

PLANNING COMMISSION OF THE CITY OF SAN DIEGO  
MINUTES OF  
MAY 30, 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 Vice-Chairperson Anderson at 9:09 a.m. Chairperson Neils adjourned the meeting at 4:37 p.m.

ATTENDANCE DURING THE MEETING:

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

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

None.

ITEM-1A: **REQUESTS FOR CONTINUANCE FOR MORNING AGENDA ITEMS.**

None.

ITEM-2: **DIRECTOR'S REPORT.**

Ernie Freeman, Director of Comprehensive Planning apprised the Commission that material was sent out in their packets containing information on the General Plan update in preparation for the workshops scheduled on June 6, 1996.

ITEM-3: **INITIATION OF AN AMENDMENT TO THE MIRA MESA COMMUNITY PLAN AND PROGRESS GUIDE AND GENERAL PLAN.**

Bernie Turgeon presented Report to the Planning Commission No. P-96-136.

No one present to speak.

**COMMISSION ACTION:**

MOTION BY BUTLER TO APPROVE THE INITIATION. Second by Skorepa. Passed by a 7-0 vote.

ITEM-4: **HICKS RESIDENCE - COASTAL DEVELOPMENT/SENSITIVE COASTAL RESOURCE/LA JOLLA SHORES PLANNED DISTRICT PERMIT 95-0348.**

Ron Buckley presented Report to the Planning Commission No. P-96-141, and also gave clarification of setbacks as they differed from the report submitted.

Testimony in favor by:

Lynne Heidel, representing Thomas and Cinda Hicks. Introduced the architect and others involved in the project. Discussed the PDO and Coastal Development

requirements in the areas concerned. Explained that the project is in conformance with all the elements required; meets zoning regulations of the PDO and the lot coverage requirements of the La Jolla Shores PDO. Discussed the FAR as it applies to this home and other homes in the area. Discussed view corridor and where it is exactly and how the existing homes affect that view now and how the proposed home will not.

**Drex Patterson, architect.** Showed a video tape illustrating where the actual house would be and superimposed a variety of issues involved, namely the view corridor. Explained the criteria with which they designed and planned this home. Explained that they invited all the neighbors to a meeting when they originally designed the home, and only one neighbor showed up. They then went directly to the homes of those people who did not show and showed them the design of the home. They had several meetings with all groups involved.

**Joan Palmer, resident.** Lived in the Shores since 1986. Has been in the neighborhood for some time and feels this project is one of the better ones in the area. Went over the plans with the architect. It would be a great addition to the neighborhood.

**Chuck Berke, resident, and Trustee of the La Jolla Planning Association.** Explained that he feels that the applicant went beyond the call of duty to satisfy the issues being raised and that the criteria of the design meets the objectives of the ordinance. Feels this house will only enhance the area.

**Dick Smith, La Jolla Community Planning Association.** Discussed the committee established to review these types of homes and explained the process. The committee unanimously recommended approval of this project.

Testimony in opposition:

**Steve Corrigan, home owner directly east of proposed residence.** If this home is approved it will set a precedence with increasing height and large homes - the elements that make La Jolla Shores special will be lost. One knows they are in an ocean community when they are in this neighborhood and if all the views are taken away all the elements will be lost.

**Peter Solecki, representing the Corrigan's.** Discussed the height issue whether it is a two story vs. three story. The question is not whether this home meets the height requirement, it is whether or not this home is just too large for this community and if it is in keeping with the neighborhood. The PDO is the reason to keep La Jolla Shores exactly as it is.

**Mike McDade, representing numerous neighbors to protect.** The neighborhood character is the key issue of objection by opponents. Bulk and scale dramatically out of scale. He disagrees with staff on the view corridor issue. This will be precedent setting if approved today. Distributed a photo simulation which clearly illustrated bulk and scale and the view corridor. This house is not compatible to the neighborhood - this is a monument.

**Sara Mosher, Chair La Jolla Shores PDO Advisory Board.** Advised that one of the board members who abstained on this project was an architect who said if you wanted to ~~built~~ build such a large home, why didn't you build it somewhere else. It does not adhere to the PDO and design principals are not measurable. If you visit the La Jolla Shores area, PDO has been able to interpret it and it works; this home is too large and will be setting the neighborhood standards for future building.

**James Wylie, representing himself.** Lives in the Shores area. This project with the height as shown is a negative one on a one-of-a-kind desirable strip of ocean front homes. There are many peripheral views that are going to be obscured from the second story and feels the impact on the view mentioned is correct.

