



PO Box 889, La Jolla, CA 92038

458.456.7900

<http://www.LaJollaCPA.org>

info@LaJollaCPA.org

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month

Thursday, 3 July 2008, 6:00 pm

La Jolla Recreation Center, 615 Prospect Street

D R A F T AGENDA

- 6:05p**
1. Welcome and Call To Order: **Joe LaCava**, President
 2. Adopt the Agenda
 3. Meeting Minutes Review and Approval: 5 June 2008
 4. President's Report – Possible Action Items
 - A. CPC (<http://www.sandiego.gov/planning/community/cpc/>)
 - B. CPA Bylaws at City Council (Sometime in July)
 - C. Brown Act
 - D. Special Election – August 7
 - E. 5956 La Jolla Mesa – City Response
 - F. Kelly Appeal
 - G. "Head/Smoke Shop" Letter Request
 - H. Brush Management
 5. Officer's Reports
 - A. Treasurer: **Jim Fitzgerald**
 - B. Secretary: **Darcy Ashley**
- 6:15p**
6. Agency Reports – Information Only
 - A. UCSD
Campus Community Planner: **Anu Delouri**, adelouri@ucsd.edu
 - B. City Of San Diego – City Planning & Community Investment Department
La Jolla Rep: **Lesley Henegar**, 619.235.5208, LHenegar@sandiego.gov
 - C. Council District 1 – Council President Scott Peters
Rep: **Keely Sweeney**, 619.236.6972, KSweeney@sandiego.gov
 - D. Council District 2 – Councilperson Kevin Faulconer
Rep: **Thyme Curtis**, 619.236.6622, TCurtis@sandiego.gov
 7. Non-Agenda Public Comment
Comments on items not on the agenda and within CPA jurisdiction, two (2) minutes or less.

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.

Times assigned are approximate; order of agenda items may be modified at the beginning of the meeting.

6:30p 8. **COMMITTEE REPORTS / CONSENT AGENDA**

Note: Items pulled from the Consent Agenda are trailed to the next meeting.

A. Planned District Ordinance Committee (PDO)

Chair: **Tiffany Sherer**, 1st & 3rd Mon, 4pm, La Jolla Recreation Center

SUPPORTING DOCUMENTS: Minutes of 6-02-2008, 6-16-2008.

1. **JOSE'S COURTROOM** (6-2-2008 Action)

PDO ACTION: APPROVED 4-0-2-1

1037 Prospect Street – 182 sq. ft. sidewalk café adjoining existing restaurant.

2. **MARENGO-MORTON SIGNAGE** (6-2-2008 Action)

PDO ACTION: APPROVED 6-0-0

7724 Girard Avenue – New building signage.

3. **CHANGE IN REGULAR MEETING DATE TO 2nd Monday** (6-16-2008 Action)

PDO ACTION: APPROVED 7-0-0

Change from 1st & 3rd Mondays to simply 2nd Mondays.

B. Coastal Development Permit Review Committee (CDP)

Chair: **Tony Crisafi**, 2nd & 3rd Tues, 4pm, La Jolla Recreation Center

SUPPORTING DOCUMENTS: Committee Report for June 2008

1. **LYONS RESIDENCE** (6-17-2008 Final Review)

CDP ACTION: FINDINGS CAN BE MADE, 5-0-1

7515 Miramar Avenue – new block wall and wood fence in public alley right of way

2. **FRAPWELL EASEMENT ABANDONMENT** (6-10-2008 Final Review)

CDP ACTION: FINDINGS CAN BE MADE, 5-0-0

6722 Vista Del Mar Avenue - Drainage Easement Abandonment with private lot and adjacent to Neptune Place.

3. **FISHBURN GRADING** (6-17-2008 Final Review)

CDP ACTION: FINDINGS CAN BE MADE with Conditions, 6-0-0

1605 Clemson Circle - Permitting illegal grading and stockpiling of fill on a vacant lot. The lot has never been legally developed.

