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President: Joe LaCava  
Vice President: Tony Crisafi  
Treasurer: Jim Fitzgerald  
Secretary: Nancy Manno

## La Jolla Community Planning Association

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

### Thursday, 3 February 2011

#### **F I N A L MINUTES – REGULAR MEETING**

Present: Tom Brady, Devin Burstein, Michael Costello, Dan Courtney, Laura Ducharme Conboy, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Nancy Manno, Phil Merten, Greg Salmon, Rob Whittemore, Ray Weiss.

1. Welcome and Call To Order: **Joe LaCava**, President @ 6:03 PM

2. Adopt the Agenda

**Approved Motion: Motion to adopt the Agenda, (Fitzgerald/Merten 11/0/1).**

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

3. **Elected Officials Report** – Information Only

A. Council District 2 – Councilmember Kevin Faulconer

Rep: **Thyme Curtis**, 619.236.6622, [tcurtis@sandiego.gov](mailto:tcurtis@sandiego.gov)

Ms. Curtis was not present.

B. Council District 1 – Councilmember Sherri Lightner

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

**Ms. Demorest** was present: Reported: S D City Council repealed the "Super Center" ordinance, believing it not cost effective to argue in favor of the Ordinance. Re: Charlotte Beach Public Access, Councilmember Lightner's office is working closely with City departments to explore full public access to the Charlotte Beach.

4. **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://commplan.ucsd.edu/>

**Ms. Delouri** was present, made report: Information regarding report is available on the UCSD website.

Community Member **Mr. Bob Whitney** discussed FAR calculations, referring to conflicting information presented to the LJCPA and by the San Diego Development Services Department.

LJCPA Member **Ms. Esther Viti**, Chair of the Nell Carpenter Beautification/Streetscape Clean Up Committee, of the La Jolla Town Council, invited the Community to continue to participate in the monthly La Jolla clean up.

LJCPA Member **Ms. Helen Boyden**: noted there will be a Planning Commission hearing re the Palazzo Project on February 17, 2011. This project was denied, (12/2/1) at the June 2010 LJCPA meeting.

**Trustee Merten** presented information re the Cardenas Residence Deck Addition. **Trustee Merten** has notified San Diego City Attorney Jan Goldsmith and Director, Development Services Department, Kelly Broughton, by letter of his concerns regarding Project No. 216821, Combination Permit Approval No. 771687.

LJCPA Member **John Berol** discussed technical documents he has reviewed, regarding the Water Reuse Program/Water Purification Demonstration Project. **Mr. Berol** suggested it would be prudent to oppose this

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*If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.*

project unless the City demonstrates how it will design a management system to avoid the propensity of humans to make mistakes and cover them up."

**5. Meeting Minutes Review and Approval:** 06 January 2011

**Approved Motion: Motion to approve the January 06, 2011 Minutes, (Brady/Conboy 11/0/3).**

In favor: Brady, Burstein, Conboy, Costello, Crisafi, Fitzgerald, Little, Manno, Merten, Weiss, Whittemore.

Abstain: Courtney, Gabsch, LaCava,

**6. Officer Reports**

**A. Secretary:** Nancy Manno

Presented by President LaCava, for secretary Nancy Manno: 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 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 the LJCPA must have recorded attendance for one meeting and must submit an application, which is available at the membership table and on-line.

**B. Treasurer:** Jim Fitzgerald

Beginning Balance: \$24.03 + Income \$305.29 – (Expenses \$243.31)= Ending Balance: \$86.01.

Expenses include: Printing, (a larger expense than usual due to greater number of appeals), telephone. Trustee Fitzgerald commented on the special generosity of the Membership and Trustees at the January meeting, 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 must be in cash to preserve anonymity.

**7. Candidate Statements**

Candidates present their qualifications and reasons for running (2 minutes each).

A last opportunity to announce candidacy.

**President LaCava** called upon previously announced Candidates to present their statements and called for unannounced Candidates: The following LJCPA Members, in order of appearance, presented statements of qualifications:

Mr. Dan Allen

Trustee Tony Crisafi, LJCPA Vice President

Trustee Jim Fitzgerald, LJCPA Treasurer

Trustee Orrin Gabsch

Trustee David Little

Ms. Ariadne Milligan

Trustee Ray Weiss

Ms. Jane Emerson

Ms. Cynthia Bond

Trustee Joe LaCava, LJCPA President

**President LaCava** called one last time to LJCPA Members for self-nominations from the floor. Seeing none he announced that the nomination period was now closed.

