

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO  
MINUTES OF REGULAR SCHEDULED MEETING OF  
DECEMBER 17, 1998  
IN COUNCIL CHAMBERS - 12<sup>TH</sup> FLOOR  
CITY ADMINISTRATION BUILDING**

**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Chairperson Steele at 8:38 a.m. Chairperson Steele adjourned the meeting at 5:00 p.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-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.

None.

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

None.

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

Items No. 8, 11, 12, 13 and 15 were placed on consent.

ITEM-4: DIRECTOR'S REPORT.

None.

ITEM-5: COMMISSION COMMENT.

Chairperson Steele advised that the joint Planning Commission/Library Board meeting to discuss the library siting is scheduled for January 21, 1999, to be followed by a workshop on the General Plan Update.

THE FOLLOWING TWO ITEMS WERE TRAILED FROM THE DECEMBER 10, 1998 MEETING:

ITEM-12: APPEAL OF PROPOSED COASTAL DEVELOPMENT PERMIT AND HILLSIDE REVIEW PERMIT NO. 98-0183 LOCATED AT 5831 LA JOLLA CORONA ROAD.

Judy Johnson presented Report to the Planning Commission No. P-98-224, and read two modifications to the report and permit into the record: attachment 6, page 1 regarding the square footage for the garage, and attachment 6, page 4, condition 20 regarding the shape of the roof.

Testimony in favor of the project by:

**Jamshid Khazian, applicant and owner.** Stated that the issues raised in the appeal have already been adequately and properly addressed. The opposition is from extending the encroachment into their property. They hired a planning consultant and a legal team trying to find a reason to stop his project. Their consultant has been investigating hydrological stability, height, bulk and scale, setbacks, hillside, etc. After nine months, he has come up with the issue of bulk and scale which is the main issue in their appeal.

Testimony in opposition to the project by:

**David Monohan, neighbor.** Discussed the proximity to the applicant's house and his house. Spoke to two issues: technical measurements and neighborhood compatibility.

**Rati Prabhn, neighbor.** Explained they are in litigation with the applicant over a boundary dispute and have a temporary restraining order against the applicant, the resolution which could have an impact on setbacks, landscaping, utility easements, etc. of the above project. Also spoke to the issue of the roof and wanted to clarify whether it is flat or dropped.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY WHITE TO DENY THE APPEAL AND APPROVE THE PROJECT, AND INCLUDE STAFF'S MODIFICATIONS READ INTO THE RECORD AND THAT CONDITION NO. 20 BE MODIFIED TO READ THAT THE ROOF LINE BE REDUCED BY 4 FEET. Second by Butler. Passed by a 6-0 vote with Commissioner Watson abstaining.

ITEM-14: REQUEST FOR A RESOURCE PROTECTION ORDINANCE PERMIT FOR THE RELOCATION OF THE GINTY HOUSE.

Beverly Schroeder of Center City Development Corporation presented staff report of the Redevelopment Agency's rationale in pursuing the relocation of the Ginty House.

Testimony in favor by:

**Marie Lia, representing the applicant.** Distributed photographs to show the view shed from the current residence and a visual indication that it will see in its new location. The main point about the relocation is that its two significant facades will be visible to the street. It will have a new foundation and will be rehabed in accordance with the Secretary of Interior Standards. It will be under the supervision of the Historical Site Board and will stay as a local historical site. It will be relocated in one piece and complies with the criteria for moved properties, and under the Federal standards it will retain its national register eligibility.

**Greg Anderson, applicant.** Discussed his firm's assets and described their portfolio and the other projects they have completed. Explained all of the processes they've gone through since they have been involved in this project. Discussed the restoration concerns based on the age of this building.

**Marsha Sewell, Historic Site Board.** The site will establish the Ginty House in a position of prominence. The new lot is the same size as the old lot and the house will not be significantly altered since it is moving a short distance.

Testimony in opposition by:

**Tom Mauriello, Save Our Heritage Organization.** In opposition for two basic reasons. First, despite the conclusions of the environmental analysis, the relocation of the Ginty House will not reduce the adverse impacts on the house to below a level of significance. And secondly, contrary to the analysis recommended, preservation of the Ginty House on site is not "economically infeasible". Thus, relocating the Ginty House would violate the RPO and should not be permitted.

**Bruce Coons, Save Our Heritage Organization.** Stated that this is the last Victorian house in the City of San Diego and that this house is a landmark forever in its prominent location. Believes this house should remain on its original site as it was designed to be in the middle of the block and not on a corner.

**David Swarens, Save Our Heritage Organization.** Discussed three issues: unnecessary hardship findings, housing impact that they would lose thirty to fifty units on the relocation site, CCDC would be better off if they left the house where it is on its original site.

