



# Torrey Pines Community Planning Board

PO Box 603, Del Mar, CA 92014

[www.torreypinescommunity.org](http://www.torreypinescommunity.org)

**BOARD MEMBERS:** Morton Printz, Chair, [tpcpb1@hotmail.com](mailto:tpcpb1@hotmail.com); [mprintz@ucsd.edu](mailto:mprintz@ucsd.edu); Cliff Hanna, Vice-Chair, [cshanna@sbcglobal.net](mailto:cshanna@sbcglobal.net); Diana Scheffler, Secretary, [DScheffler@san.rr.com](mailto:DScheffler@san.rr.com); Carole Larson, Treasurer; Faye Detsky-Weil, Past Chair; Barbara Cerny; Michael Foster, Greg Heinzinger; Kenneth Jenkins; Janie Killermann, DPRC Chair, [jkillermann@gmail.com](mailto:jkillermann@gmail.com); Philip Raphael; Dennis Ridz, Pat Stewart, Pat Whitt.

## Meeting minutes for THURSDAY, JANUARY 8, 2009

*Present:* Morton Printz, Cliff Hanna, Diana Scheffler, Carole Larson, Barbara Cerny, Michael Foster, Greg Heinzinger, Kenneth Jenkins, Janie Killermann, Philip Raphael, Dennis Ridz, Pat Stewart

*Absent:* Faye Detsky-Weil, Pat Whitt

**CALL TO ORDER / INTRODUCTIONS** – Chair Printz called the meeting to order at 7:03 pm and members of the Board introduced themselves.

**A. NON-AGENDA PUBLIC COMMENT** – There was no request for public comment.

**B. GENERAL ANNOUNCEMENTS BY THE CHAIR** – None

**C. MODIFICATIONS TO THE AGENDA** – Member Raphael asked for time on the agenda to present his resignation from the Board.

*Motion:* Carole Larson moved and Michael Foster seconded that Item 5a be added to the agenda to accommodate Member Raphael's request and that the agenda be approved as amended. The motion passed unanimously (10, 0, 0, two members not having yet arrived)

**D. REVIEW AND ACTION TO APPROVE PAST MEETING MINUTES**

*Motion:* Secretary Diana Scheffler moved and Cliff Hanna seconded that the minutes for the meeting of December 11 be adopted. The motion passed (8, 0, 2) with Barbara Cerny and Cliff Hanna abstaining because they had not been present at the meeting in question.

**E. REPORT BY TREASURER** – Treasurer Carole Larson reported no change in the balance.

**F. CONSENT AGENDA ITEMS** –

F1. Katriel Residence, Project No. 157390, 2224 El Amigo Road, Coastal Development Permit to construct a 4,006 sq. ft. single family residence on a vacant 0.16 acre site

Dennis Ridz had chaired the Subcommittee meeting in Janie Killermann's absence, and explained that neighbors had planned to pursue discussion with City staff on the accuracy of the measurements qualifying the project to meet the floor area ratio requirements. The Subcommittee had approved the project based on the assumption that these measures were accurate. No further word had been received from the neighbors. Cliff Hanna asked for an explanation of the abstentions in the Subcommittee vote. Mort Printz had abstained as Chair, Marcia Asbeck had abstained because of conflict of interest, and Dennis Ridz abstained because of his concern for public views.

*Motion:* Pat Stewart moved and Diana Scheffler seconded accepting the consent agenda. The motion passed unanimously, (11, 0, 0).

## **G. INFORMATION UPDATES**

**San Diego Police Department** – Officer Gaylon Sells answered questions about crime statistics in the Torrey Pines area (one incident since December 1, 2007); mentioned concerns about the inability of the City to provide supervision for the new skateboard park in Carmel Valley; announced the SDPD Northwestern Community Forum on January 15; and clarified the requirement for solicitors to have a permit. He was not able to answer a question about the lack of a speed limit sign associated with the traffic calming signs on Del Mar Heights Road as this is not a police department, but a City Traffic Engineering Department issue.

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

**City Council District 1, Council Member Lightner Representative** - Kyle Haverback reported that our stop sign requests in three locations (Mango at Vantage, Recuerdo at Vantage and El Amigo) are being processed; Carol Larson's inquiry about the possibility of using banners on Del Mar Heights Road will be taken to City Council; and he will get a contact for us regarding the sand and weeds that accumulate on the sidewalk and regarding graffiti on gates in the sound wall. Dennis Ridz asked about difficulties in getting a response to a report of a collapsed portion of a street, and Mr. Haverback advised us in future to contact the Council office in such matters.

