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President: Tony Crisafi
Vice President: Joe LaCava
Treasurer: Orrin Gabsch
Assistant 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, 5 April 2012

FINAL MINUTES – REGULAR MEETING

Trustees Present: Dan Allen, Cynthia Bond, Tom Brady, Devin Burstein, Michael Costello, Dan Courtney, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Nancy Manno, Phil Merten, Cindy Thorsen, Ray Weiss, Fran Zimmerman.

1. **Welcome and Call To Order: Tony Crisafi**, President, at 6:04 PM

2. **Adopt the Agenda**

A motion was made and voted upon to adopt the Agenda. However, Trustee elect Burstein objected and the President determined a quorum was not present. The Adoption of the Agenda was deferred to later in the meeting. (Subsequent research indicates a quorum was in fact present.)

3. **Elections**

A. **Certify Election**

President Crisafi announced no objections or challenges to the LJCPA Trustee election were filed, therefore the election results announced at the March meeting will stand. **President Crisafi** thanked **Trustee Lucas** and his committee for a well-run election.

B. **Recognition of Outgoing Trustees** – Councilmember Sherri Lightner

District One Councilmember **Sherri Lightner** recognized the six Trustees who had completed their terms and gave each of them a certificate of commendation.

C. **Swearing in of Incoming Trustees** – Councilmember Sherri Lightner

Councilmember Lightner invited re-elected Trustees present to come forward: **Cynthia Bond, Tom Brady, Devin Burstein, Nancy Manno, Phil Merten** and **Cindy Thorsen**. **Councilmember Lightner** offered her congratulations and administered the LJCPA Oath of Office.

Agenda Modification: Councilmember Lightner gave the City Council District 1 Elected Official Report:

Councilmember Lightner announced a hearing to be conducted by the U S Postal Service for community input concerning the proposed disposal of the La Jolla Post Office building. The meeting is scheduled for Thursday, 26 April at 6PM at the Cuvier Club (formerly Saint James Hall) at Eads and Silverado, and she encouraged attendance.

Adopt the Agenda

Approved Motion: Motion to adopt the Agenda, (Manno/Fitzgerald, 13-0-1).

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

4. **Election of Officers**

A. **President**

Trustee Costello nominated **Trustee Crisafi** for President of the LJCPA.

Approved Motion: To elect Tony Crisafi as President of the La Jolla Community Planning Association, (Costello/Manno, 12/0/2).

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

B. Vice President

Trustee Gabsch nominated **Trustee LaCava** for Vice President of the LJCPA.

Approved Motion: To elect Joe LaCava as Vice President of the La Jolla Community Planning Association, (Gabsch/Thorsen, 11/0/3).

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

C. Secretary

Trustee Manno nominated **Trustee Allen** for Secretary of the LJCPA.

Approved Motion: To elect Dan Allen as Secretary of the La Jolla Community Planning Association, (Manno/Fitzgerald, 12/0/2).

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

D. Treasurer

It was noted with regret that **Trustee Fitzgerald**, having served as Treasurer for four years, is barred by LJCPA Bylaws from re-election as Treasurer. **Trustee Burstein** nominated **Trustee Gabsch**, who courteously offered his services as Treasurer of the LJCPA, with the willing assistance of **Trustee Fitzgerald**, who will serve as assistant to the Treasurer.

Approved Motion: To elect Orrin Gabsch as Treasurer of the La Jolla Community Planning Association, (Burstein/Thorsen, 12/0/2).

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

Agenda Modification: Swearing in of Incoming Trustee – Fran Zimmerman

President Crisafi administered the LJCPA Oath of Office to newly elected **Trustee Zimmerman** who was not present for the initial Swearing In.

5. Meeting Minutes Review and Approval – 01 March 2012 Annual Meeting and 01 March 2012 Regular Meeting

Trustee Little stated he voted against the Bylaw amendments at the 01 March 2012 Annual Meeting, and asked that the recorded vote count be corrected to show one vote in opposition.

Approved Motion: Motion to approve the Minutes of the 1 March Annual Meeting as corrected and the Minutes of the 1 March Regular Meeting, (LaCava/Merten, 15-0-1).