C. La Jolla Shores Permit Review Committee (LJSPRC)

Chair: **Tony Espinoza**, 4th Tues, 4pm, La Jolla Recreation Center

SUPPORTING DOCUMENTS: Committee Report for 6-24-2008

1. **PLAYA DE ORO TENTATIVE MAP** (6-24-2008 Review)

LJSPRC ACTION: FINDINGS CAN BE MADE with Conditions, 5-0-0

8111 Camino de Oro – Condominium conversion of 17 existing units.

D. Traffic and Transportation Board (T&T)

Chair: **Mark Broido**, 4th Thurs, 4pm, La Jolla Recreation Center

SUPPORTING DOCUMENTS: draft Minutes for 6-26-2006

No items for CPA Action.

9. REPORTS FROM OTHER ADVISORY COMMITTEES

- *Information only unless otherwise noted*

- A. COMPACT (*Community Planners Advisory Committee on Transportation*)
CPA Delegate: **Vacant**, 4th Wed, 6:30pm, 202 C Street 12th floor
- B. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD
CPA Delegate: **Vacant**, 3rd Wed, 4pm, La Jolla Recreation Center
- C. PARKS AND BEACHES, A SUBCOMMITTEE OF THE LA JOLLA TOWN COUNCIL
CPA Delegate: **None**, 4th Mon, 4pm, La Jolla Recreation Center
- D. LA JOLLA PARK & RECREATION, INC.
CPA Delegate: **None**, 4th Wed, 5pm, La Jolla Recreation Center

7:00p

10. CANDIDATE FORUM – Information Only

Opportunity for candidates in the August Special Election to present their qualifications and interest in being a trustee. Final opportunity to announce candidacy.

11. ADJOURNEMENT

Next Regular Meeting: Thursday, 7 August 2008

Coming in August

- ✓ **Special Election to fill 3 trustee seats**
 - Voting opens at 3 pm and closes at 7 pm, La Jolla Recreation Center
 - Only Members can vote, bring ID for membership verification.
 - No electioneering closer than perimeter public sidewalk.

Possible Agenda Items in August – October Timeframe:

- ✓ VONS, 7600 Girard Ave (item pulled by trustees, applicant could not make July 3rd mtg)
- ✓ Site 653 (Hillel) – New application for slightly revised project.
Plans now available for viewing at the La Jolla Library, lower level.
- ✓ Chabad Center – Proposed 11,700 sf facility at 2466 Hidden Valley Road
Traffic Study available for viewing/downloading at <http://www.lajollacpa.org>
- ✓ Children's Pool Lifeguard Tower – City returns with CDP Application
- ✓ UCSD – Parking and Transportation plus other larger Sustainability issues
- ✓ Coastal Permit Exemption – Possible Land Development Code Revision

La Jolla Community Planning Association
Draft Minutes
June 5th, 2008

President: Joe LaCava VP: Glen Rasmussen Secretary: Darcy Ashley

Present: Darcy Ashley, John Berol, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Tim Golba, Joe LaCava, Sherri Lightner, David Little, Tim Lucas, Paul Metcalf, Michael Morton, Alice Perricone, Lance Peto, Glen Rasmussen
Absent: Phil McConkey, Ray Weiss

1. Welcome and Call To Order: The meeting was called to order by President Tim Golba at 6:12pm
2. Request for Agenda modifications- none.
3. May 1st, 2008 Meeting Minutes for review and approval

Approved motion: to approve the minutes of May 1st with no modifications.

Fitzgerald/Berol 13-0-1

In favor: Ashley, Berol, Crisafi, Fitzgerald, Gabsch, LaCava, Lightner, Little, Lucas, Metcalf, Morton, Perricone, Rasmussen

Abstained: Peto

4. President's Report – Tim Golba
 - a. The August election for 2 openings will now be for 3 openings-Sherri Lightner has submitted her resignation as a trustee effective at the end of the meeting. Sherri is devoting her energies full time to running for the open Council District 1 City Council position, since winning a position in the Primary to run in the General Election in November.
 - b. Tim Golba Resignation as President and Trustee- Tim has accepted a position as a commissioner on the City of San Diego's Planning Commission, therefore is resigning effective immediately.
Tim was thanked by the trustees & the audience with a standing ovation for his service to the La Jolla Community Planning Association for the years of hard work & service that he has provided to the group while serving as President.
 - c. Transition of new President. Since the bylaws do not specifically address the resignation of the President, Roberts Rules of Order directs that the Vice President succeeds the President. The position of President is now filled by Joe LaCava. The position of Vice President is now vacant.