**Mayor Sanders' Office** - Stephen Lew was not present.

**County Supervisor Pam Slater-Price's Office** - Aaron Byzak was not present.

**State Senator Kehoe's 39<sup>th</sup> Senate District Office** - Andrew Kennerly was not present.

**Congress member Brian Bilbray's District Office** - Marc Schaefer was not present.

**ITEM #1 Freeway sound on Minorca Cove** Dennis Ridz introduced Mr. Judd Overgard and Mr. Norman Ratner of Minorca Cove who are seeking solutions to the increasing sound from Highway 5. This issue is now affecting residents north of Del Mar Heights Road, but those to the south who have some experience with sound barriers are pessimistic about their success. The Chair and Vice Chair emphasized that this is a City-wide issue which will play out over a ten-year time period. Kyle Haverback indicated that Councilmember Sherry Lightner is interested in pursuing the issue.

*Motion:* Cliff Hanna moved and Kenneth Jenkins seconded that the Chair send a letter to Councilmember Lightner's office in support of a noise education workshop for the public. The motion passed unanimously (12, 0, 0)

*Action:* Chair Printz will:

1. notify Mr. Ratner, (and Anna Cotton of Pointe Del Mar as requested by Dennis Ridz) when the planning board chairs will be discussing freeway noise as a City-wide issue
2. send the letter to Councilmember Lightner regarding the workshop.

## **ITEM #2 Operating Guidelines for the Development Project Review Committee**

*Motion:* Pat Stewart moved and Carole Larson seconded that the proposed guidelines be adopted. Chair Printz indicated in answer to a question by Dennis Ridz that the guidelines address the City's issue of timely completion of reviews; the Board can ask for an extension of time in the absence of full documentation of the project. The vote to approve the Guidelines was unanimous, (12, 0, 0)

## **ITEM #3 Council Policy 600-24, By Laws and policies on board voting and board**

**absences** - Morton Printz apologized that he had not brought along copies of Policy 600-24. In answer to Member Raphael's reading of a Wikipedia definition of the term "abstention", he explained that the City's use of the term is not as broad and does not include cases of ambivalence or mild disapproval. The Policy does require that a member abstaining from a vote state the reason. As for abstention by the Chair, Board Parliamentarian Michael Foster explained that a chair is not a voting member of a group, and thus has no need to abstain. Chair Printz elaborated further that if he takes a position on an item, he cannot fairly lead the discussion. Greg Heinzinger offered that, consistent with the Chair's position, a member planning to abstain should not express any opinion on the issue and makes it clear at the beginning of the discussion that she or he will be abstaining.

*Action:* Chair Printz undertook to print and distribute Council Policy 600 - 24 to all Board members, and to ask the District Attorney's office to brief the Board for a full discussion of the subject at the February meeting.

On Board absences, Chair Printz noted that Mickey Belch has had 5 absences. In the Chair's conversation with Member Belch regarding the requirement that the position be considered vacated after five absences, Member Belch had expressed his disappointment, and indicated that he might run for re-election. The Chair pointed out that the Board would appear to be losing another member, Faye Detsky-Weil, absent tonight for the fifth time.

*Motion:* Michael Foster moved, and Dennis Ridz seconded, that in light of the fact that one absence was for the special meeting, Faye Detsky-Weil be retained as a member, provided she attends the next meeting in February. At the Chair's suggestion, an amendment was made, that the decision would be "subject to ruling by the City". The motion passed (8, 4, 0) with Carole Larson, Pat Stewart, Greg Heinzinger, and Mort Printz opposed.

*Action:* Chair Printz will check with the City on the ruling and bring back the results to the next meeting.

**ITEM #4 Approval of the Residents and Business Eligibility Form /Questionnaire – Dennis Ridz**

*Motion:* Carole Larson moved, and Barbara Cerny seconded, that the form and questionnaire be approved as presented.

Subsequent discussion led to a new motion:

*Motion:* Michael Foster moved and Barbara Cerny seconded that the form be approved with minor changes to indicate that e-mail communication be acceptable, and that the eligibility qualifications be given on the forms. The motion passed unanimously (12, 0, 0).

As part of the discussion, it was established that the Elections Committee consists of Dennis Ridz and Michael Foster.

**ITEM #5 Report on Caltrans Steering Committee meeting** - Michael Foster reported that the meeting had been well attended by Caltrans staff and their consultants, by City staff, and by Council Member Sherry Lightner, but that no representatives of the Carmel Valley Planning Board had been present. Michael Foster had had some difficulty at the meeting in getting a response from Caltrans to his points that congestion on eastbound SR-56 originates where the route is reduced to 2 lanes and that the evening congestion occurs there mainly from traffic from northbound I-5 which would not be utilizing a flyover in any of the Caltrans proposed solutions. The direct connector solution appears to be the most advantageous in reducing congestion because it is the only solution that adds four lanes in each direction, but the key to planning is the number of lanes, not the type of connector. Member Foster distributed a written summary of his points.

Dennis Ridz reported that, while Caltrans had responded to requests to provide additional simulations from photos of specific sites, the simulations were not from the same perspective or at the same scale.

In answer to a question from Pat Stewart about the Board's objectives, Cliff Hanna, Transportation Chair indicated that the Board has voted against the

flyover and against the widening of I-5. A solution has not been endorsed, and our purpose, perhaps not shared by residents of the area, is to make sure that tax dollars are used wisely.

