

SANDPIPER

SALE ON SOLAR

Dan Nore, 25th Street and Greg Hibbard, 8th Street

Beginning this summer Del Mar residents and businesses will be able to participate in a unique finance program that encourages the "greening" of local properties. Projects can include improvements, replacements and/or additions of: Air Sealing, Heating-Ventilation-Air Conditioning, Insulation, Windows, Solar Electric Panels and Solar Water Heaters.

The program, CaliforniaFIRST, allows property owners to implement energy efficient and renewable energy projects at their homes and businesses with costs assessed to the property tax. As a result projects can be implemented without a significant initial outlay of funds or an improvement loan because the cost of the project is repaid on the property tax bill over a period as long as 20 years. And, because the energy efficiency upgrades and systems add value to the property, the loan repayment cost remains with the property. Financing eligibility is based on the value of your property and the current status of tax payments, not on personal credit.

The City's Energy Issues Advisory Committee (EIAC) recommended the program to the Del Mar City Council and it was unanimously adopted on March 22. EIAC believes the program provides yet another critical step to achieving their goals of fostering environmental responsibility, maintaining a high quality of life for Del Mar residents, reducing local greenhouse gas emission and supporting job creation. The Committee first looked into establishing the finance program in 2008 but made a final recommendation to the City Council to go ahead only after CaliforniaFIRST,



Solar powered trash can. Photo Dan Nore

a joint powers authority sponsored by the California Sate Association of Counties and the League of California Cities, assumed the necessary administrative and financial responsibilities.

CaliforniaFIRST is scheduled to initially roll out as a pilot in a limited number of counties and cities with applications for projects being accepted this summer. Over the next few months additional information will be made available to local contractors as well as home and business owners. Del Mar joins the cities of Solana Beach, Encinitas, Carlsbad and Oceanside within North County providing this option for their residents.

Editors Note: Nore and Hibbard are members of the EIAC,

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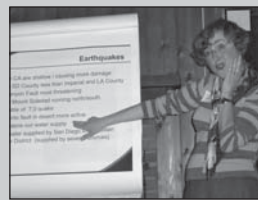
Also in This Issue: *Undergrounding results buried on page 14*



Visitor taxes: pro & con. page 6



Breathing life into Del Mar. pages 10, 11 and 14



Getting ready for the big one. page 7

NOT TOO LATE

to be heard on what kind of a downtown you want for Del Mar.

Sandpiper Citizen Survey
ends May 5.

Survey online at
www.delmarsandpiper.org

DON'T BE LEFT OUT! ACT NOW!

There is still time to participate in the Sandpiper Survey.

Del Mar city leaders are pursuing a major zoning change in efforts to spur redevelopment and revitalization of our village commercial core. Form Based Code, if approved by the voters, would facilitate expansion of the buildings lining Camino del Mar by instituting a more "developer-friendly" approval process aimed, ultimately, at increasing the amount and variety of viable village businesses. The hope is that through redevelopment businesses will generate increased sales taxes. While this potential major change in our land use policy is "in the works," it is but the latest proposal for improving our village core. The Community Plan, for 35 years, has called for increases in resident-serving business, and for reducing traffic lanes to increase pedestrian and shopping ambiance. The Streetscape Plan, approved 10 years ago, established desirable aesthetics in signage, landscaping, street crossings, and street furniture. And the debate goes on about impacts to our village economy attributable to the "loss" of train service.

The Sandpiper believes that this is a critical time to take the pulse of the community on these issues. Therefore, we have initiated an online survey <http://delmarsandpiper.org/> to learn your views. We were happy that the Del Mar Village Association joined with us to promote the survey. To date, many respondents have shared their views with us, both by clicking on the "strongly disagree" to "strongly agree" spectrum, and by submitting, more than 500 detailed, thoughtful ideas and reactions to questions



The Sandpiper is published by the Del Mar Community Alliance, a not-for-profit corporation. Its purpose is to advocate the Del Mar Community Plan, to foster informed public and government decision-making regarding issues affecting the community of the City of Del Mar, and to encourage a social and political climate favorable to the protection of the community character of the City of Del Mar and its environs.

Publishers' Circle: Vava Anderson, Giles Bateman & Doña Adler, Darrese & Sam Borgese, Mary Ann & Bud Emerson, Rod Franklin, Charlie & Lynn Gaylord, Rosanne & Joel Holliday, Pat JaCoby, Louise Keeling, Larry Schneiderman, Al & Steve Tarkington

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All staff members and writers are unpaid volunteers. This publication depends upon the contributions of readers like you.

Make checks payable to **Sandpiper**, Box 2177, Del Mar, CA92014

DON'T BE LAST FOR FIRST!

Season tickets for **First Thursdays** (\$175) sell out quickly each year! Starting on May 1 the subscription form will be available at www.delmarfoundation.com, for any seats not purchased before then by current subscribers and wait-listers.

But, it's not too late. This is your chance!



Photo courtesy of red fish blue fish

ranging from 'what types of businesses do you value?' to "what is your reaction to possible increases in size and height for commercial buildings?". The responses, not surprisingly, have considerable variety. But there are clear trends. And, while the survey is open to all, we can categorize feedback based on whether the respondents are residents, non-residents, and Del Mar business people. We want to give more of you a chance to have your preferences recorded. It only takes a few minutes. Please fill out the survey if you have not done so. We want a representative and robust sampling of community views.

The end date is May 5. Beginning in our next issue we will present the results. They may surprise you! □

LETTERS TO THE EDITOR

- The Sandpiper welcomes readers' letters and articles on topics of interest to the Del Mar community. We strive to provide a variety of viewpoints represented in a responsible manner. Readers may also recommend or propose articles.
- Material submitted may be published in either the print edition or on the website.
- Letters which will be considered for print should not exceed 100 words; articles considered for print should not exceed 400 words.
- Writers of material selected for publication will be notified prior to publication. We regret we cannot return or acknowledge unpublished material.
- Material to be published may be edited or shortened.
- Material submitted must include the writer's name, address and phone number.
- Publication of any letters or articles in either print or web editions is at the discretion of the editorial board

Send to:

The Sandpiper, Box 2177, Del Mar, CA 92014; or
editor@delmarsandpiper.org

SHROOM GLOOM

Bud Emerson, Klish Way

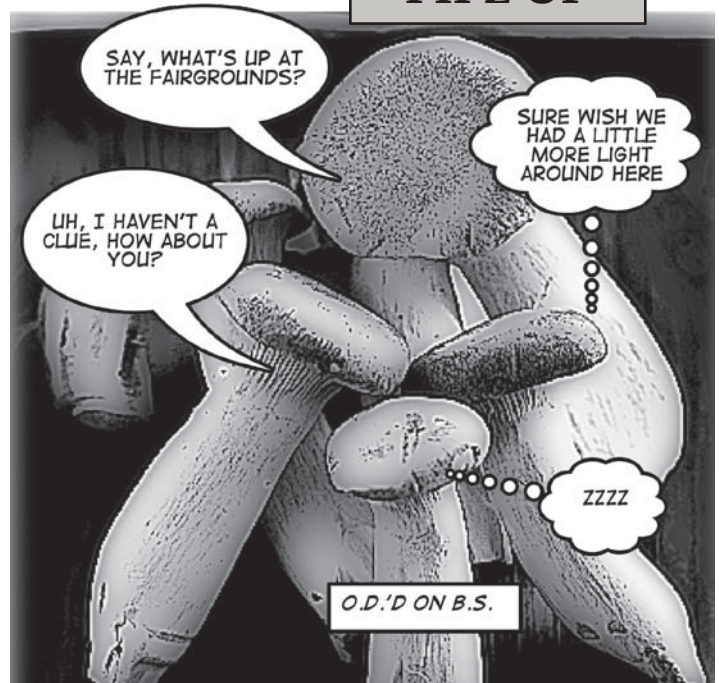
The Fair Board continues to get very critical feedback on its ill-advised master plan. At its April 6 monthly meeting **two knowledgeable citizens from Carlsbad, Helen and Richard Eckfield**, presented compelling testimony about problems with the recently constructed Arena roof and poorly designed plans for a train stop.

The Eckfields have coined a phrase for the Fair Board's communication style called "Mushroom Management--to raise a mushroom you keep it in the dark and feed it steer manure."

They pointed to the "300 percent cost overrun of the new roof closing from a planned \$4 million to now over \$15 million as 'not our fault'...good management is also constructing it so that it does not create new problems... it now blocks not only fans, but the stewards from seeing the start of some of the races."

