

PLANNING COMMISSION OF THE CITY OF SAN DIEGO  
MINUTES OF  
FEBRUARY 1, 1996  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR  
CITY ADMINISTRATION BUILDING

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Neils at 9:07 a.m.  
Chairperson Neils adjourned the meeting at 4:38 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Christopher Neils-present  
Vice-Chairperson William Anderson-present  
Commissioner Verna Quinn-present  
Commissioner Andrea Skorepa-present  
Commissioner David Watson-present  
Commissioner Frisco White-present  
One vacant seat on the Commission to be appointed  
Ernest Freeman, Planning Director-present  
Mike Stepner, Urban Design Coordinator-not present  
Rick Duvernay, Deputy City Attorney-present  
Tina Christiansen, Department Director-not present  
Gary Halbert, Deputy Director, Development Services  
Department-present  
Jeff Washington, Deputy Director, Long Range and Facilities  
Planning-present  
Mohammad Sammak, Development Coordinator, Engineering and  
Development-present  
Linda Lugano, Recorder-present

**ITEM-1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD.**

Commissioner Frisco White was reappointed and sworn in for another four year term, and Commissioner David Watson was appointed and sworn in, both by Assistant City Clerk Jack Fishkin.

Staff requested the Commission to call a special meeting on February 22, 1996 at 9:00 a.m. to hear the MSCP item. This meeting is being called due to a substantial noticing effort Citywide.

Gary Halbert read a memo into the record in answer to a request by the Commission in December to survey the decisions made by the Commission on private development projects, based on the rumored perception that the Commission is negative toward private development. In calendar year 1995, the Commission took action on 120 private development projects, Commission approved or recommended approval of 115 of those projects. Staff was directed to provide a copy of this memo to the City Council.

**ITEM-1A: REQUESTS FOR CONTINUANCE.**

Staff requested a continuance for Item No. 3 East Elliott Initiation of Plan Amendment for additional discussion with staff.

**ITEM-1B: DIRECTOR'S REPORT. - No report given.**

**ITEM-2: APPROVAL OF THE MINUTES OF JANUARY 18, 1996.**

**COMMISSION ACTION:**

MOTION BY QUINN TO APPROVE THE MINUTES OF JANUARY 18, 1996 WITH THE FOLLOWING REVISIONS: PAGE 6 COMMISSION ACTION, ..."NEGOTIATE WITH THE FEDERAL AND STATE AGENCIES TO HAVE ONE NON-PROFIT CORPORATION..." SHOULD BE REVISED TO STATE, "...NEGOTIATE WITH THE FEDERAL AND STATE AGENCIES TO HAVE ONE ORGANIZATION ..." ALSO,

WITHIN THAT SAME MOTION, REVISE "...ECONOMY AS A SCALE" TO "...ECONOMIES OF SCALE..."; PAGE 3 IN THE PARAGRAPH THAT SUMMARIZES TESTIMONY OF LYNN HEIDEL, THIRD LINE, THE WORD "DISILLUSION" BE REVISED TO "DISSOLUTION"; PAGE 7, LAST PARAGRAPH, REVISE NEXT TO LAST LINE FROM "IN RESPECT TO HOUSING", TO "WITH RESPECT TO HOUSING". Second by White. Passed by a 4-0 vote with Commissioner Skorepa and Watson abstaining as they were not in attendance during that meeting and one vacant seat on the Commission.

ITEM-3: INITIATION OF AN AMENDMENT TO THE EAST ELLIOTT COMMUNITY PLAN AND PROGRESS GUIDE AND GENERAL PLAN.

COMMISSION ACTION:

MOTION BY SKOREPA TO CONTINUE TO FEBRUARY 15, 1996 AT 9:00 A.M. ON BEHALF OF THE CITY MANAGER FOR ADDITIONAL DISCUSSIONS WITH STAFF BEFORE IT IS BROUGHT FORWARD. STAFF WAS DIRECTED TO BRING BACK ADDITIONAL INFORMATION AT THAT TIME ON THE PRIVATE LANDFILL ISSUE, IN PARTICULAR WHAT IS THE POINT OF DISCUSSING THAT PARTICULAR ISSUE AFTER THE INITIATION AND AFTER THE APPLICANT HAS INVESTED MONEY AND TIME IN PROCESSING OF THAT AMENDMENT, AS OPPOSED TO DISCUSSION THAT ISSUE AT THE TIME OF THE INITIATION. ALSO, THE PLANNING REPORT CONTAINS A STATEMENT THAT THE DRAFT MSCP INCLUDES CONDITIONS UNDER WHICH A LANDFILL CAN BE CONSTRUCTED THERE; COMMISSIONER ANDERSON REQUESTED THAT THESE CONDITIONS BE BROUGHT BACK AS WELL, ALONG WITH THAT LANGUAGE THAT REFERS TO THE GENERAL PLAN'S STATEMENT THAT THERE SHOULD BE ADEQUATE LANDFILL SITES; AND THE GENERAL PLAN'S LANGUAGE REGARDING CANYONS. Second by Quinn. Passed by a 6-0 vote.

