



# La Jolla Community Planning Association

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

Contact Us

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President: Joe LaCava

Vice President: Bob Steck

2<sup>nd</sup> Vice President: Patrick Ahern

Secretary: Helen Boyden

Treasurer: Nancy Manno

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## D R A F T MINUTES

### Regular Meeting | Thursday, 6 November 2014, 6:00 pm

**Trustees present:** Patrick Ahern, Cynthia Bond, Helen Boyden, Bob Collins, Mike Costello, Dan Courtney, Cindy Greatrex, Joe LaCava, Robert Mapes, Alex Outwater, Jim Ragsdale, Bob Steck, Fran Zimmerman

**Trustees absent:** Janie Emerson, Nancy Manno, Phil Merten, Ray Weiss,

1.0 **Call To Order: Joe LaCava, President at 6:10 pm.** He advised that the meeting was being recorded, in audio by the LJCPA and in video by a private party. He asked attendees to turn off their cell phones.

#### 2.0 Adopt the Agenda

**Approved Motion: To approve the agenda as posted: (Steck, Ahern: 9-0-1)**

In favor: Ahern, Bond, Boyden, Collins, Costello, Greatrex, Mapes, Ragsdale, Steck

Abstain: La Cava, Chair

#### 3.0 Meeting Minutes Review and Approval:

3.1 2 October 2014

**Approved Motion: To approve the minutes of the October 2<sup>nd</sup> regular meeting as distributed (Steck, Greatrex: 9-0-1)**

In favor: Ahern, Bond, Boyden, Collins, Costello, Greatrex, Mapes, Ragsdale, Steck

Abstain: La Cava, Chair

3.2 29 October 2014

**Approved Motion: To approve the minutes of the October 29 Special Member and Trustee meetings as distributed (Ragsdale, Bond: 9-0-1)**

In favor: Ahern, Bond, Boyden, Collins, Costello, Greatrex, Mapes, Ragsdale, Steck

Abstain: La Cava, Chair

4.0 **Swearing In: Member Michael Morton** declined to take the temporary 19<sup>th</sup> seat as agreed to by the trustees to settle the dispute with the City over the March 2014 election. He stated that various actions by the trustees had reduced his one-year term to several months. He also complained that the five trustees who signed a commentary in the La Jolla Light had engaged in "collective concurrence" as prohibited by the Brown Act. He asked the LJCPA to take action.

## 5.0 Elected Officials – Information Only

### 5.1 Council District 1 – Council President Pro Tem Sherri Lightner

Rep: **Justin Garver**, 619-236-6611, [JGarver@sandiego.gov](mailto:JGarver@sandiego.gov) stated that the judge rejected a lawsuit that had delayed a number of Capital Improvement Projects including the La Jolla Cove Lifeguard Station. Kellogg Park will have enclosed recycling bins installed as part of a pilot project. The walk leading to South Casa Beach will be closed for demolition and reconstruction from November 12 to mid-December.

### 5.2 Mayor's Office – Mayor Kevin Faulconer

Rep: **Francis Barraza**, 619-533-6397, [FBarraza@sandiego.gov](mailto:FBarraza@sandiego.gov) was not present.

### 5.3 39<sup>th</sup> Senate District – State Senator Marty Block

Rep: **Hilary Nemchik** [Hilary.Nemchik@sen.ca.gov](mailto:Hilary.Nemchik@sen.ca.gov), 619-645-3133 (her first visit) reported that these bills by Senator Block had been signed into law: SB 850 providing for 15 California Community Colleges to be awarded the opportunity to offer one four-year degree each; SB 911 protecting seniors by increasing training requirements for residential care facility staff; and SB 1395 allowing counties to use quicker bacteriological tests, getting a result in about 4 hours instead of 24 to 48 hours.

### 5.4 78<sup>th</sup> Assembly District – Speaker of the Assembly Toni Atkins

Rep: **Toni Duran**, 619-645-3090, [Toni.Duran@asm.ca.gov](mailto:Toni.Duran@asm.ca.gov) was not present

## 6.0 Non-Agenda Comment

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

**6.1 UCSD - Planner: Anu Delouri**, [adelouri@ucsd.edu](mailto:adelouri@ucsd.edu), <http://commplan.ucsd.edu/> announced a UC San Diego Community Open House to be held at the UTC Forum Hall on Wednesday, November 19 from 4 to 7 pm. Information from staff will be available on campus building plans, sustainability and other topics. Please RSVP to her email above.