**LJCPA Member Mr. Ed Ward** noted **President LaCava** has been an exceptionally fine president and thanked him for his service to the La Jolla community ... Trustees and community members enthusiastically expressed their agreement.

**8. President's Report** – Action Items Where Indicated

**President LaCava** dispensed with the President's Report, with the exception of items **C** and **G**, due to a full Agenda, and asked the audience to refer to their copies of the printed Agenda for information.

A. Community Planners Committee – No action

B. Bishops Library – 3-2 vote to support the appeal was deemed a rejection of the appeal after the fact.

**C. 8490 Whale Watch Way – Hearing Officer Hearing changed to Feb 9: Delayed to March 11, 2011.**

D. Whitney Mixed Use – Planning Commission Unanimously Approved, LJCPA appealed to City Council.

E. La Jolla Shores Advisory Board – “minor in scope” review, discussion continues on Feb 15.

F. Torrey Pines Road Corridor – Community forum continues, Thurs, Feb 24. See info at [lajollacpa.org](http://lajollacpa.org)

G. Traffic & Transportation Board Appointment – Orrin Gabsch to fill the balance of term - Ratify

**Approved Motion: Motion to ratify the appointment of Trustee Gabsch to the La Jolla Traffic & Transportation Board, (Merten/Crisafi 12/0/3**

In favor: Brady, Burstein, Conboy, Costello, Courtney, Crisafi, Fitzgerald, Lucas, Manno, Merten, Weiss, Whittemore.

Abstain: Gabsch, LaCava, Little

H. Elections – Running for a 3-year seat with only 2 years of eligibility > Allowable but disclose to voters

I. Elections – Thursday, March 3, 3:00 pm to 7:00 pm

J. Annual Member Meeting – Thursday, March 3, 6:00 pm

**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, 2<sup>nd</sup> Mon, 4pm

DPR – Development Permit Review Committee, Chair Tony Crisafi, 2<sup>nd</sup> & 3<sup>rd</sup> Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4<sup>th</sup> Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4<sup>th</sup> Thurs, 4pm

**A. Everybody Luvs Chocolate: *Pulled: President LaCava***

**PDO ACTION: The two signs conform to the PDO, 8-0-1.**

5628 La Jolla Boulevard - Change in use from vacant retail to retail/confectioner; signage.

**B. Valet Parking Spaces on Prospect Street: *Pulled Ms. D. Marengo***

**T&T ACTION: For the interested parties to conduct a study or survey that will indicate the number of businesses and residents for or against the options, 5-1-0.**

Prospect Street between Cave Street and Herschel - Possible reconsideration to either maintain the existing valet zone, shift the existing zone 4 spaces to the east, or relocate 3 of the spaces to a separate location a half block east.

**C. Trevino Residence**

**DPR ACTION: Findings can be made for a Coastal Development Permit, 8-0-0.**

5342 Chelsea Street - Demolish existing residence and construct a new sustainable, 3,563 SF, two story over basement, single family residence on a 0.14 acre site in the RS-1-7 Zone.

**D. 1912 Spindrifft (See also Item #14): *Pulled: Trustee Merten***

**PRC ACTION: The findings for a CDP and SDP can be made, 4-3-0.**

1912 Spindrifft - Demolish existing residence and construct a 4699 sq. ft., two-story single family residence on a 13,511 sf parcel. La Jolla Shores PDO.

**E. Rosen Residence**

**PRC ACTION: The findings can be made for plans modified from those presented to the City and dated 1-27-2011, 3-1-0.**

8814 Robin Hood Lane - Remodel of existing 1726 sf single family residence including an 858 sf second-story addition on an 8,550 sf lot.

**Approved Motion: Motion:**

**To accept the recommendation of the Development Permit Review Committee: (C) Trevino**

**Residence, 5342 Chelsea Street: Findings can be made for a Coastal Development Permit: Demolish existing residence and construct a new sustainable, 3,563 SF, two story over basement, single family residence on a 0.14 acre site in the RS-1-7 Zone, and forward the recommendation to the City.**

**To accept the recommendation of the Permit Review Committee: (E) Rosen Residence: 8814 Robin Hood Lane: Findings can be made for plans modified from those presented to the City and dated 1-27-2011: Remodel of existing 1726 sf. single family residence, including an 858 sf. second-story addition on an 8,550 sf lot, and forward the recommendation to the City.**

**(Weiss/Fitzgerald 15/0/1)**

In favor: Brady, Burstein, Conboy, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, Lucas, Little, Manno, Merten, Salmon, Weiss, Whittemore.

