

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
JANUARY 28, 1988
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairman PAULA OQUITA at 9:00 a.m. The Planning Commission adjourned at 12:30 p.m.

ATTENDANCE DURING THE MEETING:

Commissioner Paula Oquita-present
Commissioner Yvonne Larsen-present
Commissioner Ralph Pesqueira-present
Commissioner Albert Kercheval-present
Commissioner Karl ZoBell-present
Commissioner Lynn Benn-present
Commissioner Chris Calkins-present
Assistant Planning Director Michael J. Stepner-present
Deputy Director Lee Okeson-present
Acting Deputy Director Mary Lee Balko-present
Tom Salgado, Principal Planner-present
Jim McLaughlin, Engineering and Development Dept.-present
Recorder Janet MacFarlane-present

ITEM-1 MINUTES

APPROVAL OF MINUTES OF JANUARY 7, 1988

COMMISSION ACTION

On motion of AL KERCHEVAL, seconded by YVONNE LARSEN, the Commission voted 7-0 to approve the minutes of January 7, 1988.

ITEM-2 INITIATION OF PEDESTRIAN COMMERCIAL OVERLAY ZONE FOR PACIFIC BEACH COMMERCIAL AREAS

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by RALPH PESQUEIRA, the Commission voted 7-0 to initiate the pedestrian commercial overlay zone as recommended by staff.

ITEM-3 REZONING NO. 87-0855, EXTENSION OF TIME (EXTENSION TO REZONE NO. 84-0156) LA JOLLA CENTRE II. LOCATED ON THE EAST SIDE OF THE EXTENSION OF TOWNE CENTRE DRIVE, NORTH OF LA JOLLA VILLAGE DRIVE AND SOUTH OF EXECUTIVE DRIVE IN THE R-1-5000, R-1-5000 (HR) (PROPOSED CO, CO (HR)) ZONE IN THE UNIVERSITY NORTH COMMUNITY. EQD NO. 84-0156. THE WEST ONE-HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF PUEBLO LOT 1307. OWNER/APPLICANT: OLIVER MCMILLAN LA JOLLA CENTRE II.

KAREN ASHCRAFT presented Planning Department Report No. 88-049.

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by RALPH PESQUEIRA, the Commission voted 7-0 to approve the rezoning extension of time as recommended by staff.

ITEMS-4-6 PARK VIEW ESTATES UNIT 1:

1. HRP NO. 87-0081 -- AN APPEAL OF THE PLANNING DIRECTOR'S APPROVAL OF A HILLSIDE REVIEW PERMIT TO ALLOW DEVELOPMENT OF A 118-LOT SUBDIVISION.
2. VTM NO. 87-0081 -- AN APPEAL OF THE SUBDIVISION BOARD'S APPROVAL OF A VESTING TENTATIVE MAP TO ALLOW DEVELOPMENT OF A 118-LOT SUBDIVISION.

3. RZ NO. 87-0081 - A REQUEST TO REZONE FROM THE A-1-10 TO THE R1-5000 ZONE.

A 51.8-ACRE PARCEL LOCATED SOUTH OF THE INTERSECTION OF CARMEL MOUNTAIN ROAD AND SUNDANCE AVENUE AND NORTHWEST OF THE INTERSECTION OF PARK VILLAGE ROAD AND BRICKELLA STREET, DESCRIBED AS THE SE $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ AND A PORTION OF THE SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 13, T14S, R3W, SBM. THE A-1-10 (HR) (PROPOSED R1-5000) ZONED SITE IS WITHIN THE PENASQUITOS EAST COMMUNITY PLANNING AREA.
OWNER: JERRY ELDER. APPLICANT: ELDER/HEDENBERG PARTNERSHIP. APPELLANT: RANCHO PENASQUITOS PLANNING BOARD, BY BARBARA FISHER.

PATRICK LOWE presented Planning Department Report No. 88-046.

