



Torrey Pines Community Planning Board

PO Box 603, Del Mar, CA 92014

www.torreypinescommunity.org

BOARD MEMBERS: Morton Printz, Chair, tpcpb1@hotmail.com, mprintz@ucsd.edu; Cliff Hanna, Vice-Chair; Diana Scheffler, Secretary; Carole Larson, Treasurer; Faye Detsky-Weil, Past Chair; Michael Belch; Barbara Cerny; Greg Heinzinger; Janie Killermann; Lawrence Lansdale; Debbie Carpenter; Philip Raphael; Tom Slipper; Pat Stewart.

TPCPB - REGULAR MONTHLY MEETING THURSDAY, MARCH 13, 2008 at 7:00 PM MINUTES

PRESENT Morton Printz, Chair; Cliff Hanna, Vice-Chair; Diana Scheffler, Secretary; Carole Larson, Treasurer; Faye Detsky-Weil, Past Chair; Barbara Cerny; Greg Heinzinger; Janie Killermann; Philip Raphael; Tom Slipper, Pat Stewart.

ABSENT: Michael Belch; Debbie Carpenter; Lawrence Lansdale.

ITEM #1 Chair Morton Printz called the meeting to order at 7:00 pm and Board members introduced themselves.

ITEM #2 NON-AGENDA PUBLIC COMMENT

Dave Henderson of 2770 Caminito Eldorado spoke about his experience at the Connectors Steering Committee meeting. When he inquired how individuals are to communicate their opinions to the Committee he was told that the Planning Board is the intermediary and is represented on the Steering Committee. Mr. Henderson proposed that in order to increase the level of communication and to make it orderly, the TPCPB form a sub-committee to collect information from all sources, and present it to the community at the sub-committee meeting. As an example of the kind of information available, he brought hand-outs of photos, surveys, and web-site addresses for Board members.

Doug Harvey of 2747 Caminito Cedros spoke about noise abatement possibilities, a subject he is familiar with from his work in risk abatement of hazardous materials. He pointed out that Caltrans is bound by Federal Code stating their purpose as helping to protect the public health and welfare, and that the same code states that noise abatement measures have to be reasonable and feasible. Mr. Harvey suggested that the community needs to define what is reasonable, and he listed several existing technologies that are feasible. He offered to participate in a noise abatement subcommittee.

Anna Cotton of 13133 Caminito Pointe Del Mar was representing the 98 homeowners of Point Del Mar. The Homeowners Association passed a resolution against any flyover from I-5 south to SR-56 east. She asked for support from the TPCPB and pointed out that this would not eliminate the hybrid solution.

Bruce Jackson of 13427 Portofino Drive has been heavily impacted by noise pollution and was also told that the planning group was the best forum to address. He would like the TPCPB to be more involved in the issue, and has the impression the Board has been somewhat detached.

Michael Foster of 12923 Biscayne Cove expressed his concern about the new temporary Caltrans offices at Carmel Valley Road. The fact that the TPCPB had no input or knowledge of Caltrans plans indicated a lack of respect on the part of Caltrans for the community. He suggested that the help of local attorneys might establish if Caltrans is operating beyond its jurisdiction.

Noel Spad of 2758 Caminito Cedros spoke for the Del Mar Villas Association, but also for herself. She expressed her outrage that a neighborhood is being disrupted and a great deal of public expense being incurred so that people from other neighborhoods might save a couple of minutes on their way to work. She emphasized that we as individuals have the power to stop the process if we all contact the media and our elected representatives.

Discussion followed; these points were made:

- TPCPB has been concerned and active on the issue for some time, and supports the efforts of community members, but is a creature of the City and subject to certain constraints
- The Board can be an open forum, and opinions expressed should be taken to the Steering Committee, but that ultimately it is up to community members as individuals to take action.
- Members are not necessarily creatures of the City, but representatives of the community
- City does not follow the law with respect to bicycle safety and is unlikely to do so in this context either
- Agreement that the Board cannot enter into law-suits with the City, but we can meet with public officials and use our representation on the Steering Committee to convey our community's needs and opinions, and we should be aggressive in doing that.

Chair Morton Printz concluded the discussion by saying that the sub-committee suggested by Mr. Henderson would be productive link between community and Board and Steering Committee.