Abstain: LaCava

**10. REPORTS FROM OTHER ADVISORY COMMITTEES** - Information only

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – *Inactive*

B. COASTAL ACCESS AND PARKING BOARD – Meets 1<sup>st</sup> Tues, 4pm, Rec Center: *No Report*

**11. Friedman Residence**

6318 Muirlands Drive - Coastal Development Permit to demolish an existing residence and construct a 6,904 square foot single family residence on a 0.35-acre site in the RS-1-2 Zone.

*Previous ACTION (Jan '11): Pulled by applicant from Consent Agenda.*

*Previous DPR ACTION (Dec '10): Findings cannot be made for Coastal Development Permit. 8-0-0.*

Speaker: Brion Jeannette

**Mr. Brion Jeannette**, Project Architect: Presented a Power Point/photographic slide presentation of the Proposed Project.

**Trustee Crisafi** presented a summary of the Development Permit Review Committee's primary issues/concerns re Proposed Project: The view from canyon toward the rear of the residence, the second story/placement of second story of residence. **Trustee Crisafi** noted: **Mr. Jeannette's** presentation, at this meeting, was new/provided new information, and because standard, reasonably expected information had not previously been made available to the DPR committee, the committee was unable to make a determination re this project and therefore voted unanimously to deny the project.

**Mr. Alan Johnson**, neighbor immediately to the south of Proposed Project expressed concerns re impact of the second story of Proposed Project. Noted general neighborhood concern re impact of Proposed Project on the canyon preserve. **Mr. Johnson** noted that "story poles" would have been very helpful in determining the impact of the Proposed Project, expressed disappointment that although requested, poles had not been erected.

**Ms. Elizabeth Taft**, neighbor, expressed concerns re drainage of the area and impact Proposed Project might have on area drainage.

**Ms. Pat Granger**, community member, questioned public access to canyon preserve.

**Ms. Cindy Thorsen**, LJCPA member, DPR Committee member, noted committee concerns re the proposed Project impact on the canyon preserve, the canyon open space, the views from across the canyon.

**Trustee Crisafi** again noted applicants' reluctance to provide information to the DPR Committee.

**Trustees Conboy, Costello, Merten** expressed concerns re scale of project, location of second story of project.

**Trustees Courtney, Gabsch, Little, Lucas, Salmon, Whittemore, President LaCava** commented.

**Mr. Jeannette** responded, in detail, to the Trustees comments and questions.

**Trustee Crisafi** referring to the PP presentation: The images on page 38, when clarified in discussion with **Mr. Jeannette**, identified the proposed development to appear visually compatible with the adjacent existing development, especially after **Mr. Jeannette** identified the Johnson Residence, which was somewhat obscured by the vegetation in the image. **Trustee Crisafi** referring to page 38, reiterated his comments re lack of information, noting the DPR Committee had, in three sessions devoted in aggregate six hours to review of proposed project.

**Trustee Weiss**: Am I correct, in that DPR Committee requested an additional setback of second story and you, (Mr. Jeannette), agreed to request, believing solution would meet requirement of DPR concerns?

**Mr. Jeannette**: Yes, however Client declined solution.

**Trustee Gabsch:** reiterated/agreed with DPR Committee's concern re setback of second story.

**Withdrawn Motion: Friedman Residence, 6318 Muirlands Drive: To approve Coastal Development Permit: Findings can be made (Salmon/Burstein).**

**Trustee Whittemore:** Discussing Motion: Unable to support the Motion because consensus opinion, (including opinion of Applicant's representative), re second story setback was not supported by Applicant.

**Failed Motion: Motion to close debate and vote immediately, (Call The Question), (Gabsch 7/7/2)**

In favor: Courtney, Crisafi, Gabsch, Little, Lucas, Weiss, Whittemore.

Opposed: Brady, Burstein, Conboy, Costello, Fitzgerald, Manno, Merten.

Abstain: LaCava

Declining to vote: Salmon

Trustees resumed discussion of proposed project and Motion.

**Mr. Jeannette** asked for the opportunity to return to his client and propose changes requested by Trustees.

There ensued a general discussion among Trustees regarding possible solutions to those concerns expressed by the Trustees re the proposed Project.

**Trustee Fitzgerald** made reference to, and invoked LJCPA Policy that prohibits project approval with conditions and the applicability of this policy to the project under consideration.

**Trustee Salmon withdrew his previous Motion.**

A Discussion ensued among those Trustees not supporting the project and, in order to comply with the setback requirements of the La Jolla Community Plan, suggested an 18-inch set back of the second floor from the first floor. A compromise suggestion was made to move/place the entire building 18 inches to the north.