As long time advocates of a permanent seasonal train stop, The Eckfields stress that it is very critical now that "we are on the verge of actually adding to the traffic load of the fairgrounds, not just with your plans for the Las Vegas-izing of the fairgrounds turning it into a convention center, but also the pending addition of additional weeks of racing now guaranteed to come to Del Mar from Hollywood Park courtesy of State legislation sponsored by Assemblyman Martin Garrick...building a train stop will be required mitigation of the traffic impact that will result."

The Eckfields note that the train stop in the north west corner of the fairgrounds "has been in your Master Plan since 1985...that's 25 years in planning." Noting that the staff is now proposing instead to implement an inadequate temporary platform near the Southfair development, "I urge you to now fund the construction design and



Mushroom Comix. Graphic Art Olson

environmental permitting of the first 600 feet of the Permanent Stop north of the river, built above the 100 year flood plain--from which people can easily walk to fairground events, and to which inebriated concert party goers can easily stagger in order to get a safe ride home." They urge affected 21-24th street residents and Southfair businesses to ask the City Council for an assessment of the proposed temporary stop impact on their neighborhoods when train loads of fair-goers and other event goers are deposited there.

The Eckfields have long been frustrated trying to get the Fair Board and the staff to give serious consideration to their detailed recommendations. ■

RUPERT RELIEF FUND



Rendering Art Olson

Dear Sandpiper,

Thank you for your front page story on Murduck acquiring the Sandpiper with the great downtown development.

We have started an investment fund for this project, which promises to double your money every twelve months.

All inquiries should be addressed to our treasurer, Mr. Art Olson, c/o The Sandpiper.

Come join our millionaires club!!

Dr. and Mrs. Wadia | Luneta Drive

PICKENS SUIT SETTLED

Bud Emerson, Klish Way

The "Trees and Views" conflict between Madeleine Pickens and Charlie and Lynn Gaylord has been finally resolved. Because that conflict attracted some media attention and represented a significant test of the Trees and Views Ordinance, it is worthwhile to recapitulate what actually happened.

The house now occupied by Ms. Pickens was built by Arthur Nicholas. Nicholas's original application was opposed by the Gaylords (and other neighbors) on grounds of excessive view blockage. The DRB agreed with the Gaylords' arguments and required Nicholas to move the western wall of his house a significant distance to the east in order to protect the Gaylords' view to the south. The DRB further required Nicholas to limit any plantings in the patio area between his house and the beach to less than two feet in height so that they would not obstruct the Gaylords'

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GREENWAY CLEARS HURDLE

John Graybill, 15th Street

Senator Christine Kehoe's proposed Senate Bill 1177 for a greenway was approved by the Food and Agriculture Committee in Sacramento on April 20th by a vote of 3-1. The greenway would extend along the north bank of the San Dieguito River from I-5 to the railroad tracks near the river mouth. This was the second major hurdle for the proposed bill in the legislative process. Clearing this milestone was significant because the 22nd DAA has been aggressively lobbying against the proposed bill. It was approved by the Senate Natural Resources and Water Committee on April 13th by a vote of 6-2. Next it goes before the Senate Appropriations Committee in mid-May.



Site of the future Greenway. Photo Stu Smith

The significance of the proposed bill goes beyond the obvious environmental benefits of a permanent buffer between the Fairgrounds and the river and the restoration of the natural wetlands. It would require the 22nd DAA to make adjustments to the massive development proposed recently in a Draft Environment Impact Report (DEIR) to be sensitive to the environment. The master plan calls for huge buildings, a parking structure, and a hotel that would allow it to function like a large convention center, thereby intensifying the use of the Fairgrounds to bring year-round crowds, traffic, noise, and bright light to the area at the expense of a fragile ecosystem.

In the 22nd DAA's board meeting on April 13th, their February 22nd press release was discussed regarding the bill. It was the equivalent of a child's tantrum. They claim catastrophic loss of jobs, devastation of the use of the fairgrounds, elimination of the recycling center, safety hazards, etc. The scare tactics and inflammatory rhetoric can only be described as absurd. What appeared to bother them most was facing the possibility that they won't be able to do exactly what they want and rubberstamp approval on their DEIR.

It is an unfortunate state of affairs when an organization entrusted with the stewardship of the Fairgrounds has

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WALKING THE GOOD WALK

Julian Littleford, Camino Del Mar

We all know how to walk of course. We know it's good for us. And most of us don't walk enough.

But did you know some walking styles can be bad for us? Incorrect walking techniques can stress joints and muscles, increase the risk of stumbles or falls, or impede breathing, to name just a few negatives.

Here are some simple principles of "good" walking:

Start with two minutes of stretching, especially legs. Use a stair or a curb to stretch calf muscles. Next, place one leg on a chair, straighten the leg and bend forward to stretch hamstrings. Don't overstretch - just to where discomfort starts. Hold for a five count. If you have time, do these leg stretches a few times each side. Finally, standing straight, swing arms side to side to loosen torso, keeping the hips stable and engaging the abdominals.

Stroll for the first 50 yards or so to warm up. Then pick up the pace.

Your mother was right - stand up straight. Feet in line with knees, knees in line with hips, hips under shoulders, head back, chin up, shoulders back and pulled down. Focus on posture for the first block or two. Notice that your breathing is easier and fuller, your energy greater, with correct posture?

Footwear not only affects strike force on the ground, it can affect balance. Don't cheat on shoes. Your mother was right again - wear proper shoes.

For two blocks focus on your core by pulling the belly button toward your spine.

Relax for a block or so - smell the roses or coffee, admire the view.

Back to work - how's the posture? Sagging a bit?



Jerry Finnell Walk 2009. Photo Art Olson

Slouching?
Stand up
straight.

Now the
stomach
again, belly
button to
spine.

Never overdo
exercise of
any kind,
including
walking. Start
with short
walks.

As we focus on these basics on our first few walks, they'll become more and more automatic and our enjoyment of walking increasing. Then we'll notice our posture in other settings has improved as well.

Future articles will feature simple principles and

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PICKENS

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view. This requirement is clearly spelled out in the DRB Recommendation but was not further memorialized, e.g., by a deed restriction.

Sometime after occupying his new house, Nicholas began to plant vegetation in his patio that soon exceeded two feet. The Gaylords made several attempts to negotiate with Nicholas in order to reduce the impact on their view but he was not receptive. Eventually, in May 2007, the Gaylords submitted an application to the city under the Trees and Views ordinance. Shortly thereafter, Nicholas sold the property to the Pickens family (for the Del Mar record sum of \$35M) and when Madeleine Pickens moved in later in 2007, the Gaylords proposed mediation as a means of resolving the issue. Ms. Pickens failed to attend the mediation session and her lawyer stated that he was not authorized to negotiate on her behalf. The Gaylords then proceeded with their Trees and Views application.

The application was heard by the Planning Commission at their June 2008 meeting. One Commissioner was recused on grounds of financial conflict with one of the parties. The remaining (4) commissioners unanimously found that (a) the Gaylords had suffered unreasonable view blockage by Pickens' vegetation, and (b) the Gaylords had satisfied the requirements of the Trees and Views ordinance in their attempts at negotiation/mediation.



The view in August 1999. This photo is on file at City Hall and is a public document.

The Commission then tackled the issue of restorative action by forming a sub-committee to work with the applicants, the appellant and the city on an appropriate course of action. Their recommendations were reported at the July meeting of the Commission and were approved by the Commission as a whole.

It is worth noting that the only argument presented by the appellant to justify the existence of the subject vegetation was in order to provide privacy on the patio. It is also worth noting that this is a patio that (a) abuts onto the public beach, and (b) is overlooked by the second stories of immediate neighbors both to the south and north. The Commission explicitly rejected the argument that the plantings were necessary for providing privacy.

It may be argued that, even with the blockage caused by the Pickens hedge, the Gaylords still enjoy an enviable view. This is perfectly true. But it's also true that, when

they bought their house, the substantial purchase price undoubtedly factored in the extent of that original view. In other words, they paid for that view and while that doesn't make it an absolute property right, it is certainly reasonable for them to require a reason for reducing it that is much more substantive than a transparently implausible claim of loss of privacy.

Ms. Pickens appealed the Planning Commission's decision to the City Council. After a public hearing in November 2008, the Council upheld the Commission's determination and resolved that Ms. Pickens should undertake certain restorative action.

In September 2009, Ms. Pickens filed suit against the City in Superior Court. In March this year, the City and Ms. Pickens agreed to a settlement, Ms. Pickens complied with the restorative action required by the City, and the suit was dismissed.

