



La Jolla Community Planning Association

Regular Meetings: 1st Thursdays | La Jolla Recreation Center, 615 Prospect Street

Contact Us

Mail: PO Box 889, La Jolla, CA 92038

Web: <http://www.LaJollaCPA.org>

Voicemail: 858.456.7900

Email: info@LaJollaCPA.org

President: Joe LaCava

Vice President: Bob Steck

2nd Vice President: Patrick Ahern

Secretary: Helen Boyden

Treasurer: Nancy Manno

D R A F T AGENDA

Regular Meeting | Thursday, 4 September 2014, 6:00 pm

**Special location this meeting only:
Cuvier Club, 7776 Eads Ave, La Jolla, CA 92037 (corner of Eads & Silverado)**

6:00p

1.0 Welcome and Call To Order: Joe LaCava, President

→ Please turn off or silence mobile phones

→ Meeting is being recorded

2.0 Adopt the Agenda

3.0 Meeting Minutes Review and Approval: 7 August 2014

4.0 Elected Officials – Information Only

4.1 Council District 1 – Council President Pro Tem Sherri Lightner

Rep: **Justin Garver**, 619-236-6611, JGarver@sandiego.gov

4.2 Mayor’s Office – Mayor Kevin Faulconer

Rep: **Francis Barraza**, 619-533-6397, FBarraza@sandiego.gov

4.3 39th Senate District – State Senator Marty Block

Rep: **Allison Don**, 619-645-3133, Allison.Don@sen.ca.gov

4.4 78th Assembly District – Speaker of the Assembly Toni Atkins

Rep: **Toni Duran**, 619-645-3090, Toni.Duran@asm.ca.gov

5.0 Non-Agenda Comment

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

5.1 UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>

6.0 Trustee Comment

Opportunity for trustees to comment on matters not on the agenda and within LJCPA jurisdiction, two minutes or less.

7.0 Officers’ Reports

7.1 Secretary

7.2 Treasurer

8.0 President’s Report – Information only unless otherwise noted.

8.1 Planned District Ordinance Appointment: _____ - Action Item

8.2 Short-term Vacation Rentals - Consider Committee recommendations at **Oct 2nd** Meeting

8.3 Boffo Cinemas La Jolla

8.4 Whale Watch Way Residence – Planning Commission Hearing, Sept 25, 9am

8.5 City’s Bike Sharing Program will not include La Jolla in initial launch

8.6 La Jolla Shores Sewer & Water – Working with City to resolve merchant concerns

8.7 New Community Planner starting Sep 8th: Karen Bucey, KBucey@sandiego.gov, 619-533-6404

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 work days prior to the meeting date to insure availability.

9.0 REPORTS FROM AD HOC and NON-LJCPA COMMITTEES - Information only

9.1 Community Planners Committee

<http://www.sandiego.gov/planning/community/cpc/index.shtml>

9.2 Coastal Access & Parking Board <http://www.lajollacpa.org/cap.html>

10.0 CONSENT AGENDA – Ratify or Reconsider Committee Action

The Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items.

→ Anyone may request a consent item be pulled for full discussion by the LJCPA

→ Items “pulled” from Consent Agenda are automatically trailed to the next LJCPA meeting.

→ See committee minutes for description of projects, deliberations and vote.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tues, 4pm

PRC – LJ Shores Permit Review Committee, Interim Chair Phil Merten, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm.

T&T – No Meeting in August

10.1 COLDWELL BANKER, 848 Prospect

PDO Motion: **Approve** the replacement awnings and new signage on condition that the protruding flags are removed. 7-0-0.

10.2 ZAVARO RESIDENCE, 1994 Via Casa Alta

DPR Motion: Findings **CAN** be made for a Coastal Development Permit and SDP for construction of a new 4,843 square foot, two-story above basement, single family residence, with 2,491 square feet of exterior deck areas, including a pool and spa, on a vacant 22,291 square foot lot located at 1994 Via Casa Alta. 5-0-0.

10.3 BUCKINGHAM RESIDENCE CDP, 1545 Buckingham Drive

DPR Motion: Findings **CAN** be made for a Coastal Development Permit to demolish an existing single family residence and construct a 8,499 single family residence with a companion unit and accessory structures at 1545 Buckingham Drive. 6-0-1.

10.4 MCCLELLAND RESIDENCE, 8352 La Jolla Shores Drive

PRC Motion: Findings **can** be made for a Coastal Development Permit and a Site Development Permit for project #355787, 8352 La Jolla Shores Drive. 4-3-0.

10.5 LAMBERT FELICE RESIDENCE, 2382 Via Capri Court

PRC Motion: Findings **can** be made for a Coastal Development Permit and a Site Development Permit for project No. 288444, 2382 Via Capri Court. 7-0-0.

10.6 STYLLI RESIDENCE, 2452 Paseo Dorado

PRC Motion: Findings can be made for a Coastal Development Permit and a Site Development Permit for the remodel of the property at 2452 Paseo Dorado, Project No. 374040. 7-0-0.

11.0 57TH ANNUAL LA JOLLA CHRISTMAS PARADE, STREET CLOSURES – Action Item

Proposed street closures and detour plans for 1st Saturday in December in support of parade.

Closures, detour plans same as last year.

Previous Action by LJCPA (Aug '14): Pulled from Consent Agenda

Previous Action by T&T (Jul '14): Motion to approve. 7-0

12.0 AMENDMENT TO EXISTING VALET PARKING PERMIT LOCATED NEAR EDDY V'S TO EXTEND SATURDAY AND SUNDAY HOURS, 10:30 AM TO 11:30 PM – Action Item

Proposed amendment which would extend operation hours to start at 10:30 am on Saturdays and Sundays. T&T action based on applicant agreeing to additional requirements.

Previous Action by LJCPA (Aug '14): Pulled from Consent Agenda

Previous Action by T&T (Jul '14): Motion to approve, 7-0

13.0 GEORGE'S AT THE COVE CDP, 1250 Prospect Street – Action Item

(Process 3) Coastal Development Permit to increase a roof dining terrace by 550 square feet by converting other roof area to dining terrace at 1250 Prospect Street located in the La Jolla Planned District-1A zone of the La Jolla Community Plan area and Coastal (appealable and non-appealable) Overlay Zone.

*Previous Action by DPR (Aug '14): Findings **CAN** be made for a Coastal Development Permit to increase a roof dining terrace by 550 square feet by converting other roof area to dining terrace at 1250 Prospect Street, and with the annotation on the plan dated August 19, 2014 [“George Hauer, the applicant, agrees to either install or cause to have installed mechanical equipment screening to conceal from view the existing and new mechanical equipment on the roof of the building”]. 5-1-1.*

14.0 CITY'S RESPONSE TO ALLEGED VIOLATIONS OF THE LJCPA – Action Item

Consideration of the City's recommendations of “curing and correcting operations” as detailed in their letter of August 27, 2014. See attached. Also posted at

http://www.lajollacpa.org/projects/2ndCityResponseToLJCPA-Fulton%2014_0827.pdf

Previous City Action (August 27, 2014): City issues new letter

Previous LJCPA Action (Aug 7, 2014): Trustees rejected the findings of the City's Jun 26th letter, 7-5-1

Previous LJCPA Action (July 9, 2014): Continued to August 7th LJCPA meeting

Previous City Action (June 26, 2014): City of San Diego response to complaint

Previous Private Action (May 16, 2014): Complaint against LJCPA filed with City of San Diego

Previous LJCPA Action (Mar 25, 2014): LJCPA Response to Election Challenge

Previous Private Action (Mar 11, 2014): Election Challenge filed with LJCPA

Background Material including material submitted by trustees: <http://www.lajollacpa.org/projects.html>

15.0 Annual Election, March 6th - Possible Action to Rescind or Modify Motion of April 4th.

Depending on action of Item 14.0 it may be appropriate for the good of the order to rescind or modify the motion of Agenda Item 3.C. of the April 4th meeting.

16.0 Special Election, July 3rd – Possible Action to Rescind or Modify Motion of August 7th.

Depending on action of Item 14.0 it may be appropriate for the good of the order to rescind or modify the motion of Agenda Item 6 of the August 7th meeting.

17.0 Adjourn to next Regular Monthly Meeting, 2 October 2014, 6:00 pm



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Secretary: Helen Boyden
Treasurer: Nancy Manno

D R A F T MINUTES

Regular Meeting | Thursday, 7 August 2014

Trustees present prior to seating of new trustees: Cynthia Bond, Helen Boyden, Bob Collins, Dan Courtney, Janie Emerson, Joe LaCava, Nancy Manno, Robert Mapes, Alex Outwater, Bob Steck, Ray Weiss, Rob Whittemore, Frances O’Neill Zimmerman.

Trustees seated during Item 7.0: Mike Costello, Cindy Greatrex

Trustees absent: Patrick Ahern, Phil Merten, Jim Ragsdale

1.0 Welcome and Call To Order: Joe LaCava, President, at 6:06 pm.

He asked that cell phones be turned off and announced that the meeting was being recorded.

2.0 Adopt the Agenda

Trustee Emerson asked that the distributed July 22 PRC minutes be corrected: The PRC minutes were revised to show that the applicant for the McClelland Residence was asked to provide a survey of the building setbacks of all existing homes within a 300 foot radius of the project site.

Approved Motion: To adopt the draft agenda removing Item 16.0 which will be heard at a later date. (Emerson, Collins: 8-0-1)

In favor: Bond, Boyden, Collins, Emerson, Manno, Mapes, Steck, Whittemore

Abstain: LaCava (Chair)

3.0 Meeting Minutes Review and Approval: 9 July 2014 Special Meeting

Approved Motion: To approve the Minutes of the July 9, 2014, Special Meeting. (Steck, Emerson: 8-0-1)

In favor: Bond, Boyden, Collins, Emerson, Manno, Mapes, Steck, Whittemore

Abstain: LaCava (Chair)

4.0 Elected Officials – Information Only

4.1 Council District 1 – Council President Pro Tem Sherri Lightner

Rep: **Justin Garver**, 619-236-6611, JGarver@sandiego.gov was not present, but had reported that the La Jolla Cove Lifeguard Tower was on schedule and work at the Children’s Pool Lifeguard Tower had resumed after the seagull had left the nest.

4.2 Mayor’s Office – Mayor Kevin Faulconer

Rep: **Francis Barraza**, 619-533-6397, FBarraza@sandiego.gov stated that she was Mayor Faulconer’s representative to all of Council District One and will be attending our meetings on an approximately quarterly basis. She welcomes comments on items of concern.

4.3 39th Senate District – State Senator Marty Block

Rep: **Allison Don**, 619-645-3133, Allison.Don@sen.ca.gov was not present.

4.4 78th Assembly District – Speaker of the Assembly Toni Atkins

Rep: **Toni Duran**, 619-645-3090, Toni.Dura@asm.ca.gov was not present.

5.0 CITY’S RESPONSE TO ALLEGED VIOLATIONS OF THE LJCPA – Action Item

Consideration of the City’s recommendations of “curing and correcting operations” as detailed in their letter of June 26, 2014. Discussion will not include City letter of June 5th nor of June 10th.

Previous Action (July 9, 2014): Continued to August 7th LJCPA meeting
Previous Action (June 26, 2014): City of San Diego response to complaint
Previous Action (May 16, 2014): Complaint against LJCPA filed with City of San Diego
Previous Action (Mar 25, 2014): LJCPA Response to Election Challenge
Previous Action (Mar 11, 2014): Election Challenge filed with LJCPA
Background Material including material submitted by others: <http://www.lajollacpa.org/projects.html>

President LaCava stated that there were about five different types of motions that we might be looking for on this item:

1. This is the same item we heard in April and there is no new information, therefore
2. This is the same item we heard in April and there is new information, but
3. This is a new item and we agree with it.
4. This is a new item and we disagree with it.
5. This is a new item and we disagree with it and we admit no wrongdoing, but

Member Michael Morton stated that when the new bylaws were adopted, they provided that when there were viable candidates and they chose to [“not” was omitted in his oral presentation] serve, then the next viable candidate would be elected. He also said that for Peter Ovanessoff to withdraw and name his successor would constitute proxy voting which is not allowed. He distributed a page each from the LJCPA Bylaws and the Administrative Guidelines for Policy 600-24.

Member Peggy Davis urged the trustees not to seat Michael Morton.

