



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, cshanna@sbcglobal.net; Diana Scheffler, Secretary, 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; Dennis Ridz, Pat Stewart; Pat Whitt.

Meeting minutes THURSDAY, FEBRUARY 12, 2009

Present: Barbara Cerny, Faye Detsky-Weil, Michael Foster, Cliff Hanna, Kenneth Jenkins, Janie Killermann, Carole Larson, Morton Printz, Dennis Ridz, Diana Scheffler, Patrick Stewart, Pat Whitt

Absent: Greg Heinzinger

The meeting was called to order at 7:04 pm. Members of the Board introduced themselves.

A. NON-AGENDA PUBLIC COMMENT

Jeff Harasha of 14194 Mango Drive presented a petition of 53 signatures in support of a stop sign on Mango Drive at Vantage Way. The Chair will schedule Board approval for the March meeting and if approved pass the petition on the City for processing.

Paige Jacobs (address not recorded) had several questions:

- She would like the Board to pass a resolution against the taking of any property, not just homes, for the sake of freeway development.

Action: The Chair will schedule a resolution regarding the taking of property for freeway development for the March 12 meeting.

- She asked why Del Mar Villas, the community most affected by freeway development, does not have a member on the Caltrans Steering Committee. The Chair responded that the request for that position had been made at the time of transition between council representatives, and that Kyle Haverback, representative for Councilmember Lightner could better answer the question further in the agenda.
- She asked what the process is to recall the Chair of a community planning group. The Chair said she should wait two months; he will no longer be Chair.

Carla La Porte of 2746 Caminito Cedros (Del Mar Villas) expressed her disappointment at the Board's seeming lack of progress in representing the community's objections to freeway development. The Chair asked that Board members who are representative to the Steering Committee respond later in the agenda.

Linda Woolcott of 13122 Caminito Point Del Mar introduced herself as a newcomer in the community and expressed support of the Board for its resolutions on freeway issues, echoing previous speakers' concern that the Board be supportive of their interests.

Priscilla Marquiss responded to the Chair's expression of surprise at this sudden outburst of community feeling on a longstanding issue on which the Board has been clearly supportive. She described frustration on the part of neighbors who see Caltrans proceeding without any concern for them. She believes SANDAG is the body that must be addressed, but does not know how to reach that body.

Kyle Haverback, Representative for Councilmember Lightner, passed out his card as an invitation to contact him; Councilmember Lightner is a member of SANDAG and can help.

Mayor Crystal Crawford of the City of Del Mar was in the audience and asked to address the question. She too is a member of SANDAG. The City of Del Mar has not yet passed any resolution on the freeway issue and will not do so until a specific proposal has been made. Mayor Crawford indicated that there is still ample time for the community to express its needs, encouraged communications with all elected officials, and invited all to attend SANDAG meetings.

B. GENERAL ANNOUNCEMENTS BY THE CHAIR

The project at 10325 Roselle Street is still under review.

There is a new project involving the gas station and 7/11 store on Mango Drive.

The Chair has written to Councilmember Lightner regarding freeway sound issues and the suggestion of a public education workshop.

The Chair has written again to Councilmember Lightner regarding the appointment of Noel Spaid to the Caltrans Steering Committee with David Henderson as an alternate. (Kyle Haverback spoke at this point to assure us that Councilmember Lightner will be responsive; the Mayor's Office is concerned that a balance of representatives for all communities be maintained.)

The Chair noted that he had been asked by Helen and Richard Eckfield to attend a Fair Board meeting on Tuesday, February 10, to urge them to move forward with the train stop segment. However, the request was received late on February 9 and he was unable to attend. He only brings this issue to the attention of the Board.

A letter had been received from Mrs. Therese Tanalski asking that Chuck Overby be invited to present information on the Independent Transportation Network (ITN) for seniors.

Action: The Chair will schedule a presentation on ITN for March or April.

