuilt. Cost is estimated at \$250,000. Funds are being solicited.

Trustee LaCava praised **Phyllis Minick** for the work she has been doing on this project.

Approved Motion: Motion to endorse the landscape concept plan for the Children's Pool walkway, (LaCava/Manno, 15-0-1).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Manno, Merten, Thorsen, Weiss, Whittemore.

Abstain: Crisafi.

At this point the sequence of the agenda was restored.

7. Officer's Reports

Reports were made at the Annual Meeting held earlier. There were no additional reports.

8. President's Report – Action Items where indicated

A. Children's Pool Update

The seals issue is in court.

B. 8490 Whale Watch Way – Hearing Feb. 6th

The appeal was rejected by the City Council by vote of 4 to 4.

C. Hennessy's Sidewalk Café – Feb 16th Planning Commission

Hearing Officer returned this application to Community Group for review of new design, and it is Item 14 on this evening's agenda.

D. Save the La Jolla Post Office

President Crisafi proposed to send a letter to support the La Jolla Historical Society's efforts to save the La Jolla Post Office. **Trustee Allen** questioned whether this issue was in the scope of the LJCPA's function.

Approved Motion: Motion that the President draft a letter to support the La Jolla Historical Society's efforts to save the La Jolla Post Office, (Costello/Conboy, 11-1-1).

In favor: Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Manno, Merten, Thorsen, Weiss, Whittemore.

Opposed: Allen.

Abstain: Crisafi.

E. Alleged code violation process – discussion

Postponed to next month

F. Ione Stiegler

President Crisafi announced that Ione Stiegler, Chair of the Planned District Ordinance Committee, has been accepted as a Fellow of the American Institute of Architects. **Trustees** expressed their congratulations.

9. 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 reconsideration and full discussion. Items pulled from this Consent Agenda are automatically 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. Gillispie School Exterior Identification Sign

PDO ACTION: proposed signage conforms to the PDO 8-0-0.

7380 Girard Ave - Upgrade of existing identification sign

B. Tapfever Studios

PDO ACTION: proposed signage conforms to the PDO 8-0-0.

5628 La Jolla Blvd - Signage - 21 x 2 = 42 square feet allowed for wall mounted signage. Existing sign 32 square feet . New signage if a continuous box is drawn around the words can be no more than 10 square feet. The wording will stretch 16 feet long x 5 inches tall.

C. Miller Residence

DPR ACTION: Findings can be made for a Coastal Development Permit to demolish existing residence and construct a 4,093 SF single family residence on a 0.16 acre site at 440 Belvedere St. Dec 20: 3-1-1, Feb 14: 7-0-1.

440 Belvedere Street - CDP to demolish existing residence and construct a 4,093 SF single family residence on a 0.16 acre site; on the Consent Agenda for the January LJCPA meeting and was pulled by Trustee Conboy; reheard at February DPR.

D. Salami Residence

PRC Action: Findings can be made for a SDP based on the revised plans dated Feb 28, 2012 that indicate a 2 foot increase in the side yard setback along the north-east exterior wall resulting in a 6' 2" side yard setback at the narrowest point. 6-0-1

2712 Costebelle Dr -SDP (possibly for Environmentally Sensitive Lands) for a 3,984 sf two story addition to an existing SFR on a 21,386 sf site.

E. Sinclair Residence

PRC Action: Findings can be made for a CDP and a SDP based on the plans dated Feb 27, 2012 and submitted to the City that include the Coastal Commission-approved guest house. 5-0-2

2075 Soledad Avenue - CDP and SDP: Demolish the existing and construct a new 7,977 sf SFR on a 53,099 sf lot. Existing guest quarters (2098 sf) will remain. Lot Line Adjustment to swap 250 sf with 2065 Soledad Avenue.

