

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
JULY 26, 1990
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 9:10 a.m.
The Planning Commission adjourned at 5:00 p.m.

ATTENDANCE DURING THE MEETING:

Chairman Karl ZoBell-present
Commissioner Tom La Vaut-not 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
Tom Story, Deputy Director, Development and
Environmental Services-present
Jeff Strohming, Engineering and Development-present
Karen Lynch-Ashcraft, Acting Principal Planner-present
Janet MacFarlane, Recorder-present

reimbursed 50 percent of the cost of the traffic light through an offset on their impact fees which already were in excess of \$1.4 million.

NORMAN MAGNESON, Chair of the Peninsula Community Planning Board, stated they were in support of the permits with the understanding the college paid for all of the drainage aspects that are attributable to the college. He also felt the permit for the road should be limited to a one-year temporary permit.

BEN FOSTER stated he was in favor of the permits provided it include the requirement to install the traffic signal at Catalina and Lomaland Drive. He stated the major traffic signal problem was associated with the Naval facility in the area.

DAVID JAMES stated he was in favor of the installation of the traffic signal but was not in favor of any street closure devices.

MICHAEL ZDON, representing Concerned Citizens of Point Loma, stated they representing 600 individuals who live west of the college. He stated installation of the traffic signal was very important and they were concerned about any opening of Dupont Street.

STEVE PENDARVIS, representing Sunset Cliffs Park Committee, stated that substantial problems exist that had not been adequately addressed. He suggested the permit be continued until the park master plan was complete.

JEFF MANSFIELD, representing Point Loma Neighborhood Association, stated they were in support of the campus development including the 50-year lease with a permanent right to use the road, and including the conditions regarding drainage and sewer and the traffic signal.

PAUL GRIMES, Point Loma Neighborhood Association, stated their primary goal was street safety. He noted many of the streets did not have sidewalks which was a danger to children going to school.

ANN SWANSON, Sunset Cliffs Natural Park, asked for a delay of a few months to give the consultants more time to address the park's needs and master plan.

NANCY COTTINGHAM, Sunset Cliffs Recreational Council, urged postponement of permit approval until further study is made.

DWIGHT WARNER, Sunset Cliffs Recreational Council, read the recommendation of its Council and urged a continuance of the permit.

MICHAEL MCGREEVY spoke in opposition to the permit.

DEBRA BLUM, Point Loma Garden Club, recommended a continuance until completion of the park master plan.

LLOYD COTTINGHAM recommended a continuance until the master plan for the park is approved.

JEAN LEIGHTON stated she had experienced problems with erosion for many years. She urged these problems be resolved.

Public testimony was closed on this item.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by EDWARD REYNOLDS, the Commission voted 4-1 (BENN voting in the negative with CALKINS and LA VAUT not present) to certify the environmental impact report and approve the permits as recommended by staff, amended to include representatives from the Point Loma Neighborhood Association and Concerned Citizens of Point Loma in meetings regarding the traffic study and to further modify Condition of Environmental Mitigation Requirements of the permit to read, "Upon completion of the Sunset Cliffs Natural Park Master Plan, the applicant shall finance and perform to the satisfaction of the City Engineer and Parks and Recreation Director, any identified erosion control measures beyond those currently identified which are attributable to drainage impacts from the College. The measures shall be completed in a timely manner to the satisfaction of the Parks and Recreation Director.

RECESS/RECONVENE

The Commission recessed at 11:10 a.m. and reconvened at 11:15 a.m.

ITEM-4 APPEAL OF THE PADDOCK ADDITIONAL COASTAL DEVELOPMENT PERMIT. LOCATED 5666 DOLPHIN PLACE IN THE R-1-5000 ZONE IN THE LA JOLLA COMMUNITY. DEP NO. 89-0691. LOT 8, BLOCK I, BIRD ROCK CITY BY THE SEA, MAP NO. 1138. OWNER/APPLICANT/APPELLANTS: CHARLES AND SUSAN PADDOCK.

KEVIN MCGEE presented Planning Department Report No. 90-214.

PAUL BISHOP, architect for the project, explained the applicant was requesting a variance to construct the garage and no net square footage was being added to the residence.

