

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
OCTOBER 31, 1996
IN COUNCIL COMMITTEE ROOM - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Neils at 9:06 ~~pm~~ p.m. Chairperson Neils adjourned the meeting at 5:28 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Christopher Neils-present
Vice-Chairperson William Anderson-not present
Commissioner Patricia Butler-present
Commissioner Verna Quinn-present
Commissioner Andrea Skorepa-present
Commissioner David Watson-present
Commissioner Frisco White-present
Mike Stepner, Urban Design Coordinator-present
Rick Duvernay, Deputy City Attorney-present
Tina Christiansen, DSD Director-not present
Gary Halbert, Deputy Director, DSD-not present
Stephen Haase, Assistant Director, DSD-present
Rob Hawk, Engineering Geologist, DSD-present
Linda Lugano, Recorder-present

AMENDMENTS TO THE SAN PASQUAL VALLEY PLAN AND THE
PROGRESS GUIDE AND GENERAL PLAN TO DESIGNATE
UNINCORPORATED LAND IN ADVANCE OF ANNEXATION.

ITEM-5:

MOTION BY QUINN TO APPROVE WITH A REVISION TO THE ACTION
ON ITEM NO. 8 REGARDING THE SERVICE STATION AT TORREY
PINES TO ADD A CLARIFICATION TO ITEM NO. 2 TO READ, "...SO
THAT NO DRIVEWAY IS SHOWN ON THE PANHANDLE PORTION OF
THE PROPERTY". Second by Skorepa. Passed by a 5-0 vote with
Chairperson Neils abstaining as he was not present at that meeting and
Vice-Chairperson Anderson not present.

COMMISSION ACTION:

APPROVAL OF THE MINUTES OF OCTOBER 17, 1996.

ITEM-4:

Commissioner Watson advised that he was present at the City Council
meeting when the Stallions Crossing projects were heard, and that staff
gave extremely detailed and accurate reporting of the Planning
Commission's recommendations on these projects.

COMMISSION COMMENT.

ITEM 3A:

Stephen Haase advised of the actions taken by the City Council on the
USD Master Plan, and Stallions Crossing Projects.

DIRECTOR'S REPORT.

ITEM-3:

None.

REQUESTS FOR CONTINUANCE FOR MORNING AGENDA ITEMS.

ITEM-2:

None.

ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE
JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD.

ITEM-1:

Bernie Turgeon gave the staff report and advised of the request to note and file this item due to issues stated by the Fire Department, as listed in the staff letter dated October 25, 1996 from George Loveland, Water Department Director.

No one present to speak on this matter.

COMMISSION ACTION:

MOTION BY WATSON TO NOTE AND FILE THIS ITEM. Second by Skorpa. Passed by a 5-0 vote with Commissioner Butler abstaining and Vice-Chairperson Anderson not present.

ITEM-6: **HAMANN INDUSTRIAL CONDOMINIUMS TENTATIVE MAP NO. 96-0548.**

Jim Churchill presented Report to the Planning Commission No. P-96-258.

No one present to speak on this matter.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE TENTATIVE MAP NO. 96-0548 AND APPROVE THE PARCEL MAP WAIVER FOR TM 96-0548 WITH THE FOLLOWING ADDITIONAL CONDITION: THAT THE APPLICANT HYDROSEED THE GRADED PAD IF NO BUILDING PERMIT HAS BEEN PULLED WITHIN SIX MONTHS. THIS CONDITION WILL ALSO BE ADDED TO THE CERTIFICATE OF COMPLIANCE. Second by Quinn. Passed by a 6-0 vote with Vice-Chairperson Anderson not present.

ITEM-7: **CASTER INDUSTRIAL PARK TENTATIVE MAP NO. 96-0559.**

Jim Churchill presented Report to the Planning Commission No. P-96-259.

Testimony in favor by:

John Gibson, representing the owners of Lot no. 7. Gave a clarification on the issue of erosion control. Stated that there's an owners association that controls the landscaping of the perimeters of all property in the subdivision with an assessment. There's on-site storm drains that prevent any erosion. Requested that the condition requiring hydrosceding be eliminated as plans have not been finalized for development as of yet on this lot.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE TENTATIVE MAP NO. 96-0559 AND APPROVE THE PARCEL MAP WAIVER FOR TM 96-0559 WITH THE FOLLOWING ADDITIONAL CONDITION: THAT HYDROSEEDING IS REQUIRED ON THE GRADED PAD IF A BUILDING PERMIT IS NOT PULLED WITHIN EIGHTEEN MONTHS FROM THE DATE OF THIS HEARING. Second by Skorepa. Passed by a 6-0 vote with Vice-Chairperson Anderson not present.