MICHAEL TREBBIEN, area resident, spoke in opposition to the project. He based his opposition on traffic congestion, availability of schools and concern regarding adequate sewer capacity, citing Pump Station 64 as an example.

SUSAN TREBBIEN, area resident, stated her concern regarding traffic problems in the area.

JERRY ELDER, applicant, spoke in support of the project, stating it conformed with the community plan and all development standards. He noted that 44 percent of the project was in open space.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by RALPH PESQUEIRA, the Commission voted 5-2 (BENN AND ZOBELL voting in the negative) to deny the appeal and approve the HRP, VTM and rezoning as recommended by staff, further modifying Condition 17 to require all street improvements approved by Council on January 25, 1988, which read as follows:

"Route 56: Two-lane roadway in the Route 56 right-of-way between Rancho Penasquitos Boulevard and I-15; and

Mercy Road: Mercy Road between Black Mountain Road and I-15 as a four-lane major street;

Black Mountain Road: Black Mountain Road from Mercy Road south to Galvin Avenue as a six-lane major street; and

Black Mountain Road: Black Mountain from future Route 56 to Mercy Road as a six-lane major street as detailed in FBA #29-2D."

Further, Commission instructed that more detailed information on the environmental impact report be provided at time of Council consideration.

ITEM-7 APPEAL OF THE NEW HOPE CHURCH CONDITIONAL USE PERMIT/HILLSIDE REVIEW PERMIT NO. 87-0275. LOCATED WEST OF THE INTERSECTION OF CARMEL MOUNTAIN ROAD AND STONEY CREEK ROAD, IN THE R1-5000 (HR) ZONE WITHIN THE PENASQUITOS EAST COMMUNITY. EQD NO. 87-0275. LEGAL DESCRIPTION: LOT 1, PENASQUITOS HEIGHTS, MAP NO. 9250. OWNER: GENSTAR DEVELOPMENT, INC. APPLICANT: NEW HOPE CHURCH OF PENASQUITOS. APPELLANTS: JON JEFFREY AND SANDRA M. ROBERTS, ARTHUR J. BURTON, JAMES A. WHEAT, RICHARD A. KOPENSKI.

PATRICK LOWE presented Planning Department Report No. 88-047.

JEFF ROBERTS stated he represented the people that lived in the first eight homes on Stoney Creek Road. He stated they were opposed to the day care center in conjunction with the church. He based his opposition on noise that would be generated and its close proximity to the homes. He stated he was also opposed to Stoney Creek Road being used as access to the church parking lot.

CINDY MELTON indicated she lived on the corner and would be closest to the facility. She was concerned about the view from her home as well as the noise and traffic problems. She stated she had lived in her home for two years and was concerned once this facility was constructed, the value of her home would decline.

TOM SYRKO stated his home abutted the subject property. He stated his concern about loss of view and the close proximity of the day care center to their homes. He also cited traffic as a problem.

ARTHUR BURTON presented a petition signed by those households impacted immediately by the proposed day care center. He stated there were more than adequate day care centers within one mile of the proposed site.

JOE RHODES, pastor of New Hope Church, stated they had been working on the development of this particular piece of property for the past 18 months. He stated it was the only site available in the Penasquitos community to locate the church. He stated currently there was no traffic light at the corner of Stoney Creek Road and as a condition of the permit, they would be installing this traffic signal.

JIM FISK explained the condition of the soil on the site.

DAVID GOODIN spoke in support of the conditional use permit.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by YVONNE LARSEN, the Commission voted 7-0 to deny the appeal and approve the conditional use permit as recommended by staff, modifying Condition 7 to read as follows:

- "7. The granting of the variance...with the surrounding area. The intent of the 30-foot height regulation in the R1-5000 Zone is to help ensure the relative compatibility of adjoining single-family residences. The sloping site characteristics of the subject property present special circumstances which ensure that the proposed height will not be imposing on the surrounding residences. In addition, the conditional use permit ensures a further measure of compatibility through a specific site plan and conditions of approval."

