

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
NOVEMBER 14, 1991
AT 9:10 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairman ZoBell at 9:20 a.m.
The Planning Commission adjourned at 3:20 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-not present
Commissioner Chris Calkins-present
Fred Conrad, Chief Deputy City Attorney-present
Allison Thomas, Deputy City Attorney-present
Tom Story, Deputy Director, Development and
Environmental Services-present
Hossein Ruhi, Engineering and Development-present
Rachel Hurst, Principal Planner-present
Frank Ducote, Principal Planner-present
Michael Stang, Principal Planner-present

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

Commissioner BERNET requested the City Attorney review the appeal procedure, specifically the issue of invalid appeals.

ITEM-2 APPROVAL OF MINUTES OF OCTOBER 10 & 17, 1991

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by CHRIS CALKINS, the Commission voted 4-0 (PESQUEIRA abstaining with BENN and LA VAUT not present) to approve the minutes of October 10, 1991, and 5-0 (BENN and LA VAUT not present) to approve the minutes of October 17, 1991.

ITEM-5 LA JOLLA COMMERCIAL PERMIT AND COASTAL DEVELOPMENT PERMIT NO. 90-0747; RENOVATE EXISTING MUSEUM; LEGAL: BLOCK 35, MAP 963; LOCATION: 700 PROSPECT STREET BETWEEN CUVIER STREET AND EADS AVENUE; APPLICANT: SAN DIEGO MUSEUM OF MODERN ART

Because only three Commissioners present were eligible to participate and vote on this item, it was explained consideration of this permit would require a continuance.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by SCOTT BERNET, the Commission voted 5-0 (BENN and LA VAUT not present) to continue this item to December 12, 1991, at 9:00 a.m.

RECESS, RECONVENE

The Commission recessed at 9:20 a.m. and reconvened at 9:30 a.m.

ITEM 2A PROPOSED COMPREHENSIVE HISTORICAL PRESERVATION PLAN AND AMENDMENT TO THE LOCAL COASTAL PROGRAM - INVENTORY ELEMENT

BILL LEVIN presented Planning Department Report No. 91-370.

Public testimony was closed.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by RALPH PESQUEIRA, the Commission voted 5-0 (BENN and LA VAUT not present) to approve the inventory element to the historic preservation plan, with the following addition: The surveys compiled pursuant to this program and any existing lists of properties not yet designated or before the Historical Site Board shall have no legal force and effect to promote or deny further action other than to authorize further study or consideration for actual historicity by the Historical Site Board pursuant to applicable provisions set out in the San Diego Municipal Code.

ITEM-3 PLANNED DEVELOPMENT PERMIT NO. 90-0856; PROJECT DESCRIPTION: 45 MULTI-FAMILY DWELLING UNITS; LEGAL: POR. NW1/4, NW1/4, T14S, SEC. 19, T14S, R3W, SBBM; LOCATION: 12655 EL CAMINO REAL; APPLICANT: SAN DIEGO HOUSING COMMISSION

GLEN GARGAS presented Planning Department Report No. 91-356.

NICK OSLER explained a letter had been received from the School District requesting a continuance for the purpose of meeting with the Housing Commission about school availability.

WENDY DEWITT, representing the San Diego Housing Commission, spoke in support of the project. She reviewed the project's development.

ROB QUIGLEY, architect for the project, reviewed the project plans.

OPAL TRUEBLOOD, representing Torrey Pines Community Planning Group, spoke in support of the project.

ED VASEL, representing the Carmel Valley Community Planning Board, spoke in opposition to the permit. He felt there would be too many children in the project for the site and felt they would want to access public facilities.

VIRGINIA BARNES spoke in opposition to the project. She felt the open space did not benefit the children that would be living in the housing.

ROBERT BEECROFT stated he owned approximately 20 acres adjacent to the proposed project. He felt there was too much hardscape in the project and he questioned where the children would play.

BARRY COLLINS, San Diego Housing Commission, stated numerous meetings were held in the community and area residents were kept informed of the progress of the project. He stated the project design was sensitive to the area.

