

PLANNING COMMISSION OF THE CITY OF SAN DIEGO  
MINUTES OF  
OCTOBER 10, 1991  
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 9:05 a.m.  
The Planning Commission adjourned at 3:30 p.m.

ATTENDANCE DURING THE MEETING:

Chairman Karl ZoBell-present  
Commissioner Tom La Vaut-present  
Commissioner Ralph Pesqueira-not 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  
Mary Lee Balko, Deputy Director, Long Range  
Planning-present  
Fred Conrad, Chief Deputy City Attorney-present  
Jeff Strohming, Engineering and Development-present  
Ron Friedman, Principal Planner-present  
Tom Salgado, 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 SEPTEMBER 12, 1991.

COMMISSION ACTION

On motion of LYNN BENN, seconded by TOM LA VAUT, the Commission voted 5-0 (PESQUEIRA and BERNET not present) to approve the minutes of September 12, 1991.

ITEM-4 STREET ACTION SA 90-507 -- A WESTERLY EXCESS PORTION OF GILMAN DRIVE BETWEEN VIA ALICANTE AND VILLA LA JOLLA DRIVE. APPLICANT: ALAN VITERBI.

Staff explained the La Jolla Town Council had requested a continuance on this item.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by EDWARD REYNOLDS, the Commission voted 5-0 (PESQUEIRA and BERNET not present) to continue this item to October 24, 1991, at 9:00 a.m.

ITEM-6 CONDITIONAL USE PERMIT NO. 91-0299; THE FLAMES. THE PROPOSED PROJECT IS A REQUEST FOR A CONDITIONAL USE PERMIT FOR THE CONTINUED USE OF THE SITE AS A 46-BED RESIDENTIAL CARE FACILITY FOR THE ELDERLY AND DISABLED. LOCATION: 4538 35TH STREET; IN THE MR-1500B ZONE OF THE NORMAL HEIGHTS COMMUNITY PLANNING AREA; COUNCIL DISTRICT 3; APPLICANT: WILLIAM DESCHWANDEN

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by CHRIS CALKINS, the Commission voted 5-0 (PESQUEIRA and BERNET not present) to certify the negative declaration and approve the permit according to staff recommendation.

ITEM-5      CONDITIONAL USE PERMIT NO. 90-0976.  THE PROJECT PROPOSES TO DEMOLISH AN EXISTING TWO-STORY RESIDENTIAL STRUCTURE LOCATED BEHIND AN EXISTING 3,024-SQUARE-FOOT STRUCTURE WHICH WOULD BE RENOVATED AND CONVERTED INTO A DISPATCH OFFICE.  THE DEMOLITION WOULD ALLOW ADDITIONAL AREA FOR PARKING OF 25 VANS.  LOCATION:  3687 FOURTH AVENUE AND 3650 FIFTH AVENUE.  NP-1 AND CV-4, UPTOWN COMMUNITY; COUNCIL DISTRICT 3; APPLICANT:  J. C. CONSTRUCTION

JIM RODGERS presented Planning Department Report No. 91-312.

DODIE ROTHERHAM, representing the American Red Cross, spoke in support of the permit.  She stated relocating from this site would cause an economic hardship to the Red Cross.

PAT GOEPFERT read a letter in support of the permit from Warren Smith, Hillcrest Business Association.

GREG SMITH, Director of Disaster Services, read a letter in support of their operation from Police Chief Bob Burgreen.

DON SWAIN, Director of Transportation, read a letter of support from Mercy Hospital.

DONNA WARREN spoke in support of the permit.  She explained most of the surrounding uses were businesses.

ALFRED SPENCER, representing the Tropico Condominiums, spoke in opposition to the permit.  He stated he personally counted 36 buses which are used to transport people around San Diego.  He complained that the buses start revving up their motors about 6:45 a.m., which continues for about 30 minutes.  He stated this caused excessive noise and air pollution.  Mr. SPENCER felt this was an incompatible use in the area.

