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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, 2 May 2013

FINAL MINUTES – REGULAR MEETING

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

1. Welcome and Call To Order: Tony Crisafi, President, at 6:12 PM

2. Adopt the Agenda

Failed Motion: To amend agenda to add discussion of Deputy Director (DSD) Cecilia Gallardo's response to Bob Whitney correspondence re: LJCPA appeal policy. (Little, Weiss, 3-9-2)

In favor: Ahern, Little, Weiss.

Opposed: Bond, Boyden, Brady, Collins, Emerson, Forbes, LaCava, Manno, Merten

Abstain: Crisafi, Naegle.

Approved Motion: To adopt the posted Agenda with date in Item 3 corrected to read 4 April 2013 (LaCava/Manno, 13-1-1).

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

Oppose: Little.

Abstain: Crisafi.

3. Meeting Minutes Review and Approval – 4 April 2013

Approved Motion: To approve the Minutes of 4 April (Manno, Weiss, 14-0-1)

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

Abstain: Crisafi.

4. 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

City Budget Process is underway. There will be increases for Lifeguards, Police Academy and Arts and Cultural and other items. Community input is sought and Council members will be preparing lists of their priorities which are due by May 31. The historic status of the Wall Street Post Office will be reviewed at the next meeting of the Historic Resources Board, Thursday May 23 at 1 PM. Construction of the La Jolla Shores Life Guard tower is moving along. There will need to be asbestos removal for the old tower. The large vehicle parking ordinance went before the Land Use and Housing Committee soon and will be heard at the City Council in the next few months. A project at 910 Turquoise in Pacific Beach is in a mixed use area and will have to be redesigned. Parking requirement in mixed use areas must be adhered to. A State attorney said that the Mayor could not veto Council appointments of Port Commissioners. Therefore Marshall Merrifield and Rafael Castellanos have been seated on the Port Commission.

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, <http://physicalplanning.ucsd.edu>

There are five construction projects due to be finished by late 2013. The student enrollment for the Spring Quarter is 26,999 of which 21,072 are undergraduates with approximately 6000 graduate students. This is approximately 1000 less than in 2008.

B. General Public Comment -

John Leek: There are now only two factions with respect to the Children's Pool—Those who want to share the beach with the seals and those who want to close the beach. Achieved by concerted efforts of the Friends of the Children's Pool and the Council of Divers.

Cheryl K Aspenleiter (RAMP –Restore Access to Many People - restorechildren'spool@gmail.com) advocating for full wheelchair access to the beach.

Jane Reldan - in response to **Ms. Aspenleiter's list of motorized vehicle beach access beaches.**

James Hudnall stating that the current rope is effective

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

Trustee Little quoted from **Ms. Gallardo's** (see Item 2) stating that there was no requirement for the LJCPA trustees to vote on an appeal. He also presented a diagram of the property at 750 Nautilus and criticized the City interpretation of the height of the building. (See President's Report -8D.)

Trustee Courtney asked for more information on the progress of the Torrey Pines Corridor project. Council Rep. Demorest responded that the Project Manager will be making a presentation to the LJCPA in the future.

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 LJCPA 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.

Trustee LaCava announced that a volunteer was needed to staff the sign-in table each month and collect and submit the sign in sheets and membership applications.

B. Treasurer

Trustee Boyden presented the financial report prepared by **Trustee Fitzgerald:** April Beginning Balance: \$358.79 plus income from donations and CD Sales of \$150.00 less Expenses of \$108.03 leaving a balance on 30 April of \$400.76.

Trustee Boyden reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees to sustain its operations. All donations are in cash to preserve anonymity.

8. President's Report – Action Items where indicated

President Crisafi swore in new **Trustee Bob Steck**.

- A.** LJCPA Committee Appointments - Committee Appointments by other groups to be ratified next month. . **Bob Whitney** commented on lack of diversity of the LJSA appointments to the PRC. **President Crisafi** stated that he had several potential volunteers for listed vacancies.

Approved Motion: To ratify the following LJCPA appointments to the various joint committees and boards: Development Permit Review: Paul Benton, Bob Collins, Mike Costello, Lynn Hayes, Phil Merten. La Jolla Shores Permit Review: Phil Merten, Laura DuCharme Conboy, (one seat to be appointed); La Jolla Planned District Ordinance Committee: David Little, (two seats to be appointed). Traffic and Transportation Board: Dan Courtney, Tom Brady. Coastal Access & Parking Board: Tom Brady, Dan Allen, Ray Weiss. Community Planner's Committee: Representative: Joe LaCava; Alternate: Tony Crisafi. **(La Cava/Manno, 16-0-1)**