ITEM- 4: INITIATION OF AN AMENDMENT TO THE NORTHSIDE SPECIFIC PLAN, MISSION VALLEY COMMUNITY PLAN AND PROGRESS GUIDE AND GENERAL PLAN - MISSION CITY SPECIFIC PLAN PROJECT.

Jennifer Champa presented Report to the Planning Commission No. P-96-034.

Testimony in favor:

**Doug Boyd, T&B Planning Consultants, Representing Fenton.** Explained that they are anxious to begin their planning on this project. They do not have any land use plans to show the Commission today because they wanted to meet with the Community Group prior to bringing something before the Commission. Here to answer any questions the Commission might have.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY WHITE TO INITIATE THE SPECIFIC PLAN, COMMUNITY PLAN AND GENERAL PLAN AMENDMENT PROCESS. Second by Anderson. Passed by a 6-0 vote.

**ITEM-5: INITIATION OF AN AMENDMENT TO THE UNIVERSITY COMMUNITY PLAN AND PROGRESS GUIDE AND GENERAL PLAN TO VACATE A PORTION OF JUDICIAL DRIVE.**

Mike Westlake presented Report to the Planning Commission No. P-96-025.

Testimony in favor by:

**Tim Graves, representing applicant.** Expressed that he agrees 100% with staff's recommendation. There is no intent on the part of this application to increase the amount of square footage of structural development that is already approved in the PID. They are just redistributing that same amount of square feet which provides more efficient use of the land.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY QUINN TO APPROVE THE INITIATION. Second by White. Passed by a 6-0 vote.

**ITEM-6: NISSANOFF RESIDENCE. LA JOLLA SHORES PLANNED DISTRICT DEVELOPMENT PERMIT AND RESOURCE PROTECTION ORDINANCE PERMIT AND TENTATIVE PARCEL MAP NO. 95-0259.**

Mary Roush presented Report to the Planning Commission No. P-96-038.

Testimony in favor by:

Scott Spencer, architect representing Paul Nissanoff. In attendance to answer questions of the Commission. Addressed the questions raised regarding grading. Mr. Spender advised that he wasn't required to grade the vacant lot but they would like to as they will have to address erosion and brush management control in the grading permit before rough grading is signed off. Does not have a problem with Mr. White's suggestion to require immediate preservation-type landscaping on the second lot after it's been graded.

Public testimony was closed.

**COMMISSION ACTION:**

MITIGATED NEG DE NO. 95-0259

APPROVE

LAJOLLA SHORES  
PDO AND RPO NO  
95-0259 AND  
APPROVE TENT.  
PARCEL MAP  
NO. 95-0259.

MOTION BY WHITE TO CERTIFY ~~ADDENDUM 94-0546 TO THE EIR 87-1098 AND DENY THE APPEAL AND APPROVE CDP 94-0546~~ SUBJECT TO CONDITIONS IN ATTACHMENT 3, WITH THE NOCLARIFICATION TO CONDITION 16 TO STATE THAT THE PERMIT INCLUDES BOTH PARCELS, HOWEVER PARCEL 2 WOULD NOT BE GRADED UNTIL A HOUSE IS DESIGNED AND IMMEDIATELY UPON GRADING THAT FULL LANDSCAPING WILL BE CONDUCTED ON THE SLOPES AS WELL AS THE FLAT, BUILDABLE PAD AREAS. Second by Quinn. Motion withdrawn.

MITIGATED NEG DEC NO. 95-0259

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MOTION BY WHITE TO CERTIFY ~~ADDENDUM 94-0546 TO THE EIR 87-1098 AND DENY THE APPEAL AND APPROVE CDP 94-0546~~ SUBJECT TO CONDITIONS IN ATTACHMENT 3, ALONG WITH THE FOLLOWING ADDITIONAL CONDITION TO THE PERMIT AND TENTATIVE MAP TO STATE THAT THE ELIGIBILITY CRITERIA TO BE ABLE TO GRADE ON PARCEL 2 IN ACCORDANCE WITH THIS MAP WOULD BE THAT THEY WOULD HAVE RECEIVED ALL OTHER APPLICABLE PERMITS FOR A HOUSE OR IMPROVEMENTS ON PARCEL 2 INCLUDING A BUILDING PERMIT. STAFF WAS DIRECTED TO BRING BACK THIS REVISED LANGUAGE FOR COMMISSION APPROVAL. Second by Watson. Passed by a 5-1 vote with Commissioner Quinn voting nay.