### 6.2 General Public

**Member Tim Lucas, LISA Chair**, announced that the regular LISA meeting of Wednesday, November 12, would cover such topics as: Crime, noise and trash at Kellogg Park and an update on the Avenida de la Playa infrastructure work.

**Member Peggy Davis** asked that the LJCPA send a letter to the City asking for an improvement in the MND and EIR processing to give the LJCPA adequate time to review pertinent documents prior to hearings by the LJS PRC and LJCPA to assure the CPG that the plans are in conformance with the LJCP and the LJS PDO and to provide the opportunity for the LJCPA to review post-permitting project plan changes.

**Member Rob Whitemore** presented a letter from LJS residents Cameron Volker and Peter Gantzel that compared their measurements of setbacks for the Gatto residence with those submitted by Architect Michael Morton and stated that Mr. Morton's were inaccurate and overstated the project setbacks.

**Member Michael Morton** stated that this was an issue brought up several years ago and that the project was in full compliance with City standards

**Member Don Schmidt**, representing the LJ Historical Society Preservation Board asked that the LJCPA write a letter to the City with respect to the denial of release of copies of project reports by Cathy Winterrowd and other City Staff. These had been provided previously and like other DSD reports could easily be posted on line.

## 7.0 Trustee Comment

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

**Trustee Zimmerman** referred to the March 2013 LJCPA approval of a project at the corner of Olivetas and Marine that has reduced side setbacks from those approved. The buildings are very tall out to the sidewalk with possibly a 4' setback with additional overhang. It dwarfs the adjacent properties.

## 8.0 Officers' Reports

### 8.1 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/](http://www.lajollacpa.org/). We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March.

You 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.

## 8.2 Treasurer

Trustee Boyden presented the balance in the Treasury at the end of October. President LaCava told trustees and attendees that collections at the meetings will be supplemented by an annual stipend of \$500.00 from the City. He reminded attendees that collections are the only other source of income for the LJCPA and all contributions must be in cash. He thanked the members for their generosity in supporting the organization.

<b>Beginning Balance</b> as of 10/01/14	<b>\$ 8.55</b>	<b>\$ 8.55</b>
<b>Income</b>		
- Collections: October 02 Meeting	\$ 210.00	
- Collections: October 29 Meeting	147.00	
- CD	5.00	
<b>Total Income</b>	<b>\$ 362.00</b>	<b>\$ 362.00</b>
<b>Expenses:</b>		
Agenda printing:	\$ 73.94	
Corporate Statement of Information:	20.00	
Telephone expenses:	59.97	
Post Office Box Rental: Six Months:	64.00	
<b>Total Expenses:</b>	<b>\$ 217.91</b>	<b>(217.91)</b>
<b>Ending Balance</b> as of 10/29/14		<b>\$ 152.64</b>

## 9.0 President's Report – Information only unless otherwise noted.

**9.1 Shores PDO Advisory Board** – City now publishing minutes of meetings

**9.2 Ad Hoc Bylaw Update Committee** – In progress

**9.3 Finding of Vacancy** – Resignation of Rob Whittemore (To be filled at March Annual Election)

### 9.4 Annual Elections: March 2015

Consider running, encourage your neighbors and colleagues, recruit community voices.

Must be a Member and attend at least 3 LJCPA meetings between Mar 2014 and Feb 2015.

Check attendance records at: <http://www.lajollacpa.org/members.html>

### 9.5 Election Committee – Ratify Appointments

Cindy Greatrex, Chair; Nancy Manno; Bob Steck; Patrick Ahern

**Appointments ratified by acclamation.**

**10.0 REPORTS FROM AD HOC and NON-LJCPA COMMITTEES** - Information only

**10.1 Community Planners Committee** <http://www.sandiego.gov/planning/community/cpc/index.shtml> No report.

**10.2 Coastal Access & Parking Board** <http://www.lajollacpa.org/cap.html> No report.

**11.0 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, 4 pm

**No PRC Actions**

**11.1 The Ivanhoe, 7817 Ivanhoe Avenue**

PDO Motion: Approved 9-0

**11.2 La Jolla High School Stadium Water Easement Vacation**

DPR Motion: Findings CAN be made for a Coastal Development Permit to vacate the existing water easement at the La Jolla High School Stadium. 5-0-1.

