

# 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: Diane Kane

Vice President: Greg Jackson

2<sup>nd</sup> Vice President: Helen Boyden

Secretary: Suzanne Weissman

Treasurer: Mike Costello

## June 4, 2020 Regular Meeting Final Minutes

### Please note rearranged agenda and early starting time: 5pm

Due to the COVID-19 public health emergency, LJCPA meetings currently are online only. Instructions for registering, attending, or making written comments are at <https://gregj.us/2LslG68> (copy and paste the URL into your browser if clicking on it doesn't work). **Those who wish to attend (including viewing, listening, and possibly speaking at the meeting) must register in advance.** Supplemental materials:

<https://gregj.us/3bD0YuQ>

**Quorum Present:** Ahern, Boyden, Brady, Costello, Courtney, Davidson, Fitzgerald, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Steck, Weiss, Weissman, **Absent:** Manno

### Call to Order (5:01pm)

This is a recorded meeting with a full agenda. Please make sure mobile or otherwise noisy **devices are off** or silent, and in online meetings keep microphones muted except when called on. Please **address the chair** and refer to projects or issues, not to applicants or opponents. If special facilities or access are required (for example, to display presentations), please notify the Chair one week prior to meeting. Chair calls on public and then trustees, closes discussion upon consensus, and calls for motions. Trustees vote by roll call or show of hands as appropriate.

#### 1.1. Approve Agenda (action item)

Motion: Approve agenda as presented: unanimous vote; no objections

#### 1.2. Approve Minutes (action item)

Motion: Approve Minutes for May 7, 2020 meeting:

Boyden: one correction: under Public comment, Bren s/b Brennan

Unanimous vote; no objections

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, Vice Chair, Andy Fotsch, 3rd Monday, 4:00 pm

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

*If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five workdays prior to the meeting date to insure availability.*

## 2. Project Reviews (action items)

*The following are ACTION ITEMS and may be de novo considerations. Prior actions by committees are for information only. The Chair may call for motion and vote after a specified allotment of time to applicants and opponents.*

Supporting materials, if any: <https://lajollacpa.org/ljcpa-6-4-2020-materials-comments/>

### 2.1. 304-306 Kolmar (Whitney)

(Process 2) Coastal Development Permit to demolish a single-dwelling unit and to construct two (2) two-story, single-dwelling units located at 304-306 Kolmar St. Unit 1:1,859 sf. Unit 2: 1,875 sf. The 0.11-acre site is in the RM-1-1 Zone, Coastal Overlay (N-APP-2) Zone within the La Jolla Community Plan area CD1.

DPR: **Findings CANNOT be made** (excessive bulk/scale vis à vis nearby homes, awkward transitions, carports, design inconsistent with historical neighborhood character), passes 6-0-1

**Tim Golba**, architect for applicant, presentation: Showed aerial view of street and project site, several shots of existing house and neighboring houses, context shots of several 25' lots in area, views of un-permitted living unit above garage on existing property, other structures in alley, numerous roof decks in area. Explained underlying 25' lots in original subdivision; showed details of changes made to the project as a result of neighbors' concerns for privacy and DPR committee recommendations. Showed overlay of proposed structure with existing, a shadow study and explained conformity with the Municipal Code. Emphasized that a large amount of the available building envelope was not used and the height of bulk of building was only 20'10" in a 30' zone.

#### Public Comment

**Julie Reuf**, neighbor to east: The long-time residents are feeling the domino effect of new development. Will this development tip the scales away from the existing character of the neighborhood? The character of the neighborhood is being lost for the following reasons:

- Bulk and scale of new compared to older homes shown in slides.
- City staff in reviewing permits do not recognize individual character of the many different neighborhoods in SD.
- Impact of loss of privacy and greenery.
- New structures are not following permitted requirements during and after construction.

