

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
FEBRUARY 6, 1992
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 9:20 a.m.
The Planning Commission adjourned at 2:10 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
Michael J. Stepner, City Architect-present
Fred Conrad, Chief Deputy City Attorney-present
Mary Lee Balko, Deputy Planning Director, Long Range
Planning-present
Jeff Strohming, Engineering and Development-present
Mike Stang, Principal Planner-present
Janet Fairbanks, Principal Planner-present
Jeannette Santos, Recorder-present

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

JULIE ELLERY representing Atlas Chemical, discussed the Barrio Logan Planned District Ordinance Amendment that went before Planning Commission on October 3, 1991. Ms. Ellery stated that a map of the existing zones was not presented, and she had the only copy available, Map C677. She wanted the Planning Commission to review before it went to City Council on February 18, 1992.

MIKE STEPNER of the Planning Department, stated this matter will be referred to Ella Paris and will prepare a response to the Planning Commission at a future agenda.

COMMISSION ACTION

On motion of **CHRIS CALKINS**, seconded by **KARL ZOBELL**, the Commission voted 5-0 (**BENN** and **LaVAUT** not present) to refer to staff for report.

MIKE STEPNER and **MARY LEE BALKO** of the Planning Department, referred to memo dated February 4, 1992 from Severo Esquivel, Deputy City Manager/Acting Planning Director regarding Planning Department organizational changes. This was a follow up to the Management Audit and Council action on work program in July, 1991. The merging of the Office of the City Architect and Long Range Planning functions into a new office of Strategic Planning and Design Division, creating a new Community Planning Division to focus exclusively on preparation and update monitoring of community plans.

ITEM-2 APPROVAL OF MINUTES OF JANUARY 16, 1992.

COMMISSION ACTION

On motion of **CHRIS CALKINS**, seconded by **KARL ZOBELL**, the Commission voted 4-0 (**PESQUEIRA** abstaining with **BENN** and **LaVAUT** not present) to approve the minutes of January 16, 1992.

ITEM-3 HOUSING ELEMENT UPDATE AND AMENDMENTS TO THE PROGRESS GUIDE AND GENERAL PLAN AND LOCAL COASTAL PROGRAM.

MYLES POMEROY presented Planning Department Report No. P-92-039.

CPC presented Resolution No. 258 stating the community planning groups be afforded the opportunity to review and respond to the draft Residential Development Capacity document, requesting a continuance.

STEVE MICHAELMAN, San Diego Housing Commission, spoke in opposition to a continuance. He presented a memo from Evan Becker, Executive Director of the Housing Commission to forward the Housing Element to City Council.

MARGARETE FERRANTE spoke in opposition to a continuance and addressed two issues: Linda Vista Mobilehome Park, and as Vice President of a nonprofit federation, there are 3 projects coming forward, that need state funds, and if not adopted by March, all of the nonprofit programs will be dropped because there will be no state funds or matching funds.

RICHARD JUAREZ, representing the Metropolitan Area Advisory Committee. He spoke in opposition to a continuance. He stated there is a project, Rental Housing and Partial Program requiring state funding will not be given if delayed at all.

SHOE SWIFT spoke in opposition to a continuance. He supported the project, Rental Housing and Partial Program. Mr. Swift stated another project, Hacienda Plaza coming up for funding. If delayed there will be no funds for these projects. Approve Housing Element, but give the planning groups the opportunity to review the Residential Development Capacity.

Public testimony was closed.

Commissioner Calkins stated that Mr. Mathis had asked to continue the Estimates of Residential Development Capacity, this is not to be adopted by the City, this should be an ongoing document, should be referred to the planning groups. Mr. Calkins stated need to adopt Housing Element, but each of the planning groups to undertake as a specific project to review. Not in favor of a continuance. No motion to continue.

JIM VARNADORE spoke in favor of the Housing Element, to approve and send it forward to City Council, he stated very few problems with it.

ANN FATHY, attorney spoke in favor and recommend to City Council that the Housing Element includes a FY 1992 program to amend the Zoning Code to repeal the conditional use permit requirement for residential care facilities serving handicapped persons, as defined by the Federal Fair Housing Act.

SHOE SWIFT spoke in favor of the Housing Element that it be approve.

