

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
NOVEMBER 5, 1998
IN COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Steele at 9:06 a.m. Vice-Chairperson Anderson adjourned the meeting at 11:47 a.m.

ATTENDANCE DURING THE MEETING:

Chairperson Mark Steele-present
Vice-Chairperson William Anderson-present
Commissioner Patricia Butler-present
Commissioner Andrea Skorepa-present
Commissioner Geralda Stryker-present
Commissioner David Watson-present
Commissioner Frisco White-present
Betsy McCullough, Community Planning & Development Manager-present
Rick Duvernay, Deputy City Attorney-present
Gary Halbert, Deputy Director, DSD-not present
Kelly Broughton, Deputy Director, 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.

None.

ITEM-3: REQUESTS FOR ITEMS TO BE PLACED ON CONSENT AGENDA.

None.

Items No. 6 and 10 were placed on consent.

ITEM-4: DIRECTOR'S REPORT.

Tom Story announced, as part of the City's Implementing Agreement with the MSCP, the City is required to conduct an annual public meeting to review the Annual Report. The Annual Report is the City's disclosure to the wildlife agencies of the amount of habitat take and conservation that has occurred within the reporting period which spans from February 15 to February 15 each year. This meeting will be held on December 2, 1998 at 4:00 p.m. at the Mission Trails Regional Park Visitor Center. A report will be provided along with a follow up notice to the Commissioners.

ITEM-5: COMMISSION COMMENT.

Commissioner Watson advised that he and Commissioner Stryker attended the grand opening of the Urban Village City Heights project.

Commissioner Skorepa announced that staff and the Commission should take pride in the fact that Props K and M passed, and that we all were instrumental in helping that coalition work through very difficult issues.

Commissioner Butler announced that she and Commissioner Stryker attended the dedicated of the Encanto Community Athletic Field for Verna Quinn.

ITEM-6: DENNERY RANCH VTM EXTENSION OF TIME NO. 96-7910.

COMMISSION ACTION:

CONSENT MOTION BY WHITE TO APPROVE THE REQUESTED THREE YEAR EOT. Second by Watson. Passed by a 7-0 vote.

ITEM-7: GTE MOBILNET I-805 EXTENSION/CONDITIONAL USE PERMIT NO. 91-0303-56.

Terri Bumgardner presented Report to the Planning Commission No. P-98-210.

Testimony in favor by:

Debbie Collins, Lettieri-McIntyre & Associates, representing GTE.

Advised that she left the last hearing in April with the understanding that they could use a flag pole. She did not recall that there was any objection for a 100 foot flag pole, and therefore that was the avenue they pursued for this hearing. Discussed the fact that they have looked at alternative sites, none of which would work as well as this one. Requested approval based on the direction given at the last meeting. Also requested that the condition regarding the design of the pole be modified.

Larry Dougherty, representing GTE. Discussed the new program they are discussing with Cal Trans to use overpasses on the freeways for the antennas. Also explained that this site is a critical location due to the density of the area and how important it is to be able to service their customers. Also discussed the height and design of the flag pole.

No one present to speak in opposition.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE THE PROJECT AS PRESENTED BY GTE WITH THE FLAGPOLE BEING NO MORE THAN 90 FEET, PREFERABLY 80 FEET IF POSSIBLE, WITHOUT A FLAG. Motion was withdrawn.

MOTION BY WHITE TO CERTIFY NEGATIVE DECLARATION NO. 91-0303-56 AND APPROVE CUP NO 91-0303-56 WITH A 100 FOOT FLAGPOLE USING ONLY AN AMERICAN FLAG WITH REGULATED LIGHTING AND WITH DIRECTION TO STAFF TO REDRAFT THE FINDINGS TO BE CONSISTENT WITH THE APPROVAL OF THE PROJECT, AND BRING THESE BACK WITH THE APPROVAL OF THE MINUTES FOR THIS MEETING. Second by Butler. Passed by a 4-3 vote with Vice-Chairperson Anderson, Commissioner Skorepa and Chairperson Steele voting nay.

ITEM-8: PETERSON RESIDENCE - COASTAL DEVELOPMENT/HILLSIDE REVIEW PERMIT (CDP/HRP 96-7769). PROCESS 3 APPEAL.

Leisa Lukes presented Report to the Planning Commission No. P-98-206.

Testimony in favor of the appeal:

Rebecca Michael, representing the appellant. Requested that the Planning Commission deny the project and direct the applicant to provide facts supporting alternative compliance finding D. Specifically what sizes of dwelling could be built if the project were required to meet the standard or reduced Brush Management Zone depths, and revise the Hillside Review findings A and B due to reflect the site's actual topography not the HR boundary line; calculate the area of disturbance of native vegetation on slopes of 25% or over in the excess of the encroachment allowance provided in Table I.

Testimony in opposition to the appeal:

Matt Peterson, representing the applicant. Feels that the appeal alleges that the Hearing officer's findings were erroneous because the Hillside Review boundary line (as reflected in the City maps) is not consistent with the site topography. Mr. Ragen also believes that the findings were not based upon the slope analysis. You will note that the Hearing Officer findings were in fact based upon both the HR regulations and the slope analysis. It was the slope analysis that confirmed the home was going to be built into previously disturbed ice plans slopes. Requested that the appeal be denied.