**Tom Miller**, neighbor: La Jolla Community Plan calls for development compatible with existing residential scale, avoid extreme and intrusive changes to scale of neighborhood, harmonious transitions between new and older structures, front and side yard facades that exceed one story should slope or step back up to 30' height limit to allow flexibility while maintaining integrity of street scape and to provide adequate amounts of light and air. This project does not meet any of these requirements because of obvious intent to circumvent

the Municipal Code. The area of the carport is not counted in the FAR according to the code but garages are included. New large houses out of scale of the neighborhood are built with carports. This allows the houses to be built 400' to 800' over what is allowed. Later the carport is enclosed which becomes a code violation. We are asking applicant to enclose the carport and remove 400' from each house. Several pictures of houses that were built with carports that were later enclosed to become a garage were shown.

**Shannon Reuf:** The concessions have not changed the excessive scale. They are following the letter, not the intent of the law. Large grey boxes using every allowable square foot does not maintain the character of the area.

**Megan Heine:** Concerned about veiled threat of what could be built; what is legally allowed with FAR, etc. with no concern for what will fit into the neighborhood. We all need to be more active in this effort to preserve these neighborhoods.

**Donna Blackmond:** Prior projects in the neighborhood have not turned out as presented including the one on the corner that has un-permitted changes. This has caused a lack of trust among the neighbors and they fear that this project will also have unwanted consequences after the fact.

#### **Trustee Comment**

**Costello:** If garage put in same location as carport, would it be allowed to go into the setback? **Golba:** A garage is an accessory structure and the same rules will apply. **Costello:** If garage, would the structure be over FAR. **Golba:** yes

**Neil:** this does not comply with the Community Plan with regards to neighborhood character and transitions so I will not support.

#### **Davidson:**

- Were these originally 2 lots and never combined? **Golba:** Yes, two lots were created in the original subdivision and never legally tied
- No common area between the two houses? **Golba:** Each is a fee simple lot; no shared access ways, easements.
- What is separation between houses? **Golba:** 6', 3' for each lot
- Can you see side yards from street? **Golba:** Depends on what is planted. We plan to keep vegetation low to provide view for neighbor.
- How many open sides on carport? **Golba:** Code provides for two sides to be open. 75% minimum. The two side yard sides will be 90% open, a garage door by alley for security and side facing house closed, nothing above it.
- How far from house? **Golba:** 10'.
- How do you compute 75% open? **Golba:** 75% open means % of each side open, not the % of all 4 sides. 2 sides can be 100% closed; the other 2 sides need to be 75% open not cumulative of entire perimeter.

**Boyden:** Is the plan presented today identical to the one approved by DSD? How would you insure that the City will approve the what you have shown today? **Golba:** This plan is same in terms of the footprint, changes are on exterior for removal and/or raising windows. Since today's changes are less than original presentation to DPR, the City won't have a problem.

**Ish:** I believe the Municipal Code section on carports means 75% of whole structure; I disagree with Golba's interpretation of carport rules. FAR is total amount of built space and including carport space will leave only 10% of lot space open. Having carport is to the advantage of developer; it does not consider cost and aggravation to new homeowner who attempts to enclose carport and has to deal with Code Enforcement. Make garage and decrease size of house.

**Fitzgerald:** How many new non-traditional houses on that street: **Golba:** Showed several on aerial views of area ~ 40%.

**Shannon:** Need to change building code to address carport enclosure problems.

**Ahern:** Fits upcoming character with narrow lots and taller buildings. It seems to comply with Municipal Code.

**Weiss:** It is difficult to make decisions based on the fact that regulations are often ignored. What are requirements for landscaping? **Golba:** We are nowhere near coverage maximum; we comply or exceed all front and side setback requirements leaving plenty of room for planting. Slide showing spaces available for greenery.

**Jackson:** The applicant is trying to maximize something different than what neighborhood would maximize which is often the root of deep tension that will never go away. Would have been better to maximize harmony with neighborhood rather than maximize use of space.

**Costello:** It bothers me that the Notice of Decision came out from DSD two days after DPR made its recommendations that findings could not be made. Golba should have brought process to CPA before going to City staff for NOD.

**Motion:** Affirm DPR motion that findings cannot be made and we cannot support carport since it is obvious mechanism to add garage at later date. We object to City practice of giving NOD before CPA has had opportunity to hear and vote on projects that involve Coastal Development Permits. (Costello/Neil)

**Weiss:** I urge Costello to remove the part about carport. It is a problem, but not illegal. Motion will be stronger without carport part.

