

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
JANUARY 22, 1998
IN COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Steele at 9:00 a.m. Chairperson Steele adjourned the meeting at 2:35 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Mark Steele-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-present
Rick Duvernay, Deputy City Attorney-present
Tina Christiansen, DSD Director-not present
Gary Halbert, Deputy Director, DSD-not present
Bob Didion, 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.

Staff requested that Item No. 6, Initiation Carmel Valley Community Plan Amendment Seabreeze Farms be continued to February 5, 1998, as the applicant has indicated that their project is going to change.

ITEM-3: DIRECTOR'S REPORT.

Betsy McCullough and Bill Levin discussed the possibility of the Commission taking a tour of the Miramar Naval Air Station. It was determined that it would be more appropriate to hold this tour at a later date.

ITEM-4: COMMISSION COMMENT.

Chairperson Steele advised the outcome of the Joint LU&H Committee/Planning Commission Meeting which was held on Wednesday, January 21, 1998 and advised that more joint meetings would be held to discuss the Strategic Framework Plan and General Plan.

ITEM-5: INITIATION OF AN AMENDMENT TO THE MIRA MESA COMMUNITY PLAN AND THE PROGRESS GUIDE AND GENERAL PLAN FOR PLANNED COMMERCIAL DEVELOPMENT, PLANNED INDUSTRIAL DEVELOPMENT AMENDMENT AND REZONE PERMIT FILE NO. 96-7896.

Bernie Turgeon presented Report to the Planning Commission No. P-97-022.

Testimony in favor by:

Christopher Neils, representing the applicant. Discussed the project and policy situation and recognized the idea that there was a better way to modify the concept of the M-1 zone to embrace the notion of business-oriented hotels. In light of their critical time path, they fashioned their application to mirror what was done on the Homestead Project to get to the idea of the business-oriented hotel by amending the community plan

and changing the zone and imposing a PCD.

No one present to speak in opposition.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE THE INITIATION. Second by Anderson. Passed by a 6-0 vote with Commissioner Quinn not present.

ITEM-6: **INITIATION OF AN AMENDMENT TO THE PROGRESS GUIDE AND GENERAL PLAN, CARMEL VALLEY COMMUNITY PLAN, NEIGHBORHOOD 4,5, AND 6 PRECISE PLAN TO SHIFT THE RESIDENTIAL (4.8 DU/AC) AND EQUESTRIAN LAND USES ON A 72-ACRE SITE, SEABREEZE FARMS.**

COMMISSION ACTION:

MOTION BY WHITE TO CONTINUE TO FEBRUARY 5, 1998 AT 9:00 A.M. AT STAFF'S REQUEST. Second by Skorepa. Passed by a 5-0 vote with Commissioners Butler and Quinn not present.

ITEM-7: **APPEAL OF THE DECISION OF THE HEARING OFFICER FOR VALVOLINE INSTANT OIL CHANGE, PCD NO. 96-7641.**

Mike Westlake presented Report to the Planning Commission No. P-98-016.

Testimony in favor of appeal by:

Dave Potter, representing the Clairemont Mesa Planning Committee. Advised that the Planning Committee supports the staff recommendation as outlined in their report. Presented photos depicting the use of monument signs at other auto service facilities along Balboa Avenue. The Committee is requesting approval with a modification eliminating the 30 foot pole sign.

Testimony in opposition to the appeal by:

Jeffrey Gong, and Tony Mansour, representing RFG Oil, Co.

Discussed the safety features involved with monument signs and that a large pole sign is the only way to avoid any potential traffic danger. The traffic flows smoother when a sign is visual from a distance. Feels the other auto facilities discussed by the opponents are in different traffic areas and are not the same with his facility.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO APPROVE THE APPEAL OF THE HEARING OFFICER TO APPROVE A PCD TO CONSTRUCT AND OPERATE A VALVOLINE INSTANT OIL CHANGE FACILITY, WITH THE INCLUSION OF A CONDITION TO REMOVE THE EXISTING POLE SIGN, AND CERTIFY NEGATIVE DECLARATION LDR NO. 96-7641. Second by Anderson. Passed by a 6-0 vote with Commissioner Quinn not present.

ITEM-8: SCHWAB RESIDENCE - APPEAL OF COASTAL DEVELOPMENT PERMIT NO. 96-7620.

Bob Korch presented Report to the Planning Commission No. P-98-011 and read three permit revisions into the record.

Testimony in favor of the appeal by:

Robert Bregman, neighbor. Discussed and distributed a petition from several neighbors in opposition to the proposed project. They are primarily concerned with the project's two story design at street level which they believe may not be visually compatible with the surrounding neighborhood. The surrounding neighborhood is developed with one story at street level. They are not interested in reducing the size or designing the Schwab home, but are greatly concerned with establishing a precedent of a two story structure at street level.

Kathryn Whistler, Nick Fintzelberg and Phil Harry, neighbors. Explained that some of the residents were improperly noticed. Mrs. Whistler somehow received a notice addressed to the wrong resident, too late to attend the first hearing. They then discussed the private views and the "rights" involved for residents in the area. Feels their property value will decline with the obstruction of the views. The CC&R's were

established to prevent such issues as this, but unfortunately they have expired. Explained that through the years everyone has been courteous and respected the views of one another, now that is going to set a precedence.

