

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, 6 June 2013

FINAL MINUTES -- Regular Meeting

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

Absent: Tony Crisafi, Phil Merten

1. Welcome and Call To Order: Joe La Cava, Vice President, at 6:10 PM

2. Adopt the Agenda

Approved Motion: To adopt the posted Agenda, deleting items 9 D, F, H, I, and J from the Consent Agenda (Collins, Fitzgerald: 10-0-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, Little, Naegle, Steck, Weiss.

Abstain: LaCava

3. Meeting Minutes Review and Approval – 2 May 2013

Approved Motion: To approve the Minutes of 2 May 2013 (Ahern/Steck: 10-0-1)

In favor: In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, Little, Naegle, Steck, Weiss, Zimmerman.

Abstain: LaCava

4. Elected Officials Report - Information Only

Council District 1 – City Council President Pro Tem Sherri Lightner

Rep: Erin Demorest, 619.236.7762, edemorest@sandiego.gov – The La Jolla Shores Lifeguard Tower is finished. Demolition of the old will take place this month. Work on the Children's Pool Lifeguard Tower demolition is set to begin June 12. The Bernard-Ticino environmental appeal will be reheard at the City Council at its Monday, June 24, 2 PM, meeting. The Princess Street area resurfacing on Torrey Pines Road has been finished. It includes improved bike lanes. The final pavement striping will be done on June 10. Public workshops on the proposed Trolley expansion to the UCSD and UC areas are scheduled for this month in various locations. (handout provided)

- 5. Non-Agenda Public Comment Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less
 - **A.** UCSD Planner: Anu Delouri, <u>adelouri@ucsd.edu</u>, <u>http://physicalplanning.ucsd.edu</u>. The various UCSD commencements will be held from June 14 to June 16. The grand opening of the MESOM building will occur on June 14.

B. General Public Comment -

Egon Kafka, La Jolla Town Council: The Thursday, June 13, 5 PM, meeting of the Council will include presentations by SANDAG and CalTrans on the I-5 Corridor and Trolley projects as well as all other transportation matters affecting La Jolla.

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

Trustee Little had asked for help from Sherri Lightner's office regarding the lack of off-street parking at a mixed use building, 702 Turquoise. It was reported to Code Compliance with no effect on that project, but a project in the planning stages at 910 Turquoise by the same builder has been redesigned to include off-street parking. **Trustee Little** offered his thanks.

Trustee Weiss commented that the Mayor's emergency declaration to biologically remove the guano from the rocks at the Cove did not come through community review at the LJCPA. **Vice President LaCava** stated that such consultation would only come as a courtesy, but that Parks and Beaches might have been an appropriate venue. **Trustee Weiss** said some of his concern was alleviated knowing that a biologist had been consulted.

7. Officers' Reports

A. Secretary

Trustee Boyden stated that if you want your attendance recorded today, you should sign in at the back of the room. There are two sign-in lists: one for LICPA members and a yellow one for guests.

LJCPA is a membership organization open to La Jolla residents, property owners and local business owners at least 18 years of age. By providing proof of attendance members maintain their membership status and become eligible for election as a Trustee. Eligible visitors wishing to join the LJCPA need to submit an application, copies of which are available at the sign-in table or on-line at the LJCPA website: www.lajollacpa.org/. We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March.

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 the Secretary 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.

Please note that members who failed to attend a meeting between March of 2012 and February 2013 (and similar for all time periods) have let their membership lapse and will need to submit another application to be reinstated.

C. Treasurer

Trustee Fitzgerald reported a 5/12013 beginning balance of \$400.76; collections of \$58.25, printing and telephone expenses of \$116.90 for a net gain of \$41.35 with an ending balance of \$442.11. June printing expenses were higher and the next 6 months rent for the Rec Center will be paid in June.