Trustee Boyden distributed a list of references to the LJCPA Bylaws, noting particularly the provisions where the City was supposed to dialogue with the LJCPA and it had not; the LJCPA Bylaws state that they take precedence over Policy 600-24 and the Administrative Guidelines; and that the March ballot, approved by City staff, had all the information required by the LJCPA Bylaws. She said that if just one vote for a write-in candidate could displace a termed-out candidate listed on the ballot who received votes from two-thirds of those voting, then this would be an absurd situation. Additionally, she pointed out that the City states in paragraph 3 of its letter that Mr. Morton was one of the seven elected and should be seated; then in paragraph 5, the City states that Mr. Ovanessoff was not elected and then says he withdraws. However she said that since Mr. Ovanessoff received more votes than Mr. Morton, the City line of reasoning does not hold. She later stated that if the ballot did not state that write-in candidates would receive precedence over termed out candidates, the voters were deceived.

Trustee Manno said that she believed, very strongly, that Mr. Morton was not elected and should not be seated and the City had erred in asking the LJCPA to seat Mr. Morton as a LJCPA Trustee. However, to risk the LJCPA's certification and indemnification, she believed to be an unacceptable risk, and therefore to enable the LJCPA to move forward, she moved that the LJCPA seat Mr. Morton, thereby satisfying the City's one remaining requirement for remedies to the March LJCPA-Trustee Election. [See final motion below]

Trustee Whittemore referred to his letter to the trustees which was attached to the agenda and included in the public document. He stated that he does not believe that the LJCPA is at risk of loss of its indemnification and that the City Council is the final arbiter. He believes that the City recommendation is based on false statements and incorrect interpretations of the LJCPA Bylaws; e.g. that the Bylaws make no provisions for action after a trustee resignation. He referred to the provision in the LJCPA Bylaws that allowed termed out members to be candidates and be elected if they received two-thirds of the vote and believed that voters expected that once on the ballot the termed-out members would be elected if they received the required two-thirds. He supports the officers' reasonable decision that this was the case and that one lone candidate who chose not to be on the ballot could not trump the will of the voters. His interpretation of Mr. Fulton's letter was that the City agreed with this. (Ms. Henegar disagreed, but did not elaborate.) **Trustee Whittemore** stated that he would not have run if he had thought that that would disqualify Mr. LaCava or Mr. Fitzgerald.

Trustee Emerson stated that she, as Chair of the Election Committee, had not been contacted by City staff; that Ms. Henegar had been present at the opening of the polls and had stated then she had no objection to the ballot (which could have been quickly reprinted at that point) or other election materials, all of which were still under seal.

Trustees Bond and Emerson referred to the Policy 600-24 and Administrative Guidelines allowing 8-9 years of service before a trustee termed out.

Trustee Weiss stated that such a contentious issue should not be settled by exchange of letters and that he would like to hear the City's response to Trustee Whittemore's comments. He felt a City staff member with the power to make a decision should come to the LJCPA to discuss them and try to come to a mutually acceptable result and that this was not a matter than would warrant loss of indemnification by the City. He asked Ms. Henegar if she would comment on Trustee Whittemore's letter.

Trustee Outwater stated a dialogue with the City was needed.

Trustee Zimmerman stated she did not want to risk loss of indemnification by the City.

President LaCava stated he felt it was ill-advised to call the City's bluff and that, though the Fulton letter was relatively low key, if the LJCPA trustees rejected the City's recommendation, then the next letter would be harsher.

To an inquiry from **Member Bob Whitney, Trustee Boyden** stated that Mr. Whittemore had not attended the Officers' meeting; the document that he had drafted in response to the March 11 complaint had been edited; and at the time, Mr. Whittemore had not yet been seated as a trustee.

Member Odile Costello, with respect to the possibility of changing the results of the July 3rd election, referred to Pages 308 and 446 of RRONR latest edition (11th) stating that an action taken cannot be changed or modified and that the voting body has the final decision on who is elected.

Member (and now Trustee) Mike Costello stated that the LJCPA had already rejected the current City letter by holding an election for two seats (three candidates) on July 3rd and that it can't be taken back.

City Senior Planner Lesley Henegar stated that she had drafted the City letter and that it had been reviewed by others, including the City Attorney's office. She said that the LJCPA did run the risk of losing its status as an advisor to the City and its indemnification; Mr. Fulton's letter only responded to issues in the complaint sent to the Mayor; if the LJCPA rejected the City letter then the next step would be referral to the City Attorney's office. She said she would try to institute a dialogue with unspecified members of City staff.

Failed Motion: The LJCPA does not admit making an error, but will accept the City's recommendation to seat Mr. Morton, thereby satisfying the City's one remaining requirement for remedies to the March LJCPA Trustee Election. (Manno, Steck: 5-7-1).

In favor: Boyden, Manno, Outwater, Steck, Zimmerman
Opposed: Bond, Collins, Courtney, Emerson, Mapes, Weiss, Whittemore
Abstain: LaCava (Chair)

Approved motion: To reject the recommendation of the City to seat Michael Morton and to support the Officers' response and the action of the LJCPA taken on April 3, 2014. (Whittemore, Courtney: 7-5-1)

In favor: Bond, Collins, Courtney, Emerson, Mapes, Weiss, Whittemore
Opposed: Boyden, Manno, Outwater, Steck, Zimmerman
Chair: LaCava (Chair)

6.0 Special Election, July 3th, Challenge – Action Item

Two timely election challenges were filed. The challengers took no exception to the technical conduct of the election, but instead the challenge is in regards to the nexus between the March election and the July special election. Since the two are thus intertwined, upon the trustee's action on Agenda Item 5, the matter of the challenges to the July special election was addressed.

Approved Motion: To reject the challenges to the Election of July 3, 2014 and to seat Cindy Greatrex and Mike Costello to three- and two-year terms respectively (ending in March 2017 and March 2016]. (Whittemore, Courtney: 9-1-3)

In favor: Bond, Boyden, Collins, Courtney, Emerson, Manno, Mapes, Weiss, Whittemore
Opposed: Steck
Abstain: LaCava (Chair), Outwater (Confused as to meaning), Zimmerman (Confused as to meaning)

7.0 Seat Newly Elected Trustees – Oath of Office

Pursuant to the Bylaws: “Trustees elected at special elections shall be seated at the next regular or special meeting of the Board of Trustees.”

Newly-elected Trustees Cindy Greatrex and Mike Costello took the oath of office and were seated as trustees.

8.0 Non-Agenda Comment

Opportunity for the public to speak on matters not on the agenda and within LJCPA jurisdiction, two minutes or less.

8.1 UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/> was not present.

8.2 Member Jim Fitzgerald asked that because of the importance of the issue that the report of the the Ad Hoc Committee on Short Term Vacation Rentals be placed on the September LJCPA agenda.

Cheri Aspenleiter spoke on the need to address the issue of disability access to the Children’s Pool at the upcoming Coastal Commission hearing. Its staff was incorrect in stating that persons with disabilities had many other access points, but cited the wide sandy beach at La Jolla Shores as being difficult for wheelchair access and noted obstacles at other beaches.

Sharon Backus hoped the LJCPA would address issues such as empty magazine racks now being used as trash receptacles, bicycle riding on Pearl Street sidewalks, and request bus stop shelters to accommodate trash cans that are now put in the street.

Member Tim Lucas said the La Jolla Shores Association will not meet in August. The LJSA is now hearing public testimony with respect for RFPs for the three-year renewal of kayak rentals. Lifeguards are investigating the issue which will return to the LJSA at either the LJSA September or October meetings. Information can be found on its webpage, ljsa.org or by link from the LJCPA website.

Member Melinda Merryweather said that the City should be cleaning the seaweed off the Children’s Pool Beach. It had done it in the past, contrary to opinions expressed by Coastal Commission staff. The seaweed is a health hazard as well as an aesthetic issue.

9.0 Trustee Comment

Opportunity for trustees to comment on matters not on the agenda and within LJCPA jurisdiction, two minutes or less.

To Trustee Zimmerman’s queries: about Deco-Bike, **President LaCava** stated that La Jolla community groups were in discussion with the City and there was much opposition to locating any stations in La Jolla; the City had no jurisdiction over the Mount Soledad memorial on federal land where an 11’ high, 5’ x 50’ brightly colored sign had recently been erected.

Trustee Courtney expressed a similar concern about a Children’s School sign on Torrey Pines Road.

Trustees Collins and **Weiss** noted that various temporary traffic control signs that were no longer needed have not been removed. **President LaCava** noted that such can be reported on the City website.

Trustee Whitemore cited his communication with Secretary who had said member e-mail addresses were not to be made public. He agreed that privacy concerns were paramount. He also noted that the Brown Act applies to legislative bodies and bodies that the City delegates responsibility to. At the City Council, the City Clerk distributes advocacy communications to councilmembers prior to the meeting and makes them public also.

10.0 Officers’ Reports

10.1 Secretary

Trustee Boyden stated that if you want your attendance recorded today, you should sign in at the back of the room. There are two sign-in lists: one for LJCPA members and a yellow one for guests.

LJCPA is a membership organization open to La Jolla residents, property owners and local business 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/. We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March.

You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become eligible for election as a trustee. You may document your attendance by signing in at the back, providing the Secretary before the end of the meeting a piece of paper with your printed full

name, signature and a statement that you want your attendance recorded, or providing independently verifiable proof of attendance.

You can become a Member after attending one meeting and must maintain your membership by attending one meeting per year. 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.

Please note that members who failed to attend a meeting between March of 2013 and February 2014 (and similar for all time periods) have let their membership lapse and will need to submit another application to be reinstated.

Members were reminded that if there was a change in their address for or nature of their qualification status, they needed to provide a replacement membership application.

10.2 Treasurer

President LaCava presented the treasurer’s report which had been prepared by **Treasurer Nancy Manno**. He reminded trustees and attendees that collections at the meetings are the only source of income for the LJCPA and that all contributions must be in cash. He thanked the members for their generosity in supporting the organization.

Beginning Balance as of 7/01/14	\$ 54.21	
Income		
Collections	\$ 122.00	
CD sales	5.00	
Total Income	\$ 127.00	\$181.21
Expenses,		
Agenda Printing	\$104.58	
Telephone	51.87	
Total Expenses	\$156.45	(156.45)
Ending Balance as of 7/31/14	\$ 24.76	\$ 24.76

It was noted that there was an outstanding loan of \$100.00 to the LJCPA from Treasurer Manno.

11.0 President’s Report – Information only unless otherwise noted.

- 11.1 Planned District Ordinance Appointment:** Still looking for a candidate
- 11.2 Short-term Vacation Rentals** - Consider Committee recommendations at Sept 4th LJCPA meeting if room on the agenda
- 11.3 Children’s Pool Pupping Season Closure** – Coastal Commission Hearing, San Diego, Aug 14, 9 AM
- 11.4 Whale Watch Way Residence** – Appeal filed, Planning Commission Hearing, Sept 25, 9am- The President will not attend and the LJCPA will be represented by one of the Vice Presidents.
- 11.5 Torrey Pines Rd** – Phase 1 starts January 2015 and is fully funded; Phase 2 concept is in the design phase and funding is being sought; <http://www.lajollacpa.org/tpr.html>
- 11.6 Policy 600-24 Update** – Approved at Smart Growth & Land Use Committee, City Council in Sept

12.0 REPORTS FROM AD HOC and NON-LJCPA COMMITTEES - Information only

- 12.1 Community Planners Committee <http://www.sandiego.gov/planning/community/cpc/index.shtml> did not meet.
- 12.2 Coastal Access & Parking Board <http://www.lajollacpa.org/cap.html> has elected two officers.

13.0 CONSENT AGENDA – Ratify or Reconsider Committee Action

The Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items.

- Anyone may request a consent item be pulled for full discussion by the LJCPA
- Items “pulled” from Consent Agenda are automatically trailed to the next LJCPA meeting.
- See committee minutes for description of projects, deliberations and vote.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm
DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tues, 4pm
PRC – LJ Shores Permit Review Committee, Interim Chair Phil Merten, 4th Tues, 4pm
T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm.

13.1 BOFFO CINEMAS LA JOLLA DBA AS “THE LOT” (pulled by Trustee Emerson)

Tenant improvement, remodel, and addition to the former market at 7611 Fay Avenue and convert to an upscale Dine-in Movie theater. Lot size: 41,413 SF. FAR Existing: 0.56 / Proposed 0.68.
PDO Motion: Project is in conformance to the PDO except for sycamore trees that the City is requiring in the public right of way. The committee shall address the change from Sycamore trees to Palm trees directly with City officials. 6-0-0.

