

**LA JOLLA TRAFFIC AND TRANSPORTATION BOARD**  
**Regular Meeting: Wednesday March 16, 2016**

**Members Present:** Dave Abrams (Chairperson) LJCPA, Tom Brady LJCPA, Donna Aprea LJTC, Patrick Ryan BRCC, Erik Gantzel BRCC, John Kassar LJSA, Brian Earley LJSA, Corey Bailey LJVMA, Nancy Warwick LJVMA.

**Members Absent:** Earl Van Inwegen LJTC

**Approve Minutes:** of Wednesday February 17, 2016 **Motion to Approve: Brady Second: Early 5-0-3 (Abrams, Kassar, Warwick) Gantzel not available to vote.**

**Public Comments:** Nathan Jernigan of Westbourne Street appeared before the Board in April 2015 requesting a Blinking Light at the crosswalk on La Jolla Boulevard and Westbourne Street which was approved by LJ&T and installed by the City. Mr. Jernigan is now appearing before the Board to request street lights on Westbourne St between La Jolla High School and 7-11. He wants his request to be placed on the April 20<sup>th</sup> Agenda. He is requesting actual street lights with light bulbs on telephone poles. Dave advised that he has to look into the request before placing it on the April Agenda since it is not about traffic lighting but about safety lighting and may not fall into LJ&T purview. He will contact Mr. Jernigan when he has more information.

No further comments from the public.

**Agenda Item 1: Village Parking Time Limit Review** - Tom Brady Co-Chair of sub-committee. Ninety-four businesses were surveyed on Fay Avenue between Kline and Silverado on both sides of the street, and thirty responses from the Survey were received. A draft report was given to all sub-committee members to review and make comments. The committee will then meet to make recommendations to present to the Board at the April Meeting. **Cont'd to April Meeting**

**Agenda Item 2: Safety Improvements for Fay Avenue Extension Bicycle Path:** Brian Genovese, PE, and PTOE Bike Program Senior Engineer, DCE. City of San Diego was not available to discuss this request, but will speak on this matter with Dave prior to the April Meeting. A gentleman in the audience stated he was present for this Agenda Item and asked what the impetus was to have some improvements there. Dave responded that La Jolla Parks & Beaches Inc requested the improvements at the January Meeting and appeared before the Board at the February meeting for a discussion on the Bike Path. Dave was not at the February Meeting, but board members who attended recommended that Dave connect with the City to determine their opinion on this issue. The results of the discussion with Brian Genovese will be presented at the next meeting. **Cont'd to April Meeting**

**Agenda Item 3: Street Closure Signage:** Nancy Warwick: Issues related to City mandated specifications for signs required during temporary Street Closures with special events.

Nancy sent an email to Cindy Kodama, Special Events Coordinator, for the City in February regarding a long-standing problem in La Jolla with the No Parking signs for special events. Drivers have a hard time reading the fine print at the bottom of these required No Parking signs, which gives the actual date and

time of the event. Drivers need to be able to read the signs from great distances. The effect is that parking spaces are left vacant in the days before an event, which has a bad effect on businesses. One of the reasons business owners get upset by street closures is this loss of business before an event even takes place.

The City requested more time to look into the matter and Nancy did not receive any more communication from them before today's Meeting. Dave reported to the Board that he received a phone call from Justin Garver (Staff Representative for Sherri Lightner) this morning and Justin informed Dave that he connected with them (special events staff) and the Board will get an answer to the inquiry.

#### **Cont'd to April Meeting**

**Agenda Item 4: Reconsideration of Proposed Speed Limit Increase on Soledad Mt Road.** Request from LJCPA based on new information.

Traffic and Transportation Board acted on Agenda Item 4 at the January 20, 2016 Meeting to increase the speed limit on Soledad Mt Road at the request of City Staff so the street could remain radar enforceable.

*The California Speed Trap Law (California Vehicle Code Section 40802) requires that the City survey the prevailing speeds on classified streets every seven years in order to keep our speed limits radar enforceable under the provisions of the law.*

*We have recently surveyed the above segment of Soledad Mountain Road and the results of the study indicate that the existing posted speed limit of 35 miles per hour for both the southbound and northbound directions of traffic must be raised to 40 miles per hour in order to remain radar enforceable. Therefore, we will be changing the speed limit in both directions from 35 miles per hour to 40 miles per hour.*

At the time the Agenda Item was heard by Board Members there was no opposition to raising the speed limit from the public and the Board voted 5-1-0 (Earley) to approve the increase to the speed limit. As a result of an article in the La Jolla Light (1/28/16) reporting on the speed limit increase, Mr. Robert O'Neill, living on Soledad Mt. Road sent several members of LJT&T a letter opposing the speed limit increase stating that he would have attended the LJT&T Meeting if he had known about the speed limit increase proposal.