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

Abstain: Crisafi

- B.** Bernate Ticino CEQA appeal hearing – June 3rd @ 2p, City Council Chambers
Rescheduled by City Council President- City response letter in file.
- C.** C.O.W. Training - All new Trustees required to take online Community Orientation Workshop or attend training Sat, May 18 (RSVP to SDPlanningGroups@sandiego.gov). Please send your certificates to info@lajollacpa.org for record keeping. New trustees must requalify.
- D.** 705 Nautilus - building inspector confirmed this home is under the 30 ft height limit and is in compliance with the permits. The property is zoned to allow for a rental unit, but it doesn't have the off-street parking to accommodate one. DSD made contact with the owners and informed them they cannot have a rental unit because they don't meet the parking requirements. The ad for the rental unit has been taken down. **Trustees Zimmerman, Manno and Little** commented on the need for enforcement. **President Crisafi** will verify plans at DSD accompanied by **Trustee Little**.
- E.** Code Enforcement Volunteer Program – reactivation of the community volunteer program to inspect properties from the street with the goal of reducing visual blight in neighborhoods, training required. Contact Mr. Dauphin at 619-533-6145. Training will be offered at the end of May. **President Crisafi** will arrange to e-blast letter from City.
- F.** Bird Rock Mixed Use – Draft Negative Declaration Report out 4/24/13, comments due 5/14/13. LJCPA approved 13-2-1 in August 2012. See link [here](#) for draft report. **President Crisafi** will contact the Project Manager to verify that there have been no changes to the project.

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 LJCPA 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

T&T – No meeting this month

- A. Tree Removal- 7850 Ivanhoe Street** – pulled by **Trustee Courtney** to assure for right reasons

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

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

- B. Goodwill**

PDO Action: Proposed awning complies with the PDO 7/0/0

7631 Girard Ave. Awning re-cover for an existing awning. The awning frame will not change. Only fabric.

- C. Adoption of DPR Committee Exhibit Requirements** – pulled by **Trustee LaCava** to edit language

DPR Action: To approve the Exhibit Requirements and continue refinements 6/0/0

Draft dated December 19, 2012, Benton's Document, Island Architects Statistics Sheet, see attachment.

D. Huckins Residence – pulled by Jean Wickersham

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.

Approved Motion: **To accept the recommendation of the Planned District Ordinance Committee (B) 7631 Girard Avenue, Proposed awning complies with the PDO, and forward the recommendation to the City.** (Emerson/Zimmerman, 16-0-1)

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

Abstain: Crisafi.

10. 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 12 of the 225 Capital Improvement Projects recommended by Community Planning Groups would be funded in the coming fiscal year. A change is proposed to the SDMC that to reduce processing time, all Capital Improvement Projects will either be Process Two or go directly to the City Council as Process Five.

11. Costebelle Residence SDP Amendment– Action Item

Whether to Ratify the April 4th, 2013 appeal of CEQA Exemption (April 4th, 2013 appeal deadline)

Appeal was filed on April 4, 2013; a non-agendized vote was taken on April 4th, 2013. Trustees were asked to discuss and vote on the appeal.

Approved Motion: **To ratify the appeal (Manno, Naegle,13-1-3)**

In favor: Ahern, Bond, Boyden, Brady, Collins, Courtney, Emerson, Little, Manno, Merten, Naegle, Steck, Weiss, Zimmerman.

Opposed: Forbes,

Abstain: Crisafi, LaCava.

12. Visin Duplex Project No. 280069- Action Item

Appeal Deadline: May 6th, 2013

Whether to appeal Development Services Staff decision to approve an application for a Process Two Coastal Development Permit (CDP) to demolish an existing duplex and construct a 3,273 square foot duplex on a 0.04 acre site due to incomplete LJ LCPA process. The proposed project will conform to the Council Policy 900-14 criteria by generating 50% or more of the projected total energy consumption on site through renewable energy resources (i.e. photovoltaic). Property is located at 337 Playa Del Sur Street in the RM-3-7 Zone.

DPR member Mike Costello commented that the DPR had obtained agreement for the applicant to return to the DPR. Owner **Karen Visin** commented and made allegations of improper lobbying against the project. **Dolores Donovan** also spoke. **Trustees LaCava, Crisafi, Boyden** and **Merten** spoke with **Trustee LaCava** asking that the allegations be investigated. President Crisafi acknowledged the request and stated that the City notices with respect to the project will be posted on the LCPA website.

Approved Motion: **Appeal the DSD staff decision to approve the project in order for the Planning Commission to consider all historical issues concerning the demolition of the existing buildings. (Merten, Brady, 13-2-2)**

In favor: Bond, Boyden, Brady, Collins, Courtney, Emerson, Little, Manno, Merten, Naegle, Steck, Weiss, Zimmerman.

Opposed: Ahern, Forbes.

Abstain: Crisafi, LaCava.

13. Morreale Residence - Action Item – pulled by Dan Allen

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

Neighbors **Tom Liu** and **Dan Allen** commented, stating that the street address (front) of this house is on Crespo, but the guest house would abut on Kearsage. They alleged the property had not been posted, nor had mailed notices been received.

