

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
JANUARY 9, 1992
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 3:50 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
George Arimes-Assistant Planning Director-present
Michael J. Stepner, City Architect-present
Fred Conrad, Chief Deputy City Attorney-present
Allison Thomas, Deputy City Attorney-present
Tom Story, Deputy Director, Development and
Environmental Services-present
Jeff Strohming, Engineering and Development-present
Frank Ducote, Principal Planner-present
Janet MacFarlane, Recorder-present

ITEM-1 ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD.

No one appeared to speak at this time.

ITEM-2 APPROVAL OF MINUTES OF DECEMBER 12, 1991

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by EDWARD REYNOLDS, the Commission voted 6-0 (LA VAUT not present) to approve the minutes of December 12, 1991.

ITEM-3 MATTER OF A REQUEST TO RECONSIDER PLANNING COMMISSION DENIAL OF LJC/CDP/SUP NO. 90-0767; APPLICANT: LA JOLLA MUSEUM OF CONTEMPORARY ART

KARL ZOBELL and CHRIS CALKINS abstained from discussion and vote on this item. RALPH PESQUEIRA chaired the meeting.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by SCOTT BERNET, the Commission voted 4-0 (ZOBELL and CALKINS abstaining with LA VAUT not present) to suspend the Rules of the Commission and consider this request.

DAVID SINGER, architect for the permit, requested the Commission reconsider this item. He explained their plans for the fence around the sculpture garden relied on incorrect information obtained from the Planning Department staff.

MELINDA MERRIWEATHER spoke in opposition to the requested reconsideration. She felt it was an abuse of the system to rehear this item.

DAVE ODELL spoke in opposition to the reconsideration. He felt no new evidence was being presented, therefore, the request should be denied.

Public testimony was closed.

COMMISSION ACTION

On motion of LYNN BENN, seconded by EDWARD REYNOLDS, the Commission voted 4-0 (ZOBELL and CALKINS abstaining with LA VAUT not present) to reconsider this matter.

KARL ZOBELL resumed Chair of the meeting.

ITEM-4 CONDITIONAL USE PERMIT NO. 89-0731; PROPOSAL TO OPERATE
A WORK FURLOUGH FACILITY; LEGAL: MIDDLETOWN, BLK 234,
LOTS 1,2,3,4,181,182,183 & 184; LOCATION: 4025 PACIFIC
HIGHWAY; APPLICANT: MID-CITY CORPORATION

It was noted public testimony was closed at the
Commission's last hearing on this item.

JUDY BRASWELL presented Planning Department Report
No. 91-339.

ALEX LANDON, attorney representing the applicant, spoke
in support of the permit. He stated they had performed
a survey and found no parking deficiencies in the area.

RONALD SLAYEN spoke in opposition to the permit. He
stated they had been operating illegally for several
years and he doubted they would live up to the
conditions of the permit if granted. He also expressed
concern that drug addicts would be housed at this
facility.

Public testimony was closed.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by SCOTT BERNET,
the Commission voted 4-2 (ZOBELL and BENN voting in the
negative with LA VAUT not present) to certify the
negative declaration and approve the permit modified to
require that all bathroom and kitchen improvements as
well as existing code violations be corrected within 180
days or the permit be automatically revoked. Further,
that Planning Department conduct a review after one year
of operation to assure compliance with conditions of the
permit.

RECESS, RECONVENE

The Commission recessed at 10:10 a.m. and reconvened at
10:20 a.m.

ITEM-5 PROPOSED COMPREHENSIVE HISTORIC PRESERVATION PLAN AND AMENDMENT TO THE LOCAL COASTAL PROGRAM

Chairman ZOBELL reported on the special committee's efforts to date to review the proposed ordinance.

BILL LEVIN distributed a staff report on the progress of the committee's review of the proposed ordinance. He suggested a brief recess in order that the Commission and interested persons have an opportunity to review the material.

DAVE ODELL stated that a continuance was in order because information was not available to the public.

RECESS, RECONVENE

The Commission recessed at 10:20 a.m. and reconvened at 10:35 a.m.

BILL LEVIN presented Planning Department memorandum dated January 8, 1992.

ALBERT MAYRHOFER stated he had appeared before the Historic Site Board and asked that his property not be designated a historic site. He stated he would lose approximately \$500,000 in property value if the property were so designated.

DAVID SWARENS stated he did not have the opportunity to review the latest report from staff. He recommended that economic hardship be determined at the time of initial proposal. He also felt there should be additional consideration for owner-occupied, single-family dwellings designated as historic sites.

GREG SHUFF spoke in opposition. He was concerned about the requirement to maintain historically designated property. He also questioned the historic value of his property.

RUTH SHIMEALL spoke in opposition to the proposed ordinance.

MICHI SUZUKI spoke in opposition to the proposed ordinance.

ALEX RIGOPOULOS explained he was the owner of Victoria Square. He stated care should be taken not to unduly burden owners of historic properties with regulations.

JUDITH PIKE stated she was opposed to involuntary designation of historic properties. She questioned in this time of economic problems, the wisdom of recommending a program that would increase the need for employees from 1.5 to 6 in order to maintain the proposed program.

JARUSKA PARENTE spoke in opposition to the ordinance. She noted the amount of time spent reviewing these proposed ordinances and questioned the value of another ordinance be implemented.