**Louise Torio, resident and owner of historical houses.** Feels this house should not be moved from where it was built as it was designed for that particular site. The City should be responsible to retain this house and restore it and leave it where it is.

**Bonnie Poppe, Save Our Heritage Organization.** Stated that she feels this house should not be moved. Would like the Planning Commission and the City to take a look at the past when historical houses and other resources were being demolished and look at the economic feasibility analysis; have vision for the future of this City.

Public testimony was closed.

**COMMISSION ACTION:**

**MOTION BY WATSON TO:**

1. APPROVE THE RESOURCE PROTECTION PERMIT TO ALLOW RELOCATION OF THE RESIDENCE;
2. THAT THE RPO RESOLUTION BE REVISED TO REFLECT THE LANGUAGE IN THE RPO THAT THE CITY IS IMPOSING FEASIBLE MEASURES TO PROTECT THE SIGNIFICANT HISTORIC RESOURCE;
3. THAT AN ADDITIONAL CONDITION BE INCLUDED THAT THE CERTIFICATE OF OCCUPANCY FOR THE APARTMENT PROJECT NOT BE ISSUED UNTIL REHABILITATION OF THE RESIDENCE IS UNDERWAY.
4. ADD ANOTHER CONDITION THAT A HISTORIC PHOTO INTERPRETATIVE EXHIBIT BE PROVIDED IN THE KROENERT HOUSE DISPLAYING THE HISTORY OF BOTH HOUSES.
5. CCDC WAS REQUESTED TO BRING BACK THE REVISED RESOLUTION IN JANUARY FOR FINAL REVIEW.

Second by Anderson. Passed by a 7-0 vote.

**ITEM-7: POINT LOMA NAZARENE UNIVERSITY CONDITIONAL USE PERMIT.**

Patrick Hooper and Karen Lynch-Ashcraft presented a status of this matter since the field trip and last hearing and submitted a draft resolution outlining all issues in the CUP.

**Testimony in favor by:**

Barry Ryan, Dick Lareau, William young, Jr., Richard Skiles, Joy Toro, Sheryl Smee, Bob Brower, Bill Stephens, Richard Schult, Bob Couchenour, Nancy Danow, Amanda Madden, Karen Laviano, Sara Whitehead, Amy McDougall, Ryan Bentley, Sarah Scott-Mead, Sarah Kleven, Eric Glertze, Kathleen Perdisantt, Kathy Gray, Brian Beevers, Benjamin Roat, Brian Becker, Thane Erickson, Alison Savage, Giha Rice, Maxine Nickerson, Alicia Swanson, Rodney Simms, Dan Copp, James Stewart.

**Testimony in opposition by:**

Russell Tontz, Jim Oberg, Shirley Larson, Darrel Marsh, Robert Wedgewood, Eric Swanson, Laurie Benham, Debra Blum, Marilyn Cross, Ann Swanson, Katie Klumpp, Roy Klumpp, Dedi Ridenour, Davis Chigos, Stan Miller, Shelley Miller, Joff Mansfield, Bert Decker, Georgia Peterson.

Public testimony was closed.

**COMMISSION ACTION:**

**MOTION BY SKOREPA TO APPROVE STAFF'S RECOMMENDATION AS STATED IN THE DRAFT RESOLUTION SUBMITTED WITH THE FOLLOWING MODIFICATIONS:**

1. POINT NO. 4 TO BE REVISED TO READ "THE PENINSULA COMMUNITY PLANNING GROUP SHALL BE NOTICED OF ANY SUBSTANTIAL CONFORMANCE REVIEWS BY STAFF AND THE UNIVERSITY ALLOWING THE PLANNING GROUP 45 DAYS TO RESPOND TO CITY STAFF FROM THE TIME THEY ARE NOTICED."
2. SUBSEQUENT FIVE YEAR REVIEWS WILL BE BROUGHT BEFORE THE PLANNING COMMISSION.

3. POINT NO. 2 TO BE REVISED TO INCLUDE THE WORDS, "A MUTUALLY ACCEPTABLE PRIVACY SCREENING" AT 4055 JOHN STREET.
4. REQUEST THAT THE UNIVERSITY CONTINUE TO WORK WITH THE COMMUNITY ON ISSUES NOT OUTLINED IN THE RESOLUTION, I.E., DRAINAGE, GATE, LIGHTING, ETC.
5. REVISED THE LAST POINT TO INCLUDE "...NEIGHBORS AND OTHER COMMUNITY INTERESTS....".

Second by Butler. Passed by a 6-0 vote with Commissioner Watson abstaining.

ITEM-8: AUTOZONE STORE #2826.