C. MODIFICATIONS TO THE AGENDA

Diana Scheffler asked to be able to distribute reports promised at the last meeting. This was scheduled at Item 11.

Motion: Cliff Hanna moved and Carole Larson seconded that the Agenda be approved as amended. The motion passed unanimously (11, 0, 0; the Chair announcing his decision not to vote from now on.)

D. REVIEW AND ACTION TO APPROVE PAST MEETING MINUTES Secretary Diana Scheffler indicated a need for resolution of a difference of opinion in Item 6 on which stop signs are under review by the City. Various other corrections were made as submitted by members.

Motion: Michael Foster moved and Cliff Hanna seconded that the Minutes be approved as amended, subject to further correction when City correspondence is checked on the stop sign issue. The motion passed (11, 0, 2 with Pat Whitt and Faye Detsky-Weil abstaining because they were absent from the January meeting).

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

F. CONSENT AGENDA ITEMS - None

G. INFORMATION UPDATES (Presentations as presenter is present)

San Diego Police Department – Officer Gaylon Sells was not present

City Planning and Community Investment Department - Lesley Henegar was present to take questions.

City Council District 1, Council Member Lightner Representative - Kyle Haverback reported that:

- Information is pending on the possibility of painting utility boxes.
- His office received an e-mail regarding flooding in Sorrento Valley.
- He will request that Del Mar Heights Road be declared a “banner district” when City Council comes back into session; he noted that funding will be an issue and offered to connect the Board with other communities that have such experience.

A member of the audience asked Mr. Haverback about by-laws or a charter for the Steering Committee as she had been unable to identify any policy to support claims that membership was complete.

Action: The Chair will meet with Kyle Haverback to expedite the process.

Mayor Sanders’ Office - Stephen Lew was not present.

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

State Senator Kehoe’s 39th Senate District Office - Andrew Kennerly was not present.

Assembly member Nathan Fletcher – Oscar Nicholas Urteaga introduced himself. There was some confusion as to whether Assembly Member Fletcher’s district includes any of the Torrey Pines Community as Martin Garrick is State Assembly member for the 74th District. However, Mr. Urteaga urged all those concerned about State issues, such as the freeway expansion, to contact their State representative.

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

H. LISTING AND ORDER OF AGENDA ITEMS FOR FEBRUARY.

ITEM #1 Development Project Review Subcommittee Report on the Tzung Residence Project on Via Grimaldi. Janie Killermann, Chair of the subcommittee reported on the discussion and vote. Scott Spencer, Architect for the project, gave updated information on the sewer easement and on excavation guidelines agreed to by the City. Diana Scheffler presented her opinion that, in keeping with guidelines in the 2008 General Plan, she finds the project too large to be in keeping with sustainable practice. Dennis Ridz asked why the Board could not wait for resolution of the City’s concerns about the project before giving our decision. Leslie Henegar, TPCPB’s representative from the Planning Department, indicated that the City’s concerns are with possible deviations from the Land Development Code while the Board’s concern is only with the application of the Community Plan. Faye Detsky-Weil asked how the floor area ratio relates to the General Plan and Ms Henegar answered that they are two different issues; City staff requires an energy analysis according the State law (Title 24) and projects must be in compliance. Since there are no sustainability guidelines in the Community Plan it is not within the Board’s charge to speak to sustainability. It is beyond the Board’s responsibility to implement the General Plan. Cliff Hanna noted that City staff has made mistakes in implementing the Land Development Code, causing dispute among neighbors; he sees part of the Board’s role to address neighbors’ concerns and mediate such issues. Michael Foster asked if the Tzung Residence could be considered out of scale with the surrounding community, an issue

that is covered in the Community Plan, but he was assured that there are many large houses in the direct vicinity. Chair Printz called the question.

