

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
DECEMBER 21, 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 4:55 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
Tom Story, Deputy Director, Development and
Environmental Services-present
Hal Valderhaug, Deputy City Attorney-present
Tom Steinke, Deputy City Attorney-present
Stacie Plante, Engineering and Development-present
Tom Salgado, Principal Planner, Development
Planning-present
Michael Stang, Principal Planner-present
Betsy McCullough, Principal Planner-present
Recorder Janet MacFarlane-present

ITEM-1 APPROVAL OF MINUTES OF NOVEMBER 30, 1989

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by EDWARD REYNOLDS, the Commission voted 6-0 (PESQUEIRA not present) to approve the minutes of November 30, 1989.

ITEM-7 COASTAL DEVELOPMENT PERMIT NO. 88-1307 - LAI RESIDENCE.

Staff indicated the applicant had requested the permit be redirected back to the Planning Department for plan revision.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by YVONNE LARSEN, the Commission voted 6-0 (PESQUEIRA not present) to redirect the permit back to staff for further review.

ITEM-5 REUSE OF EL CORTEZ CONVENTION CENTER AND MOTEL FOR COURTROOMS AND RELATED OFFICES FOR SAN DIEGO COUNTY SUPERIOR COURTS-CONDITIONAL USE PERMIT NO. 89-1110. LOCATION: NORTH SIDE OF BEECH STREET BETWEEN SEVENTH AND NINTH AVENUES IN THE R-400 ZONE OF THE CENTRE CITY SAN DIEGO COMMUNITY PLAN. LEGAL DESCRIPTION: LOTS 7-12, BLOCK 10 AND LOTS 4-10, BLOCK 15 OF BAY VIEW HOMESTEAD OF CARUTHER'S ADDITION. OWNER/APPLICANT: J. MARK GROSVENOR.

MARIANNE MUNSELL presented Planning Department Report No. 89-595.

Honorable JUDITH O'CONNELL, Presiding Superior Court Judge, spoke in support of the permit. She reviewed the plans for use of the facility for court purposes.

PAUL PETERSON, attorney representing the applicant, explained the city and county had a memorandum of understanding relative to placement of courtrooms within the downtown area and use of this facility was consistent with that agreement.

DOUG AUSTIN, architect, reviewed the land use in the area proposed for courtroom use.

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by CHRIS CALKINS, the Commission voted 3-3 (ZoBELL, BENN and BERNET voting in the negative) to certify the negative declaration and approve the permit modified to require a review in two years of transportation and parking issues. This motion failed for lack of four affirmative votes; therefore; the permit is deemed denied.

RECESS, RECONVENE

The Commission recessed at 10:00 a.m. and reconvened at 10:05 a.m.

ITEM-4 COASTAL DEVELOPMENT PERMIT NO. 89-1034. THE TORREY PINES HOUSE. THE PROJECT PROPOSES THE CONSTRUCTION OF A 5,543-SQUARE-FOOT SINGLE-FAMILY RESIDENCE WITH ATTACHED THREE-CAR GARAGE. THE PROJECT IS LOCATED ON MIRA MONTANA DRIVE IN THE TORREY PINES COMMUNITY PLAN AREA. LOCATION: LOT 3, MIRA MONTANA DRIVE. APPLICANT: JACK TEREN.

LANCE TEREN, applicant, asked for conditional approval based on approval of the Coastal Commission.

FRANK ASARO, attorney representing the applicant, spoke to the permit approval.

OPAL TRUEBLOOD, Chair of the Torrey Pines Planning Group, asked that this item be pulled from consent for Planning Director hearing or continued.

COMMISSION ACTION

Commissioners BENN, BERNET and CALKINS directed this permit be directed to staff for Planning Director hearing.

ITEM-4A HECTOR'S REZONE NO. 89-0795. A REQUEST TO REZONE FROM A-1-1 TO CA.

This item had been trailed from the Commission's hearing of December 14, 1989, because the requested rezone failed to gain four votes.

Commissioner REYNOLDS indicated he had listened to the tape on the item and was able to participate and vote on the matter.

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by RALPH PESQUEIRA, the Commission voted 5-0 (BERNET and CALKINS not present) to certify the negative declaration and approve the rezoning as recommended by staff.