PAUL PEASE, representing the Tropico Homeowners, recommended that a block wall be provided between their complex and the Red Cross facility.  He stated the wheel stops in the parking lot were inadequate to stop vehicles which resulted in damage to the fence between the two properties.  Mr. PEASE recommended the dispatch office be deleted from the area; no van storage on Lots 2, 3 or 4; require a six-foot block wall; allow no

on-site cleaning of vans; and provide a concrete block wall around the dumpster.

DONALD STEWARD, representing the Uptown Planners, recommended approval of the permit subject to certain conditions which included relocation of the Wheels Program to a more appropriate site.

Public testimony was closed.

COMMISSION ACTION

On motion of LYNN BENN, seconded by TOM LA VAUT, the Commission voted 6-0 (PESQUEIRA not present) to certify the negative declaration and approve the permit, subject to the following conditions: Provide a six-foot block wall to the southerly boundary of the lot for sound attenuation purposes; limit vehicle cleaning to Saturdays between 12 noon and 5 p.m.; wheel stops to be mounted in such a manner as to protect the fencing from damage; vans used on weekends are to be stored as far as possible away from residential use; and staff to review possible relocation of the dumpster.

ITEM-3 MATTER OF A REQUEST TO RECONSIDER PLANNING COMMISSION DENIAL OF COASTAL DEVELOPMENT PERMIT NO. 91-0158. PROJECT LOCATION: 6405 MUIRLANDS DRIVE (THOMPSON RESIDENCE).

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

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by SCOTT BERNET, the Commission voted 5-0 (ZOBELL abstaining with PESQUEIRA not present) to suspend the rules to consider this request.

RICHARD THOMPSON requested the Commission reconsider the matter of their denial of his permit.

TIM MARTIN, architect for the project, explained they had taken into account comments made by the Planning Commissioners about the design of the house and would like the opportunity to make the recommended changes to the plans and present them to the Commission.

MARTY BOHL, attorney representing the appellant, spoke in opposition to the requested reconsideration of the project. He felt the applicant should use the appeal procedure.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by EDWARD REYNOLDS, the Commission voted 2-3 (BENN, LA VAUT and CALKINS voting in the negative with ZOBELL abstaining the PESQUEIRA not present) to reconsider the permit. This motion failed for lack of four affirmative votes.

RECESS, RECONVENE

The Commission recessed at 10:20 a.m. and reconvened at 10:30 a.m.

ITEM-7 COASTAL DEVELOPMENT AND HILLSIDE REVIEW PERMIT  
AND 7A NO. 89-1215. THIS PERMIT PROPOSES THE CONSTRUCTION OF A 8,511-SQUARE-FOOT SINGLE-FAMILY RESIDENCE WITH AN 1,190-SQUARE-FOOT GARAGE, AND A 2,133 SQUARE-FOOT COVERED DRIVEWAY TOTALING 11,834 SQUARE FEET OF FLOOR AREA ON A VACANT 38,800 SQUARE-FOOT VACANT LAND-LOCKED LOT. ACCESS TO THE LOT WOULD BE TAKEN FROM AN EXISTING LEGAL ACCESS EASEMENT ACROSS 7510 HILLSIDE DRIVE, AN ADJACENT PROPERTY TO THE NORTH. LOCATION: THE SUBJECT PROPERTY IS LOCATED AT 7512 HILLSIDE DRIVE, DIRECTLY BEHIND 7510 HILLSIDE DRIVE AND IS PRESENTLY ZONED R1-40,000 AND HILLSIDE REVIEW OVERLAY (HRO) WITHIN THE LA JOLLA COMMUNITY PLANNING AREA; APPLICANT: CHRISTOPHER SICKELS

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

NORMAN ROSENTHALL, attorney representing Bruce Steinberg, spoke in opposition to the permit. He stated the proposed house was too large for the site and the bulk and scale of the home was incompatible with the surrounding area.