Motion: Janie Killermann moved and Pat Stewart seconded that the project be approved as presented, conditional on verification that the City determines the structure conforms to FAR restrictions, satisfies the City's requirements with respect to the sewer easement and retaining wall within the setbacks, and that the geological survey is approved. Additionally, external lighting should be low voltage and shielded to minimize light spillage; drought tolerant plans should be used wherever feasible; automatic low-precipitation irrigation system should be used; and construction hours will be timed to be respectful of the neighbors. The motion passed (7, 4, 0 with Carole Larson, Faye Detsky-Weil, Dennis Ridz, and Diana Scheffler opposed).

ITEM #2 Board position on requesting State Marine Reserve Status for the San Dieguito Lagoon be upgraded from a "State Marine Park" to a "State Marine Reserve" Pat Whitt, Board representative to the San Dieguito River Valley Park Citizens Advisory Committee, has passed on a request to the Joint Powers Association for the upgrade. Pat reported that she had abstained from the vote because she felt that the TPCPB should give direction. The upgraded status would enhance conservation efforts, and grant funding. Mayor Crawford described some good results of the Marine Protection Act for fish and bird populations in the Lagoon, but warned of some impacts on offshore sites that could affect dredging efforts to replenish beaches.

Motion: Cliff Hanna moved and Pat Stewart seconded that the TPCPB support the upgrade. The motion passed unanimously (11, 0, 0).

ITEM #3 Review of requirements for attendance in prior and current Bylaws, discussion of absences by Board members Belch and Detsky-Weil Chair Printz had undertaken to check with the City Attorney's Office on the complications arising from the change in by-laws mid year. The City Attorney's Office referred him to Mary Wright of the Planning Department. Under the new by-laws, unlike the former by-laws, absences cannot be excused. This, according to the Planning Department was a deliberate change on their part. There is no distinction between attendance at regular or special meetings.

Motion: Diana Scheffler moved and Cliff Hanna seconded that the Board accept the Chair's suggestion and disregard the number of absences for members Belch and Detsky-Weil due to the confusion resulting from the change of by-laws mid-year; and that the membership of both be considered still current, keeping in mind that the by-laws now prohibit the excusing of any absences. The motion passed, (9, 1, 1 with Pat Whitt opposed and Faye Detsky-Weil abstaining due to conflict of interest. The Chair did not vote.)

ITEM #4 Resolving ambiguities in the new Torrey Pines CPB Bylaws. Chair Printz asked Carole Larson, Michael Foster, and Diana Scheffler to assist him with this effort. Faye Detsky-Weil and Dennis Ridz volunteered also. Leslie Henegar answered a question on the role of the Chair, that Robert's Rules specify that a Chair votes only to break a tie; "abstention" is not the correct term to describe the Chair's not voting. The by-laws also specify that the Chair vote only to break a tie.

Action: Chair plan to call group together to work on the consistency and clarity of the by-laws language.

ITEM #5 Issue of Indemnification of Board and public members. Action taken by Chair in January advising Public Members on Board Committees to temporarily suspend any contributions to committees. Morton Printz reported that the indemnification of public members of planning group committees is under review by the City Attorney's Office. Consequently, Chair Printz has requested that public members of TPCPB committees, while continuing to attend and participate, not exercise their vote pending resolution of the issue. The Chair's request is not a directive.

ITEM #6 Announcement of the election of Barbara Cerny to be Chair of CSA-17 Advisory Board. Chair Printz congratulated Member Cerny on her appointment. Pat Whitt volunteered as Alternate representative to CSA-17 to replace Tom Slipper.

Action: Chair write letter to County Emergency Medical Services making the appointment.