**11.3 Klinkov Residence, 5915 Camino de la Costa – Pulled by Trustee Courtney**

DPR Motion: Findings CAN be made for a Coastal Development Permit for remodel of first and second floor with a 371 sq ft first floor addition and new 1,846 sq ft third floor addition to an existing single family residence at 5915 Camino De La Costa. 5-0-1.

**11.4 Monarch Cottages, 7630 Fay Avenue - Pulled by Member Jim Fitzgerald**

DPR Motion: Findings CAN be made for a Coastal Development Permit, Site Development Permit and a Conditional Use Permit (CUP) for a proposed 26-unit Residential Care Facility at 7630 Fay Ave. 5-0-1.

**11.5 Change Parking Time 7700-7900 Blocks of Girard Avenue from 60 min to 90 min. – Pulled by the Chair**

T&T Motion: Recommend Approval.

**11.6 La Jolla Concurr d’Elegance Street Closures as per prior years - Pulled by Trustee Courtney**

T&T Motion: Recommend Approval.

**11.7 Additional 15 Minute Green Zone on Eads Avenue (at Pearl Avenue)**

T&T Motion: Recommend Denial

**11.8 2-hour parking on La Jolla Blvd, west side, btwn Cam. de la Costa & Bird Rock Ave**

T&T Motion: Recommend Approval

The following four items were pulled for full hearings at the December meeting of the LJCPA

**11.3 Klinkov Residence, 5915 Camino de la Costa – By Trustee Courtney**

**11.4 Monarch Cottages, 7630 Fay Avenue - By Member Jim Fitzgerald**

**11.5 Change Parking Time 7700-7900 Blocks of Girard Avenue from 60 min to 90 min. – By the Chair**

**11.6 La Jolla Concurr d’Elegance Street Closures as per prior years - By Trustee Courtney**

**Approved Motion: To accept the recommendation of the PDO Committee to approve 11.1: The Ivanhoe, 7817 Ivanhoe Avenue; to accept the recommendation of the DPR Committee for: 11.2 La Jolla High School Stadium Water Easement Vacation that the findings CAN be made for a Coastal Development to vacate the existing water easement at the La Jolla High School Stadium; to accept the recommendations of the T&T Committee to deny 11.7: Additional 15 Minute Green**

**Zone on Eads Avenue (at Pearl Avenue) and to approve 11.8: 2-hour parking on La Jolla Blvd, west side, btwn Cam de la Costa & Bird Rock Ave and forward the recommendations to the City. (Courtney, Greatrex: 12-0-1)**

In favor: Ahern, Bond, Boyden, Collins, Costello, Courtney, Greatrex, Mapes, Outwater, Ragsdale, Steck, Zimmerman

Abstain: LaCava, Chair

**12.0 Sewer Group Job 798 – Information Only**

The project includes the rehabilitation of approximately 13,057 linear feet (2.47 miles) of existing 8" and 10" VC sewer mains within the City's right of way utilizing trenchless technology. Access to rehabilitate the sewer mains will be made through the existing manholes and/or cleanouts. Other related work entails the reinstatement of laterals to the rehabilitated mains, manhole rehabilitations, manhole replacement, lateral rehabilitations, lateral cleanout installations and several external spot repairs to existing sewer mains and laterals as needed. Estimated construction dates: Spring 2015 to Fall 2015.

Presenter: **Maryam Liaghat, Project Manager, City of San Diego** stated that the estimated cost of the project is \$2.4 million dollars; it will use trenchless technology and major issues are not expected. She provided maps of the project, available at the website below.