In favor: Allen, Bond, Brady, Burstein, Costello, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten, Thorsen, Weiss, Zimmerman.
Abstain: Crisafi.

6. Elected Officials Report - Information Only

A. San Diego City Council District 2 - Councilmember Kevin Faulconer

Rep: Katherine Miles, 619.236.6622, kmiles@sandiego.gov
Ms. Miles was not present.

B. San Diego City Council District 1 - Councilmember Sherri Lightner

Rep: Erin Demorest, 619.236.7762, edemorest@sandiego.gov
Councilmember Lightner gave her report earlier in the meeting.

7. 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 was not present.

General Public Comment

Mary Coakley-Munk provided a handout on the fundraising being conducted by the Friends of La Jolla Shores to construct a shade structure over the bronze whale sculpture at Kellogg Park. **Ms. Coakley-Munk** also discussed plans to replace the restroom building at the north end of the Park.

Peggy Davis provided a copy of a letter to the LJCPA and spoke urging the removal of Michael Morton from the La Jolla Shores Permit Review Committee.

Michael Morton spoke rebutting allegations asserted by Ms. Davis.

8. Non-Agenda Items for Trustee Discussion

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

Trustee LaCava spoke on the subject of the La Jolla Post Office building, encouraging attendance at the meeting announced earlier in the meeting by Councilmember Lightner and asking for signatures on a new petition.

Trustee Gabsch addressed the issue of excessive cost and paper waste in printing the meeting Agenda packages. Six trustees by straw vote would prefer only electronic copies. However, the printing of the Agenda package the day of the meeting is necessary to accommodate last minute changes. (Those being changes that are permitted by the restrictions of the Brown Act.)

Trustee Lucas thanked the volunteers who counted the ballots in last month's election: **Janie Emerson, Ed Ward** and **Leslie Lucas**. **Ms. Lucas** also helped attending to the polls.

Agenda Modification: Swearing in of Incoming Trustee – Dan Courtney

President Crisafi administered the LJCPA Oath of Office to re-elected **Trustee Courtney** who was not present at the initial Swearing In.

9. Officer's Reports

A. Secretary

Trustee Allen stated that if one wants his or her attendance recorded today, he or she can sign-in at the back of the room. There are two sign-in lists: one for LJCPA members and one for non-members. LJCPA is a membership organization open to La Jolla residents, property owners and local businesspersons at least 18 years of age. By providing proof of attendance you maintain membership and become eligible for election as a Trustee. Eligible non-members wishing to join the LJCPA must have recorded attendance for one meeting and must submit an application, copies of which are available at the sign-in table, from the Secretary and on-line at our website: www.lajollacpa.org. Persons are entitled to have attendance recorded without signing-in, and such case must provide the Secretary before the end of the meeting a piece of paper with printed full name, signature and a statement asking attendance be recorded.

B. Treasurer

Trustee Fitzgerald presented the results for the past month. March Beginning Balance: \$303.90 + Income \$223.02 – Expenses \$268.91 = April Beginning Balance: \$258.01. Expenses for the month included renewal of the Internet domain name and filing fee for the annual corporate information statement with the California Secretary of State.

Trustee Fitzgerald commented on the special generosity of the Membership and Trustees 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 are in cash to preserve anonymity.

10. President's Report – Action Items where indicated

A. Alleged code violation process – discussion

Reference: <http://www.sandiego.gov/nccd/about/enforcement.shtml>

President Crisafi explained that there is no mechanism for the LJCPA to take action on code violations, including projects done without permits, except when the party in violation comes forward with a permit application that reaches the LJCPA, through the City Development Services Department. Code enforcement is the prerogative of the Department's Code Enforcement staff. LJCPA is chartered to act only on projects that are referred from the City. **Claude-Anthony Marengo** described the process of City fines for code violations. **Trustee Fitzgerald** pointed out the problem is insufficient Code Enforcement staff. **Trustee LaCava** concurred, and he expressed the opinion that we should informally or as a body initiate complaints – particularly in egregious cases of violations – in fairness to those who come before the LJCPA and are expected to adhere to the rules. He suggested we take action in the City budget process to enhance the City Development Services Department's Code Enforcement budget. **Trustees Little, Wiess** and **Manno** also commented.

