

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
SEPTEMBER 19, 1991
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 9:15 a.m.
The Planning Commission adjourned at 3:30 p.m.

ATTENDANCE DURING THE MEETING:

Chairman Karl ZoBell-present
Commissioner Tom La Vaut-present
Commissioner Ralph Pesqueira-present
Commissioner Edward Reynolds-present
Commissioner Scott Bernet-present
Commissioner Lynn Benn-present
Commissioner Chris Calkins-present
Severo Esquivel, Deputy City Manager/Acting Planning
Director-present
Allison Thomas, Deputy City Attorney-present
Michael J. Stepner, City Architect-present
George Arimes, Assistant Planning Director-present
Joe Flynn, Deputy Director, Neighborhood Services-present
Tom Story, Deputy Director, Development and
Environmental Services-present
Jeff Strohming, Engineering and Development
Department-present
Ron Friedman, Principal Planner-present
Mike Stang, Principal Planner-present
Bob Didion, Principal Planner-present
Rudy Hadecky, Chief Deputy City Attorney-present
Janet MacFarlane, Recorder-present
Jan Santos, Recorder-present
Ted Bromfield, Chief Deputy City Attorney-present

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

TIM MARTIN, representing Richard and Janet Thompson, requested reconsideration of CDP/CUP 91-0158.

COMMISSION ACTION

On the motion of LYNN BENN, seconded by KARL ZOBELL, the Commission voted 7 to 0 to consider this issue on October 10, 1991 at 9:00 a.m.

ITEM-1A CLEAN WATER PROGRAM - SELECTION OF SITES FOR THE FIESTA ISLAND FACILITIES REPLACEMENT PROJECT AND THE NORTH CITY SLUDGE PROCESSING FACILITIES. AMENDMENTS TO THE GENERAL PLAN, UNIVERSITY AND MIRA MESA COMMUNITY PLANS.

MIKE WESTLAKE presented Planning Department Report Nos. 91-298 and 91-270.

HARRY MATHIS, Chair of the University Community Planning Group, spoke in support of A-4 and recommended the certification of the EIR.

RUTH SCHNEIDER, Otay Mesa/Nestor Community, spoke in opposition. She questioned how the recycling process would effect the South Bay area.

TERRY DiMATTIO, Superintendent of the Cabrillo National Monument, spoke in opposition to Alternative C to relocate the Fiesta Island Sludge processing facility to the Point Loma Waste Water Treatment Plant adjacent to the Cabrillo National Monument.

NORMAN MAGNESON, Vice President, Peninsula Community Planning Board, and speaking for Jack Shaw, Director of Fort Rosecrans National Cemetery, stated they were in support of Alternative 4, but in opposition to the intrusion of traffic into the National Cemetery and National Park.

A. DOUGLAS LEMAIRE, representing the U.S. Navy, spoke in opposition to construction truck traffic that would use the north access road, and the related safety issues.

LINDA MICHAEL, representing the Sierra Club, spoke in opposition. She questioned protecting one sensitive coastal resource at the cost of another.

Public testimony was closed.

COMMISSION ACTION

On motion of RALPH PESQUERIA, seconded by KARL ZOBELL, the Commission voted 4 to 2 (BENN abstaining with LA VAUT and CALKINS voting in the negative) to recommend certification of the EIR Impact Report.

On motion by SCOTT BERNET, and seconded by KARL ZOBELL, the Planning Commission voted 7 to 0, to eliminate Point Loma as associate in the General Plan Amendment.

On motion by LYNN BENN, and seconded by KARL ZOBELL, the Planning Commission voted 6 to 1 (LA VAUT voting in the negative) to recommend approval of Alternative 4.

RECESS, RECONVENE

The Commission recessed at 10:40 a.m and reconvened at 10:45 a.m.

ITEMS-2
AND 2A

AMENDMENTS TO THE OTAY MESA-NESTOR COMMUNITY PLAN, THE PROGRESS GUIDE LAND GENERAL PLAN. DEVELOPMENT OF THE SOUTHERN AREA POLICE STATION AND CREATION OF A NEW PARK SITE. POLICE STATION SITE: THE SOUTHWEST CORNER OF CORONADO AVENUE AND 27TH STREET. PARK SITE: THE SOUTH SIDE OF GROVE AVENUE BETWEEN 25TH AND 27TH STREETS. VALIDATION SITE: THE EAST SIDE OF 27TH STREET, NORTH OF SOUTHWEST JUNIOR HIGH SCHOOL. OTAY MESA-NESTOR COMMUNITY PLANNING AREA. COUNCIL DISTRICT 8. DEVELOPMENT IMPACT FEE FUNDING FOR SOUTHERN AREA POLICE STATION.