Sherri Lightner of 8551 La Jolla Shores Drive, La Jolla, Candidate for City Council District 1, introduced herself and indicated that she would be happy to talk with anyone after the conclusion of the Board meeting.

ITEM #3

GENERAL ANNOUNCEMENTS BY THE CHAIR

Morton Printz reported that he had called the City three weeks earlier regarding potholes on Mango at Del Mar Heights Rd. Nothing has been done. He encourages all to call.

The draft EIR for Miramar will be available soon and the Chair will ask the Project Review for its analysis.

Morton has purchased a copy of Robert's Rules and believes the Board is operating in general conformance with those standards and in conformance with Council Policy 600-24.

ITEM #4

MODIFICATIONS TO THE AGENDA

There were several suggestions: Label the first occurrence of Item # 11, 11b, and the second, 11a, moving it ahead of 11b; move both 11a and 11b up to follow Item # 6 because of the number of people in the audience who had come to hear those items; and a report on plans for fundraising be attached to Item # 6.

Motion: Greg Heinzinger moved and Philip Raphael seconded that the agenda be adopted with the above changes. The motion passed unanimously (11, 0, 0).

ITEM #5

APPROVAL OF PRIOR MEETING MINUTES

Motion: Diana Scheffler moved and Janie Killermann seconded that the minutes of the February 14, 2008 meeting be adopted as distributed electronically to members. The motion passed (9, 0, 2, Greg Heinzinger and Morton Printz abstaining as they were not present at the February 14th meeting).

ITEM #6

TREASURER'S REPORT – Carole Larson reported \$59.00 in the treasury.

She made a proposal for sponsorship of the web-site by interested community businesses. There would be an annual fee of \$300 for a banner on the home page, and \$250 for other pages. The sponsor would provide the artwork and placement would be at the discretion of the webmaster. Carole indicated that she already has two interested sponsors.

Motion: Carole Larson moved and Janie Killermann seconded that the proposal be accepted. After some discussion, the motion was amended to approve the charges, and to require that some guidelines for screening potential sponsors to be approved at a future Board meeting. Pat Stewart seconded the amended motion which passed unanimously (11, 0, 0).

Janie Killermann reviewed the success of the community garage sale organized by her real estate company last September for homes south of Del Mar Heights Road which raised about \$150 for the Board.

Motion: Janie Killermann moved and Faye Detsky-Weil seconded that there be such a community-wide garage sale north of Del Mar Heights Road on May 3, 2008. Those who participate may voluntarily donate 10% of the proceeds to either one of the schools in the community or to the TPCPB. Two members of the audience recorded their opinion that the TPCPB was giving an unfair advantage to the real estate company in question (identified as Campbell and Cohen Prudential). There was some discussion about postponing the decision due to these complaints. Ultimately the vote was taken in light of the Board's lack of finances which makes it difficult to address important issues. The motion passed, (9, 2, 0, with Philip Raphael and Cliff Hanna opposed).

ITEM #11a

DISCUSSION & CONSIDERATION OF MOTION PERTAINING TO BOARD'S POSITION ON I-5 / SR-56 CONNECTORS AND I-5 WIDENING

Philip Raphael explained his reasons for requesting that the Board take a firm up or down position on the connectors rather than the stop-gap positions taken over many months. Caltrans exists to build roads. Over the past 17 years, I-5 has been widened twice. Public transportation as an alternate solution seems never to be discussed.

Points raised by community members in the subsequent discussion were:

- It is not realistic to take a position against connectors. Residents in nearby communities want them. We must maintain a negotiating position.
- Board has already taken a position against any flyovers years ago. That position still stands.
- To oppose any connector is risky; connectors can be many things including the improvement of surface streets.
- The hybrid option of a flyover on the east with improved street access on the west is more acceptable to some.
- Cliff Hanna's "FAQ" sheet on the issue is being reviewed by City staff. That sheet addresses the no-build option required for the EIR; it is very rarely the preferred alternative, but could be the best environmentally. The hybrid option is also possible, but it is true that Federal funding generally requires that access be equal on both sides of the freeway. Public pressure has been successful in forcing the "skinny" alternative to be seriously considered.