13.2 BOURGEOIS/KENNEDY CDP

DPR Motion: Findings **CAN** be made for a Coastal Development Permit to demolish and reconstruct the front single dwelling unit at 604 Gravilla Place. 6-0-1.

13.3 VERIZON GILMAN

PRC Motion: Findings be made for a NUP and a SDP for a Wireless Communication Facility at 7650 Gilman Court based on the plans submitted to the Committee today which include notations on the plans that a) the building be painted dark green b) the chain link fence to be green-coated and in-filled and c) the monopine be backed by two real pines. 7-0-0.

13.4 END OF SUMMER FIRE RUN – STREET CLOSURES

T&T Motion: Motion to approve. 6-0

13.5 SAN DIEGO TRIATHLON CHALLENGE – STREET CLOSURES

T&T Motion: Motion to approve. 8-0

13.6 57TH ANNUAL LA JOLLA CHRISTMAS PARADE – STREET CLOSURES (pulled by Trustee Zimmerman)

T&T Motion: Motion to approve. 7-0

In response to a query from **Member Tim Lucas, President LaCava** stated that the only item for discussion is the street closure.

13.7 TASTE OF THE COVE – STREET CLOSURE

T&T Motion: Motion to approve. 7-0

13.8 AMENDMENT TO EDDY V’S VALET PARKING PERMIT TO EXTEND SATURDAY AND SUNDAY HOURS FROM 10:30 AM TO 11:30 PM (Pulled by Trustee Zimmerman)

T&T Motion: Motion to approve. 7-0

Items 13.1, 13.6 and 13.8 were pulled from the consent agenda and will be scheduled for a full hearing at the September 4, 2014 meeting of the LJCPA.

There was discussion on the fact that some items cited for pulling had received unanimous support at a subcommittee. Applicants **Kennedy** and **Janay Kruger**, **Trustee Mike Costello** and **Member Bob Whitney** commented on Item 13.2 with respect to this issue. **Members Jim Fitzgerald, Michael Morton, and Don Schmidt** commented in general. The LJCPA Bylaws state that anyone can pull an item. **President LaCava** stated that projects in the LJ PDO with a Process One application went to the PDO committee as a courtesy and did not

necessarily require a discretionary permit.

Approved Motion: To accept the recommendation of the DPR Committee for: 13.2 Bourgeois/Kennedy CDP, that the findings can be made for a Coastal Development Permit to demolish and reconstruct the front single dwelling at 604 Gravilla Place; to accept the recommendation of the PRC Committee for: 13.3 Verizon Gilman, that the findings can be made for a NUP and a SDP for a Wireless Communication Facility at 7650 Gilman Court based on the plans submitted to the Committee today which include notations on the plans that a) the building be painted dark green b) the chain link fence to be green-coated and in-filled and c) the monopine be backed by two real pines; and the recommendations of the T&T Board to approve: 13.4 End of Summer Fire Run Street Closures, 13.5 San Diego Triathlon Challenge street closures, and 13.7 Taste of the Cove Street Closure; and forward the recommendations to the City. (Collins, Steck, 14-0-1)

In favor: Bond, Boyden, Collins, Costello, Courtney, Emerson, Greatrex, Manno, Mapes, Outwater, Steck, Weiss, Whittemore, Zimmerman

Abstain: LaCava (Chair)

Item 13.1: Boffo Cinemas La Jolla DBA as "The Lot" (pulled by Trustee Emerson)

Item 13.6: 57th Annual La Jolla Christmas Parade –Street Closures (pulled by Trustee Zimmerman)

Item 13.8: Amendment to Eddy V's Valet Parking Permit to extend Saturday and Sunday hours from 10:30 am to 11:30 pm (Pulled by Trustee Zimmerman)

14.0 HART RESIDENCE, 6101 Camino De La Costa – Action Item

CDP (Process 3) to remodel and add a 2,085-square-foot, second story addition to an existing 3,154-square foot single-family residence on a 0.33-acre site located at 6101 Camino De La Costa. The site is in the RS-1-7, Coastal (appealable) Zone and the Coastal Height and Parking Impact Overlay Zones.

Previous Action by LJCPA (Jul '14): Pulled from Consent Agenda

Previous Action by DPR (Jun '14): Findings CAN be made for a Coastal Development Permit to remodel and add a 2,085-square-foot, second story addition to an existing 3,154-square foot single-family residence on a 0.33-acre site located at 6101 Camino De La Costa. 5-1-1.

Trustee Manno had pulled the project because of neighbor concerns about a driveway, but it was stated that the neighbors' concerns had been satisfied.

Approved Motion: To accept the recommendation of the DPR Committee that the findings CAN be made for a Coastal Development Permit to remodel and add a 2,085-square-foot, second story addition to an existing 3,154-square foot single-family residence on a 0.33-acre site located at 6101 Camino De La Costa and forward the recommendation to the City. (Whittemore, Steck 14-0-1.)

In favor: Bond, Boyden, Collins, Costello, Courtney, Emerson, Greatrex, Manno, Mapes, Outwater, Steck, Weiss, Whittemore, Zimmerman

Abstain: LaCava (Chair)

15.0 LASKA RESIDENCE ADDITION, 8151 Calle Del Cielo – Action Item

CDP and SDP for a 2,856 sq. ft. second floor addition, remodel and add 427 square feet to the first floor with basement addition, and new 3-car garage of 854 sf to an existing single family residence on 20,101 square feet, La Jolla Shores Planned District Ordinance.

Previous Action by LJCPA (Jul '14): Pulled from Consent Agenda

Previous Action by PRC (Jun '14): Findings CAN be made on a Coastal Development and Site Development permit. 5-2-0.

PRC Member Tim Lucas had pulled the project because he and another neighbor had been out of town for the PRC meeting and had concerns. The five closest neighbors had met with the architects and several changes to the plans had been made. Letters were received from adjacent neighbor **Dr. Stanley Pappelbaum** and others stating that they now approved the project.

Approved Motion: To accept the recommendation of the PRC Committee that the findings CAN be made on a Coastal Development and Site Development permit. (Outwater, Manno: 12-1-2)

In favor: Boyden, Collins, Costello, Courtney, Emerson, Greatrex, Manno, Mapes, Outwater, Steck, Weiss,

Whittemore, Zimmerman
Opposed: Bond
Abstain: LaCava (Chair)

16.0 LA JOLLA COMMUNITY CENTER – will be heard at a later date – See Item 2.0 above

Friends of the La Jolla Community Center, a community-based 501(c)(3) corporation established in 2007, the current operators of the Center at 6811 La Jolla Blvd, is seeking a new 20-year lease. The City of San Diego seeks community input on the lessee's proposal to extend hours of operation to include weekends.

17.0 LA JOLLA SHORES PLANNED DISTRICT ORDINANCE – Action Item

Does the LJCPA want to revisit possible update to the Shores PDO? This could include working with the La Jolla Shores Association and the La Jolla Shores Planned District Ordinance Advisory Board to engage the La Jolla Shores community, the City of San Diego, and Council District 1 in an open conversation regarding a targeted update. *Previous Action by PRC (June '14): That the PRC ask the LJCPA to appoint an ad hoc committee to research the process for a mini-update to the LJSPDO. 6-0-0.*

Members Michael Morton, Tim Lucas, and Bob Whitney commented.

City Senior Planner Lesley Henegar stated that moving forward on a mini-update to the LJSPDO would require staff and budget. It would be a part of the City's work program.

Approved Motion: To return the Item to the PRC asking them to be more specific. (Emerson, Outwater: 14-0-1)

Approved: Bond, Boyden, Collins, Costello, Courtney, Emerson, Greatrex, Manno, Mapes, Outwater, Steck, Weiss, Whittemore, Zimmerman
Abstain: LaCava (Chair)

18.0 Adjourn at 8:10 pm to next Regular Monthly Meeting, 4 September 2014, 6:00 pm.

La Jolla Planned District Ordinance Committee
Chair: Ione R. Stiegler, FAIA

DRAFT Minutes – MONDAY, August 11, 2014
4:00 PM, La Jolla Recreation Center, 615 Prospect Street, Room 1

Present: Stiegler, Ovanessoff, Van Galder, Fitzgerald, Pitrofsky, Dershowitz, Marengo

Visitors: Fortune, Davis, Vinjovich Le Barre, Bauer, Miller

1. Public Comment – Issues not on today’s agenda (2 minutes maximum.)

Sally Miller expressed great concern about the increase and excess use of neon lights by business throughout La Jolla. It seems that the neon lights, both within and outside of the businesses has increased significantly and she wanted the PDO to be aware of this fact so that it would not increase any more. Motion by Fitzgerald to include in next PDO meeting an agenda item for the discussion of the use of neon lights within and outside of businesses in the PDO jurisdiction. Seconded by Marengo. Vote(7-0-0) Passes

Peggy Davis requested the PDO committee draft a letter to the City Development Services and express concern that many approved project that have an MND or EIR associated to them are not thoroughly researched and many do not comply with the community plan. Steigler explained in detail that the EIR and MND are not part of the PDO’s jurisdictions and further explained in detail the purpose and role of the PDO within the La Jolla community.

2. Chair Report / Board Discussion

a. Review and Approve July Minutes-Motion for approval: Fitzgerald, Seconded: Marengo , Vote (5-0-2) Passes

b. Issues regarding PDO compliance and means to promote enforcement.

1. Committee letter to DSD regarding concerns on approvals/enforcement of the community plan and zoning regulations.

Sheila Fortune informed the Board that she and Claude Anthony have an appointment with Mayor Faulconer on 8/12/14 to discuss the enforcement of the Community Plan and zoning regulations. She further informed the Board that many other issues, including but not limited to, the murals and other drawings in La Jolla would be discussed with the Mayor. In addition, Fortune informed the Board that Duke Fernandez who heads the Neighborhood Compliance arm of the City will be coming to La Jolla in a couple of weeks along with Nine other officers to enforce the Rules and Regulations of the city and the PDO. They will be issuing citations to all these who are in violation. They will cover the La Jolla area block by block, although no specific block was mentioned. Violators will be cited for all violations including color, signage and unauthorized use of sidewalks. Discussion about the enforcement of sidewalk signage was pursued by the members. Fortune expressed how difficult it was to enforce such usage. She mentioned that the LVMA at one point considered requiring one type of chair, one type of table and one type of a sign that would be allowed to be used throughout the Village, very much like Little Italy. However, this idea and effort has not been finalized.

Marengo informed the Board that several years ago, the City would require all Process 1 applicants to present their projects to the PDO. City officials and plan checkers no longer enforce this requirement. Stiegler requested Fortune to request from the Mayor to instruct the correct officials to require all Process 1 applicants to present their projects to the PDO. This would allow the PDO to advise applicants on the regulations in a formal manner.

Stiegler expressed her gratitude to Fortune for all her efforts and hard work in this regard.

2. Review whether the parking assigned to the commercial portions of the developments on Turquoise Street, do not have access to commercial parking. Verify if so, then this locked gate in effect denies the zoning intent of required commercial parking and means that the development would have required a zoning variance from parking requirements. If this is confirmed, decide if the committee wants to draft a letter, to go on record, as objecting to this type of future development in La Jolla.

Stiegler informed the Board that she visited the subject project and was able to interview several of the tenants whether they had access to the parking spaces that were behind locked gates. Most of the tenants

NEXT MEETING – MONDAY, SEPTEMBER 8, 2014

Please check <http://www.lajollacpa.org> 72 hours prior to meeting, meeting may be cancelled if no projects are on the agenda.

FOR ADDITIONAL INFORMATION, PLEASE CONTACT IONE R. STIEGLER, FAIA, CHAIR, 858-456-8555 OR

istiegler@isarchitecture.com

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 work days prior to the meeting date to insure availability.

expressed their unwillingness to pay extra for the parking spaces and others were unaware of the availability of the spaces. Steigler expressed her concern that mixed use developments do not provide adequate parking for commercial spaces. Whether the tenants should use the commercial parking spaces, owners or the customer of the businesses was discussed at length amongst the Board members. Marengo informed the Board that the Turquoise Street development was not in the Parking Impact Zone and she further questioned whether the subject projects were indeed Process 1 applications. It was decided that Steigler would further investigate which process the subject property had filed their original application and discussion of this subject would be concluded during the next PDO meeting.

