

BOARD MEMBERS: Dennis Ridz, Chair; Dee Rich, Vice Chair; Patti Ashton, Treasurer; Wayne Cox, Secretary; Jake Mumma; Susan Lyon ; Barbara Cerny ; Pat Whitt); Troy Van Horst; Mike Hastings; Samson Gavranian; Brad Remy (absent); and Sheryl Adams .
Twelve attendees.

Torrey Pines Committee Planning Board MONTHLY MEETING, Minutes
THURSDAY, July 12, 2018 at 7:00 PM

Del Mar Hills Academy, 14085 Mango Drive, Del Mar CA 92014

NOTE: Times assigned for each item are approximate. Agenda items/order are subject to modification at beginning of meeting at the discretion of the Chair. Any item may be pulled from Consent Agenda and added to a future Board agenda by request. To request an agenda in alternative format - sign language, oral interpreter or Assistive Listening Devices (ALDs) - please contact the Planning Department at (619) 236-6879 five (5) working days prior to the meeting to insure availability.

CALL TO ORDER: 7:02 P.M. Dennis Ridz, the Chair, announced that:

1. Because the school was closed for the Summer, and the weather was permitting, the meeting would be held in the school courtyard rather than in the auditorium.
2. State Senator Toni Atkins from District 39, the Senate Pro Tempore, would be speaking once she arrived, which was expected momentar
3. The majority of the meeting, thereafter, would be a public forum dedicated to discussing all issues regarding the La Amatista St. and Alley Vacation, application, DSD Project 5505469. The Applicant property is located at 2201 La Amatista St. A minimum of 40 persons in attendance were there because of this pre-announced subject.

INTRODUCTIONS:

Officer Trevor Phillips, SDPD, North West Station, reviewed the current police blotter.

Justine Murray, representing D-1 City Councilwoman Barbara Bry, was introduced but did not speak because of the many speakers scheduled.

NON-AGENDA PUBLIC COMMENT: None.

GENERAL ANNOUNCEMENTS: The Chair announced that there would not be a meeting in August, which has been a TPCPB tradition.

MODIFICATIONS TO THE AGENDA: None.

ACTION TO APPROVE THE AGENDA: The Agenda was approved 12-0.

ACTION TO APPROVE PAST MEETING MINUTES: June minutes were approved 12-0.

REPORT BY TREASURER: Patti Ashton, Treasurer, said the current account balance for the TPCPB was \$586.

REPORT BY VICE CHAIR: Dee Rich, said that no decision had yet been made on whether to disband the Del Mar Heights Safety Committee.

BRIEFING, INFORMATION, QUESTION and ANSWER:

State Senator Toni Atkins, 39th District, addressed the Board in a comprehensive review of State activities she is involved with currently. She distributed her July issue of Toni Times to assist the audience in following the issues she was discussing. A question and answer period followed her initial presentation.

ACTION ITEM: La Amatista Vacation Permit, DSD Project No. 550469:

1. Mark Rensick, a Surveyor representing the Applicant, provided an 8 page stapled hand-out (Page One read ORDINANCE 565), plus two map pages (1. Map of Del Mar Heights, and 2. Public Right-of-Way Vacation). He presented the Applicant's rationale supporting the vacation of the right-of-way., including a comment that the City wants to get rid of the unused portion of rights of way.
2. Bob Bornhoft, an Attorney representing the homeowners in opposition to the alley vacation project, provided a 10 page hand-out entitled Public Comment opposing Project #550469. He commented that 1. the City's legal obligations pertaining to these alley right-of-ways do not go away when they allow a usage "vacation" to this space; 2. there has been a lack of "due-process" in this particular application; 3. there are 30 affected property owners and only two agree that a vacation should be granted; 4. the application is in opposition to the Torrey Pines Community Plan; 5. the Applicant wants to add onto his house, contrary to what he is stating publicly, and that use would block some other property owner's views; and 6. his professional opinion is that that the application will ultimately go to the City Council, not DSD, for decision.
3. Cheryl Kuck, an impacted neighbor within the vacation corridor, said that Mario, the Applicant, told her he wanted the vacation on the subject right-of-way because he had told her he wanted to expand his residence. She said his camp would dispute that he had that conversation with her, but she was willing to swear to her testimony.
4. Annie Aguilar, Civil Engineer, said the application will increase Floor Area Ratio computations for affected properties, meaning that an increased lot square footage calculation, because of bulk of scale, would allow more square footage in a remodel to an existing home, either to the front or rear of the house.
5. Brad Remy said he was glad this application had come before the Planning Group early in the process. He had gone through a remodel last year and he felt that because DSD had not directed him to the PG early in his application that it had cost him as much as six months of delay and tens of thousands of dollars in issues that the PG could have helped him with.
6. Diana Scheffler, a local architect, said a Right-of-Way is an easement. Even if the request for a vacation to this easement is granted, homeowners will not be permitted to block drainage, per California law. She added that the City Code states that Public Benefit

affects the whole community. She felt that a Right-of-Way constituted a Public Benefit, which would be an issue the City Council would seriously consider in this application.

7. Mario Larach, the Applicant, disputed the assertion made by his neighbor that he had told her that he wanted the right-of-way vacation to be granted in order for him to expand his house. He made a statement that neighbors have thrown weapons over his fence and that he is collecting them in evidence bags.

It was moved (Susan) and seconded (Wayne) that the application be denied. The vote was 12-0 for denial.

The Chair asked for a vote to file an Appeal Application regarding the Development Permit/Environmental Determination, dated July 5, 2018, for the subject La Amatista Project 550469. It was moved (Patti) and seconded (Sheryl) that the appeal be approved. The vote was 12-0 for approval.

The Chair adjourned the meeting at 8:48.