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 –

A. LJCPA Committee Appointments

Approved Motion: To ratify the following LJCPA appointments to the various joint committees and boards: La Jolla DPR – Robert Mapes; La Jolla Shore PRC - Bob Steck; La Jolla PDO – Gail Forbes, Jim Fitzgerald (Little, Brady: 12-0-2)

In favor: Ahern, Bond, Boyden, Brady, Collins, Forbes, Little, Manno, Naegle, Steck, Weiss, Zimmerman Abstain: Fitzgerald, LaCava

B. LJCPA Committee Appointments by other groups –

Approved Motion: To ratify the appointments by other groups shown on the attached list to LJCPA joint committees and boards. (**Ahern, Fitzgerald: 13-0-1**)

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, Forbes, Little, Manno, Naegle, Steck, Weiss, Zimmerman Abstain: LaCava

C. July CPA meeting date

Approved Motion: To adjourn Regular Meeting on July 4th to Special Meeting on Wednesday July 10th. **(Manno, Fitzgerald 13-0-1)**

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, Forbes, Little, Manno, Naegle, Steck, Weiss, Zimmerman. Abstain: LaCava

- **D.** Community Orientation Workshop (COW) Reminder to take the eCOW if you did not attend the May 18th training session. **Trustees Boyden** and **Weiss** reported difficulties. This has been reported to the City.
- **E.** La Jolla CPA Input to the City's FY2015 Public Infrastructure Budget will start at the July Meeting. All La Jollans and La Jolla organizations are welcome to submit suggestions.
- **F.** Bernard-Ticino Residence Appeal heard at City Council, June 3 without a decision and continued to June 24 (see Elected Officials report above)
- **G. Tom Tomlinson** has been appointed Interim Director of Development Services Department, replacing Kelly Broughton who has been hired by Chula Vista. **Mr. Tomlinson** currently works in Facility Financing.
- H. The revisions to the LJCPA By laws approved by the members at the March Annual Meeting have been signed off on by the City. The City Attorney Office made some language revisions which Trustee LaCava believes do not affect the spirit and intent of the Bylaws as approved by the Membership in March. These will be brought to the LJCPA in July for the trustees to ratify that the essence of the Bylaws revisions has not been changed.
- 1. The Visin duplex (Playa del Sur) appeal will be heard at Planning Commission on June 13.
- J. We appreciate the coverage given to La Jolla matters by the local newspapers. **Pat Sherman** is continuing, but **Mariko Lamb** is moving on and will be replaced by **Dave Schwab**.

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 LICPA 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

PRC - No Action this month

A. Starbucks Torrey Pines (Pulled by Mike Costello)

DPR Action: Motion to approve a Coastal Development Permit and Site Development Permit for outdoor patio seating for the existing Starbucks at 1055 Torrey Pines Rd (existing commercial building). 4-1-1

1055 Torrey Pines Rd. – CDP & SDP for outdoor patio seating of approximately 1,099 square feet, for an existing Starbucks in an existing commercial building

B. Rudolph Garage/Guest Quarters

DPR Action: Findings can be made for a Coastal Development Permit to construct a new detached 515 sq. ft. garage with 525 sq. ft. guest quarters above, on a 0.56 acre site with an existing 4,047 sq. ft. SFR at 1559 El Paso Real. 5-0-0 1559 El Paso Real - CDP to construct a new detached 515 sq. ft. garage with 525 sq. ft. guest quarters above, on a 0.56 acre site with an existing 4,047 sq. ft. Single Family Residence.

C. 12th Annual Taste at the Cove

T & T ACTION: Approve the closure (removal of parking) at Scripps Park on September 5, 2013 from 6:00am to 12:00am (midnight). 7-0-0

Street closures for annual Taste of the Cove at Scripps Park at La Jolla Cove

D. Scripps Park loading zones - Removed from agenda. See item 2.

T & T ACTION: None

Reconfigure some or all of the 3 minute loading zones to 15 min. loading zones in front of Scripps Park.

E. Handicap parking at Bird Rock Elementary

T & T ACTION: To approve two handicap parking spaces at 5371 La Jolla Hermosa fronting Bird Rock Elementary, at the south end of the bus loading zone. 6-0-1.

5371 La Jolla Hermosa Ave- Install two handicap parking places

F. Remove 90 Feet of Commercial loading along Camino Del Reposo – Removed from agenda. See item 2.

T & T ACTION: None

Remove the 90 feet of Commercial loading on the side of La Jolla Shores Market

G. 20th Annual San Diego Triathlon

T & T ACTION: Approve the Coast Blvd street closure on October 20, 2013. Motion carries 7-0-0