Mr. ROSENTHALL further stated a bond should be required to protect the city as well as property owners whose property the driveway will traverse.

ARTHUR PEINADO, attorney representing Ms. Atti Hughes, spoke in opposition to the permit. If approved, he stated a bond should be required and stay into effect not only during the construction period but remain after construction. He stated they were concerned that the project was being developed piecemeal.

ATTI HUGHES spoke in opposition to the permit. She stated the slope was sensitive. She felt an adequate bond should be required to prevent damage to her home and pool.

CHRISTOPHER SICKLES spoke in support of the permit. He explained they had been working on the project for over two years and noted no variances were being requested.

MARK STEELE, architect, reviewed the project. He explained the house had been designed to be sensitive to the site.

Public testimony was closed.

COMMISSION ACTION

On motion of LYNN BENN, seconded by TOM LA VAUT, the Commission voted 3-2 (REYNOLDS and BERNET voting in the negative with ZOBELL abstaining and PESQUEIRA not present) to uphold the appeal and deny the permit based on the fact that Findings A & D of the hillside review permit and Findings A & C of the coastal permit could not be met. This motion failed for lack of four affirmative votes. Therefore, the approval of the Planning Director stands.

RECESS, RECONVENE

The Commission recessed at 11:55 a.m. and reconvened at 1:30 p.m.

ITEM-8 NORTH CITY FUTURE URBANIZING AREA, INTERIM ORDINANCE. EXTENSION OF THE INTERIM ZONING ORDINANCE AFFECTING THE NORTH CITY FUTURE URBANIZING AREA. LOCATION: THE NORTH CITY FUTURE URBANIZING AREA BOUNDARIES INCLUDE THE LOS PENASQUITOS COMMUNITY TO THE EAST, THE CITY BOUNDARY AND FAIRBANKS RANCH COUNTRY CLUB TO THE NORTH, AND INTERSTATE 5 AND THE CARMEL VALLEY COMMUNITY TO THE WEST.

ANDY WATSON presented Planning Department Report No. 91-312.

Chairman ZOBELL stated that DAVID KREITZER, representing San Diegans for Managed Growth, left a note stating they were in favor of the extension of time for the interim ordinance.

TOM BILHORN, Chairman of the Citizens Advisory Committee for the Future Urbanizing Area, stated they were in favor of staff recommendation and stated the moratorium should be in effect until the plan is approved.

KEVIN McNAMARA, representing the Rancho Penasquitos Planning Board, stated their community was most impacted by development in the Future Urbanizing Area. He recommended that the moratorium be extended.

MICHAEL CONRAD, representing the Rancho Penasquitos Planning Board, spoke in support of the extension of the moratorium of the Future Urbanizing Area. He stated it was important to incorporate the wildlife corridor into the plan for the area and was concerned that development not be allowed that would preclude the establishment of this corridor.

STEPHEN COURRY, representing the Alliance of Property Owners, explained his clients owned approximately 8,700 acres in the Future Urbanizing Area. He recommended that the Planning Commission stay with the recommended moratorium which would expire July 8, 1992, not the suggested December 1992 date.

MATT PETERSON, representing Westshaw Associates, stated his clients were in the process of planning a project in the Future Urbanizing Area. He stated this particular project would not jeopardize the planning process for the area and asked that this project be exempt from the moratorium.

THOMAS DiBENEDITTO, representing Westshaw Associates, explained the project they were developing was known as the Bougainvillea project located in both the planned and future urbanizing areas. He explained they were prepared to start development of the golf course and the project's development was sensitive to all the issues. He requested the project be exempt from the provisions of the moratorium.

MATT PETERSON stated the areas was suitable for development and the project would maintain a significant amount of open space. He stated it was his understanding this project would not interfere with any of the transit corridors.

