



La Jolla Community Planning Association  
 Regular Meetings: 1<sup>st</sup> Thursday of the Month | La Jolla Recreation Center, 615 Prospect Street

Contact Us:

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President: Bob Steck  
 Vice President: Helen Boyden  
 2<sup>nd</sup> Vice President: Brian Will  
 Secretary:  
 Treasurer: David Gordon

**FINAL MINUTES –**  
**Regular Meeting | Thursday, 7 February, 2019**

**Trustees Present:** Ahern, Boyden, Costello, Gordon, Kane, Little, Merten, Rasmussen, Shannon, Steck, Weiss, Weissman, Will.

**Arrived Late:** Courtney,

**Absent:** Mangano, Collins, Brady

**Meeting Commences:** 6:05.

**1.0 Welcome and Call to Order: Bob Steck, President**

*Please turn off or silence mobile devices*

*Meeting is being recorded*

**2.0 Adopt the Agenda**

**Motion:** Adopt the Agenda. (Boyden/Will)

Kane questioned item#15 should be removed; on agenda; will address that later.

**In Favor:** Ahern, Gordon, Rasmussen, Boyden, Will, Costello, Little, Merten, Shannon, Weiss

**Opposed:**, Kane

**Abstain:** Steck (Chair)

**Motion Carries: 10-1-1**

**3.0 Meeting Minutes Review and Approval: 3 January, 2019**

**Motion:** Approve 3 January Minutes as corrected (Gordon/Kane)

**In Favor:** Ahern, Boyden, Costello, Gordon, Kane, Little, Merten, Rasmussen, Shannon, Weiss, Will.

**Opposed:** None.

**Abstain:** Steck (Chair)

**Motion Carries: 14-0-1**

**4.0 Officer Reports:**

**4.1 Treasurer Dave Gordon reports:**

<b>La Jolla Community Planning Association</b>	
<b>Treasurer’s Report for February 7, 2019 Regular Meeting</b>	
<b>Beginning Balance</b> as of 1/1/19	\$ 223.97
<b>Income</b>	
• Collections	\$ 219.00
• CD Sales	
<b>Total Income</b>	<u>\$ 219.00</u>
<b>Expenses</b>	
• Agenda printing	\$ 40.17
▪ Check reorder	\$ 32.44
• AT&T telephone	<u>\$ 86.00</u>
<b>Total Expenses</b>	<u>\$ 158.61</u>
<b>Net Income/(Loss)</b>	\$ 60.39

**Ending Balance** of 1/31/19

\$ 284.36

**4.2 Secretary** – Ahern in lieu of secretary: need to attend 3 meetings to run for trustee, attend once to be member, make sure you sign in.

**5.0 Elected Officials** – Information Only

**5.1 Council District 1:** Councilmember Barbara Bry –

Rep: **Mauricio Medina**, 619-236-6611, [mauriciom@sandiego.gov](mailto:mauriciom@sandiego.gov)

- Announced Slurry Seal of several La Jolla Streets and passed out location map
- Bry Bulletin includes Bry's State of District speech which included the CPA #1 priority to install and repair Marine Room beach access
- Encouraged citizens to be involved in setting priorities in Mayor's budget meetings in April
- Boyden questioned condition of roads to be suitable for Slurry Sealing; Medina responded city has computerized mechanism to categorize streets taking in many factors and advised contacting council office for details.

**5.2 78<sup>th</sup> Assembly District:** Assemblymember Todd Gloria

Rep: **Javier Gomez** 619-645-3090 [javier.gomez2@asm.ca.gov](mailto:javier.gomez2@asm.ca.gov)

- Todd Gloria appointed for 2<sup>nd</sup> term and majority whip of assembly and Vice Chair of LGBTcaucus.
- Audit for Hep A outbreak released showing County failed in letting city know about the concentration of outbreaks and did not implement sanitation measures needed.
- This led to AB 262 outlines specific roles of local government during outbreak of communicable disease. Counties more empowered to prevent in future.
- Gave examples of important items in Governor's budget.
- Question re: new laws for scooters – why did Gloria support? It was modeled on bicycle code. Gave more local control. Discussion of safety hazards. Javier will take back to Gloria

**5.3 39<sup>th</sup> Senate District:** State Senator Toni Atkins, Senate President pro Tempore

Rep: **Chevelle Newell Tate**, 619-645-3133, [Chevelle.Tate@sen.ca.gov](mailto:Chevelle.Tate@sen.ca.gov)