President's Report- Joe LaCava

- d. Special Election Rules and Committee- Tim Lucas will chair this committee. The election will be held August 7th from 3pm to 7pm at the La Jolla Rec Center. There are three seats vacant- one seat where the term ends in 2009 (Abrams) and two seats where the term ends in 2010 (Golba & Lightner.) There will be a candidate forum held at the July 3rd meeting. A press release will be issued to announce the openings & to seek qualified candidates. Qualified candidates

must have attended 3 meetings in the past 12 months & meet the eligibility requirements of the group. Please see the bylaws for further information.

- e. Bylaws to City Council Timeline and process- The update to the bylaws will be heard at City Council on June 24th. Lance Peto has agreed to chair a meeting prior to the hearing to discuss the presentation at City Council.
- f. Kelly Residence Appeal (ratify the appeal) This project was approved by the hearing officer at the city on May 14th. An appeal was filed on behalf of the LJCPA by Joe LaCava since the LJCPA denied the project.

Approved motion: Motion to ratify the need to appeal the Kelly Residence to Planning Commission. (Lightner/Rasmussen 13-0-0)

In favor: Ashley, Berol, Crisafi, Fitzgerald, Gabsch, Lightner, Little, Lucas, Metcalf, Morton, Perricone, Peto, Rasmussen

- g. 5956 La Jolla Mesa Drive letter to the City of San Diego
May be on the docket at Planning Commission as soon as June 12th or 19th
Approved motion: to send letter to the City of San Diego requesting information on the approval of this project. (Ashley/Morton 13-0-0)

In favor: Ashley, Berol, Crisafi, Fitzgerald, Gabsch, LaCava, Lightner, Little, Lucas, Metcalf, Morton, Perricone, Peto, Rasmussen

- h. Confirming Room Vote policy per the new Bylaws
Room votes will be taken as requested & included in the minutes.
- i. To meet or not on July 3rd due to Holiday
After a poll of the trustees, there are enough trustees who have committed to attend to hold the July 3rd meeting.
- j. Appointment of Alternates to the CDP & PDO committees.
Michael Morton-CDP. Tony Crisafi- PDO.
Michael Morton requested that the Parking Board appointments be placed on the agenda for the July meeting.
- k. Consider a Cell Phone sub-committee
Tony Crisafi is interested in pursuing information on this issue and will join Mary Coakley in her on-going efforts.
- l. SAY San Diego letter from Pacific Beach representatives- not present.
Continued until they contact us to be placed on the agenda.
- m. Election of Vice-President:
Approved motion: to elect Glen Rasmussen to the office of Vice President.
LaCava/Gabsch 12-0-1
In favor: Ashley, Berol, Crisafi, Fitzgerald, Gabsch, Lightner, Little, Lucas, Metcalf, Morton, Perricone, Peto
Abstained: Rasmussen

5. Treasurer's Report: Jim Fitzgerald
Previous ending balance: \$846.43 Collected at the May meeting: \$97.00
Expenses: \$51.04 Ending Balance: \$ 892.39

Secretary's Report: Darcy Ashley
Sign up sheet were circulated to add email addresses to receive LJCPA agendas.

6. Public Comment:

- A. COMPACT- Delegate: VACANT
Sherri Lightner attended this meeting & made a report that the City was repositioning the City's Capital Improvement Projects (CIP.)
- B. Bird Rock Community Council- Representative: JOE LaCAVA
Taste of Bird Rock is July 17th
- C. UCSD Community Planning: Anu Delouri – is working on a presentation for the community on parking at UCSD, it will be on either the Sept. or Oct. agenda. She provided update information on several pending projects.
- D. Sheila Harden: CCDCC- provided information on the newly opened Children's Museum & Park. CCDCC has a new program for addressing the crisis of elderly people becoming homeless.
- E. Mary Coakley- The map project at La Jolla Shores is nearing completion. The announcement of ribbon cutting ceremonies will be announced when the construction is completed.
There is active fundraising for Playground equipment in La Jolla Shores – the target goal is to raise \$150,000. On Saturdays & Sundays there will be a table of volunteers raising the funds at the location.
- F. Tim Golba- Hillel Academy has submitted a new project under the sustainable expedite program. The project manager is Dan Stricker.
- G. Phil Merten- the La Jolla Shores Life Guard Station has been appealed & will be heard at Planning Commission on July 10th.

