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LAWYERS

MARSHAL A. SCARR MATTHEW A. PETERSON AMY STRIDER HARLEMAN TRACY BERGER 402 West Broadway, Suite 1815 San Diego, CA 92101-3576 Telephone (619) 234-0361 Fax (619) 234-4786 www.petersonprice.com PAUL A. PETERSON 1928 - 2021 SOL PRICE 1916 - 2009

May 8, 2024

File No. 5999.001

City of San Diego Planning Commission Chairperson Kelly Modén City Administration Building 202 C Street, 12<sup>th</sup> Floor San Diego, CA 92101 Via Email to Sabrina Custer Planning Commission Secretary

Re:

May 9, 2024

Agenda Item No. 3

Fishburn Conservation Easement Boundary Adjustment

Dear Chairperson Modén and Members of the Planning Commission:

We represent the Fishburn Family Trust with regard to the above referenced matter.

The project involves an exchange of equal area (approximately 805 square feet) of conserved open space which will result in no net change and more functional cohesive open space preservation.

The project has been reviewed by the California Department of Fish and Game and the U.S. Fish and Wildlife Service who have both issued written concurrence letters with no objections.

In fact, because the item is of such minor concern, the La Jolla Community Planning Association DPR Committee Chair determined that there was no need for the DPR to review and/or make a recommendation. (see attached email from Brian Will to myself dated February 20, 2024)

Since we are not aware of any neighbor concern or opposition, and because your Staff recommends approval, we respectfully request that this item be placed on the Consent Agenda.

Thank you for your consideration.

Sincerely,

PETERSON & PRICE A Professional Corporation

Matthew A. Peterson

cc: Wainwright Fishburn

Renee Mezo, Assistant Deputy Director Development Services Department Mark Lopez, Development Project Manager Development Services Department From: Brian Will <a href="mailto:spring">brian@willandfotsch.com</a> Sent: Tuesday, February 20, 2024 11:18 AM

To: Matthew A. Peterson <map@petersonprice.com>

Cc: brianljcpa@gmail.com; Wain Fishburn <500nautilus@gmail.com> Subject: Re: 687641 Fishburn Vacant lot west of 1615 Clemson Circle

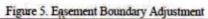
You don't often get email from brian@willandfotsch.com. Learn why this is important

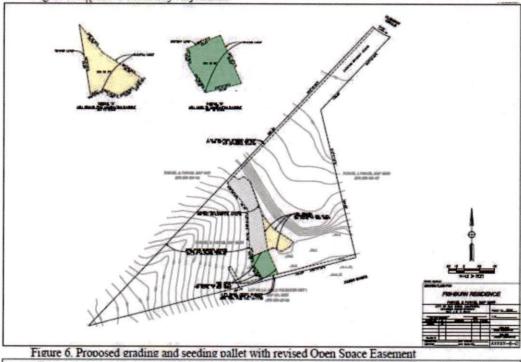
Makes sense to me.

Brian Alan Will Will & Fotsch Architects 1298 Prospect St, Suite 2S La Jolla, CA 92037 brian@willandfotsch.com 858-224-2486 office 619-204-3739 mobile

On Fri, Feb 16, 2024 at 3:00 PM Matthew A. Peterson < map@petersonprice.com > wrote:

Hi Will, This is a very small project involving an open space "equal" swap of 805 sq ft. The green is the replacement for the yellow. The gren is more functional habitat and contiguous to the rest of the OS. As you can see City staff is okay with it, as is Calif, Dept Fish & Game, & the USFWS. There will be some fill and a very short 3 ft retaining wall. There is no other improvements or project proposed. It is used as a yard for 1615 Clemson. I felt that the project is so minor that I did not want to waste the time of DPR. Do you concur? Thanks and have a lovely 3 day weekend! Matt







Matthew A. Peterson Peterson & Price, A Professional Corporation 402 W. Broadway, Suite 1815 San Diego, CA 92101-3576 (619) 234-0361 (619) 234-4786 fax

www.petersonprice.com

We have moved. Please note our new suite number.

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