Approved Motion: To continue the item so that the applicant can appear (LaCava, Emerson, 15-0-2)

In favor: Ahern, Bond, Boyden, Brady, Courtney, Emerson, Forbes, LaCava, Little, Manno, Merten, Naegle, Steck, Weiss, Zimmerman.

Abstain: Collins, Crisafi,

14. La Jolla Children's Pool Lifeguard Station - Information only

The new La Jolla Children's Pool Lifeguard Station Project to demolish the existing condemned structure and construct a new facility with public restroom, public plaza with hardscape and landscape, accessible ramp to the public restroom and a new lifeguard tower. The proposed tower will include public restrooms, male/female locker rooms for lifeguards, second observation area, Administration work area, first aid room, and main observation tower.

This project has already received the community's approval, applicant presenting an update to the trustees on the project schedule, duration, features and colors.

Applicant: Jihad Sleiman, PM, City of San Diego. Also presenting were: Patrick Walls, of Stronghold Engineering, and Jay W. Janda and Robb M. Walker of KMA Architecture and Engineering.

Mr. Seiman stressed the prior approval of the project and that all changes had been approved by the California Coastal Commission. The City has a live web page devoted to the project. They had received a waiver for the summer moratorium. Nearby residents will be notified of the time of construction start.

Members of the public (**Sally Miller, Patrick Hord, Carol Archibald, Tim Lucas, James Hudnall, Cheryl Aspenleiter, Mary Coakley Munk, Mike Costello, John Leek, Bill Robbins, Deborah Cohen, Phyllis Minick**) received information that the color palette was the same as was approved; noise levels will be mitigated for the seals; even though Children's Pool may no longer be a factor, this lifeguard station serves five nearby beaches with a 270 degree view as desired by the lifeguards; NOAA will be posting for public comment as early as next week; the installation adheres to ADA standards; some people wanted more and some people wanted fewer or no showers; 4 teams had bid on the project-the winning bid was \$2,707,127 with about \$500,000 in early costs; the viewer corridor over the tower is less than what exists, but more than the earlier three story design; the tower lifeguards can provide emergency services to pedestrians and residents of nearby senior residences.

Trustees Weiss, Forbes, Zimmerman expressed desires that the colors be moderated to be more like the rendering and that there be more showers/toilets.

15. Children's Pool Beach Closure - Action Item

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**

Mr. Zirkle reviewed the changes to the SDMC and the La Jolla Community Plan cited above and included in the agenda packet. He gave the rationale of conformance with recently approved state legislation and existing federal law and gave examples of other cities with equivalent policies relevant to ESHA. **Mr. Morris Dye**, the project manager expressed the desire that the LJCPA deal with the requested changes to the LJCP and the SDMC as well as the Draft Negative Declaration

Members of the public speaking in favor of the City proposal: **Carol Archibald, Robert Mead, Deborah Saracini, Roberta Wolff, Nancy Lee, Ellen Shively, Lisa McDermott, Kathe Myrick, Jane Reldan, Jhon Jacobelli, Cary Jack, Jennifer Regge, Renee Owens, and Trustee Fitzgerald** with letter on file. Members of the public speaking against the City proposal: **Michael Morton, John Leek, Dan Allen (President, La Jolla Parks & Beaches) Melinda Merryweather, Michael Costello, Stanley Minick, Cheryl Aspenleiter, Patrick Lee Hord, Tim Lucas, Ken Hunrichs, Marie Hunrichs, Sally Miller, Mary Coakley Munk, Kilma Lattin.**

Trustees Ahern, Boyden, Brady, Emerson, Forbes, LaCava, Little, Merten, Weiss and Zimmerman spoke to the issue.

Approved Motion: To reject the Draft Negative Declaration and request the City process an Environmental Impact Report. (Ahern, Manno, 8-5-1)

In favor: Ahern, Boyden, Brady, Forbes, Little, Manno, Merten, Steck.

Opposed: Bond, Emerson, LaCava, Weiss, Zimmerman.

Abstain: Crisafi

Approved Motion: To request the City extend the deadline for responses to the Draft Negative Declaration so that the LJCPA can develop responses at its June 6, regular meeting (Merten, Little, 10-2-1)

In favor: Ahern, Boyden, Brady, Emerson, Forbes, Little, Manno, Merten, Weiss.

Opposed: LaCava, Zimmerman.

Abstain: Crisafi

Tabled Motion: To reject the proposed amendment to the La Jolla Community Plan (Little, Brady, no vote)

Approved Motion: To table the previous motion (Emerson, Brady, 9-4-0)

In favor: Ahern, Boyden, Brady, Crisafi, Emerson, Forbes, Manno, Merten.

Opposed: LaCava, Little, Weiss, Zimmerman.

16. Adjourn at 9:24 PM- Next Regular Monthly Meeting, June 6, 2013, 6:00 pm.