Our Trees and Views Ordinance has survived its most severe challenge to date. ■

SOLAR

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created in 2005 to assist the City Council in promoting clean and reliable energy and in taking a leadership role in educating residents and businesses about energy savings programs. They meet the third Thursday of every month from 5:30 to 7:30 p.m. Check the City website for meeting location. ■

HURDLE

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so arrogantly ignored the concerns of its neighboring community that a state senator has to get involved and take the fight all the way to Sacramento to protect the river and lagoon adjacent to the Fairgrounds. Senator Kehoe could use her valuable time to focus on other pressing issues facing the State of California. That is if the 22nd DAA had some reporting responsibility to the community in which it is located and the board of directors was composed of leaders willing to respect its environment. ■

WALKING

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photographs of exercises to improve balance, core strength, flexibility, hydration and other topics that increase the quality of our lives, no matter our age.

Julian Littleford has been teaching Pilate's for 33 year and was a principal dancer with The Martha Graham Dance Company. His Pilate's studio (a method that fosters and maintains body balance and structural soundness) enjoys a 19-year successful track record in downtown Del Mar. His satisfied clients range from children to octogenarians, as well as professional dancers and athletes. For a free consultation call 858.259.1682 or visit www.jlbodyconditioning.com. ■

PRO & CON: VISITOR TAXES

PROPOSITION J, TOT, & VRBO

Don Mosier, Rimini Road

Hotels aren't faring well, but only partly because the recession has driven down rates. More travelers are branching out, turning to vacation rentals...as options." (LA Times, April 2nd, 2010).

Internet booking of vacation rental properties is a booming business. One of the leading rental services is "Vacation Rental by Owners", VRBO for short. You may be surprised to find that VRBO lists 106 rental properties in Del Mar with weekly rental fees ranging from \$725 for a studio to \$18,000 (yes, eighteen thousand dollars!) for a 6 bedroom beachfront house. If all these rental properties were fully occupied, they would add over 700 visitors to our village.

These vacation rentals compete directly with local hotels for guests, but unlike neighboring beach cities, Del Mar collects no transient occupancy tax (TOT) on short term (less than 30 days) rentals.

Hotel and motel guests pay for the extra services that the City of Del Mar provides to visitors, but vacation rental occupants do not. The City Council recognized this disparity, and has drafted Proposition J to correct it.

Proposition J will authorize the city to collect TOT (currently at 11.5%) from the vacation

renters, not the owners. This will transfer the considerable expense of providing beaches, parks, fire safety, and law enforcement services to these visitors from the residents of the Del Mar to the visitors. Why should you or I subsidize someone else's vacation?

TOT is a local tax that stays in Del Mar, unlike many other revenue sources that get stuck in Sacramento. Some have argued that this difficult economy makes it the wrong time to impose new taxes on visitors, but the same difficult economy has made it imperative that Del Mar identify new sources of revenue that we can control. Proposition J accomplishes that goal. ■

Don Mosier is Deputy Mayor of Del Mar. This article reflects his personal reasons for putting Proposition J on the ballot.

DON'T MAKE OUR HOMES HOTELS

Hershell Price, Grand Avenue

When the leaders of Del Mar created the Hotel Tax many years ago to collect taxes from visitors, they wisely excluded our homes from this taxation.

Our current Hotel Tax covers all residential properties **greater than two units**. The City can tax short-term renters in any residential complex greater than two units whenever they choose, without approval of Proposition J. That's right: The only reason for Proposition J is to amend the existing code to place our homes in the **hotel** category so they can be regulated and taxed too.

Every home in Del Mar will be designated as a **hotel** for taxing purposes under Proposition J. In reality, this is an expansion of the business district into all of our neighborhoods. Once your neighbor obtains a short-term rental Permit, that home becomes a legal business. Is that what we want in our neighborhoods?

The San Diego County Taxpayers Association opposes Proposition J. They point out that the revenue estimates are only guesses and will not be enough to offset the bureaucratic costs needed to police this regulation. Any revenues generated will be used by staff to administer, regulate and enforce Proposition J, and to supplement their pension benefits.

Under Proposition J, if you rent your home – even for a week – you must obtain a permit, comply with written regulations, keep records and then pay the tax to the city. Why should any homeowner be burdened with these unnecessary requirements?

Homeowners already pay their fair share. They pay property taxes to help fund our city services and will have to pay again if Proposition J is adopted.

Short-term rentals help our Del Mar economy. Unlike beachgoers east of Del Mar who leave at the end of the day, they use our restaurants, shop in our stores and spend money in our city. Why tax our local economy? Rents paid to any of our homeowners helps pay their property taxes, mortgages, and other obligations.

Proposition J is not only a tax; it is further regulation of all homes, even if they are not being rented at the present time. Circumstances can change in our lives so we should protect the rights we presently enjoy.

Proposition J is a bad idea and should not be enacted. We need less government intrusion into our daily lives, not more. Stop this divisive and unwarranted tax from becoming law.

Vote NO on Proposition J. ■



Photo Art Olson

BRIDGING THE PASS

Dave Druker, 11th Street

The final chapter of the retrofit of the North Torrey Pines Bridge is about to begin. Construction is expected to start in September 2010 and will last about 18 months. The council recently approved a contract with Simon Wong Engineering for Construction Engineering Support Services and T.Y.LIN International for Construction Management and Inspection Services. Finally, CalTrans has approved funding at \$23,773,000 to complete the retrofit.

With this approval of the funding, the City of Del Mar will embark on the largest public works project in its history and will not pay for any portion of the construction out of city funds. Once the bridge is fully retrofitted, the North Torrey Pines Bridge will lose its distinction as the bridge with the highest probability of failing in a major earthquake. Del Mar did need to pay 20% of the design costs.

In 1996, Del Mar designated the Torrey Pines Bridge "Historic", thwarting the efforts of the City of San Diego to create a much larger modernistic bridge. By 2000, the City of San Diego had agreed to sell its portion of the bridge to Del Mar for the sum of one dollar. Of course some people still wonder why the old bridge was not just torn down and replaced with a new bridge, citing cost and longevity. The retrofitted bridge will last at least 75 more years and withstand any major earthquake. A replacement bridge might not have been environmentally feasible because moving the bridge eastward would have encroached into



North Torrey Pines Bridge. Courtesy City of Del Mar.

sensitive wetlands, while moving the bridge westward would have encroached into the beach and might not have provided sufficient span height for the trains using the railroad tracks. Finally, a new bridge would have cost just as much as the retrofit.

The City of Del Mar has gone through a long process to get to this final chapter. A citizen's advisory panel was set up to guide the design of the retrofit. Much of the length of this process has been due to changing rules by CalTrans and changing state and federal funding requirements. Ultimately, the city will have a beautiful bridge that is earthquake safe without having to spend its own funds that are needed for many other capital projects. ■

DEL MAR DOLLARS DOWN

Bud Emerson, Klish Way

Third quarter draft projections show our city budget continuing to be very tight both on money coming in and money being spent.

This year's third quarter draft revenue projections compared to last year's at this time:

>Property tax revenue up to \$3.6 this year from \$3.3 million last year at this time

>Sales tax revenue down to \$966 thousand from \$1 million last year at this time.

>Hotel tax (TOT) revenue down to \$1.3 million from \$1.4 million last year at this time

This year's expenditure rate shows the benefit of staff efficiencies and cut backs with draft third quarter projections dropping from \$9.3 million to \$9.2 million.

These bottom line figures show why we are interested in commercial revitalization, getting visitors to pay their fair share, and redressing the imbalance between service costs and revenue from fairground operations. ■

READY FOR THE BIG ONE?

Carol Kerridge, El Amigo Road

When YOU feel an earthquake do you run for a doorway or leap under a table? Do YOU know how to use a fire extinguisher if you need to or do you fumble around a lot? Do YOU know when to evacuate, and where to?

Let's hope that you never have to make those choices, but wouldn't you feel foolish if you did need to make emergency decisions and had missed a chance to learn some simple skills on how to protect your family and your neighborhood?

Four years ago, you may remember that a very popular disaster-preparedness program, "Are You Ready, Del Mar?", spread throughout our community with over 420 residents attending neighborhood meetings to learn what exactly ARE the disaster risks in Del Mar, how you can plan ahead to make your house and neighborhood less susceptible to damage, what supplies you should have on hand, and what you should do when a disaster actually happens.

This program, which originated here in Del Mar, has taken off like wildfire (pardon the pun!) and has spread successfully to many other communities throughout

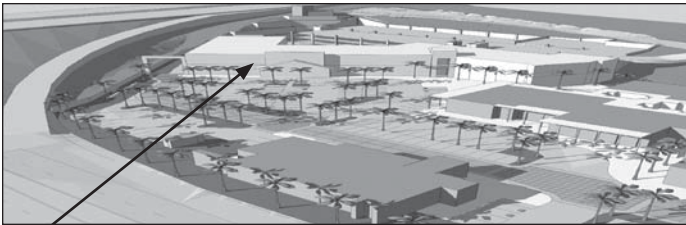
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IT'S ALL ABOUT SHOPPING

Ann Gardner, Via Latina

Is Protea Properties, a La Jolla based Real Estate Investment and Development Trust, using the Whole Foods name to deflect objections to their plans for the nearby Flower Hill shopping mall? The proposed expansion on Via de la Valle eliminates the 14,000 sq. foot Flower Hill Cinema and adds a new 35,000 sq. ft. Whole Foods Market, 40,000 sq. ft. in retail/office space and a 94,275 sq. ft. four level above ground parking structure. Protea says this will provide "the kind of amenities that residents and visitors want most."