LINDA MICHAEL, representing the Sierra Club, stated they were in support of staff's recommendation.

Public testimony was closed on this item.

COMMISSION ACTION

On motion of LYNN BENN, seconded by KARL ZOBELL, the Commission voted 5-0 (LA VAUT and PESQUEIRA not present) to recommend approval of the extension of the interim ordinance for the North City Future Urbanizing Area as recommended by the department.

On motion of CHRIS CALKINS, seconded by SCOTT BERNET, the Commission voted 4-1 (BENN voting in the negative with PESQUEIRA and LA VAUT not present) to direct staff to bring back a report to the Commission on the request to exempt the Bougainvillea project from the interim ordinance.

ITEM-9 HOUSING ELEMENT UPDATE AMENDMENTS TO THE PROGRESS GUIDE AND GENERAL PLAN AND LOCAL COASTAL PROGRAM.

MYLES POMEROY presented Planning Department Report No. 91-307.

ANN FATHY, speaking in support of the Housing Element, stated that the Housing Code should contain a program to amend the zoning code to remove the requirement of a conditional use permit for residential care facilities for handicapped persons.

TOM SHEFFER, representing the Construction Industry Federation, questioned the accuracy of the city's buildout for housing. He stated that the single-family protection program reduced the city's ability to provide affordable housing. Mr. SHEFFER recommended that state law should be followed and government constraints should be removed whenever possible to provide affordable housing.



VERNA QUINN, representing the Southeast Development Committee, stated the balanced community ordinance should be encouraged as it is presently ignored. She stated the density bonus program was a problem.

MEL SHAPIRO spoke in opposition to the manner in which low and very low income are combined for reporting purposes.

Public testimony was closed.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by EDWARD REYNOLDS, the Commission voted 5-0 to continue this item to October 31, 1991, at 9:00 a.m.

ITEM-10 AMENDMENTS TO THE MOBILEHOME OVERLAY ZONE AND LOCAL COASTAL PROGRAM

MYLES POMEROY presented Planning Department Report No. 91-308.

MARGUERITE FERRANE stated they had worked on the ordinance for one year and was in support of its approval.

BONNIE EHLLI stated she lived in De Anza Mobilehome Park and was opposed to their park being specifically removed from the provisions of this ordinance amendment.

DONALD METZLER stated he was opposed to the amendment.

DEXTER GOODY, California Association of Mobilehome Owners, stated he was in support of the amendment with the exception of removing residents of De Anza Mobilehome Park from the provisions of the amendment.

LARRY DOHERTY, Lawrence Consulting Group, stated he had been involved with the closure of a mobilehome park. He stated in reviewing the proposed amendments there appeared several provisions which would be unworkable. He noted one provision would require the owner to go through a very expensive process, file the necessary application, and then have it turned down. He notes the ordinance contains language that makes this discretionary.

THOMAS BILLINGTON stated he was strongly opposed to this ordinance. He stated the ordinance was established to protect mobilehome park residents and he did not feel residents of De Anza Mobilehome Park should be treated differently and exempted from the provisions of the ordinance.

PAUL ZAMAZANUK stated he was opposed to the provision in the ordinance that would exempt De Anza Mobilehome Park residents from its provisions.

AL KLAUSING stated he was an owner in De Anza Mobilehome Park and was opposed to being deleted from the provisions of the ordinance.

TED BALL spoke in opposition to the section of the ordinance that would preclude residents of De Anza Mobilehome Park from the provisions of this ordinance.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by SCOTT BERNET, the Commission voted 4-0 (LA VAUT, PESQUEIRA and BENN not present) to continue this item to December 12, 1991, at 9:00 a.m.

ITEM-11 PACIFIC BEACH COMMUNITY PLAN UPDATE - ISSUES WORKSHOP

The Commission trailed this workshop to October 17, 1991, at 1:30 p.m.

ADJOURNMENT

The Commission adjourned at 3:30 p.m.