7. City of San Diego Planning Department: Lesley Henegar- present, no report.

8. Council District 1 Scott Peters- representative Keely Sweeney- not present

9. Council District 2 Kevin Faulconer – representative Thyme Curtis- not present
LaCava- relayed that Mount Soledad Road will not be re-opened to through traffic until October.

10. COMMITTEE REPORTS & CONSENT ITEMS:

A.) Planned District Ordinance (PDO) - Chairperson: JOE LACAVA

A. Vons #2323, 7600 Girard Avenue, Zone 1.

MOTION: Paint program is acceptable (Collins/Gabsch) 9-0-0

MOTION: Signage appears to conform (Wagenseller/Gabsch) 6-3-0

Pulled from the consent agenda by: Gabsch/Lightner

B.) Coastal Development Permit (CDP) - Chairperson: TONY CRISAFI

- 1.) STALLINGS RESIDENCE (May 20, 2008 action item) APPROVED 7-1- 0
7604 Country Club Drive – new 2,459 square foot single family residence
- 2.) MIZE RESIDENCE (May 20, 2008 action item) APPROVED 8- 0- 0
6634 Michealjohn Drive – new 4,875 square foot single family residence

Approved motion: To accept the recommendation of the CDP committee to approve the Stallings & Mize projects and forward the recommendation to the City.

Gabsch/ Fitzgerald (11-0-1)

In favor: Berol, Crisafi, Fitzgerald, Gabsch, Lightner, Little, Lucas, Morton, Perricone, Peto, Rasmussen

Abstained: Ashley

- 3.) T- MOBILE ALTA LA JOLLA (May 20, 2008 action item) DENIED 5- 2- 0
1570 Alta La Jolla Drive – new 3 antenna wireless communication installation

Approved motion: To accept the recommendation of the CDP committee to deny the T-Mobile La Jolla Alta project and forward the recommendation to the City.

(Gabsch/ Fitzgerald 12-0-0)

In favor: Ashley, Berol, Crisafi, Fitzgerald, Gabsch, Lightner, Little, Lucas, Morton, Perricone, Peto, Rasmussen

C.) La Jolla Shores Permit Review Committee (LJSPRC)-
Chairperson: TONY ESPINOZA

- 1.) ALLEN RESIDENCE (MAY 27, 2008 action item) APPROVED 4-0-0
2737 Torrey Pines Road – remodel to a single family home
- 2.) STERN RESIDENCE (MAY 27, 2008 action item) APPROVED 4-0-0
8704 Glenwick Lane – remodel to a single family home

Approved Motion: To accept the recommendation of the LJSPRC to approve the Allen & Stern projects and forward the recommendations to the City. (Fitzgerald/ Morton 12-0-0)

In favor: Ashley, Berol, Crisafi, Fitzgerald, Gabsch, Lightner, Little, Lucas, Morton, Perricone, Peto, Rasmussen

D.) Traffic and Transportation (T&T) - Chairperson: MARK BROIDO
THERE WAS NO MEETING IN MAY

- 11.) BIRD ROCK STATION – Presentation of the plans brought forth to Planning Commission on May 22nd, 2008 for review and possible action.
Opening remarks were made by owner Michael Krambs, followed by a presentation by project architect Mark Lyon.

Public comments:

In favor of the project: Jacqueline Zustiak, Phil Merten

Undecided: Andrew Jabro, Sally Fuller, Mike McCaughey

Opposed: Martin Bunzl, Pat Granger, Mike Costello, Roger Wiggans, Dale Barbour, Fritz Ortlieb, Howard Singer

34 submitted speaker slips, but declined to speak (2 in favor, 32 opposed.)

Each trustee had the opportunity to speak.