ITEM-3 CARMEL MOUNTAIN EXCESS ROCK EXPORT CONDITIONAL USE PERMIT CASE NO. 88-0141. LOCATED AT THE EAST END OF SHOAL CREEK DRIVE, EAST OF RANCHO CARMEL DRIVE AND SOUTH OF CARMEL MOUNTAIN ROAD IN THE A-1-10 ZONE IN THE CARMEL MOUNTAIN RANCH COMMUNITY. EQD NO. 88-0141.

GLENN GARGAS presented Planning Department Report No. 89-593.

STEVEN McDONALD, attorney representing the applicant, spoke in support of the permit. He stated they supported suggested conditions in the permit to allow a berm to be built and landscaped to buffer the noise. He stated relocation of the rock crushing operation was infeasible because it would generate additional truck trips.

DR. MARIE KRONE, area resident, stated her opposition based on the noise and dust generated by the rock crushing operation.

CHERYL THOMPSON stated their's was a residential community and the request was a commercial operation.

KENNETH LAYTON spoke in opposition to the proposed use.

JOAN COLLINS stated she was opposed to the operation because of the potential traffic hazard because of school children in the area.

COMMISSION ACTION

On motion of LYNN BENN, seconded by EDWARD REYNOLDS, the Commission voted 6-0 (PESQUEIRA not voting) to accept the environmental impact report and deny the permit.

ITEM-8 APPEAL OF THE CARNICK RESIDENCE COASTAL DEVELOPMENT PERMIT NO. 89-0674. LOCATED ON THE EAST SIDE OF VIA GRIMALDI BETWEEN VIA APRILIA AND VIA LATINA IN THE R1-5000 ZONE IN THE TORREY PINES COMMUNITY. EQD NO. 89-0674. OWNER/APPLICANT: DANIEL AND DEBORAH CARNICK. APPELLANTS: ARMISTEAD SMITH, AGENT FOR DANIEL AND DEBORAH CARNICK.

GLENN GARGAS presented Planning Department Report No. 89-597.

DEBBIE CARNICK, applicant, spoke in support of the permit.

ARMISTED SMITH made a slide presentation of the area.

FRED JAMES spoke in opposition to the proposed residence indicating the project would obstruct views.

ALICE HOENECKE spoke in opposition to the proposed home, and cited a large wall on the property that was improperly constructed.

MARY COX spoke in opposition to the proposed residence because the driveway would be in close proximity to a blind curve.

HEINZ HOENECKE spoke in opposition to the development.

LESTER KLEIN spoke in opposition based on the visual impact the home would create in the area.

LEN DEFTOS spoke in opposition to the development based on safety concerns and the visual impact of the home.

OPAL TRUEBLOOD, Chair of the Torrey Pines Community Planning Group, stated her organization voted to oppose the proposed building.

Public testimony was closed.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by RALPH PESQUEIRA, the Commission voted 7-0 to continue this item to January 18, 1990, at 9:00 a.m.

ITEM-9 LA JOLLA SHORES PERMIT NO. 89-0445. APPEAL OF THE PLANNING DIRECTOR'S DECISION WHICH APPROVED THE HAWLEY RESIDENCE.

KARL ZOBELL abstained from discussion and vote on this item. RALPH PESQUEIRA assumed Chair of the meeting.

DENNI SHEFRIN presented Planning Department Report No. 89-602, and noted additional conditions imposed by the Engineering and Development Department covered in their memorandum dated December 20, 1989.

A. B. BILLET spoke in opposition to the proposed construction of the residence based on scale of the project and stability of the soil.

W. W. FINLEY spoke in opposition to the residence based on incompatible bulk and scale with the surrounding area.

PAULETTE KNIGHT spoke in opposition to the project, stating the home would be constructed within five feet of the property line.

BRIAN O'DONNELL, representing the La Jolla Shores Advisory Board, stated their organization voted to oppose construction of this residence.

JANICE HAWLEY, applicant spoke in support of the proposed residence.

MICHAEL FOREMAN, engineer, spoke regarding the foundation and the stability of the soil on the site.

