

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
MAY 29, 1997
IN COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Vice-Chairperson Anderson at 9:10 a.m.
Chairperson Neils adjourned the meeting at 2:45 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Christopher Neils-present
Vice-Chairperson William Anderson-present
Commissioner Patricia Butler-present
Commissioner Verna Quinn-not present
Commissioner Andrea Skorepa-present
Commissioner David Watson-present
Commissioner Frisco White-present
Betsy McCullough, Community Planning & Development Manager-not present
Rick Duvernay, Deputy City Attorney-present
Tina Christiansen, DSD Director-not present
Gary Halbert, Deputy Director, DSD-not present
Linda Johnson, Principle Planner, 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.**

None.

ITEM-3: **DIRECTOR'S REPORT.**

None.

ITEM 3A: **COMMISSION COMMENT.**

None.

ITEM-4: **APPROVAL OF THE MINUTES OF APRIL 17, 1997, APRIL 24, 1997, MAY 1, 1997 AND MAY 8, 1997.**

COMMISSION ACTION:

MOTION BY WATSON TO APPROVE THE ABOVE MINUTES WITH MODIFICATIONS TO THE MINUTES OF APRIL 17, 1997 AS FOLLOWS: ITEM 8, MOTION MADE BY BUTLER, NOT SKOREPA; TESTIMONY FOR BOB ILKO FROM SCRIPPS RANCH PLANNING GROUP SHOULD BE CLARIFIED TO STATE HIS CONCERN OVER THE INABILITY TO GAIN THE APPLICANT'S AGREEMENT TO PROVIDING ACCESS EASEMENTS. Second by White. Passed by a 5-0 vote with Chairperson Neils and Commissioner Quinn not present.

ITEM-5 **INITIATION OF AN AMENDMENT TO THE PROGRESS GUIDE AND GENERAL PLAN, LOCAL COASTAL PROGRAM, CARMEL VALLEY COMMUNITY PLAN, NEIGHBORHOOD 8 PRECISE PLAN TO MODIFY THE EXISTING BOUNDARY TO INCLUDE THE SORRENTO SAND SITE AND TO REDESIGNATE THE SITE FROM LOW-RESIDENTIAL TO LOW-MEDIUM RESIDENTIAL TO ALLOW MULTI-FAMILY DEVELOPMENT.**

Anna McPherson and Gloria Pierson presented Report to the Planning Commission No. P-97-083.

Testimony in favor by:

Janay Kruger, representing Trammell-Crow. Was in attendance to answer questions. Advised that this project requires a full EIR and long term project working with the staff. At this time, they have no desire to apply for a density bonus. This is a low-density, ranch style apartment project.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE THE INITIATION FOR A PLAN AMENDMENT. STAFF WAS REQUESTED TO INCLUDE LANGUAGE IN THE MUNICIPAL CODE AND/OR APPLICATION TO THE EFFECT THAT "NEITHER THE CITY MANAGER NOR THE PLANNING COMMISSION IS COMMITTED TO RECOMMEND OR ACT IN FAVOR OF THE AMENDMENT JUST BECAUSE THEY HAVE APPROVED THE INITIATION". Second by Butler. Passed by a 4-0 vote with Commissioner Watson abstaining and Chairperson Neils and Commissioner Quinn not present.

ITEM-6: **AMENDMENTS TO THE FIRST SAN DIEGO RIVER IMPROVEMENT PROJECT SPECIFIC PLAN, MISSION VALLEY COMMUNITY PLAN, AND PROGRESS GUIDE AND GENERAL PLAN.**

Miriam Kirshner presented Report to the Planning Commission No. P-97-096.

Testimony in favor by:

Dave Hokanson, representing Westfield Corporation. Offered their support and enthusiasm of the project. Anxious to get Mission Valley West renovated and start fulfilling some of its needs in this area.

Testimony in opposition by:

Craig Adams, representing the Sierra Club. Advised that this is a very critical area of the City and the region; the City has committed themselves to a transit-oriented development. This plan is inconsistent with that entire program. This would preclude the transit oriented development. Requested that this project be continued to do transit impacts to assess the cumulative impacts that have been approved with respect to density.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY ANDERSON TO RECOMMEND TO THE CITY COUNCIL THAT THE PROPOSED AMENDMENTS BE AN ALTERNATIVE THAT IS ALLOWED UNDER THE EXISTING SPECIFIC PLAN, AND THAT THE EXISTING DEVELOPMENT PLAN FOR THIS SITE ALSO BE RETAINED AS AN ALTERNATIVE. Second by Butler. Passed by a 6-0 vote with Commissioner Quinn not present.