3. Recommendations to CPA

- | | |
|-------------------------------------|---------------------------------------|
| a. Project Name: Coldwell Banker | Applicant: Coldwell Banker |
| Address: 848 Prospect | Agent: Integrated Sign Associates |
| Project Number: N/A | City Project Manager: |
| PDO Zone: La Jolla Planned District | Date of App Notice |
| Ordinance (La Jolla P.D.O.) | Scope of Work: Recover Three awnings. |

Project was presented by Integrated Sign Services. The presenter informed the Board that Coldwell Banker Real Estate had recently acquired the Middleton Real Estate Company and as such, the new owners would now like to change the awnings to reflect the acquisition. A color brochure, which included color, sizes and the location of the replacement awnings, was provided to the Board members. A sample of the fabric was also available. Motion by Fitzgerald to approve the replacement awnings and signage as they conformed to the La Jolla PDO. Seconded by Marengo. Discussion about the flags that were present earlier and those were not in compliance. Fitzgerald

Amended motion to “Approve the replacement awnings and new signage on condition that the protruding flags are removed.” Seconded by Marengo, Vote (7-0-0) Passes.

b. New Business:

Fitzgerald informed the Board about an incident that occurred during the last LJCPA meeting that was of grave concern to him. The incident involved the BOFO Cinemas that had previously presented their project to the PDO and subsequently won the Boards approval by a unanimous consent. This project was in turn placed on the LJCPA Consent Agenda. During their regular monthly meeting, this item was pulled by a Trustee of the LJCPA with no apparent reason given. Fitzgerald expressed his concern that this type of activity would undermine the PDO and further would cause other applicants to question the authority and effectiveness of the PDO and their decisions. Ovanessoff further confirmed these concerns. Stiegler then expressed her concern about the process by which the applicant had presented their project to the Board. She informed the Board that the BOFO Cinemas’ application was a Process 1 application and as such, the project should have been presented to the PDO committee as “an information only” basis. Steigler then requested that Fitzgerald assist in drafting a letter to the LJCPA, expressing our concern about the CPA meeting events as well as informing the LJCPA that the BOFO project was presented to them in error and that it was indeed a process 1 application and the matter should not have been voted upon, thus not needing to be on the consent Agenda.

4. Recommendations to DPR Committee

- a. None

5. Information Only

- a. None

Meeting adjourned 5:15

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

August 12, 2014 Present: Benton (Chair), Chiu, Collins, Costello, Mapes

August 19, 2014 Present: Benton (Chair), Collins, Costello, Mapes, Ragsdale, Welsh, Will

1. NON-AGENDA PUBLIC COMMENT

None received.

2. PRELIMINARY REVIEW

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name: **MIDWAY BLUFF STABILIZATION**
Calumet Ave. & Midway Street Permits: CDP
Project #: 363058 DPM: Helene Deisher, (619) 446-5245
Zone: RS-1-7 HDeisher@sandiego.gov
Applicant: George Freiha, (619)553-7449

Scope of Work:

(Process CIP-2-Staff Decision) Coastal Development and Site Development Permit to perform bluff stabilization. Work will include a new retaining wall, replacement of an existing fence, existing concrete and seating area with new decomposed granite, ADA compliant path of travel, new bench, new drought tolerant and native landscaping, new ADA ramps at the corner of Calumet Avenue and Midway Street, at the western terminus of Midway Street just west of Calumet Avenue within the La Jolla Community Plan area.

APPLICANT PRESENTATION 08/12/14: (George Freiha, Chuck Greely, Darren Genova)

The proposed project is presently in 35% stage: a conceptual design. A Landscape Plan with drought-tolerant plants, an ADA ramp, was presented. The project will include a retaining wall, which consists of segments that are assembled on site. The previous slope failure was the result of blockage of a storm drain: the rebuilding will consist of a filled area and additional anchorage is not needed. Groundwater and seepage will be discharged to the slope area.

A suggestion was made that the elevation of the retaining wall be covered with a texture that will simulate the colors and textures of the existing bluff face.

The project design will be developed further and will be presented again at later stages.

3. FINAL REVIEW (PREVIOUSLY REVIEWED 07/15/2014)

Project Name: **ZAVARO RESIDENCE**
1994 Via Casa Alta Permits: CDP, SDP, Variance
Project #: 327381 DPM: Laura Black, (619) 236-6327
Zone: RS-1-1 Lblack@sandiego.gov
Applicant: Sasha Varone, (619) 231.9905

Scope of Work:

(Process 3) CDP and SDP for construction of a new 4,843 square foot, two-story above basement, single family residence, with 2,491 square feet of exterior deck areas, including a pool and spa, on a vacant 22,291

square foot lot located at 1994 Via Casa Alta. The site is within the RS-1-1 Zone, Coastal Height Limitation Overlay Zone, the Coastal Overlay Zone (Non-Appealable), and the La Jolla Community Plan and Local Coastal Program area. The site contains Environmentally Sensitive Lands (ESL) in the form of sensitive biological resources, Multiple Habitat Planning Area (MHPA) and steep hillsides. The project shall be consistent with council policy 600-27. The project has a sustainability goal of Leadership in Energy and Environmental Design (LEED) Platinum Certification.

APPLICANT PRESENTATION 07/15/14: (Sasha Varone, Richardo Torres)

The proposed project was presented. The Via Casa Alta lot is on a steep hillside and in a Multiple Habitat Planning Area. The Neighborhood is composed of large homes (average 7,800 sq. ft.). The proposed home is 4,843 sq. ft. To reduce the development of the house in the steep slope area, a variance for a 3 ft. front setback is considered. The slope area is Coastal Sage Shrub, and any Coastal Sage Shrub that is disturbed will be restored. The proposed development is limited to 23% of the property, adjacent to the street, over 3 stories. The side yard setbacks will be 7 ft. & 14 ft. Parking provided will be 3 parking spaces on site, plus 2 on street. All drainage will be diverted to the street.

DISCUSSION 07/15/14

Discussion centered on constraints on using the steep slope and having a house of the size that matched the neighborhood.

Please Provide for FINAL REVIEW:

- a. Update on the environmental documents.
- b. The time interval will be used to allow DPR Members to visit site.

APPLICANT PRESENTATION 08/12/14: (Sasha Varone, Richardo Torres)

The proposed project was presented. The environmental document will be a MND, which is being prepared. The City planners have concurred that the front yard setback could be as little as 3 feet, which is observed in this plan. The landscape plan and fire protection plan were reviewed. The steep slope and the coastal scrub on the slope limit the developability of the site.

SUBCOMMITTEE MOTION 08/12/14: Findings CAN be made for a Coastal Development Permit and SDP for construction of a new 4,843 square foot, two-story above basement, single family residence, with 2,491 square feet of exterior deck areas, including a pool and spa, on a vacant 22,291 square foot lot located at 1994 Via Casa Alta.

(Collins / Costello 5-0-0)

In Favor: Benton (Chair), Chiu, Costello, Collins, Mapes

Oppose: None

Abstain: None

Motion Passes

4. PRELIMINARY REVIEW (PREVIOUS COURTESY REVIEW 07/15/2014)

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name: **SERROS RESIDENCE ADDITION CDP**

335 Dunemere Drive

Permits: CDP

Project #: 363058

DPM: Glen Gargas, (619) 446-5142

Zone: RS-1-7

ggargas@sanidiego.gov

Applicant: Stephen Magerkurth, (619)665-3999

Scope of Work:

(Process 3) Coastal Development Permit to add 79 sq ft addition at the 1st floor & new 647 sq ft 2nd floor addition with 2 decks (totaling 100 sq ft) to an existing single story single dwelling unit on a 4,152 sq ft lot located at 335 Dunemere Dr in the RS-1-7 Zone (Appealable) in the La Jolla community Plan.

APPLICANT PRESENTATION 07/15/14: (Ron Despojado)

The project was presented as per the scope. Applicant believes that views will not be blocked. Small addition to total FAR, 0.57, where 0.60 is allowed. Historical report will be needed.

DISCUSSION 07/15/14

Secretary of the Interior Standards for Designation discussed, how to remodel house consistent with Standards. Neighbors discussed concerns about views from the street being blocked and other visual impacts. There was discussion about how the remodeling could be done without effecting current street views. (Note: neither a View Corridor nor Scenic Overlook for Dunemere could be located in the LJ CP.)

Please Provide for PRELIMINARY REVIEW:

- a. Please consider modifying design so as not to interfere with the view from the street.
- b. DPR Members should visit site.

APPLICANT PRESENTATION 08/12/14: (Ron Despojado)

The project was presented. The design was reviewed, as it pertains to the setbacks, the configurations of the additions, and the resulting elevations of the proposed house.

A discussion ensued about the scale of the second story addition, with the balcony over the northwesterly corner, which is significant in the view down the street to the west. The overall scale of the proposed design was discussed.

The applicant requested that the project be continued to the next meeting.

5. FINAL REVIEW 08/19/2014 (PREVIOUSLY REVIEWED 08/12/2014)

Project Name:	GEORGE'S AT THE COVE CDP	Permits:	CDP
	1250 Prospect Street	DPM:	John Fisher, (619) 446-5245
Project #:	362807		JSFisher@sandiego.gov
Zone:	PDO 1A	Applicant:	Steve Miles, (619)230-0325x4236

Scope of Work:

(Process 3) Coastal Development Permit to increase a roof dining terrace by 550 square feet by converting other roof area to dining terrace at 1250 Prospect Street located in the La Jolla Planned District-1A zone of the La Jolla Community Plan area and Coastal (appealable and non-appealable) Overlay Zone.

APPLICANT PRESENTATION 08/12/14: (Mark Steele, George Hauer)

The project was presented, with the floor plan of the affected roof terrace. The roof bar area will be relocated to a vacant roof area that is to the east of the existing bar. The reception area and bar will both be expanded by this proposal. Parking is provided by a valet service: 4 additional parking spaces are needed, and the availability will be added to the valet service.

The new bar serving and seating area will be an open-area with a perimeter fence that will be roughly 6 feet high, which is approximately the same height as the perimeter fence of the existing bar. A temporary tent will be placed over the bar preparation area.

A member of the public noted that the existing roof ducts are quite unattractive and some screening is warranted. The owner noted that he is presently in discussions with the landlord about ways to screen the existing ducts.

The Applicant will provide the height measurement information to the chair for review.

Please Provide for PRELIMINARY REVIEW:

- a. Please provide a design concept of the screening for the existing mechanical roof ducts that is presently being negotiated with the landlord, with photographs.
- b. Committee members will visit the site.

APPLICANT PRESENTATION 08/19/14: (Mark Steele, George Hauer)

The project was presented, and the intended design of the affected roof terrace.

A design for the screen was shown that will be provided to screen the mechanical equipment at the roof.

George Hauer stated that he has committed to the installation of this mechanical equipment screen and the property owner has concurred that this will be done as part of this project.

Exhibits were presented the measurement of the building height measured as 30 feet above existing grade and per the Proposition D Coastal Height Limit, with the reference to existing grade at the property line and the interior courtyard.

SUBCOMMITTEE MOTION 08/19/14: Findings CAN be made for a Coastal Development Permit to increase a roof dining terrace by 550 square feet by converting other roof area to dining terrace at 1250 Prospect Street, and with the annotation on the plan dated August 19, 2014.

(Ragsdale / Mapes 5-1-1)

In Favor: Costello, Collins, Mapes, Ragsdale, Will

Opposed: Welsh

Abstain: Benton (as Chair)

Motion Passes

6. PRELIMINARY REVIEW 08/19/2014 (PREVIOUSLY REVIEWED 08/12/2014)

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name: **BUCKINGHAM RESIDENCE CDP**

1545 Buckingham Drive

Permits: CDP

Project #: 374367

DPM: Jeff Peterson, 619-446-5237

Zone: RS-1-1

JAPeterson@san Diego.gov

Applicant: Kim Grant, 619.269.3630

Scope of Work:

(Process 2) *SUSTAINABLE BLDG EXPEDITE PROGRAM* Coastal Development Permit to demolish an existing single family residence and construct a 8,499 single family residence with a companion unit and accessory structures at 1545 Buckingham Drive. The total development will comprise 11,983 sf. The 39,558 sq. ft. lot is located in the RS-1-1 zone of the La Jolla Community Plan area and Coastal (Non-appealable) Overlay Zone.

APPLICANT PRESENTATION 08/12/14: (Kim Grant, Omar Paraiso)

The project was presented. The FAR is 0.30 and the highest point is 30' above existing grade.

The proposed design is substantially in the same footprint as the existing house. The house has substantial setbacks at all sides. Two existing large trees will be retained. The assessment letter was presented and reviewed.

