

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
OCTOBER 23, 1997
IN COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Steele at 9:06 a.m. Chairperson Steele adjourned the meeting at 4:00 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Mark Steele-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
Betsy McCullough, Community Planning & Development Manager-present
Rick Duvernay, Deputy City Attorney-present
Tina Christiansen, DSD Director-not present
Gary Halbert, Deputy Director, DSD-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.

A request was received from the San Ysidro Planning & Development Group to continue Item No. 6, appeal of the decision of Hearing Officer for Marvin Carpenter Storage. After discussion, it was decided to hear the item at this hearing.

ITEM-3: DIRECTOR'S REPORT.

Gary Halbert reviewed the summary of issues cited by the Commission regarding the SYD/GRD 96-0553 - Pep Boys/Parts USA. Also, Council action was discussed regarding the Kurtz Street Facility.

Betsy McCullough confirmed the distribution of a response from staff to a Commission request on beach sand replenishment. Ms. McCullough advised that information would be provided as quickly as possible to directives requested.

ITEM-4: COMMISSION COMMENT.

Chairperson Steele discussed the Commission's letter to LU&H regarding the workshop on the Strategic Plan, and advised that he will be representing the Commission's recommendation before the Committee.

ITEM-5: APPROVAL OF MINUTES OF OCTOBER 9, 1997.

COMMISSION ACTION:

MOTION BY QUINN TO APPROVE THE MINUTES OF OCTOBER 9, 1997 WITH A REVISION TO ATTENDANCE TO SHOW THAT COMMISSIONER QUINN WAS PRESENT AT THIS MEETING. Second by White. Passed by a 6-0 vote with Commissioner Skorepa abstaining on all items except Item No 13 for which she was present.

ITEM-6: **MARVIN CARPENTER STORAGE, SAN YSIDRO DEVELOPMENT PERMIT NO. 95-0684 - RESCISION OF PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 37.**

Bill Tripp presented Report to the Planning Commission No. P-97-135.

Testimony in favor of the project:

Bruce Boogaard, attorney representing applicant. Read into the record his letters to the City dated September 9, 1997 and October 10, 1997. Gave history of all the proceedings held before on this project. The owner's compromise proposal was to be presented before the planning group, but it was too late to put on their agenda, therefore they were not prepared to review it. Mr. Boogaard addressed the questions raised by the Commission. Explained that these containers have been on this site for 17 years and there was never a problem until someone complained. The City approved all the permits and then in 1995 said that it was no longer valid and the owner was in violation. The City then wanted to rescind the PCD without going before the Planning Commission. The number of buildings and the type of storage containers were also discussed.

Marvin Carpenter, owner. Gave history of the entire project since it was originally approved by the City in 1977. Discussed the improvements that the City said was needed to comply. He explained that he complied with the City's request and has put a lot of money into this project. Discussed the display board outlining all the containers and the number of buildings.

Rick Eaton, Engineer. Explained that he took over the design of the warehouse in 1991. Worked under the direction of Warren Hubbard, an engineer with the City. They complied with PCD No. 37. Explained that he subsequently was requested to provide a footprint which he did. Gave history of the requirements and how they conformed with all the issues. Feels it would be unfair practice to not allow this man to continue doing the work he has been doing in this area.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO:

1. DOCKET THIS MATTER FOR A FUTURE HEARING TO CONSIDER THREE ALTERNATIVE COURSES OF ACTIONS:
 - A) CONSIDERATION OF THE OWNER'S COMPROMISE PLAN. HOWEVER, IF THE PLANNING COMMISSION APPROVES THE COMPROMISE PLAN IN ORDER TO EFFECTUATE THAT PLAN, THE APPLICANT WOULD HAVE TO BRING HIS ACCOUNT UP TO DATE.
 - B) CONSIDERATION OF POSSIBLE REVOCATION OF THE PERMIT; AND
 - C) CONSIDERATION OF STAFF'S RECOMMENDATION AS OUTLINED IN THEIR REPORT NO. 97-135, AS SUBMITTED AT THE OCTOBER 23, 1997 HEARING.
2. SCHEDULE A PLANNING COMMISSION SITE VISIT FOR DECEMBER 18, 1997 WITH APPROPRIATE STAFF ACCOMPANYING THE PLANNING COMMISSION FOR DIRECTION. SHOULD THE COMMISSION WISH TO HEAR FROM THE APPLICANT DURING THIS TIME, THAT IT BE AT A SET-ASIDE TIME TO AVOID CONFUSION ON THE DETAILS. THIS TO BE NOTICED AS A PUBLIC HEARING AND ANY MEMBER OF THE PUBLIC MAY ATTEND.

STAFF WAS DIRECTED TO NOTIFY THE COMMUNITY PLANNING GROUP IN AMPLE TIME OF THE SITE VISIT AND THE PUBLIC HEARING IN ORDER GIVE THEM THE OPPORTUNITY TO MAKE RECOMMENDATIONS TO THE COMMISSION.
3. PROVIDE INFORMATION ON HOW MANY CONTAINERS ARE ON THIS SITE.
4. PROVIDE LANGUAGE FOR WHAT CONSTITUTES A BUILDING UNDER THE CITY'S MUNICIPAL CODE.
5. STAFF TO PROVIDE INFORMATION AS TO WHAT EXTENT THE

THREE STORY BUILDING MEETS THE CRITERIA FOR
SUBSTANTIAL COMPLIANCE WITH THE PREVIOUS PERMIT.