ITEM-7: FARAJZADEH RESIDENCE. APPEAL OF LA JOLLA SHORES PLANNED DISTRICT PERMIT NO. 96-657.

Sandra Teasley presented Report to the Planning Commission No. P-97-076.

Testimony in favor of the appeal, opposed to the project:

Jeffrey Broido, representing La Jolla Highlands Architectural Committee. Based on this appeal, this project is contrary to the Determinations Manual regarding excessive bulk and scale, architectural features, detrimental to the privacy and character of the neighborhood.

Jonnie Frankel, La Jolla Highlands Architectural Committee. Also spoke to the bulk and scale and that her house is five to six feet lower than the proposed project and therefore the new home will "loom" over her house.

Sheila Fisher, neighbor. Advised that she lives in back of the proposed house and that it drops off approximately six feet. Therefore the house will be casting a shadow on her property and that the bulk and scale does not belong in this neighborhood.

Sherry Lightner, representing La Jolla Shores Association. Advised that originally this project was denied by the Association; then the project was redesigned and it came back with a complete revision to the facade. Still believes the bulk and scale are not in conformance with the neighborhood character and should be denied.

Richard Roy, neighbor. Gave the history of the area and the CC&R's that existed in 1984. Spoke to the types of homes adjacent to his and the inconsistency of this proposed home.

Chelsa Roy, neighbor. When she and her husband were looking to purchase a home they chose this area due to the nature, character and strong feeling of community. That feeling still exists as evidenced by the petition of those who want to keep this character alive.

Joanne Pearson, representing herself. Spoke to the coastal issues regarding the Torrey Pine tree and that a permit is required for the removal of this tree. Planning Commission in 1992 created an interim policy to serve until the zoning code update was in effect. Nothing has been put into effect yet. Spoke to the bulk and scale and the community character.

Testimony in opposition to the appeal, in favor of the project:

Matt Peterson, Peterson & Price, representing the applicant. Gave history of the project and the original plans submitted. As a result of the dissatisfaction of the neighbors, his client completely changed the plans to please them. Feels the statistics for this house are in total compliance and that his client went out of his way to please the neighbors.

Edward Farajzadeh, applicant. Gave history of the purchase of the home, when they purchased and what they were looking for for his family with schools and community.

Theodore Gross, Gunter Hirsch, neighbors. Vented their frustration about the whole process. Cannot believe what the City has put the applicant through especially when he completely changed his plans to please the neighbors. Feels this house will only enhance the quality of the neighborhood.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO DENY THE APPEAL AND UPHOLD THE DECISION OF THE HEARING OFFICE AND APPROVE LA JOLLA SHORES PLANNED DISTRICT PERMIT NO. 96-0657. Second by Skorepa. Passed by a 6-0 vote with Commissioner Quinn not present.

ITEM-8: CYPRESS VALLEY TENTATIVE MAP, STREET VACATION; REZONE, AMENDMENT TO DEVELOPMENT AGREEMENT 88-0913, AND AMENDMENT TO PLANNED RESIDENTIAL DEVELOPMENT 89-0550 PHASE II. PROJECT NO. 96-0315.

Sandra Teasley presented Report to the Planning Commission No. P-97-087 and read additional revisions into the record.

Testimony in favor by:

Jim Dawe, representing McMillin Development Services. Advised that they concur with the staff's recommendation and the modifications read into the record. Planning Group has also unanimously approved this project.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY ANDERSON TO RECOMMEND TO THE CITY COUNCIL THAT THEY CERTIFY MITIGATED NEGATIVE DECLARATION NO. 96-0315 AND ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM; APPROVE TENTATIVE MAP AND STREET VACATION NO. 96-0315; APPROVE A REZONE OF A PORTION OF THE SITE FROM A-1-10 AND HILLSIDE REVIEW OVERLAY ZONE TO R1-5000 AND HILLSIDE REVIEW OVERLAY ZONE (ATTACHMENT 1); AND APPROVE AN AMENDMENT TO DEVELOPMENT AGREEMENT NO. 88-0913 (ATTACHMENT 7); AND RECOMMEND APPROVAL OF AMENDMENT TO PRD NO. 89-0550, PHASE II, SUBJECT TO CONDITIONS (ATTACHMENT 4). Second by White. Passed by a 5-0 vote with Commissioner Watson abstaining and Commissioner Quinn not present.