The project information was received. The committee did not request additional information.

APPLICANT PRESENTATION 08/19/14: (Kim Grant)

The project was presented, including a review of the design, which has not changed since the last presentation.

SUBCOMMITTEE MOTION 08/19/14: Findings CAN be made for a Coastal Development Permit to demolish an existing single family residence and construct a 8,499 single family residence with a companion unit and accessory structures at 1545 Buckingham Drive.

(Collins / Will 6-0-1)

In Favor: Costello, Collins, Mapes, Ragsdale, Welsh, Will

Opposed: none

Abstain: Benton (as Chair)

Motion Passes

7. PRELIMINARY REVIEW

Note: Preliminary Reviews can be voted a Final Review by a unanimous DPR Committee approval.

Project Name:	ANZAR RESIDENCE	Permits:	CDP, SDP
	1253 Muirlands Vista Way	DPM:	Tim Daly, (619) 446-5356
Project #:	363245		TDaly@sandiego.gov
Zone:	RS-1-5	Applicant:	Camilla van Bommel,
			(858) 459-9291
			cvanbommel@islandarch.com

LA JOLLA Coastal Development Permit (Process 2) to demolish an existing single story family residence and construct a new 8,636 sq ft, 2 story residence on a 24,766 acre lot. The site is located at 1253 Muirlands Vista Way in the RS-1-5 zone, Coastal Overlay (Non-Appealable) within the La Jolla community plan area

APPLICANT PRESENTATION 08/19/14: (Drex Patterson, Camilla van Bommel)

The project was presented, with a site plan and landscape plan. The existing retaining walls at the site will remain. The proposed FAR is 0.36 where a maximum of 0.45 is permitted. The landscaping is 45% where 30% is permitted.

The project information was received.

Please Provide for FINAL REVIEW:

- Aerial photographic views, one showing the site and another showing the neighborhood.
- A photographic survey of the street frontage, showing the elevation in relation to the neighbors.

La Jolla Shores Permit Review Committee Minutes
4:00 p.m. Tuesday, August 26, 2014
La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

Committee members in attendance: Phil Merten (interim chair), Tim Lucas (acting secretary), Laura DuCharme-Conboy, Janie Emerson, Myrna Naegle, John Schenck, Bob Steck. **Absent:** Dede Donovan (secretary)

1. Welcome and Call to Order: Phil Merten, Interim Chair

2. Adopt the Agenda: Motion: Emerson, Second: Conboy. Motion carries 6-0-1 (chair abstains)

3. Non-Agenda Public Comment: none given

4. Committee Member Comments: none given

5. Chair Comments: none

6. Project Reviews

6A. Del Oro Court Homes

- Project No. 333430
- Type of Structure: Two Single Family Residences
- Location: 8351 Del Oro Court
- Applicant: Rebecca Marquez , Golba Architect Inc. 619-231-9905
- Project Manager: Jeff Peterson 619-446-5237 JAPeterson@sandiego.gov

Project Description: 'SUSTAINABLE EXPEDITE PROGRAM' PROCESS 3 - CDP, SDP to demolish an existing 2,217 s.f. single family residence and 430 s.f. garage; and construct a new 5,807 s.f. 2-story single family residence and detached 4 car garage with a 691 s.f. guest quarters above on a 29,800 s.f. lot, located at 8351 Del Oro Court, in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal Overlay (non-appealable), Coastal Height Limit and Parking Impact Overlay Zones within the La Jolla Community Plan area. Project proposes a FAR of 0.21 and 43% landscape coverage.

Before the issue could be heard it was brought up by Lucas that there was a discrepancy in the noticing for the project. The address provided on the agenda, and the address on the public notice was listed as 8361 Del Oro Court. The correct house number is 8351 Del Oro Court. The public notice was posted on the 8351 property, but the incorrect 8361 address was indicated on the notice. It appears that the public notice that went out to residents within 300' had the incorrect house number as well. In addition, the project description was obsolete and described a proposal for a lot split and two separate houses to be built. The project has changed since the notice was sent out. Committee discussion followed regarding the situation. Two neighbors were present and had not been affected by the discrepancies, but neighbors above on Calle del Cielo or behind the project on Calle de la Garza may not have realized which property was actually being developed. Lucas noted that the cycle letters that had been emailed to the committee did not reference a project address only a project name, and it was possible that some of the cycle reviews were based on the wrong parcel. Varone responded that the city had the correct project package for review. Lucas was concerned that without a correct address being referenced, there was no way to be sure of that. There could be potential repercussions and delays later in the process if this was not confirmed now. The committee had many concerns, but felt that it was appropriate to have the project presented, since several neighbors were present (Margaret Fell, Eric Vickers). No decision on the project will be made by the committee at this meeting. Merten (chair) advised the project representatives that the city project manager be contacted regarding this and that a corrected notice with an accurate project description would most likely need to be sent out.

Presented by Sasha Varone, Golba Architecture & Jim Neri, Neri Landscape Architecture

The project has changed since the original proposal and notice. There will not be a lot split and two separate houses. They are now proposing a two-story single family residence with an attached 4 car garage, and a detached 4 car garage with a guest suite above it. Existing structures on the lot will be demolished. This project will qualify for the Sustainable Expedite Program. The neighboring house to the rear (south off of Calle de la Garza) is a 10,000 ft development with trees in between for screening between the two houses. This is a traditional style house, with colonial style columns in front.

Project highlights:

- 29,800 s.f. lot
- 5,807 s.f. 2-story single family residence with 430 s.f. attached garage
- Detached 4 car garage with a 691 s.f. guest suite above on second floor
- Setbacks: Front 25' 5", Rear 13', west side yard 85' 6", east side yard 67', detached garage 8' 9", cabana 7' 6", house second story setback varies from 16' 5" to 27' 6"
- Single curb cut 16' wide (existing)
- Bedrooms; 5 main house, 1 guest suite
- Guest suite has wet bar. No kitchenette or stove.
- Project is in the Beach Impact Parking Overlay Zone
- A pool will be at the south-west corner of property near Calle de la Garza

Landscaping:

- 43% greenscape (30% required)
- Will save 8 existing trees (Italian stone pines) and preserve several hedges for privacy and beauty
- Intent is to make the landscape a feature of the home
- An orchard and garden area will be installed on the west slope of property
- The driveway curves around and goes between the two structures. It will be hidden by the landscaping where it curves.
- There will be a decomposed granite walking path at rear easement connecting to Calle de la Garza.
- There is a pergola, fountain, and a pool.

Committee questions:

Naegle: how much slope is there at the orchard and garden area? **Varone:** 10' difference in elevation of lot from top to bottom.

Conboy: Plan for solar panels since this is Solar Expedite Program? **Varone:** They will produce 50% of the power required to run the house. The solar plan has not been developed yet. There is adequate south-facing roof and eave space for panels. Will split panels between upper and lower roof sections. **Conboy:** Solar panels can have a big impact visually. Is concerned that too many panels will be needed. Requests that a solar plan be presented next time.

Schenck: Drainage plan? **Varone/Neri:** The low point for water flow is on the Calle de la Garza side of the property. There will be bi-retention basins on site to capture as much water as possible. Water will overflow to Calle de la Garza during heavy storms, which is what happens currently. There is a collection spot on north side that will feed lawn area.

Merten: Questions about pool area measurements and slopes which were answered. Would like drawings for pergolas and the cabana. What is on the neighbor's side of the pool area? **Varone:** A driveway on the west, Calle de la Garza on the south. The pool equipment will be installed next to the pool along the west property line, which has the neighbors driveway behind. Noise shouldn't be an issue.

Public comment

Eric Vickers, Calle del Oro Ct.: What grading will be required? **Varone:** There will be some grading, mainly around the pool area. They are not leveling the lot and are not planning on removing fill. **Vickers:** When would you start? How long is the process? **Varone:** There is no hard schedule at this time. They do not anticipate the permits issued before February. Length of construction is estimated at 8 months.

Committee discussion:

Emerson: Would like to see plan of the neighboring properties bordering pool area and rear of property. **Varone:** Showed

the plans. **Emerson:** How close is the guest house to the house on de la Garza? **Varone:** The guest house (detached garage) is setback 15' from property line. **Naegle:** swimming pool setback to property line? **Varone:** 7' 6". **Merten:** Setback from cabana to side property line? **Varone:** 9' to existing retaining wall. Wall is 6' high

Conboy: The front rotunda columns are colonial style and not traditional to La Jolla. They don't really fit in with other properties in the area. **Varone:** They were trying to preserve much of the existing structure feeling and have a similar front entrance way. **Merten:** The east elevations of guest house are not very sensitive with respect to the neighbors. The look is a bit stark and plain. Recommends trying to rework the look.

The committee requests that the project return with:

- Solar panel plan
- Site sections on retaining wall
- Pergola site sections
- Cabana site sections
- Adjust photo with the rear property line superimposed on it. (line is inaccurate)
- Neighborhood setback survey
- Correct the project notice to have the correct address and description. Re-notice neighbors as required.
- Confirm that cycles pertained to the correct property.
- East elevations of guest house are stark with no articulation. Possible rework?

6B. McClelland Residence CDP

- Project No. 355787
- Type of Structure: Single Family Residence
- Location: 8352 La Jolla Shores Drive
- Applicant: Richard Gombes 858-456-4070 RGombes@san.rr.com
- Project Manager: Glenn Gargas, 619-446-5142 GGargas@sandiego.gov

Project Description: PROCESS 3 - CDP and SDP to demolish an existing structure and then construct a 4,060 sq. ft. two-story single family residence on a 5,500 sq. ft. property. The project site is located at 8352 La Jolla Shores Drive, in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone, Coastal Height Limit, within the La Jolla Community Plan area.

Presented by Richard Gombes, Architect

The project was presented at the previous meeting. He will be addressing items requested by the committee at that previous meeting.

- A Street scene was presented, large scale, showing the homes along La Jolla Shores Drive. A google map showed the properties. An overhead drawing of the project and its neighboring houses was also presented showing their relationship and also indicating FARs for each house.
- Rear setback: 22'6" to house, 16' from deck. Setbacks of neighbor behind and south: 19'3", neighbor behind and north 33' (but 3.5' to shed structure). Average rear setbacks for the neighborhood is approx 20'. Height: 29.5' to top of chimney.
- A rendering of the front of the structure was presented. Concrete with cherry stain wood siding. Stucco on upper level.
- Materials board: cherry stained Acova wood siding. Basalt flat work is dark gray/charcoal, white stucco on upper level. The poured in place concrete is gray.
- FAR for proposed structure: 0.74 for the living space, but if counting the covered patio is 0.89. The rear of the property has been designed with step-backs to not be looming over the neighbors to the west. The covered patio at the rear of this project accounts for a FAR of .15, but isn't living space. FAR can be a good tool for determining bulk and scale, but for this project, the street view from the public right of way is better indicator than FAR.

Committee questions:

Schenck: The chimney on the roof deck looks short? **Gombes:** The chimney has a 7'6" draw which is sufficient. He has built projects with a 6' draw that performed great, this is taller and will work fine.

Lucas: Has concerns about the roof deck and privacy. **Gombes:** Drawings were shown in response. The chimney structure will shield the neighbors to the north. There is another structure on the south that shields those neighbors. There is a small portion of the deck at the rear (west) that is not shielded, but there should be no privacy concerns as this is set back 22' from south property line.

No public comment was given.

Committee Discussion

Conboy: Likes contemporary look and the way it is broken up. What makes newer houses look bulky, is very high ceilings. The house two lots north has a high second floor and appears bulky. This house looks balanced and not top heavy.

Schenck: The FAR for this project is large. It is the fourth largest house in the area and part of a trend for larger homes.

Gombes: From the public right of way, it looks small. This project has larger setbacks than other houses in the area. The covered patio adds .15 to the FAR, but it is pushed down, not adding to the bulk and scale. **Emerson:** The feel of these larger houses is different from surrounding blocks. It is not a good trend. **Merten:** With the broken up scale, this project may feel softer.

Lucas: What neighbors were contacted? **Gombes:** Several neighbors on Paseo del Ocaso and de Calle de la Garza. No one on La Jolla Shores drive was contacted. Note that the owner of this property also owns the adjacent property to the north on LJ Shores Drive. **Lucas:** What is the greenscape? **Gombes:** 1600 sf is required, this project has 2400 sf. **Lucas:** Is that actual greenscape and not deck areas? **Gombes:** Actual greenscape.