Visitors maybe, but certainly not all of those "residents." Citizens Against Flower Hill's Excessive Expansion, a group of adjacent homeowners, wants the "transformation" scaled down. A second group wants the proposed realignment of Flower Hill Drive to become an entrance to the parking structure, eliminated. "The community may be sold on a Whole Foods Market but will they really be sold when they see the scale and bulk" of the project spokesperson Robert Vicino asks. (New structures, including the four level parking garage, will more than double the current bulk.) Because the site is located within the City of San Diego, not Del Mar, both sides are making their case before the Carmel Valley Community Planning Board. A decision by the Board may come as early as May 11.



Flowerhill expansion plans include a 94,275-square-foot 4-level above-ground parking structure. www.flowerhill.com/development_press08.htm

In the meantime the Board is requesting a site visit and additional meetings with neighbors to resolve outstanding issues. There is progress Chair Frisco White said at the April board meeting, but "I want to see the final project before we take action." Board member Anne Harvey is concerned about the loss of "favorite" community gathering spots such as Panniken to higher (translate: upscale) rents. Assurances from Protea notwithstanding, the Mall has already lost the "mom and pop" Thinker Things toy store to Gepetto's, similar one could say to losing Panniken to a Starbucks. And of course the neighborhood theatre is already slated to go.

Missing from the discussion was concern about public access to coastal resources, a seemingly obvious issue because the project is wedged between the coast and the recently restored San Dieguito Lagoon with its boardwalk and bird watching platform to the west, and the Coast to Crest trailhead and proposed San Dieguito River Park Interpretive Center, to the south and east. The California Coastal Commission has notified the City that the required Coastal permit "rests entirely" with them. But the City disagrees and plans are moving through the City where coastal related uses such as beach access and scenic corridors may or may not be given priority. ■

IT'S ALL ABOUT THE ENVIRONMENT

Ann Gardner, Via Latina

On the opposite side of the River Valley from the proposed Flower Hill expansion an entirely different project is getting underway: the first phase of a corridor improvement plan where preservation of the environment takes priority. It is testimony to the patience and persistence of local conservationists.

In 2005 the City of San Diego issued the first of three plans for road widening projects on El Camino Real and Via de la Valle as the roads traverse the River Valley from Carmel Valley across the old El Camino Real Bridge past the polo fields to Via de la Valle. The first leg of the project, now underway, crosses the only remaining wildlife and trail connections from northern San Diego's Habitat Preservation Area to the western River Valley. The remaining phases call for an 84-foot wide Via de la Valle, raised 10 to 24 foot wide stamped concrete medians, turnouts and traffic signals.

Opposition from community and environmental organizations, dismayed at the loss of the river valley's "pastoral" character and urbanization of a critical natural habitat, grew. This led to the creation of an ad-hoc Western River Valley task force in 2006 by then councilman Scott Peters. Members have stayed involved throughout numerous task force meetings; appeal hearings; revised, recirculated and updated Mitigated Negative Declaration documents claiming the project "now... mitigates the potentially significant environmental effects previously identified and an Environmental Impact Report (EIR) will not be required."



Site of El Camino Real road-widening project. Photo Craig Adams

Fast forward to April 2010 and a representative of the City's engineering design team is presenting an alternative plan to the San Dieguito River Park Board of Directors. The new design coordinates all three projects and incorporates the Task Force's recommendation to underground utility poles on the south side of Via de la Valle as it moves west along the restored lagoon. The roadways are reduced from 84 to 60 feet; roundabouts replace traffic signals, and a new single span culvert to better facilitate wildlife movement

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YOU SAY GOODBYE. I SAY HELLO.

Piper Underwood, Rimini Road

Although the special board meeting on March 31st to consider firing Superintendent McClain, was called with little notice, and was held in the middle of the day, parents and teachers from throughout the district found a way to be there, some of them with children in tow.

Parents, teachers and even Superintendent McClain's husband spoke out against firing Dr. McClain. One parent speaker went so far as to ask for two minutes of silence so the board could reflect on its decision. During this time, another parent called out, "Look at us Katherine!" referring to board member Katherine White.

Another parent urged the board to work with Dr. McClain, the superintendent "they hired" in 2008 to replace superintendent Tom Bishop, particularly during a time of deficit spending. But, after a number of heart felt, and occasionally caustic speakers, the board went into closed session and returned with a majority vote to fire Dr.

To the DMUSD Board:

Our kids can't keep up with you.



Since 2009 the Board has spent \$30,000 of district funds on lawyer fees in an attempt to fire the Superintendent.

Our kids can't fundraise fast enough to keep up with the money the Board is throwing away.

McClain. The lone "no" vote was cast by board president, Comischell Rodriguez.

Because the board fired McClain for a material breach of her contract, her salary and benefits were terminated upon her firing. Those claiming that this will cost the district more money are referring to the possibility of Dr. McClain suing the district for the remainder of her contract, which would be upwards of \$400,000 – if she decides to sue, and if she wins. While we can't know the specifics of Dr. McClain's firing, we can assume that the board does not feel Dr. McClain has a case. If McClain does decide to sue, the cause(s) of her termination will be made public.

At a subsequent meeting where the board introduced interim superintendent James Peabody current superintendent of the Julian High School District, a handful of McClain supporters held up signs asking for the resignation of the board. Of course, three of the board members will likely be voted out when their terms come up this November. They are Easton, White and McDowell.

Peabody has indicated that he is not in favor of closing a school, however he is still in the process of acquainting himself with the district's financial state of affairs. He has met with the district financial task force, which is gathering information on the district's finances, including the district's status as a basic aid district. The task force

is forming strategies to maintain the basic aid status as well as working on a district reserve policy to support it. While it appears the property tax decline may not be as severe as initially thought, we can't know if the state will continue to target basic aid district funds or how much they will take. ■

READY?

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San Diego County. As Disaster Preparedness has gained more widespread national popularity, new and innovative methods of dealing with disasters continue to be discovered. Working not only to give the latest preparedness tips, the neighborhood meetings also have been praised as a great way for neighbors to connect...and many turned out to be great parties!

The hour-long program has been approved and supported by the City of Del Mar and the Del Mar Fire Department, sponsored by Del Mar Community Connections and taught by resident volunteers.

Therefore, in the spirit of helping to keep our citizens as well informed and as well connected as possible, we have revised our program, added more up-to-date information (including Pandemic Disease and Neighborhood Security), and are offering our Del Mar residents this revised program material in their own neighborhoods once again.

Watch for your neighborhood meeting announcement! Or more importantly, host a meeting yourself! Please call

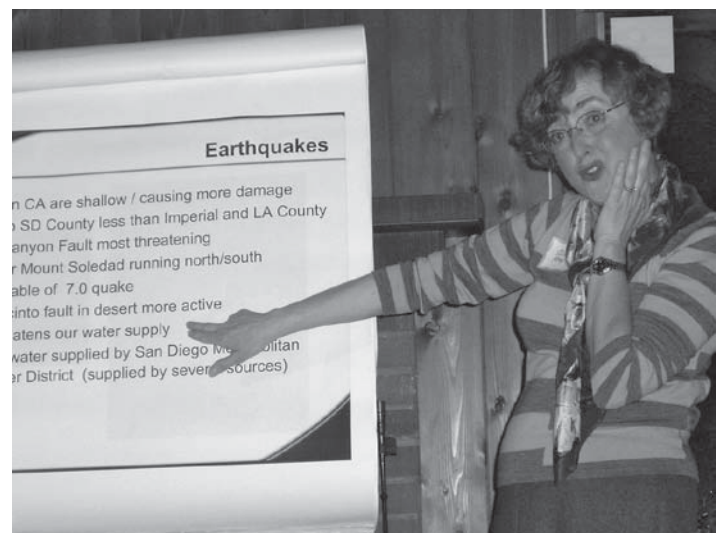


Photo Carol Kerridge

Carol Kerridge if you have questions or would like to host a neighborhood meeting: 858 755-7821 or e-mail ckerridge@ucsd.edu ■



DAUNTING OBSTACLE COURSE: LET'S TALK

Dwight Worden, Sea View Avenue

The impediments to downtown revitalization are many, but unfortunately, the city has the ability to influence only a few.