**Gary Sarnoff, representing himself.** Resides directly across the street from proposed house. View corridor blockage cannot be discounted. The City tries to apply uniform guidelines, however there are no uniform properties so you can't apply these rules. He is not opposed to development of large projects, but would request the City take a look at alternatives. Feels a home this large requires an environmental document.

**Althea Brimm, La Jolla Shores Association.** Reiterated the spirit of the plan and the community as everything else has already been said.

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**Edward Marshall, La Jolla Shores Association.** Resident and member of the Advisory Board in the past. Concerned that the City is getting away from years of hard work in the creation of the PDO. The area is not being preserved, and all the hard work will be for naught.

**David Kilmer, La Jolla Shores Association.** The Association opposes this project because it violates the PDO, it is overbearing in size and will disrupt architectural unity; will lead to more two-story development and change the character of the entire community. The staff recommendation dealt with size and visual impact. They strongly disagree with both and should send project back for redesign.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY WATSON TO CERTIFY MITIGATED NEGATIVE DECLARATION AND APPROVE CDP/SCR/LJS PERMIT NO. 95-0348. Second by White. Failed by a 3-4 vote with Commissioners Butler, Quinn, Anderson and Skorepa voting nay.

MOTION BY ANDERSON TO DENY THE PROJECT, ALTHOUGH IT MEETS THE TECHNICAL STANDARDS, IT DOES NOT MEET THE FORM AND ARCHITECTURAL RELATIONSHIPS REQUIRED IN THE VISUAL COMPATIBILITY OF THE COASTAL DEVELOPMENT PERMIT, SPECIFICALLY FINDING (A) OF THE LA JOLLA SHORES PDO AND FINDING (G) OF THE COASTAL DEVELOPMENT FINDINGS. Second by Quinn. Passed by a 4-3 vote with Chairperson Neils and Commissioners Watson and White voting nay.

**ITEM-5: CAL-MEX TRUCK PARK. OTAY MESA DEVELOPMENT PERMIT NO. 94-0569.**

Kevin Sullivan presented Report to the Planning Commission No. P-96-129.

Testimony in favor by:

**Brendan McNabb, representing applicant.** Explained that this is a temporary five year permit for interim use. They view the types of off-sight improvements which are going to cost in excess of \$200,000 to be the normal

types of improvements associated with a permanent improvement, and not a temporary use. The City allows this type of use in Otay Mesa in recognition of the fact that it is economically stagnant there and they want to allow people to make temporary use of their property. The Community Planning Group also echoed those sentiments that they felt the goal was to encourage people to go through all the process and permits to improvement their property.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY QUINN TO CERTIFY THE NEGATIVE DECLARATION 94-0569 AND DENY THE APPEAL AND APPROVE OTAY MESA DEVELOPMENT PERMIT 94-0569, SUBJECT TO CONDITIONS IN ATTACHMENT 3 WITH THE REVISION TO CONDITION NO. 22 TO DELETE THE WORDS "HAZARDOUS CONDITION". ALSO ADD A CONDITION REGARDING LANGUAGE ABOUT A REIMBURSEMENT AGREEMENT FOR THE PROTECTION OF THE APPLICANT. STAFF TO WORK WITH THE CITY ATTORNEY TO FASHION THE APPROPRIATE LANGUAGE. Second by Watson. Passed by a 6-1 vote with Commissioner Skorepa voting nay.

ITEM-6: AIRTOUCH CELLULAR - MURPHY CANYON CONDITIONAL USE PERMIT NO. 96-0172 TO ALLOW FOR THE CONSTRUCTION OF A 55'-0" HIGH MONOPOLE.

Patrick Hooper presented Report to the Planning Commission No. P-96-135.

Testimony in favor by:

Christopher Morrow, representing Airtouch Cellular. Thanked staff for their efforts on this project. Explained that they have worked with the Community Planning group and that they voted unanimously on this project.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY WATSON TO CERTIFY NEGATIVE DECLARATION 96-0172 AND APPROVE CONDITIONAL USE PERMIT 96-0172, WITH THE REVISION TO LANGUAGE TO REPLACE THE WORDS "DEVELOPMENT SERVICES DIRECTOR" AND ADD "CITY MANAGER,

OR DESIGNEE" WHEREVER APPROPRIATE IN THE PERMIT.  
Second by Skorepa. Passed by a 5-0 vote with  
Commissioners Butler and Quinn abstaining.

ITEM-6A: MALCOLM PROJECT - APPEAL OF GRADING REVIEW PERMIT NO.  
94-0555 TO IMPORT 2,400 CUBIC YARDS OF FILL TO RAISE  
THE BUILDING PAD FOR A SINGLE-FAMILY RESIDENTIAL  
STRUCTURE FROM BELOW GRADE TO STREET LEVEL.