Further, landscape plan to be approved by Planning Director.

ITEM-8 APPEAL OF THE DECISION OF THE PLANNING DIRECTOR TO APPROVE BUILDING PERMITS FOR LA JOLLA SHORES PLANNED DISTRICT PERMIT NO. 8253. SUMMER HOUSE INN. LOCATED 7955 LA JOLLA SHORES DRIVE, SUMMER HOUSE INN, IN THE VISITOR (V) ZONE IN THE LA JOLLA SHORES PLANNED DISTRICT. OWNER/APPLICANT: SUMMER HOUSE PROPERTIES, LTD. MARTIN MOSIER. APPELLANTS: LA JOLLA SHORES ASSOCIATION.

COMMISSION ACTION

FRED CONRAD explained that the Planning Director in this instance did not have the authority to grant an extension of time; therefore, there was actually no permit before the Planning Commission and no action could be taken.

ITEM-9 SABRE SPRINGS REZONE CONSISTENCY. THE REZONINGS INCLUDE PROPERTY WITHIN THE SABRE SPRINGS COMMUNITY, BOUNDED BY THE CARMEL MOUNTAIN RANCH COMMUNITY TO THE NORTH, INTERSTATE 15 TO THE WEST, THE MIRAMAR RANCH NORTH COMMUNITY TO THE SOUTH, AN "ISLAND" WITHIN THE COUNTY OF SAN DIEGO TO THE SOUTHEAST AND THE CITY OF POWAY TO THE EAST. OWNER: PARDEE CONSTRUCTION COMPANY. APPLICANT: CITY OF SAN DIEGO.

JUDY BRASWELL present Planning Department Report No. 88-045.

DAVID POOLE, representing Pardee, indicated he was available for Commission questions.

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of AL KERCHEVAL, seconded by RALPH PESQUEIRA, the Commission voted 7-0 to approve the subject rezonings as recommended by staff.

ITEM-10 INFORMATIONAL REPORT ON THE PLANNED RESIDENTIAL DEVELOPMENT (PRD) AND PLANNED INFILL RESIDENTIAL DEVELOPMENT (PIRD) ORDINANCES.

BOB KORCH presented Planning Department Report No. 88-050.

DOROTHY LEONARD commented on the PIRD process and indicated she was concerned about the way in which staff was interpreting some of the provisions of this ordinance as it relates to compatibility and density. She questioned the use of minimum standards to review these projects.

KATHY GILES, Chair of the Land Use Committee of the Sierra Club, spoke in support of the PIRD process. She expressed concern about the standards that were used to review projects.

ANDREW BARRIDGE spoke regarding his concern of the density and compatibility of projects being proposed under PRDs and PIRDs.

It was determined that an additional workshop would be conducted at a later date with specific projects to review.

KAREN WEBSTER, George Wimpey, Inc., spoke to the need for affordable housing.

ITEM-11 ANNOUNCEMENTS/PUBLIC COMMENT

There were no announcements nor public comment during this portion of the meeting.

ADJOURNMENT

The meeting adjourned at 12:30 p.m.

Addendum to Planning Commission Minutes of January 28, 1988

The following notes were taken during the Planning Commission Hearing while the recorder was inoperable. These are an unapproved addition to the minutes for this date.

ITEM 3 Rezoning No. 87-0855, Extension of time

KAREN ASHCRAFT: Presented Planning Department Report No. 88-049.

LYNN BENN: There seems to be a discrepancy between the planning report and the mitigated negative declaration. On page 2 it states that vegetation of the project site is relatively undisturbed. It is characterized by native chaparel. On page 4 it says the project site is covered with native plant species. What conditions have changed?

RESPONSE: When the original phase for development for this project went forward as part of the grading that took place, this area was disturbed. The environmental document is the original document that was done for the original project. There have been changes. Unfortunately, this document does not reflect those changes.