ITEM #7 (1) Update on Del Mar Heights Road. Carole Larson related her experience walking along Del Mar Heights Road with Sylvia Sowadski, Code Compliance Officer of the City's Fire and Hazard Prevention Department. Ms Sowadski found no fire hazards, but did find some encroachment of bushes and sand onto the right of way. She took photos and will forward them to the Streets Division for corrective action. Utility boxes could be painted and research is underway to establish the parties responsible for their maintenance. The two "V-Calm" signs (lights indicating the speed of approaching traffic) will have the speed limit posted on them. As a way of making this entrance to the Community of Torrey Pines, the City Council has been asked to proclaim Del Mar Heights Road a "banner district" allowing for banners to be hung from the light standards. Design and funding will still need to be resolved. Carole distributed a brochure on brush management from the San Diego Fire and Hazard Prevention Department.

(2) Announcement that the vacant lot at the intersection of Mercado and Del Mar Heights Road is now officially for sale.

(3) Recent report linking excess road noise and heart attacks.

<http://news.yahoo.com/s/livescience/trafficnoisecausesheartattacks>.

Item #8 Discussion on lack of availability of schools for Board meetings. Morton Printz pointed out that due to the unavailability of meeting rooms at the schools, the Board so far has no meeting location for four meetings this year. He asked for consideration of moving the meeting date from the 2nd to the 3rd Thursday and for permanently using the Carmel Valley Library meeting room that would be available then. Members of the Board objected that changing the meeting date causes a hardship for regular attendance, and that the by-laws call for a meeting place within Community boundaries.

Action: Consideration of a change in date and location for the regular monthly meeting of the Board will be placed on the agenda for the March meeting.

Motion: Pat Whitt moved that the April 9, 2009 meeting of the Board be changed to April 16 and be held at the Carmel Valley Library. The motion passed (9, 1, 1, Dennis Ridz voting no and Diana Scheffler abstaining as she will not be a member of the Board in April).

ITEM #9 Announcement of award from San Diego State University to former Board member, Professor Philip Raphael. – Dennis Ridz read from the flyer honoring Mr. Raphael for his contribution to the San Diego community.

ITEM #10 The City Planning & Community Investment Department seeks volunteers to help with historic resource surveys in support of various Community Plan Updates. Diana Scheffler distributed the application form for those interested in participating.

ITEM #11 Diana Scheffler distributed reports she had prepared as secretary and in response to requests at the last meeting:

- Record of discussions regarding welcome signs to the Torrey Pines Community
- List of time critical activities from the by-laws
- List of uncompleted action items
- List of Board committees, members and public members

I. INFORMATION REPORTS

Barbara Cerny: County Service Agency 17 Representative – no report.

Faye Detsky-Weil: Parks & Recreation; Pedestrian & School Safety Faye reported on her attendance at the US Marine Corps scoping meeting for the F-35 fighter plane which will replace the F-18. She distributed a handout from the website: <http://www.usmcjsfwest.com> which gives the schedule for the EIR process. Comments can be submitted via the web site. Cliff Hanna noted that it's a good idea to submit comments as they will then be referenced in the EIR.

Cliff Hanna: Transportation Committee – no report.

Greg Heinzinger: Telecommunications in an Urban Setting – not present.

Carole Larson: Web Site – no report.

Morton Printz: COMPACT, Railroads & Mass Transit – no report.

Morton Printz: Noise and Urban Environment – no report.

J. NON-AGENDA ITEMS CONSTITUTING NEW OR FUTURE BUSINESS Barbara Cerny spoke up about the need for discussion on the connectors issue. Achieving representation for Del Mar Villas on the Caltrans Steering Committee is important, but Board members felt that Torrey Pines Board representation should not be sacrificed to create the vacant position for Del Mar Villas. While it is evident that members of the public in attendance at this night's meeting want the Board to be more active in pressuring SANDAG, it is also true that entities such as STOP are not bound by the same restraints as the TPCPB.

Action: The TPCPB Connectors Subcommittee will meet to draft a motion to take to the next Board meeting. Chair Printz will attend that meeting.

K. ADJOURNMENT

Motion: Michael Foster moved and Cliff Hanna seconded that the meeting be adjourned at 9:35 pm. The motion passed unanimously (11, 0, 0).