General info: <http://www.sandiego.gov/cip/projectinfo/featuredprojects/sewerrehabw1.shtml>

Detailed fact sheet: <http://www.sandiego.gov/cip/pdf/sewerrehabw1faq.pdf>

Project map: <http://maps.sandiego.gov/cpm/default.aspx?cip=B13014>

**13.0 Children's Pool Lifeguard Station & Cove Lifeguard Station – Action Item**

City of San Diego seeks the community's input on whether to waive the Holiday Moratorium so that construction can continue on both projects. The Holiday Period is defined as Thanksgiving (Nov 27<sup>th</sup>) through New Year's Day (Jan 1<sup>st</sup>.)

Presenter: **Jihad Sleiman, Project Manager, City of San Diego**

**CD 1 Rep Justin Garver** stated because there is no work in the public streets, the holiday moratorium does not apply to these two projects. Garver added that exterior work at the Children's Pool Lifeguard Station will be halted on December 15<sup>th</sup> for the pupping season although interior work might continue. Work at the Cove Lifeguard Station will continue.

**14.0 Short-Term Vacation Rentals – Action Item (Continued from October Meeting)**

→ *Public Testimony will continue for those that did not have a chance to speak at the October Meeting. 1 minute per speaker, no ceding time.*

**Special Guest Speaker: Jerry Hara, Captain, SDPD re Community-Assisted Party Program (CAPP)**

Consideration of whether to adopt the recommendations of the LJCPA's Ad Hoc Stakeholders Committee on Short-Term Vacation Rentals.

→ **Committee recommendations and background are attached.**

→ See <http://www.lajollacpa.org/projects.html> for background and submitted information

*Summary of Recommendations by Ad Hoc Committee:*

14.1 Summary of problems associated with STVRs to include: Inadequate enforcement of current regulations; Threshold for enforcement is too high to be effective: Burden of enforcement is imposed on neighbors, not the City or the Industry; Party House Events; Site Specific Events such as noise and parking; Frequent turnover of renters; Conversion of Single Family Neighborhoods to "tourist zones"; Inadequate supervision by "on site management."

14.2 The Committee recommends that the City make best efforts within available resources to substantially improve real-time police response times to citizen complaints regarding offending properties, strengthening the Community-Assisted Party Program (CAPP) and focusing more rigorous Code Enforcement efforts on the offending property owners by taking the following steps:

- i. Substantially increase the fines (amount to be determined) for CAPP violations. Dedicate the revenue from fines collected to CAPP enforcement and public outreach
- ii. Once a house has been designated as CAPP, require the property owner to place a substantial, non-interest-bearing security deposit (amount to be determined) in escrow with the City that would be forfeited if there is a subsequent CAPP violation. This security deposit would be returned to the property

- owner after a period (e.g. 1-2 years) with no CAPP violation.
- iii. To expedite the CAPP process for problem properties, allow verifiable neighbor/resident documentation (e.g. video evidence and audio recordings/decibel measurements) to be sufficient to initiate/warrant a CAPP violation.
- iv. The City develop/implement a proactive community education/outreach program regarding CAPP, utilizing all available resources, including conventional/social media, the City website, police community relations officers, and community organizations/groups, etc.
- v. Additionally, 2 violations within 90 days would put a property into a CAPP classification.

14.3 Establish a comprehensive permit process for short-term rentals (similar to that outlined to the Committee by the San Diego Vacation Rental Managers Alliance), including establishing a formal code-of-conduct for renters, property owners and managers and requiring permit numbers to be displayed on all listings for the property in question to include the following specific provisions:

- i. To establish city and community identification of all rental properties in each area /neighborhood, whether the property is being managed by owner or by a professional manager;
- ii. Formalize a code-of-conduct for owners, property managers, and tenants
- iii. Facilitate collection of all applicable TOT taxes by the City;
- iv. Allow for the use of fines/permit revocation to discourage/punish violations and to reinforce the code-of-conduct. All or part of the revenue from the permits/fines could be dedicated to fund the creation/administration of the permit process, funding Neighborhood Code Enforcement, and funding related community outreach programs;
- v. Provide for a 24/7 contact person for each rental property to address problems in real time.

**Trustees Courtney and Outwater** recused themselves and left the room.

**San Diego Police Officer Larry Hesselgesser** (substituting for Captain Hara) described the Community Assisted Party Program and provided brochures. He acknowledged that, currently, police were not able to respond to all calls, particularly on the weekend. He did say they were going to be able to use non-sworn officers hired for the new oversize vehicle ordinance who would be able to validate a complaint without making contact with the noisemakers. Overtime police officers would now also be available. Additionally if a residence is a chronic problem, he suggested contacting Fred Zuckerman by e-mail [Fzuckerman@pd.sandiego.gov](mailto:Fzuckerman@pd.sandiego.gov) and the residence will be put at the top of the list for police response calls.