**ITEM-7: APPEAL OF THE HEARING OFFICER'S APPROVAL OF RIVER TRAILS - COASTAL DEVELOPMENT PERMIT 94-0546.**

Corey Braun presented Report to the Planning Commission No. P-96-030.

Testimony in opposition by:

**Martin Kenney, U.S. Fish & Wildlife Services.** Advised that they were not given a copy of the EIR or the addendum. They routinely receive documents from the City, but in this case they didn't get a copy. If they had received the document, they believe there should have been a trapping survey for the Pacific pocket mouse, which is a Federally listed endangered species that has historically occurred in the river valley. Their other concern is the hydrology and flooding of the site.

**Ruth Schneider, Otay Mesa Nestor Planning Committee.** Distributed photos showing the flooded areas on this site. Their planning committee has never approved this project. This project should have never been allowed to get off the drawing board. Spoke to the affordable housing issue. Stated that this valley is a sand valley, no matter what it said about controlling that river, it is backed up with an earthen dam in Tijuana. The talk about a berm protecting the houses is unrealistic as it is not going to protect anything. The hydrology report should have been made because the water has caved over that area. This land was supposed to be used for a playground for the adjoining area, not to be built on.

**David Gomez, Otay Mesa Nestor Planning Committee.** Also distributed photos showing the flooded areas in 1980 and 1993. This project is not right for Southbay. Displayed a map taken after the 1993 flood, showing the River Trails project. Deed restriction concerns never answered; hydrology survey not completed. The Coastal Commission does not believe in infills on flood plain fringes. It does not make any sense to build homes on the flood plain fringe which has been flooded for such a long time. Affordable housing is another concern. This property should be rezoned back to agriculture - there's so many things wrong with this project that it should not be allowed to continue. Please deny this project.

**Frank Lombard, Yolando Robledo and William Westton, all residents in this area.** All discussed the flood situation and how they feel this project does not make any sense to be built in this area. They feel housing is not necessary in this area, but a park would be nice. Even though the homes are built on a higher pad, it doesn't stop the homes from flooding. Traffic and crime are other concerns. The habitat in that area has changed over the last 12 years - displayed a photo of what the lot behind some of the houses looked like in the past, and what they look like today and the species that are in this area now.

Testimony in favor by:

**Rick Ruben, representing Dr. Joe Peus, applicant.** Also distributed a photo which put the size of the property in perspective. Read a letter into the record from the owner which stated the lengthy history of this project with the City. The original application was approved after being appealed to the City Council. There was also a litigation action which was settled by the Council before reaching a trial date. Explained that all the approvals were granted and the Council approved the project because it conformed to all requirements of the City's code, including the Community Plan and zoning. Feels that since affordable housing is needed in San Diego, requested the Commission to support this project by denying the appeal and approving this project.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY ANDERSON TO CONTINUE TO JUNE 20, 1996 AT 9:00 A.M. UNTIL A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT HAS BEEN COMPLETED AND ADDRESSES SPECIFICALLY AN INDEPENDENT ANALYSIS OF THE HYDROLOGY, THE TRAPPING FOR THE ENDANGERED SPECIES AS RECOMMENDED, AND REQUESTED THAT ALTERNATIVES BE ADDRESSED FOR LOW AND MODERATE INCOME HOUSING THAT WOULD EITHER LOWER DENSITY OR CLUSTER THE HOUSING AND WOULD IN ASSOCIATION WITH THAT CHANGE THE GRADING FOOTPRINT SIGNIFICANTLY BECAUSE UNLESS THE GRADING FOOTPRINT CHANGES, THE HYDROLOGY WOULD STAY THE SAME. Second by Quinn. Passed by a 6-0 vote.

ITEM-8: **PACIFIC BELL MOBILE SERVICES - CHOLLAS CREEK  
CONDITIONAL USE PERMIT 95-0350-53; TO ALLOW FOR THE  
CONSTRUCTION OF A 50 FOOT MONOPOLE AND TWO EQUIPMENT  
BOXES.**

Karen Lynch-Ashcraft and Patrick Hooper presented Report to the Planning Commission No. P-96-032.

Testimony in favor by:

**Maryann Miller, Planning Consultant for Pacific Bell Mobile Services.** Simply stated that they concur with staff's analysis on this project, as well as the recommendation for approval and will answer any questions. Would like the opportunity for Mike McDade to respond to any speakers in opposition to the project.