Public testimony was closed.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by RALPH PESQUEIRA, the Commission voted 5-0 (BENN and LA VAUT not present) to certify the mitigated negative declaration and approve the permit according to staff recommendation.

ITEM-4 AMENDMENT TO THE UNIVERSITY COMMUNITY PLAN - NISSAN DESIGN CENTER AND COMMUNITY PLANNING IMPLEMENTATION OVERLAY ZONE PERMIT NO. 91-0203; PROJECT DESCRIPTION: ADD 7,890 SQ.FT./GAR. BELOW/PARK LOT; LEGAL: PARCEL 2, PARCEL MAP 10410; LOCATION: 9800 CAMPUS POINT DRIVE; APPLICANT: NISSAN DESIGN INTERNATIONAL

MIKE WESTLAKE presented Planning Department Report No. 91-322.

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by RALPH PESQUEIRA, the Commission voted 4-0 (BENN and LA VAUT not present with BERNET not voting) to certify the negative declaration, amend the community plan, and approve the permit, adding the following conditions:

"22. In the event this property is proposed to be converted to a use other than that established by Nissan Design International, this CPIOZ 'B' Permit shall be reviewed by the Planning Department and University City Planning Group or its successor; and

"Prior to the issuance of any building permits, the developer shall provide a 14-foot-wide street reservation along Campus Point Drive, adjacent to this site, satisfactory to the City Engineer.

ITEM-6 CONDITIONAL USE PERMIT 91-0446; PROJECT DESCRIPTION: VETERINARY CLINIC; LEGAL: PARCEL 8, PARCEL MAP 12643; LOCATION: 12710 CARMEL COUNTRY ROAD; APPLICANT: JOHN C. BOYD, D.M.V.

GLEN GARGAS presented Planning Department Report No. 91-361.

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by RALPH PESQUEIRA, the Commission voted 5-0 (BENN and LA VAUT not present) to approve the permit according to staff recommendation.

ITEM-7 COASTAL DEVELOPMENT PERMIT AND SENSITIVE COASTAL RESOURCE PERMIT AMENDMENT NO. 91-0538; PROJECT DESCRIPTION: SIX-FOOT FENCE NEAR COASTAL BLUFF; LEGAL: LOT 6, BLK 1, HERMOSA TERRACE, MAP 4353; LOCATION: 6378 CAMINO DE LA COSTA; APPLICANT: ROBERT THOMAS

JOSEPH PETRILLO, attorney representing the appellant, requested a continuance in order that the item could be heard before all members of the Planning Commission.

SAM BLICK, attorney representing the applicant, stated they were opposed to a continuance.

In the absence of a motion to continue, the hearing proceeded.

KEVIN MCGEE presented Planning Department Report No. 91-366.

JOSEPH PETRILLO spoke in opposition to the permit.

WILLIAM SMITH spoke in opposition. He felt public access to the beach would be precluded if the fence were constructed.

CARL LIND spoke in opposition to the permit. He felt construction of the fence would result in turning a public beach into a private beach. He felt the fence should be set back as far as possible so as not to preclude public access to the beach.

LAURA LANGMAN, President of S.E.A., spoke in opposition to construction of the fence.

DONALD FARNSWORTH spoke in opposition to the permit. He felt the sensitive coastal resource ordinance required its denial.

MELINDA MERRIWEATHER stated she had walked this trail for years and stated she would like to see that the cover underneath will not collapse.

SAM BLICK, attorney representing the applicant, spoke in support of the permits. He presented slides showing where the fence would be constructed along the bluff.

Mrs. THOMAS spoke in support of the permits.

Dr. ROBERT THOMAS, applicant, spoke in support of the permits. He explained the fence was needed for safety and security. He said it would not interfere with any lateral access.

JOSEPH PETRILLO stated there were geological and access problems associated with the construction of the fence.

WALT HALL stated he had offered to mediate in this matter.