ITEM-8: GATEWAY INDUSTRIAL PARK TENTATIVE MAP NO. 96-0563.

Jim Churchill presented Report to the Planning Commission No. P-96-260.

No one present to speak on this item.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE TENTATIVE MAP NO. 96-0563; AND APPROVE THE PARCEL MAP WAIVER FOR TM 96-0563 WITH THE ADDITION OF THE FOLLOWING CONDITION: THAT HYDROSEEDING IS REQUIRED ON THE GRADED PAD IF A BUILDING PERMIT IS NOT PULLED WITHIN EIGHTEEN MONTHS FROM THE DATE OF THIS HEARING. Second by Watson. Passed by a 6-0 vote with Vice-Chairperson Anderson not present.

ITEM-9:

EL CAPITAN PIPELINE/UNIVERSITY HEIGHTS SECTION-TRESTLE II. CAPITAL IMPROVEMENT PROJECT, RESOURCE PROTECTION ORDINANCE/HILLSIDE REVIEW PERMIT NO. 96-0627. THIS PROJECT WOULD REPLACE AND MAINTAIN 210 FEET OF DETERIORATED 36 INCH DIAMETER STEEL WATER MAIN IN THE COLLEGE AREA COMMUNITY.

Terri Bumgardner presented Report to the Planning Commission No. P-96-249.

No one present to speak on this matter.

COMMISSION ACTION:

MOTION BY WATSON TO CERTIFY NEGATIVE DECLARATION 94-0076; AND APPROVE RESOURCE PROTECTION ORDINANCE/HILLSIDE REVIEW PERMIT NO. 96-0627. Second by White. Passed by a 6-0 vote with Vice-Chairperson Anderson not present.

ITEM-10:

IRROQUOIS TOWN HOMES-HILLSIDE REVIEW (HR) RESOURCE PROTECTION ORDINANCE (RPO) PERMIT NO. 96-0319.

Patrick Hooper presented Report to the Planning Commission No. P-96-253.

Testimony in favor of the project:

Kristen McDade, representing the applicant: Explained that they are in full agreement with the staff recommendation and believe that the Hearing Office was in error. Described the mixture of residential development in the surrounding neighborhood and how this project is compatible. Explained that the applicant received prior approval for a 6 unit condo project. The applicant has now revised the plans and is seeking approval of a smaller viable 5 unit town home. Described the controversial issue of the canyon edge of the proposed development.

Gary Taylor, representing the applicant. Discussed all the meetings he had before he submitted the plans to determine what the sensitive issues were, and the setback was never brought up. Based on all of the positive responses he received, he proceeded with a formal submittal. The building is located on the flat portion of the site. Met with the City's biologist and it was determined there were no sensitive biological plant species on the project. The brush management requirements and maintenance procedures had been approved and are indicated in the plans. This project is superior to the previous design, and is compatible with the neighborhood and he requested the Commission's support.

Testimony in opposition to the project:

Martin Schmidt, neighbor and Clairemont Mesa Planning Committee member. Advised that the project was denied with a direction to go back and look at the originally approved project (6 unit one). Just because a project was built and additional encroachment into the canyon was realized, that is not justification to say that since they are directly next door, and because that other one was approved previously, this one should be approved as well.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO CERTIFY THE ADDENDUM TO NEGATIVE DECLARATION NO. 91-0355; AND APPROVE THE APPEAL AND APPROVE HR/RPO 96-0319 WITH THE FOLLOWING REVISION: ITEM C OF THE RPO, PAGE 9 OF 11, ATTACHMENT 3, TO READ, "... 2 ACRES OF ROUGHLY GRADED PAD..."; THE PREVIOUS PERMIT WILL BE RESCINDED AS A CONDITION OF APPROVAL OF THIS PERMIT. Second by White. Passed by a 6-0 vote with Vice-Chairperson Anderson not present.

ITEM-11:

AIRTOUCH CELLULAR - CACTUS ROAD CONDITIONAL USE PERMIT 96-0271 TO ALLOW FOR CONSTRUCTION OF A 65 FOOT TALL MONOPOLE, MULTIPLE ANTENNA AND A 288 SQUARE FOOT OF EQUIPMENT SHELTER.