Here are the impediments I have identified and my take on whether the City can influence them. This is my own work product, reflects only my own personal view, and I do not speak for the Form Based Code Committee. I would hope thinking about these issues will stimulate discussion. To me it remains an open question whether the City can and should influence enough of these key factors to make downtown revitalization viable.

IMPEDIMENTS TO REVITALIZATION THAT THE CITY HAS LIMITED OR NO ABILITY TO INFLUENCE .

All these factors are driven by the private market place or by state law and not by the City.

- * **High land cost.** Del Mar has very high land costs making any downtown acquisition and redevelopment expensive.
- * **Rental rates.** The return an owner can get from downtown commercial property rents is driven by the private market, not by the City. Market rental rates may or may not justify the cost of redevelopment; the proverbial: will it pencil out?
- * **High construction costs.** Construction costs in our area are very high driven by labor rates and materials costs and by other factors beyond the control of the City.

* **Property tax issues.** Many downtown properties have not changed hands for years and have low existing Prop 13 tax rates and would face the prospect of upward reassessment incident to redevelopment, a disincentive to revitalize.

* **Financing.** Financing costs for acquisition and construction are major factors not controlled by the City.

* **Availability of financing.** Recent history tell us how little control the city has over the availability of financing for private projects. When private market financing is not available redevelopment will not happen.

* **Competition.** Goods and services are available outside Del Mar with easy access and at generally better prices (harsh to admit, but true).

* **Owner's personal circumstances.** Each downtown property owner has personal and financial circumstances that motivate in favor of, or against, redevelopment of their property . These often include cash flow issues, tax concerns, estate plan issues and other factors not driven by the city.

* **Nonconformity requirements.** Many downtown buildings are currently non-conforming. Redevelopment of these older buildings requires upgrading to current code (electrical, plumbing, ADA, glazing, etc.) in many cases . Costs for such upgrades are substantial.

* **Access to town.** Del Mar has only one main road in and out and limited public transit.

* **Downtown physical layout.** Del Mar's downtown is restricted to a strip along CDM and a small portion of 15th street. We do not have the layout to design a downtown, for example, around a town square.

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from www.delmar.ca.us

A PATH —THE ARTS!!

Anthony Corso, Stratford Court

The last issue of the Sandpiper offered several significant thoughts and challenges regarding the revitalization of Downtown Del Mar. In this regard, it was suggested that we begin the revitalization process with some reflection as to who we are as a community and as a people and what we hope to become. Hopefully such thoughts would generate a “compelling vision as to the activities and functions to be encouraged and accommodated in a revitalized downtown.”

The recommendation recalls the famous quote by Gertrude Stein in which she dismissed Oakland, California upon her return from Paris, “There is no there, There.” Her comment have been construed as an admonition to city planners engaged in revitalizing American cities to include places and structures that accommodate activities which inspire citizens to higher purposes than commerce i.e. shopping. An example of this came to mind recently during a visit to neighboring Fallbrook. The City is being revived with the on-going development of Arts and Cultural Center, which schedules five major art exhibits each year and promotes an array of arts programs serving residents and visitors alike.

The Center is housed in what was once a Rexall Pharmacy and collaborates with organizations in the community to create shows and special events—Fallbrook School of the Arts (workshops and demonstrations), Fallbrook Film Festival, Fallbrook Library (book talks), Fallbrook Mission Theatre, Fallbrook Junior Conservancy, the Fallbrook Music Society (small concerts and performances), the Fallbrook Historical Society, the Fallbrook Festival Committee and

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DEL MAR: IN SEARCH OF UTOPIA

Pam Slater-Price, Grand Avenue

Del Mar is a very special place. It has its own mystique that touches all who come to visit. The fortunate few get to live here. So how do we improve our village without losing the essential charm and soul that makes it so uniquely desirable?

In order to invigorate the City, our elected and appointed officials have been hard at work to generate ideas that will save the village without destroying it. Now we, the residents, are being asked to participate. I reviewed the questions put forth by the Sandpiper and will offer my suggestions.

First, traffic circles should be created along Camino Del Mar. They not only add charm, but reduce the stop-and-go patterns that cause so much air pollution and frustration. Instead, there is an orderly flow of traffic that by design flows at a slower speed but keeps moving. This will reduce diversion of traffic into our neighborhoods. Traffic circles are a mainstay of European villages and cities.

Second, there must be more streetscape and ornamental design in the city. Del Mar should continue its efforts to become an official MainStreet city. There are many advantages that accrue with membership. Small grants are given to shop owners for facade improvements and other simple yet effective low-cost solutions. However, our codes must be changed to allow for these improvements. Look at Downtown Encinitas for example. There is a cost, but if one considers the current and past expenditures on numerous studies and consultants with little result, perhaps

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OBSTACLE

continued from page 10

IMPEDIMENTS THAT THE CITY HAS SOME ABILITY TO INFLUENCE.

- * **Carrying costs.** The city can reduce permit processing time somewhat but cannot eliminate the time needed to design, engineer, construct and sell out/lease-up a project nor can the City influence loan servicing costs during this period other than by shortening permit processing time.
- * **Critical mass.** Destination shopping requires critical mass. Currently, Del Mar does not have critical mass as a shopping destination. The city can help change this by increasing the density of downtown. But, Del Mar may be too small to generate true critical mass. And, the more diversity we foster in the types of businesses downtown the less critical mass we have for any given sector.
- * **Process predictability.** The city can make the outcome of its development review process more predictable, although some uncertainty and variation will remain as humans (planning director, DRB, Planning Commission, City Council) will interpret standards and guidelines. Increased predictability increases the willingness to revitalize.
- * **Parking.** Adequate parking can be provided but the costs for structures and other solutions are very high and raise a number of issues. For example, a 100 space parking structure costs about 3 million. No funding sources are currently in place for such solutions.
- * **Pedestrian friendly.** Streetscape, sidewalks, and other pedestrian amenities that draw customers are important and can be provided but the cost will be high.
- * **Lot size.** Many downtown lots are small or awkwardly shaped. The city can facilitate lot re-consolidation but cannot change the requirements of state subdivision law nor compel adjoining owners to cooperate.
- * **Coastal Act requirements.** Del Mar is entirely within the coastal zone and subject to the requirements of the Coastal Act and the Coastal Commission. The Act and the Commission have the final say on many aspects of downtown redevelopment including LCP amendments, neighborhood parking plans, and other key decisions. The City has some ability to influence these decisions but no final control.
- * **Traffic congestion.** Del Mar's downtown experiences traffic congestion during the fair and race seasons, during high visitor summer months, and during daily weekday commute hours. Del Mar has only limited ability to ease traffic (traffic circles vs. stop signs, etc.)
- * **CEQA review .** CEQA will require an EIR on the FBC which will probably take six months to one year to complete and which will impose substantial costs on the city. The process will also require analysis, and perhaps adoption, of alternatives that are viewed as not ideal from a local perspective but which have less adverse regional impact.

Measure B. Measure B requires the preparation of a Specific Plan for certain downtown projects and voter ratification thereof. The city gov't cannot alter measure B but the voters can amend or repeal the measure.

What does it all mean? Most of the key impediments to downtown revitalization are outside the city's control. To overcome the major cost disincentives imposed by these outside impediments the city will need to dramatically change the few key factors that it does control, i.e., major increases in downtown density and major reductions in city review processes will be required to overcome the impediments that are outside the city's control. Small, incremental changes are unlikely to work.

This means either that the city will, in my view, face the tough choice of adopting an FBC program that dramatically changes downtown - - doubling its density or more-- to craft a program that has a chance to work financially, or of adopting a more modest program likely to languish on the shelf unused. Each of these scenarios has its problems. The "doubling of downtown" scenario raises real issues of traffic congestion, parking, and quality of life. I believe a public vote on such a program is important and that the City Council should commit now to holding a public vote ratifying, or rejecting, the FBC program after it is adopted by the City Council. And, it seems clear to me that whether or not DRB review exists for FBC projects, while an emotionally charged issue and important when one's view is at stake, is a relatively minor issue compared to the other impediments to redevelopment.

It also seems clear to me that most of the impediments to downtown revitalization that the city can influence will require large amounts of money to address (improving streetscape, construction of parking structures, etc) . The cost to do even some of these will be in the millions. At present the city has no ability to finance such undertakings. Accordingly, a financing plan needs to be part of any serious FBC program.

Absent a financing plan to pay for needed public improvements, the inevitable outcome of the FBC process will be relaxation of the requirements imposed on private property owners and increased density without the financing to implement the equally important public improvements and benefits to make the increase in density compatible with the community. For the FBC to succeed both aspects of the FBC must proceed at the same time: increasing density to provide incentives to private redevelopment and financing and installation of needed public improvements.