HOWARD GREENSTEIN presented Planning Department Report No. 91-282.

JEFF WASHINGTON presented the development impact fees for the Southern Area Police Station.

PHYLLIS M. MCHARE, Vice Chairman Otay Mesa/Nestor Community Planning Group, spoke in opposition to the amendment of the financing plans.

RUTH SCHNEIDER, Otay Mesa/Nestor Community Planning Group, spoke in opposition of the financing plan, but supported the park and police site locations.

Public testimony was closed.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by KARL ZOBELL, the Commission voted 7 to 0 to certify the environmental documents, amendment to the community plan, and general plan, as recommended by staff.

On motion LYNN BENN, seconded by KARL ZOBELL, the Commission voted 7 to 0 to recommend the City Council look at other possible sources for the funding of this police station.

ITEM-3 LA JOLLA SHORES PLANNED DISTRICT PERMIT NO. 89-0332; SENN WAY. THIS PROJECT PROPOSES CONSTRUCTION OF A NEW, 7,500-SQUARE-FOOT, TWO-STORY, SINGLE-FAMILY RESIDENCE, GRADING AND THE PLACEMENT OF 5,000 CUBIC YARDS OF FILL IN AN ON-SITE CANYON. LOCATED AT 7792 SENN WAY IN THE SINGLE-FAMILY ZONE OF THE LA JOLLA SHORES COMMUNITY, COUNCIL DISTRICT NO. 1. APPLICANT: AMERICAN INTERNATIONAL ENT.

PATRICIA FITZGERALD presented Planning Department Report No. 90-233.

ROQUE DE LA FUENTE, owner, spoke in support of the project.

LUIS ANDREW, coordinator of the project for the appellant, spoke in support of the project approval, and recommended modifications of the permit.

NINA MCCARTHY, representing the La Jolla Shores Association, spoke in opposition.

DAVE O'DELL, spoke in opposition to the permit.

JOHN SCHNEDAR, representing the residents of Via Capri, spoke in opposition to the placement of 5,000 sq. cubic yards of dirt onto the canyon area above their properties.

JAMES TRIOLO, 7729 Via Capri, spoke in opposition to the permit.

Public testimony was closed.

COMMISSION ACTION

On motion of LYNN BENN, and seconded by KARL ZOBELL, the Commission voted 7 to 0 to continue this item to October 17, 1991, at 9:00 a.m.

JANET MACFARLANE continued recordation of the minutes at 11:50 a.m.

ITEMS-4 CONDITIONAL USE PERMIT AND HILLSIDE REVIEW
AND 4A PERMIT 91-310; SAN DIEGO CENTER FOR CHILDREN SPECIAL CARE FACILITY. THE PROJECT, AN AMENDMENT TO CUP NO. 85-0640, PROPOSES TO CONSTRUCT A NEW SPECIAL CARE FACILITY FOR AN EXISTING RESIDENTIAL PSYCHIATRIC TREATMENT FACILITY, SAN DIEGO CENTER FOR CHILDREN. LOCATED AT 3002 ARMSTRONG STREET, LINDA VISTA COMMUNITY PLAN AREA, DISTRICT 5. APPLICANT: SAN DIEGO CENTER FOR CHILDREN.

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of LYNN BENN, seconded by SCOTT BERNET, the Commission voted 7 to 0 to certify the negative declaration and approve the permits as recommended by staff.

ITEM-5 PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 91-0244. TIERRASANTA GATEWAY PLAZA AMENDED PLANNED COMMERCIAL DEVELOPMENT PERMIT. THE PROJECT PROPOSES TO AMEND TO AN EXISTING PLANNED COMMERCIAL DEVELOPMENT PERMIT (PCD) BY DELETING 20,000 SQUARE-Feet OF OFFICE SPACE AND ADDING A 24,000 SQUARE-FOOT RETAIL NURSERY. THE AMENDMENT ALSO PROPOSES TO PLACE A GAS STATION AND CAR WASH IN THE LOCATION THAT WAS ORIGINALLY APPROVED FOR A 5,200 SQUARE-FOOT BANK. WEST SIDE OF SANTO ROAD, BETWEEN SR 52 AND PORTOBELLO DRIVE WITHIN THE TIERRASANTA COMMUNITY PLANNING AREA IN COUNCIL DISTRICT 7. APPLICANT: TIERRASANTA GATEWAY PLAZA

SHELLY KILBOURNE presented Planning Department Report No. 91-292.

WILLIAM KNIGHT spoke in opposition to the item. He explained his home was immediately adjacent to the

commercial development and felt the change in use would increase traffic. He said the retail nursery would also be a more intense use than that previously proposed.

