

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
JULY 27, 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 9:00 a.m.
The Planning Commission adjourned at 3:05 p.m.

ATTENDANCE DURING THE MEETING:

Chairman Karl ZoBell-present
Commissioner Yvonne Larsen-present
Commissioner Ralph Pesqueira-present
Commissioner Edward Reynolds-present
Commissioner Scott Bernet-present
Commissioner Lynn Benn-present
Commissioner Chris Calkins-present
Fred Conrad, Chief Deputy City Attorney-present
Stacie Plante, Engineering and Development
Tom Salgado, Principal Planner-present
Jerry Hittleman, Senior Planner-present
Recorder Janet MacFarlane-present

ITEM-1 APPROVAL OF MINUTES OF JULY 6, 1989.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by CHRIS CALKINS, the Commission voted 7-0 to approve the minutes of July 6, 1989.

ITEM-2 COASTAL DEVELOPMENT PERMIT NO. 89-0546. OLIVER AVENUE CONDOS. THE PROJECT PROPOSES THE DEMOLITION OF TWO (2) EXISTING RESIDENTIAL STRUCTURES AND THE CONSTRUCTION OF FOUR (4) TWO-BEDROOM CONDOMINIUM UNITS WITH ATTACHED GARAGES. (SEE ATTACHMENT 1, FIGURE 1, SITE PLAN). THE RESIDENTIAL UNITS RANGE IN AREA FROM 1,250 SQUARE FEET TO 1,391 SQUARE FEET. THE PROJECT SITE IS LOCATED AT 1734 OLIVER AVENUE IN PACIFIC BEACH. THE NEIGHBORHOOD CONSISTS OF A MIX OF SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL UNITS. LOCATION: 1734 OLIVER AVENUE. APPLICANT: PROGRESS CONSTRUCTION.

BRINTON CORB spoke in opposition to the project and asked that it be set for hearing.

COMMISSION ACTION

Commissioners BERNET and BENN requested this item be set for public hearing.

ITEM-3 COASTAL DEVELOPMENT PERMIT NO. 89-0553. FELSPAR STREET CONDOS. THE PROJECT PROPOSES THE DEMOLITION OF A SINGLE-FAMILY RESIDENCE AND CONSTRUCTION OF FOUR CONDOMINIUM UNITS, WHICH RANGE FROM 1,250 TO 1,391 SQUARE FEET IN AREA. LOCATION: 1134 FELSPAR STREET. APPLICANT: CONRAD PREBYS TRUST.

RICK SAYER, Progress Construction, spoke in support of the permit.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by RALPH PESQUEIRA, the Commission voted 7-0 to approve the consent item.

ITEM--9 APPEAL OF THE PLANNING DIRECTOR'S APPROVAL OF ARCO/1875 GRAND AVENUE CONDITIONAL USE PERMIT AMENDMENT AND COASTAL DEVELOPMENT PERMIT CASE NO. 880656. LOCATED ON THE SOUTHEAST CORNER OF GRAND AVENUE AND LAMONT STREET AT 1875 GRAND AVENUE IN THE C ZONE IN THE PACIFIC BEACH COMMUNITY. EQD NO. 88-0656. LOTS 16-20, BLOCK 249, PACIFIC BEACH, MAP NO. 854, CITY OF SAN DIEGO. OWNER/APPLICANT: BEST CALIFORNIA GAS/ATLANTIC RICHFIELD COMPANY. APPELLANTS: ATLANTIC RICHFIELD COMPANY (APPLICANT) AND JAMES LESTER (NEIGHBOR).

Staff indicated the representative from Arco had requested a continuance on this matter.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by RALPH PESQUEIRA, the Commission voted 7-0 to continue this item to August 10, 1989 at 9:00 a.m.

ITEM-4 INITIATION OF AN AMENDMENT TO THE OTAY MESA NESTOR COMMUNITY PLAN. REQUEST TO INITIATE AN AMENDMENT TO THE LAND USE ELEMENT OF THE OTAY MESA NESTOR COMMUNITY PLAN REDESIGNATING A 0.96-ACRE SITE FROM MEDIUM DENSITY RESIDENTIAL (15-30 DWELLING UNITS PER NET RESIDENTIAL ACRE) TO NEIGHBORHOOD COMMERCIAL. THE SITE IS LOCATED SOUTHEAST OF THE INTERSECTION OF IRIS AVENUE AND HOWARD AVENUE. OWNER/APPLICANT: PAUL AND DENISE CLARK.