Chevelle Tate – not present

**6:30PM Time Certain** – Item # 14 – Pipeline Rehabilitation AL-1 City Engineer not present.

**6.0 President's Report** – Information only unless otherwise noted

**6.1 Motion to ratify Matthew Price to Airport Noise Advisory Committee.** (Boyden/Ahern)

**In Favor:** Ahern, Boyden, Costello, Courtney, Gordon, Kane, Little, Merten, Rasmussen, Shannon, Weiss, Weissman Will.

**Opposed:** None

**Abstain:** Steck (chair)

**Motion Carries;** 13-0-1

**6.2 Motion to Ratify President's appeal of the Categorical Exemption for the Bonair Project** (Costello/Kane)

**In Favor:** Ahern, Boyden, Costello, Courtney, Gordon, Kane, Little, Rasmussen, Shannon, Weiss, Weissman, Will.

**Opposed:** none

**Abstain:** Steck,(chair) Merten

**Motion Carries:** 12-0-2

**6.3 PDO Information:** PDO committee did meet and discussed McLaren/Coach mural; Neighborhood Code Compliance has approved the mural in compliance.

**6.4 Election Committee Announcement:** 10 Open seats, six 3-year terms, expiring 2022, one 2-year term, three 1 year. Anyone who has attended at least 3 meetings including tonight can still run by giving name to Patrick Ahern tonight. Election will be held 3 to 7 pm on March 7, in the Gill Room of this building. Photo ID is required to vote. 15 people are running for the 10 seats. The following people gave 2 minute presentations: Dan Courtney, Tony Crisafi, Kathleen Neel, Jim Fitzgerald, Nancy Manno (by Janie Emerson), Glen Rasumussen, Ted Haas, Greg Jackson, John Fremdling , Dede Donovan, Dave Ish, Eamon Callahan, Cindy Hazuka, Mike Costello. Karen Marshal not present.

**7.0 Public Comment**

Opportunity for public to speak on matters not on the agenda, 2 minutes or less.

- 7.1 City of San Diego – Community Planner: Marlon Pangilinan, [mpangilinan@sandiego.gov](mailto:mpangilinan@sandiego.gov)**
- Community Planning Group workshop list is out for new trustees and public.
  - First, February 28, from 6 to 8 pm at 9485 Aero Drive: What To Know When Reviewing Projects and CEQA presented by Development Services staff. Call 619-235-5200
  - Another Community Orientation Workshop is planned for May. This workshop is mandatory for new trustees.
- 7.2 UCSD - Planner: Bob Brown , <http://commplan.ucsd.edu/>**
- Thanks to those serving on UCSD committee advisory groups
  - Ribbon cutting on Gilman Drive bridge today, open for traffic tomorrow.
  - Long range plan approved by Regents in November and goes into effect in January.
  - Boyden, will committee continue? Yes, Committee will continue and we need to send representative.

**7.3 General Public**

Ken Hunricks – Request that CPA oppose the renewal of beach closure permit and extension of rope barrier to be on agenda at Coastal Commission meeting on June 12, 13, or 14. He is requesting CPA to express opposition to those permits. City has not done what it set out to do with these permits. He will be at next CPA meeting to give presentation and will prepare document outlining his reasons for opposition to renewal of these permits.

Joe LaCava – He is running for city council District 1

Will Moore – He is also running for city council Districts 1

Melinda Merryweather – asked to have billboard approved by Code Compliance on agenda next month for discussion. Comments made that discussion should at PDO Committee. Also Independent La Jolla is alive and well; recent important meeting LAFCO and Paul Kennerson in attendance with positive input and advice.

**8.0 Non-Agenda Trustee Comment**

Opportunity for trustees to comment on matters not on the agenda, 2 minutes or less.