ASHCRAFT: (In response to question from Lynn Benn) There is on the site a 10-story office building, 4-story parking structure and commercial development that currently exists.

Motion

YVONNE LARSEN: Moved approval based on staff recommendation.

RALPH PESQUEIRA: Second the motion.

VOTE: 7-0 to approve project.

ITEMS 4, 5 and 6 PARK VIEW ESTATES

PATRICK LOWE: Presented Planning Department Report No. 88-046.

BENN: At what point do you determine to do the negative declaration and not a full scale EIR? I have concern that some of the manufactured slopes will be at least 60 feet high, and on the EIR check list, you state, "no" on alterations of land forms.

In the Department Parks and Recreation there is concern about the increased density of this development which will increase grading, but you also say that there will be no change in absorption rate. I have a problem with the document and the check list.

On the traffic impacts, I think the problem is substantiative but the answer in the environmental document does not address the concerns addressed by the Department of Transportation State Clearinghouse. The report does not address the concerns by this group. The manufactured slope will be at least 60 feet in height. There are numerous rare and endangered plant species.

OQUITA: A representative from Environmental Quality would be asked to answer these questions. Meanwhile, public testimony would be taken.

MICHAEL TREBBIEN: 12590 Darkwood Road. I am in opposition. Access to 15 and downtown for work is through Park Village Road. I can go north on Black Mountain Road or north and use Carmel Mountain Road to I-15. I can go south on Black Mountain Road and that also takes about 15 minutes to go 1-1/2 miles to I-15. Just at the intersection of Black Mountain Road, there is another development under construction and with a number of phases. The traffic on that has to use this road.

(I have) concern about availability of schools. I am not privy to all the information, but I wonder if Pump Station 64 if it has sufficient capacity.

SUSAN TREBBIEN: I am concerned about traffic problems. These homes will tie into Carmel Mountain Road. We travel down Black Mountain Road now. There are San Diego Police officers that are taken away from their regular duties just to sit on the ramp of Penasquitos Boulevard to monitor traffic. Just a few weeks ago, the Mayor mentioned that one of her visions was to put an end to this over density and over population and giving in to developers. Also, about two months prior to that, there was a Penasquitos Town Council meeting specifically to bring up the problems of the traffic. To date, the only significant change has been a stop light at Black Mountain Road and Capricorn Way. That has not alleviated any of the problems during the commuting hours. I ask you to put an end to this incidious overdevelopment. Somebody has to say no.

JERRY ELDER: I concur with the staff recommendation. This property has been in the Penasquitos East Community Plan since 1979 when it was purchased. And it was purchased with the idea of going by the rules and to develop in conformance with the plan. During the time the Penasquitos plan was being reviewed, no plan should be approved at 1/2 the allowable density. That has been accomplished. We have 44% open space; and 33% in undisturbed open space.

I have been working with the City Council, Planning staff on the Transportation Phasing Plan and there is an awful lot of things going on to improve traffic. Briefly, I have been before you before trying to bring Black Mountain Road south and connect to Mercy Road and the freeway. I believe we are coming forward with an additional development agreement. Merch Road will be connected to I-15. Pump Station 64 has been resolved and is operational. This is in part of Mellow Roos and this development is paying its own way. Joe (inaudible), environmental consultant, is available for questions. This particular map is sensitively done and I think the staff report reflects that.

WRIGHT: The drainage issues. We rely on the Engineering and Development Department who indicate there is not a problem with that.

McLAUGHLIN: With grading in the canyon per se. That is an environmental issue. As long as it is graded and compacted properly and sloped. After grading, the landscaping would take care of runoff. During grading, there are normal requirements. That is usually performed during the final grading plans. In this case, there is no reason to think there was a potential problem because the normal engineering should take care of normal runoff. Their concerns is because there is a regional park in close proximity to the project.

