

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
JULY 25, 1996
IN THE COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Vice-Chairperson Anderson at 9:06 a.m. Vice-Chairperson Anderson adjourned the meeting at 2:47 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Christopher Neils-not present
Vice-Chairperson William Anderson-present
Commissioner Patricia Butler-not present
Commissioner Verna Quinn-present
Commissioner Andrea Skorepa-present
Commissioner David Watson-present
Commissioner Frisco White-present
Ernest Freeman, Planning Director-not present
Mike Stepner, Urban Design Coordinator-present
Rick Duvernay, Deputy City Attorney-present
Tina Christiansen, DSD Director-not present
Gary Halbert, Deputy Director, DSD-not present
Rob Hawk, Engineering Geologist, DSD-present
Linda Lugano, Recorder-present

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

None.

ITEM-2: **REQUESTS FOR CONTINUANCE FOR MORNING AGENDA ITEMS.**

None.

ITEM-3: **DIRECTOR'S REPORT.**

None.

ITEM-4: **APPROVAL OF THE MINUTES OF JULY 11, 1996.**

COMMISSION ACTION:

MOTION BY QUINN TO APPROVE THE MINUTES OF JULY 11, 1996. Second by Watson. Passed by a 5-0 vote with Chairperson Neils and Commissioner Butler not present.

ITEM-5: **ROMERO RESIDENCE - SOUTHEAST DEVELOPMENT PERMIT 95-0314; APPEAL OF THE DEVELOPMENT SERVICES MANAGER'S APPROVAL.**

Georgia Sparkman presented Report to the Planning Commission No. P-96-189.

Testimony in favor of appeal by:

Anna Major, Chair of the Southeast San Diego Development Committee and Reynaldo Pisano. Both spoke to the letter distributed to the Commission in which they outlined their concerns regarding this project: Mr. Romero's lack of compliance with the initial agreement on June 23, 1995, and how it affects the findings for approval; lack of performance by the City by Code Enforcement on a zoning code violation

of an illegal building; lack of performance on the City's part for not following through on having the building demolished, and allowing the SED move-on permit application to move forward to hearing; and two different opinions from the City Attorney regarding the agreement.

Ricardo Villa, resident. Addressed the issue of the timing restraints involved with this move-on. The community was promised that all conditions would be met. This house was placed there and the owner did not comply with any conditions. It was not placed on a foundation, etc., and it has now become a health and safety issue as indigents are sleeping under the house. He expressed his distrust for what has been told to him by the City and is concerned that nothing else will be done about this house.

Testimony in opposition to the appeal by:

Octavio Castro, agent for the owner. Explained that he felt there was no truth in the statement that the community does not support this project. He felt that he had met numerous times with the community groups and they were in favor of this move-on. He read a brief letter into the record which established their intention to meet all the City's requirements.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO DENY THE APPEAL AND APPROVE THE SOUTHEAST DEVELOPMENT PERMIT 95-0314 WITH THE ADDITIONAL REQUIREMENT OF A PERFORMANCE BOND, TO BE POSTED BY AUGUST 26, 1996, IN THE AMOUNT THAT THE CITY STAFF BELIEVES IS NECESSARY TO COMPLETE THE PROJECT IN THE EVENT THE APPLICANT DOES NOT COMPLETE THE PROJECT, AND THAT THE SURETY COMPANY WOULD BE SUBJECT TO THE APPROVAL OF THE CITY AND THAT THE CITY WOULD BE THE BENEFICIARY OF THE PERFORMANCE BOND. THIS PROJECT WILL BE REFERRED TO THE SOUTHEAST DEVELOPMENT COMMITTEE FOR THEIR REVIEW TO MAKE SURE THAT ALL THE REQUIREMENTS OF THE PDO ARE SATISFACTORILY MET. STAFF WAS DIRECTED TO REPORT BACK TO THE PLANNING COMMISSION WITH A STATUS REPORT WHEN THE COMMISSION RECONVENES ON AUGUST 29, 1996.

Second by White. Passed by a 5-0 vote with Chairperson Neils and Commissioner Butler not present. .

ITEM-6: **VONS MID-CITY. REZONE, VACATION OF A PORTION OF AN ALLEY AND STREET RESERVATION, BUILDING SETBACK ABANDONMENT PER MAP 3788, DEMOLITION, MID-CITY COMMUNITIES PLANNED DISTRICT PERMIT WITH VARIANCES TO MUNICIPAL CODE SECTIONS 103.1507C.6, 103.1507C.7 AND 103.1511E.3 AND SEWER EASEMENT EXCHANGE.**

John Fisher presented Report To The Planning Commission No. P-96-151.