F. AT&T Via Capri CUP

PRC Action: Findings can be made for a CUP, CDP and a SDP based on plans dated 12-15- 2011, with the revisions dated February 28,2012, that address painting the existing and proposed equipment to an olive drab shade to blend in with the landscaping. 6-0-1

7990 Via Capri – CDP, SDP and CUP for Wireless Communication Facility modification to remove 4 existing antennas and install 8 antennas mounted to a faux shrub. Process 4.

G. Zegarra Retaining Wall

PRC Action: More information is needed. Continue item to a future [LJSPRC] meeting. Information needed. 6-0-1

2974 Cto. Bello (fronting on North La Jolla Scenic Drive) SDP for previously reviewed and permitted (2006) retaining wall and NDP for modifications to existing free standing wall in the PROW of LJ Scenic Drive. Property borders Pottery Canyon open space.

H. Cuvier Street Diagonal Parking

T & T ACTION: Approve change of parking from parallel to diagonal parking on Cuvier Street. 6-0-0
Change parallel parking on Cuvier to be diagonal parking

I. Valet Parking 7979 Ivanhoe and 484 Prospect St.

T & T ACTION: unclear

Consideration of a valet parking zone at 7979 Ivanhoe and 484 Prospect Street.

Items G and I were removed from the Consent Agenda. **Helen Boyden** reported on Item G that the PRC needs more information and has continued it. Item I was pulled by Trustee LaCava last month to send back to T&T. T&T has not taken final action. **Trustee Courtney** questioned the report of the T&T action.

Approved Motion: Motion

To accept the actions of the Planned District Ordinance Committee: (A) Gillispie School Exterior Identification Sign: proposed signage conforms to the PDO, (B) Tapfever Studios: proposed signage conforms to the PDO, and forward the recommendations to the City,

To accept the action of the Development Permit Review Committee: (C) Miller Residence: Findings can be made for a Coastal Development Permit to demolish existing residence and construct a 4,093 SF single family residence on a 0.16 acre site at 440 Belvedere St. , and forward the recommendation to the City,

To accept the recommendation of the LJ Shores Permit Review Committee: (D) Salami Residence: Findings can be made for a SDP based on the revised plans dated Feb 28, 2012 that indicate a 2 foot increase in the side yard setback along the north-east exterior wall resulting in a 6' 2" side yard setback at the narrowest point, (E) Sinclair Residence: Findings can be made for a CDP and a SDP based on the plans dated Feb 27,2012 and submitted to the City that include the Coastal Commission-approved guest house, (F) AT&T Via Capri CUP: Findings can be made for a CUP, CDP and a SDP based on plans dated Dec 15, 2011, with the revisions dated February 28, 2012, that address painting the existing and proposed equipment to an olive drab shade to blend in with the landscaping, and forward the recommendations to the City,

To accept the action of the Traffic & Transportation Board: (H) Cuvier Street Diagonal Parking: Approve change of parking from parallel to diagonal parking on Cuvier Street, and forward the recommendation to the City, (Gabsch/Merten, 15-0-1).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Manno, Merten, Thorsen, Weiss, Whittemore.
Abstain: Crisafi.

10. Reports from Other Advisory Committees - Information only

A. La Jolla Community Parking District Advisory Board – Inactive

B. Coastal Access and Parking Board - Meets 1st Tues, 4pm, La Jolla Recreation Center.
Trustee LaCava will be resigning as chairman of the Coastal Access and Parking Board. A new chairman will be

sought. **Trustee Gabsch** acknowledged **Trustee LaCava's** service over several recent years.

C. Community Planners Committee – Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego
Trustee LaCava reported that CPC is supporting changing lighting standards to private commercial maintenance; CPC endorsed clarified City policies 600-24 and 600-33 concerning how projects are reviewed. President Crisafi announced that **Trustee LaCava** will remain our representative to CPC and is being considered for the chairmanship of CPC.

D. La Jolla Parks & Beaches, Inc. – Meets 4th Mon, 4pm, La Jolla Recreation Center

11. Discussion on Applicants Opting Out of Community Review - *Continued to next month.*

Examples:

- a. Sea Ridge Custom Residence
- b. Kooklani Residence

13. Kretowicz Residence EOT – Action Item

7957 Princess Street - EOT for SDP 482270 for previously constructed improvements and additions to an existing SFR to remain on a 22,725 SF site.