Patrick Hooper presented Report to the Planning Commission No. P-96-252.

Testimony in favor by:

Christopher Morrow, representing Air Touch Cellular. Thanked the staff for their work on this project and advised that this project was approved unanimously by the Otay Mesa Planning Group. In addition this facility will serve the Otay Mesa area and link with existing facilities to the north and west. This site will replace a site that they have at Brown Field that has to be removed as the building is being torn down.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO CERTIFY NEGATIVE DECLARATION 96-0271 AND APPROVE CONDITIONAL USE PERMIT 96-0271. Second by Watson. Passed by a 5-0 vote with Commissioner Quinn abstaining and Vice-Chairperson Anderson not present.

ITEM-12:

PACIFIC BELL MOBILE SERVICE/DUFFER - CONDITIONAL USE PERMIT NO. 95-0350-85 TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF TWO POLE MOUNTED ANTENNAS AND A 200 SQUARE FOOT BASE TRANSCIEVER STATION.

Terri Bumgardner presented Report to the Planning Commission No. P-96-257.

Public testimony in favor by:

Kirk Dakan, applicant, PBMS. Pointed out on the displayed photo boards the view and perspective of the overall environment in which the antennas are being located. He was at this hearing to answer any other questions.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY SKOREPA TO CERTIFY NEGATIVE DECLARATION NO. 95-0350-85 AND APPROVE CONDITIONAL USE PERMIT NO. 95-0350 AS STATED UNDER MANAGER'S RECOMMENDATION IN THE STAFF REPORT. Second by Butler. Passed by a 4-0 vote with Chairperson Neils and Commissioner Quinn abstaining and Vice-Chairperson Anderson not present.

GREEN DRAGON COLONY - COASTAL DEVELOPMENT/SENSITIVE COASTAL RESOURCE/LA JOLLA PLANNED DISTRICT PERMIT 95-0318.

Georgia Sparkman presented Report to the Planning Commission No. P-96-256. Bob Didion addressed the issues raised by the Commission at the August 29, 1996 hearing on this matter.

Testimony in favor by:

Marie Burke Lia, representing applicant. Addressed the issues raised in the report from the La Jolla Town Council's ad hoc committee and also the parking requirements for the new commercial development. The valet parking and the parking agreement was also discussed. Ms. Lia spoke to the town home design, heritage structure status, impacts to the Prospect Street structures, the feasibility study; CEQA compliance and communication from Coastal Commissioner William Rick.

Don Allison, representing himself. Spoke to the history of the Green Dragon Colony. Today the decision to be made is if the Colony as presented will provide a sense of what has gone before. They hope to be able to retain the architectural heritage of the site while at the same time creating compatible structures which reflect the needs of the 21st Century. **James Alcorn, architect.** Presented photo boards and design packages illustrating the proposed buildings. Architectural issues were discussed, as well as the view corridor and the placement of the original cottages and how the proposed new buildings will exist.

ITEM-13:

Claimed they have addressed all of the 32 design elements. Discussed surrounding areas in the vicinity and the compatibility of the new proposed cottages and what's there now.

Mark Lyon, La Jolla Community Planning Association. Explained that the ad hoc committee is bogus and should not be listened to. This project got a fair and open hearing and the trustees voted to approve the project as proposed. Requested that the information provided by the ad hoc committee be disregarded.

Homer Delawie, representing himself. Bob Mosher asked him to take a look at this project, and he was taken by the tremendous amount of care and interest that everyone has put into it. Described how he felt about the project on the whole and how these homes related to this site. This building will be a good neighbor to its surroundings. The profiles are almost that of the existing buildings that were there. As far as bulk and scale, there is little difference from this and the original project.

Testimony in opposition by:

Courtney Coyle, La Jolla Town Council. Discussed the following: the procedural posture with the staff's initial recommendation to deny the project, then the staff's recommendation as proposed. This change occurred despite no significant new information submitted or no significant changes to the project. Also discussed the environmental documents regarding redevelopment which appear even less reflective of the current project than were the earlier development plans. Spoke to four relevant environmental statutes which should be considered in conjunction with the revised mitigated negative declaration.