**More than 30 persons spoke to the matter including: Ozstar Dejourday, Dave Gossett, Jake Sappela, Paul Becker, Jeff Longenecker, Eric Eaton, Jim Peters, Tim Cassidy, Chuck David, Phil Sokol, Laura Colban, Shaun McArthur, Barbara Leinenweber, Chelsea Graue, Cliff Douglas, Joe Walkush, Beth Mandrake, Nancy Kramer, Linda Stein, Suzanne Weatherly, Sally Fuller, Greg Ross, Nancy Gardner, Paul Ferraco, Gary Greenberg, Suzanne Melvin, Jill Seagram, Patrick Moore, Ira Parker, Nelson White.**

**Persons speaking included STVR company agents, private homeowner who rent their homes, homeowners who were bothered by the rentals and expressed varying points of view citing: positive and negative experiences; regulations current in nearby coastal communities; the need for personal income or income to maintain the property; substantial changes in neighborhoods, creating a hotel district ambiance; need for enforcement.**

**President LaCava thanked the committee for its efforts. He spoke of the general concerns raised and the lack of staffing at the City to follow up on noise and code compliance complaints. He acknowledged the neighbors' complaints and the STRV representatives' efforts to exert control over their properties. He suggested that it was in the business interest of STRVs to monitor STRV properties. He stated that he would write a letter advocating the LJCPA position and send it to all City entities that he thought might be interested. Many times letters like this get no action. It would be up to advocates for any position to make their cases to the City.**

**Trustees speaking included: Ahern, Bond, Boyden, Collins, Costello, Greatrex, Mapes, Ragsdale, Steck and Zimmerman.**

In particular, **Trustee Costello** cited the inability of the police to respond in a timely fashion and opined that none of the suggestions of the committee could be enforced; **Trustee Mapes** cited the regulations in Austin, Texas,

whereby permits with certain requirements were issued and if there was a complaint, the permit was revoked. Others cited various aspects of the recommendations that they did or did not agree with and offered suggestions.

**Failed Motion: To accept the recommendations of the Ad Hoc Committee on Short Term Vacation Rentals, Items 14.1, 14.2 and 14.3. (Boyden, Steck: 4-6-1)**

In Favor: Ahern, Boyden, Ragsdale, Steck  
Opposed: Bond, Collins, Costello, Greatrex, Mapes, Zimmerman  
Abstain: LaCava, Chair

**Failed Motion: Have the City strengthen the Muni Code for the RS-1 Zone. Visitor Accommodation sections and all related sections and definitions to be consistent with a restriction of rentals of not less than 30 consecutive calendar days. This is with the understanding that the California Coastal Commission may need to approve any restrictions. CCC staff has indicated with the increase in STVR problems, and the turnover of Commissioner such an approval could be possible. (Costello, Collins: 4-7--0)**

In favor: Bond, Collins, Costello, Zimmerman  
Opposed: Ahern, Boyden, Greatrex, LaCava (Chair voting to break a 5-5 tie which was later determined by the voting sheets and e-mail communication not to have been the case), Mapes, Ragsdale, Steck

**Approved Motion: To establish a permit fee program for Short Term Vacation Rentals with the funding used exclusively for enforcement of existing regulations. (Mapes, Ahern: 7-3-1)**

In favor: Ahern, Bond, Greatrex, Mapes, Ragsdale, Steck, Zimmerman  
Opposed: Boyden, Collins, Costello  
Abstain: LaCava, Chair

**15.0 Sacido Residence, 901 Skylark Drive & 911 Skylark Drive – Action Item**

~~(Process 3) Coastal Development Permit & Site Development Permit to permit a lot line adjustment and allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa and companion unit at 901 Skylark Drive on a 0.29 acre site, a deck, staircase, pergola and companion unit at 911 Skylark Drive on a 0.89 acre site in the RS-1-5 zone of the La Jolla Community Plan.~~