- 8.1 David Gordon** – Serious pedestrian and traffic safety problem at corner of La Shores Drive and Calle de Oro. Northbound traffic turning right onto Calle de Oro. Property owner at corner who does not live there, has tall hedges grow, 6ft tall, grows over sidewalk, sandbags placed on sidewalk, drivers roll through stop sign, pedestrians forced into street. City streets, traffic not concerned in pedestrian safety issues, sees problem only if vegetation grows into street. More attention needs to be given to pedestrians and sidewalk maintenance.
- 8.2 Diane Kane** –
- 8.2.1** Introduced two UCSD student interns: Elizabeth Gomez and Stephen Lin. Stephen said he is majoring in Urban Studies and will be studying the 50% rule focusing on Bird Rock creating a spreadsheet comparing properties using pictures before and after 50% rule applied. Elizabeth Gomez said she will be updating and improving the website as this information is very important to community. Her graphic design background will enable her to add some pizzazz also.
- 8.2.2** – Diane reported she met with B. Bry's office about city's unwillingness to do anything on 50% rule or with the draft memo which we have submitted to several members at city hall. The feedback was that we shouldn't be approaching the city attorney because we may not be getting the answer we are looking for. They recommended that we should use different approach going straight to the code update committee and submitting some quick fixes. We identified 4 quick administrative fixes that would address 80 % of the abuses. CPA could appoint a subcommittee and come up with some language and get it in before the next code update. The other is to go to the City Council and ask for an ordinance that would provide the relief we are looking for. Data on 50 % rule Stephen Lin is working on will be useful here.
- 8.3 David Little** -- Mayor decided to keep stanchions; we had a good plan. Hope we can wait and try later. Best way to promote bicycle use is to have preserved, protected paths that are more than just painted surfaces. Kudos to Mr. Ahern for outstanding slate of candidates.
- 8.4 Bob Steck** – Thanks to Diane for leadership with interns.

**9.0 Reports from Ad Hoc and non-LJCPA Committees** - Information only unless noted.

- 9.1 Community Planners Committee** <http://www.sandiego.gov/planning/community/cpc/index.shtml> - John

**Shannon** -- LJCPA representative.

- Community Planners committee is a constellation of all chairs and designates for 40 + planning groups in SD. These people are passionate about community involvement in city government.
  - John did not attend meeting, but felt the information item re the Grand Jury report is important.
  - Groups lack transparency because they are not consistently submitting or retaining documents required by Council Policy 600-24 and 600-24 eligibility requirements risk not adequately representing renters.
  - Records insufficient to determine whether planning groups cause delay of project review process.
- Boyden:** We did participate in audit report last year; our committee does very good job of submitting all reports. J. LaCava told City Council we are not delaying projects because the hearing on them is often much later so delay is often with city.

**Courtney:** Kudos to Patrick Ahern and election committee for getting new people on slate. Also thanks to Melinda Merryweather for looking out for the community, coastal access, getting to the beach.

**9.2 Coastal Access & Parking Board** <http://www.lajollacpa.org/cap.html> - did not meet.

**9.3 UC San Diego Long Range Development Plan CAG, one of LJCPA delegates, will report on discussion** <http://lrdp.ucsd.edu> (Steck) – did not meet, but attended event at Chancellors house (Geisel University House) to inform community officials about UCSD long range plans. University has done good job of growing the university and benefitting community as well with helping traffic problems with trolley, lots of campus housing, working with City of SD to make interactive timing of traffic lights on LJ Village Drive. Gillman Dr. bridge will divert a lot of traffic from LJ Village Dr. Warning to avoid Genesee & LJ Village Dr. intersection for next week as it will be closed.

**9.4 Hillside Drive Ad Hoc Committee – Diane Kane, Chair** – Committee met on Jan 10 with city reps.

- They expressed disappointment with lack of response from City and persons responsible for responding to a citizen request for information and assistance.
- Hillside Drive Ad Hoc Committee will need extension of time.
- Write letter to Hillside residents to remind them of no parking anywhere on Hillside and enforcement would be stepped up. Letter would also address emergency vehicle access. Since No parking signs ignored, Fire-Rescue Department prefers red painted curbs on both sides of street; some object to red curbs and no curbs in some places.
  - Suggestion for a Truck Study to determine how many and what type of trucks use Hillside, to physically regulate types of vehicles that are damaging road bed and to determine types of physical barriers available.
  - Study of residents to see what they would accept.
  - Discussion of urgent need for Uniformity of an EIR Response. City is ignoring impact of construction on the street. Projects are approved prior to issuance of Mitigated Negative Declaration without access to information that could have substantial effect on surrounding neighborhoods, streets and adjacent structures.

**9.5 Airport Noise Advisory Committee** – no report

**9.6 Playa Del Norte Stanchion Committee – Glen Rasmussen** reported Mayor stepped in and said no more funding for any reconfiguration at foot of Playa Del Norte. Doesn't accept reasons given by Mayor. He expects City Council person to follow through on her promise to help us make that happen.