LJCPA Trustee's at their February 4th Meeting did not ratify LJT&T's January 20 vote to increase the speed limit on Soledad Mt Rd thereby giving Mr. O'Neill a chance to speak to them at their March 3rd Meeting. Mr. O'Neill attended the LJCPA meeting and spoke against the speed limit increase. Tom Brady, LJCPA Trustee, made a Motion to send the speed limit increase on Soledad Mt Rd back to Traffic and Transportation for further review based on new information. Mr. O'Neill was unable to attend this meeting due to a prior commitment, but can attend the April 20 meeting.

Several Soledad Mt Road residents were at this meeting expressing concern that they were here now for the speed limit increase on their street and it is now being Continued to April. They were unaware of the increase proposal the first time it was heard and they do not want to miss it again. Dave explained to them that Mr. O'Neill is the main opponent of the speed limit increase and should have the opportunity to appear before the Board so it is being Continued to the April Meeting. Dave informed them about

how they can sign up to access the LJT&T monthly Agenda's. The resident did receive the January Agenda through her email with the speed limit increase on it, but she is requesting that something like that be posted "many times not just one time". She would greatly appreciate in the future to be given more time perhaps through the Media when something like this happens again. She informed the Board that they will bring polls (petition) of every neighbor on the street opposing the speed limit increase.

A resident living on La Jolla Scenic Dr. North also spoke of the speed limit being increased on her street, from 30 to 35, and wanted to know if this was something like Soledad Mt Rd. Dave explained that the speed limit increases are requested by City Staff so the streets can remain radar enforceable, not by LJT&T Board members. Board Members were unaware of the La Jolla Scenic Drive North speed limit increase, but did vote to approve an increase on La Jolla Scenic Drive South between La Jolla Mesa Dr. and Soledad Park Road at the January Meeting. Soledad Mt Road residents were advised to attend April's Meeting and their questions and concerns would be heard at that time. **Cont'd to April Meeting**

**Agenda Item 5: Athenaeum Gala:** Erika Torri: Temporary Road Closure and No parking area related to 27<sup>th</sup> annual event on Friday Sept 9, 2016 on a portion of Wall Street in front of the Athenaeum Building  
**Action Item**

The Athenaeum's annual Gala is a benefit event that provides critical funding for the nonprofit's schedule of cultural programs, concerts, art exhibitions, art classes, and library services. The Gala includes a cocktail reception, a sit-down dinner, live entertainment, and dancing. In previous years, the Gala has been held entirely within the property of the Athenaeum at the corner of Wall Street and Girard Avenue. In order to expand the capacity of the event, and thus bring additional support for the Athenaeum, this year they are proposing to extend the event to Wall Street itself in the area in front of the Athenaeum between Girard Avenue and the La Jolla Cove Alley.

The Gala is scheduled for 6:30 to 11:30 pm on Friday, September 9. They are proposing to close the portion of Wall Street between Girard and the Alley beginning at 6:30 am on that day, in order to have time to set up the required facilities. In addition to the tables and chairs for the dinner, there will be a surrounding temporary wall to meet "beer garden" requirements, a performance stage, audio equipment, lighting, a dance floor, a trailer with portable toilets, and ancillary equipment. The street closure would continue until the early hours, 2:30 am, on Saturday, September 10, when removal of the equipment and final cleanup will be completed. With the street closure, there will be temporary No Parking areas on the relevant part of Wall Street from 6 am Friday until early morning on Saturday when cleanup is completed. There are 10 spaces on the south side of the street and seven spaces on the north side of the street that would be unavailable. Ms. Torri spoke of Neighboring Businesses not objecting to the road closure or the temporary No Parking because of the foot traffic around their businesses that is generated by the Gala.

Board discussion began with John asking if both sides of the street would be closed off and Ms. Torri replied that 10 spaces on the south side and 7 on the north side would be unavailable. Nancy asked why the need for early morning road closure, and was told it is to allow enough time for set up. There will be alcohol served and so a temporary wall needs to be set up for beer garden requirements. Brian has attended the Gala event in the past, and said they are crowded events and he understands the need for the closures for both pedestrian and traffic safety. Nancy asked if there would be valet parking and Ms. Torri said that there would be valet but only for their Guests. The List of neighboring businesses that

supported the Athenaeum's request for the road closure/no parking areas was reviewed and there were no further questions or comments from the Board or the audience members.