Comments on the motion. **Steck:** The articulation on this project is good.

Motion: Steck Second: Conboy

Findings can be made for a Coastal Development Permit and a Site Development Permit for project #355787, 8352 La Jolla Shores Drive. 4-3-0

Approve: Conboy, Lucas, Steck, Merten. Oppose: Emerson, Naegle, Schenck.

Merten: Due to the close split of the vote, this item will most likely be pulled from the consent agenda. The applicant can contact the LJ CPA for further information on the process.

6C. Lambert Felice Residence

- Project No. 288444
- Type of Structure: Single Family Residence
- Location: 2382 Via Capri Court
- Owner's Rep: Scott Spencer: 858-459-8898 scottspencerarchitect@yahoo.com
- Project Manager: Paul Godwin;619- 446-5190; pgodwin@sandiego.gov

Project Description: PROCESS 3 – Coastal Development Permit (CDP), and a Site Development Permit (SDP) to add 1,840 square foot of additional enclosed floor area to an existing 4,204 square foot single family residence on a 0.30 acre site in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone, 300 foot Brush Management Buffer Zones, Coastal Height Limit, within the La Jolla Community Plan area.

- Lot size: 13,250 sf
- Existing Sq/ft: 4204 sf
- Proposed Sq/ft 1 st additions: 1,840 sf
- Total Sq/ft: 6,044 sf
- Percent of lot covered: 44%

- Floor area ratio: 0.45
- Height: 30'-0"
- Front yard setback: 10'
- Side yard setback: Street side: 21'; side: 5', rear: 19'
- Landscape: 36.2%
- off street parking: 4

Presented by Scott Spencer:

The aesthetics are slightly different from the original structure. He considers this a face lift to an older building. The footprint is very similar to the original structure, but there are a few areas where it sticks out more. They are adding an interior courtyard.

In response to the committee's questions from the previous meeting:

- Elevations from street side, front and rear, were presented.
- They are keeping the existing 6' wall on east property line that will help shelter and add privacy from neighbor.
- The building is 13' high in most areas.
- There will be solar panels on the south side roof
- A 6' wall wraps around the property
- Materials board: Roof will have colored (green) aggregate to hide pipes from properties looking from above. There will be darker anodized window elements. The windows will be high end energy efficient with slight tint. The stucco is in lighter earth tones.
- Drainage plan: Currently water drains to the east untreated. A bio-swale is being added to treat the water runoff from the flat roof. Bio-swales will handle most of water. Overflow water will be treated by the bio-swales and the flow to Via Capri.
- Greenscape: 36% landscape area, but some is under the deck area on west side. Not counting this deck area: $4826 - 550 / 13250 \text{ sf} = 32\%$. The interior courtyard not included in calc.
- Bill Lewis, the architect for the original structure, says it is not historic and is due to be updated. He helped with some of the redesign and likes the present project. The project was presented to SOHO and the City Historic board. SOHO liked the design and participated in the presentation to the Historic board.
- The city reviewer determined that the two driveways for this property were to code based on three criteria. Two driveways are permitted if property has more than 200' of frontage (1 driveway per 100') which this project has, this project has frontage on two streets, this project is in conformity with the neighborhood as many other residences in area have circular driveways with two openings. Also, this project provides 4 parking spaces, so will not impact street parking.

Emerson: Doesn't like the pop-out panel over the garage. It juts out and is plain. **Naegle:** Is also concerned with 16' panel on top of garage. **Spencer:** The garage area and panel pop-out are setback 32' from the street. The narrow driveway has trees on either side. When driving by you would not see it due to the trees and the setback. There is no pedestrian traffic on this cul de sac.

Merten: Requested to see the roof plan. **Marengo/ Spencer:** will put gravel over black tar. **Merten:** The roof drains will most likely stand out from the properties and roadway above. One of the projects goals was to have a clean roof design. Merten and Spencer discussed options for the roof drains.

Motion: Steck Second: Conboy

Findings can be made for a Coastal Development Permit and a Site Development Permit for project No. 288444, 2382 Via Capri Court, 7-0-0

Approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck, Steck. Oppose: Abstain:

6D. Stylli Residence

- Project No. 374040
- Type of Structure: Single Family Residence
- Location: 2542 Paseo Dorado
- Applicant: Claude-Anthony Marengo 858-459-3769, CAMarengo@marengomortonarchitects.com
- Project Manager: Glenn Gargas, 619-446-5142 GGargas@sandiego.gov

Project Description: PROCESS 2 - CDP and SDP for the remodel and 4,776 sq. ft addition with basement garage and second story single family residence at 2542 Paseo Dorado. The 0.47 acre lot is in the Single Family Residence Zone of the La Jolla Shores Planned District, Coastal (non-appealable) Overlay Zone , Coastal Height Limit, within the La Jolla Community Plan area.

Presented by CA Marengo, Marengo Morton Architects: Mostly a single story house except for north portion. CCRs have 2-story areas specified to preserve views. This is on the side of a hill with a steep front slope that meets the street above. The street curves around the parcel going from high to low. Lower level is 18' below highest street level on lot. A fence (3' solid) will be installed around the upper property along the street. Presently, people can walk right over the edge onto the slope which is a safety issue. They have an easement for the private road below. They are moving the driveway and garage to have access from this private road. The existing curb cut will be closed adding one more parking space for the street.

- House 9,114.2 sf (existing 4900 + 4863 addition).
- Lot size: 20329 sf. House Footprint: 6037.68 sf 29.69%, FAR = 45%
- Landscape 9,680.66 sf 47.62%. Hardscape 4,613.93 sf 22.69%
- Setbacks: front: 20' (similar to existing). North side (next to neighbor) 28' to structure. Front yard 30'. Rear abuts easement and varies from 16' to 8' to 42'. These setbacks similar to neighborhood average. Setback survey was presented to committee.
- Materials board: Light color roof. Anodized bronze window frame, beige tiles, Santa Barbara color (beige) stucco.
- 3 car garage plus one exterior parking space. 4 total parking spaces.
- There are both internal and external stairs
- Pool is being moved north.
- The roofs will all be of a pitched type to preserve views from above and from cars driving by.
- Solar panels for hot water for pool and showers will be near the pool area.
- Drainage issues with present house. Proper drainage is being installed.

Note: The city had the wrong address on the noticing package to the planning groups, but the public notice and plan sets had the correct address.

Lucas: Will there be fill removed or grading done? **Marengo:** They are removing some fill and minor grading.

Conboy: Thinks the aesthetics are similar to other houses in the area.

Motion: Conboy second: Steck

Findings can be made for a Coastal Development Permit and a Site Development Permit for the remodel of the property at 2452 Paseo Dorado, Project No. 374040. Approve 7-0-0

Approve: Conboy, Emerson, Lucas, Merten, Naegle, Schenck, Steck. Oppose: Abstain:

7. Floor Area Ratio Limits in the LJSP District - Action Item

Previous PRC Action, July 22, 2014: Move that the PRC ask the CPA to appoint an ad hoc committee to research the process for a mini-update to the LJPDO. (Donovan / Conboy, 6-0-0)

LJCPA Discussion, August 7, 2014.

Does the LJCPA want to revisit possible update to the Shores PDO? This could include working with the La Jolla Shores Association and the La Jolla Shores Planned District Ordinance Advisory Board to engage the La Jolla Shores community, the City of San Diego, and Council District 1 in an open conversation regarding a targeted update.

LJCPA Action, August 7, 2014.

To return the Item to the PRC asking them to be more specific. (Emerson, Outwater: 14-0-1).

Committee discussion:

Naegle: Keep LJS PDO as it is, but add FARs to it. **Conboy:** Some owners will consider this unfair "taking property".

Naegle: FARs had to be established sometime citywide, which would also have faced similar issues. How was the city able to do it?

Conboy: We have had very little time to research changes. An Ad Hoc committee can explore the changes that need to be made. **Emerson:** The item on the CPA agenda was different from the motion provided by this PRC committee. We were asking to find out the process in general, and not how to make specific changes. **Kim Whitney:** Agrees with Emerson that this wasn't presented at the CPA the way the committee intended. Feels that FARs is the issue and should be mentioned specifically. **Lucas:** Feels that there are other subjective areas in the PDO such as Bulk and Scale, Site Setbacks and building styles that need to be addressed and clarified. **Emerson:** The intent of the committee's motion was to find out the procedures for how an update or minor revision can be made. Unfortunately the CPA agenda item description did not reflect that. **Bob Whitney:** Leslie Henegar said that Development Services needed to allocate the funds and then assign a planner to this. They are in the process of working on other code reviews, so this is a lower priority. **Lucas:** Henegar oversimplified the process. There is more to the process than just assigning a DSD planner. What community groups should be involved, how many public meetings held, what is the actual process and time frame, etc.? That is what we wanted an ad hoc committee to find out.

Merten: There are subjective criteria in the LJS PDO and the LJS Design Manual. The previous director of Development Services instructed the project reviewers to ignore the LJS Design Manual. That is why many projects that are out of character and don't comply have been permitted. There is a new director of DSD, Bob Vacchi. He would like CPA president Joe LaCava to contact Vacchi and ask if he will direct his staff to recognize the La Jolla Shores Design Manual. Committee members are also welcome to contact him directly and ask the same question.

The meeting had run late and there was not enough time to continue discussion and reach any conclusions.

Motion: Emerson Second: Conboy

Continue this item to the next LJS PRC meeting, preferably as a first item. 5-2-0

Approve: Conboy, Emerson, Naegle, Schenck, Steck

Oppose: Merten, Lucas

Adjourn



THE CITY OF SAN DIEGO

August 27, 2014

Mr. La Cava
President, La Jolla Community Planning Association
P.O. Box 889
La Jolla, California 92037

Re: La Jolla Community Planning Association's March 2014 Trustee Election.

Dear Mr. La Cava:

The Planning Department and City Attorney's Office recently met with you and the officers of the La Jolla Community Planning Association (LJCPA) regarding the LJCPA March 2014 Trustee Elections. At issue was the lack of compliance with the LJCPA Bylaws regarding the seating of a newly elected candidate, Mr. Michael Morton. As a result of the LJCPA's position to not seat Mr. Morton, an election challenge was brought forth by Mr. Whitney. The City recommends that the LJCPA complies with its currently adopted bylaws and City Council Policy 600-24, as described below, and seats the newly elected candidate, Mr. Michael Morton. Unless this occurs, City staff will proceed with the process to recommend that the City Council remove the LJCPA's status as a recognized community planning group.

What follows is a brief summary of the issues related to the election challenge, including references to the relevant portions of the LJCPA Bylaws and Council Policy 600-24.

At the end of the voting at the March 2014 LJCPA elections, there were six candidates on the election ballot combined with three write-in candidates. All candidates received votes and the two termed-out candidates received more than 2/3 votes of the general membership. The LJCPA Bylaws state in several places (see below) that new candidates should be sought, that write-in candidates are allowed, and that if enough new candidates are forthcoming, they should be seated first, only then may a termed out candidate receiving more than a 2/3 vote be seated. Following the direction of the LJCPA Bylaws would have meant that Michael Morton, a new candidate, would have been seated. However, Mr. Morton was not announced as winning a seat on the Board of Trustees that evening.

Following that meeting, the officers and city staff discussed options for compliance with the LJCPA Bylaws and City Council Policy 600-24. Long Range Planning staff has consulted with the City Attorney's office further and recommends that the LJCPA abide by the LJCPA Bylaws and Council Policy 600-24, relevant portions of which state:

LJCPA Bylaws, Article III, Section 3:

"No person may serve on the LJCPA for more than six consecutive years." "The LJCPA will



actively seek new members to the extent feasible.” “Trustee terms shall otherwise conform to Council Policy 600-24, Article III, Section 3.”

LJCPA Bylaws, Article V, Section 3:

“In the election process, the LJCPA shall seek enough new Trustee candidates to exceed the number of Trustee seats open for election in order to allow those who have served for six consecutive years to leave the group for at least one year.”

LJCPA Bylaws, Article V, Section 4:

“Write-in candidates are allowed.”

LJCPA Bylaws, Article V, Section 6:

“The annual election becomes final one week after announcing the validated election ... if no challenge to the election results has been filed.”

Council Policy 600-24, Article III, Section 4:

“A planning group member who has served eight or nine consecutive years may appear on the ballot with new candidates. After open seats are filled with qualified new members, and if open seats still remain, the following provisions may be utilized: a member may serve in excess of eight or nine (6 years in La Jolla) consecutive years if that person is reelected to a remaining open seat by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election.”