**Mr. Jeannette** agreed to this modification and it was made part of the proposal.

**Approved Motion: Motion to approve the Project, as modified, to move residence to the North by eighteen inches, (Salmon/Burstein 8/7/1).**

In favor: Brady, Burstein, Conboy, Courtney, Crisafi, Fitzgerald, LaCava, Salmon

Opposed: Costello, Gabsch, Little, Manno, Merten, Weiss, Whittemore

Abstain: Lucas

## **12. Fire Lane north of 2100 Block of Avenida de la Playa, One-way Eastbound**

CPA approved (May 2010) original proposal to change this lane from two-way to one-way westbound. This direction conflicts with city refuse collection so revised proposal is for one-way eastbound.

*Previous Action (Jan '11): Pulled from Consent Agenda*

*Previous T&T Action (Dec '10): Approve as one-way eastbound, 6-0-2.*

*Previous Action (May '10): Approved T&T recommendation on consent.*

*Previous T&T Action (Apr '10): Approved as one-way westbound.*

**President LaCava** presented a summary of the history of this proposal and the current discussion among the residents affected by the proposed change. **Trustees Salmon, Burstein, Courtney, Conboy, Brady, Little, Lucas, Fitzgerald, Whittemore, Merten** questioned, commented. **President LaCava** responded.

**Approved Motion: Motion to deny the proposal to make the Fire Lane north of 2100 Block of Avenida de la Playa a one-way street, (Burstein/Courtney 15/0/1)**

In favor: Brady, Burstein, Conboy, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Salmon, Weiss, Whittemore.

Abstain: LaCava

## **13. Charlotte Public Beach Access – Possible Action**

7957 Princess Street – The California Coastal Commission (CCC) is reportedly proposing to withdraw its previous requirement for public access across the subject address as part of a resolution of a long-standing litigation re violations of the Coastal Act on the property; "lifeguard emergency" access would be restored. Further a \$3.3 million mitigation fee is being proposed in light of the previous violations. There are other modest requirements being considered by the CCC but those are not part of this agenda item. The Community Plan calls out this trail as "Princess Street (emergency access)".

Note: Coastal Commission Hearing, Thurs, Feb 10<sup>th</sup>, Chula Vista Council Chambers.

*Previous Action (Aug '08): Conditional Approval of minor alterations and amendment to SDP, 6-5-0.*

**President LaCava** presented: Summarized the history of the Charlotte Public Beach Access, (Princess Street Beach Access / Kretowicz Beach Access).

**Ms. Brenda Fake**, community member, advocated for public access. **Trustees Brady, Burstein, Conboy,**

**Courtney, Gabsch, Fitzgerald, Little, Lucas, Salmon, Weiss** commented, strongly advocated for public access to the Charlotte Beach.

**Approved Motion: Motion: The La Jolla Community Planning Association supports the restoration and maintenance of the historic full and open public beach access at 7957 Princess Street and not simply "emergency lifeguard" access. And incorporating this access into the La Jolla Community Plan and Local Coastal Program. Furthermore, any funds that the Coastal Commission may seek to recover as mitigation for previous obstruction of such access and/or for non-conforming development at the subject property must be restricted for use solely within the La Jolla Coastal area, (Burstein/Salmon 16/0/0).**

In Favor: Brady, Burstein, Conboy, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, LaCava, Little, Lucas, Manno, Merten, Salmon, Weiss, Whittemore.

#### **14. 1912 Spindrifft Residence:**

*Will be heard only if pulled from the Consent Agenda*

1912 Spindrifft - Demolish existing residence and construct a 4699 sq. ft., two-story single-family residence on a 13,511 sf parcel. La Jolla Shores PDO.

*PRC ACTION: The findings for a CDP and SDP can be made, 4-3-0.*

**Trustee Crisafi**, (Applicants Architect) participated in discussion; recused himself from voting.

**Mr. Matt Peterson** presented for the Applicant. **Mr. Peterson** clarified that the size of the house has been downsized to 3,475 feet in response to the Permit Review Committee and City comments, as described in the handout to Trustees. **Mr. Peterson** summarized: Applicant purchased home at 1900 Spindrifft Drive; when adjacent property at 1912 Spindrifft became available, applicant purchased this property, with intention to demolish existing non-conforming structure and build a guest home on property, (1912 Spindrifft Drive), combining the two properties into an estate. San Diego City considers property at 1912 Spindrifft Drive to be a separate entity, requiring conformity to applicable City Codes and to La Jolla Shores PDO. **Mr. Peterson** presented a Power Point slide presentation, exhibiting the proposed Project.