Street closure Oct. 20th at Coast Blvd near Ellen Browning Scripps Park

H. OEX La Jolla Commercial loading zone – Removed from agenda. See item 2.

T & T ACTION: None

2243 Avenida De La Playa – loading zone to unload kayaks

I. Old Town Trolley Tours bus stop – Removed from agenda. See item 2.

T & T ACTION: None

Requesting a bus stop at the Cove and on top of Mount Soledad near the cross

J. Remove Green Zone in front of La Jolla Shores Market - Removed from agenda. See item 2.

T & T ACTION: None

Remove the 23 feet of green zone

Approved Motion:

To accept the recommendation of the DPR Committee: (B) Rudolph Garage/Guest Quarters: Findings can be made for a Coastal Development Permit to construct a new detached 515 sq. ft. garage with 525 sq. ft. guest quarters above [square footage corrected per DPR minutes], on a 0.56 acre site with an existing 4,047 sq. ft. SFR at 1559 El Paso Real and forward the recommendation to the City.

To accept the recommendations of the T &T Committee: (C) 12th Annual Taste at the Cove: Approve the closure (removal of parking) at Scripps Park on September 5, 2013 from 6:00am to 12:00am (midnight); 7-0-0; (E) Handicap parking at Bird Rock Elementary: To approve two handicap parking spaces at 5371 La Jolla Hermosa fronting Bird Rock Elementary, at the south end of the bus loading zone. 6-0-1; (G) 20th Annual San Diego Triathlon: Approve the Coast Blvd street closure on October 20, 2013. 7-0-0 and forward the recommendations to the City.

(Manno, Fitzgerald 13-0-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, Forbes, Little, Manno, Naegle, Steck, Weiss, 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. Getting up and running again
- B. Community Planners Committee Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego. Trustee LaCava reported that the CPC passed the City-wide Bicycle Master Plan 13-11. The City has clarified the Records Retention Policy for Community Planning Groups, City cannot provide storage; the LJCPA does more than required. Trustee LaCava added that he was reelected chair of CPC.
 - **11.Morreale Residence —** pulled by Dan Allen from the May Consent Agenda

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

DPR Action (March 2013): 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

Applicant: Brook Papier, Conrado Gallardo

Mr. Allen stated that the project had not been posted on the Kearsage Frontage, nor had neighbors been notified. He questioned the projected use of the guest quarters as proposed. He asked that 6' of unpaved ROW on Kearsage could be paved to allow for parallel parking.

Presented by **Mr. Gallardo** who discussed the historic nature of the main building. He pointed out that there would be no kitchen, natural landscaping of the hillside is proposed, no additional on site parking other than garage due to grading considerations. He stated documentation exists that the property had been properly noticed and posted about 18 mos ago. Owner **Anthony Morreale** stated it was just a guest quarters for and not for rental. Neighbor **Marina Baroff** commented. **Trustees Boyden, Brady, Collins, Fitzgerald, Forbes, Little, Manno** and **Weiss** commented.

Approved Motion: Recommendation can be made for a Coastal Development Permit to construct a 700 square foot guest quarters on the site. (Fitzgerald, Steck: 10-0-5)

In favor: Ahern, Bond, Boyden, Brady, Collins, Fitzgerald, Forbes, Steck, Weiss, Zimmerman

Abstain: Emerson, LaCava, Little, Manno, Naegle

13. Tree Removal- 7850 Ivanhoe Street - pulled by Trustee Courtney from the May 2, consent agenda.

7850 Ivanhoe St - Removal of a tree located that has caused damage to the sidewalk and continues to do so.

PDO ACTION April 2013: To recommend removal of the tree 5/2/0

Applicant: CA Marengo

Trustee Courtney stated that the heritage tree had been cut down before the LJCPA took action. **Trustees Bond, Forbes** and **Little** also commented.

Approved Motion: The LJCPA strongly requests the City of San Diego refrain from removing any heritage trees until the LJCPA has submitted its recommendations. **(Courtney, Brady: 15-0-1)**

In favor: Ahern, Bond, Boyden, Brady, Courtney, Emerson, Fitzgerald, Forbes, Little, Manno, Naegle, Steck, Weiss,

Zimmerman Abstain: LaCava.

14. Huckins Residence- pulled by Jean Wickersham from the May 2 agenda

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.

DPR Action (April 2013): 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

Applicant: Tim Golba

Donald Kearns (spouse of **Ms. Wickersham**) stated that they had worked with the architect to resolve their concerns about the fence/wall at the property line and very much appreciated the cooperation of Mr. Golba. They are withdrawing their objections.