DPR ACTION (JAN 2012): Deny EOT as no new condition is required to comply with state or Federal law. Findings cannot be made for an Extension of Time (EOT) for Site Development Permit as needed to continue processing the Coastal Development Permit. 4-3-0

LJCPA ACTION (FEB 2012): Pulled from Consent Agenda

Claude-Anthony Marengo, project architect, and **Ure Kretowicz** described the situation. The residence had been rebuilt without complete permits, and after-the-fact plans were approved by the City Council in 2008. That permit was then appealed to the Coastal Commission. Negotiations with the Coastal Commission have resolved all but one issue. The EOT is needed to continue negotiations with the Coastal Commission toward a permit, even though the project will differ slightly from the 2008 City-approved plans due to issues raised in the appeal and since settled with the Coastal Commission. **Trustee Merten** asked if a trellis and spa near the cliff edge was still included, and **Mr. Marengo** said that it will be removed according to the Coastal Commission terms. **Trustee Costello** asked about the structure that encroaches on the street right-of-way, and **Mr. Kretowicz** said that encroachment was the consequence of the street being laid out inaccurately at a time in the past after the building was already there, and the Coastal Commission would allow that to remain. **Mr. Kretowicz** said the final issue that is unresolved with the Coastal Commission is being litigated. That issue concerns interference with coastal access across the property. **Mr. Marengo** said this final issue has nothing to do with the request for an EOT, and denial of the EOT could undo resolution of the settled issues. **Trustees Thorsen, LaCava** and **Allen** addressed whether the Commission's actions of July and November 2011 were not final and had not essentially concluded the matter granting no Coastal Development Permit. **Mr. Marengo** said that negotiations with the Coastal Commission continue. Discussion dwelled on the matter of whether the present project status should be considered not in compliance with state law, which is a condition for findings rejecting an EOT.

Approved Motion: Kretowicz Residence: Findings can NOT be made for an Extension of Time (EOT) for Site Development Permit, (Whittemore/Costello, 11-1-4).

In favor: Allen, Bond, Brady, Costello, Courtney, Gabsch, Little, Merten, Thorsen, Weiss, Whittemore.

Opposed: Conboy.

Abstain: Crisafi, Fitzgerald, LaCava, Manno.

14. Hennessey's Sidewalk Café – Action Item

7811 Herschel Ave - Installing wrought iron fence as an encroachment into the public right-of-way.

PDO ACTION (SEP 2011): Sidewalk Café Use conforms with the PDO, 6-0-0

DPR ACTION (OCT 2011): FINAL REVIEW - motion fails – no recommendation to report

LJCPA ACTION (NOV 2011): Findings can NOT be made for a Neighborhood Use Permit for a sidewalk café within the public right-of-way, 11-2-2.

LJCPA ACTION (FEB 2012): Ratify the appeal of Hennessey's Sidewalk Café, 15-0-1.

Hearing Officer ACTION (FEB 2012): return to Community Group for review of new design

Claude-Anthony Marengo, project architect, was present to answer questions. After discussion no action was taken. Thus, the appeal stands.

Trustee Election Results

Election Chair **Tim Lucas** presented the vote count to **President Crisafi**, who then announced the results: Elected to three year terms: Cynthia Bond, Tom Brady, Dan Courtney, Nancy Manno, Phil Merten and Cindy Thorsen. Elected to one-year terms to fill vacancies: Devin Burstein and Fran Zimmerman. (Darcy Ashley had been a declared candidate at the last LJCPA meeting but subsequently withdrew.)

The number of ballots cast was 86. **President Crisafi** announced that results can be challenged until Thursday, March 8, 5:00 pm. If no challenge, the ballots will be destroyed.