RACHEL HURST presented Planning Department Report No. 89-380.

PAUL CLARK, property owner, indicated his support for the initiation.

COMMISSION ACTION

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

ITEM 4A

The Chair indicated public testimony had been closed on this item after the hearing of July 20. The purpose of the continuance was to afford an opportunity for those Commissioners not present at the July 20 hearing to participate and vote on this item.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by YVONNE LARSEN, the Commission voted 5-2 (CALKINS and ZOBELL voting in the negative) to certify the mitigated negative declaration and approve the permit as recommended by staff.

ITEMS--6A AND 5B

The Chair indicated this matter had been continued from the previous Commission meeting in order that those Commissioners not present would have an opportunity to review the tape recording of the meeting and participate and vote on this item. It was further noted public testimony had been closed at the July 20 meeting.

TOM HUFFMAN clarified questions brought up at the previous meeting regarding the project site.

JIM MILCH, attorney representing the applicant, spoke regarding the environmental impact report.

WILLIAM OLDMAN, consultant to the project, discussed the relocation of the water pipes and creek on the project.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by EDWARD REYNOLDS, the Commission voted 4-3 (BERNET, BENN and CALKINS voting in the negative) to certify the environmental impact report, approve the appeal and approve the permit adopting the candidates findings of mitigation.

ITEMS--5 APPEAL OF THE THIRD AND REDWOOD PLANNED RESIDENTIAL
AND 6 DEVELOPMENT (PRD NO. 87--1043). LOCATED ON THE EAST SIDE
OF THIRD AVENUE, BETWEEN REDWOOD STREET AND SPRUCE
STREET IN THE MR-1000, R1--40000 AND HILLSIDE REVIEW
OVERLAY ZONE IN THE UPTOWN COMMUNITY (EQD NO. 87--1043).
OWNER/APPLICANT: CHARLES K. FLETCHER, III.
APPELLANT: FERDINAND T. FLETCHER.

KEVIN SULLIVAN presented Planning Department Report
No. 89-385.

FERDINAND FLETCHER, representing the applicant, spoke in
support of the permit.

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by LYNN BENN, the
Commission voted 7-0 to certify the environmental impact
report follow staff recommendation and approve the
permit and recommend rezoning the property.

ITEM--7 CALIFORNIA MOTHER - INFANT PROGRAM CONDITIONAL USE
PERMIT. LOCATED AT 4997 IMPERIAL AVENUE, 4992 and
4996 HOLLY STREET IN THE CSF-1 AND CSF-2 ZONE IN THE
SOUTHEAST SAN DIEGO COMMUNITY. EQD NO. 89-0395.
IMPERIAL EUCLID CENTER UNIT 1, LOTS 2 AND 3, MAP
NO. 5389 AND THE SOUTHERLY 150 FEET OF THE PORTION OF
LOT 53 HORTON'S PURCHASE, MAP NO. 283.
OWNER/APPLICANT: CALIFORNIA MOTHER--INFANT CORPORATION.

TAMIRA CLARK presented Planning Department Report
No. 89-396.

VERNA QUINN, Chairperson of the Southeast Development
Committee, spoke in support of the permit. She stated
that on June 26, 1989, the planning group voted 8-6-3 to
support the application.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by EDWARD REYNOLDS,
the Commission voted 7-0 to certify the Negative
declaration and approve the permit as recommended by
staff with the additional requirement that a six-month
administrative review be conducted on its operation.

RECESS, RECONVENE

The Commission recessed at 10:15 a.m. and reconvened at 10:20 a.m.

ITEM--8 APPEAL OF THE MOBIL OIL/3861 GOVERNOR DRIVE CONDITIONAL USE PERMIT CASE NO. 89-0326. LOCATED ON THE SOUTHWEST CORNER OF GOVERNOR DRIVE AND GENESEE AVENUE, NORTH OF ROUTE 52 FREEWAY AND EAST OF RADCLIFFE DRIVE IN THE CN ZONE IN THE UNIVERSITY CITY COMMUNITY. LOT 2, UNIVERSITY CITY SERVICE STATION SITES, MAP NO. 5291, CITY OF SAN DIEGO. OWNER/APPLICANT: MOBIL OIL COMPANY. APPELLANTS: IRVING SANDERS AND REGENCY VILLAS ASSOCIATION OF SAN DIEGO.