B. Committee Appointments in May – Submit your interest, ratified at May LJCPA meeting.
Reference: <http://www.lajollacpa.org/committees.html>

C. Community Orientation Workshop – mandatory training requirement for all new Trustees
Reference: <http://www.sandiego.gov/planning/community/ecow/>
Trustees who have not done so must attend a training session in person or take the Electronic Community Orientation Workshop on-line (ECOW) within three months of swearing-in.

D. Role of Trustees Representing Project Applicants or Project Opponents
Ad Hoc Committee is proposed to meet in April for a general discussion of policies affecting the role of Trustees representing project applicants or project opponents at public meetings including presentations to the LJCPA. Specific issues for possible discussion by the Committee will be posted on the Ad Hoc Committee agenda prior to the meeting – the time and place to be announced.

Approved Motion: Motion to ask for volunteers for an ad hoc committee on Trustee conflict of interest along with volunteers from the joint committees and to put the ratification of ad hoc committee members on the Agenda for next month, (Little/Merten, 13-0-4).

In favor: Allen, Bond, Brady, Burstein, Costello, Courtney, Fitzgerald, Little, Lucas, Merten, Thorsen, Weiss, Zimmerman.

Abstain: Gabsch, LaCava, Manno, Crisafi.

11. 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 Paul Benton, 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. Keating Residence – Pulled by Trustee Courtney

DPR ACTION: Findings can be made for a Coastal Development Permit to demolish existing residence and construct a 10,834 SF single-family residence on a 1.07 acre site at 9633 La Jolla Farms Rd. 3-2-1

9633 La Jolla Farms Rd - CDP to demolish existing residence and construct a 10,834 SF single-family residence on a 1.07 acre site.

B. Woolf Residence

DPR ACTION: Findings can be made for a Coastal Development Permit to demolish existing structures and construct a 5,467 SF single-family residence on a 0.3 acre site on Camino de la Costa with the adjustments made to the drawings on this date (13 March 2012). 5-0-1

6353 Camino de la Costa Coastal Development Permit to demolish existing structures and construct a 5,467 SF single-family residence on a 0.3 acre site.

C. AT&T South Torrey Pines Row

DPR ACTION: Findings can be made to approve the Project. 5-0-1

9170 1/3 N. Torrey Pines Rd - The project is an existing wireless communication facility located at the Northwest corner of North Torrey Pines Road.

D. Beautification of Coast Boulevard – Action Not Taken

DPR ACTION: To approve the Conceptual Plan for the Beautification of Coast Boulevard Walkway at the Children’s Pool without the coastal bluff drive (which would not be approved in any private project), and the destruction of the bluff. 5-0-1

Coast Boulevard at the Children’s Pool- redesign of the public promenade and belvedere on Coast Blvd. at the Children’s Pool. Total improved area: 11,610 SF. Improved pathway: approx. 10,000 SF (475 linear feet). Planting area: 1,703 SF.

E. Zegarra Retaining Wall – Pulled by Agent for the Applicant, Brian Langmore

PRC ACTION: First, one Finding for a Neighborhood Development Permit (The proposed development will not adversely affect the applicable land use plan.) cannot be made because the solid wall along La Jolla Scenic Drive does not comply with the Visual Resources section of the Open Space Preservation and Natural Resources Protection Policies of the Natural Resources & Open Space System Element of the La Jolla Community Plan pertaining to the preservation and enhancement of public views from Identified Public Vantage Points (LJCP pages. 46 and 47). Second, the Finding for a Neighborhood Development Permit (The proposed development will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.) cannot be made because the solid wall along La Jolla Scenic Drive does not provide the public view corridors within both side yard setback areas as required by LDC Sect. 132.0403(b); and the overall height and length of the solid wall within the street ROW does not comply with the Design Principle section of the General Design Regulations of the LJSPDO [Sect. 1510.0301(b)] because the overall height and length of the solid wall within the ROW is so different in form and relationship from development on adjacent parcels that it will disrupt the architectural unity of the area.

Motion to deny carries: 4-2-2

2974 Caminito Bello (La Jolla Scenic Drive North Frontage adjacent to Pottery Canyon) --NDP for an existing free standing solid wall within the Public Right-of-Way along La Jolla Scenic Drive. The LJCPA previously approved (August 2006) an SDP for Environmentally Sensitive Lands for construction of a retaining wall adjacent to a canyon (now already built without the permit being issued). Both were subjects of an NCCD.

