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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: 1<sup>st</sup> Thursday of the Month  
La Jolla Recreation Center, 615 Prospect Street

**Thursday, 4 October 2012**

### **FINAL MINUTES – REGULAR MEETING**

Trustees Present: Dan Allen, Cynthia Bond, Tom Brady, Devin Burstein, Bob Collins, Laura Ducharme-Conboy, Michael Costello, Dan Courtney, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Nancy Manno, Phil Merten, Frances O'Neill Zimmerman.

Absent: Tony Crisafi, Cindy Thorsen.

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

**2. Adopt the Agenda**

**Approved Motion: Motion to adopt the Agenda, (Fitzgerald/Collins, 12-0-1).**

In favor: Allen, Bond, Brady, Burstein, Conboy, Costello, Fitzgerald, Little, Lucas, Manno, Merten.  
Abstain: LaCava.

**3. Meeting Minutes Review and Approval – 6 September Regular Meeting**

**Approved Motion: Motion to approve Minutes of September Meeting, (Fitzgerald/Manno, 8-0-5).**

In favor: Allen, Bond, Brady, Costello, Fitzgerald, Lucas, Manno.  
Abstain: Burstein, Conboy, Merten, Little, LaCava.

**4. Elected Officials Report - Information Only**

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

Rep: Katherine Miles, 619.236.6622, [kmiles@sandiego.gov](mailto: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](mailto:edemorest@sandiego.gov)

**Ms. Demorest** reported that tree (palm) trimming funds have been made available from Mayor's office, and to suggest trees in need of attention call the Council District office; demolition of the Childrens' Pool Lifeguard Station is awaiting a "seal disturbance permit" which is expected before pupping season begins in mid-December, otherwise demolition will be in May, and in any case construction will begin next summer; for the La Jolla Cove Lifeguard Station replacement, it is planned to have a contractor in February, and so construction will begin next summer as well.

**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](mailto:adelouri@ucsd.edu), <http://physicalplanning.ucsd.edu>**

Ms. Delouri spoke under Item 11 on the subject of the UCSD MESOM Laboratory.

#### **General Public Comment**

**John Lee Evans**, President of the Board of Education of the San Diego Unified School District and candidate for re-election to the Board in District A, spoke; **Melinda Merryweather** announced the event scheduled 17 October for Independent La Jolla; **Michelle Holt** representing the Bird Rock Community Council talked about the

Olney Street (Pacific Beach) San Diego Police Department building upgrade; **Tim Lucas**, speaking for the La Jolla Shores Association, announced there are two vacancies on their board; **Ed Ward** described the Liberty Institute; Architect **Omar Al Basseet** spoke about his favorable impression of La Jolla.

## 6. Non-Agenda Items for Trustee Discussion

**Joe LaCava** announced a debate by the San Diego City Council District 1 candidates 10 October at the Recreation Center at 7PM.

## 7. Officer's Reports

### A. Secretary

**Trustee Allen** stated 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 one maintains membership and becomes 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. Forms are on-line at [www.lajollacpa.org](http://www.lajollacpa.org).

### B. Treasurer

**Trustee Gabsch** asked assistant treasurer, **Jim Fitzgerald**, to give the Treasurer's report. **Trustee Fitzgerald** presented the results for the past month. September Beginning Balance: \$420.49 + Income \$120.00 – Expenses \$223.24 = October Beginning Balance: \$317.25. Expenses for the month included agenda printing, telephone expenses and annual Post Office box rental.

**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.

## 8. President's Report

**Vice President LaCava** gave the report.

### A. Children's Pool Rope Barrier – Planning Commission Hearing 9/27

The Planning Commission upheld the LJCPA appeal to not extend the time period of the rope barrier to year-round based on the La Jolla Community Plan requirement for public access to the beach and ocean,

### B. Tong EOT - Action item: whether to appeal potential future adverse decision of Hearing Officer on Oct. 10, 2012

Last month's LJCPA motion to oppose has been submitted and we are in need of a presenter for the 10 October hearing.