**Costello:** I don't want to amend. I want City to recognize reality that carport is a structure in transition to garage and overrule it anyway.

**Jackson:** We want to oppose how City handles carports, but we won't get anywhere voting against projects because of that. It will cause them to think we are trying to change the code and ignore the rest of the motion. I would be happier with a clean motion that speaks to our issues with this project. Then I would vote for a separate motion encouraging the City to no longer approve projects that exceed FAR when carport enclosed.

**Neil:** Because it has been seconded, unless this motion is amended by maker, it has to be voted on.

**Boyden:** Point of order: A motion for an amendment can be made and seconded and if passed it will be struck from the motion and we will vote on amended motion. If motion for amendment is defeated the original motion will be voted on.

Costello undecided

**Motion:** Amend Costello's motion by striking any mention of carports. (Jackson/Boyden)

**Vote: 13-3-1 Motion carries**

**In favor:** Ahern, Boyden, Brady, Courtney, Davidson, Fitzgerald, Ish, Jackson, Mangano, Shannon, Steck, Weiss, Weissman,

**Opposed:** Costello, Little, Neil

**Abstain:** Kane (chair)

**Motion** [restated]: Affirm DPR motion that findings cannot be made. The CPA opposes City staff issuing a Notice of Decision before a project involving a CDP is heard by the CPA. (Costello/Ish)

Findings stated in DPR motion: Failure to meet community plan, no transition between new and old, no visual articulation and offsetting planes, open garage still adds to bulk and scale, does not adhere to rhythm of 50' street frontages which is character on neighborhood, lack of vegetation.

**Vote: 11-5-1: Motion carries**

**In favor:** Brady, Costello, Courtney, Davidson, Ish, Jackson, Little, Neil, Shannon, Steck, Weiss,

**Opposed:** Ahern, Boyden, Fitzgerald, Mangano, Weissman

**Abstain:** Kane (chair)

**Motion:** We formally request that City cease approving carports that would cause a project to exceed the allowable FAR if counted as garages. (Jackson/Weiss) **Vote: unanimous, chair abstains. Motion carries.**

### 3. Consent Agenda (single grouped action item)

*The Consent Agenda allows the LJCPA to ratify recommendations of the community joint committees or boards in a single vote, upon which those recommendations become the recommendation of the LJCPA. The public may comment on consent items, but there is no presentation or debate. Anyone may request a consent item be pulled for full discussion by the LJCPA at a future meeting.*

Supporting materials, if any: <https://lajollacpa.org/ljcpa-6-4-2020-materials-comments/>

#### 3.1. 1136 Muirlands (Carraher)

(Process 2) Coastal Development Permit for a new 7,166 square-foot two-story single-family residence with a basement, attached 3 car garage, and new site retaining walls located at

1136 Muirlands Drive. The 0.49-acre site is in RS-1-2 and Coastal Overlay (Non-Appealable) Zone within the La Jolla Community Plan area. Council District 1.

DPR: **Findings CAN be made**, passes 6-0-1

### 3.2. 411 Sea Ridge (Salvagio)

(Process 3) Coastal Development Permit and Site Development Permit to demo an existing residence and construct a new two-story, 5,067 square foot residence, including garage, carport, decks, balconies and site improvements at a site located at 411 Sea Ridge Rd. The 0.21-acre site is in the RS-1-7 Zone, SCOZ-CB, FP 100, and the Coastal (Appealable) Overlay Zone within the La Jolla Community Plan area, and Council District 1.

DPR: **Findings CAN be made**, passes 4-3 (chair breaks tie)

### 3.3. 2702 Bordeaux (Katz)

(Process 3) Coast Development permit CDP and Site Development permit SDP for remodel and additions to an existing two-story 3263 square foot single dwelling unit for a new total of 7276 square feet on a Lot size of 0.4 acres located at 2702 Bordeaux Avenue in the La Jolla Shores Planned District (LJSPD) SF Zone, Coastal Height Limitation, Coastal Zone, Non Appeal Area 2, Parking Impact - Campus Parking Standards Transit Priority Area, and Transit Priority Area overlay zones within La Jolla Community Plan Area.