(Process 3) Coastal Development Permit & Site Development Permit to permit 1) a parcel map lot line adjustment between the two legal lots known as Lots 52 (911 Skylark Drive, 0.89 acre) & 53 (901 Skylark Drive, 0.29 acre), La Jolla Mesa Vista, Map No. 3650; 2) Proposed approximately 600 square foot GUEST QUARTERS for Lot 53 (901 Skylark Drive only) as defined by San Diego Municipal Code (SDMC) Section 141.0306; 3) Proposed construction of retaining walls, ramps, staircases, landscape planting and irrigation, patio paving, pergola, raised planters for herbs, small water features including Koi pond (901 & 911 Skylark); and, 4) Proposed pool and spa with vanishing edge construction (901 Skylark Drive only). RS-1-5 Zone. *Previous Action by DPR (Oct '14): "Per Rule 37, this Committee finds that a substantial change to the design has been made, and wishes to reopen this matter for further review" 2-4-0. Motion failed. No further action taken.*

*Previous Action by LJCPA (Oct '14): Applicant opted to return to DPR*

***Previous Action by DPR on Original Project (Sep '14): 6-1-1. Findings CANNOT be made for a Coastal Development Permit & Site Development Permit to permit a lot line adjustment and allow construction of retaining walls, ramps, landscaping and pavement on two lots, and a pool/spa and companion unit at 901 Skylark Drive on a 0.29 acre site, and a deck, staircase, pergola and guest quarters at 911 Skylark Drive on a 0.89 acre site. This is based upon the findings that:***

- a. The proposed project is not consistent with the neighborhood character.*
- b. The habitable units and structure are inconsistent with the SDMC 141.0302.*
- c. The project presents a street wall that is inconsistent with SDMC 113.0103, 113.0264, and 113.0267.*
- d. The off street parking requirement is not met for these additional spaces that appear to serve as bedrooms.*
- e. The record of agreement with the City Attorney limiting the use of the companion units was not presented.*
- f. The boundary adjustment divides one larger open space and creates two smaller open spaces, which is inconsistent with recognized planning practice to consolidate and create larger and more coherent open space.*

**Presented by John Krizan, Architect and Mark Farrington, Consultant**, who stated that they had returned to DPR in October and presented their revised plan with only one guest house which did not require additional parking according to the SDMC and were again denied by DPR. They said the property had been disturbed with the original development and the City had determined that adhering to steep slope requirements and brush management was not required.

**Bill Pierce** representing the HOA said the original development was not designed to have two structures on any single lot, and he was supported by **Joyce Kaapke** who said introducing the guest house as the only one abutting the canyon the homes surrounded would destroy the neighborhood character; **Betty Voorhees** spoke of the fire hazard as the City was not requiring brush management; **Sally Fuller** cited the lack of parking in the cul-de-sac. **Susan Pierce** said this guest house might become something else. A representative of the **Architectural Committee of the HOA**, said the Committee had reviewed and approved the previous plans but had not reviewed the current proposal. In response to a query from **CA Marengo**, the presenters stated that the project adhered to City requirements for guest houses.

**Trustee Costello** (DPR member) stated that he had had ex parte contact with some of the neighbors and believed the project should not have been reheard. **Trustee Ragsdale** (DPR member) felt it should have been reheard.

Discussion and queries by **Trustees Ahern, Boyden, Courtney**, and **President LaCava**, consulting the LJCP open space map, did not determine if this property was categorized as private open space. All of the canyon is owned by the individual property owners and no agreements with homeowners to maintain it as open space have been made.

**Approved Motion: The LJCPA cannot make the findings for the CDP and the SDP because of the Neighborhood Character of the La Jolla Mesa Vista Subdivision and because there is insufficient parking for guest quarters due to the special circumstances of the lack of parking in the cul-de-sac. [Costello, Zimmerman: 10-1-2]**

In favor: Ahern, Bond, Collins, Costello, Greatrex, Mapes, Outwater, Ragsdale, Steck, Zimmerman

Abstain: Boyden (disagreed with reasoning), LaCava, Chair

Opposed: Courtney

**16.0 Adjourn to next Regular Monthly Meeting, 4 December 2014, 6:00 pm.**