Testimony in favor by:

Randi Coopersmith, Lattitude 33, representing Vons. Introduced the Vons team, acknowledged staff for the effort put into the work on this project and read a letter into the record which was submitted stating Vons' intentions, design criteria including landscaping elements around the perimeter of the project. Requested the Commission's support to approve this project.

Brian Tiedge, representing MCG Architects. Described the project in detail and the rationale for the layout and design. Discussed the foot traffic situation of getting in and out of the store, and the shopping cart storage. Mr. Tiedge also discussed the underground parking.

Roy Davies, Uptown Planners Chairman. Thanked the Vons company for their effort in working with them to make this project a very successful one for the community. Spoke to the project and that it conforms to the Uptown Master Plan. The community was concerned about a lot of issues, but Vons has complied with all of these and has satisfied the planning group. They only have one issue unresolved, and that is the unloading site for the shopping carts.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO RECOMMEND TO THE CITY COUNCIL THAT THEY APPROVE STAFF'S RECOMMENDATION. Second by Watson. Passed by a 5-0 vote with Chairperson Neils and Commissioner Butler not present.

ITEM-7: **PACIFIC BELL MOBILE SERVICES. SORRENTO VALLEY CONDITIONAL USE PERMIT COASTAL DEVELOPMENT PERMIT/HILLSIDE REVIEW PERMIT NO. 95-0350-61 TO ALLOW FOR THE CONSTRUCTION OF A WIRELESS PERSONAL COMMUNICATION SYSTEM CONSISTING OF THREE, 30-FOOT HIGH PIPE MOUNTED PANEL ANTENNAS AND TWO EQUIPMENT CABINETS.**

Terri Bumgardner presented Report to the Planning Commission No. P-96-185.

Testimony in favor by:

Kirk Dakan, Pacific Bell Mobile Services, applicant. Discussed a photo display submitted and described what is on the site now and what has been put up temporarily for the RNC. Described the temporary facility and the requirements involved. Also discussed co-location and the feasibility at each location.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO CERTIFY NEGATIVE DECLARATION NO. 95-0350-61 AND APPROVE CUP/CDP/HRP NO. 95-0350-61 CONDITIONAL USE PERMIT NO. 95-0350-61 SUBJECT TO CONDITIONS (ATTACHMENT 3) WITH THE ADDITIONAL REQUIREMENT TO PROVIDE LANDSCAPING SCREENING WHERE POSSIBLE TO THE MAXIMUM HEIGHT AND THAT THE APPLICANT IS REQUIRED TO MAINTAIN THAT LANDSCAPING TO THAT HEIGHT WITH MATURE TREES, NOT BUSHES. THE DEVELOPMENT SERVICES DIRECTOR WAS REQUESTED TO ESTABLISH A POLICY FOR MONOPOLES OR MOBILE SERVICES THAT INCLUDES A

PHOTO SIMULATION FOR THE COMMISSION TO SEE HOW THE PROJECT IS ACTUALLY GOING TO LOOK TO COMPARE THE IMPACT OF THE FACILITY (TO BE PROVIDED AT THE HEARING, OR WITHIN THE PLANNING REPORT). Second by White. Passed by a 4-0 vote with Chairperson Neils and Commissioner Butler not present and Commissioner Quinn abstaining.

ITEM-8: **VILLANI RESIDENCE. COASTAL DEVELOPMENT/SENSITIVE COASTAL RESOURCE PERMIT NO. 95-0438 TO ADD 1,177 SQUARE FEET TO AN EXISTING SINGLE FAMILY RESIDENCE AND REDISTRIBUTE BROKEN CONCRETE AND RIPRAP ALONG THE BEACH DIRECTLY BELOW THE PROJECT SITE.**

Terri Bumgardner presented Report to the Planning Commission No. P-96-184.

Testimony in favor by:

Kevin Villani, applicant. Explained that he purchased the house in 1992 when it was in foreclosure. Described the design plan and that he has met with all the neighbors over the last three years and has been improving all requests and the site corridor. Discussed the question raised regarding the roof deck and discussed the revisions made to this upper deck.

Testimony in opposition by:

Mary Lynne Hyde, neighbor. Explained that this project is not consistent with the Coastal Act. Discussed all the non-conformity items involved. Described the view corridors, public vantage points and preserving open space as stated in the recently adopted Community Plan. Requested that the existing bench be removed. Explained that the existing structure encroaches onto the public right of way.

Lance Schaeffer, neighbor. Feels that this project, as proposed, affects public interest. What is at issue is that there is private profit and public access right on the other side of the issue. Asked the Commission to review the policies in effect that apply to this specific project.

In this neighborhood, there is only one specific public access between the ocean front homes, and that's at the end of Bandera Street. The existing structure encroaches into that easement as it stands today.