**Mike McDade, representing Pacific Bell Mobile Services.** Explained why they requested a rebuttal. Reminded the Commission of the recent Pac Bell applications that have come before them and that they are identical to approve antenna locations. Asked the Commission to focus on what is being asked to consider here today. They are being asked to approve an antenna location, not second guess the FCC on technologies that are competing at this point; not being asked to decide an issue between providers in a competitive race to gain access to this market, not asked to decide on any health issues in this matter. You are being asked to approve a antenna location.

Testimony in opposition:

**Cynthia Vicknair, California Communications Council.** They fully associate themselves with the comments that are going to be made by Jim Milch.

**Jim Milch, Wireless Communications Council.** Spoke to a letter he distributed. Their basic concern is that this matter is going forth on a negative declaration as opposed to a focused EIR. Contrary to the former matters that have already been before the Commission there has been substantial new information available and there has been community concern. Many health organizations have also expressed their real health concerns for their constituency. Discussed the health issues addressed and the health evidence that recently has come to light regarding these phones.



Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY ANDERSON TO CERTIFY NEGATIVE DECLARATION AND APPROVE CONDITIONAL USE PERMIT 95-0350. Second by White. Passed by a 4-1 vote with Commissioner Skorepa voting nay and Commissioner Quinn abstaining.

ITEM-9: NEXTEL COMMUNICATIONS CONDITIONAL USE PERMIT NO. 94-0330-12; TO ALLOW FOR THE CONSTRUCTION OF A 60-FOOT MONOPOLE WITH OMNI DIRECTIONAL (WHIP) ANTENNAS AND PLASTIC PANEL ANTENNA ARRAYS.

Patrick Hooper presented Report to the Planning Commission No. P-96-033.

Testimony in favor by:

**Barbara Saito, Nextel Applicant.** In addition to the staff report just heard, Ms. Saito explained that she submitted material on co-location at an alternate site and information regarding the required height of the pole based on their technology. She then explained the company's history of co-location and the possibilities of doing so.

**COMMISSION ACTION:**

MOTION BY WHITE TO CERTIFY THE NEGATIVE DECLARATION AND APPROVE CONDITIONAL USE PERMIT 94-0330. STAFF WAS DIRECTED TO PROVIDE CO-LOCATION INFORMATION IN THE PLANNING REPORT FOR ANY FUTURE LOCATIONS IF APPLICABLE Second by Watson. Passed by a 5-0 vote with Commissioner Quinn abstaining.

ITEM-10: DIABLO COMMUNICATIONS, INC. CONDITIONAL USE PERMIT 95-0660 AND EXCEPTION FROM THE CLAIREMONT MESA HEIGHT LIMITATION ZONE; TO ALLOW FOR THE INSTALLATION AND MAINTENANCE OF A ROOF-TOP MOUNTED WIRELESS COMMUNICATIONS FACILITY.

Tom Romstad represented Report to the Planning Commission No. P-96-036.

Testimony in favor by:

**Dale Hair, Diablo Communications, Site Development Manager.** Explained that they are in the business of developing communication sites to cover all of Southern California. They are trying to develop as few sites as possible to cover all of this area. This location was chosen as it covers a 5 to 7 mile radius. Clarified the location of the radio equipment on the roof.

**Paul Kammeyer, Diablo Communication, Director of Operations.** Discussed the philosophy and operation of Diablo Communication - co-locating multiple technologies. Explained that this equipment will not be seen from the ground due to the way it will be placed on the roof as well as the height of the building.

**Kenneth Gowland, tenant of Sorrento Towers.** Explained that he was representing 250 senior tenants of this building and that they are in full support of this application. This equipment will allow for additional television cable to be installed which will allow these seniors to enjoy more television.

**Julius Paeska, representing the owners of Sorrento Tower.** Sorrento Towers was built 20 years as a non-profit Senior housing project and it has antenna television reception for this same time. HUD would never approve any additional funds for the installation of cable TV; between management and the tenants they came up with this innovative way to finance some cable TV for the residents. Please approve this for those reasons.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY ANDERSON TO CERTIFY NEGATIVE DECLARATION AND APPROVE CONDITIONAL USE PERMIT 95-0660 AND EXCEPTION FROM THE CLAIREMONT MESA HEIGHT LIMITATION ZONE. Second by White. Passed by a 5-0 vote with Commissioner Quinn abstaining.

ITEM-11: WORKSHOP - NORTH CITY FUTURE URBANIZING AREA SUBAREA IV.

Workshop held.

ITEM-12: WORKSHOP - NORTH CITY FUTURE URBANIZING AREA SUBAREA V SPECIFIC PLAN. Continued from January 25, 1996.

Workshop held.

The Planning Commission was adjourned at 4:38 p.m. by Chairperson Neils.