

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
JULY 20, 1989
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by CHAIRMAN ZOBELL at 9:05 a.m.
The Planning Commission adjourned at 3:36 p.m.

ATTENDANCE DURING THE MEETING:

Chairman Karl ZoBell-present
Commissioner Lynn Benn-present
Commissioner Scott Bernet-present
Commissioner Yvonne Larsen-present
Commissioner Ralph Pesqueira-present
Commissioner Edward Reynolds-present
Michael Stepner, City Architect-present
Fred Conrad, Chief Deputy City Attorney-present
George Arimes, Assistant Planning Director-present
Mary Lee Balko, Deputy Director, Long Range Planning-present
Jim McLaughlin, Engineering and Development-present
Tom Salgado, Principal Planner-present
Recorder, Rosado Wiseman-present

ITEM-1 APPROVAL OF MINUTES OF JUNE 29, 1989

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by SCOTT BERNET, the Commission voted 4-0 (CALKINS and REYNOLDS not present) to approve the minutes of the meeting of June 29, 1989.

ITEMS--5
AND 6

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 88-1273 and TM 88-1273. POMERADO ESTATES

The appellant requested continuance of these items to anytime after August 10, 1989. The applicant was not present.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by RALPH PESQUEIRA, the Commission voted 6-0 (CALKINS not present) to continue this item to August 17, 1989, at 9:00 a.m.

ITEM-4 STREET ACTION SA 89-523 - THE VACATION OF THE ALLEY WITHIN BLOCK 40 OF NORMAL HEIGHTS, MAP 985, AND THE RESUBDIVISION OF BLOCK 40 OF NORMAL HEIGHTS, MAP 1312. APPLICANT: PARK AND RECREATION DEPARTMENT AND THE SAN DIEGO UNIFIED SCHOOL DISTRICT.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by YVONNE LARSEN, the Commission voted 4-0 (CALKINS AND REYNOLDS not present) to approve the street vacation.

ITEM-2 STREET ACTION SA 89-513 - THE ALLEY NORTH/SOUTH ALLEY ADJACENT TO LOTS 5-11 OF BLOCK 16 OF LOMA ALTA UNIT 1, MAP 1078. APPLICANT: JAMES LEE KIRKPATRICK.

JIM McLAUGHLIN, representing the Engineering and Development Department, made a report to the Commission concerning the merits of the street vacation.

JAMES LEE KIRKPATRICK spoke in favor of the vacation.

WILFRED PREVOST spoke in favor of the vacation.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by SCOTT BERNET, the Commission voted 4-0 (CALKINS and REYNOLDS not present) to accept staff's recommendations and approve the street vacation.

ITEM-3 STREET ACTION SA 89-521 - THE VACATION OF BANCROFT STREET BETWEEN PALM STREET AND NUTMEG STREET.
APPLICANT: ANTHONY G. CULTRI FOR ST. AUGUSTINE HIGH SCHOOL.

This item was removed from the Consent Agenda.

JIM McLAUGHLIN, representing the Engineering and Development Department, made a report to the Commission.

REVEREND JOHN SANDERS spoke in favor of the vacation and presented a petition with 64 signatures and letters written by residents of adjoining properties who support the vacation.

FRANK P. BOGGIN spoke in favor of the vacation.

AVA TORRE-BUENO spoke in opposition of the vacation.

RICHARD WHITON spoke in opposition to the vacation and presented several photographs depicting the area.

JOHN FREEMAN spoke in opposition to the vacation.

JOHN DORN spoke in opposition to the vacation because of traffic that would be diverted to other streets.

DOLPH CAMPBELL, representing Americans United for Separation of Church and State, spoke in opposition to the vacation on grounds that it would constitute a violation of the Constitution.

DENISE BLAKE spoke in opposition to the vacation.

FRED CONRAD, Chief Deputy City Attorney, opined that the street vacation would in no way violate the separation of church and state provision.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by KARL ZOBELL, the Commission voted 6-0 (CALKINS not present) to continue this item to October 12, 1989, at 9:00 a.m.

RECESS, RECONVENE

The Commission recessed at 10:08 a.m. and reconvened at 10:17 a.m.

ITEM--8 THIS ITEM HAS BEEN REMOVED FROM THE AGENDA.

ITEM--12 APPEAL OF THE SCHOLL RESIDENCE COASTAL DEVELOPMENT PERMIT (CDP NO. 89-0167). LOCATED AT THE SOUTHEAST CORNER OF CORDERO ROAD AND BOQUITA DRIVE IN THE R1-6000 ZONE IN THE TORREY PINES COMMUNITY. EQD NO. 89-0167. OWNER/APPLICANT: SCOTT SCHOLL. APPELLANTS: EUGENE P. KENDALL FOR J.S. KENDALL.