I believe we should have a robust city-wide discussion now, so that the community's views can help shape important aspects of FBC. How big we want downtown to be? What kind of public amenities we will insist on? How much we are willing to relax development controls and increase density to provide enough "drive" to fuel revitalization of our downtown? I hope this brief review will stimulate thinking that is rooted in reality with respect to the many impediments to downtown revitalization. ■

APPEALING DESIGN

Art Olson, Avenida Primavera

It seems as if the residents of Del Mar are constantly in a "love-hate" relationship with the Design Review Board— and its role as the principal gatekeeper in the property development process. Most of us love the way Del Mar looks, and appreciate the role that the DRB plays in maintaining the human scale, and unique character of our city. It affords us all a say in how we think our neighborhoods should evolve. However, when it comes to our own development plans, it may appear as a daunting hurdle to attaining the home of our dreams. The DRB, however, is not the court of last resort in deciding what can and cannot be built in Del Mar. In fact, the DRB serves subordinate to the City Council, and its determinations may be considered only advisory if the DRB decision is appealed.

For a fee (currently \$250) either project applicant or any project opponent can file an appeal to the City Council within 10 days of the board's decision. After an appeal has been filed, the City Council will hold an "initial consideration" hearing, where they evaluate the written



Photo illustration Art Olson

appeal document and any written responses as well 3 minutes of oral comments each from applicant and appellant. No rebuttal or other public comment is heard and no council discussion takes place. Unless at least two Council members decide they want to set a de novo hearing on the matter, the DRB decision will be considered affirmed. If a hearing is set, then the City Council will hear the application at a subsequent Council meeting, and function in place of the Design Review Board without consideration of any prior hearing.

So, how has the DRB done in the recent past? According to Senior Planner, Adam Birnbaum, from 2006 through 2009 there have been 89 determinations of full applications

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DEL MAR LIBRARY NEWSLETTER

The Del Mar Library Spring Newsletter is now online. You can check it out at:

www.friendsofdelmarlibrary.org/

ARTS

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many other service organizations. In addition, a dynamic Art in Public Places program has successfully managed to place art, mostly sculpture, among buildings and within parks and open spaces--therefore bringing art into daily life of both residents and visitors.

In 2004 the consultant Roger Books, president of Destination Development, encouraged Fallbrook to position itself as an Arts-education destination and to strive to stimulate the vitality and economy of Fallbrook through cultural tourism and to enhance its standing as a regional arts leader. His challenge: "Forget avocados. Think visual arts." Since then the city has continuously moved along this path.

An economic consultant recently conducted an analysis of the economic impact of the Arts Center and related programs. The conclusion: the approach has had a substantial and positive impact upon the retail sector by generating tourism, creating a demand for retail space and increasing city revenues. More than 3,000-4,000 persons regularly visit on weekends and local residents increasingly patronize local shops and arts programs. More importantly, the approach towards revitalization has served to insure a "There" is "There." ■

UTOPIA

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the money can be better spent.

Form Based codes are under serious consideration but this approach is hard to implement in a built out city and requires an EIR with associated expenses. To speed the process and gain the desired results, redevelopment could be encouraged by changing the codes to allow 100% or greater FAR. Keep the height limit on the east side of Camino Del Mar and allow up to two stories on the west side, contingent upon design review. Consideration could then be given to varied rooflines and other features that keep the charm of Del Mar.

Encourage developers to build parking structures on the west side where the properties are far below street level. Put restaurants and shops at street level with office, residential and professional services above. Santa Barbara has done a great job along State Street.

Consider Pay and Display parking on side streets to generate revenue to assist with keeping the beaches clean and other city services. This would provide an on-going revenue stream year round. Please consider these practical solutions as we move forward. ■

BREAKING NEWS!

The Sandpiper scoops the dailies.

dateline: April 27, 2:04pm

Undergrounding Buried!

Homeowner voters reject both proposed undergrounding projects in Del Mar.

Sunset district: 48.7% yes, 51.3% no

North Hills district: 42.9% yes, 57.1% no

Full story of how this unfolded will be told in June issue of Sandpiper and on the website later this week.

SLATER SLAMS SPLIT MEMORANDUM

From: Supervisor Pam Slater-Price

To: San Dieguito River Park JPA

The City of Del Mar Planning Commission considered the Andrews Lot Split at its April 13, 2010 hearing. The Andrews lot is directly west of the Grand Avenue Bridge Overlook and parking area.

The project proposes to subdivide a 2.4-acre single-family residential property into two separate parcels in order to build a second residential unit on the portion of the property closest to San Dieguito Road. The applicant is asking the Coastal Commission to modify the Deed Restricted Open Space Easement on the property required when the first residential unit was constructed.

In addition, the project requires a Conditional Use Permit from the City of Del Mar to allow a reduction in the 100-foot buffer from the wetlands to a 50-foot buffer and to build in a portion of the 10-foot-wide-steep-slope setback required under the City's Bluff, Slop and Canyon Overlay Zone standards. A portion of the parcel is also located in the flood plain of the San Dieguito River.

The project is being reviewed by Coastal Commission staff. The contact is:

Lee McEachern

California Coastal Commission

(619) 767-2370

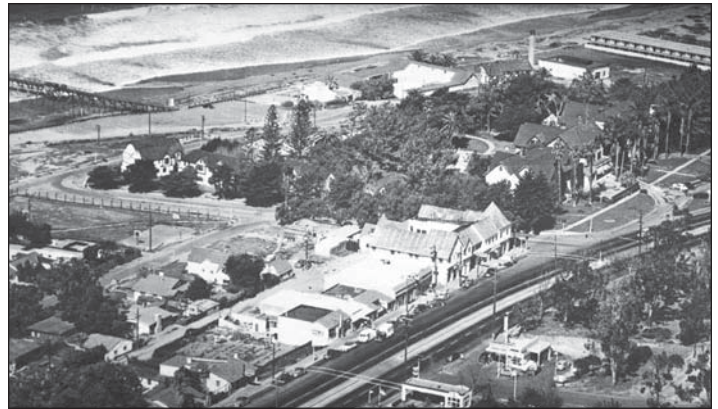
This project will have a significant impact on the River Park. I am concerned that the City of Del Mar did not notify the River Park of this potential project within the River Park's Focused Planning Area. Therefore, I am bringing it to the JPA's attention and will also notify the California Coastal Commission of this lack of notification.

NAYS ON EYES

Bud Emerson, Klish Way

Downtown Del Mar's future is in store for some dramatic changes, at least in the eyes of the Form Based Advisory Committee (FBC). The picture that is emerging calls for a substantial increase in allowed square footage from 45% lot coverage to 100% or more, many two story buildings, and a fast track review process by staff only. Their goal is to offer developers a plate of incentives, along with removal of perceived obstacles to stimulate downtown revitalization.

After many months of hard work and discussion of general



Aerial map of Del Mar 1947. from www.delmar.ca.us

concepts, the committee is beginning to produce some very specific recommendations. A strong majority clearly favors these significant changes in volume and height. Their stated intent is to provide "predictability" to developers by creating an administrative review process that will involve little or no public participation. Their belief is that FBC zoning is being created to avoid "going backward" where "too many pairs of eyes" looking at a project will be a "red flag for developers".

The "eyes" they are referring to are Design Review Board (DRB) members. Most of the FBC committee members see the DRB as the main obstacle to revitalization. Rick Ehrenfeld and Dwight Worden are the only committee members who object to allowing commercial property owners to avoid the DRB process that is required for residential property owners. Other committee members believe that they will create a set of very specific "standards and conditions" in the zoning that will make review unnecessary and redundant.

Yet to be decided is how to protect residential views that may be impacted by the increase in commercial building heights. They are leaning toward a "height threshold for view determination". Some members say they "honestly do not believe any view will be blocked with 14-18 foot building heights" so those projects should not be subject to DRB review. They are also considering an appeal process for view determination that would give residents an opportunity to object if their views are unreasonably impacted.

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DEL MAR COMMUNITY CALENDAR

Highlights for May 2010

Del Mar Farmer's Market: Saturdays, 1-4pm, City Hall parking lot. Purchase fresh, locally grown produce, flowers, eggs, seafood, breads and many other products.

City Council Meetings: Monday, May 3rd & May 17th, 6:00 pm, Del Mar TV Station.

Ad Hoc Form Based Code Advisory Meeting: May 4th, 4:00 p.m, DMTV station

First Thursday: May 6th, Playwrights Project, Powerhouse Community Center, refreshments at 6:30pm, lecture at 7pm. This event is for subscribers only and is sold out.

Teen Talk: Friday, May 7th, 3:30-4:45pm, meet with other teens to socialize, do homework and snack. Del Mar Library

DMCC Monthly Board Meeting: Saturday, May 8th, 9:00 am, City Hall Annex. The meeting is open to the public.