LILIANE CHONEY, representing Revision Resources, this organization is new to housing development, they are not impact, but will be fairly soon. She spoke in favor of the Housing Element.

MARGARETTE FERRANTE spoke in favor of the Housing Element to approve and forward on to City Council.

THOMAS BILHORN, chair of the Rancho Bernardo Community Planning Board. The Rancho Bernardo Community Planning Board reviewed the report. He spoke in favor of the Housing Element.

RICHARD JUAREZ spoke in favor and forward on to City Council.

MELVIN SHAPIRO spoke in opposition to the Housing Element. He addressed the issues of land inventory over the next five years; referenced to page 3 of the Planning Department Report No. P-92-039 under Residential Capacity, the estimates are not a forecast, had no specific timeframe. He feels that the state will not approve a timeframe of five years.

RANDY COOPERSMITH, office at 701 B Street, San Diego, Project Design. He thanked Myles Pomeroy for his efforts in this project. Mr. Coopersmith spoke to approve the Housing Element, and that the Capacity Analysis needs to go back for review and should not be adopted.

VERNA QUINN, representing the Southeast San Diego Development Committee. She stated her concerns about the capacity numbers, and page 8 of the Planning Department Report No. P-92-039, The Alternatives, these 3 issues are still outstanding.

HARRY MATHIS, representing CPC, he discussed CPC Resolution No. 253 passed October, 1991, which recommended approval of the Draft Housing Element, the Planning Department Report makes a referenced to it, with conditions without saying what conditions were and without indicating conditions were addressed. Secondly, this is a new document that came to CPC on January 28, 1992, no plans to send it out for review. Stating how this document is to be used in the Housing Element update for the study and planning of future urbanizing area for Facilities Financing. Make it clear that the Housing Element does not carry with it approval of this document, it should be subject to further review by the communities. One of the methodology to look at both the zoning and community plans. Secondly, Census Tract information uses a different definition for single-family dwellings. Census Tract does not make the distinction between single-family detached and single-family attached.

Public testimony was closed.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by KARL ZOBELL, the Commission voted 5-0 (BENN and LaVAUT not present) that matter be referred back to staff the matter of the Capacity Analysis to work with the community planners to refine and return in approximately six weeks.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by KARL ZOBELL, the Commission voted 5-0 (BENN and LaVAUT not present) to incorporate the staff language specifically, referring to the Alternative compliance and alternatives (page 116) into the policies to the Housing Element.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by EDWARD REYNOLDS, the Commission voted 3-2 (ZOBELL and BERNET voting in the negative with BENN and LaVAUT not present) adopt as a policy, that it would be the general policy of the City that the community shall not be gated, but the streets and rights-of-way shall be public and integrate with the community of which they are part. Failed needed 4 votes to approve.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by KARL ZOBELL, the Commission voted 5-0 (BENN and LaVaut not present) to adopt the Housing Element and forward with our recommendation to the City Council with the amendments.

Chairman ZOBELL spoke on Items 5 and 5A, that Commissioners Benn and LaVaut will not be attending Planning Commission. Commissioners La Vaut and Pesqueira will not be at Planning Commission on February 13, 1992. Need 4 people qualify to vote on the matter, do not have quorum.

Chairman ZoBell disclosed that he will participate in the matter, he was until six weeks ago member of the Board of the applicant organization, and resigned, nothing to do with the project. In the 60's and 70's was a different organization and name, served on the board and was president several times. He knew Ms. Scripps. Decide and recess for three minutes, talk to Mr. Chou if you want me to participate.

RECESS, RECONVENE

The Planning Commission recessed at 10:30 a.m. and reconvened at 10:33 a.m.

ITEM-5 & 5A SAN DIEGO MUSEUM OF CONTEMPORARY ART; COASTAL DEVELOPMENT PERMIT AND LA JOLLA COASTAL PERMIT NO. 90-0747; LEGAL: BLOCK 35 MAP 963; LOCATION: 700 PROSPECT ST BETWEEN: CUVIER ST AND: EADS AVE; APPLICANT: SAN DIEGO MUSEUM OF CONTEMPORARY ART.

COMMISSION ACTION

No action taken by the Commission. This item will be on the February 13, 1992 at 9:00 a.m. agenda.