Terri Bumgardner briefed the Planning Commissioners on  
the status of this project since it was last continued  
from the May 9, 1996 meeting. Ms. Bumgardner advised  
that as of May 30, 1996, she had received a note from  
the applicant stating that the community group went out  
to the site and came back with a vote of 8-1-2 to  
approve the project. The note stated that the  
Community group requested that the City of San Diego  
buy the acre parcel for open space within 60 days from  
the approval of the project and that if the City of San  
Diego does not buy the property the group voted in  
support of the proposed project.

No one present to speak.

**COMMISSION ACTION:**

MOTION BY WHITE TO CERTIFY NEGATIVE DECLARATION NO. 94-  
0555 AND DENY THE APPEAL AND APPROVE GRADING REVIEW  
PERMIT NO. 94-0555 WITH THE ADDITION OF A CONDITION  
REQUIRING EROSION CONTROL AND FULL LANDSCAPE MEASURES  
TO THE PAD AND SLOPE. Second by Anderson. Passed by a  
4-3 vote with Commissioners Quinn, Watson and Skorepa  
voting nay.

ITEM-7: WORKSHOP - NAVAL TRAINING CENTER

Workshop held.

**COMMISSION ACTION:**

MOTION BY QUINN TO RECOMMEND THE PORT DISTRICT'S  
PROPOSAL FOR CAMP NIMITZ DESIGNATING THE AREA FOR  
AIRPORT USE AND MAINTAINING THE LEAST TERN NESTING  
SITE, INCLUDING THE FIRE TRAINING FACILITY AND  
EXCLUDING THE PROPOSED HOTEL LOCATION IN THE LOWER LEFT

HAND CORNER OF THE DRAWING. THE COMMISSION DISCUSSED WHICH ELEMENTS OF THE PUBLIC SAFETY ACADEMY WOULD BE ESSENTIAL TO FUNCTION AS AN EFFECTIVE REGIONAL TRAINING FACILITY AND WHETHER THE ACADEMY COULD BE DEVELOPED SOMEWHERE ELSE. CONCERN WAS EXPRESSED OVER HOW OFTEN THE TRACK AND OTHER ELEMENTS WOULD BE USED, AS WELL AS THE REVENUE GENERATING STRATEGY EMBODIED THROUGH USER FEES FROM PARTICIPATING JURISDICTION AND TRAINEES. THE COMMISSION CONCLUDED THAT THE AIRPORT COULD ONLY EXPAND AT LINDBERGH FIELD, WHEREAS THE PUBLIC SAFETY ACADEMY COULD BE DEVELOPED ELSEWHERE. Second by Watson. Passed by a 7-0 vote.

MOTION BY ANDERSON TO RECOMMEND DESIGNATION OF THE SOUTHEAST CORNER (BY THE CHANNEL AND HARBOR DRIVE) OF CAMP NIMITZ AS A COMMERCIAL SITE; RATIONALE IS THAT IT IS A VERY VISIBLE, PROMINENT CORNER AND THE LEAST TERN HABITAT WOULD BE ACCOMMODATED BY THE PORT'S PROPOSAL AT THE CHANNEL. Second by White. Passed by a 6-1 vote with Commissioner Quinn voting nay.

MOTION BY QUINN TO RECOMMEND THE DEVELOPMENT OF AT LEAST 75 TO 100 TRANSITIONAL UNITS IN THE RESIDENTIAL AREA OF THIS PLAN BECAUSE IT IS ADJACENT TO EDUCATIONAL AND TRAINING PROGRAMS PROPOSED FOR THE EDUCATION SUBAREA, IS MORE EFFICIENT AND COST EFFECTIVE FOR HOMELESS CARE PROVIDERS AND IT CONSTITUTES SOUND PLANNING PRACTICE. THE COMMISSION SPECIFICALLY EXPRESSED THAT THEY DO NOT WANT THESE UNITS OFF-SITE ELSEWHERE IN DISTRICT 2. Second by Butler. Passed by a 7-0 vote.

MOTION BY WATSON TO RECOMMEND APPROVAL OF THE RESIDENTIAL, EDUCATIONAL, HISTORICAL AND WATER FRONT RECREATIONAL AREAS AS PROPOSED. Second by Quinn. Passed by a 7-0 vote.

STAFF WAS DIRECTED TO BRING BACK A DRAFT OF THIS MOTION TO THE COMMISSIONERS ON JUNE 6, 1996.

The Planning Commission was adjourned at 4:37 p.m. by Commissioner Neils.