### C. Puesto Sidewalk Cafe – Notice of Decision noticed Aug 17th, no appeal made, received notice Sept. 14<sup>th</sup>

The president will follow up on this situation of receiving notice one month late.

### D. 7755 Sierra Mar – Action item: whether to appeal the Hearing Officer decision of Sept. 26

LJCPA voted in December 2008 denial of the project 10-0-0 supporting PRC, based on bulk, scale and impact on neighbors (remodel of 5,006 sf home and addition of 8,714 sf on 37,790 sf lot, FAR =0.40, site coverage 21%). Now it is returning in modified form. Both LJCPA and La Jolla Shores were bypassed this second time around.

## Approved Motion: To close debate and proceed to vote on the pending motion, ("Call The Question"), (Zimmerman, 15-0-1).

In favor: Allen, Bond, Brady, Burstein, Collins, Conboy, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Zimmerman.

Abstain: LaCava.

## Failed Motion: To not appeal 7755 Sierra Mar project, (Fitzgerald/Gabsch, 3-11-2).

In favor: Brady, Burstein, Fitzgerald.

Opposed: Allen, Bond, Collins, Costello, Courtney, Gabsch, Little, Lucas, Manno, Merten, Zimmerman.

Abstain: Conboy, LaCava.

## Approved Motion: To appeal 7755 Sierra Mar project, (Courtney/Costello, 11-3-2).

In favor: Allen, Bond, Collins, Costello, Courtney, Gabsch, Little, Lucas, Manno, Merten, Zimmerman.

Opposed: Brady, Burstein, Fitzgerald.

Abstain: Conboy, LaCava.

- E. 1223 Muirlands Vista Way** – Over height swimming pool, response from City  
**President Crisafi** and **Trustee Merten** met with the Development Services Department and letters have been exchanged. We still await the City response on what is clearly a mistaken reading of regulations by the City that permits the apparently non-conforming swimming pool. **Trustee Gabsch** recommended going over the head of DSF and bringing the matter to the attention of the Mayor. **Trustee Little** and **Rob Whittemore** commented.

*At this point the sequence of the agenda was modified to hear Item 11 at "Time Certain".*

**11. UCSD Scripps Institute of Oceanography: MESOM Laboratory** - Action Item

La Jolla Shores Drive – building under construction is blocking ocean views contrary to what is presented in photo simulations; LJCPA sent letter to Chancellor, University of California, San Diego, and to the regional office of the California Coastal Commission on 9/10/12; response from Chancellor was attached to the agenda. There has been no response from the California Coastal Commission.

UCSD Photo simulations: <http://commplan.ucsd.edu/MESOM/MESOM%20Photosimulation%20RFS.pdf>

**Trustee Conboy** presented a comparison of the earlier photo simulations with current photographs.

**Brad Werdick**, Director of Physical and Community Planning at UCSD made a presentation with similar illustrations.

**Mr. Werdick** further related that they have checked that the building went up according to plans and sure it is right. Some of the current obstruction (about 6 to 18 vertical inches) is due to construction forms. The view to the ocean there was not totally clear beforehand due to bushes and trees at the building site, and so the net loss is less than appears. He further emphasized removal of 28 mature dense shrubs and trees from the west side of La Jolla Shores Drive to compensate for lost ocean views from the road due to the building. These trees are replaced with 28 trees on the east side of the road. There is a path and lookout on the ocean side of the new building and so pedestrians can see even more than before. The building is in conformance with the UCSD 2004 Long Range Development Plan Final EIR, which addressed the loss of ocean views due to campus development. The La Jolla Shores Association was given detailed presentations as the project design proceeded. The view issue in particular was argued in interaction with the Coastal Commission who approved the MESOM project after many concessions by UCSD. On the topic of the photo simulations, it was stated that there was no effort to mislead the LJCPA or the public and that the result was the architects' best effort.