(Boyden) City should have sent letter re Mayor's decision to CPA also as a courtesy.

## 10.0 Consent Agenda- Action Items

**The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the item/project is considered by the LJCPA.**

PDO – Planned District Ordinance Committee, Chair Deborah Marengo, 2nd Monday, 4:00 pm

DPR – Development Permit Review Committee, Chair Brian Will, 2nd & 3rd Tuesday, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Chair David Gordon, 3rd Monday, 4:00 pm

T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wednesday, 4:00 pm

The Consent Agenda allows the LJCPA to ratify recommendations of the community joint committees and boards in a single vote with no presentation or debate. It is not a decision regarding the item but a decision whether to accept the recommendation of the committee/board as the recommendation of the LJCPA. The public may

comment on consent items.

**See Committee minutes and/or agenda for description of projects, deliberations, and vote.  
Anyone may request a consent item be pulled for full discussion by the LJCPA.**

**10.1 MAROUF** – 2465 Hidden Valley Road **SDP/ CDP No.** 614315: (Process 3)-Site Development Permit (SDP). The proposed project is located at 2465 Hidden Valley Road on 12,650 sq ft a lot. The current proposed project is to amend the existing coastal permit/ site Development permit. The site is in the Coastal Overlay Zone (Non-Appealable) in the SF zone(s) of the La Jolla Shores Planned District of the La Jolla Community Plan area within Council District 1. Project number 409685 that permitted a guest quarters and a roofed patio area over garage and now is being amended to change this space to a companion unit as a use change and the sq ft being limited to 1200 sq ft of existing space. This project was previously reviewed and approved as project #409685 in August 2015  
**PRC Motion:** Findings **CAN** be made for Process 3 Site Development Permit (SDP)/ Coastal Development Permit (CDP) for Project #614315. Passed 5-0-1.

**10.2 GLENISTER - SDP** 7777 Lookout Drive; No. 621184: (Process 3) Site Development Permit to add 1,445 SF 2nd floor Master suite and studio on the top of existing 3,303 SF single-family residence at 7777 Lookout Drive. The 0.23-acre site is located in the Single-Family Zone of the La Jolla Shore Planel District, Coastal overlay (Non-Appealable) of the La Jolla Community Plan Area. Council district 1.  
**PRC Motion:** Findings **CAN** be made for Project #621184 for a Process 3 Site Development Permit (SDP) to add 1,445 SF 2nd floor master suite and studio to existing 3,303 SF single family, single story residence at 7777 Lookout Drive. Passed: 4-0-1

**10.3 Resident Request for Clear Zones-** on Nautilus Street at Avenida Manana, Avenida de la Reina, and Aranda intersections (Sally Miller)  
**T&T Motion:** To approve and recommend that the City explore/institute Keep Clear Zones for the Intersections of Avenida Manana, Avenida de la Reina, and Aranda: Passed: 8-0-0

**10.4 Resident Request to Remove Parking Spaces (Cont'd Item)** - on north and south bound Fay Ave at Pearl Street Intersection (Frances Zimmerman)  
**T&T Motion:** To **Recommend** restricting two parking spaces each on northbound Fay Avenue adjacent to Ortho Mattress and southbound Fay adjacent to Bevmo at the Pearl St, intersection to weekend use only: Passed 7-1-0

**10.5 Resident Request for Lighting of Pedestrian Crosswalk (Cont'd)-** on Fay Ave at Genter Street (Diane Wall)  
**T&T Motion:** To **Approve** request for Lighting of the Pedestrian Crosswalks on Fay at Genter intersection with added consistent restriping of all four crosswalks; added School Zone signage; and reinstallation of left turn lanes on Fay Ave at Genter north and south bound: Passed: 7-0-1

**10.6 Resident Petition for Speed Humps- On Paseo del Ocaso between Calle Clara and Vallecitos** (Richard McCormack)  
**T&T Motion:** To **Support** two speed humps on Paseo del Ocaso between Vallecitos and Calle Clara: Passed: 8-0-0

**10.7 HOA Petition to Alter Parking Hours-** Aveline HOA Request to increase parking time limit on portions of Silver Street and Draper Ave from two to three hours (Dr. Allan Churukian)  
**T&T Motion:** To **Approve** converting 2-hour parking time limit to 3-hour parking time limit adjacent to the Aveline Development on portions of Silver Street and Draper Ave. Passed 8-0-0.