LUCIA SIPPEL stated she supported the direction that staff seemed to be headed in the development of the proposed ordinance. She stated many of the small property owners could not afford the fee process that would be required of historically-designated structures.

IRMA BECKER stated she was opposed to the entire ordinance because she felt it was a taking of property.

KENT CASADY stated he was opposed to the ordinance because he felt it was a taking of property without compensation.

HAMILTON MARSTON stated he was opposed to the new ordinance. He stated he did not support a program that would regulate an owner from making lawful changes to his property.

FRANCES OWEN stated she was opposed to the ordinance and felt it constituted a seizure of property.

PHIL LEROY, representing the Historic Site Owners Group, stated his group had tried to gain input into the process of developing the ordinance. He questioned several aspects of the proposed ordinance. He noted there was no definition of what constituted an economic hardship.

ELMER SCHAEFER stated he was concerned about the devaluation of the property values when a building is designated a historic site. He stated he would encourage the development of positive incentives for

those who wished to designate their properties as historic.

LARRY JACKMAN spoke in opposition to the ordinance.

MARTHA BEKKEN recommended that the economic hardship placed on an owner of historic property be taken into consideration.

ANN LEROY recommended lessening the burden on the owners of historically-designated properties.

JOHN DAVIS stated he added his home to the historic register. He felt the proposed ordinance constituted the taking of fee simple rights.

BRUCE NORDAHL spoke in opposition to the proposed ordinance.

Public testimony was closed.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by KARL ZOBELL, the Commission voted 6-0 to reaffirm their recommendation of approval of the Incentive, Educational and Inventory Elements of the Plan.

On motion of SCOTT BERNET, seconded by CHRIS CALKINS, the Commission voted 6-0 (LA VAUT not present) continue the ordinance to February 27, 1992, at 9:00 a.m.

RECESS, RECONVENE

The Commission recessed at 12:30 p.m. and reconvened at 2:20 p.m.

ITEM-8 AMENDMENT TO THE SAN DIEGO MUNICIPAL CODE TO PROVIDE CONDITIONAL USE PERMIT PROCESS FOR TEMPORARY WORKER CAMPS, ADOPTING GUIDELINES AND LOCATIONAL CRITERIA AND APPROVING SITE LOCATIONS.

Councilman TOM BEHR requested a short continuance on this matter at the request of the Rancho Bernardo Planning Board so they might have the opportunity to review and discuss this matter at their upcoming meeting on January 23, 1992.

KEVIN McNAMARA stated he wished the ordinance to proceed as quickly as possible as they have many camps in the area that need to be cleaned up.

SCOTT HARVEY, representing Fairbanks Homeowners Association, stated they were not noticed of the hearing and were in support of a continuance.

STEVE FEY, representing Esperanza, stated they had no objection to a continuance but requested those who took the day off work to speak be allowed to give their testimony today so as not to loose another day's work.

A gentlemen in the audience stated he was against a continuance.

TOM BILHORN, representing the Rancho Bernardo Planning Board, requested a continuance on this item. He explained many area residents received notice that a worker's camp could be located within 300 feet of their property. He stated this had caused concern in the community and a continuance would allow time for a community meeting so they could learn the facts.

CLIFF MENSOR stated they lived outside the City limits yet near the proposed camps and they did not receive notice of the hearing.

LAURA QUALTREK, representing Sentura H.O.A., stated they supported a continuance on this item.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by CHRIS CALKINS, the Commission voted 6-0 (LA VAUT not present) to continue this item to February 13, 1992, at 9:00 a.m.

ITEM-6 CENTRE CITY PRELIMINARY REDEVELOPMENT PLAN

PAM HAMILTON, representing CCDC, presented their memorandum dated December 30, 1991.

No action was required of this item.

ITEM-9 COASTAL DEVELOPMENT PERMIT NO. 90-0835; PROPOSING THE DEMOLITION OF ONE BUILDING AND THE CONSTRUCTION OF TWO, SINGLE-FAMILY RESIDENCES; LEGAL: LA JOLLA PARK, MAP 352, BLK 46, LOTS 13,14 & POR. 5; location: 1525 COAST WALK; APPLICANT: DONALD COUNTRYMAN

GLENN GARGAS explained staff was requesting a continuance on this item which was supported by both the applicant and appellant.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by EDWARD REYNOLDS, the Commission voted 6-0 (LA VAUT not present) to continue this item to January 30, 1992, at 9:00 a.m.

ITEM-7 AMENDMENT TO GASLAMP QUARTER PLANNED DISTRICT ORDINANCE

PAM HAMILTON presented Centre City Development Corporation memorandum dated January 3, 1992.

MICHAEL STEPNER presented Planning Department memorandum dated January 8, 1992.

REUBEN ANDREWS, representing the Centre City Association, stated his opposition was based on the concern of the apparent conflict of interest.

Public testimony was closed.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by RALPH PESQUEIRA, the Commission voted 5-0 (LA VAUT and CALKINS not present) to approve the revisions to the administrative and processing procedures in Centre City as outlined in Centre City memorandum dated January 3, 1992, excepting Section 103.0404, Appeals to the Planning Commission, as outlined in Planning Department memorandum of January 8, 1992, to maintain that all approvals remain with the Planning Commission.

ADJOURNMENT

The Commission adjourned at 3:50 p.m.