President Crisafi thanked Election Chair **Trustee Tim Lucas** for, once again, running a flawless election, and thanked all of the Community Members who graciously contributed their time assisting **Trustee Lucas**. **Trustees** expressed their gratitude.

At this point (8:25PM) President Crisafi recused himself. Vice President Whittemore assumed the chairmanship of the meeting.

15. Encore Trust – Full Review by Trustees per request of Applicant - Action Item

9872 La Jolla Farms Road – CDP & SDP to construct a 21,592 SF single family residence and 2,149 SF guest quarters on a vacant 1.52 acre

DPR ACTION (FEB 2012): To approve project as presented. Findings can be made for a CDP and SDP to construct a 17,949 SF single family residence (without guest quarters) on vacant 1.52 acre site at 9872 La Jolla Farms Rd. 5-3-1.

LJCPA ACTION (NOV 2011): Return to DPR to allow neighbor input. 13-0-1-1

DPR ACTION (NOV 15, 2011): Findings can be made for a Coastal Development Permit and Site Development Permit to construct a 21,592 SF single-family residence and 2,149 SF guest quarters on a vacant 1.52-acre site at 9872 La Jolla Farms Road. 3-4-0

DPR ACTION (NOV 8, 2011): rescind the Committee to actions of 13 Sept 2011 on the Encore Trust Residence. 7-0-1

LJCPA ACTION (OCT 2011): Pulled from Consent Agenda

DPR ACTION (SEP 2011): To approve project as presented. Findings can be made for a CDP and SDP to construct a 23,741 SF single family residence (with guest quarters) on vacant 1.52 acre site at 9872 La Jolla Farms Road. 5-0-0.

Marty Weinberg, applicant, and **Paul Metcalf** and **Joe LaCava**, applicant's consultants, presented. This included handouts and a PowerPoint presentation. The parcel is in La Jolla Farms and between the ocean and the first road but not on the coastal bluffs. It is presently vacant, and there is an existing permitted project for this site. Since originally presented to the DPR, to the LJCPA in November and to neighbors the project has been downsized, including deletion of a guest house. An easement will be given for the existing trail to the beach that crosses a corner of the property. View corridors imposed on the existing permitted project will be imposed on the new project.

Tony Crisafi, opponents' consultant, and **Evelyn Heidelberg**, of Procopio, Cory, Hargreaves & Savitch, presented a petition signed by 65 neighbors and printed material. Their assertion is that the project is inconsistent with Community Plan-designated public view protection, claiming particularly that Scenic Overlooks must be maintained or, if degraded, mitigated. They showed exhibits of comparable projects with details of how Scenic Overlooks were respected. **Mr. Crisafi** showed an alternative lot coverage that reduced view blockage.

Key issues subsequently discussed were the ocean view from the Scenic Roadway, the view from the identified Scenic Overlook on Blackgold Road, the elevation of the building area resulting from original lot subdivision and the existing permitted project for this site. **Michelle Weinberg** spoke in rebuttal to the opponents. Neighbors **Mike Bruser** and **Irv Wheeler** spoke in opposition. **Trustees Costello, Thorsen, Allen, Merten, Bond, Fitzgerald** and **Manno** spoke supporting aspects the project. **Trustee Courtney** supported the neighbors based on the number opposing according to their petition.

At this point (9:30 PM) Trustees Crisafi and LaCava left the room.

Approved Motion: Encore Trust: Findings can be made for a CDP and SDP to construct a 17,949 SF single family residence (without guest quarters) on a vacant 1.52 acre site at 9872 La Jolla Farms Road. Project complies with the Scenic Overlook as defined as a view over private property from a public Right of Way, (Thorsen/Conboy, 8-3-3).

In favor: Allen, Brady, Conboy, Fitzgerald, Gabsch, Manno, Merten, Thorsen.

Opposed: Bond, Costello, Courtney.

Abstain: Little, Weiss, Whittemore.

Recused - out of room: Crisafi, LaCava.

16. Adjourn, at 9:42 PM.

Next Regular Monthly Meeting, 5 April 2012, 6:00 pm.