**Motion:** Approve Consent Agenda (Will/Gordon)

**In Favor:** Ahern, Boyden, Costello, Courtney, Gordon, Kane, Merten, Rasmussen, Shannon, Weiss, Weissman, Will.

**Opposed:** Little

**Abstain:** Steck (chair)

**Motion Carries:** 12-1-1

Rasmussen: procedural question re item 6.3 on agenda. Some PDO action? Who has jurisdiction, PDO or Code Compliance? Would like to have on CPA agenda next month. Some discussion; determined PDO committee needs to determine if in compliance with PDO and should be on PDO agenda.

**The following agenda items, are ACTION ITEMS unless otherwise noted, and may be *de novo* considerations. Prior actions by committees/boards are listed for information only.**

**11.0.** Action item: Dan Allen: **Motion** to support the basic resolution recommended by T & T committee and to write to the CEO of San Diego MTS, the chairman of the MTS board of Directors, to Mayor Kevin Faulconer and to District Councilmember Barbara Bry. Basic resolution: La Jolla CPA asks that plans be prepared and resources found to provide shuttle or feeder transit service to link central La Jolla with the coming Mid-Coast Trolley, as identified as an action in the 2014 La Jolla Community Plan and Local Coastal Program Land Use Plan. (Boyden/Kane)  
Discussion; Little: Shuttle to downtown La Jolla without parking not viable.  
Ahern: This motion is asking for options to be included in resolution.  
**In Favor:** Ahern, Boyden, Costello, Courtney, Gordon, Kane, Rasmussen, Shannon, Weiss, Weissman, Will.  
**Opposed:** Little, Merten  
**Abstain:** Steck (chair)  
**Motion Carries:** 11-2-1

**12.0 Brodiaea Way Residence CDP/SDP - 7362 Brodiaea No.: 389648 LA JOLLA - (Process 3) Coastal Development Permit / Site Development Permit to demolish an existing residence and construct a 15,670 square-foot, 2-story residence with a basement garage, and a 738 square-foot detached pool house at 7362 Brodiaea Way. The 0.639 acre site is in the RS-1-4 zone and Coastal Overlay Zone (Non-appealable) within the La Jolla Community Plan Area. Council District 1. APPLICANT: SCOPE CHANGE TO 9,025 SF (NO BASEMENT)  
**DPR Motion:** Findings **CAN** be made for a CDP and SDP to construct a new residence as presented. (Kane/Collins)  
MOTION PASSES 6-0-1 [Pulled from January 2019 consent agenda]**

Presentation by Claude Anthony Marengo, Project architect.

Kathleen Neel, said she pulled item because of concern about proximity to Nature Reserve bordering Country Club Dr. Property can be seen when you walk beach on Shores and wanted community to have broader understanding. After meeting with Mr Marengo she was satisfied.

Claude Anthony Marengo: We made efforts to preserve demarcation lines between Reserve and project using different types of vegetation on private property. Structure sits pretty much in same footprint as existing. Proximity to reserve also reviewed by fire department requiring demarcation between public and private property also for fire rating. Large windows protected by fire sprinklers outside house heads pointed to glass. Walls kept small to maintain openness. Ridgeline of 2<sup>nd</sup> story stepped back and kept below height limit.

Public comments: asked size of house, concern about landscaping causing deforestation and loss of native plants

Trustee comments: also concerns re deforestation. Question re how much of flat lot is covered. House is 9,600 square feet, not 15,670 as shown on above description, because basement on original plan has been removed. Tallest retaining wall (12ft.) hidden by planting. Height of building questioned.

**Motion:** Approve project as approved by DPR. (Gordon/Courtney)

**In Favor:** Ahern, Boyden, Costello, Courtney, Gordon, Kane, Rasmussen, Merten, Little, Shannon, Weiss, Weissman, Will.

**Opposed:** none

**Abstain:** Steck (chair)

**Motion Carries:** 13-0-1

**13.0 Bonair Residences (formerly Bonair Townhomes) 744 and 746 Bonair Street No. 579587** The applicant was asked to return to DPR with revisions. Applicant has revised but has declined to return to DPR/LJCPA/. Applicant has been notified of this hearing. Changes have been made to the project.