ITEM-4 SAN DIEGO HUMANE SOCIETY; CONDITIONAL USE PERMIT NO. 90-0403. THE PROJECT PROPOSES AN UPGRADE AND EXPANSION OF FACILITY. LEGAL: LOTS 17 - 23 POR LOTS 11 - 16 24 - 29 BLOCK 1, MAP 569. LOCATION: 887 SHERMAN ST BETWEEN; CUSTER ST AND: MORGAN ST.

TERI BUMGARDNER presented Planning Department Report No. P-92-033.

No one spoke in opposition to this item.

Public testimony was closed.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by KARL ZOBELL, the Commission voted 5-0 (BENN and LaVAUT not present) to approve Conditional Use Permit No. 90-0403.

ITEM-6
6A

CARMEL MOUNTAIN RANCH (AM). THE PROPOSED PROJECT TO MODIFY CONDITIONS AND REZONE TO M1-8. REZONE AND PID PERMIT NO. 92-0120. LEGAL: LOTS 1 - 16 OF MAP NO. 11568. LOCATION: WORLD TRADE DR BETWEEN: CAM DEL NORTE AND: CONFERENCE WAY. APPLICANT: CARMEL MOUNTAIN RANCH.

JUDY BRASWELL presented Planning Department Report No. P-92-041.

No one spoke in opposition to the project.

Public testimony was closed.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by KARL ZOBELL, the Commission voted 5-0 (BENN and LaVAUT not present) to recommend amendment to the PID and recommend the rezoning to City Council.

ITEM-7

PROPOSED AMENDMENTS TO CHILD CARE ORDINANCE AND LOCAL COASTAL PROGRAM.

DEBBIE FAHERIN presented Planning Department Report No. P-92-035.

THOMAS FARRAR had to leave, that he was in favor to delete 150' buffer, keep 1,000' buffer for acute hazardous material.

ROBIN GLICKMAN, Executive Director of Educational Enrichment, and boardmember of the City of San Diego Child Care Advisory Board. She spoke in support of the ordinance to allow child care in commercial and industrial areas and streamline the process. Delete 150' buffer until tests are conducted and proven to be hazardous, keep 1,000' buffer for serious hazardous materials.

MICHELLE SOLTERO representing the YMCA Child Care Resource Service, an agency that provides services for family looking for child care. She spoke in support of the ordinance.

KATIE ZOLEZZI, Director of the Art Center of Mission Hills Child Care. The Art Center provides an alternative enrichment program. She is opening a new child care facility at 3956 Third Avenue in San Diego. She spoke in favor of the ordinance amendment.

PAUL VAN VEEN, Child care ombudsman working directly with the State of California Department of Social Services Community Care Licensing Division, licensed the child care centers. He spoke in favor of keeping 150' buffer.

PAUL DEAN not present.

BEN MORRIS, Director of Engineering for Scripps Clinic Research and Foundation, also a member of the board of Direction of the Scripps Child Care Development Center. He spoke in favor of the proposed alternatives to the policy, but alternative in Items 1A and 1B not clear.

JENNIFER ANTHONY, Director of Educational Enrichment System, provide quality daycare for children of needy families. Her concerns about the children of Linda Vista and for the City of San Diego. She spoke in support of the 150' buffer.

MELINDA MERRYWEATHER had to leave, but opposed to the project.

JULIE ELLERY, representing Atlas Chemical spoke to opposition to the 150' and 1,000' buffers, against the amendment, the entire child care facility ordinance. She presented a list from the County of San Diego of 234 places extremely hazardous materials.

JOY WILLIAMS, representing the Environmental Health Coalition, spoke in opposition to the ordinance. She stated the County Health Department to retain the 150' buffer zone. The Negative Declaration inadequate for the Planning Department revision. Adopt the County Health recommended recommendations are acceptable.

REYNALDO PISANO, representing Southeast Planning Group. The Southeast Planning Group on 1/27/92 voted 12-0-1 not to support the changes in the ordinance. We are not against child care location and their criteria, do not support the amendment proposal.

OPAL TRUEBLOOD spoke in opposition of removing the solid wall at child care facilities does not make sense. The Torrey Pines Community Planning Groups is concerned about the business of hazardous waste and the relationship in distance to a child care facility.

DAVE ODELL, member of the Environmental Health Coalition. He endorsed the statement by Joy Williams and stated the safety of the children.