An election challenge was lodged by Mr. Whitney within the prescribed time frame after the March election. Because of that, the election was not finalized at that time. City staff sent a letter to the LJCPA dated June 26, 2014, recommending that the LJCPA take action to seat Mr. Michael Morton. The LJCPA considered the letter, but voted 7-5-1 to not follow the City’s recommendation to seat Mr. Michael Morton at the August 7, 2014 meeting.

The following LJCPA bylaw provisions apply:

LJCAP Bylaws, Article IX, Section 4E:

“Alleged violations by the LJCPA as a whole:

“If a violation against the LJCPA as a whole is proven and there is failure of the LJCPA to take corrective action, the LJCPA will forfeit its rights to represent its community as a community planning group recognized under Council Policy 600-24. Such a determination resulting in the forfeiture of a seated group’s rights to represent its community shall be based on a recommendation by the Mayor’s Office to the City Council. The LJCPA shall not forfeit its recognized status until there is an action by the City Council to remove its status. The City Council may also prescribe conditions under which official recognition will be reinstated.”

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August 27, 2014
Letter to Mr. La Cava

Therefore, based upon the above provision, the next step would be for City staff to schedule this item for City Council as an action item to remove the LJCPA as the recognized group as outlined in Council Policy 600-24, unless the LJCPA chooses to remedy the election challenge by seating Mr. Michael Morton.

Please feel free to contact Brian Schoenfisch if you have any further questions at (619) 533-6457.

Sincerely,



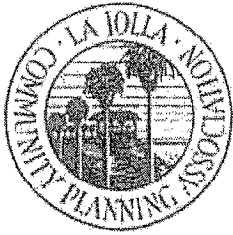
William Fulton
Director, Planning Department

WF: lhh

Attachments:

1. Meeting minutes from La Jolla Community Planning Association, April 3, 2014
2. La Jolla CPA General Election Final Results

cc: Lesley Henegar, Senior Planner, Planning Department
Brian Schoenfisch, Program Manager, Planning Department
Nancy Bragado, Deputy Director, Planning Department
Shannon Thomas, Deputy City Attorney, City Attorney's Office



PO Box 889, La Jolla, CA 92038
http://www.LaJollaCPA.org
Voicemail: 858.456.7900
info@LaJollaCPA.org

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month
La Jolla Recreation Center, 615 Prospect Street

President: Joe LaCava
First Vice President: Bob Steck
Second Vice President: Patrick Ahern
Secretary: Helen Boyden
Treasurer: Nancy Manno

Thursday, 3 April 2014

FINAL MINUTES – REGULAR MEETING

Trustees Present: Patrick Ahern, Cynthia Bond, Helen Boyden, Bob Collins, Dan Courtney, Janie Emerson, Jim Fitzgerald, Nancy Manno, Robert Mapes, Phil Merten, Alex Outwater, Jim Ragsdale, Ray Weiss, Rob Whittemore, Frances O'Neill Zimmerman.
Absent: Gail Forbes, Joe LaCava, Bob Steck.

1. **Welcome and Call To Order:** Patrick Ahern, Second Vice-President, at 6:05 PM
2. **Adopt the Agenda**

Approved Motion: Motion to modify the posted draft Agenda to remove item 15 and postpone it for 30 days. (Collins, Whittemore: 11-0-1)

In favor: Bond, Boyden, Collins, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore
Abstain: Ahern (Chair)

3. Elections

- A. Ratification of Election Committee – Action Item
Member Bob Whitney commented.

Approved Motion: To ratify the Election Committee as appointed in January: Janie Emerson, Helen Boyden, Tom Brady, Jim Fitzgerald and Gail Forbes with Mr. Fitzgerald later withdrawing as he became a candidate. (Manno, Merten: 11-0-1)

In favor: Bond, Boyden, Collins, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore
Abstain: Ahern (Chair)

- B. Officers' Response to the Election Challenge- Information Only

The La Jolla Association's (represented by Member Bob Whitney) and Trustee LaCava's responses to the Officers' Response have been posted in the Public Document and will be considered a part of the minutes. Also included in the Public Documents as well, are the original challenge, the Officers' Response and a response from the City Attorney.

Outgoing President Crisafi reported that the LJCPA election was held on March 6, 2014. On March 11, a challenge to the election was received from the La Jolla Association. On March 19, the officers met to discuss the challenge and issued a response on March 25. On March 31, a response to the Officers' Response was received from The La Jolla Association. These documents are on file and on the table in the back of the room. Mr. Crisafi had been in contact with Lesley Henegar, Community Planner for La Jolla, and had provided her with all the relevant information and documents. Responses received from Ms. Henegar and the City Attorney's office indicate they are taking no exception to the Officer's Response at this time.

- C. Certify Election

Trustee Boyden read the vote count for the election as presented by the Election Committee Chair, Trustee Emerson. Seventy-nine (79) members cast ballots. Candidates on the ballot in alphabetical order: Bob Collins, 66 votes; Jim Fitzgerald, 68 votes; Joe LaCava, 68 votes; Michael Morton, 14 votes; Alex Outwater, 67 votes; Peter Ovanessoff, 26 votes. Write-in votes: Robert Mapes, 49 votes; Jim Ragsdale, 54 votes; Rob Whittemore, 58 votes. Candidates elected to three-year terms were: Bob Collins, Jim Fitzgerald, Joe LaCava, Alex Outwater; Jim Ragsdale, Rob Whittemore. Candidate elected to a one-year term: Robert Mapes.

Approved Motion: To elect Helen Boyden as Secretary of the LJCPA (Manno, Whittemore 12-0-2)

In favor: Bond, Collins, Courtney, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore, Zimmerman
Abstain: Ahern (Chair), Boyden

E. Treasurer

Trustee Whittemore nominated Trustee Manno for Treasurer of the LJCPA.

Approved Motion: To elect Nancy Manno as Treasurer of the LJCPA (Whittemore, Merten: 12-0-2)

In favor: Bond, Boyden, Collins, Courtney, Emerson, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore, Zimmerman
Abstain: Ahern (Chair), Manno

Member Tim Lucas rose to a point of information: Was there now a vacancy on the Board of Trustees? The Chair stated yes and Trustee Whittemore stated that there would be an election within 120 days with an Election Committee to be appointed, likely next month.

Given the absence of newly-elected President LaCava and First Vice President Steck, Second Vice President Ahern continued to chair the meeting.

5. Meeting Minutes Review and Approval – 6 March 2014

Approved Motion: To approve the Minutes of the LJCPA Membership meeting of March 6, 2014 (Whittemore, Emerson: 12-0-2)

In favor: Bond, Boyden, Collins, Courtney, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Whittemore, Zimmerman
Abstain: Ahern (Chair), Weiss (Absent)

Approved Motion: To approve the Minutes of the LJCPA Regular meeting of March 6, 2014 (Emerson, Collins: 8-0-5)

In favor: Bond, Boyden, Collins, Courtney, Emerson, Manno, Merten, Zimmerman.
Abstain: Ahern (Chair), Weiss (absent). Mapes, Outwater, Ragsdale, Whittemore (the four not being trustees then)

6. Elected Officials Report - Information Only

- A. **Council District 1 – City Council President Pro Tem Sherri Lightner**
Rep: Justin Garver, 619.236.7762, jgarver@sandiego.gov was not present
- B. **39th District, California State Senate - State Senator Marty Block**
Rep: Allison Don, 619.645.3133, allison.don@sen.ca.gov was not present
- C. **78th Assembly District - Majority Leader Toni Atkins**
Rep: TONI Duran, 619-645-3090, Toni.Duran@asm.ca.gov was not present.

7. Non-Agenda Public Comment - Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.

- A. **UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://physicalplanning.ucsd.edu>**
She was welcomed back. She stated that a 30-day scoping period for an Environmental Impact Report on the Center for Novel Therapeutics would end on April 28, 2014. A 120,000 gsf 3-story building is proposed for the 30-acre Science Research Park on the UCSD East Campus. It is anticipated to achieve a Platinum LEED rating. Information is available from a flyer in the back of the room and at <http://physicalplanning.ucsd.edu/projects/index/html>
- B. **General Public Comment**
Member Bob Whitney asked that the election material be kept. Trustee Emerson said it has been under seal since the election and would remain under seal.
Member Tim Lucas praised and thanked the poll workers at the election. He announced the Wednesday, April 9, meeting of the La Jolla Shores Association. The agenda includes discussion of a George Hauer-proposed Mexican restaurant at the site of the former La Jolla Shores Market, a proposed cell tower (see item 14 on today's LJCPA agenda) and undergrounding issues on Ave. de la Playa.

Reference was made to the attendance/membership material on the LJCPA website. Explanation was given on how to interpret it.

B. Treasurer

Outgoing Treasurer Fitzgerald presented the financial report for the past month: March Beginning Balance: \$5.27 plus income from donations and CD sales of \$310.00 less Expenses for agenda printing and telephone of \$111.18, leaving a balance as of March 31st of \$203.45.

He commented on the special generosity of the Membership and Trustees and reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees. All donations are in cash to preserve anonymity.

Mr. Fitzgerald stated that he had valued his service of the LJCPA and those present thanked him for his service.

Trustee Whittemore asked if we could investigate whether the LJCPA would be eligible to apply for a monthly grant from the LJ Community Foundation to defray LJCPA expenses.

10. President's Report

A. Report from Stakeholders Ad Hoc Committee on Short-term Vacation Rentals—Committee Chair, **Trustee Boyden** reported that the committee minutes from the March 26th meeting were included in the packet. Presentations had been made by the Vacation Rental Industry and a group of affected homeowners. Several solutions were proposed. The next meeting will be held on April 23rd at 5 PM; possible solutions will be discussed.

B. City Council Update- Children's Pool Seasonal Closure – to be closed from December 15th through May 15.

C. Volunteers for LJCPA positions on subcommittees (DPR, PDO, PRC, T&T) – All appointments are for one year. The LJCPA President will be making appointments which will be presented for ratification at the May LJCPA meeting. Please contact info@lajollacpa.org if you are interested. **Member Tony Crisafi** stated that LJCPA appointees need to be LJCPA members.

D. Upcoming item: Movement of the restrooms at La Jolla Cove/Scripps Park under consideration by La Jolla Parks and Beaches.

E. Improvements at Whale View Point are going through an implementation process.

F. There will be a Special Election to fill the vacancy within 120 days from today (April 3, 2014) to fill the trustee vacancy as prescribed by the bylaws.

11. Consent Agenda – Ratify or Reconsider Committee Action

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items. Anyone may request that a consent item be pulled for reconsideration and full discussion. Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2nd Mon, 4pm

DPR – Development Permit Review Committee, Chair Paul Benton, 2nd & 3rd Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

No PDO and PRC meetings in March – No action from DPR in March

A. So Fine on Kline Festival Street Closure – September 20, 2014

T&T Motion: To approve street closure Friday at 7pm to Saturday at 8pm 6-0

B. La Jolla Half Marathon Street Closure on Sunday April 27th 2014

T&T Motion: To approve street closure 6-0

***C. Valet Parking in front of La Plaza La Jolla 7863-7877 Girard Ave pulled by Trustee Zimmerman**

T&T Motion: to approve 4 white loading zones. 11am – 2am 7 days a week 5-1

*Consent items pulled: C. Valet Parking in front of La Plaza La Jolla 7863-7877 Girard Ave - pulled by Trustee Zimmerman

Approved Motion: To accept the recommendations of the T&T Committee approving (A) So Fine on Kline Festival Street Closure – September 20, 2014 from Friday at 7PM to Saturday at 8pm (6-0) and (B) La Jolla Half Marathon Street Closure on Sunday April 27th 2014. (6-0) and forward the recommendations to the City. (Collins, Courtney: 13-0-1)

In favor: Bond, Boyden, Collins, Courtney, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore, Zimmerman

Trustee Emerson is concerned about the size and the 360-degree-array and the precedent it will set. **Trustee Weiss** cited the inverse square law with respect to drop-off of radiation, but was concerned about field damage. **Trustee Zimmerman** said that allowing AT&T to build a cell tower there is an unwarranted commercial intrusion on La Jolla's limited park greenspace, in this case rented by La Jolla Youth Sports, and unjustifiable as it presents an unknowable health risk to children and teachers at adjacent Torre Pines Elementary School. In response to a query from **Trustee Outwater**, **Tim Hinyon**, construction manager, said the field would have to be accessed, but they would use lightweight pickups to bring in the tree in pieces and the building would be made from individual cinder blocks. They would use plywood to avoid creating tire ruts in the field. **Trustee Courtney** said customers had other choices than AT&T.