Testimony in opposition to the appeal by:

Dr. Gregory Schwab, applicant. Feels he has met all the necessary requirements and illustrated a superimposed photo of the homes and what the actual house will look like. Feels his house will only increase property value throughout the neighborhood and thinks the redesign will only increase the public view.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY BUTLER TO DENY THE APPEAL AND APPROVE THE COASTAL DEVELOPMENT PERMIT NO. 96-7620. Second by White. Passed by a 6-0 vote with Commissioner Quinn not present.

ITEM-9: **MARVIN CARPENTER STORAGE, SAN YSIDRO DEVELOPMENT PERMIT NO. 95-0684 - RELOCATION/RECISION OF PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 37.**

Bill Tripp presented Report to the Planning Commission No. P-98-012.

Testimony in favor of the appeal by:

Marvin Carpenter and Rick Eaton, applicant and architect. Messrs. Carpenter and Eaton reiterated their opinion that City staff allowed the construction of the structures on this property and they are not in violation of the code. A video tape was shown expressing same.

No one present in opposition to the appeal.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO APPROVE SUBITEM B AS SHOWN ON THE AGENDA TO REVOKE/CANCEL PCD NO. 37 IN ACCORDANCE WITH PROVISIONS IN PCD NO. 37. Second by Skorepa. Passed by a 6-0 vote with Commissioner Quinn not present.

ITEM-10: **RODQUEZ TPM, TENTATIVE MAP/RESOURCE PROTECTION ORDINANCE PERMIT NO. 94-0229.**

Glen Gargas presented Report to the Planning Commission No. P-98-026 and read corrections into the record.

Testimony in favor by:

James Algert, Civil Engineer representing the applicant. Explained he was in attendance to answer questions. Did subsequently discuss the grading issue.

Susan and Edwardo Rodquez, owners. Discussed the rationale for purchasing his original home and the history involved with his purchasing the second property subsequently. Felt they wanted to have a rental property and were very pleased living in this community. Explained that he did in fact make a mistake when he graded the second property as it caused drainage problems. He has corrected that problem. Explained that he is allowed to split the lot and that the City has approved it. They have put a lot of money into both homes and they will only increase the property value for all concerned. Advised when they started working on this they did not hear from any of the neighbors that they would be upset with their plans. It's just now that the neighbors are saying they are not pleased.

Testimony in opposition by:

Dick Flanagan, Vicki Yourozeh, Jeremiah Connolly, David Wigmore, Buford Manbeck Christine Rilovick, Jeff Brazel. All discussed the fact they felt the lot split was not in conformance with the community plan. There has been significant cutting into the hillside which is a violation of their plan as well. Concerned about flooding and erosion. Some of them were not aware the applicant was going to put in homes until they saw the bulldozer. Then he parked his car on the front lawn. They are also

concerned about traffic on their street as there will now be more people and the flow of the traffic will be very congested. When some of purchased their homes they were told that no one would be able to build on the hillside, now the City is allowing this lot split.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO CERTIFY THE MITIGATED NEGATIVE DECLARATION AND ADOPT MITIGATION, MONITORING AND REPORTING PROGRAM, AND APPROVE THE TM AND RPO PERMIT NO. 94-0229 SUBJECT TO CONDITIONS. Second by White. Passed by a 5-1 vote with Commissioner Butler voting nay and Commissioner Quinn not present.

ITEM-11: **ETHEL BETHEA- TENTATIVE MAP AND STREET VACATION 96-0462.**

Corey Braun presented Report to the Planning Commission No. 98-019.

No one present to speak.

COMMISSION ACTION:

MOTION BY ANDERSON TO REVIEW, CONSIDER AND RECOMMEND CERTIFICATION OF MITIGATED NEGATIVE DECLARATION 96-0462; AND RECOMMEND APPROVAL OF TENTATIVE MAP AND STREET VACATION 96-0462 TO THE CITY COUNCIL. Second by Watson. Passed by a 6-0 vote with Commissioner Quinn not present.

ITEM-12: **REQUESTS FOR CONTINUANCE FOR AFTERNOON ITEMS**

None.

ITEM-13: **AMC THEATERS - PALM PROMENADE. PROPOSED CONDITIONAL USE PERMIT AND PCD PERMIT NO. 96-7758.**

Kevin Sullivan presented Report to the Planning Commission No. P-98-001 and read revisions into the record.

Testimony in favor by:

Bruce Tabb, representing the applicant. Gave the history and a review of the project and how this development will enhance the area.

Mark Linman, representing AMC. Spoke to the parking issues and clarified the traffic impacts.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE CUP AND PCD (AMENDMENT) NO. 96-7758, SUBJECT TO CONDITIONS OF APPROVAL CONTAINED IN ATTACHMENT NO. 5, ALONG WITH REVISIONS READ INTO THE RECORD. Second by Skorepa. Passed by a 5-0 vote with Commissioner Watson abstaining and Commissioner Quinn not present.

ITEM-14: WORKSHOP - SYCAMORE LANDFILL CONDITIONAL USE PERMIT

Deborah Johnson presented Report to the Planning Commission No. P-98-025.

Workshop held.

The Planning Commission meeting was adjourned by Chairperson Steele at 2:35 p.m.