MARK CAPLAN, engineer for the applicant, explained gunite had been used in the area to protect against bluff erosion and was requesting its application be allowed.

WALT HALL, representing the La Jolla Town Council and Planning Association, stated they were opposed to any use of gunite on the bluffs.

GAYLE PATE, speaking for herself and TONI CIANI, stated they were against the use of gunite on the bluffs.

Public testimony was closed on this item.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by RALPH PESQUEIRA, the Commission voted 4-0 (BENN, LA VAUT and CALKINS not present) to grant the appeal and approve the permit allowing the variance to the front yard setback, maintaining the 4-foot side yard setback and denying the use of gunite on the bluffs. It was noted the requested variance was consistent with the development pattern in the neighborhood.

RECESS/RECONVENE

The Commission recessed at 11:40 a.m. and reconvened at 11:45 a.m.

ITEM-5 APPEAL OF THE FLETCHER RESIDENCE COASTAL DEVELOPMENT PERMIT CASE NO. 89-1260. LOCATED AT 7337 FAY AVENUE, ON THE EAST SIDE OF FAY AVENUE, NORTH OF GENTER STREET, WEST OF GIRARD AVENUE, AND SOUTH OF PEARL STREET IN THE R-3000 ZONE IN THE LA JOLLA COMMUNITY. LOT 6, EXCEPT THE EASTERLY 75 FEET, LONE PINE MAP NO. 2819, CITY OF SAN DIEGO. OWNER/APPLICANT: JANE GUNSOREK FLETCHER. APPELLANTS: MICHAEL RUSSELL, NEIGHBOR.

GLENN GARGAS presented Planning Department Report No. 90-228.

MICHAEL RUSSELL, appellant, spoke in opposition to the permit. He stated backing onto Fay Street was extremely dangerous. He further was opposed to the project because it lacked compatibility with the neighborhood.

GAYLE PATE stated the homes down the street were one-story and the proposal was for two-story.

JAMES JOHNSON stated he concurred with Ms. PATE's remarks.

WALT HALL, representing the La Jolla Town Council, spoke in opposition to the permit.

JANE FLETCHER, applicant, spoke in support of the permit. She stated they appeared before the planning group and had originally received approval of her project.

Public testimony was closed on this item.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by RALPH PESQUEIRA, the Commission voted 3-1 (REYNOLDS voting in the negative with BENN, CALKINS and LA VAUT not present) to approve the appeal and deny the permit. This motion failed for lack of four affirmative votes; therefore, the decision of the Planning Director in approving the permit stands.

RECESS/RECONVENE

The Commission recessed at 12:10 p.m. and reconvened at 2:00 p.m.

ITEM-6 STREET VACATION WORKSHOP.

This item was not discussed.

ITEM-7 MAJOR ISSUES ASSOCIATED WITH REVISIONS TO THE RESOURCE PROTECTION ORDINANCE.

ANN HIX reviewed the issues raised at the Commission's workshop of July 12, 1990.

RUSSELL GRANT recommended that the Mission Valley area be excluded from imposition of the ordinance.

LINDA MICHAEL, representing the Sierra Club, urged Commission support of the proposed amendments. She stated there should be no exclusions to the ordinance which would include single-family homes. She also recommended the proposal for alternative compliance should require Council approval. In the coastal zone, Ms. MICHAEL recommended the most restrictive ordinance should apply. She stated off-site mitigation was unacceptable and felt the focus was changing towards off-site mitigation. She also recommended no fill be allowed in the floodplain fringe.

CHUCK CORUM, representing Pardee, referring the North City West Neighborhood 8A, stated their plan had been approved in 1975 which included an FBA and financing plan. he stated if RPO were applied as recommended, little development could take place.

RANDI COPPERSMITH, PCD, presented an example of the application of the ordinance on North City West Neighborhood 8A.

RICK BOGE, Shappell Industries, spoke in opposition to the proposal stating the ordinance should not be retroactively applied.

DAVE ODELL, representing the La Jolla Town Council and Planning Association, recommended that restoring resources that have been damaged should be included under the Purpose and Intent section. He stated they endorsed the Sierra Club recommendation.

MONTY MARS spoke in opposition to the proposed amendment that would exclude exemption for the Mission Valley area.

