

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
NOVEMBER 19, 1998
IN COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Steele at 9:07 a.m. Chairperson Steele adjourned the meeting at 3:33 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Mark Steele-present
Vice-Chairperson William Anderson-present
Commissioner Patricia Butler-present
Commissioner Andrea Skorepa-not 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-present
Kelly Broughton, Deputy Director, DSD-not present
Linda Lugano, Recorder-present

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

The Planning Commissioners presented Verna Quinn's husband, Duane with a resolution of recognition for all of her community/public work for the City of San Diego.

ITEM-2: REQUESTS FOR CONTINUANCE FOR MORNING AGENDA ITEMS.

Robin Schifflet of Park and Recreation requested that Item No. 14, Inspiration Point be continued to December 10, 1998 as this project should go before the Historic Site Board before coming to the Planning Commission.

Matt Peterson requested that Item No. 9, New Parking Lot be continued as there are a number of deficiencies that will need to be addressed.

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

Items No. 11, 12 and 13 were placed on consent.

ITEM-4: DIRECTOR'S REPORT.

Betsy McCullough reported on the traffic calming item that was considered at LU&H on Wednesday, November 18, 1998. Staff had prepared a report to start working on a policy to be adopted into the Council Policy manual, as well as technical information to go into the Street Design Manual, and a process for involvement. The Committee supported that direction; they did want that information on traffic calming in the SDM; they asked staff to look at commercial areas as well as residential areas.

Gary Halbert advised of the discussion on the Street Design Manual that occurred at LU&H. The focus was parkway options - landscaping and sidewalk considerations and street widths and the issue of pedestrian safety vs. emergency vehicle access as it relates to street widths. The direction from the Committee was to return in January and the City Engineer was to work with the Mayor's users group, interested parties previously involved, and staff on this.

ITEM-5: COMMISSION COMMENT.

None.

ITEM-6: APPROVAL OF THE MINUTES OF OCTOBER 29, 1998.

COMMISSION ACTION:

MOTION BY BUTLER TO APPROVE THE MINUTES. Second by White. Passed by a 6-0 vote with Commissioner Skorepa not present.

ITEM-7: TENTATIVE MAP/COASTAL DEVELOPMENT PERMIT NO. 96-7365. Patrick Hooper gave the status of this project since last being heard at the October 15, 1998 hearing.

No one present to speak.

COMMISSION ACTION:

MOTION BY WHITE TO CERTIFY NEGATIVE DECLARATION AND APPROVE CDP/TM PERMIT NO. 96-7365 SUBJECT TO CONDITIONS (ATTACHMENT 4). Second by Watson. Passed by a 6-0 vote with Commissioner Skorepa not present.

ITEM-8: GTE MOBILNET - STATTON COURT SITE. CONDITIONAL USE PERMIT 91-0303-62 TO ALLOW A TIME EXTENSION OF AN EXPIRED TELECOMMUNICATION FACILITY.

Lindy Lowe presented Report to the Planning Commission No. P-98-192.

Testimony in favor of the appeal:

Debbie Collins, representing GTE Mobilnet. Spoke to land use issues and discussed an ariel photograph distributed depicting the comparison of two different facilities within close proximity.

Larry Dougherty, representing GTE. Advised he is not proposing to change this facility. If they had, they would look for those stealth technologies to apply to this site. However, it doesn't work in every case, and this is one of them. GTE maintains a wireless network; this site is crucial to this network. If they lower this antenna, they will lose a large portion of their customers.

Randy Golden, Attorney for GTE. Discussed his letter dated November 19, 1998 distributed to the Commissioners in which he discussed the rationale for this site, unlawful forfeiture of GTE's vested property rights, discrimination under the telecom act and unlawful prohibition of wireless service.

No one present to speak in opposition.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY ANDERSON TO APPROVE STAFF'S RECOMMENDATION AND DENY CONDITIONAL USE PERMIT NO. 91-0303-62. Second by Stryker. Passed by a 5-1 vote with Commissioner Watson voting nay and Commissioner Skorepa not present.

ITEM-9: NEW PARKING LOT - COASTAL DEVELOPMENT
PERMIT/CONDITIONAL USE PERMIT (CDP/CUP) 96-7568.

Dan Joyce presented Report to the Planning Commission No. P-98-215.

Testimony in favor of appeal by:

Matt Peterson, representing the immediate neighbors. Advised that the neighbors are concerned about traffic increase through the residential alleys due to entering and existing needs. Noise and other forms of pollution from Mission Blvd. Increase in auto activity. Disruption of visual continuity and rhythm of buildings along the boulevard. Proper and professional management of the parking facility; endorsement of conditions and restrictions associated with the permit and a method to deal with violations; demolition of a historic community resource.

Maureen Steiner, Save our Heritage Organization. Advised that they have reviewed the historical and architectural report concerning this building, prepared by Dr. Ray Brandes and concur with the findings that the building appears to indeed be historically significant to the Mission Beach Community. Additionally, they feel the building would be eligible for the National Register local level under criterion A for its association with the early emerging automobile industry and the fact that it is the "first of a kind" in the area. The building should be retained and utilized for the desired parking requested by Saska's.