Kevin Rugee, Architect. Spoke to the Hillside Review issue. Advised that the HR is to preserve slopes in a native state. Pointed out that the area is a flat pad whose property was originally graded. Discussed the findings.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO DENY THE APPEAL AND APPROVE THE PROJECT. REVISION TO BE MADE TO THE NEGATIVE DECLARATION FOR QUESTION NO. 7 ON PAGE 10 TO READ, "DEVELOPMENT IS LOCATED PRIMARILY ON THE LEVEL PORTION OF THE PROPERTY AND WOULD RESULT IN A MINIMAL LOSS, COVERING OR MODIFICATION OF PREVIOUSLY DISTURBED PORTIONS OF THE ON-SITE SLOPE IN EXCESS OF 25%". Second by Skorepa. Passed by a 7-0 vote.

ITEM-9: CARMEL POINTE APARTMENTS, CARMEL VALLEY PLANNED DISTRICT AND RESOURCE PROTECTION ORDINANCE PERMIT NO. 98-0417.

Bob Korch presented Report to the Planning Commission No. P-98-203.

Testimony in favor by:

Allen Haynie, representing Skandia Real Estate Group. Feels they have put together a wonderful project that is consistent with everything. Confirmed that they are willing to have the conditions modified relevant to limiting the habitat mitigation to the contribution to the fund.

Craig Gustafson, Skandia Real Estate Group. Advised of all the meetings they have had over the past few years to get this project on line. Addressed the issue of the public pedestrian accessway which is currently in the Carmel Valley Community Plan. This was originally planned to connect to the new park that is under construction. Currently that public accessway dead-ends. Through working with Park & Recreation and the Community group they have come up with a design that continues that pedestrian accessway along the westerly property line. They will be building it and funding it. They will also provide funding for on-site park

improvements to extend the walkway to the park's town center:

Jan Fuchs, Carmel Valley Planning Board. Explained that she feels the Planning report is somewhat inaccurate - it states that the Board has no formal vote on this project. Distributed a cover letter advising that the motion of the Board was to advise of the Board's position, but to emphasize that the letters of commitment have not been received by them, therefore these issues have not been resolved. Until this morning, they have not received any confirmation that the mitigation request they made for putting this into the City's habitat acquisition fund was being done. The Community Plan was written in 1975. This project is an "in-fill" project. Decisions have been made surrounding it that this has more of an impact on it than it did in the concept stage. They received 300 plus signatures from residents of the area asking them to look into this from the density point of view.

Testimony in opposition by:

Herman Bergmann, Joe Perone, Crest at Del Mar Home Owners Association. Explained they did not receive the staff report until just four days ago which is not enough time to review this data. Spoke to the density issues and approval of 577 dwelling units under the PDO. This permit actually approved the development of only 453 units. City Ordinance goes on to say that if lot 8 is developed in the future then a maximum of 124 multi-family units may be achieved on a 6 acre parcel which now forms part of the Skandia site. They do not believe that the mitigated neg declaration is any way adequately addresses the environmental impacts on the community as a result of proposed construction activities associated with the Skandia development. Also spoke to the grading issue and its impacts.

William Grubaugh, Crest at Del Mar. Spoke to the size of the grading and cut and fill and how the trucks and trailer trips will create a tremendous traffic problem. Opposed to the manipulation of numbers regarding the density.

Susan Stennis Layton, Crest at Del Mar. Spoke to the impacts of this development. Wanted to stress that the quality of life will greatly be diminished for the residents during and after construction. During would be the noise, traffic and pollution from construction vehicles and afterwards, the traffic on Elijah Court will exceed reasonable limits.

Cheryl Swenski, concerned citizen. Presented a visual testimony of the impacts that the proposed seven acres project would have on the entire area. Feels this does not confirm with the character of the community. Please reconsider the development of this seven acre parcel and that the only access is this 1,200 foot road for the entire community.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO CERTIFY MITIGATED NEGATIVE DECLARATION 98-0417 AND ADOPT THE MITIGATION MONITORING AND REPORTING, AND APPROVE RPO AND CARMEL VALLEY PLANNED DISTRICT PERMIT NO. 98-0417 SUBJECT TO CONDITIONS IN THE ATTACHED DRAFT PERMIT, ATTACHMENT NO. 5, WITH THE MODIFICATION OF THE MITIGATION MEASURE THAT THE APPLICANT HAS AGREED TO REGARDING PAYMENT INTO THE FUND. Second by Skorepa. Passed by a 6-0 vote with Chairperson Steele abstaining.

ITEM-10: BRIDGE POINTE CENTRE AT EASTGATE TENTATIVE MAP NO. 98-0395.

COMMISSION ACTION:

CONSENT MOTION BY WHITE TO CERTIFY ADDENDUM LDR NO. 98-0395 TO EIR NO. 81-12-31 AND APPROVE TM NO. 98-0395. Second by Watson. Passed by a 7-0 vote.

The Planning Commission meeting was adjourned by Vice-Chairperson Anderson at 11:47 a.m.