Douglas Buchanan, neighbor. Spoke to the existing view and the dedicated path and that this path is used by many people. They would like to strive to preserve and maintain this path and do not want to have any encroachment on it.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO CERTIFY NEGATIVE DECLARATION NO. 95-0438 AND APPROVE CDP/SCR NO. 95-0438 SUBJECT TO CONDITIONS (ATTACHMENT 4). STAFF WAS REQUESTED TO ASCERTAIN WHY THE CITY HAS A BENCH ON THIS PROPERTY AND REPORT BACK TO THE COMMISSION. Second by Watson. Passed by a 5-0 vote with Chairperson Neils and Commissioner Butler not present.

ITEM-9: **VILLA RICA APARTMENTS. TENTATIVE PARCEL MAP
CONDITIONAL USE PERMIT, MID-CITY DEVELOPMENT PERMIT NO.
95-0385.**

Judy Collins presented Report to the Planning Commission No. P-96-183.

Testimony in favor by:

Edward Lopez, Urban Council. Thanked staff for their cooperation and patience on this project. Resolved the FAR issue with the acquisition of the additional land. Feels that this project strongly fills a niche in the Mid-City area. Described the project, the number of bedrooms, designs and target market for this affordable housing project. Explained that if a height variance is required, they would have to eliminate an entire floor. Requested the Commission not establish that as a requirement.

Michael Sprague, City Heights Area Planning Committee. Explained that this project has been brought before the Community and there has been a long series of negotiations and compromises, and that it now has the full planning committee support. The height variance is not a problem

and can be mitigated by landscaping. They feel it is a wonderful addition to the neighborhood and very beneficial to the area.

Testimony in opposition by:

Kathleen Evans-Calderwood, neighbor representing seniors, disabled, archaeological, anthropological and Native American interest in the site. Presented a chart of the neighborhood . Feels this project is ill-conceived with no regard to the steep location for pedestrians, seniors and disabled, as well as the crime rate in this area. This building was rejected in 1988 as a polling place due to the hilly location and difficulty in getting to the building, and also due to the crime in this area.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO CERTIFY NEGATIVE DECLARATION NO 95-0385 AND APPROVE THE TENTATIVE PARCEL MAP, CONDITIONAL USE PERMIT AND MID-CITY DEVELOPMENT PERMIT NO. 95-0385 WITH THE INCLUSION OF AN ADDITIONAL CONDITION TO INCLUDE AN ARCHEOLOGICAL REVIEW; THE ARCHITECT AND APPLICANT TO LOOK AT THE HORIZONTAL MASSING AND ARTICULATE IT WITH LANDSCAPING WITH TALL VERTICAL TREES IF THE MASSING DOES NOT WORK OUT ARCHITECTURALLY; CUP WILL RUN WITH THE LAND FOR A TIME LIMIT OF 40 YEARS; ~~NO BUILDING EASEMENT OVER 9,000 SQUARE FEET~~; BRING BACK TO THE COMMISSION CLARIFICATION OF WHAT THE POLICY IS AND WHAT THE CRITERIA IS FOR ARCHEOLOGICAL REVIEW; SPECIFY THAT THE PARKING IS FOR RESIDENTS ONLY. Second by Skorepa. Passed by a 5-0 vote with Chairperson Neils and Commissioner Butler not present.

Revised 8/29/96:
Clarified to read:
"there will be a "no building" easement placed on the addt'l. 9,000 sq. ft. of land acquired to reduce the FAR.

LL.

Item-10: **HOMESTEAD VILLAGES HOTEL. PROPOSED CONDITIONAL USE, MISSION VALLEY DEVELOPMENT AND PLANNED INDUSTRIAL DEVELOPMENT PERMIT (AMENDMENT) 95-0687; AND MISSION VALLEY HEIGHTS SPECIFIC PLAN MISSION VALLEY COMMUNITY PLAN AND PROGRESS GUIDE AND GENERAL PLAN AMENDMENT 35-0382.**

Kevin Sullivan presented Report to the Planning Commission No. P-96-154.

Testimony in favor by:

Paul Robinson, representing P.T.R. Homestead Village Incorporated, the applicant. Discussed the letter he distributed which included an article from the Wall Street Journal on limited service hotels. The limited service hotels are the wave of the future for hotels in the U.S. Homestead happens to be in front of that wave. Discussed the target customer and discussed the similar hotel sites in various other markets. Also spoke to the design as being compatible with the business park in the Mission Valley Heights Specific Plan.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY QUINN TO RECOMMEND APPROVAL OF STAFF'S RECOMMENDATIONS TO THE CITY COUNCIL AS OUTLINED IN THE REPORT TO THE PLANING COMMISSION No. P-96-154. Second by Skorepa. Passed by a 5-0 vote with Chairperson Nails and Commissioner Butler not present.

The Planning Commission was adjourned by Vice-Chairperson Anderson at 2:47 p.m.