PRC: **Findings CAN be made**, passes 4-0-1

### 3.4. 7306 Draper (Bellava)

(Process 3) Tentative Map, Site Development Permit, and Coastal Development Permit for demolition of an existing single-family residence, subdivision of existing lot into two single lots, and construction of a new 3,615-sq-ft. residence on the south lot and a new 3,470-sq-ft residence on the north lot located at 7306 Draper Avenue. The 0.14-acre site is in RM-1-1 and Coastal Overlay (Non-Appealable) Zone within the La Jolla Community Plan area. Council District 1.

DPR: **Findings CAN be made**, passes 6-0-1

### 3.5. 7388 Eads (Keshavarzi)

(Process 2) Coastal Development Permit to convert a portion of an existing 2,670 square foot, two-story dwelling unit into a two-story, 894 square-foot companion unit at a site located at 7388 Eads Avenue. The 0.11-acre site is in the RM-1-1 Zone and Coastal (Non-Appealable Area) Overlay Zone within the La Jolla Community Plan, and Council District 1.

DPR: **Findings CAN be made**, passes 6-0-1

Item 3.2, 411 Sea Ridge pulled by Peter Fait

**Mark Lyon**, architect for Sea Ridge project: When was our project removed from consent because you sent a document this morning scratching it out prior to this meeting?

**Jackson:** Mr. Fait told me he was going to pull it. As courtesy to people coming to this meeting expecting it to be heard, I sent a note with strikethrough with a note that it was expected to be pulled.

**Lyon:** Pulling a project prior to the meeting is a violation of the Brown Act. All communication between public and trustees should occur during the meeting. I am not objecting, just trying to show trustees that you need to follow the rules.

Further discussion that CPA bylaws and Brown Act allows officers to meet privately to consider procedural matters and setting of agenda. Notifying chair of intent to pull has been done in past and that procedure was followed in this instance with approval of City Planner and agreement of applicant to hear this item next month due to full agenda with Covid limitations.

**Motion:** Adopt Consent Agenda items 3.1, 3.3, 3.4, 3.5. (Boyden/Fitzgerald) **Vote:** 15-0-2: **Motion carries.** Unanimous, 2 abstentions: Kane (chair) Courtney abstain.

#### 4. Non-Agenda Public Comment

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

**Emerson:** La Jolla Shores Association meeting next Wednesday, 6:00 pm on Zoom. We will discuss outside dining on one block of Avenida de la Playa, new logo and branding for LJSA. We encourage ideas for logo. We will also bring you up to date on status of things with UCSD.

**LaCava:** I am running for City Council. Things are moving rapidly; the City proposal to change Community Review Board on Police Practices to independent board much like the independent auditor and budget analyst. Mayor, Police Chief and Police Union on board so you will see it on Nov. Ballot. I encourage you to vote yes. Also we are seeing discussions about changes to police policy and additional items to allow police to do their job more effectively and make sure all San Diegans are treated fairly and equitably. I encourage your participation in a student led protest from Cove to Windansea next week.

**Rasmussen:** City has installed crosswalks at foot of Playa del Norte as recommended last year.

#### 5. Officer Reports

Information only unless otherwise noted

##### 5.1. Treasurer

<b>La Jolla Community Planning Association</b>	
<b>Treasurer's Report for June 4, 2020 Regular Meeting</b>	
<b>Beginning Balance</b> as of May 1, 2020	\$851.21
<b>Income</b>	
Collections, May 2020	\$00.00
CD Sales	\$00.00

<b>Total Income</b>	<u>\$00.00</u>
<b>Expenses</b>	
Agenda printing	\$00.00
Rec Center	\$00.00
Zoom Meeting Expenses	\$00.00
<b>Total Expenses</b>	<u>\$00.00</u>
<b>Net Income/(Loss)</b>	\$00.00
<b>Ending Balance</b> of May 31, 2020	<u>\$851.21</u>

We expect a bill for \$150 next month for the post office box.