Members of the public attending and Trustees offered inquiry and comment almost universally critical of UCSD. It was agreed, however, that there might be some imperfection in the architects' original photo simulations. **Melinda Merryweather, Roger Wiggans, Bernie Segal, Althea Brimm** and **Rob Whittemore** spoke. **Trustees Brady, Collins, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten** and **Zimmerman** participated in the discussion.

**Approved Motion: To direct the LJCPA President to send a letter to the Governor of the State of California, to the Regents of the University of California, to the President of the University of California, to the California State Architect, to the Chairman of the California Coastal Commission, to the San Diego Coast Representative member of the California Coastal Commission, to the Executive Director of the California Coastal Commission, to the Mayor of San Diego, to the City of San Diego Development Services Department, and to San Diego City Councilmember, District 1. The letter shall request a reduction in the height of the UCSD SIO MESOM Laboratory to conform with the elevations demonstrated in the renderings presented to the La Jolla community, (Courtney/Fitzgerald, 14-1-1).**

In favor: Bond, Brady, Burstein, Collins, Conboy, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Zimmerman.

Opposed: Allen.

Abstain: LaCava.

**Approved Motion: To direct the LJCPA President to send a letter to the Chancellor of the University of California, San Diego, and to the Deputy Director, San Diego Coast District Office, California Coastal Commission. The letter requesting a renegotiation of the proposed deed restriction relative to roof heights on the Scripps Institute of Oceanography campus west of La Jolla Shores Drive and for the deed restriction be brought back to the La Jolla community for review. The purpose of the renegotiation is to comply with the Visual Resources element of the La Jolla Community Plan, (Costello/Merten, 12-3-1).**

In favor: Bond, Brady, Collins, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Zimmerman.

Opposed: Allen, Burstein, Conboy.

Abstain: LaCava.

## **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 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. Herringbone Sidewalk Café Permit (signage)**

**PDO Action: Signage meets intent of the code, to not create a potential obstruction in the right-of-way, because blade sign extends over approved sidewalk café. Based on placement, recommending an exemption from the 14 foot above finished floor clearance requirement. 8-0-0**

7837 Herschel Ave.- signage permit

**Approved Motion: Motion to accept the action of the Planned District Ordinance Committee: (A) Herringbone Sidewalk Café Permit (signage): Signage meets intent of the code, to not create a potential obstruction in the right-of-way, because blade sign extends over approved sidewalk café. Based on placement, recommending an exemption from the 14 foot above finished floor clearance requirement, (Burstein/Fitzgerald, 15-0-1).**

In favor: Allen, Bond, Brady, Burstein, Collins, Conboy, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Zimmerman.

Abstain: LaCava.

## **10. Reports from Other Advisory Committees - Information only**

### **A. Coastal Access and Parking Board - Meets 1st Tues, 5pm, La Jolla Recreation Center.**

**Trustee Allen** noted that the Board met in October and will meet next again in December.

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

**Trustee LaCava** reported that the CPC was addressed at their last meeting by the mayoral candidates.

## **12. FY 2014 Capital Improvements Program Budget**

Review & recommend projects that have not yet been funded, only partially funded and thus delayed, or have yet to be taken up by the City. Submit proposals to CPC by no later than November 7;

References: <http://www.lajollacpa.org/cip.html>;

<http://www.sandiego.gov/iba/pdf/cipguidefullversion.pdf>

<http://www.sandiego.gov/iba/pdf/cipguidequickversion.pdf>

<https://www.sandiego.gov/cip/projectinfo/index.shtml>

**Vice President LaCava** reviewed the process. A listing from La Jolla Parks and Beaches, Inc., was distributed. **Egon Kafka** addressed the City's fees for the Concerts by the Sea program and compensatory funding from the City operating funds if local funds relieved capital expenditure for improvements at Scripps Park.