Approved motion: To call the question on the subsequent motion (2/3 required) (Emerson, Boyden: 12-0-1)

In favor: Bond, Boyden, Courtney, Emerson, Manno, Mapes, Merten, Outwater, Ragsdale, Weiss, Whittemore, Zimmerman

Abstain: Ahern (Chair)

Failed Motion: Findings cannot be made for a CUP for this project; and that AT&T seek a location further away from playgrounds and schools. (Courtney, Zimmerman: 7-7-0)

In favor: Collins, Courtney, Emerson, Mapes, Ragsdale, Whittemore, Zimmerman

Opposed: Ahern, Bond, Boyden, Manno, Merten, Outwater, Weiss

Note: The Chair had stated at the beginning of the meeting that he would only vote to break a tie. Initially he abstained in consonance with his initial pronouncement. However, after hearing the statement of Robert's Rules 11th edition, page 50-51 "When the chair votes when his vote makes a difference . . ." [Also covered in detail on pp 53-54] the Chair stated that he was going to vote "no," because he wanted a motion that would have more specificity to preserve the integrity of the LJCPA.

Failed Motion: Findings cannot be made for a CUP for this project, citing in particular, the project size and scale compared to adjacent towers, the potential to expand, its proximity to schools and playgrounds, the potential damage to leased playgrounds for which the current tenant is responsible; and that AT&T seek a location further away from playgrounds and schools. (Courtney, Zimmerman: 6-7-0)

In favor: Courtney, Emerson, Mapes, Ragsdale, Whittemore, Zimmerman

Opposed: Ahern, Bond, Boyden, Manno, Merten, Outwater, Weiss

Approved Motion: Findings can be made for a CUP, in support of the vote of the subcommittee, and that the project be constructed in a manner least destructive to the surrounding playing fields. (Weiss, Bond: 7-6-0)

In favor: Ahern, Bond, Boyden, Manno, Merten, Outwater, Weiss

Opposed: Courtney, Emerson, Mapes, Ragsdale, Whittemore, Zimmerman

Member Don Schmidt stated, following the above sequence of actions, that the LJCPA should consider the use of a certified parliamentarian to assist in procedural matters.

15. Coastal Access & Parking Board- Action Item (Removed per Agenda Modification)

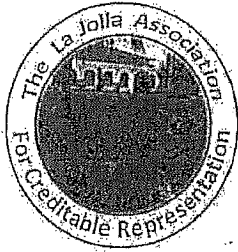
16. Exchange Place Pipe Replacement – Action Item

Suggested replacement of a small portion of water pipe, 900 feet, on Exchange Place, just south of Prospect Place from Cave Street to Torrey Pines Road during the summer moratorium. The process will take 2 to 3 weeks. Please note that the requested portion of the work is located in a residential area. TC construction will provide a brief presentation.

Presented by **Vic Salazar of Vic Salazar Communications and Foreman Brian Wilson**

Mr. Salazar commented on the progress of this project and is requesting permission to extend two to three weeks into the summer moratorium for a portion of Exchange Place, west of Torrey Pines Road. They will be working at the same time on a portion of Exchange Place to the east of Torrey Pines Road that will not be affected by the moratorium. The firm feels it would be beneficial not to have to move equipment out of the area and then back again. The entire project is not expected to be finished until 2015.

Member Don Schmidt expressed concern the work might take more than 3 weeks into the July peak summer month. July.



March 11, 2014

Mr. Tony Crisafi
La Jolla Community Planning Association
PO Box 889
La Jolla, CA 92038

VIA Email: info@lajollacpa.org

Re: Challenge of the March 6, 2014 La Jolla Community Planning Association Trustee Elections results.

Mr. Crisafi:

The annual election of the La Jolla Community Planning Association (LJCPA) was held on March 6, 2014 at the La Jolla Recreation Center. The polls reportedly opened at 3:00 pm and closed at 7:00 pm. Ballots were collected and counted. The tally was presented to the LJCPA President during the monthly meeting, and the results were announced. As outlined in the LJCPA bylaws, if a challenge is not filed within seven days of the election, the results become final. The La Jolla Associations (LJA) members voted to challenge the election results. The appeal is based on the following facts:

1. Article V Section 6 of the LJCPA bylaws states if a challenge of the election results is filed, it must be filed in writing within seven days of the election results and be filed with the Chair of the Elections Committee. Agendas for November and December 2013, January and February 2014 (Exhibit 1), reveal the LJCPA President never publicly appointed nor did the LJCPA Board of Trustees publicly ratify the 4-7 member Election Committee or a Chairperson as required by Article V-Section 5 (A) of the LJCPA bylaws. Given the appointment or ratification never publicly transpired, in lieu of sending this written challenge to a Chairperson of a non-ratified Election Committee this challenge is being emailed to info@lajollacpa.org.

2. Pursuant to Article V Section 2 of the LJCPA bylaws, an Election Committee is to be established no later than the first week of January. Among other tasks the Election Committee is required to make a good faith effort to: (a) solicit Members to become candidates, (b) utilize all appropriate means to publicize the LJCPA's eligibility requirements for candidacy and the date of the upcoming election, (c) seek enough potential new candidates to exceed the number of Trustee seats open for the election, thereby allowing those who have served six consecutive years to leave the group for at least one year.

Since an official Election Committee was never publicly selected or ratified by the Board of Trustees at a publicly noticed meeting and the above agendas do not reflect any official election updates were presented at the LJCPA's monthly meetings, by an Election Committee Chair, it is apparent an official good faith effort to seek new candidates never happened. The fact that three write-in candidates filed their intentions to seek office the night of the election is further evidence an official good faith effort did not occur.

8070 La Jolla Shores Drive, PO Box 424, La Jolla California 92037
Email: thelajollaassociation@gmail.com Website: <http://www.lajollaassociation.com/>



La Jolla Community Planning Association

March 25, 2014

Bob Whitney
Founding Committee Member
The La Jolla Association
PO Box 424
La Jolla CA 92037
Email: thejollaassociation@gmail.com

Re: Election Challenge

Dear Mr. Whitney,

I am in receipt of your letter dated March 11, 2014 challenging the election results of March 6, 2014 on behalf of The La Jolla Association. Your interest in the La Jolla community and your taking the time to bring forward and document your concerns regarding to adherence the provisions of the LJCPA's Bylaws is truly appreciated.

ARTICLE IX Section 3. Council Policy Violations and Remedies of the Bylaws states:

- A. In cases of alleged violations of the LJCPA Bylaws or Council Policy 600-24 by a Trustee, the Board of Trustees shall conduct an investigation consistent with the Administrative Guidelines and these Bylaws.
- B. A complaint that a that a Trustee violated one or more provisions of the LJCPA's Bylaws or Council policy 600-24 may be submitted to the LJCPA President by any individual, including another Trustee. The complaint should be filed within 90 days of knowledge of the alleged violation.
- C. If, after a thorough investigation by the President and at least two other Officers, the Board of Trustees determines that a Trustee has violated a provision of these Bylaws or Council Policy 600-24, the Board of Trustees shall, where feasible, seek a remedy that corrects the violation and allows the Trustee to remain on the Board of Trustees.
- D. If corrective action or measures are not feasible, the Board of Trustees may remove a Trustee by a two-thirds vote of the Board; except for specific cases outlined in Article III, Section 4 where a majority vote is sufficient for removal.

In accordance with these provisions the LJCPA officers have conducted a thorough investigation regarding your challenge. The results of this investigation will be reported to the Board of Trustees and at the meeting scheduled for April 3, 2014.

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intentions to seek office the night of the election is further evidence that an official good faith effort did not occur. To the contrary, the fact that three write-in candidates filed their intentions to seek office is a direct result of the Election Committees' efforts and shows that those efforts were effective. Further, as you know, the three meeting requirement for being a candidate to serve as a trustee is stated by the Secretary at each regularly scheduled meeting of the LJCPA. In addition, a press release announcing the elections was prepared, sent to the appropriate media and was, in fact, published. The LJCPA website gave notice of the upcoming election and the minutes of the LJCPA January and February meetings contain statements referring to the March 2014 election. Thus the Officers will report to the Board of Trustees that your second allegation is without merit and that no corrective action need be taken.

3. Third Allegation: The LJCPA Bylaws, Council Policy 600-24 and the Administrative Guidelines to Council Policy 600-24 require Mr. La Cava and Mr. Fitzgerald be termed out and not be granted another three-year term. You assert that election policy requires two new qualified candidates that ran for office be seated as LJCPA Trustees.

Response to Third Allegation: Article III Section 3 of the LJCPA Bylaws states:

Trustee Terms

Trustees of the LJCPA shall be elected to serve for the fixed terms of 3 years with expiration dates during successive years to provide continuity. Except as noted in this Section, no person may serve on the LJCPA for more than six consecutive years. After a one-year break in service as an LJCPA Trustee, an individual who has served for six consecutive years shall again be eligible for the election to the LJCPA Board of Trustees.

The LJCPA will actively seek new members to the extent feasible. If not enough new members are found to fill all vacant seats on the LJCPA Board of Trustees, the LJCPA may retain some Trustees who have already served for a six consecutive years to continue on the Board of Trustees without a break in service. Such Trustees must receive a 2/3 majority of the votes cast in order to serve more than six consecutive years.

Council Policy 600-24 ARTICLE III, Section 4 states:

"Members of a recognized community planning group shall be elected to serve for fixed terms of two to four years with expiration dates during alternate years to provide continuity. This can vary for the purpose of the selection of initial group members for new groups. No person may serve on a planning group for more than eight consecutive years if members are elected to two or four-year terms, or nine consecutive years if members are elected to three-year terms. The eight or nine year limit refers to total service time, not to individual seats held. After a one-year break in service as a planning group member, an individual who had served for eight or nine consecutive years shall again be eligible for election to the committee.

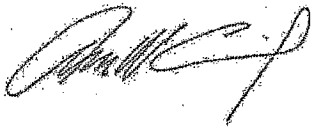
This Policy provides an exception for a planning group to retain some members who have already served for eight or nine consecutive years to continue on the planning group without a break in service if not enough new members are found to fill all vacant seats' as follows:

A planning group member who has served eight or nine consecutive years may appear on the ballot with new candidates. After open seats are filled with qualified new members, and if open

an eligible write-in candidate. Thus the Officers will report to the Board of Trustees that your fourth allegation is without merit and do find that Mr. Whittemore be seated at the April 2014 meeting.

I hope that this response to your allegations will suffice to satisfy your challenge of the March election. Of course, the Board of Trustees will make the final determination. As you know, I have termed out and will no longer be serving as a Trustee or as President. Please forgive any perceived shortcomings on my part. This is a volunteer organization and I believe that, as a whole, this board contributes a valuable service to La Jolla and to the City of San Diego.

Very truly yours,



Tony Crisafi, President
La Jolla Community Planning Association

cc: LJCPA Trustees
Lesley Henegar, Planning Department
Council President Pro Tem Sherri Lightner
Council Rep Erin Demorest
Council Rep Justin Garver
Candidates for Election

La Jolla CPA General Election Final results

Alphabetical order: *79 total votes Jane*

Candidate	Individual Tally Sheet Totals	Total Votes
Candidate 1	Bob Collins	66
Candidate 2	Jim Fitzgerald	68
Candidate 3	Joe La Cava	68
Candidate 4	Michael Maerten	14
Candidate 5	Alex Ortwinter	67
Candidate 6	Peter Ouannesoff	26
Candidate 7		
Candidate 8		
Candidate 9		
Write-ins	Robert Mapes	49
Write-ins	J. Ragsdale	54
"	Rob Whittemore	58

Candidates winning seats:

Rank	Term	Candidate	Total Votes
1	3 year	Jim Fitzgerald	68
2	3 year	Joe La Cava	68
3	3 year	Alex Ortwinter	67
4	3 year	Bob Collins	66
5	3 year	Rob Whittemore	58
6	3 year	Jim Ragsdale	54
7	1 1/2 year	Robert Mapes	49
8	2 year		

Certified by: *Janice Newson* Date: *3/6/14*

Counted by: *Michael [unclear] Wm Zoller Amy Hejwemann*

Poll workers: *Gabbi, Tom, Jean, Debbie, Janie*