DIXON GOEN, representing Grantville Community Association, spoke in opposition to the proposed amendments.

KAREN ZOBELL spoke in opposition to the proposed amendments.

BILL GOLDFARB spoke about development of the East Elliott area and its application with the proposed ordinance.

DOUG BOYD, Turini & Brink, spoke in opposition to the ordinance.

DENNIS O'NEIL, representing the Lusk Company, spoke in opposition to the proposed amendments.

BRUCE WARREN, representing H. B. FENTON Material Company, spoke in support of exclusion for the Mission Valley area. He also recommended single-family homes be excluded from the ordinance.

KERIS KENNEDY stated she was a small property owner and opposed to the amendment. She stated it was difficult to develop her property when the rules change day to day.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by SCOTT BERNET, the Commission voted 4-1 (BENN voting in the negative with ZOBELL and LA VAUT not present) to recommend under Alternative Compliance that a threshold be developed to distinguish between major and minor issues with the major issues being recommendations by the Planning Commission to the City Council and the minor projects be administratively approved with appeal to Commission and Council.

On motion of SCOTT BERNET, seconded by RALPH PESQUEIRA, the Commission voted 4-1 (BENN voting in the negative with ZOBELL abstaining and LA VAUT not present) to exempt single-family residences on 5,000-square-foot lots from the provisions of the ordinance.

On motion of LYNN BENN, seconded by SCOTT BERNET, the Commission voted 5-1 (ZOBELL abstaining with LA VAUT not present) to approve the recommendations of the Transportation and Land Use Committee.

On motion of LYNN BENN, seconded by RALPH PESQUEIRA, the Commission voted 3-2 (BERNET and CALKINS voting in the negative with ZOBELL abstaining and LA VAUT not present) on a motion to protect the floodplains. This motion failed for lack of four affirmative votes.

On motion of SCOTT BERNET, seconded by CHRIS CALKINS, the Commission voted 5-0 (ZOBELL abstaining with LA VAUT not present) to recommend modification of the encroachment tables as follows:

- A. Delete 75 percent or less category.
- B. Create category of 50-75 percent in steep slopes with an encroachment allowance of 10 percent.
- C. Encroachment of 0 for steep slopes less than 50 percent.

On motion of CHRIS CALKINS seconded by SCOTT BERNET, the Commission voted 5-0 (ZOBELL abstaining with LA VAUT not present) to recommend approval of the guidelines with direction to staff to continue to work on developing an implementation plan for off-site mitigation as a high priority.

On motion of CHRIS CALKINS, seconded by LYNN BENN, the Commission voted 5-0 (ZOBELL abstaining with LA VAUT not present) to recommend that the provisions of this ordinance be applied to public as well as private projects.

On motion of CHRIS CALKINS, seconded by LYNN BENN, the Commission voted 5-0 (ZOBELL abstaining with LA VAUT not present) to remove any definition of "vested" or "vested rights" from the ordinance.

On motion of LYNN BENN, seconded by CHRIS CALKINS, the Commission voted 4-0 (ZOBELL abstaining with REYNOLDS and LA VAUT not present) to substitute "measures" for "alternative" on page 37 of Attachment 2.

On motion of CHRIS CALKINS, seconded by SCOTT BERNET, the Commission voted 4-0 (ZOBELL abstaining with REYNOLDS and LA VAUT not present) to adopt the Council Policy on "Long Range Plans Subject to RPO".

On motion of LYNN BENN, seconded by SCOTT BERNET, the Commission voted 4-0 (ZOBELL abstaining with REYNOLDS and LA VAUT not present) to include all 25 percent slopes not just those mapped by HROZ under the provisions of the ordinance.

ITEM-8 ANNOUNCEMENTS/PUBLIC COMMENT - ITEMS OF INTEREST WITHIN THE JURISDICTION OF THE PLANNING COMMISSION NOT PREVIOUSLY HEARD.

Commissioner BERNET brought up the issue of receiving video tapes as testimony.

After discussion by the Commission with the City Attorney, it was determined that video tapes would not be allowed as testimony and would not be distributed to the Commission unless a part of staff presentation.

ADJOURNMENT

The Commission adjourned at 5:00 p.m.