Mother's Day: Sunday, May 9th, all day.

Coffee & Conversations: Monday, May 10th, 10:30-12:30am. "Readings from Our Lives" with Mai Lon Gittelsohn and students. Light refreshments served, DMTV studio.

Spanish and English Storytime: Tuesday, May 11th, 10:30-11am, Del Mar Library.

Planning Commission Meeting: Tuesday, May 11th, 6:00 pm, Del Mar TV Studio.

Cultural Arts Committee: Wednesday, May 12th, 8:30am, Powerhouse Community Center. Meetings open to anyone who would like to attend.

DMVA Promotion Committee: Wednesday, May 12th, 9:00 a.m., DMVA Office, 1201 Camino Del Mar #205.

Del Mar Foundation Board Meeting: Thursday, May 13th, 8:30am, City Hall Annex. All interested parties are welcome.

Cleanup Day: Saturday, May 15th, 7:00am-3:00pm, by appointment only. Waste Management will collect up to 3 large items such as couches and water heaters (NO hazardous waste) if left at curb - free! Call: 1-800-DUMPSTER from May 3rd-10th for appointment.

Winston School Festival of the Arts. Saturday, May 15, 2:30 to 5:30, on campus,

DMF presents Laurie Lewis and the Right Hands: A special Bluegrass Concert, May 16th, Del Mar

Powerhouse Community Center, 7:00 p.m (doors open at 6:30). Tickets and information: www.delmarfoundation.org

Del Mar Arts Center Board Meeting: Monday, May 17th, 6:30pm, Del Mar Arts Center.

Del Mar Historical Society Monthly Meeting: Tuesday, May 18th, 7:00 p.m, City Annex

Friends of the Powerhouse Board Meeting: Wednesday, May 19th, 9:00 am, Jakes Del Mar. The monthly meeting is open to all.

Energy Issues Advisory Committee: Thursday, May 20, 5:30 to 7:30 p.m. at City Hall Annex

Second Annual Jerry Finnell Memorial Walk: Saturday, May 22nd, 8:00 am, The walk starts with breakfast at the Del Mar Fire Station, 2200 Jimmy Durante Blvd. Help honor City Council members, past & present. Please register in advance: 858-792-7656, Commemorative white ribbons will be available for personalized dedication to a loved one, later the ribbons will go on a memorial wreath to be displayed at the Del Mar Library. \$25 adult, \$15 child

Community Workshop - Automated Horn System: May 25th, 6:00 p.m, City Hall Annex. Come and learn more about a stationary horn (Wayside Horn) which may be permanently located at the railroad crossing at two fixed locations and would replace the need for train engineers to use their horns as they travel through Del Mar. For more info on the train go to www.delmar.ca.us

Del Mar Foundation Children's Committee Monthly Meeting and Social: Wednesday, May 26th, 9:30-10:30, Del Mar Library Community Center. Children are welcome at the meeting.

Design Review Board Meeting: May 26th, 6:00 pm, DMTV

DMVA Board Meeting: Thursday, May 27th, 8:30 am, City Hall Annex.

DMCC Senior Legal Services: Friday, Friday, May 29th, 9 am to 1 pm, DMCC office in City Hall Annex. Many legal services FREE to seniors 60 years and over, living in 92014 zip code. Call DMCC 858-792-7565 to reserve.

Book Sale: Memorial Day weekend, Saturday 9:00-3:00 and Monday 9:00-3:00, St. Peter's Church, best sellers and children's books. -Benefits "Joy to the World Kindergarten"

Memorial Day: Monday, May 31st.. City offices will be closed.

RACING TO FINISH LINE

Carl Hilliard, Crest Road

Our very own Del Mar racetrack is second in popularity only to New York's Saratoga. Its rise to prominence is a credit to Joe Harper and Craig Fravel, respectively CEO and president of the Del Mar Thoroughbred Club (DMTC), whose license to operate the track ends this year.

In the '30s, when hooves first met turf at Del Mar, horse racing had a monopoly on California's gambling. Some 80 years later, much has changed but Horse racing is still regulated as if it were a monopoly. Proposed changes to help the horse racing industry compete in today's international gambling market push hot political buttons.

Think horse owners are at the top of the heap? Wrong.



Drawing from Sandpiper archives

Here's how it works: the larger the field or number of horses in a race, the greater the handle or amount bet on a race. The overall handle determines the amount available for distribution to the winners or size of the purse awarded. Since California purses are now lower than average, many Thoroughbreds have been shipped to other states to race. It's a vicious cycle, leaving fewer horses and smaller fields, resulting in smaller handles and reduced purses, attracting fewer horses.

States that have wised to what today's gamblers want permit slot machines, video lottery or Instant Racing terminals at the tracks for between-races entertainment – and for much-needed revenue to supplement purses. California's horse racing is up against opposition from

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DESIGN

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by the Design Review Board. Of those 89 a total of 7 applications were appealed to the City Council. Of those 7 only 2 went to a de novo hearing, and only one Council decision went counter to the original DRB determination. These statistics seem to indicate that the DRB is doing a remarkably good job, since not only are the vast majority of DRB decisions uncontested, the City Council concurs with their action in almost every single case. Love it or not, the Design Review Board works for Del Mar. ■

NAYS

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According to Planning Director Brian Mooney, the FBC committee will soon be reviewing form "models" and alternatives for each block in the 9th-15th street corridor. Although all of the meetings to date have been open, there has been very little participation from the public. Interestingly, neither have commercial property owners been in evidence during the many months of deliberation. The long promised public "charrette" workshops will likely be scheduled during the summer months. Mooney says residents will have multiple opportunities to participate in neighborhood meetings, public workshops, and in online graphic processes.

And of course, the public will have the final say when the City Council puts the new FBC zoning code on the ballot. Originally scheduled for November, that election is now planned for sometime in 2011. ■

SIGNS OF SPRING



"I make four mil a season more than you and you walk out here and tell me what to pitch to a .195 hitter?"

Cartoon John Dempsey, May 2002

ENVIRONMENT

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and trail crossings will replace an old culvert squeezed by three piers.

A full Draft EIR is expected to be released by the City later this year and the new plan will be included as an Alternative to the original designs in order to reduce the environmental and aesthetic impacts of these projects on the western river valley. ■

Shawna Anderson, San Dieguito River Park, and Jan Fuchs and Anne Harvey, Carmel Valley Planning Board representatives on the River Valley Task Force, provided information for this article.

RACNG

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anti-gambling groups and tribal casinos that so far have prevented our state from being able to prevent the decline of an industry that is important to Del Mar from a economic and historic perspective.

The DMTC reduced the number of racing days last year in order to maintain larger fields and more competitive purses, which averaged just over \$550,000. Sounds good until you hear that this year New Jersey's Monmouth Park intends to pay daily purses of \$1 million on 50 live racing dates operating from May 22 through Labor Day, a considerably longer racing season than Del Mar's.

A few months remain before Del Mar saddles up for its 71st racing season. At this point, it's wait and see whether legislation will put horse racing on a more even playing field with other gambler options and whether the DMTC is awarded a new lease in mid-November when the State Race Track Leasing Authority, the agency responsible for leasing the Del Mar track and periodically reviewing lease operation, makes its decision. ■

Carl Hilliard is a Del Mar councilmember. He and his wife, Sharon, own the Thoroughbred racing stables, Mooncoinnllc.

CORRECTION

Editor: I wrote an article about the Fairgrounds, its Master Plan, and its environmental stewardship for the February 2010 Sandpiper issue entitled "Trust your Eyes not Your Ears." In that article I referenced that the Master Plan proposes: "...1 million square feet of new development at the fairgrounds." This should have said "...1 million square feet of construction of which about 300,000 feet reflects new projects and the balance demolition and rebuilding."

Dwight Worden, April 16, 2010

HOW OBSERVANT ARE YOU?

Which one of these solar machines is NOT located in Del Mar? Answer: assign a number to each letter in the title above. The answer is **12-8-13-6-1**. The name of the city where the mystery machine is located will be posted on the Sandpiper website, along with precise coordinates for the 2 machines located in Del Mar.



Solar Parking Meter. Photo Dan Nore



Solar Ticket Dispenser Photo Dan Nore



Solar Trash Can. Photo Dan Nore

MEMORIAL WALK 2009

photos Art Olson



REMEMBERING MAYOR JERRY BENEFIT FOR DMCC PROGRAM

Pat JaCoby, Del Mar Community Connections

Who: Del Mar Community Connections

What: Second Annual Jerry Finnell Memorial Walk

Where: Del Mar Fire Station, 2200 Jimmy Durante Blvd., Del Mar

When: Saturday, May 22, 2010, 8 a.m.

Why: Benefit for DMCC's Care Management Program which helps Del Mar residents remain in the homes they love.