Chair Printz asked Dennis and Michael to explore a new hybrid solution proposed by Caltrans, a solution that is more expensive, but retains a connection with El Camino Real. He would like the Board to be able to take a position on that alternative.

**ITEM #5a RESIGNATION** – Philip Raphael expressed his disappointment in the conduct of Board business, noting an inordinate amount of time spent on procedural issues and little progress made on substance. He feels that it is no longer the best use of his time to remain a member. Chair Printz expressed his regret and appreciation for Member Raphael's time working toward resolution of freeway noise issues. He credited Member Raphael with progress, pointing out that currently the issue is before the Community Planners' Committee as a City-wide issue. Member Ridz joined the Chair in urging Philip to reconsider. (The decision to resign was not withdrawn.)

#### **ITEM #6 INFORMATION REPORTS – OLD ISSUES**

**Caltrans Steering Committee – appointment of representative for Del Mar Villas** – Kyle Haverback indicated that the request had been received.

**Welcome sign to community on Del Mar Heights Road** – The status of this question was unclear, although Diana Scheffler recalled that at her last meeting, Chanelle Hawkins, representative for Scott Peters, had promised to have a sign erected providing the Board gave her the wording quickly. A fresh discussion developed, resulting in a motion.

*Motion:* Michael Foster moved and Diana Scheffler seconded that at the next meeting's agenda include a discussion of a City-provided signage for the Torrey Pines Community. The motion passed (8, 3, 1) with Dennis Ridz, Pat Stewart, and Mort Printz opposed, and Phillip Raphael abstaining as he will no longer be on the Board in February.

*Action:* Diana Scheffler as secretary will review past minutes to summarize positions already reached by the Board on signage.

**Fundraising** – Janie Killermann confirmed her plans for the April garage sale and distributed a flyer to Board members, encouraging them to get the information out to friends and neighbors. The Chair indicated a need to check with the City Attorney's office before the flyer becomes public.

Diana Scheffler reminded the Board that clarification was needed on the legality of the Board selling a commodity, such as a calendar, in order to raise funds.

*Action:* Chair Printz will check with the City Attorney's Office as to the legality of the garage sale flyer and the sale of commodities for fundraising.

Member Kenneth Jenkins spoke on the possibility of using Denny's Restaurant for fundraising. He would need a flyer or invitation describing an event to be held at the restaurant. With the owner's approval, the Board could benefit from a percentage of Denny's proceeds from the event.

**Stop signs in the Community-** Kyle Haverback indicated that requests are under review at the City.

**Concept of annexing some of University Community area** – Chair Printz has an appointment to meet with Council Member Sherry Lightner on this issue.

**Procedures for "amending" (as opposed to "updating") Community Plan** – Chair Printz indicated that the Community Planners Committee is considering this issue.

**Procedure for dealing with graffiti and maintenance on sound walls** Kyle Haverback is willing to take reports on graffiti, but indicated that Caltrans is the responsible party for the sound walls. However, Philip Raphael pointed out the sound walls on private property pose a different situation.

*Action:* The matter will be put on the agenda for next month's meeting for a definitive resolution.

**Detailing service at Carmel Valley Market** – Diana Scheffler reported that she had investigated the service, determined that as a mobile service it was legal, provided the owner of the detailing service was operating under the terms of a valid business license. However, the Carmel Valley Market owner is aware of the neighbors' displeasure and will not continue to provide space for the mobile detailing unit.

**What comes next in campaign for bus transport?** Diana Scheffler expressed her disappointment that there has been no follow-through by the Board on this important issue. Supporting the development of public transportation in the community would be a positive effort in concert with our policy of discouraging the widening of freeways.

*Action:* Chair Printz asked Secretary Diana Scheffler to prepare a record of issues that have not been followed through.

## **ITEM #7 INFORMATION REPORTS**

Barbara Cerny, County Service Agency 17 Representative, reported that the Agency is conducting research to ensure that all jurisdictions are assessed fairly for the service.

Faye Detsky-Weil: Parks & Recreation; Pedestrian & School Safety - not present  
Cliff Hanna: Transportation Committee - No report  
Greg Heinzinger: Telecommunications in an Urban Setting – No report.  
Carole Larson: Web Site – No report.  
Morton Printz, COMPACT, reported that COMPACT is being incorporated into the Community Planners' Committee.  
Philip Raphael : Noise and Urban Environment – No report.

**ITEM #8 NON-AGENDA ITEMS CONSTITUTING NEW OR FUTURE BUSINESS**

*Action:* In response to a request from Dennis Ridz, Chair Printz asked Secretary Diana Scheffler to prepare a check-list, sorted by month, of the various activities required by the by-laws.

**ADJOURNMENT**

*Motion:* Cliff Hanna moved and Carole Larson seconded that the meeting be adjourned. The motion passed unanimously (12, 0, 0). The meeting was adjourned at 9:25 pm.