The Chairman noted that the appellant had withdrawn his appeal in connection with this item, and it was determined that no staff report was required.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by YVONNE LARSEN, the Commission voted 5-0 (CALKINS and REYNOLDS not present) to approve the staff report and approve Coastal Development Permit No. 89-0167, subject to conditions.

ITEM--7 NEUROCARE, CONDITIONAL USE PERMIT NO. 88-1279. THE FACILITY IS LOCATED AT 4565-71 AND 4577 PARK BOULEVARD IN THE GREATER NORTH PARK COMMUNITY PLANNING AND MID-CITY PLANNED DISTRICT ORDINANCE AREAS. THE PROPERTY IS ZONED CL-4. AN ASSOCIATED PARKING LOT IS LOCATED AT THE FIRST SOUTHERN BAPTIST CHURCH SITE WHICH IS LOCATED AT 4353 PARK BOULEVARD. THE PARKING SITE IS ZONED CN-1. EQD NO. 88-1279. OWNER: PARK GARDEN COTTAGES, A GENERAL PARTNERSHIP. MS. BENITA BERKSON PARTNER/MANAGER. APPLICANT: NEUROCARE, INC.

PHIL MILLENBAH presented Planning Department Report No. CUP 88-1297.

REBECCA MICHAEL, representing Neurocare, Inc., spoke in favor of the project.

KARMA KLAUBER, Program Director for Neurocare, Inc., spoke in favor of the project.

AVA TORRE-BUENO spoke in favor of the project.

MARK MITCHELL spoke in favor of the project.

MIKE ORGILL, a former client of Neurocare, spoke in favor of the project.

JUDY FINDLEY spoke in favor of the project.

DAVID HEINEN, a head injury patient who had been in therapy for three years, representing University Heights Community Association, spoke in opposition to the project.

ILENE HEDRICK spoke in opposition to the project.

ROSS LOPEZ spoke in opposition to the project and provided photographs depicting the area.

F. SEMO spoke in opposition to the project.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by SCOTT BERNET, the Commission voted 2-3 (BENN, PESQUEIRA, and ZOBELL in opposition) to approve the staff report with some modification in the parking requirement, as suggested by REBECCA MICHAEL. The motion failed.

On motion of RALPH PESQUEIRA, seconded by KARL ZOBELL, the Commission voted to deny the application. The vote was 3-2 (BERNET AND LARSEN voting in the negative). The Chair announced that the Commission had no alternative but to trail the matter in the absence of four votes, either to approve or deny; and, the item will be docketed for 9:00 a.m. on July 27, 1989, without testimony.

ITEMS--9
AND 10

CONDITIONAL USE/HILLSIDE REVIEW/RESOURCE PROTECTION OVERLAY ZONE PERMIT NO. 87-1104. A 17-ACRE A1-10 ZONED PROPERTY, LOCATED ON THE SOUTH SIDE OF CARROLL CANYON ROAD IMMEDIATELY TO THE SOUTH OF THE TERMINUS OF PACIFIC HEIGHTS BOULEVARD. DESCRIBED AS PORTION OF SECTIONS 3 AND 4, T15S, R3W, IN THE CITY OF SAN DIEGO, IN THE MIRA MESA COMMUNITY. OWNER: DR. RICHARD A. JONES AND MARY MAXINE JONES. APPLICANT: WILLIAM ULLMAN. APPELLANT: WILLIAM ULLMAN.

PAUL McNEIL and TERRI JACQUES presented Planning Department Report No. 89-377.

JIM MILCH, representing the applicant, spoke in favor of the project.

TERRY PLOWDEN, representing Sorrento Mesa Business Council, spoke in favor of the project.

MARV STEADMAN, an officer of the Lusk Company, spoke in favor of the project.

PAMELA STEVENS, representing Mira Mesa Community Planning Group, spoke in favor of the project.

OPAL TRUEBLOOD, spoke in opposition to the project.

LINDA MICHAEL, representing the Sierra Club, spoke in opposition to the project.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by RALPH PESQUEIRA, the Commission voted 3-2 (BENN and BERNET voting in the negative) to approve the project. There being less than four votes in favor or opposed, the Chair announced that the matter would be trailed to 9:00 a.m. July 27, 1989, without testimony.

ITEM-11 APPEAL OF THE MASTERSON RESIDENCE HILLSIDE REVIEW/RESOURCE PROTECTION OVERLAY ZONE PERMIT NO. 87-1121. LOCATED ON THE SOUTH SIDE OF ARROYO SORRENTO ROAD BETWEEN TIERRA DEL SUR AND ARROYO SORRENTO PLACE IN THE A1-1 ZONE IN THE NORTH CITY WEST COMMUNITY. EQD NO. 87-1121. OWNER/APPLICANT: ED MASTERSON. APPELLANT: JOHN DAY.