Rene B. Mares, III, Neighbor. Advised he is surprised by this. Both sides have known nothing about this. Discussed how this will affect the complexity of their lives. Feels the commercial district will become expanded through their residential area and the traffic will circulate out for additional impact.

Jerry Harris, Joan Harris, Sally Sullivan, Karl Gross, Bertha Wohlers, Neighbors. Live in close proximity to this restaurant and proposed parking lot. Oppose this because it is not a permitted use in the Municipal Code. This will open the pool for other businesses in this type of situation. If we allow more cars to circulate, the traffic is impacted. Also feel that if they demolish this historical building and build a parking lot in an area this densely residential with children and tourists is just asking for trouble. Explained their living situation and how different business cropped up through the years. Feels a parking lot is just not the right thing to put in this area.

Testimony in opposition of the appeal by:

Dr. Ray Brandes. Spoke to the historical aspect and ethics involved in this project. Advised he did his own title search on this building and that this building did not represent the requisites of the National Register Landmark, CEQA requirements, and was not consistent with the City's guidelines. In no area did this structure warrant recognition at any of the levels. Read criteria of guidelines into the record.

John Ready, representing Saska. Spoke to the consistent parking problems in all of Mission Beach and that they are in accord with the community plan. Zoning laws established for reasons and all of these zones have borderlines. And, the people who purchased their homes bought right near the border line.

Jennifer Blanck, representing Saska's. Explained that she has worked on this project from a design standpoint. They have met all the requirements called for by the Planning Department, and even exceeded them. Spoke to some of the suggestions the appellant requested in his presentation. Ms. Blanck stated that these would not be feasible. Feels this will make this a better area than what it currently there now.

Tom Saska, owner. He and his family have been serving the public with this restaurant for 47 years. Gave the history of the restaurant since its beginning. Feels this new parking lot is needed and it will only enhance the neighborhood.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO CONTINUE TO DECEMBER 10, 1998 FOR ADDITIONAL TIME TO WORK OUT ALTERNATIVE SOLUTIONS.

Second by Stryker. Passed by a 4-2 vote with Commissioners Butler and Watson voting nay and Commissioner Skorepa not present.

MOTION BY WHITE TO STATE FOR THE RECORD THAT THE HISTORICAL SIGNIFICANCE OF THE EXISTING KINGS GARAGE HAS BEEN DOCUMENTED SUFFICIENTLY AND IS NOT HISTORICALLY SIGNIFICANT ENOUGH TO WARRANT PRESERVATION. Second by Butler. Passed by a 6-0 vote with Commissioner Skorepa not present.

ITEM-10: PACIFIC BELL MOBILE SERVICES - CHABAD SITE CONDITIONAL USE PERMIT NO. 95-0350-116.

Lindy Lowe presented Report to the Planning Commission No. P98-209.

Testimony in favor by:

Susan Gregg, representing Pac Bell. Advised that whenever they look to locate a facility they try to blend it with the surrounding community, architecturally and visually. This one was different because it had to provide coverage along Pomerado Road. Existing site contains a single pole, and is painted green to blend in with the eucalyptus trees.

Testimony in opposition by:

Rudy Cesena, neighbor. Is a resident who feels his property values are going to be impacted. They are already impacted by noise and dust. And now there will be a third distraction because he feel this does not blend with the surrounding area. If the school needed this project for revenue, then it's probably in trouble. Pac Bell finds this site convenient because it has been cleared and there is power there. There are other areas they should be examined carefully instead of this site.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY ANDERSON TO CERTIFY NEGATIVE DECLARATION AND APPROVE CONDITIONAL USE PERMIT NO .95-0350-116. Second by White. Passed by a 5-0 vote with Commissioners Butler and Skorepa not present.

ITEM-11: AIRTOUCH UNIVERSITY/805 SITE CONDITIONAL USE PERMIT 91-0302-74 TO ALLOW THE CONSTRUCTION OF AN 85 FOOT TALL STRUCTURE TO SUPPORT TELECOMMUNICATION FACILITIES.

COMMISSION ACTION:

CONSENT MOTION BY WHITE TO CERTIFY MITIGATED NEGATIVE DECLARATION AND APPROVE CONDITIONAL USE PERMIT NO. 91-0302-74. Second by Butler. Passed by a 6-0 vote with Commissioner Skorepa not present.

ITEM-12: KILROY CARMEL CENTER - PROPOSED COASTAL DEVELOPMENT AND CARMEL VALLEY PLANNED DISTRICT PERMIT (AMENDMENT) LOCAL COASTAL PROGRAM AMENDMENT, COMMUNITY PLAN AMENDMENT, PRECISE PLAN AMENDMENT, AND GENERAL PLAN AMENDMENT NO. 98-0227.

COMMISSION ACTION:

CONSENT MOTION BY WHITE TO RECOMMEND THAT THE CITY COUNCIL APPROVE STAFF'S RECOMMENDATIONS AS OUTLINED IN REPORT NO. 98-199. Second by Butler. Passed by a 6-0 vote with Commissioner Skorepa not present.