DON FARNSWORTH stated the exhibits presented were inaccurate.

Public testimony was closed.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by EDWARD REYNOLDS, the Commission voted 5-0 (BENN and LA VAUT not present) to certify the negative declaration and deny the appeal and approve the permits according to staff recommendation.

ITEM 9 REZONE, VESTING TENTATIVE MAP, COASTAL DEVELOPMENT PERMIT, SENSITIVE RESOURCES PERMIT AND PLANNED RESIDENTIAL PERMIT NO. 89-1391; PROJECT DESCRIPTION: 444-UNIT SINGLE-FAMILY RESIDENCES; LEGAL: POR. SECTION 2, T19S, R2W, SBBM; LOCATION: TIA JUANA STREET BETWEEN DAIRY MART ROAD AND WILLOW ROAD; APPLICANT: SOUTHBAY LAND ASSOCIATES

KARL ZOBELL abstained from discussion on this item.
RALPH PESQUEIRA chaired the meeting.

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of EDWARD REYNOLDS, seconded by CHRIS CALKINS, the Commission voted 4-0 (ZOBELL abstaining with BENN and LA VAUT not present) to certify the environmental impact report, adopt the Mitigation Monitoring Program and findings and statement of overriding considerations, and recommend approval of the rezoning, permits and street vacation according to staff recommendation.

KARL ZOBELL resumed chair of the meeting.

ITEM 8 COASTAL DEVELOPMENT PERMIT, SENSITIVE COASTAL RESOURCE PERMIT, LA JOLLA PLANNED DISTRICT PERMIT NO. 91-0368; UTILIZE HISTORIC BLDG AS COFFEE HOUSE; LEGAL: LOT 29 P, BLOCK 59, LA JOLLA PARK SUBDIVISION; LOCATION: 1235 COAST BOULEVARD; APPLICANT: THE PANNIKIN COFFEE & TEA

PETER CHOU presented Planning Department Report No. 91-360.

FLORENCE CARLSON, representing the Cove Towers Homeowners Association, spoke in opposition to the permit. She was opposed because she felt the applicant should provide liability insurance coverage for the access staircase located between the coffeehouse and the appellant's property.

ROBERT SINCLAIR, applicant, spoke in support of the permit. He stated many conditions imposed on the permit were the result of discussions with the neighbors and area residents. Referring to the requested condition of liability insurance, Mr. SINCLAIR stated he was assured by his carrier that their general umbrella policy would be satisfactory.

DAVE ODELL spoke in support of the permit. He stated the applicant had agreed to many conditions requested by community members, such as no take-out. He recommended approval of the permit.

Public testimony was closed.

COMMISSION ACTION

EDWARD REYNOLDS moved to certify the negative declaration and approve the permits, modified to allow for beverage take out with a review of this condition in one year. KARL ZOBELL seconded the motion.

Amended Motion

On motion of CHRIS CALKINS, seconded by SCOTT BERNET, the Commission voted 3-1 (ZOBELL voting in the negative with PESQUEIRA, BENN and LA VAUT not present) to add an additional condition to require liability insurance for the staircase. This motion failed for lack of four affirmative votes.

Main Motion

The question was called and the Commission voted 3-1 (BERNET voting in the negative with PESQUEIRA, BENN and LA VAUT not present) to approve the motion. This motion failed, therefore, the decision of the Planning Director in approving the permits stand.

RECESS, RECONVENE

The Commission recessed at 12:10 p.m. and reconvened at 1:30 p.m.

ITEM 10 RANCHO PENASQUITOS COMMUNITY PLAN UPDATE

JIM BRYANT presented Planning Department Report No. 91-368.

The Commission held a discussion on the plan update with staff and members of the community.

ITEM 11 MIRA MESA COMMUNITY PLAN UPDATE

THERESA WILKINSON presented Planning Department Report No. 91-368.

The Commission held a discussion on the plan update with staff and members of the community.

ADJOURNMENT

The Commission adjourned at 3:20 p.m.