DANIEL AVERA, representing the County Department of Health Services. The County of San Diego Department of Health cannot support the staff recommendation to delete section 5A of the child care facility ordinance, as stated any purpose of the ordinance assure the safety of children, totally eliminating the 150' buffer zone. He recommended that subsection 5A be amended not deleted.

HARRY MATHIS, representing CPC spoke that CPC be afforded the opportunity to review documents before going to Planning Commission in the future.

COMMISSION ACTION

On motion of **RALPH PESQUEIRA**, seconded by **CHRIS CALKINS**, the Commission voted 4-1 (**ZOBELL** voting in the negative with **BENN** and **LAVAUT** not present) to approve staff recommendation, but repeal the language that has been proposed for repeal, but add the requirement that the permittee give notice, if there one of these agencies required to have a permit from the County within 150'. Subsection 5A be deleted.

ITEM-8 INSTITUTIONAL OVERLAY ZONE AND REZONING OF WILLOWS SCHOOL IN SAN YSIDRO.

NICK OSLER presented Planning Department Report No. P-92-050.

No one spoke in opposition to this item.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by SCOTT BERNET, the Commission voted 5-0 (BENN and LaVAUT not present) to approve as amended: 1. modify staff recommendation to retain the commercial zoning on the southeast area, and 2. add CPIOZ B requirement, and add language to community plan in staff recommendation.

ITEM-9 ADOPTION OF APPROVAL PROCESS FOR PRIVATE WORK FURLOUGH FACILITY.

OPAL TRUEBLOOD spoke in support of a continuance the location operation and development requirement, the committee had not had a change to review the 5 pages of changes dated 2/6/92.

HARRY MATHIS spoke in support of a continuance, referred to Planning Report dated February 6, 1992. The community planning groups to review the document.

MICHAEL ANDERSON spoke against a continuance, that this process has been ongoing since 1988.

COMMISSION ACTION

On motion of RALPH PESQUEIRA, seconded by CHRIS CALKINS, the Commission voted 5-0 (BENN and LaVAUT not present) to continue this item until February 13, 1992 at 1:30 p.m.

RECESS, RECONVENE

The Commission recessed at 12:05 p.m. and reconvened at 1:34 p.m.

ITEM-10 STREET ACTION 91-515-000 - THE VACATION ALLEY BETWEEN CHICAGO AND DENVER. LEGAL:: ALLEY IN BLOCK 41, MORENA AMENDED MAP. LOCATION: 4260 EDISON ST BETWEEN CHICAGO ST AND DENVER ST. APPLICANT: RUI AND ROSA MATEUS.

JEFF STROHMINGER reviewed Engineering and Development Department memorandum dated January 31, 1992.

BONNIE KEELEY spoke in favor of the vacation of the alley way should be vacated to the various property owners. She spoke about the safety of the neighborhood and families. She had three letters from neighbors who were unable to attend in favor of vacating the property.

STEVE HARTWELL representing himself and wife Sheri. He presented pictures taken in 1974 to demonstrate any use of any kind, no public need, all houses have garages. He spoke in favor of vacating alley, city not to have ownership, but turn it over to this property owners.

RUI MATEUS spoke in favor of the proposed alley vacation. His concerns for the safety and security of neighborhood.

DIANE HOSKINS spoke in favor of the vacation of the alley to increase the security from vandalism and fire danger.

EARL ENRENBURG spoke that this alley needs to be vacation, all unusable for public use and security for the neighborhood.

JIM LANTY representing Pauline and Manual Alvarez. He spoke in opposition that this clients suffered numerous cases of vandalism since the wall went up. Access is needed for the Alvarez and for their son who lives next door and is blind. There is a need for access, public need, will provide greater security by allowing emergency vehicles access. Deny the street vacation, deny appeal, and allow them to build garage.

MARIE TOOMEY representing herself and husband Richard. She spoke in opposition to having the alley vacated and feel no reason to change its present status.

RUSSELL POND representing the Alvarez. Designer of the construction on the alley. He spoke in opposition.

Public testimony was closed.

COMMISSION ACTION

On motion of SCOTT BERNET, seconded by KARL ZOBELL, the Commission voted 4-1 (CALKINS voting in the negative with BENN and LaVAUT not present) to support staff recommendation.

ADJOURNMENT

The Commission adjourned at 2:10 p.m.