



PO Box 889, La Jolla, CA 92038  
http://www.LaJollaCPA.org  
Voicemail: 858.456.7900  
info@LaJollaCPA.org

President: Tony Crisafi  
Vice President: Joe LaCava  
Treasurer: Jim Fitzgerald  
Secretary: Helen Boyden

## La Jolla Community Planning Association

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

Thursday, 4 April 2013

### MINUTES

Trustees Present: Patrick Ahern, Cynthia Bond, Helen Boyden, Tom Brady, Bob Collins, Tony Crisafi, Janie Emerson, Jim Fitzgerald, Gail Forbes, Joe LaCava, Nancy Manno, Phil Merten, Myrna Naegle, Ray Weiss, Frances O'Neill Zimmerman.  
Absent: Dan Courtney, David Little, Bob Steck.

**1. Welcome and Call To Order:** Tony Crisafi, President, at 6:02 PM

**2. Adopt the Agenda**

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

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, LaCava, Manno, Merten, Naegle, Weiss.  
Abstain: Crisafi.

**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.

**B. Recognition of Outgoing Trustees** – Council President Pro Tem Sherri Lightner

**The Hon. CPPT Lightner** recognized outgoing Trustees, **Dan Allen, Devin Burstein, Mike Costello, Laura DuCharme Conboy, Orrin Gabsch, Tim Lucas, Cindy Thorsen** and awarded each of them a certificate of commendation.

**C. Swearing in of Incoming Trustees** – Council President Pro Tem Sherri Lightner

**The Hon. CPPT Lightner** invited newly elected and re-elected Trustees present to come forward: She offered her congratulations and administered the LJCPA Oath of Office to: **Patrick Ahern, Helen Boyden, Janie Emerson, Myrna Naegle, and Ray Weiss.**

**4. Election of Officers**

**A. President**

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

**Approved Motion: To elect Tony Crisafi as President of the La Jolla Community Planning Association, (Manno/Emerson, 12-0-1).**

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, LaCava, Manno, Merten, Naegle, Weiss.  
Abstain: Crisafi.

**B. Vice President**

**Trustee Manno** 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, (Manno/Ahern, 11-0-2).**

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Manno, Merten, Naegle, Weiss, Zimmerman.  
Abstain: Crisafi, LaCava.

**C. Secretary**

**Trustee LaCava** nominated **Trustee Boyden** for Secretary of the LJCPA.

**Approved Motion: To elect Helen Boyden as Secretary of the La Jolla Community Planning Association, (LaCava/Fitzgerald, 12-0-2).**

In favor: Ahern, Bond, Brady, Collins, Emerson, Fitzgerald, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.  
Abstain: Boyden, Crisafi.

**D. Treasurer**

**Trustee LaCava** nominated **Trustee Fitzgerald** for Treasurer of the LJCPA.

**Approved Motion: To elect Jim Fitzgerald as Treasurer of the La Jolla Community Planning Association, (LaCava/Brady, 12-0-2).**

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.  
Abstain: Crisafi, Fitzgerald.

**5. Meeting Minutes Review and Approval – 7 March 2013**

**Approved Motion: To approve the Minutes of 7 March with correction made by Trustee LaCava: Re Agenda item #15: Vanessa Garcia did not appear, (LaCava/Ahern, 10-0-4).**

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, LaCava, Manno, Merten, Zimmerman.  
Abstain: Crisafi, Emerson, Naegle, Weiss.

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

**A. Council District 1 – City Council President Pro Tem Sherri Lightner**

Rep: Erin Demorest, 619.236.7762, [edemorest@sandiego.gov](mailto:edemorest@sandiego.gov)

**The Hon. CPPT Lightner** reported the revised Medical Marijuana proposal will be heard at the City Council on April 22 at 2 PM. The Children's Pool Lifeguard Tower will begin construction in April; the old one will be demolished by Memorial Day. The USPS has noticed the La Jolla Post Office for sale, with appeals due by April 6. Proposals to ease the use of gray water for single-family homes will be heard by the Natural Resources and Culture Committee soon, with approval expected by the end of 2013. A new proposal for the Tourism Marketing District is due for City Council review by June 11.

**Trustees Merten** and **Fitzgerald** inquired about oversized vehicle permits. **The Hon. CPPT Lightner** indicated the goal was to have permits available and processed on line and that there was no local administrative office to do the same. In response to: **Melinda Merryweather**: Dead seals cannot be removed from the Marine Protected area. In response to **Tim Lucas**: A replacement location for the La Jolla Post Office is unknown.