**Previous description and Motion:** (Process 2) Coastal Development Permit to demolish an existing duplex and construct two (2) new detached two (2) story single dwelling units with Unit A construction of 2913 square feet and Unit B construction of 2903 square feet for a total of 5816 square feet located at 744 Bonair Street. The 0.14 acre site is in the Coastal (Non-Appealable) overlay zone in the RM 1-1 base zone of the La Jolla Community Plan Area. However at the May 15, 2018 meeting, it was announced that the Project now included a small lot subdivision and was now a Process Three.

**DPR Motion:** Due to the change in permit requirements and process change, the project should be postponed pending official notice from the city and the requisite 15day noticing period **Passed 3-2-1**

**DPR Motion** (15 Jan 2019): Findings **CANNOT** be made for: A Coastal Development Permit because the proposed project is not in conformity with the certified Local Coastal Program Land Use Plan, nor with the certified Implementation Plan, nor does it comply with the applicable regulations of the Land Development Code to demolish an existing duplex and construct two new detached, two-story single dwelling units, located at 744 Bonair Street. Based on these facts, the proposal should not be approved and cannot be given an Environmental Exemption. Following are the major issues identified:

1. Inconsistency with the Local Coastal Program Land Use Plan which among other things calls for “new development consistency with the scale and character of the neighborhood”.

A. The proposed building layout and 25-foot lot layout are inconsistent with the neighborhood’s scale and character of 50-foot and larger lot frontages and larger separation between buildings, with building separations of 8 feet or more, instead of the 5 feet shown by the proposed project. This substantially changes the development scale, lot rhythm and streetscape character of the neighborhood and sets an undesirable precedent for future development in the Coastal Zone.

B. The almost 30-foot height of the buildings, separated by a mere 5 feet wide area, make the site’s profile even more inconsistent with the neighborhood pattern of development.

C. The upper level roofs of both buildings do not step back from the ground floor level exterior walls as recommended by the Community Character provisions of the Residential Land Use Element of the La Jolla Community Plan, and results in building masses that neither maintain nor enhance demonstrated neighborhood character, but will disrupt the existing neighborhood character.

2. The proposed project is in violation of city code requirements and thus inconsistent with the Local Coastal Program Implementation Ordinances.

A. The western portions of Building A are in violation of the required side yard setback provisions of SDMC Sec.131.0443(d)(2)(A) Setback Requirements in (RM-1-1) Residential Zones, because more than 50 percent of the structure is less than 8 feet from the side property line.

B. The Gross Floor Area and resultant Floor Area Ratio of the project exceeds the maximum GFA and FAR allowed, because contrary to SDMC Sec. 113.0234(a)(6) Gross Floor Area, the floor area of both carports is omitted from the stated Total Gross Floor Area of the project.

C. The west exterior wall of Building A and the east exterior wall of Building B exceed the maximum structure height allowed by the side 45 degree angled building envelope per SDMC Sec.131.0444 (e) Angled Building Envelope Plan/Maximum Structure Height in Residential Zones.

D. The proposed driveways and their relationship to the single street curb cut are not in accordance with SDMC Sec. 143.0365(h) which requires off-street parking site design to be in accordance with SDMC Division 142.05 Parking Regulations for single dwelling units. As the proposed driveways are unlike those depicted in Diagram 142-05A, the project fails to provide two additional on-street parking spaces abutting the subject property in accordance with SDMC Sec 142.0525(c)(4)

Finally, based on the above facts, the City’s Environmental Determination that the project is Categorically Exempt from CEQA should be appealed because the design of the project is not in accordance with the La Jolla Community Plan Local Coastal Project and Land Use Plan, nor does the project comply with the applicable regulations of the Land Development Code.

The cumulative effect of this and similar future projects would neither maintain nor enhance the existing neighborhood character but would significantly disrupt and change the existing neighborhood character.

**Passed: 6-0-1**

Presentation by Phil Merton. He advised that he is recusing himself because he is representing Larry & Patty Davidson who live next door.