No presentation was made. **Architect Tim Golba** explained that the issue had to do with the common lot line, fence, and retaining wall; further, that the applicant had asked LJCPA's indulgence to hold off on taking action until the matter could be resolved.

Approved Motion: To ratify the recommendation of the DPR Committee that the 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 and applaud the cooperation between applicant and neighbor to resolve the problem. **(Weiss/Emerson: 15-0-1)**

In favor: Ahern, Bond, Boyden, Brady, Collins, Courtney, Emerson, Fitzgerald, Forbes, Little, Manno, Naegle, Steck, Weiss,

Zimmerman Abstain: LaCava

15. Children's Pool Beach Closure - Action Item- Chaired by Trustee Boyden

Note: Item was opened at the May 2nd regular meeting. Applicants made their presentation. **Public Testimony was taken and closed (public testimony will not be re-opened.)** Trustee deliberations were started and the following motions were passed:

- * Approved Motion: To reject the Draft Negative Declaration and request the City process an Environmental Impact Report.
- * Approved Motion: To request the City extend the deadline for responses to the Draft Negative Declaration so that the LICPA can develop responses at its June 6, regular meeting (City extended deadline only until June 3.)
- * Tabled Motion: To reject the proposed amendment to the La Jolla Community Plan

Trustee deliberation will resume with the following Potential Action Items:

- 1. Whether to take the motion: "To reject the proposed amendment to the La Jolla Community Plan" off the table.
- 2. Consideration of the proposed amendment to the Community Plan
- 3. Consideration of a response to the Draft Negative Declaration.

Background:

- **A. Proposed amendment** to the La Jolla Community Plan and Local Coastal Program to establish an Environmentally Sensitive Habitat Area (ESHA) and buffer area for the Children's Pool Beach. The amendment will also include modification to community plan policies related to beach access to prohibit access to the ESHA during harbor seal pupping season to contribute to the protection of sensitive habitat area for breeding pinnipeds, a Coastal Development Permit to prohibit access to the Children's Pool Beach annually from Dec. 15th to May 15th which would require installation of two signs & a chain barrier and an amendment to the SD Municipal Code to add a Section 63.0102(e)(2) that would state: "It is unlawful for any person to be upon or cause any person to be upon the beach of the La Jolla Children's Pool, starting from the lower stairs to the beach, beginning with the second landing, from Dec. 15 to May 15th."
- **B. Notice of Draft Negative Declaration** "The recommended finding that the project will not have a significant effect on the environment is based on an Initial Study." Comments due May 18, 2013.

LJCPA Action (July 2012): Approved Motion: To reaffirm LJCPA opposition to a year-round "Rope Barrier" at Children's Pool beach and supports LJP&B action of June 2012 to give the community six months to come forth with feasible mitigation alternative for people and seals to share the beach, (Courtney/Brady, 12-3-1).

LJ PARKS & BEACHES ACTION (June 2012): A motion was made to deny CDP Application No. 6-11-078 to install a year-round rope and to give to the community six months to come forth with feasible mitigation alternative for people and seals to share the beach. 15-0-0

Exhibits:

- 1. Proposed text changes to La Jolla Community Plan (see attached)
- 2. Notice of Negative Declaration -

http://docs.sandiego.gov/citybulletin_publicnotices/CEQA/PN1300%2520%2523225045%2520Draft%2520ND%25204-18-13.pdf)

Applicant: Chris Zirkle, Deputy Director, Parks & Rec Open Space Division

Dan Daneri, District Manager, Shoreline Parks and Mechanized Beach Maint., Parks & Rec

Trustee Boyden stated that a letter from **Dr. Jane Reldan** and a proposed response to the DND written by **Mike Costello** and submitted by **Trustee Brady** had been distributed to Trustees and public copies are available for review at the back table. Also at the back table a public copy of the proposed text changes to the La Jolla Community Plan.