Donations can be made by mailing a check made out to the LJ CPA. Email the Treasurer at [EMSMIKE@SAN.RR.COM](mailto:EMSMIKE@SAN.RR.COM) for instructions and address.

## 5.2. Secretary

If you register and attend an online meeting your attendance will count towards your meeting attendance requirement. LJCPA is a membership organization open to La Jolla residents, property owners and local business and non-profit owners at least 18 years of age. Eligible visitors wishing to join the LJCPA need to submit an application, copies of which are available at the sign-in table or on-line at the LJCPA website: [www.lajollacpa.org/](http://www.lajollacpa.org/). We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March. You can become a Member after completing the application and attending one meeting. You can maintain your membership by documented attendance at **one** meeting per year. If you do not attend one meeting per year, your membership will expire. To qualify as a candidate in an election to become a Trustee, a Member must have documented attendance at **three** LJCPA meetings in the preceding 12-month period.

**Kane:** Thanks to Suzanne for preparing the Annual Report required by CP 600-24 that compiles our activities for last year and includes all the projects we reviewed and the outcome of the votes. Go to our website to check out the report.

## 5.3. President

### 5.3.1. Ratification of committee appointees (action item)

List of proposed appointees will be on the Materials & Comments page (<https://lajollacpa.org/ljcpa-6-4-2020-materials-comments/>) addendum to this report

Ratification of appointments to joint and ad hoc committees of LJCPA and other community groups that are having their membership in these various organizations indemnified by the City. An update to the attached matrix: add to Coastal Access and Parking Board: Anne Kerr Bache, Toni Harris.

**Motion:** Accept appointments as presented with addition of two additional names from LJTC to Coastal Access and Parking Board. (Boyden/Ahern) **Vote:** Unanimous: 17-0-0 **Motion carries**



## 6. Non-Project Issues (action items)

*The following are ACTION ITEMS unless otherwise noted and may be de novo considerations. Prior actions by committees/boards are listed for information only. Supporting materials from applicants or other interested parties, if any, are available via <https://lajollacpa.org/ljcpa-6-4-2020-materials-comments/>.*

### 6.1. Parks Master Plan update

**Kane:** Parks Master Plan Update is a 3 year process initiated by the Mayor to look at the Parks and Beaches for the entire city. It has not been updated since 1956. It is important for us to weigh in now because the outcome of this plan will affect us for a long time. The Plan proposes some major changes to how the park system will be implemented. La Jolla Parks and Beaches was asked to prepare a response from LJ. Several LJ community groups and residents met and prepared a letter to send to the City by the May 25, deadline outlining issues important to La Jolla. We could not sign on to this letter by the deadline without trustee approval at a meeting. Since many community groups were also unable to respond by the deadline, the deadline has now been extended to June 11. We now have an opportunity to endorse this letter and/or add comments.

**Claudia Baranowski:** Presentation of slides showing an overview of Parks Master Plan, with explanation of new city parks standard. The parts of the Plan affecting LJ were then discussed with comments from the La Jolla Working Groups. (see P&B letter and draft endorsement on Materials & Comments page on LJCPA website)

**Ahern:** the normal features that give points in the new point system such as food concession areas, performance spaces are different for LJ. We want a special consideration for shoreline parks to keep them open and natural and the need for maintenance, funding and approval of projects. This is key for LJ.

**Costello:** LJ has not gotten as much city funding for our parks as other areas. The idea for private foundation funding mentioned by Claudia would help enhance many small parks throughout LJ.

**Neil:** I cannot support the paragraph on 2<sup>nd</sup> page of letter dated May 22, titled Updated Community Plan. I don't want the City to initiate a plan change to our CP considering what they have done to Morena. Most of these changes, including the Master Park Plan, are incorporated into the City's "Complete Communities Plan," which will negatively affect LJ. I recommend we support this letter with the removal of the paragraph asking the City to change the CP.