**COMMISSION ACTION:**

CONSENT MOTION BY WHITE TO APPROVE THE MANAGER'S RECOMMENDATION AS STATED IN REPORT TO THE PLANNING COMMISSION NO. P-98-229. Second by Watson. Passed by a 7-0 vote.

ITEM-9: INITIATION OF AN AMENDMENT TO THE MISSION VALLEY COMMUNITY PLAN AND THE PROGRESS GUIDE AND GENERAL PLAN TO REDESIGNATE A 7-ACRE SITE FROM OFFICE/COMMERCIAL RECREATION TO RESIDENTIAL.

Miriam Kirshner presented Report to the Planning Commission No. P-98-225.

Testimony in favor by:

**Donna Jones, Latham and Watkins.** Explained that the Market Profile analysis completed for this project showed a need to focus on residential in this area. Residential is what's needed here and not office. People may want to live near where they work. Addressed the noise issues raised and the use of sound walls. Advised that the Planing Groups were supportive and there are enough reasons to look at the possibility of putting residential on this site.

**Russ Valone, Market Profiles.** Discussed the feasibility analysis done on this site. Two issues raised were demand and need. The vacancy rate in Mission Valley has not climbed above 2% in the last three years. None of the apartments have the quality of life and potential that this site can provide. No other location is going to offer renters golf course orientation.

**Frank Wolden, Carrier Johnson Architects.** Spoke to the design of the project and the rationale for same. Would like the opportunity to pursue this further with staff from a design standpoint.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY ANDERSON TO APPROVE THE INITIATION AND THAT THE APPLICANT HAS THE FLEXIBILITY TO CONSIDER A MIXTURE OF USES INCLUDING OFFICE OR RESIDENTIAL/OFFICE MIX THAT WOULD WORK WITH THE PROGRAM. Second by Butler. Passed by a 7-0 vote.

ITEM-10: INITIATION OF AN AMENDMENT TO THE UNIVERSITY COMMUNITY PLAN AND THE PROGRESS GUIDE AND GENERAL PLAN TO ELIMINATE INCONSISTENCIES IN THE PLAN AND TO CLARIFY THAT AN ASSISTED SENIOR LIVING FACILITY IS A PERMITTED USE ON A 3.87 ACRE UNDEVELOPED PARCEL ON THE WEST SIDE OF REGENTS ROAD BETWEEN GOVERNOR DRIVE AND PENNANT WAY.

Bill Levin presented Report to the Planning Commission No. P-98-205.

Testimony in favor by:

**Rebecca Michael representing applicant, Lauren Shook, applicant.** Explained that a CPA is necessary for the project due to conflicting language in the Community Plan. Silverado respectfully requests the Planning Commission approve its plan amendment initiation request. This facility will provide a residential setting for these people. It is perfect for this facility as residential, single family is not good for this piece of land. Spoke to the success of their other facilities and discussed the rationale for choosing this site.



**Ralph Nebiker, representing himself.** Feels the project is good for this community. Opposition comes from a misunderstanding of the property's capability of its size, and that this facility would fit perfectly. Traffic will not be increased because of this facility in any way.

Testimony in opposition by:

**Dan McCarty, University City Residential Presentation Committee.** Opposed to Silverado's proposed location. Spoke to how many people have signed petitions - there is no inconsistency in the community plan. The plan does not mandate senior housing on this site. Spoke to the alleged error in the community plan and the interpretation of same. The language was meant to apply to this parcel. Also discussed Harry Mathis' letter and his opposition to the project.

**Nancy Groves, UCRPC.** Explained that she bought her home because the community plan calls for single family area and now are we going to let an outside firm come up and change the community plan. The Amendment is not consistent with the community plan. Feels there is real traffic issues not addressed. Doesn't think the community will benefit from this project.

**Sandy Bassler, James Bassler, UCRPC.** There is no mapping error. The subject parcel is surrounded on all sides by single family residences, and is close to a large community facility, Our Mother of Confidence Church. It is separated from the neighborhood shopping center and it is almost one complete mile from the multi-family housing along Genesee. There is no inherent conflict in the test of the plan, rather an accommodation of a competing interest.

**Jesse Knighton, UCRPC.** There is no error in our community plan. This land was not set aside for the elderly. He stated that the community deserves protection in this area and they do not want this facility here. Also spoke to Council Member Mathis' opposition.

**Terry Kobo, resident.** Advised he chose to live in this area because it was designated single family residential. Now he feels he has been deceived and does not want this proposed project.

