

Subject: LJCPA meeting 12/3/20 Item 5.2 8423 El Paseo Grande Draft MND Project number 661815

From: "Matthew A. Peterson" <map@petersonprice.com>

Date: 12/3/2020, 2:01 PM

To: La Jolla Community Planning Association <info@lajollacpa.org>

CC: Greg Jackson <gjackson@outlook.com>, Diane Kane <dkane002@san.rr.com>, Tony Crisafi <tcrisafi@islandarch.com>, Nick Wilson <nwilson@islandarch.com>, Brian Will <brianljcpa@gmail.com>

Dear President Kane and honorable members of the LJCPA,

I represent the Broe family concerning their proposed home at 8423 El Paseo Grande in La Jolla Shores.

As you know there were noticing and procedural issues with the LJCPA 11/19/20 "Special" Meeting. As such there were no matters considered nor any actions taken. The matter is properly noticed for the LJCPA meeting tonight as Item 5.2.

It is our understanding that your president nevertheless on her own submitted a formal "LJCPA" letter of comment dated 11/20/2020 to the City (on LJCPA letterhead) concerning the above referenced matter. This letter was apparently submitted to the City without LJCPA review, discussion, or vote. As you can imagine, your president's action without your prior authorization presents additional Brown Act, Due Process, and Bylaw implications.

Ms. Kane's LJCPA letter to the City dated 11/20/2020 also renders Item 5.2 on your agenda tonight as moot. Therefore, I will not be in attendance. However, I would request that this email with attachments be distributed to the trustees in advance.

I would like to share with you my observations about the LJCPA getting involved in CEQA matters. I have attached pertinent highlighted sections of your bylaws and Council Policy 600-24. As you can see the LJCPA's scope and authority is limited by these provisions. Project reviews should appropriately be focused on compliance with the Certified LCP – the Community Plan, and the Municipal Code with a particular focus on recommending to the City if you, as a group conclude that findings for approval of discretionary permits can or cannot be made.

With regard to this project, the DPR and then the LJCPA as a whole (on the consent agenda) has already rendered its opinion that the finding(s) could not be

made utilizing various arguments advanced by Mr. Phil Merten, a few neighbors opposed, and other “interested parties”. That recommendation with supporting documentation has already been forwarded to the City for its consideration.

For the project opponents and other interested parties to now ask the LJCPA to get involved in the CEQA review process and submit formal comments on the MND, in my opinion is not appropriate and is beyond your scope and authority (see attached LJCPA Bylaws & CP 600-24 highlighted).

I recognize that many of you may disagree, and that is okay.

I again thank you for your volunteer efforts on behalf of our community.

All my best, Matt

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— Attachments: —

LJCPA Comment Letter J.pdf

1.7 MB