**Ahern:** OK to withdraw that paragraph now, but let's keep focused on altering the CP as a win/win for everyone.

**Kane:** Complete Communities Plan is highly controversial. At CPC meeting this was sprung on us by City staff as ready to go to City Council. It is a blunt force approach to make major changes to all community plans and was defeated by CPC. I support the Parks Master Plan generally. Undeveloped land that can be converted to parks is unavailable and City will need to make existing parks work harder to provide more activities. Funding sources from

development impact fees and other sources are problematic for some communities. Linking parks using hiking or biking trails will entail converting streets and sidewalks. Open space will be lost.

**Fitzgerald:** Parks in La Jolla have greater intensity of use because of use by many non-residents and therefore, require more maintenance which is not addressed in the Plan's point system.

Further discussion about problems of City updating CP and how to support the letter. It was agreed that a letter with support from unified LJ community would be most effective.

A suggestion was made that all groups revise the letter since deadline was extended.

It was clarified that the 4 groups would agree to revise the letter by removing the final sentence from paragraph titled Updated Community Plan and the word 'Updated' from the title of the paragraph. Then the LJCPA would sign the letter. It was confirmed that the LJCPA would be the fifth signer with that one amendment.

**Motion:** Ask the four original groups to revise the letter to remove word 'Updated' from the heading of that section and remove the second sentence from the paragraph. (Boyden/Neil)

**Vote:** unanimous. **Motion carries**

## 6.2. Slow Streets Program

**Hadley:** A slow street would only be open to traffic that lived or had business on the street. Through traffic would be on an honor system not to flow through. It would create more bicycle, pedestrian friendly streets slowed by less traffic and would connect to public facilities like parks, open space, rec centers, libraries. Council member asked Diane and the LJCPA to collect and vet suggestions to bring back to her with a recommended, prioritized list. A separate issue is to completely close some streets.

**Kane:** A map was presented on screen showing the streets that were chosen by a committee consisting of leaders of various LJ community groups. The map of La Jolla showed one continuous street – Coast Blvd. -- from the Cove to various shoreline neighborhoods down to Bird Rock. One segment beginning in LJ Shores, then another long segment from the Cove on Coast Blvd. to the Childrens' Pool to South Casa Beach, past the museum to Neptune along Camino de la Costa. A section on La Jolla Hermosa would be a good place for recreation and as a feeder into the bike trail. A portion of Wall St. was recommended for closure to support restaurants. This was submitted to City traffic engineers to determine if feasible. Another request for the 1000 block of Prospect was not included because Prospect needed to be open for through traffic. Hillside Drive was another suggestion for slowing because of construction projects clogging the street; it is noted for its scenic views and is a popular bike route that connects with Mt Soledad Park and open space. Through traffic trying to avoid Torrey Pines Rd. also causes serious problems on Hillside.

**Boyden:** Are slow streets only for the time of Covid restrictions? What change in Covid restrictions would cause this program to end? **Repy:** Perhaps when stay at home order is lifted. Some would like this to continue indefinitely.

**Meredith Barratz:** Consider Soledad Ave. if there is a possibility to expand.

**Shannon:** How would parking on Coast Blvd. work? Would businesses be hurt?

**Costello:** Consider going along Chelsea

**Little:** Close intersection of Linda Rosa St. and La Jolla Mesa. This will close entire area between Turquoise and Mission Blvd. to the school.

The plan and suggestions were approved by acclimation and will be forwarded to Councilmember Bry.

#### **Other announcements**

**Hadley:** Black Lives Matter March on Friday, June 12, starting at the Cove to Windansea beginning at noon. This march is supported by the Village Merchants Assn., Town Council and Councilmember Bry who will participate. Police are aware of event. We want to accommodate the student's free speech and support the event.

**Mangano:** At the Community Planners meeting the Complete Communities proposal was presented. I urge you to view the report from the CPC meeting. <https://lajollacpa.org/wp-content/uploads/2020/06/Complete-Communities-Housing-and-Mobility-Program.pdf> , go to the City's website for more information then contact the CPA with your comments.

**Kane:** UCSD presentation on their new plan will be postponed until after the Regents meet in July because we do not have room on the July agenda.

**Meeting adjourned: 8:32 pm**

**Next meeting July 2, 2020 -- 6:00 pm**