A leisurely spring walk along the revitalized San Dieguito Lagoon on May 22 will honor a beloved former mayor and at the same time serve as a benefit for the care management program sponsored by Del Mar Community Connections to help residents age in place.

The second annual Jerry Finnell Memorial Lagoon Walk will begin at 8 a.m. at the Del Mar Fire Station where an informal breakfast of fruit, bagels, pastries, coffee and juice will be served. A special attraction at the breakfast will be the distribution of commemorative ribbons which attendees can use for personalized dedication to a loved one. The ribbons will be added to a memorial wreath to be displayed at the Del Mar Library.


Donations for the event are \$25 per adult and \$15 per child. Reservation forms may be obtained at the DMCC office in the City Hall Annex, or the DMCC web site. Further information is available at 858 792-7565 or dmcc@dmcc.cc.

Docents from the San Dieguito River Conservancy who are experts in habitat areas and bird life the lagoon will be stationed along the lagoon path. Dogs on leash will be allowed to join in the walk. Hats and sunscreen are advised. Free parking will be available; seniors needing rides may call 858 792-7565.

Jerry Finnell served on the City Council for several years and as mayor in 2005; he was reelected to a second term but died of cancer in 2008. After retiring from KPMG in 1995, he and his wife, Kathy, moved to Del Mar from Chicago and donated their time and talents to numerous civic activities, including Jerry's service on the boards of the Friends of the San Dieguito River Valley and Del Mar Community Connections. A graduate of UCLA and a CPA, he headed the city finance committee and worked on the Lagoon Joint Powers Authority.

Chris Engelbrecht, Lagoon Walk chair, said donations will go toward the DMCC's Care Management Program which helps maturing adults and their families develop solutions to the challenges of aging. ■

Second Annual Jerry Finnell Memorial Walk Registration Form

First Name:		Last Name:	
Address:			
City:		State:	Zip Code:
Daytime Phone:			
Email:			
 Del Mar Community Connections <small>PO Box 2947 Del Mar, CA 92014 www.dmcc.cc 858-792-7565</small>		Entry Fee - Adult \$25; Child \$15 \$	
		I won't be able to attend. Enclosed is my donation. \$	
		Total Enclosed: \$	
AGREEMENT OF RELEASE AND WAIVER OF LIABILITY (All Participants must sign)			
<p>I, _____ [PRINT NAME OF PARTICIPANT], hereby agree to the following: 1. That I am participating in the JERRY FINNELL MEMORIAL WALK, sponsored by Del Mar Community Connections, (the .Walk.). I recognize that during the Walk, I may be shuttled by the DMCC bus and walking along the lagoon I recognize that I may be exposed to external hazards, and that the Walk will require physical exertion which may be strenuous and may cause physical injury, and I am aware of the risks and hazards involved. 2. I understand that it is my responsibility to consult with a physician prior to and regarding my participation in the Walk. I represent and warrant that I am physically fit and I have no medical conditions which would prevent my full participation in the Walk. 3. In consideration of being permitted to participate in the Walk, I agree to assume full responsibility for any risks, injuries or damages, known or unknown, which I might incur as a result of participating in the Walk. 4. In further consideration of being permitted to participate in the Walk, I knowingly, voluntarily and expressly waive any claim I may have against Del Mar Community Connections, their officers, directors, and volunteers, The City of Del Mar, The California State Parks, The San Dieguito River Va Valley and any other person acting for or on behalf of any of them (all of the foregoing, the .Releasees.), for injury or damages that I may sustain as a result of participating in the Walk. 5. I, my heirs and legal representatives, forever release, waive, discharge and covenant not to sue any of the Releasees for any injury or death caused by their negligence or other acts. I have read the above release and waiver of liability and fully understand its contents. I voluntarily agree to the terms and conditions stated above.</p> <p style="text-align: center;">IF THE PARTICIPANT IS A MINOR, THIS FORM MUST BE SIGNED BY A PARENT OR LEGAL GUARDIAN.</p>			
Signature:		Date:	
Printed Name of Parent or Guardian (if applicable):			
Witnessed by:		Date:	

MAY CALENDAR DEL MAR COMMUNITY CONNECTIONS

www.dmcc.cc 858 792-7565
P.O. Box 2947, Del Mar, Ca 92014

Monday, May 3, 11:30 to 1 p.m.: Lunch around the Village with Darcy Mulholland—Visit with friends and neighbors! \$10 includes lunch and tip. Space is limited; reservations required. Deadline is April 29. 858-792-7565. Bully's, 1404 Camino Del Mar.

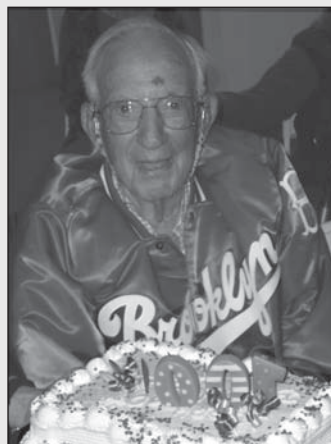
Monday, May 10, 10:30 to 12:30 p.m.: Coffee & Conversations – "Readings from Our Lives". Enjoy one of our most popular coffee talks with Mai Lon Gittelsohn and students from her Life Story Writing classes. Light refreshments served. Del Mar TV Studio, 240 10th St. 858-792-7565

Sunday, May 23, 1:00 to 5 p.m.: The Coastal Communities Concert Band Salutes Young Musicians at the Encinitas Senior Community Center. Ride the bus and leave the driving to us - \$17 includes admission and bus donation; \$12 if you drive yourself. 858-792-7565.

Saturday, May 22, 8am. What: Second Annual Jerry Finnell Memorial Walk To begin at the Del Mar Fire

Station, 2200 Jimmy Durante Blvd., Del Mar. Use the form above to sign up.

Monday, May 24, 10:30 a.m.: Schemes, Scams and Shams Talk with San Diego Sheriff's Department Crime Prevention Specialist Henry Tirado. Thought you knew it all? So did we! There are old scams being updated and they can easily fool you by phone, internet and even at your door! Come and hear the latest scams, shams and schemes and learn how not to be a victim. Del Mar TV Studio, 240 Tenth St. Reservations required: 858-792-7565.



Del Mar resident Henry Dalessio celebrated his 100th birthday on April 16 with a cake presented by DMCC at the Powerhouse at Dr. Michael Merzenich's Brain Plasticity talk. What an inspiration!

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River/Fairgrounds. Photo panorama Art Olson

COASTAL COMMISSION SAYS WHOA!

Jan McMillan, 12th Street

In its response letter to the Fairgrounds' Master Plan Draft Environmental Impact Report (DEIR) on major expansion proposals, the California Coastal Commission staff acknowledges the Fairgrounds' "many contributions to the region as a source of cultural, commercial and recreational interests" but nevertheless finds many deficiencies in the report. This particular response letter is extremely important because many of the projects proposed in the Master Plan will require coastal development permits from the Commission, whose staff is known to apply the policies of California's Coastal Act most strictly, as it is charged to do. Other agencies and individuals who share the staff's opinion of the DEIR may see the response as a validation of their own work.

The Coastal staff letter reads:

"Commission staff appreciates and understands the District's needs and responsibilities to maintain economic viability, enhance the visitor's experience at the Fairgrounds, modernize the site's facilities and provide new amenities at the site. However, there's a delicate balance required to meet those objectives given the fairground's location within a sensitive coastal lagoon environment and river valley, which is undergoing significant restoration, and three urban beach communities that are seriously impacted by

traffic and the absence of public transit alternatives... As a whole, the DEIR fails to appropriately assess the scope of identified impacts and further fails to consider multiple resource impacts in its analysis." (p. 1)

Some specific DEIR sections criticized include:

Public Access. "...the massing and siting of the proposed hotel/exhibit hall complex significantly encroaches upon the river corridor and must be reconsidered. Along this rivercourse, there should be a significant greenbelt and widened corridor to encourage and draw the recreational user towards the ocean and river mouth." (p. 2)

Marine Environment. Because the Fairgrounds was developed on what were historic wetlands, and is part of an open space undergoing an extensive restoration effort, "proposed improvements to the Eastern Overflow Lot and continued reliance on the Southern Overflow Lot would not be permitted uses. . . .Neither would "Creation of an improved, all year round parking facility or construction of a parking structure." In addition, "the composition and velocity of [water] runoff would appear to be significantly changing and must be addressed." (p. 3)

The staff also challenges the DEIR's handling of Land Resources, Visual Resources, Traffic Impacts, Alternate Transit Options, Hazards/Flood Protection/ River Channelization, Recreation and New Development.

The entire Coastal staff letter will appear with all other responses in the final Environmental Impact Report. ■