**Ken Liska, resident.** Feels traffic will be terribly impacted if this project is allowed to be built with delivery trucks, suppliers, ambulances, etc. Feels there will be noise problems as well.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY ANDERSON TO APPROVE THE INITIATION. Second by Butler. Failed by a 4-2 vote with Commissioners Watson, Skorepa, White and Steele voting nay, and Commissioner Stryker not present.

MOTION BY WATSON TO AMEND MAIN MOTION TO APPROVE THE INITIATION BUT THAT THE INITIATION CONSIDER TWO AMENDMENTS: TO REQUIRE ANALYSIS OF THE STAFF RECOMMENDATION, AND CHANGING THE DESIGNATION OF THE SITE AS OPEN SPACE. Second by Skorepa. Failed by a 4-2 vote with Commissioners Butler, Anderson, White and Steele voting nay, and Commissioner Stryker not present.

MOTION BY BUTLER TO INITIATE THE COMMUNITY PLAN AMENDMENT TO EXAMINE THE APPROPRIATE USE FOR THIS SITE INCLUDING SINGLE FAMILY RESIDENTIAL, PER THE ZONING, RESIDENTIAL CARE FACILITY AND OPEN SPACE. Second by Anderson. Failed by a 4-2 vote with Commissioners Watson, Skorepa, White and Steele voting nay, and Commissioner Stryker not present.

ITEM-11: AMENDMENT OF THE MUNICIPAL CODE TO CREATE A CONDITIONAL USE PERMIT FOR CUSTOM POULTRY PROCESSING.

**COMMISSION ACTION:**

CONSENT MOTION BY WHITE TO APPROVE THE MANAGER'S RECOMMENDATION AS STATED IN REPORT TO THE PLANNING COMMISSION NO. P-98-228. Second by Watson. Passed by a 7-0 vote.

ITEM-12: PHOENIX I, TENTATIVE MAP FOR CONDOMINIUMS, CASE NO. 98-0924.

**COMMISSION ACTION:**

CONSENT MOTION BY WHITE TO APPROVE THE MANAGER'S RECOMMENDATION AS STATED IN REPORT TO THE PLANNING COMMISSION NO. P-98-221. Second by Watson. Passed by a 7-0 vote.

ITEM-13: BONAIR ESTATES, COASTAL DEVELOPMENT PERMIT (CDP) WITH VARIANCE AND TENTATIVE MAP FOR CONDOMINIUMS, CASE NO. 96-7745.

**COMMISSION ACTION:**

CONSENT MOTION BY WHITE TO APPROVE THE MANAGER'S RECOMMENDATION AS STATED IN REPORT TO THE PLANNING COMMISSION NO. P-98-226. Second by Watson. Passed by a 7-0 vote.

ITEM-14: RIO VISTA WEST; AMENDMENTS TO THE FIRST SAN DIEGO RIVER IMPROVEMENT PROJECT SPECIFIC PLAN, THE MISSION VALLEY COMMUNITY PLAN, THE CITY OF SAN DIEGO PROGRESS GUIDE AND GENERAL PLAN, FSDRIP DEVELOPMENT AGREEMENT, AND THE RIO VISTA WEST DESIGN GUIDELINES; AND A TENTATIVE MAP NO. 98-0678 AND A STREET VACATION.

P. J. Fitzgerald presented Report to the Planning Commission No. P-98-227.

Testimony in favor by:

**Paul Robinson, representing the applicant.** Advised that the development of the property is intended to establish a new mixed use neighborhood which will provide a range of housing project types and densities that will support the Transit Oriented Development which the City Council approved in December of 1993. The Design Guidelines promulgated for the property recognize the constraints of the existing street networks and improve upon these by suggesting a development

pattern and intensity which orients future residents to mass transportation. This relatively minor amendment to the Specific Plan, responding to the current market conditions is consistent with the goals and objectives of the City's Mission Valley Community Plan.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY WHITE TO RECOMMEND THAT THE CITY COUNCIL APPROVE THE STAFF RECOMMENDATION WITH THE INCLUSION OF THE ILLUSTRATIVE AS SUBMITTED BY PAUL ROBINSON AS PART OF THE DOCUMENT. Second by Anderson. Passed by a 6-0 vote with Commissioner Stryker not present.

ITEM-15: MIRAMAR AUTO CENTER TENTATIVE MAP (TM) NO. 98-0753.

**COMMISSION ACTION:**

CONSENT MOTION BY WHITE TO APPROVE THE MANAGER'S RECOMMENDATION AS STATED IN REPORT TO THE PLANNING COMMISSION NO. P-98-231. Second by Watson. Passed by a 7-0 vote.

ITEM-16: WORKSHOP - MID-CITY ZONING IMPLEMENTATION.

This item was removed from the docket.

The Planning Commission meeting was adjourned by Chairperson Steele at 5:00 p.m.