**Agenda Modification: Swearing in of re-elected Trustee Fran Zimmerman and newly elected Trustee Gail Forbes.**

**The Hon. CPPT Lightner** administered the LJCPA Oath of Office to **Trustees Zimmerman** and **Forbes** who were not present for the initial Swearing-in.

**B. 39th District, California State Senate - State Senator Marty Block**

Rep: Allison Don, 619.645.3133, [allison.don@sen.ca.gov](mailto:allison.don@sen.ca.gov)

**Ms. Don** introduced herself and left Senator Block's March/April newsletter and a flyer announcing a Community Town Hall on April 18.

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

**Ms. Delouri** was not present.

**B. General Public Comment**

**Melinda Merryweather** reported she had met with **Mayor Bob Filner** and advised him about sharks attacking seals.

**Amy Cheshire** stated that driveway construction at 6604 Muirlands Drive apparently did not conform to the plans approved

by the LJCPA and asked the LJCPA to investigate whether the plans approved by the City were the same as approved by the LJCPA and that she and others had signed an agreement with the architect for.

**Kim Whitney** inquired whether the Meeting Agenda (approved in item 2) had met the required 72-hour notice. **President Crisafi** said it had not.

**Mike Costello** referenced a request from Parks and Beaches for an advance discussion of the reduced number of showers and toilets planned for the Children's Pool Lifeguard Tower.

**Trustee Frances O'Neill Zimmerman** referred to an editorial in the La Jolla Light with respect to California Assembly Bill 642 posing a threat to the Light and similar newspapers by allowing Internet-only publications to qualify as "newspapers of general circulation" for the purposes of legal advertising.

**Trustee Zimmerman** also stated the building under construction at 705 Nautilus Street (corner of Draper) apparently adheres to the SDMC, but appears to be 40' tall. It has a R-1 permit, but is advertising a unit for rent. This may be a Code Compliance issue.

## 8. **Non-Agenda Items for Trustee Discussion** - Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.

**Trustee Brady** mentioned that the Auto Show scheduled for Sunday April 7 at the Cove will have an admission-free area open to the public.

**Trustee Merten** asked that a City representative be invited to attend the next CPA meeting to demonstrate what is planned for the Children's Pool Lifeguard Tower and mentioned that a general contractor thought there could be some flexibility to modify the toilets and showers.

**Trustee Merten** also noted that in the Coastal Overlay Zone a 1200 sq ft. SFR home can be partially demolished and a replacement constructed with an inexpensive Over-the-Counter Permit by retaining 50% of the exterior walls. However, if a 7,000 sq ft SFR home is demolished and replaced by a 1200 sq. ft. SFR home, a costly discretionary permit is required.

**Trustee Fitzgerald** stated that he sees a pattern of changes to approved plans after a permit is executed. He stated it should be investigated and followed up on, e.g. MESOM.

**Trustee Weiss** referenced Ms. Cheshire's driveway issue as a concern. He also stated that the problem with MESOM was not that the plans were changed but that there had been a pictorial misrepresentation to the LJCPA. **Mike Costello** said he would forward an e-mail trail of correspondence with Coastal Commission staff about the MESOM project.

**Trustee Merten**, referencing previous Trustee comments, stated that the Code Compliance process did not come into play until a project was complete. While under construction, issues should be referred to Development Services Department.

## 9. **Officers' Reports**

### A. **Secretary**

**Trustee Boyden** stated that 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 to have 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, copies of which are available at the membership table and on-line at: [www.lajollacpa.org](http://www.lajollacpa.org).

### B. **Treasurer**

**Trustee Fitzgerald** presented the financial report for the past month: March Beginning Balance: \$385.08 plus income from donations of \$177.57 less Expenses of \$203.86, leaving a balance today of: \$358.79.

**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. Revised Oversized Vehicle Ordinance was heard at the Land Use and Housing Committee on Wednesday, March 27.

The proposed pilot program to restrict the parking of oversized vehicles on city streets would only encompass an area west of I-5, north of Downtown, south of Del Mar, and a portion of the City east of the I-5 across from Mission Bay. (This includes the entire La Jolla Community Planning Area.) See Neighborhood Parking Protection and Safety Ordinance for more information: [http://docs.sandiego.gov/ccagenda\\_luh/l130327.pdf](http://docs.sandiego.gov/ccagenda_luh/l130327.pdf)

**Erin Demorest**, District 1 Council Representative for La Jolla, stated that two options: Pilot program or City-wide will be presented to the City Council.

**B. Bernate Ticino CEQA appeal hearing** – April 30th @ 2p, City Council Chambers

On March 25 Applicant requested LJCPA hearing on his project be delayed until after April 30<sup>th</sup>.