**Trustees Manno** and **Courtney** spoke in favor of giving highest priority to the Torrey Pines Road corridor modifications; **Trustee Gabsch** agreed with giving highest priority to Torrey Pines Road, and he proposed addition of sidewalk completions where there are none or only one side has a sidewalk, particularly La Jolla Mesa Drive. **Trustee Costello** asked for priority for complete sidewalks for La Jolla Hermosa Park (at Camino de la Costa and Chelsea) and for a traffic circle at Chelsea and Midway; **Trustee Zimmerman** spoke to lesser priority for Coast Walk parking; **Trustee Lucas** mentioned a proposal for a pedestrian bridge over Torrey Pines Road (instead of the Princess Street traffic signal); **Trustee Brady** spoke of a need for street lighting on Fay Avenue between Silverado and Prospect. **Trustee Collins** said more detail was needed on Project #S00928. **Trustees, Merten, Fitzgerald, Costello** and **Courtney** commented. **Trustee Burstein** asked about street repaving. Council Representative **Erin Demorest** provided clarifications on several points. **Trustee Little** asked to have the Trustees take a ballot on the priorities. **Vice President LaCava** said he had made notes and will propose a revised list for Trustee consideration at the November meeting taking into account the comments of all.

**Trustee Manno** praised Vice President LaCava for his work on the citizen participation effort in the 2014 CIP.

**13. 2351 Vallecitos Residence - Full Review by Trustees per request of Applicant** - Action Item  
2351 Vallecitos - CDP and SDP to demolish an existing 2664 sf residence and construct a 4920 sf single story SFR on a 19,236 sf lot according to revised plans dated September 17, 2012. Includes 3-car attached garage, pool and retaining walls.

*PRC Action (Sept. 2012): Project should not be approved on the basis that it disrupts the architectural unity of the area. [and] The east side-yard setback is not in general conformance with the area. 3-1-4*

Applicant: Haley Bareisa, Island Architects

**Ms. Bareisa** presented the project and provided handout material. The neighbors' objections were related to concerns re the "pop-up" ("monitor") providing a high ceiling and clerestory windows in the center of the proposed new home and the re-orientation of building to result in a long, narrow setback on one side of the lot. **Ms. Bareisa** said that they had worked with neighbors on these issues.

**Steven Victor**, attorney for Althea Brimm, **Ms. Brimm, Bernie Segal, Littleton Waller, Uri Feldman**, owner of the project, and **Helen Boyden** spoke. Primary issue was the setback patterns on the building pads proceeding up the slope; while private views are not a consideration for the LJCPA, the building pattern is a consideration in the La Jolla Shores Planned District. **Trustees Burstein, Collins, Conboy, Costello, Fitzgerald, Gabsch, Little, Manno** and **Merten** participated in the discussion.

**Approved Motion: To close debate and proceed to vote on the pending motion, ("Call The Question"), (Zimmerman, 14-0-2).**

In favor: Allen, Bond, Brady, Burstein, Collins, Conboy, Costello, Courtney, Fitzgerald, Gabsch, Little, Manno, Merten, Zimmerman.

Abstain: Lucas, LaCava.

**Failed Motion: 2351 Vallecitos Residence: Project should not be approved on the basis that it disrupts the architectural unity of the area, (Little/Manno, 5-8-2).**

In favor: Collins, Gabsch, Little, Manno, Merten.

Opposed: Allen, Bond, Brady, Burstein, Conboy, Costello, Fitzgerald, Zimmerman.

Abstain: Lucas, LaCava.

**Approved Motion: 2351 Vallecitos Residence: Findings can be made to approve the project as conforming to the La Jolla Shores Planned District Ordinance, (Conboy/Burstein, 8-5-2).**

In favor: Allen, Bond, Brady, Burstein, Conboy, Costello, Fitzgerald, Zimmerman.

Opposed: Collins, Gabsch, Little, Manno, Merten.

Abstain: Lucas, LaCava.

**14. Adjourn**, at 9:45 PM.

Next Regular Monthly Meeting, 1 November, 6:00 pm.