Failed motion: To approve the project with the following conditions: Morton/ Perricone 3-8-1

In favor: Morton, Perricone, Peto

Opposed: Berol, Crisafi, Fitzgerald, Gabsch, Lightner, Little, Lucas, Rasmussen

Abstained: Ashley

Approved Motion: the La Jolla Community Planning Association reject the project known as Bird Rock Station. This rejection reflects the following considerations:

- That Bird Rock Station (the Project) does not comply with the current Planned District Ordinance (PDO), including, but not limited to, incorporation of a third story in the design.
- That the public benefits claimed for this project are insufficient to justify the requested deviations from the La Jolla PDO.
- That approval of the third story element in the Project establishes a precedent that significantly diminishes the enforceability of key elements of the current PDO for future developments in La Jolla.
- That the three story element can not be justified as just a deviation to the PDO and should require a variance.

(Little/ Fitzgerald 7-4-1)

In favor: Berol, Fitzgerald, Gabsch, Lightner, Little, Lucas, Rasmussen

Opposed: Crisafi, Morton, Perricone, Peto

Abstained: Ashley

A room vote of the audience was taken:

In favor of the motion: 24

Opposed: 6

12.) STORM WATER UPDATE - Jennifer Nichols Kern from the City Storm water division with an update- not present. Will return in August.

13.) TASTE OF BIRD ROCK STREET CLOSURE – proposed street closure of La Jolla Boulevard for the evening of July 17th (reviewed by the full CPA since there was no T&T meeting this month)

Approved motion: To approve the proposed street closure of La Jolla Blvd for July 17th for the annual “Taste of Bird Rock” event. (Morton/Peto 12-0-0)

In favor: Ashley, Berol, Crisafi, Fitzgerald, Gabsch, Lightner, Little, Lucas, Morton,

Perricone, Peto, Rasmussen

- 14.) COSTABELLE STRIPING PLAN** – pulled for discussion from T&T Agenda to review the proposed striping plan as a method to slow traffic

Approved motion: To accept the recommendation of the T&T committee to approve the Costa belle Striping Plan and forward this to the City. (Lightner/Peto 11-0-1)

In favor: Ashley, Berol, Crisafi, Fitzgerald, Gabsch, Lightner, Little, Lucas, Morton, Perricone, Peto

Abstained: Rasmussen

Adjourned to July 3rd, 2008

Submitted, Darcy Ashley 6-6-08

Honorable Jerry Sanders
City of San Diego
202 C Street
San Diego, CA 92101

Dear Mayor Sanders:

The La Jolla Community Planning Association is very concerned about headshops/smoke shops that sell illegal drug paraphernalia in our communities. Although there are currently none in La Jolla, neighboring communities have not been so fortunate. Communities like Pacific Beach and the College area have observed a dramatic increase in the number of these stores. Teenagers in La Jolla are less than a five-mile drive from some sixteen of these retailers. We are surprised and disappointed that headshops have been able to proliferate in our City.

Teen drug use is a serious concern. We understand that in the San Diego Unified School District more 11th grade students smoked marijuana than tobacco in the last 30 days and that marijuana use is the #1 drug of choice for teens entering drug treatment programs in our County. Headshops not only provide easy access to paraphernalia used to smoke marijuana, but the sale of marijuana and other drug paraphernalia in a retail setting sends the message that marijuana use is an accepted and normal part of community life. This message is contradictory and undermines the message that parents, schools, the media, and government is trying to send to our children.

We have learned that state law is very clear on the issue of the sale of drug paraphernalia for marijuana use. The State Health and Safety Code section 11014.5 defines drug paraphernalia with a list that specifically includes bongs, and section 11364.7 makes it illegal to sell this drug paraphernalia. Additionally, the 'Tobacco Retailers Ordinance', passed by the San Diego City Council in 2007 included a clause which requires revoking the business license if the owner knows, or reasonably knows, that the paraphernalia will be used with controlled substances. We urge you to reject the excuse proffered by smoke shop owners and clerks that their wares are legal because they can be used for tobacco.

We are anxious for our Mayor, City Council and City Attorney to protect our communities from these predatory businesses. The La Jolla Community Planning Association joins other community groups in asking that the state law and city ordinance to eliminate the sale of illegal drug paraphernalia be enforced. Please relay the message to both the City Attorney and the Police Department of our desire to rid San Diego neighborhoods of these problem stores entirely.

We look forward to your response.

Sincerely,
La Jolla Community Planning Association

Joe LaCava, President

cc: All San Diego City Council Members
City Attorney Michael Aguirre