JOHN POWELL spoke in opposition to the gas station and carwash being proposed for the commercial center. He stated there had been an increase in traffic on Route 52 which would also increase the traffic through the Tierrasanta community. He stated there was this church located in the commercial center and he felt it would be a hazard to have this gas station in close proximity to the church.

MICHAEL SMILEY, representing the Tierrasanta Community Planning Committee, stated his organization voted to approve the amendment. He stated it was consistent with the community plan and it would provide the Tierrasanta Norte area with additional needed services.

RICHARD BADT spoke in support of the permit amendment. He stated they were a bedroom community and needed the additional services of the gas station facility.

GORDON DUNFEE, representing the owners of the property, spoke in support of the amendment. As a historic perspective, he explained that a portion of the property was a remnant from State Route 52. He explained the area had always planned for a commercial development. MR. DUNFEE explained both the parking and traffic issue had been studied.

PASTOR JOHN CARTER, representing the church at the site, stated that the proposed uses would not be in conflict with the church's operation.

Public testimony was closed on this item.

COMMISSION ACTION

On motion of LYNN BENN, seconded by TOM LA VAUT, the Commission voted 3 to 4 (REYNOLDS, PESQUEIRA, BERNET and CALKINS voting in the negative) to grant the appeal and deny the amendment. This motion failed for lack of 4 affirmative votes.

On motion of RALPH PESQUEIRA, seconded by EDWARD REYNOLDS, the Commission voted 4 - 3 (ZOBELL, LA VAUT and BENN voting in the negative) to deny the appeal and grant the permit as recommended by staff. It was

further added as a condition for approval that the architecture on the back of the building be reviewed and the materials used be consistent with the remainder of the center.

ITEM-6 DIRTY DAN'S CONDITIONAL USE PERMIT. CONDITIONAL USE PERMIT NO. 89-0104 IS A REQUEST TO REMODEL AND EXPAND AN EXISTING 5,250 SQUARE-FOOT ADULT ENTERTAINMENT FACILITY. EXPANSION WOULD INCLUDE THE CONVERSION OF AN ATTACHED WAREHOUSE AND THE ADDITION OF 2,250 SQUARE FEET OF NEW CLUB AREA. THE TOTAL BUILDING AREA ON SITE WOULD BE 9,680 SQUARE FEET. LOCATION: 4000 KEARNY MESA ROAD, JUST NORTH OF CONVOY STREET.

ED REYNOLDS abstained from discussion and vote on this item.

JOE MALONE presented Planning Department Report No. 91-278.

No one appeared in opposition to this item.

COMMISSION ACTION

On motion of CHRIS CALKINS, seconded by SCOTT BERNET, the Commission voted 6 to 0 (REYNOLDS abstaining) to approve the conditional use permit as recommended by staff.

RECESS, RECONVENE

The Commission recessed at 12:35 p.m. and reconvened at 2:10 p.m.

ITEM-7 HOME OCCUPATIONS IN RESIDENTIAL ZONES.

GENE LATHROP presented Planning Department Report No. 91-227. He recommended the Commission approve the amendments with the changes to Item 13 as cited.

JACKIE TUSHINSKI spoke in support of the amendment to the home occupation regulations. She explained she had wanted to convert an existing bungalow in the Pacific Beach area a bed and breakfast.

HARRY MATHIS, representing Community Planners Committee, stated they did not have an opportunity to review the recommendations of the Small Business Administration about employees being allowed in the home. He explained

CPC did recommend approval but it did not consider this one issue.

GEORGE CHANDLER spoke in support of the amendments to the home occupation permit that would include allowing an employee in a residential area. He stated most businesses began at the home and grew from there. He felt the allowing of one employee and one client at home would not have a negative impact on the neighborhood. MR. CHANDLER stated they would also be opposed to adding any additional fees to process these special permits because of their cost.

TREY BRADY, representing the Southeast Development Committee, spoke in support of the recommendations of the Small Business Advisory Committee.

NANCY MARINCOVICH, representing the Torrey Pines Planning Group, spoke in opposition to the amendment to the home occupation regulations. She explained they were concerned with any relaxation of regulations of commercial enterprises in residential neighborhoods.

APRIL BOLING, spoke in support of the recommendations of the Small Business Advisory Committee.

Public testimony was closed on this item.

COMMISSION ACTION

On motion of LYNN BENN, seconded by TOM LA VAUT, the Commission voted 5 to 1 (BERNETT voting in the negative with CALKINS not present) to deny the amendments to the home occupation regulations.

ADJOURNMENT

The Commission adjourned at 3:30 p.m.