ITEM-9: DUNAWAY BUILDING - CONDITIONAL USE PERMIT/COASTAL DEVELOPMENT PERMIT AMENDMENT 96-0472.

Corey Braun presented Report to the Planning Commission No. P-97-088.

Testimony in favor by:

Eli Galam, representing the applicant. Advised that he and his clients are in support of staff's recommendation for the CUP.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO RECOMMEND TO THE CITY COUNCIL TO REVIEW, CONSIDER AND RECOMMEND CERTIFICATION OF NEGATIVE DECLARATION NO. 96-0472 AND RECOMMEND APPROVAL OF CUP/CDP (AM) 96-0472 SUBJECT TO CONDITIONS (ATTACHMENT 5). Second by Watson. Passed by a 6-0 vote with Commissioner Quinn not present.

Public testimony was closed.

ITEM-10: GREAT WESTERN BANK - REZONE (RZ) AND PLANNED COMMERCIAL DEVELOPMENT (PCD) PERMIT AMENDMENT NO. 96-7235. TO ALLOW NEIGHBORHOOD COMMERCIAL USES IN A VACANT BANK BUILDING LOCATED AT 5274 CLAIREMONT DRIVE.

Patrick Hooper presented Report to the Planning Commission No. P-97-098.

Testimony in favor by:

Gary Wood, representing Great Western Bank. Concurred with staff recommendation as presented in the report.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY ANDERSON TO RECOMMEND TO THE CITY COUNCIL THAT THEY CERTIFY NEGATIVE DECLARATION 96-7235 AND APPROVE THE REZONE FROM CO TO CN AND PLANNED COMMERCIAL DEVELOPMENT PERMIT AMENDMENT NO. 96-7235. Second by White. Passed by a 6-0 vote with Commissioner Quinn not present.

ITEM-11: LAND DEVELOPMENT CODE UPDATE - WETLANDS DEFINITION AND WETLAND BUFFERS.

Tom Story and Keith Greer presented Report to the Planning Commission No. P-97-095 and gave the status of this item since the last hearing before the Commission.

Testimony in favor by:

Craig Adams, representing the Sierra Club. Distributed letter from the Sierra Club with a recommendation to amend the draft definition with a replacement paragraph - all artificial wetlands should not be called wetlands, and recommend it be included with the staff recommendation to Council.

Opal Trueblood, representing herself. Spoke to the vegetation versus heat versus dryness and that there's a discrepancy in the definitions based upon these three criteria, particularly as the heat does not apply in San Diego. The diverted flow of water has created another area and there are a lot of species that have moved to the new water location; the animal and plant life consider this a wetland and it should be protected.

Norma Sullivan, representing the Audubon Society. Advised of the value of wetlands and suggested that a wetlands working group be formed to define these issues more specifically.

Jim Whalen, representing Alliance for Habitat Conservation. Working hard to put together a process which would include a new definition but they are looking for something that will yield a regional permit to replace and augment what is going on with MSCP and the nation-wide permitting process with the Corp. Proposes retaining the existing City Council policy on the wetlands until they get to a closure on the remaining issues.

Testimony in opposition by:

Eric Bowlby, representing San Diego County Surfrider Foundation.

Is against staff's recommendation for the definition of wetlands and submitted a recommended action to clarify their concerns. Also spoke to the buffer definition and presented proposed action. Read a comment from Dr. Zedler regarding the wetland working group definition and provided language.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO RECOMMEND TO THE CITY COUNCIL THAT THEY ADOPT THE REVISIONS TO THE EXISTING WETLAND DEFINITION, AS CURRENTLY PROVIDED IN THE RESOURCE PROTECTION ORDINANCE; ADOPT THE DEFINITION AND ASSOCIATED REGULATIONS FOR WETLAND BUFFERS, AND INCLUDE THE LANGUAGE PROVIDED BY CRAIG ADAMS' LETTER DATED MAY 29, 1997, TO AMEND THE DRAFT DEFINITION. Second by Butler. Passed by a 6-0 vote with Commissioner Quinn not present.

The Planning Commission meeting was adjourned by Chairperson Neils at 2:45 p.m.