GLENN GARGAS presented Planning Department Report No. 89-387.

IRVING SANDERS, representing the Regency Villas Homeowners Association, spoke in opposition to the permit. He explained they were concerned about their safety and were in opposition to the proposed car wash.

JOHN REED, engineer representing the appellant, explained the soils problem that was occurring on the Regency Villas property. He stated it was uncertain as to the soil stability on the proposed site.

KEN HUEPPER, representing Mobil Oil, spoke in support of the Conditional Use Permit. He indicated he was not in support of MTDB's requirement that a bus stop be placed in front of their business and that they be required to maintain the facility.

DALE BODMAN, engineer for Mobil Oil, indicated a soils problem did not exist on their site.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by LYNN BENN, the Commission voted 5-2 (LARSEN and CALKINS voting in the negative) to certify the mitigated negative declaration and approve the appeal and deny the project.

On motion of CHRIS CALKINS, seconded by the Chair, the Commission voted 6-1 (LARSEN voting in the negative) to adopt a resolution identifying areas concerned with respect to this project which would include the hours of

operation of the car wash; the health and safety aspects of the soils condition and the hazardous materials; and the proposal from MTDB that a bus stop be located in front of the site.

ITEM-10 AN APPEAL OF THE PLANNING DIRECTOR APPROVAL OF COASTAL DEVELOPMENT PERMIT NO. 89-341. THIRTEEN (13) TOWNHOMES ON A 0.91-ACRE SITE. THE PROJECT IS DESCRIBED AS Lots 1 THROUGH 7, BLOCK 27, LA JOLLA PARK, MAP NO 352, LOCATED BETWEEN TORREY PINES ROAD, IVANHOE AVENUE, AND EAST IVANHOE AVENUE, WITHIN THE LA JOLLA COMMUNITY PLAN BOUNDARIES AND THE R-3000 ZONE. OWNER/APPLICANT: IVANHOE VILLAS, LTD. APPELLANT: PHILIP FEUNA DE COLUMBI. THE COASTAL DEVELOPMENT PERMIT WAS APPROVED BY THE PLANNING DIRECTOR JUNE 16, 1989. ON JUNE 21, 1989, PHILIP FEUNA DE COLUMBI APPEALED THE PLANNING DIRECTOR'S DECISION.

SCOTT BERNET abstained from discussion and vote on this item.

TED SHAW presented Planning Department Report No. 89-389.

JAMES HUDNALL, representing the Old La Jolla Park Association, spoke in opposition to the permit. He felt the requirements of CEQA were not followed and that an environment impact report should have been prepared.

ROBERT RYNEARSON spoke in opposition to the project noting the property was sloped and felt that the buildings were higher than should be.

JACK KYTE stated the proposed project was not in keeping with the neighborhood.

SANDRA BROKAW spoke in opposition to the permit.

HOPE MEEK, resident of Virginia Way, spoke in opposition to the project. She stated her concern was over the bulk of the buildings proposed and their wishes to preserve the historic cottage feeling in the area.

ROBERT EPSTEIN indicated his home would be facing the proposed project and he was in opposition to its' development.

ROBERT YIN indicated the project would impact his view and he was opposed to its construction.

ROBERT CAPLAN, attorney representing the applicant, spoke in support of the project. He indicated their design kept in mind the concerns of the area residents about its development as well as the on physical constraints of the site.

DAVID LORIMER, architect for the project, reviewed the development of the proposed buildings.

GERRY GARNER, landscape architect, reviewed the landscape plans for the project.

COMMISSION ACTION

On motion of LYNN BENN seconded by YVONNE LARSEN, the Commission voted 6-0 (BERNET abstaining) to certify the negative declaration and deny the appeal and approve the permit as recommended by staff.

ITEM-11 THIS ITEM HAS BEEN REMOVED FROM THE AGENDA.