- On Dec.21 City planner notified DPR that staff review is complete, no further revisions necessary.
- Applicant has requested to move forward to hearing without recommendation from Community Planning Group.
- Applicant notified project placed on January CPA agenda.
- Applicant informed CPA President he would attend January 15, DPR meeting. Project removed from CPA January agenda.
- January 14, applicant informed DPR by email from Architect Joshua Kordasiewicz that he would not attend.
- The DPR reviewed this project in detail (see above) without the applicant in attendance because he declined to attend.
- Normally this project would be on consent agenda, but we are hearing it tonight in order to submit the review that is

required of the Community Planning Group by Council Policy 600-24 before the project goes to the Hearing Officer.

- Mr. Merten also described several instances over the past year of review of this project where he pointed out deficiencies in this project review by city staff but most of his issues were ignored.

**Public comment:** Michael Sim, supports DPR review, project does not meet the letter or intent of the small lot subdivision rules. Sets bad precedent encouraging future lot splits.

**Motion:** Accept recommendation of DPR in full (Costello/Kane) Phil Merten left room.

**In Favor:** Ahern, Boyden, Costello, Courtney, Gordon, Kane, Little, Shannon, Weiss, Weissman, Will.

**Opposed:** none

**Abstain:** Steck (chair)

**Motion Carries:** 11-0-1

**15.0** Consideration of proposed PRC Charter changes, revised and called Bylaws. Existing and proposed documents will be provided as a supplement. Passed by LJSRPC. Dave Gordon

**Boyden:** Request to remove this item from agenda from La Jolla Shores Assn. (LJSA) Reasons to keep on agenda

**Timeline:** May 2018, PRC meeting – need for revision of PRC Charter to include elections and other items was raised  
June 2018, PRC meeting – discussion of above and elections scheduled for July  
July 2018, PRC meeting – PRC officers were elected  
October 2018, PRC meeting – Suggested changes to the documents were distributed to PRC members and request for suggestions were solicited  
November 2018, PRC meeting -- Proposed bylaws were distributed by eblast to the public and approved by PRC  
December 2018, LJCPA – Proposed PRC bylaws were on the LJCPA as an action item. After discussion it was Moved, seconded and approved that consideration be postponed for one month. Subsequent to that some revisions were announced, so LJCPA did not hear.  
January 2019, PRC meeting. Revisions were approved  
February 2019, Bylaws with revisions are again on the LJCPA agenda  
CPA is controlling group on this and it is their vote that decides if accepted and needs to be on agenda tonight.

**Marlon Pangilinan:**

CPA is self-governing and in council policy there isn't any specifics process for approving charters, bylaws are not specific assume you follow Roberts Rules and have an open and transparent process noticing, discussing, etc. We at planning department look at PRC as an entity under CPA indicated as subcommittee in bylaws and indemnification extended to these groups such as PRC, PDO, TNT as long as they attend COW within 60 days. This is how we see this organization as it fits into the larger picture. It is up to you how you approve charters, bylaws, etc.

**Janie Emerson:**

PRC is not a subcommittee of the CPA; it is a Joint Committee under the LJCPA bylaws. (applicable sections of the LJCPA and LJSA bylaws were given to trustees) Charter and Bylaws of both organizations state that this is a joint committee.

If you take unilateral action on this tonight you will be telling every other joint committee they don't matter. CPA can usurp their authority without their permission or input.

When the need for revision of Charter and Bylaws came up that need should have been presented to both groups, an ad hoc committee set up with members from both groups to discuss what needs to be done.

**Marlon Pangilinan:**

Per LJCPA bylaws: Community Joint Committees is under larger heading – B. Committees therefore from larger standpoint PRC is a subcommittee. Does not agree with Mrs. Emerson.

**Dave Gordon:**

I am the one who drafted and revised these proposed bylaws. Throughout the entire process I have received only one constructive input in spite of asking for input since June. Gave several examples of need for revising and updating Charter and making bylaws consistent with other committees – nothing controversial except maybe rules for recusal. Made rule consistent with Council Policy 600-24. Given LJSA many chances to look at; need to move on.

**Dede Donavon:**

Main issue tension between City and neighborhood, La Jolla Shores, that has had a lot of control and is trying to maintain control. Marlon is taking position of City and trying to standardize operations throughout city.

Charter was written by both CPA and LJSA creating the PRC. Charter of PRC is very different than bylaws of CPA subcommittee. Suggest putting off until both groups can get together to discuss and preserve very good



work done by Mr. Gordon in form of bylaws for Charter for PRC. Need to honor this Charter which is an expression of the distinctiveness of the La Jolla Shores area and its place in La Jolla and the city.