DINA GILLESPIE, representing the applicant, indicated the drawings proposed were to scale and the house was not over 30-foot high.

PAULETTE KNIGHT questioned the accuracy of the plans submitted.

W.W. FINLEY commented on the plans.

Public testimony was closed.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by EDWARD REYNOLDS, the Commission voted 4-2 (BENN and BERNET voting in the negative with ZoBELL abstaining) to certify the negative declaration and deny the appeal and approve the permit with the added requirement that the cost of any monitoring program be borne by the applicant and to further require conditions imposed by the Engineering and Development Department as follows:

- "1. Prior to the issuance of any building permits, the applicant shall dedicate an additional five feet of right-of-way on Hillside Drive, satisfactory to the City Engineer."
- "2. Prior to the issuance of any building permits, the applicant shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for street improvements on Hillside Drive."

RECESS, RECONVENE

The Commission recessed at 12:30 p.m. and reconvened at 2:45 p.m.

ITEM-10 TIJUANA RIVER VALLEY FW/FPF REZONING AND LOCAL COASTAL PROGRAM AMENDMENT (CASE NO. 89-0935).

PATRICK LOWE presented Planning Department memorandum dated December 21, 1989.

(Public testimony had been closed at the last Commission hearing on this item.)

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by RALPH PESQUEIRA, the Commission voted 6-1 (BENN voting in the negative) to amend the Local Coastal Program and approve floodway and floodplain fringe rezonings as recommended by the department.

ITEM-11 DIANE SHOPPING CENTER REZONING AND PLAN DESIGNATION.

BILL MACKEY presented Planning Department Report No. 89-591.

RON BAMBERGER, representing the owner of the property, said they were in support of the proposed CN zoning.

No one appeared in opposition to the rezoning.

COMMISSION ACTION

On motion of LYNN BENN, seconded by SCOTT BERNET, the Commission voted 7-0 to approve the CN zoning as recommended by staff.

ITEM-12A AMENDMENT TO THE UNIVERSITY COMMUNITY PLAN - LA JOLLA 12B & 12C VILLAGE SQUARE SHOPPING

ITEMS 12 & 13 CALBIOCHEM - UNIVERSITY COMMUNITY PLAN AMENDMENT AND LOCAL COASTAL PROGRAM AMENDMENT. A PROPOSED AMENDMENT TO THE UNIVERSITY COMMUNITY PLAN TO INCREASE THE ALLOTTED DEVELOPMENT INTENSITY ON A 16.08 ACRE SITE FROM 7,585 SQUARE FEET PER ACRE TO 20,000 SQUARE FEET PER ACRE. MAXIMUM DEVELOPMENT UNDER THE AMENDMENT COULD INCREASE FROM APPROXIMATELY 122,000 SQUARE FEET TO 321,000 SQUARE FEET OF SCIENTIFIC RESEARCH USE. THE PROJECT SITE IS LOCATED IN THE UNIVERSITY COMMUNITY AT THE NORTHEAST CORNER OF NORTH TORREY PINES ROAD AND SCIENCE PARK ROAD. THE SITE IS WITHIN THE SR ZONE. OWNER/APPLICANT: CALBIOCHEM CORPORATION.

MATT PETERSON, attorney representing the La Jolla Village Square Shopping Center, requested a continuance to January 25, 1990, at 9:00 a.m. because the environmental document was not final.

JEFF TAXSON, representing Calbiochem, stated they would prefer the Commission hear their item but would not object to the requested continuance.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by YVONNE LARSEN, the Commission voted 7-0 to continue items 12 and 13 to January 25, 1990, at 9:00 a.m.

ITEM-14 COASTAL DEVELOPMENT PERMITS FOR A 3,406-SQUARE-FOOT OFFICE
AND 15 AND CLASSROOM BUILDING FOR 65 UNIT, NINE BUILDING
RESIDENTIAL COMPLEX (CUP 89-0155) AND REVIEW OF THE
RESIDENTIAL PROJECT FOR COMPLIANCE WITH A CONDITION OF THE
ORIGINAL CUP NO. 82-0205. LOCATION: POINT LOMA NAZARENE
COLLEGE LOCATED AT 3900 LOMALAND DRIVE IN THE R1-5000 ZONE
IN THE PENINSULA COMMUNITY PLANNING AREA. EQD
NO. 87-0142. OWNER/APPLICANT: POINT LOMA NAZARENE
COLLEGE.