RECESS, RECONVENE

The Commission recessed at 11:55 a.m. and reconvened at 1:40 p.m.

ITEM-12 CENTER COURT CONDITIONAL USE PERMIT NO. 89-0221. LOCATED AT 741-45 15TH STREET, BETWEEN "F" AND "G" STREETS IN THE CENTRE CITY EAST PLANNED DISTRICT RCX ZONE IN THE CENTRE CITY COMMUNITY. EQD NO. 89-0221. LOTS 9-10, MAP NO. 143, BLOCK 172 OF HORTON'S ADDITION. OWNER: JAMES E. GRANT, A PRIVATE INDIVIDUAL. APPLICANT: CENTER COURT PRIVATE WORK FURLOUGH CENTER, INC., A CALIFORNIA CORPORATION.

HOWARD GREENSTEIN presented Planning Department Report No. 89-376.

FRED BARNHAM, applicant, spoke in support of the project.

JULIETTE MONDO, resident of 13th Street, spoke in opposition to the permit. She stated her area had more than its' fair share of this type of facility and felt the permit should not be approved.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by LYNN BENN, the Commission voted 7-0 to deny the permit as recommended by the Department.

ITEM-13 PERMITTED USES IN SINGLE-FAMILY ZONES AND DEFINITION OF "FAMILY." PLANNING COMMISSION WORKSHOPS OF MAY 11, 1989 (PLANNING REPORT NO. 89-251) AND MARCH 23, 1989 (PLANNING REPORT NO. 89-084).

PAT GRABSKI presented Planning Department Report No. 89-370.

GREG JOHNSON indicated his support for staff's recommendation to increase parking requirements for the non-traditional family in single-family zones.

MARGERIE CAMPBELL indicated her support for the proposed ordinance. She indicated her major concern was that of enforcement.

MICHAEL SMILEY, resident of Tierrasanta, indicated his support for this ordinance amendment stating that this should be the first step to controlling the problem. He also felt that enforcement would be a very important element.

SANDRA BUEHNER, indicated her support for the proposed ordinance and recommended that research be conducted to increase the rear yard setbacks for the non traditional family.

OPAL TRUEBLOOD, representing the Torrey Pines Community Planning Group, indicated they were in support of the additional parking requirements for the non traditional family. She further felt that an additional area of research should be landscaping. She was concerned that front yards would end up with a minimal amount of landscaping with mostly parking.

BRIAN BENNETT, representing the College Area Community Council, indicated their support for the ordinance amendment and requested that a workshop be scheduled to review a certificate of occupancy program that other cities use.

DICK GARLOCK, Del Mar area resident, indicated he was in favor of the City's approach in providing additional parking requirements.

PHILIP SCHEY indicated that tandem parking should not be allowed to be a credit as an off-street parking requirement.

JOHN BEROL, Chairman of the La Jolla Shores Association, stated they were opposed to the proposal and felt it was premature. He felt the issue should be further studied.

LARRY KELLER proposed an ordinance for Commission consideration that could be adopted rather than that proposed by staff.

TED SMITH spoke in opposition to the proposed ordinance.

COMMISSION ACTION

On motion of LYNN BENN, seconded by EDWARD REYNOLDS, the Commission voted 7-0 to approve the amendment to the Single-family Parking Standards and adopt definitions of traditional and non traditional families as recommended by staff.

On motion of SCOTT BERNET, seconded by LYNN BENN, the Commission voted 5-2 (CALKINS and PESQUEIRA voting in the negative) to request the City Council of the City of San Diego to consider adoption of an ordinance which would define a family to include either a traditional family, which is related by blood, marriage, or adoption, or a as group, not to exceed five persons. The Planning Commission recognized the legal implications of this request in light of the 1985, California Supreme Court case, Adamson v. Santa Barbara, 27 C.3rd 123, and request that the City Council be prepared to add enforcement of this definition of family to their already depleted enforcement budget to address the impacts associated with the nontraditional use of a single-family dwelling.

ITEM--14

BRIAN BENNETT asked when a workshop would be conducted with the Planning Commission on a certificate of occupancy program that was discussed at previous workshops.

ADJOURNMENT

The Commission adjourned at 3:05 p.m.