**Joe LaCava:**

I worked with city to get LJCPA bylaws approved as we have always had them contrary to how 600-24 and every other planning group operates; how important to the integrity of how La Jolla operates; how it operates with all its other sister, brother organizations. We are community so unique in that we have such strong organizations across our entire community. The changes in the bylaws/Charter are not the question in front of you. The testimony by Marlon is not the question before you. Throughout meeting tonight one thing being complained about is being ignored. The integrity of the relationship of the sister organizations of La Jolla is the only question before you. We formed these joint committees and boards to keep peace within the different organizations to keep them bundled together to make the operation of the planning group that much stronger by having that many more voices. You owe it to preserve that relationship by not taking an action tonight. Also do a red line strikeout when you bring bylaws before you. This is all about relationship with sister organizations that is why I ask you to defer.

**Dan Courtney:**

Give Shores Assn. one last chance to take an action, that's it. We vote on it next month. We need to do this right; put it earlier on agenda.

**Motion** to table: Courtney/Costello

**In Favor:** Ahern, Costello, Courtney, Gordon, Kane, Merten, Little, Shannon, Weiss, Weissman, Will.

**Opposed:** none

**Abstain:** Boyden, Steck (chair)

**16.0** Consideration of recommending to the membership a proposed Bylaw amendment with regard to recusal policy amending Article VI, Section 2. D (1) of the La Jolla Community Planning Association Bylaws. Rationale provided by Dave Gordon in supplement.

**Existing paragraph:**

D. Abstentions and Recusals

(1) RECUSALS - Any Trustee of the LJCPA with a direct economic interest in any project that comes before the LJCPA or any committee must disclose the economic interest, and must recuse from voting and not participate in any manner as a Trustee for that item on the agenda. In the event of a recusal, the individual must remove him or herself from the room prior to discussion if that individual is not part of the presentation. Article VI, Section 2(c) of the Administrative Guidelines is the LJCPA's reference for determining direct economic interest.

**Proposed paragraph:**

D. Abstentions and Recusals

(1) RECUSALS - Any Trustee of the LJCPA with a direct economic interest in any project that comes before the LJCPA or any committee must disclose the economic interest, and must recuse from voting and not participate in any manner as a Trustee **or Committee Member** for that item on the agenda. In the event of a recusal, **the individual must disclose the economic interest, recuse before the item is discussed and physically leave the community planning group or committee seating area. It must be made clear to the audience that the member is not acting in any capacity as a trustee or committee member. The presence of the recusing member in the room in which the meeting occurs does not count toward a quorum for the item the member recuses on.** Article VI, Section 2(c) of the Administrative Guidelines is the LJCPA's reference for determining direct economic interest.

**Boyden:** Mr. Gordon proposes to submit to membership next month to change CPA bylaws as presented in red above - recusing person does not need to leave room, just leave committee seating area.

**Will:** Critical to have professionals on committee in room to answer tough questions. Professional member needs to be part of discussion in room to represent client.

**Gordon:** Support; problem also at PRC because very few experts on committee and expert is often needed for discussion. DPR allows. Existing state law on recusal does not apply to group like this. B.Bry has access to live TV when she has to leave room so she is still privy to discussion. We do not have that available.

**Public, Neel.** There have been times when it mattered when person advocating left. Even though you sacrifice as professional, you gain from your trusteeship overall.

**Weiss:** support, transparency applies to everyone. Support motion as long as changed to not to end last sentence with preposition.

**Merten:** Support, but prefers as written. Policy 600-24 defines 'direct' interest, but there are others not defined. As written anybody with economic interest can stay in room.

**Gordon:** we should be consistent with all other planning groups who do not require recused person to leave room. If we conform maybe we will get more respect downtown.

**Little:** if person stays in room that person will begin to speak during discussion and that shouldn't happen.

**Courtney:** Current wording allows anyone to stay in room. Personally he is uncomfortable if person is in room.

**Motion:** Support proposal with word "direct" added before 'economic interest' and to not end last sentence in preposition.  
Weiss/Will

**In Favor:** Boyden, Will, Ahern, Costello, Gordon, Merten, Weiss, Weissman

**Opposed:** Courtney, Little, Shannon, Kane(?)

**Abstain:** Steck (chair)

**Motion Carries:** 8-4-1

**17.0 Adjourn to next LJCPA Meeting: Thursday March 7, 2019 at 6:00 PM**