LJCPA Member, **John Berol** noted the proposed eight-foot northern side yard setback and the southern 0 side yard setback, establishing a view corridor, illustrates an advantage of the LJ Shores PDO; the ability to do something different, in accordance with an existing situation.

LJCPA Member **Don Schmidt** commented re the Archeology report, the significance, and the sensitivity of this particular area in regard to Native Americans.

LJCPA Member, Permit Review Committee Chair, **Helen Boyden** discussed the issues presented to the PRC Committee, the concerns expressed by committee members, primarily the closeness of the residence to the street, (Spindrifft Drive). **President LaCava** noted the PRC approval was based on a southern side yard set back of two feet and northerly set back of six feet; the current proposal is for 0 feet and 8 feet respectively. **Trustee Merten**, PRC Committee member presented his several concerns re the proposed Project referring to the La Jolla Shores Design Manual and the La Jolla Shores Planned District Ordinance with particular emphasis on the building set back, the parking plan and the disruption of the architectural unity of Spindrifft Drive.

**Trustees Courtney, Lucas, Weiss, Conboy, Costello, Gabsch, Little, Salmon**, commented/questioned.

LJCPA Member **Cindy Thorsen** inquired re plans for the existing Boat House. **Trustee Crisafi**, as Applicants Architect and **Mr. Peterson** responded in considerable detail.

Discussion of the Motion: **Trustees Weiss, Salmon** requested clarification re set backs, view corridors, parking, encroachment of mean high tide line. **Mr. Patterson** responded to the satisfaction of the Trustees.

**President LaCava** sought verification that the 8 feet northerly side yard setback would not have any vegetation blocking public views from the street to the ocean. **Mr. Peterson** confirmed that was true and the rendering in the PowerPoint presentation was an early draft and not indicative of the current proposal. **Trustee Merten** reiterated his belief that the proposed Project did not conform, in several aspects, to the LJ Shores PDO.

**Trustees Costello** and **Gabsch** noted their continuing concerns re set back, parking.

**Failed Motion: Motion: Findings can be made for a CDP and SDP: 1912 Spindrifft Drive: Demolish existing residence and construct a 3475 sq. ft., two-story single-family residence on a 13,511 sf parcel, with an eight foot northerly side yard setback, a 0 foot southerly side yard set back,**

**(Burstein/Manno 5/6/4)**

In favor: Brady, Burstein, Fitzgerald, Lucas, Manno,  
Opposed: Conboy, Gabsch, Little, Merten, Weiss, Whittemore  
Abstain: Costello, Courtney, LaCava, Salmon,  
Recused: Crisafi (Mr. Crisafi left room).

**Approved Motion: Motion to reconsider previous Motion, (Whittemore 10/4/1)**

In favor: Brady, Burstein, Conboy, Costello, Courtney, Fitzgerald, Manno, Salmon, Weiss, Whittemore.  
Opposed: Gabsch, Little, Lucas, Merten,  
Abstain: LaCava,  
Recused: Crisafi (Mr. Crisafi left room).

**Approved Motion: Motion: Findings can be made for a Coastal Development Permit and Site Development Permit: 1912 Spindrifft Drive: Demolish existing residence and construct a 3475 sq. ft., two-story single-family residence on a 13,511 sf parcel, with an eight foot northerly side yard setback, a 0 foot southerly side yard set back, (Burstein/Manno 9/4/2)**

In favor: Brady, Burstein, Conboy, Costello, Fitzgerald, Lucas, Manno, Salmon, Whittemore.  
Opposed: Gabsch, Little, Merten, Weiss.  
Abstain: Courtney, LaCava,  
Recused: Crisafi (Mr. Crisafi left room).

**15. CPA Bylaw Amendment** – Recommendation to Members

Consideration and possible recommendation to Members to amend the bylaws at the March 2011 Annual Meeting. The late hour necessitated Agenda Item 15 be deferred to the March LJCPA Meeting.

**Note:** Resignation of **Trustee Ray Weiss** from LJCPA was accepted by **President LaCava** at close of meeting.

**16. Adjourn @ 9:45 PM** to next Annual Member Meeting, March 3, 2011, 6:00 pm

**17. Adjourn** to next Regular Monthly Meeting, March 3, 2011, 6:10 pm

Looking ahead to our March meeting:

*Elections – Polls open from 3:00 pm to 7:00 pm for Members to vote. Bring photo ID*

*Annual Member Meeting – Need 20% for quorum.*

*Regular Monthly Meeting immediately following, including announcement of election results.*