MOSLEY: Biologist indicated the natives found adverse impacts because of the cactus. Those species would be transplanted and the loss of the other species is not significant along with the amount of open space being dedicated. The REPOZ and HR findings can be made. We decided to prepare the negative declaration since the project is further pulled away from the canyons. Land form alterations would not be a problem.

BENN: It seems the EIR report would state if there were potential impacts.

MOSLEY: You did not receive the technical report along with the negative declaration. I feel assured there is no potential for significant affects. After the detailed report, we were assured there is no significant impacts.

BENN: I would like some clarification on the native vegetation.

LARSEN: This is an old check list dated March 1986. Suggest an update prior to continuance to Council.

MOSLEY: We should include technical reports which concluded there were no potential impacts.

CALKINS: Are these private or public streets in this project?

LOWE: Dedicated. They would be full street standards.

CALKINS: In the phasing plan, what improvements must be completed before this project can be completed?

McLAUGHLIN: Contain several requirements before building permits. Included are full provision of two-lane roadway along 56 from Penasquitos Boulevard to I-15 that would tie into Mercy Road would have to be completed to a four-lane major. Black Mountain Road would extend from Mercy Road to Galveston and Mercy to Highway 56 as a 6-lane major. Provide two-lane roadway offsite to get to this until there is development built. There is no need for the full, four-lane facility.

ZOBELL: There are three sets of issues. Adequacy of school facilities. The transportation adequacies are addressed only in Condition 17 that says a two-lane will be required. That is not in front of us. My preference would be if we are asked to approve something no before us, I would like to see the conditions of the phasing plans as part of the resolution. I would also like to hear staff tell us if the appellants concerns about school facilities is something we can take into account.

SALGADO: The Subdivision Board must receive a letter from the School Board to state schools are available. That is part of the process for the map. The middle school site is addressed on page 4 of the planning report on the need for increased school facilities.

ZOBELL: The School Board has written a letter that schools are adequate.

SALGADO: This is with the Subdivision map action. That is correct. We must have a letter of availability.

CONRAD: The provision of school facilities is the responsibility of the school district. The city is not authorized to debate with those school boards on that issue. Those schools are obligated to provide schools. Also, which imposes a limitation of maximum fees schools map collect.

ZOBELL: Transportation. We are entitled to consider this. I will not vote to approve it today but I may vote to continue it if conditions on Condition 17, if the terms of the phasing plan will be spelled out before us.

ZOBELL (continued): Another concern is that expressed by Mrs. Benn. I don't know if this is a case. This is the right document that we should have prepared.

OQUITA: The way I was understanding today's item is that there is a temporary, mid-range density for the community of Penasquitos and that exists prior to the final update of the plan. The only way this is coming before us prior to the final plan is because the developer has agreed to a density of 3 units per acre. So the Council did provide when they take up consideration of the plan that provided a way for a developer to move ahead prior to that plan by means of hanging with the mid-range density. The transportation phasing plan was not approved until Monday, January 25. This report was written before that date. There is a phasing plan in effect right now.

LARSEN: With 17 modified to reflect transportation phasing plan.

OQUITA: I feel confident that information can be supplied and would be adequate.

MOTION

LARSEN: I think the document EQD has outlined. That situation and mitigated negative declaration that needs to be clarified with the action the Council made on Monday, that I would move approval of staff recommendations, changing Item 17 to reflect Council action on January 25 in those specific elements of the phasing plan and will be recorded into these conditions.

PESQUEIRA: Second motion. I think we should be sure that city council is made specifically aware of the concerns with respect to the negative declaration and can be made of Item 17.

ZOBELL: It may make some difference. I would like to see the EIR. I think this is an incomplete document. If there are documents that support the conclusion that we are not. I would prefer to separate the votes not to certify the EIR. Both the EIR is incomplete.

KERCHEVAL: The back part is the initial check list is the very first think that appears. That is not part of the conclusion. If an item is checked a problem, add the supporting data in the report.

VOTE

Five to two (ZoBell and Benn voting in the negative) to approve the motion.