**Motion to Approve temporary Road Closure and No Parking area on a portion of Wall Street on September 9, 2016 as per application. Brady, Second: Ryan 9-0-0**

**Agenda Item 6: Safety Improvements for Coast Walk:** Melinda Merryweather -

Resident request to consider replacement of two existing parking spaces with a turn around and creation of two new parking spaces on the east side. **Discussion Item**

Melinda grew up in La Jolla and knows the history of Coast Walk. There used to be 6-8 parking spaces on the street for drivers to park and admire the views. They had plenty of room to turn around and exit Coast Walk back onto Torrey Pines. Many years ago a resident on the street filled in 6 parking spaces with rubble and boulders and the parking spaces were lost. The loss of the parking spaces leaves no room for drivers to turn around and makes it hazardous for drivers to exit Coast Walk. Drivers are backing out of Coast Walk onto Torrey Pines Road.

Melinda is requesting that 2 parking spaces at the edge of the bluff be relocated to the east side of the street to create a turnaround where drivers can safely turn around to exit Coast Walk. There is 30' of public right of way on the east side of the street where those 2 parking spaces can be reassigned. Melinda indicated that there used to be 60' of public right of way to Coast Walk, then the parking spaces were filled in with vegetation and boulders, the street was paved by an unknown entity, and now there is just 14' of space on the west side. What was once an easy street to get out of is now very dangerous.

Fan Graham is a 50-year resident of Coast Walk and member of Friends of Coast Walk Association. Friends of Coast Walk Association is a group of residents who live on the street as well as supporters who support their activities for preserving and maintaining the trail and support their safety issue concerns regarding erosion problems. Ms. Graham spoke of Coast Walk being a very tranquil, scenic street and there are not always a lot of cars traveling on it. Ms. Graham did say that those parking spaces that were lost happened about 40 years ago, well before a lot of the homes were built there. The cars become an issue only when La Jolla sees the Big Surf. Her Association encourages pedestrian traffic due to the concern for the bluff and erosion problems surrounding it. Their goal is to reduce the motor vehicle traffic. Ms. Graham agrees with Melinda on removing the two parking spaces near to the edge of the bluff but that is as far as the agreement extends. She would prefer all parking be limited to 10 minutes. She advised the Board that Melinda's presentation was heard at La Jolla Parks and Beaches last year and "over there" (at Parks and Beaches) they did not support the additional parking spaces. Ms. Graham's group asked for a traffic and erosion study because the street is very close to the bluffs but she did not say whether it was supported or not at Parks and Beaches.

Sally Miller sitting in the audience commented that she drove down that street just once in all of her 50 years living close by and she never drove down again. The private encroachments from resident's homes make it so difficult to turn around and get out.

The encroachments force drivers to do things they should not have to do just to exit the street and this is a public street.

Phyllis Minick sitting in the audience was asked by Parks and Beaches to look at the property. She drove 20' down the street and encountered a no turnaround sign and three cars had pulled in behind her. She obeyed the sign and proceeded to back out but those three cars were forced to back out onto Torrey Pines Rd to let her out. She strongly advocates for a wider street and a turnaround for access and safety issues. Coast Walk is a public street that everyone has the right to enjoy.

Dan Courtney commented that he too was backed in by cars behind him but he turned around. He advised that it is a coastal access issue vs a private land issue. The street is so narrow cars are forced to turn around on the encroachments. Dan also has an encroachment on his property and he knows the City can take it back at any time and all residents who have encroachments on public right of way would know this. If it becomes a safety issue the City should take back the land.

Michael Pallamary, an Engineer and Land Use Consultant, has worked on most of the homes on Coast Walk and a lot on La Jolla Shores Drive. Mr. Pallamary says he is at our meeting as a recognized expert in this area. He claims the City does not own the property on Coast Walk. It is geologically unsound, the bluff is unstable, and no improvements are going to be made there. Patrick noted the houses that are built in that geologic hazard area and asked why it was safe for homes but not for cars. Mr. Pallamary replied that homes are safer than cars on that street because the home has a sound foundation structure. Caissons are drilled down 80-100' and even though soil may be removed the caissons will hold it up. The notion of drilling a million dollar caisson system into an unstable area to create parking spaces is simply foolish.