ROBERT GREEN presented Planning Department Report No. 89-604, and noted that if approved Condition 3 of the permit should not be included.

REBECCA MICHAEL, attorney representing the applicant, explained this permit was a small part of a larger master plan being developed for the site.

ROBERT PARKER, representing Pt. Loma College, reviewed the site plan for the project.

ANN SWANSON, representing the Peninsula Community Planning Board, spoke regarding the project, and the parking problem in the area.

ROBERT MATHER spoke regarding the importance of leaving the hillside alone. He was concerned that any drainage caused from development in the area would damage the Indian burial grounds and sites.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by YVONNE LARSEN, the Commission voted 7-0 to certify the negative declaration and approve the permits as recommended by staff with the additional requirement that any cost associated with any required monitoring program be borne by the applicant.

ITEM-16 7-ELEVEN/ORO VISTA: APPEAL OF THE PLANNING DIRECTOR'S APPROVAL OF CONDITIONAL USE PERMIT/AMENDMENT NO. 89-0084; APPEAL OF PLANNING DIRECTOR'S APPROVAL OF PLANNED COMMERCIAL DEVELOPMENT/AMENDMENT NO. 89-0084. LOCATED ON THE EAST SIDE OF ORO VISTA ROAD (1171 ORO VISTA ROAD), NORTH OF TOCAYO AVENUE AND STATE HIGHWAY 117, AND WEST OF INTERSTATE 5. THE CONDITIONAL USE PERMIT/AMENDMENT SITE IS DESCRIBED AS PARCEL 8, PARCEL MAP NO. 14645. THE PLANNED COMMERCIAL DEVELOPMENT/AMENDMENT SITE IS DESCRIBED AS PARCEL MAP NO. 14645. THE SUBJECT PROPERTY IS WITHIN THE OTAY MESA-NESTOR COMMUNITY PLANNING AREA AND IN THE COMMERCIAL RECREATION (CR) ZONE. APPELLANT: STEPHEN R. RAY AND ASSOCIATES. OWNER: CLINT ROBERTS. APPLICANT: THE SOUTHLAND CORPORATION.

TRACEY REED presented Planning Department Report No. 89-601.

MIKE HARKIN, representing Southland Corporation, spoke in support on the continued 24-hour operation.

CHARLES CARTER spoke in opposition to the 24-hour operation citing gang-related activity occurring in the general area and the light problem.

COMMISSION ACTION

On motion of YVONNE LARSEN, seconded by SCOTT BERNET, the Commission voted 7-0 to certify negative declaration and deny the 24-hour operation of the facility.

ITEM-16A MATTER OF SETTING A HEARING FOR AN EMERGENCY INTERIM ORDINANCE FOR THE MIDWAY PACIFIC COMMUNITY PLANNING AREA

BETSY McCULLOUGH gave a background of the planning efforts for the Midway-Pacific Highway planning area.

KERRY VARGA reviewed the current status of the amendment to the community plan.

KATHY KENTON, representing the Midway Community Advisory Committee, spoke regarding the movement of traffic in their community.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by LYNN BENN, the Commission voted 7-0 to conduct a hearing on January 18, 1990, for the purpose of considering an emergency ordinance in portions of the Midway-Pacific Community Planning area. This ordinance to consider discretionary review for projects being developed adjacent to major transit corridors such as Sports Arena Boulevard, Midway, Rosecrans, Camino del Rio.

ITEM-17 ANNOUNCEMENTS/PUBLIC COMMENT - ITEMS OF INTEREST WITHIN THE JURISDICTION OF THE PLANNING COMMISSION NOT PREVIOUSLY HEARD.

Chairman ZOBELL stated that early in the year an analysis was being conducted on matters brought before the Planning Commission, which was never completed. Chairman ZOBELL stated this analysis was of importance to Commission efficiency and asked that it be completed.

ADJOURNMENT

The meeting adjourned at 4:55 p.m.