- To vote against connectors would make nonsense of our representation on the Steering Committee.
- There are really two issues: the widening of I-5, and the connectors to SR-56.
- Noise is also an issue but does not necessarily concern the wider community
- People picking up the phone to the Mayor or Council representative have clout
- Board can be a stronger link between the people and the Steering Committee if process could be more organized
- Steering Committee was set up voluntarily and has had difficulty dealing with public input but that is supposed to change

Motion: Philip Raphael moved that the Board take a position opposing any connector between I - 5 and SR-56. There was no second. The motion died.

Motion: Philip Raphael moved and Diana Scheffler seconded that the Board oppose the widening of I-5.

Various comments were made in response to this motion:

- This action could limit desirable options such as the introduction of a mass transit lane.
- Noise is being dealt with in other jurisdictions by the use of rubberized asphalt
- Solana Beach has ruled that connectors and roads can only be built in the public right-of-way; that no private property can be appropriated
- A good law firm would help strengthen our position

The vote was taken and the motion passed (6, 5, 0, with Cliff Hanna, Janie Killermann, Pat Stewart, Greg Heinzinger, and Carole Larson opposed).

ITEM #11b

REPORT ON EFFORTS BY LOCAL CITIZEN ‘STOP’ COMMITTEE AND REQUEST FOR BOARD POSITION

Motion: Pat Stewart moved, and Janie Killermann seconded that the Board support STOP’s resolution that:

1. the City of San Diego and Caltrans issue an immediate statement that no residential property will be taken between Del Mar Heights Road and Carmel Valley Road to support the widening of I-5 or for the building of SR-56 connectors
2. Caltrans take immediate action to mitigate the excessive freeway noise levels in the Del Mar Heights Road / Carmel Valley Road corridor

The subsequent discussion included the following points:

- The resolution does not preclude our fight for other rights
- Board is already on record as supporting the first part; the second part is key
- There exists a possibility in the “skinny” solution that private land will be taken

The motion passed unanimously (11, 0, 0).

ITEM #12

NOMINATING AND ELECTIONS COMMITTEE

As ballot counting was complete by this time, the announcement of the election results was made.

In Area 2, south of Del Mar Heights Road, Michael Foster was elected; Philip Raphael was re-elected as was Faye Detsky-Weil, with the two thirds majority required by her having served 9 consecutive years.

In Area 3, north of Del Mar Heights Road, Pat Whitt and Dennis Ridz were elected.

Business candidate Greg Heinzinger was re-elected.

Members Lawrence Lansdale and Tom Slipper had insufficient votes to win re-election.

ITEM # 7

PROJECT REVIEW COMMITTEE - Report of March 6th PRC Meeting

1. Janie Killermann reported that discussion on Verizon's application for permits to build a wireless communication facility at the northwest corner of Del mar Heights Road and Mercado Drive would be continued at the April 3 Project Review Committee meeting (later postponed at Verizon's request.)

The project would result in improved cell phone coverage in the area. The Deputy Director of Parks has undertaken to study the possibility of a small park on the site. A representative from Real Estate Assets will attend the next PRC meeting; the Mayor intends to be aggressive in selling City land.

There is some confusion as to whether the City will require the project to be undergrounded. Since this would alter the nature of the permitting and approval process, it makes sense to delay the next PRC hearing until the City's position is clarified.

2. With regard to the Mueller Residence, Janie explained the proposal to adjust the lot line between the two parcels owned to add 10 feet to the northerly property and reduce the southerly lot by 10 feet enabling the construction of a new garage, accessory office, and spiral staircase on the northern property without the need for a variance.

Motion: Janie Killermann moved and Greg Heinzinger seconded that the project be approved. The motion passed, (10, 0, 1 with Diana Scheffler abstaining).

EXTENSION OF MEETING TIME

Motion: Greg Heinzinger moved and Barbara Cerny seconded that the meeting be extended to enable completion of the agenda. The motion passed unanimously (11, 0, 0).

ITEM #8

INFORMATION UPDATES

City Planning and Community Investment Department - Lesley Henegar was not present

City Council District 1, Council President Scott Peters Office – Chanelle Hawken reported that she had attempted to respond to a complaint regarding graffiti on the sidewalk, but to be effective, she must have a street address. There followed some questions for Chanelle and discussion regarding the responsiveness of the Connectors Steering Committee. Chanelle will follow up on that, check the progress of the review of Cliff Hanna's FAQ sheet, and find out whether there is any legal constraint in publishing the Caltrans planning maps on the TPCPB web site.