ITEM-13: CASA PALMERA ASSISTED LIVING FACILITY - PROPOSED REZONE FROM A-1-10 TO R1-10,000 AND CONDITIONAL USE PERMIT TO CONSTRUCT A NEW 38 BED ASSISTED LIVING FACILITY NO. 98-0128.

COMMISSION ACTION:

CONSENT MOTION BY WHITE TO RECOMMEND THAT THE CITY COUNCIL APPROVE STAFF'S RECOMMENDATIONS AS OUTLINED IN REPORT NO. 98-213. Second by Butler. Passed by a 6-0 vote with Commissioner Skorepa not present.

ITEM-14: INSPIRATION POINT PRECISE PLAN

COMMISSION ACTION:

MOTION BY WHITE TO CONTINUE TO DECEMBER 10, 1998. Second by Butler. Passed by a 6-0 vote with Commissioner Skorepa not present.

ITEM-15: SADDLE CLUB ESTATES - PROGRESS GUIDE AND GENERAL PLAN AMENDMENT/COMMUNITY PLAN AMENDMENT/REZONE/VESTING TENTATIVE MAP/PLANNED RESIDENTIAL DEVELOPMENT, RESOURCE PROTECTION ORDINANCE PERMIT NO. 98-0197.

John Fisher presented Report to the Planning Commission No. P-98-212.

Testimony in favor by:

Lynne Heidel, representing the applicant. Spoke to the gated entry way and why it should be approved; site conditions, project description, project history, requested land use and zoning changes being consistent with the goals and objectives of the Rancho Bernardo community plan. This project has broad-based support in the community and will be a positive addition to the RB community.

Terry Vogel, Laguna Bernardo Company. Described the homes and explained the rationale for the designed used. RB families want homes like these and they are unique to this community. Met with realtors and community groups and there was unanimous support.

Lee Okerson, Dennis Gillespie, Laguna Bernardo Company. Discussed the land use issues and the compatibility of their project with the neighbors closest to them. The logical use of this property is for residential similar to the Trails neighborhood to yield 16 or 17 dwelling units.

Robert Collins, Jeff Frederick, Shirley Collins, John Harasciuk, Suzanne Hellmers, Hank Armstandler, Barbara Dewitt, George Marty, Richard Belzer, Jonathan Rosenberg, Jeff Ornellas, all residents. All are in support of this project as the City and County as desperately in need of new homes and this will assist in this area. Also feel the design was very well planned out and they are totally impressed with what the company has done. Feels everyone in the Trails are also in support of this project. The existing ranch and/or stables are in terrible need of repair and the community could not have asked for anything better and more professional than this project. Residents from the Trails have no way to complain as it is totally separated from it and should not have any affect.

Testimony in opposition by:

William Glaser, Trails Homeowner. The majority of residents in the Trails are strongly opposed to this project. Their objection is primarily the down sizing of one home per acre. The Trails is a custom-home community and they want to keep it that way.

Edward Silva, Joan Fitzgerald, Trails Homeowners. Spoke for those residents who were not able to attend this meeting. They conducted a survey of over 200 ballots from the homeowners in the Trails, and they received a majority of votes in opposition to this project. Again, the downsizing was primarily the main issue.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO RECOMMEND TO THE CITY COUNCIL THAT THEY APPROVE ALTERNATIVE 'A', APPROVAL WITH A GATED ENTRY AS OUTLINED IN THE STAFF REPORT. Second by Stryker. Passed by a 5-0 vote with Vice-Chairperson Anderson and Commissioner Skorepa not present.

ITEM-16: CARMEL DEL MAR NEIGHBORHOOD 4-SOUTH, UNIT 17. CARMEL DEL MAR NEIGHBORHOODS 4,5, AND 6 PRECISE PLAN AMENDMENT, AND AMENDMENT TO THE CARMEL VALLEY COMMUNITY PLAN AND THE CITY OF SAN DIEGO PROGRESS GUIDE AND GENERAL PLAN; AND REZONE, TENTATIVE MAP AND CARMEL VALLEY PLANNED DISTRICT DEVELOPMENT PLAN NO. 96-7824.

P.J. Fitzgerald presented Report to the Planning Commission No. P-98-216.

Testimony in favor by:

Kim Kilkenney, representing applicant. Very impressed that the Carmel Valley Planning Group chose to support the project. The vote was 7-2 in support. The two nay votes were in support of residential, but they just disagreed with minor design issues. This should be a residential designation, not a commercial designation. The reason they supported the residential designation was that there is substantial community support in the immediate vicinity, it would reduce traffic in that area. If it were commercial, it would attract freeway-kind of commercial which is not neighborhood-serving, and would be harmful to the community.

No one present to speak in opposition.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WATSON TO RECOMMEND TO THE CITY COUNCIL THAT THEY APPROVE ALTERNATIVE 1 IN THE STAFF REPORT. Second by White. Passed by a 5-0 vote with Vice-Chairperson Anderson and Commissioner Skorepa not present.

The Planning Commission meeting was adjourned by Chairperson Steele at 3:33 p.m.