Second by Butler. Passed by a 7-0 vote.

ITEM-7: **WORM REZONE.**

Mike Westlake presented Report to the Planning Commission No. P-97-162.

No one present to speak.

COMMISSION ACTION:

MOTION BY QUINN TO RECOMMEND TO THE CITY COUNCIL THAT THEY APPROVE THE PROPOSED REZONE. Second by White.

 ~~Second by White.~~ Passed by a 7-0 vote.

ITEM-8: **MERCY ROAD HOMES. PLANNED RESIDENTIAL DEVELOPMENT PERMIT, RESOURCE PROTECTION ORDINANCE PERMIT, TENTATIVE MAP, REZONE, STREET VACATION CASE NO. 96-7108.**

Jeff Koch presented Report to the Planning Commission No. P-97-141 and also read two revised conditions into the record: Condition No. 17 in the Tentative Map, attachment 6 regarding landscape maintenance; and Condition No. 11 In the PRD, attachment 7 regarding grading.

Testimony in favor by:

Kathy Riser, representing Presley Homes. Answered Commissioner Butler's questions regarding the eucalyptus trees. Discussed construction noise and traffic impacts. Explained the home owners association and all the amenities, along with the tot-lot information. Also discussed grading.

Testimony in opposition by:

Jerry Elder, President Canyon Hills Home Owners Association. Explained that they are not really in opposition to this project, they just have some landscaping concerns. Explained that they have had several

meetings with the applicant and would like to come to a compromise to retain a lot of their vegetation. Asked cooperation with Presley regarding the noise and dirt abatement.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO RECOMMEND THAT THE CITY COUNCIL APPROVE STAFF'S RECOMMENDATIONS AS OUTLINED IN REPORT NO. P-97-141 ALONG WITH THE FOLLOWING:

1. INCLUDE REVISIONS MADE TO THE TWO CONDITIONS READ INTO THE RECORD BY STAFF;
2. THE ADDITION OF A CONDITION THAT BLASTING NOT TAKE PLACE TOO EARLY IN THE DAY;
3. ADD A CONDITION TO STATE ~~AND~~ THAT THE LANDSCAPING PLAN WILL BE REVISED TO INCLUDE THE COMPROMISE MADE BETWEEN THE APPLICANT AND THE HOME OWNERS ASSOCIATION.

STAFF WAS DIRECTED TO CONSIDER SCHEDULING A WORKSHOP TO DISCUSS PRD'S TO UNDERSTAND HOW THEY ARE BEING PROCESSED.

Second by Watson. Passed by a 6-0 vote with Chairperson Steele abstaining.

ITEM-9: **REQUESTS FOR CONTINUANCE FOR AFTERNOON ITEMS - None.**

ITEM-10: **NEW CENTURY CENTER MASTER PLAN - PROPOSED REDEVELOPMENT OF THE KEARNY MESA GENERAL DYNAMICS PROPERTY.**

Mike Westlake, Marcela Escobar-Eck and Kurt Chilcott presented Report to the Planning Commission No. P-97-161.

Testimony in favor by:

Steve Eimer, Steve Hess, Gordon Carrier, representing General Dynamics. Displayed a slide show depicting rationale of redevelopment of this site, design elements, economic development for the area, entertainment, Missile Park, demolition of existing structures, provision of residential land uses, economic analysis and market impacts. Also addressed questions and issues raised by the Commission during the workshops held on this project.

Harold McCaslin, representing Maxwell Technologies. Explained that Maxwell owns property on Balboa Avenue. They are enthusiastic about this project and support all aspects. Feels it will be beneficial for the area and provide potential for Maxwell employees as his corporation grows

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO RECOMMEND TO THE CITY COUNCIL THAT THEY APPROVE THE FOLLOWING:

1. STAFF'S RECOMMENDATION AS LISTED IN REPORT NO. P-97-161, ALONG WITH THE ERRATA SHEET AND THE CONSERVATION AGREEMENT WITH THE REVISION TO PAGE 17, SUBMITTED AT THIS MEETING, DATED OCTOBER 23, 1997;
2. ADD A CONDITION THAT THE APPLICANT AGREES TO WORK WITH THE KEARNY MESA PLANNING GROUP IN ACCORDANCE TO THE TERMS AS OUTLINED IN THEIR LETTERS OF 9/22/97 AND 10/6/97;
3. IN STATEMENT OF OVERRIDING CONSIDERATIONS, PAGE FOUR, FIRST PARAGRAPH STRIKE OUT LAST PHRASE OF LAST SENTENCE, "WOULD NOT RESULT IN PEOPLE MOVING INTO THE AREA CREATING ADDITIONAL DEMANDS ON EXISTING HOUSING AND PUBLIC SERVICES";
4. IN CONDITIONS FOR PID, PCD AND FINDINGS LINK MITIGATION FOR ON-GOING IMPACTS TO SOLID WASTE GENERATION TO THE WASTE MANAGEMENT PLANT THAT IS TO BE DEVELOPED FOR THE PROJECT.

Second by Anderson. Passed by a 5-0 vote with Commissioners Quinn and Watson abstaining.

The Planning Commission meeting was adjourned by Chairperson Steele at 4:00 p.m.