Joanne Pearson, representing herself and the La Jolla Town Council Ad Hoc Committee. Spoke to the documents she submitted. Feels the process has broken down somewhere because of all this confusion. After reviewing the project as currently proposed, the Committee believes that serious discrepancies still remain regarding CDP compliance, CEQA compliance, San Diego Muni Code compliance and the La Jolla Community Plan compliance. The committee has not received adequate information to make any of the determinations.

Richard Smith, SEA. Spoke primarily to the issue of pedestrian access between Coast Blvd. and Prospect Street. The permit should be conditioned to recognize that the public uses those accesses by right and not by license and that they not be restricted to time when they can use it.

Paul Kennerson, La Jolla Town Council. On August 29, 1996 a request was made, which they took as a mandate for further community input into the merits and demerits of this project. Pursuant to that request, the Town Council appointed an ad hoc committee to compile this information. He is troubled and sad that people feel that only the Community Planning Group is allowed to take the pulse of the community.

Martin Mosher, La Jolla Town Council. Spoke to the parking issue and all the problems associated with the shared parking and people using the parking lots in question. This area on Prospect Street has garages that are fairly full all the time.

Orrin Gabsch, representing himself. Spoke to the zoning issues as they relate to their PDO. They have requested that this property be rezoned commercial.

Robert Collins, La Jolla Town Council. The PDO ordinance is specific enough to clarify the zoning issue. The frontage on Coast Blvd. is commercial. Zoning seems to be a little controversial. Residential development is very appropriate. Should be rezoned to residential.

Ron Buckley, representing himself. Spoke to the Special Use permit process which was put into the PDO for preserving historic resources. One was allowed to deviate significantly from all of the regulations in the PDO. Clarified the issues of the Coastal Commission permit and that was to mitigate the demo violation. The issue today is not mitigation of the demo; the basic issue is the condition to retain the scale and character of the demolished structures with any new development. Spoke to the PDO and LCP regulations.

Christopher Stokes, La Jolla BID. Promote La Jolla provides parking options for visiting customers and local employees in the downtown business district. They support and encourage all effort of the business climate however their sole interest is in the parking. Strongly encourage the applicant to include on-site parking for this project. Also requested that the Commission deny the application for heritage status on that basis.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO APPROVE THE PROJECT SUBJECT TO THE ATTACHED CONDITIONS IN THE STAFF REPORT, AND THE FOLLOWING NEW CONDITIONS:

1. A REQUIREMENT THAT THE APPLICANT PROVIDE VALET PARKING FOR THE COMMERCIAL USE, AS A CONTINUING CONDITION.

2. THAT THE BASEMENT CANNOT BE USED FOR ANY COMMERCIAL OR RESIDENTIAL USE THAT WOULD INCREASE THE AMOUNT OF PARKING REQUIRED.

3. ADD THE DETAILS THAT WERE SUBMITTED ON THE DRAWINGS (SUBMITTED DURING THIS HEARING) AS PART OF EXHIBIT A, AND ADD THE DETAILS IN EXHIBIT 5 OF MS. LIA'S OCTOBER 10, 1996 LETTER AS PART OF EXHIBIT A.

4. TO PRECLUDE THE CONVERSION OF THE TOWN HOMES TO A NON-RESIDENTIAL USE WITHOUT A FURTHER DISCRETIONARY PERMIT AT THE PROCESS 4 LEVEL.

5. THE SHARED PARKING AGREEMENT MUST BE IN EFFECT AS A CONTINUING CONDITION TO EFFECTIVENESS OF THE PERMIT. EVIDENCE OF THE SHARED PARKING AGREEMENTS BEING IN EFFECT AND BEING RENEWED OR REPLACED ON AN AUTOMATIC BASIS BE PROVIDED TO THE CITY MANAGER 45 DAYS BEFORE THEY EXPIRE.

APPLICANT MUST HAVE PROVISIONS IN EACH OF ITS LEASES, APPROVED BY THE CITY, THAT WOULD INFORM ITS TENANTS THAT THE RETAIL PREMISES WOULD HAVE TO BE CLOSED IF THE SHARED PARKING AGREEMENTS ARE NOT IN EFFECT, RENEWED OR REPLACED.

Second by White. Passed by a 4-2 vote with Commissioners Quinn and Skorepa voting nay and Vice-Chairperson Anderson not present.

The Planning Commission meeting was adjourned by Chairperson Neils at 5:28 p.m.