**C. Costebelle Residence** – project was presented with roof modifications to a true 3:12 pitch. LJAB recommended approval of the amendment on 3/19/13 5-0-0. Hearing Officer approved the amendment on 3/20/13.

**D. Volunteers for subcommittees (T&T, DPR and PRC)** – appointments will be ratified at May CPA meeting.

**E. Costebelle Residence** – confirm April 4<sup>th</sup>, 2013 appeal of Hearing Officer Decision (April 4, 2013 appeal deadline)- Possible Action item.

With respect to items C & E, President Crisafi distributed the filed appeal document and stated his conversations with City officials on how to proceed. Discussion followed on how to overcome lack of required notice.

**Approved motion: To Reconsider the Motion to Adopt the Agenda. (LaCava/Emerson; 14-0-1)**

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.

Abstain: Crisafi.

**Approved motion: To modify the Draft Posted Agenda so that 10 C. states:** “Costebelle Residence – project was presented with roof modifications to a true 3:12 pitch. LJAB recommended approval of the amendment on 3/19/13 5-0-0. Hearing Officer approved the amendment on 3/20/13” and so that **10 E. states:** “Costebelle Residence – confirm April 4<sup>th</sup>, 2013 appeal of Hearing Officer Decision (April 4, 2013 appeal deadline) - Possible Action item.” (requires 2/3 majority vote) **(La Cava/Emerson; 14-0-1).**

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.

Abstain: Crisafi.

**Approved motion: To adopt the Agenda as modified.**

**(LaCava/Emerson; 14-0-1).**

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.

Abstain: Crisafi.

**Approved Motion: To ratify the President’s appeal of the Costebelle Residence (Merten/Naegle 11-2-2).**

In favor: Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Manno, Merten, Naegle, Weiss, Zimmerman.

Opposed: Ahern, Forbes.

Abstain: Crisafi, LaCava.

**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. Huckins Residence**

**DPR ACTION: Findings can be made for a Coastal Development Permit to construct a 3,818**

**sq ft, two-story, above basement, single family residence on a 7,000 sq ft vacant lot located at 1545 Virginia Way. 7-0-1**

1545 Virginia Way - Sustainable Expedite Program (process 2) Coastal Development Permit to construct a 3,818 sq ft, two-story, above basement, single family residence on a 7,000 sq ft vacant lot.

**B. Feinswog Residence**

**DPR Action: Findings can be made for a Coastal Development Permit to demolish an existing single-family residence and construct a three-story, 5,524 sq. ft. single-family residence, with detached four car garage, with pool cabana and lot line adjustment, located at 1250 Rhoda Dr. 7-0-1**

1250 Rhoda Dr. - La Jolla Coastal Development Permit to demolish an existing single-family residence and construct a three-story, 5,542 square foot single-family residence with detached four car garage with pool cabana and lot line adjustment

**C. Morreale Residence – pulled by Dan Allen**

**DPR Action: Findings can be made for a Coastal Development Permit to construct a 700 square foot detached guest quarters, on a 0.20-acre site containing a single-family residence located at 1644 Crespo Drive. 7-0-1**

1644 Crespo Dr. - A Coastal Development Permit to construct a 700 square-foot, detached guest quarters, on a 0.20-acre site containing a single family residence

**D. T-Mobile – Hotel La Jolla SCR**

**PRC Action: This project meets the criteria for a Substantial Conformance Review. 4-0-1**

7955 La Jolla Shores Drive - Replacement of all six panel antennas with new 4 G antennas for an existing wireless communication facility. No modifications are proposed to the existing equipment located on Hotel La Jolla formerly Summer House Inn in the LJSPD-V. Previously approved under Permit No. 452123 on May 21, 2007 with an expiration of May 21, 2017.

**Tim Golba**, architect, asked that his client's project, Huckins Residence, be trailed to the Consent Agenda on a later date.

**Approved Motion:**

**To Trail (A) Huckins Residence to a subsequent meeting**

**To accept the recommendation of the Development Permit Review Committee: (B) Findings can be made for a Coastal Development Permit to demolish an existing single-family residence and construct a three-story, 5,524 sq. ft. single-family residence, with detached four car garage, with pool cabana and lot line adjustment, located at 1250 Rhoda Dr and forward the recommendation to the City,**

**To accept the recommendation of the LJ Shores Permit Review Committee: (D) T-Mobile – Hotel La Jolla (7955 La Jolla Shores Drive) SCR: This project meets the criteria for a Substantial Conformance Review and forward the recommendation to the City,**

**(LaCava/Brady, 14-0-1).**

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Manno, Merten, Naegle, Weiss, Zimmerman.

Abstain: Crisafi.