The existing roadway is very narrow. The narrow road makes it safer because drivers have to slow down. If the roadway was wider drivers will drive faster. The roadway is better suited for pedestrian traffic not cars because the site clearance is inadequate. Site clearance is the correlation between how far you can see and the speed of your vehicle because you need a stopping distance. If you are driving too fast you physically cannot react to the braking that is needed to slow the car down. If you open the street up with limited site clearance you are laying down the foundation for accidents. The two parking spaces at the edge of the bluff should be removed to open up a 3 point turn for cars to safely exit the street. Cars come down, turn around, and exit the street and that is all they should be doing.

Speaking of the reduced land width due to the "allegations of encroachments" Mr. Pallamary advised the board that the City formally vacated the right of way. Melinda is refuting that, contending that Coast Walk is a dedicated Street and historically designated right of way. She verified this in Sherri Lighter's Office. Coast Walk is property that belongs to all of us. Mr. Pallamary says the City lost it many years ago in Superior and Appellate Court. He should know because he litigated the case, a lawsuit was filed and the City lost.

There is some agreement on the turnaround but the disputes are over the replacement of the two parking spaces at the center of it. Melinda wants the spaces reassigned to the east side and Mr. Pallamary says it is not going to happen. Melinda wants the turnaround but she does not want to lose those two parking spaces in the process. There is 30' feet of public right of way on the east side that can accommodate them. Patrick reassured her that LJT&T does not historically give away parking spaces but he believes the issue here is reclaiming disputed property. One side is telling the Board that it is owned by the City and the other side is saying it is not. Reclaiming those two parking spaces while there is a

dispute over who owns the property is not something LJ&T is going to get into. It will have to be sorted out beforehand.

There are disagreements on why there needs to be parking on Coast Walk. Corey owns and operates the Goldfish Café, across from the Cave Store and beside a parking structure that is only half full on any given day. There is plenty of parking there and very close to Coast Walk. Melinda is trying to be clear that Coast Walk has six designated parking spots and she wants just those six, no more and no less than that. She is requesting that two of the designated six spaces be relocated so a turnaround can be created for cars to safely exit the street. The two parking spaces are the ones at the edge of the bluff that she wants relocated to the east side they are not additional parking spaces. Melinda spoke of a house on Coast Walk that has an encroachment agreement with the City. The homeowners will give back the land if the City asks for it back and Melinda advocates for the two parking spaces at the edge of the bluff to be relocated in front of that house on the encroachment.

A question was asked by Dan Courtney about the recorded Survey for the vacated property by the City. It happened in 1996 that Mr. Pallamary testified as an expert witness and the City lost the case. He did not bring the recorded Survey which covers everything about the case with him because he thought we all knew about it. He has been before La Jolla Parks and Beaches for the last 18 months over this subject.

Erik asked about the vacation and the public right of way access. How can there be a right of way access on a street that was vacated. Mr. Pallamary responded that Coast Walk is a marginal street, it has no specified width so home ownership extends to the high tide line. City paved the street but Melinda is strongly disputing this, Mr. Pallamary has records of it, but Melinda is strongly disputing that as well. Mr. Pallamary was not able to continue answering Erik's question.

Patrick asked if Mr. Pallamary has city records that the City paved it and Mr. Pallamary replied that the City does not have the Records going that far back, city records prior to the 60's are lost, but he has city plans that show the Street paved. There are historical photos of arial maps showing Coast Walk paved.

Erik asked what Mr. Pallamary's position was about the public right of way on that street and Mr. Pallamary replied that it is the paved area for vehicular and another public right of way for pedestrians extending down to the edge of the bluff.

This is a Discussion Item and not an Action Item. Dave asked board members for a recommendation on how to proceed or not to proceed. Tom is recommending that we continue the discussion because of the safety issues involved with exiting the street and LJ&T should address that part of it in order to get it resolved because everyone seems to be in agreement about the U-turn (creating the turnaround). There is disagreement on saving the two parking spaces and Tom is not sure where the no parking signs would go so drivers will not park in the turnaround. Residents on that street may be using the public right of way to allow their guests to park there and if there are no parking signs there it may create a problem.

The Board needs more documentation to help clarify some of the disagreements over the public right of way vs vacation of Coast Walk. Dave is going to talk to Sherri Lightner's staff and has asked Mr. Pallamary for the Recorded Survey documentation he has. He also asked Melinda to provide the letter she referred to from Scott Peters. Dave has asked Melinda to contact homeowners on Coast Walk for their direct input as well although Mr. Pallamary says he is here to represent them.

Meeting adjourned at 5:16 pm.  
Next Meeting on April 20, 2016  
Respectfully Submitted Donna Aprea, Secretary