Approved Motion: To take the motion: "To reject the proposed amendment to the La Jolla Community Plan" off the table. (Little, Brady: 13-2-1)

In favor: Ahern, Bond, Brady, Collins, Courtney, Emerson, Fitzgerald, Forbes, Manno, Naegle, Steck, Weiss,

Opposed: LaCava, Zimmerman

Abstain: Boyden

Speaking to the Motion after it was removed from the table were: **Trustees**: **Ahern, Brady, Fitzgerald, Forbes, LaCava, Little, Manno, Weiss.**

Approved Motion: To call the question (2/3 required) (Collins, Little: 15-0-1)

In favor: Ahern, Bond, Boyden, Brady, Collins, Courtney, Emerson, Fitzgerald, Forbes, Little, Manno, Naegle, Steck,

Weiss, Zimmerman Abstain: Boyden

Approved Motion: To reject the proposed amendment to the La Jolla Community Plan (Little, Brady 9-6-1)

In favor: Ahern, Brady, Collins, Courtney, Forbes, Little, Manno, Naegle, Steck

Opposed; Bond, Emerson, Fitzgerald, LaCava, Weiss, Zimmerman

Abstain: Boyden

Proposed Motion: To add language to the Coastal Access Subareas (pg 32) and Shoreline Areas and Coastal Bluffs (pg. 50) to the La Jolla Community Plan to require the City to prevent colonization at La Jolla's other beaches. (LaCava/Emerson)

Commenting on the motion were: Trustees Little, Naegle, Weiss. City Deputy Director Chris Zirkle provided the information that City welcomed input on the language and that no date for the Planning Commission hearing had been set as yet.

Motion postponed indefinitely: Above motion (LaCava/Brady: 12-2-1)

In favor: Ahern, Bond, Brady, Collins, Courtney, Emerson, Fitzgerald, LaCava, Manno, Naegle, Steck, Weiss, Zimmerman

Opposed; Forbes, Little Abstain: Boyden

Approved motion: To not use the La Jolla Parks and Beaches letter as a template for replying to the DND (**Zimmerman/Fitzgerald: 9-5-1**)

In favor: Ahern, Bond, Brady, Emerson, Forbes, Fitzgerald, LaCava, Steck, Weiss, Zimmerman

Opposed: Courtney, Little, Manno, Naegle

Abstain: Boyden

Approved Motion: To call the question on the subsequent motion (2/3 required) (Zimmerman/Courtney: 14-0-1)

In favor: Ahern, Bond, Brady, Courtney, Emerson, Fitzgerald, Forbes, LaCava, Little, Manno, Naegle, Steck, Weiss,

Zimmerman Abstain: Boyden

Failed Motion: To send the 15-page "Costello" letter dated 6/3/2013 in response to the DND to the City (Brady/Little 3-11-1)

In favor: Brady, Manno, Naegle

Opposed: Ahern, Bond, Courtney, Emerson, Fitzgerald, Forbes, LaCava, Little, Steck, Weiss, Zimmerman

Abstain: Boyden

Commenting on the above motion were Trustees: Ahern, Brady, Courtney, Forbes, LaCava, Little, Manno, Weiss

Failed Motion: To send the portion of the "Costello" letter beginning from mid-page 7 to the end in reply to the DND (LaCava/Courtney: 1-11-1

In favor: Courtney

Opposed: Ahern, Bond, Emerson, Fitzgerald, Forbes, LaCava, Little, Manno, Steck, Weiss, Zimmerman

Abstain: Boyden

Commenting on the above motion were Trustees: Fitzgerald and Weiss.

16. Children's Pool – Nighttime Closures through May 15, 2013 – Chaired by VP LaCava

Application for a standard Coastal Development Permit (CDP) (Process 3) following the Emergency CDP under PTS 316719 for closure of the Children's Pool from sunset to sunrise effective through May 15,2013 at the La Jolla Children's Pool. The property is located at 809 Coast Boulevard. Note this standard CDP replaces the emergency CDP but will impose no new requirements since the May 15, 2013 cut-off date has already passed; however, regulations require emergency CDPs to be replaced with a standard CDP. Applicant: Dan Daneri, District Manager, Shoreline Parks and Mechanized Beach Maintenance

It was noted that the time period has already passed.

Comments by community members Melinda Merryweather and Ken Hunrichs and Trustees Forbes and Little.

Approved Motion: To decline approval on the grounds that the timing is absurd. (Little/Weiss: 10-3-1)

In favor: Ahern, Bond, Boyden, Brady, Courtney, Emerson, Little, Steck, Weiss, Zimmerman

Opposed: Fitzgerald, Forbes, Manno

Abstain: LaCava

17. Adjourn at PM- at 8:52 PM to Special Meeting on July 10, 2013 at 6 PM.