**12. Reports from Other Advisory Committees - Information only**

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

**B. Community Planners Committee –** Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego. **Trustee LaCava** reported that moving forward is a change to the SDMC allowing Craft Beer producers located in industrial zones to increase the size of their on-premises restaurants from a maximum of 3000 square feet to a maximum 25% of the premises.

**13. Revised Medical Marijuana Ordinance –**

March 2011 - the City Council adopted a medical marijuana ordinance that limited dispensaries to industrial zones and didn't allow dispensaries in most areas in District 1. Medical marijuana activists gathered signatures to force a referendum on the issue. The City Council voted to rescind the ordinance rather than putting it on a citywide ballot. The Mayor's office has drafted a revised medical marijuana ordinance which would allow for dispensaries in several areas of District 1. Mayor's office is tentatively planning to bring it to the City Council for approval on Monday, April 22 at 2 p.m

CPA Action (DEC 2009): 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") 9-2-1

**Maps**, Executive Summary, and entire proposal had been transmitted to Trustees via e-mail today courtesy of **Erin Demorest** of Council District 1 Representative to La Jolla.

**Trustees Zimmerman, Forbes, LaCava, Fitzgerald, Collins and Ahern** and member **Mike Costello** spoke to the proposal.

**Approved Motion: The LJCPA makes the following recommendations based on the “Draft Land Development Code Amendments – Medical Marijuana Compared to Previously Approved Medical Marijuana Amendment, March 1, 2013”:**

1. Refer the proposal through the usual review process including all community planning groups and the community planners committee.
2. Retain the nomenclature of “medical marijuana consumer cooperative” instead of “medical marijuana dispensaries” in order to adhere to the language of the voter approved Compassionate Use Act of 1996.
3. In Section 113.0103, retain the definition for *youth-oriented facility*.
4. In Section 141.0614(a) retain the distance separations for churches, libraries, and *youth-oriented facility*.
5. In Section 141.0614(a) increase the minimum distance separations between medical marijuana consumer cooperatives from 600 feet to 1,320 feet.
6. Change Section 141.0614(c) to read: “*Medical marijuana consumer cooperative* shall not be located on a *premises* that includes any residential use or is zoned for residential use.”
7. Strike the proposed addition of 159.0302(a)(6); that is, eliminate La Jolla Planned District Ordinance, Zone 4 as a zone for allowed use.
8. Revisit the language of Section 42.15: Medical Marijuana Consumer Cooperatives to ensure it meets the goal of “*Find a balance between compassionate use on the one hand and the unhealthy aspects on the other.*”
9. Prohibit siting and location of Medical Marijuana vending machines.

**(LaCava/Brady; 8-4-1)**

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, Forbes, LaCava, Merten.

Opposed: Emerson, Naegle, Zimmerman.

Abstain: Crisafi.

**Approved Motion: The LJCPA preferred alternative is to have no medical marijuana dispensaries in accordance with Federal law. (Fitzgerald/Zimmerman; 7-5-1).**

In favor: Bond, Collins, Fitzgerald, Forbes, Merten, Naegle, Zimmerman.

Opposed: Ahern, Boyden, Brady, Emerson, LaCava.

Abstain: Crisafi

**14. La Jolla Half Marathon-** Kiwanis Club of La Jolla is requesting street closures for the annual La Jolla Half Marathon

**T&T Action (Mar 2013):** none – no quorum

**Applicant** stated arrangement would be the same as previous years except that registration will be held in Kearny Mesa instead of at the La Jolla Recreation Center.

**Approved Motion: To approve the street closure request. (Ahern/Emerson: 12-0-1)**

In favor: Ahern, Bond, Boyden, Brady, Collins, Emerson, Fitzgerald, Forbes, LaCava, Merten, Naegle, Zimmerman.

Abstain: Crisafi.

**15. The Center for World Music** - The Center for World Music is requesting approval for their event on May 11th at Ellen Browning Scripps Park.

**T&T Action (Mar 2013):** none – no quorum

Applicant’s representative **John Gabriel** requested 5 reserved parking spots.

**Trustee Ahern** (former chair of La Jolla Parks & Beaches Committee) indicated that the LJP&B had previously recommended approval of a special use permit for the proposed event.

**Trustee Collins** and others: **Sally Miller, Dan Allen, Pat Granger,** and **Ann Heinemann** also spoke on this issue.

**Approved Motion: To allow three (3) reserved parking spaces at the western side of the park. (Ahern/LaCava; 11-1-1)**

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, Forbes, LaCava, Merten, Naegle, Zimmerman.

Opposed: Emerson.

Abstain: Crisafi.

**16. Adjourn at 8:28 PM-** Next Regular Monthly Meeting, May 2nd, 2012, 6:00 pm