F. La Jolla Half Marathon

T & T ACTION: Approve of street closures for marathon April 29th & Expo April 28th, 7-0-0

Street closures April 29th for Marathon - Expo on April 28th.

G. V-Calm sign on West Muirlands AT&T South Torrey Pines Row

T & T ACTION: Approve of V-Calm signage, 5-0-2

V-Calm sign – West Bound- across from 1211/1231 West Muirlands. To be on the golf course side of the street.

Re: **Consent Agenda Item 11 D:** It was noted this Consent Agenda Item, "Beautification of Coast Boulevard," had been presented and approved as "Children’s Pool Walkway Beautification," (Agenda Item 12), at the March 2012 LJCPA Regular Meeting, and had the prior approval of the PDO Committee. Consent Agenda item 11 D, at this meeting, comes from the DPR Committee. Because this was a previously approved Action Item, a determination was made that this item had inaccurately been added to the Consent Agenda and action would be moot.

Trustee Merten, re the Children's Pool Walkway Beautification: reiterated his concern with the bluff removal that is part of the related Children’s Pool Lifeguard Tower reconstruction.

Approved Motion: Motion, (requires 2/3 majority vote), to remove Item 11.D from the Agenda ("to Suspend the Rules"), (Burstein/Weiss, 14-0-3).

In favor: Allen, Bond, Brady, Burstein, Costello, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Thorsen, Weiss, Zimmerman.

Abstain: Courtney, LaCava, Crisafi.

Approved Motion: Motion

To accept the actions of the Development Permit Review Committee: (B) Woolf Residence: Findings can be made for a Coastal Development Permit to demolish existing structures and construct a 5,467 SF single-family residence on a 0.3 acre site on Camino de la Costa with the adjustments made to the drawings on this date (13 March 2012), and (C) AT&T South Torrey Pines Row: Findings can be made to approve the Project, and forward the recommendations to the City,

To accept the actions of the Traffic & Transportation Board: (F) La Jolla Half Marathon: Approve of street closures for marathon April 29th & Expo April 28th, and (G) V-Calm sign on West Muirlands AT&T South Torrey Pines Row: Approve of V-Calm signage, and forward the recommendations to the City,

(Burstein/Fitzgerald, 14-1-2).

In favor: Allen, Bond, Brady, Burstein, Courtney, Costello, Fitzgerald, Gabsch, LaCava, Lucas, Manno, Merten, Weiss, Zimmerman.

Opposed: Little.

Abstain: Crisafi, Thorsen.

12. 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.

C. Community Planners Committee – Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego

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

13. Discussion on Applicants “Opting Out” of Community Review

President Crisafi, Trustee Merten and Claude-Anthony Marengo made clear that the City does allow an applicant to choose not to appear at the community planning body (or its committees) in the project review process. The community planning body should be advised of all projects, regardless of applicant’s decision, and is expected to encourage applicant participation. There appears to be an occasional lapse, where the plans for “opt out” cases are not sent to the community. There are also some levels of discretionary approval of matters regulated by the PDO where a senior planner can make decisions without submitting the matter to the community.

President Crisafi stated that LJCPA may exercise the appeal process with such “opt out” projects, if and when LJCPA becomes aware of them. **Trustee LaCava** said this is a matter for the President and the joint committee chairs to manage but that all of us should be diligent and assist in tracking projects. **President Crisafi** spoke in favor of a timetable for LJCPA and joint committee actions on projects, with deadlines for applicant participation. That timetable would be maintained and provided to the Trustees and the public. There was a side discussion on remodel projects, which are not necessarily within the purview of the LJCPA. These remodel projects should be monitored by the community and by neighbors, and when appropriate brought to the attention of the relevant committees and the LJCPA. **Trustees Fitzgerald, Lucas, Weiss, Courtney, Merten, Little, Costello and Zimmerman and Peggy Davis** also participated in the discussion.

14. Adjourn, at 8:00 PM.

Next Regular Monthly Meeting, 3 May 2012, 6:00 pm.