PAUL McNEIL represented Planning Department Report No. 89-378.

JOHN DAY, the appellant, spoke in opposition to the project and in favor of the appeal.

RECESS, RECONVENE

The Commission recessed at 12:12 p.m. and reconvened at 12:15 p.m.

JOHN DAY resumed his testimony in favor of the appeal.

JOHN DEAN spoke in support of the appeal and in opposition to the project.

ED MASTERSON spoke in support of the appeal and in opposition to the project.

RANDY BROWN, Sowards and Brown Engineering, representing Ed Masterson, spoke in support of the project and in opposition to the appeal.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by RALPH PESQUEIRA, the Commission voted 4-2 (BENN and BERNET voting in the negative) to deny the appeal and approve the project.

ITEM-13 THIS ITEM HAS BEEN REMOVED FROM THE AGENDA.

RECESS, RECONVENE

The Commission recessed at 12:36 p.m. and reconvened at 2:07 p.m.

ITEM-13A AMENDMENT TO THE COASTAL DEVELOPMENT PERMIT ORDINANCE.

GREG KONAR presented Planning Department Report No. 89-314.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by YVONNE LARSEN, the Commission voted 6-0 to continue this item to August 17, 1989, at 9:00 a.m.

ITEM-14 APPEAL OF THE OZARK STREET APARTMENTS, SOUTHEAST SAN DIEGO DEVELOPMENT AND RESOURCE PROTECTION OVERLAY ZONE PERMIT, SED 88-0760. LOCATED AT 335 OZARK STREET, MF-1500 ZONE IN THE SOUTHEAST SAN DIEGO COMMUNITY EQD NO. 88-0760. OWNER/APPLICANT: MARINA DEVELOPMENT COMPANY, INCORPORATED. APPELLANT: MARINA DEVELOPMENT COMPANY, INCORPORATED.

The Chairman announced he would be unable to participate in the matter and Vice Chairman PESQUEIRA assumed the chair.

MICHAEL PRAIRIE, representing the applicant, requested a continuance of a couple of weeks because of delayed delivery of the report due to a change of address.

MARK ZEBROWSKI spoke in opposition to the continuance due to a lack of basis.

MARY BENNETT spoke in opposition to the continuance.

ANNA MAJOR spoke in opposition to the continuance because of the hardship of having to return to chambers.

REYNALDO PISANO spoke in opposition to the continuance for lack of basis.

TAMIRA CLARK confirmed that there was evidence that mischief had been taking place at the site but the responsible party had not been determined.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by SCOTT BERNET, the Commission voted 5-0 (CALKINS not present and ZOBELL not voting) to hear testimony and reserve the right to vote on or continue the item at the conclusion.

TAMIRA CLARK presented Planning Department Report No. 89-349.

MICHAEL PRAIRIE, representing the applicant, Marina Development, spoke in support of the project and in support of the appeal.

LANCE OSBORN, a partner of Marina Development, spoke in support of the project and in support of the appeal.

JEFFREY BENDER, representing Marina Development, spoke in support of the project and in support of the appeal.

MARY BENNETT spoke in opposition to the project and in opposition to the appeal.

ANNA MAJOR spoke in opposition to the project and in opposition to the appeal.

REYNALDO PISANO, representing Southeast Development Committee, spoke in opposition to the project and in opposition to the appeal because of the high-crime area.

MARK ZEBROWSKI, representing the Langley Corp., spoke in opposition to the project and in opposition to the appeal.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by SCOTT BERNET, the Commission voted 5-0 (CALKINS not present and ZOBELL not voting) to support staff recommendation and deny appeal; deny project.

RECESS, RECONVENE

The Commission recessed at 3:19 p.m. and reconvened at 3:25 p.m.

ITEM--15 PLANNED RESIDENTIAL DEVELOPMENT ORDINANCE UPDATE.

PATRICIA GRABSKI presented Planning Department Report No. 89-369.

OPAL TRUEBLOOD spoke in support of the Planning Department report and the change to the PIRD.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by SCOTT BERNET, the Commission voted 6-0 to approve staff recommendations to amend the ordinance.

ITEM--16 ANNOUNCEMENTS/PUBLIC COMMENT - ITEMS OF INTEREST WITHIN THE JURISDICTION OF THE PLANNING COMMISSION NOT PREVIOUSLY HEARD.

There being no other matters to come before the commission, the meeting was adjourned.