Mayor Sanders' Office – Stephen Lew was not present

County Supervisor Pam Slater-Price's Office – Aaron Byzak had to leave the meeting earlier, but left copies of Supervisor Slater-Price's newsletter for distribution, highlighting the completion of a new complex for the Medical Examiner.

State Senator Kehoe's 39th Senate District Office – Andrew Kennerly was not present

Assemblyman Garrick's 74th Assembly District Office – No representative was present

Congressmember Brian Bilbray's District Office – Marc Schaefer was asked several questions:

Is it true that the Federal Government can withhold funds if the hybrid approach to the connectors issue prevails? Answer, supported by Sherri Lightner from the audience: Not likely. The funds are administered by the City. Marc Schaefer will speak to Marie Joyce of Mark Garrick's office to remind her of this issue.

What is Brian Bilbray's position on mass transit? Answer: He supports mass transit provided there is the required critical mass of users.

With regard to various members' complaints that Caltrans is not abiding by Federal requirements on the noise issue, Marc asked Cliff Hanna to send him a copy of Caltrans' statements for his review. Marc also suggested that this issue be brought to the attention of Senator Kehoe and Assemblyman Garrick.

ITEM #9

MECHANISM FOR ADDING ITEMS TO MEETING AGENDA

This issue will be carried over to the next meeting, along with clarification on voting procedures and guidelines on abstentions.

ITEM #10

REPORT ON THE SR-56 – I-5 CONNECTORS STEERING COMMITTEE MEETING

No report was necessary in light of discussions already held.

ITEM #13

APPOINTMENT OF BOARD OR PUBLIC MEMBER (as Board representative) TO THE SAN DIEGUITO RIVER PARK CITIZEN'S ADVISORY COMMITTEE.

This issue will be carried over to the next meeting.

ITEM #14

APPOINTMENT OF BOARD OR PUBLIC MEMBER (as Board representative) TO THE DEL MAR LAGOON COMMITTEE AND SAN DIEGUITO RIVER VALLEY CONSERVANCY

This issue will be carried over to the next meeting.

ITEM #15

DISCUSSION OF CALTRANS STRUCTURE ON CARMEL VALLEY ROAD

This issue will be carried over to the next meeting.

ITEM #16

REQUEST FOR BOARD SUPPORT OF THE CREATION OF WORKING GROUP TO EXPLORE DEVELOPMENT OF A MASTER PLAN FOR SORRENTO VALLEY

This issue will be carried over to the next meeting.

ITEM #17

POSSIBLE INFORMATION REPORTS

Railroads & Mass Transit – Morton Printz - no report

Web Site – Carole Larson – no report

Operational Procedures, Goals, and Scope of Project Review Committee – Diana Scheffler – no report

COMPACT – Morton Printz – no report

Parks & Recreation – Faye Detsky-Weil reported that she had spoken with Judy Kummer of the Torrey Pines State Park and found that the closing of the trail from the school playground into the Park had been requested by the school and was not an initiative of Park staff.

Action item: Cliff Hanna will speak to School Principal Wendy Wardlow about the issue.

Faye also noted the formation of a Neighborhood Watch Group in Del Mar Heights, and the existence of a Del Mar Height yahoo e-mail group.

Noise and Urban Environment – Philip Raphael – no report

Transportation Committee - Cliff Hanna – no report

Telecommunications in an Urban Setting – Greg Heinzinger – no report

Pedestrian & School Safety – Faye Detsky-Weil, Tom Slipper – no report

County Service Agency 17 Representative – Barbara Cerny / Tom Slipper – no report

Carmel Valley Road Enhancement Project – Cliff Hanna – no report

ITEM #18

NON-AGENDA ITEMS CONSTITUTING NEW OR FUTURE BUSINESS

None

ITEM #19

ADJOURNMENT

Janie Killermann moved, and Cliff Hanna seconded, that the meeting adjourn. The motion passed unanimously (11, 0, 0) and the meeting adjourned at 9:55 pm.