

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO  
MINUTES OF  
SEPTEMBER 19, 1996  
IN THE COUNCIL CHAMBERS - 12TH FLOOR  
CITY ADMINISTRATION BUILDING**

**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Chairperson Neils at 9:00 a.m. Vice-Chairperson Anderson adjourned the meeting at 6:03 p.m.

**ATTENDANCE DURING THE MEETING:**

Chairperson Christopher Neils-present  
Vice-Chairperson William Anderson-present  
Commissioner Patricia Butler-present  
Commissioner Verna Quinn-present  
Commissioner Andrea Skorepa-present  
Commissioner David Watson-present  
Commissioner Frisco White-present  
Mike Stepner, Urban Design Coordinator-present  
Rick Duvernay, Deputy City Attorney-present  
Tina Christiansen, DSD Director-not present  
Gary Halbert, Deputy Director, DSD-present  
Rob Hawk, Engineering Geologist, DSD-present  
Linda Lugano, Recorder-present

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

Commissioner Quinn requested staff to provide information on the memo from Development Services concerning revised fees and the \$100 fee for extraordinary appeal filing fee. Staff to report back regarding this fee and its relationship to the zoning code update.

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

None.

**ITEM-3: DIRECTOR'S REPORT.**

None.

**ITEM-4: APPROVAL OF THE MINUTES OF SEPTEMBER 5, 1996.**

**COMMISSION ACTION:**

MOTION BY WATSON TO APPROVE THE MINUTES OF SEPTEMBER 5, 1996. Second by White. Passed by a 7-0 vote.

MOTION BY ANDERSON TO ADJOURN TO CLOSED SESSION TO DISCUSS ITEM NO. 5. Second by White. Passed by a 6-0 vote with Commissioner Butler not present.

**The Planning Commission adjourned to Closed Session to discuss pending litigation on the San Diego Square PCD Permit Revocation.**

**ITEM-5: SAN DIEGO SQUARE PCD PERMIT REVOCATION.**

Greg Wade of CCDC presented the staff report to the Planning Commission bringing forth two proposed Alternatives.

Testimony in favor by:

**Ed Whittler, San Diego Kind Corporation.** Explained that no residential parking was required at San Diego Square and presented the letter recently received by Governor Wilson, who was then ~~Major~~ Mayor of San Diego when the original permit was established. They are working with staff to come to a mutual agreement. Discussed the two proposed alternatives regarding the residential parking, and requested obtaining a hold-harmless from the City. They are in agreement, and can accept Alternative No. 2 only. San Diego Kind still maintains that security for the entire facility is their primary concern. Mayor  
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Testimony in opposition by:

**John Cunningham, resident.** Thanked the staff and the Commission for working with them on this matter. Clarified the residents access from the parking lot into the patio and the courtyard from the street. He described the large gate they have to go through, and that it is too large for people to open and close. Security is not a problem. Described the security cameras in place in the complex and how they sweep certain areas. Clarified the number of cars and employees who park in the residential parking areas.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY QUINN TO REVOKE THE PERMIT AND DIRECT STAFF TO PURSUE ENFORCEMENT. Second by White. No vote taken.

MOTION BY SKOREPA TO CONTINUE TO OCTOBER 3, 1996 IN ORDER FOR ALL PARTIES TO RESOLVE SOME OF THE ISSUES. DISCUSSED, I.E., THE TRANSPARENCY OF THE WALL; NUMBER OF PARKING SPACES ALLOCATED TO THE RESIDENTS VERSUS STAFF; AND THE ACCESS THROUGH THE PROJECT AS OPPOSED TO ACCESS OF HAVING TO GO BACK ON THE STREET AND INTO THE PROJECT; AND TRAFFIC SAFETY FOR THE RESIDENTS COMPARING ACCESS FROM NINTH AVENUE VERSUS ACCESS FROM TENTH AVENUE; ALSO TO PROVIDE INFORMATION ON THE CITY'S HOLD-HARMLESS POSITION. Second by Anderson. Passed by a 6-1 vote with Commissioner Quinn voting nay.

ITEM-6: **UNIVERSITY OF SAN DIEGO MASTER PLAN - CONDITIONAL USE AND RESOURCE PROTECTION ORDINANCE (CUP/RPO) PERMIT NO. 92-0568.**

Bill Tripp presented Report to the Planning Commission No. P-96-178 and read two additional conditions into the record to mitigate anticipated traffic impacts created by the proposed development.

Testimony in favor by:

**Dr. Alice Hayes, President of University of San Diego.** Gave an overview of the University and its academic programs, and how the University is an asset to the community of San Diego. Discussed the educational growth anticipated in the nation as well as at the University and the importance of this proposed master plan to support this growth. USD is recognized for high standards in all aspects, and this plan maintains the same high standards.

**Robert Manion, representing USD.** Presented a slide presentation which illustrated an overview of each individual project proposed in the master plan. Gave a brief synopsis of each project as proposed in the plan and the effect it has on the campus.

**Bob Williams, Linda Vista Community Planning Committee.** He urged support of the USD Master Plan, including amending the conditional use permit as requested in the September 13, 1996 letter. Their sub-committee has carefully reviewed the various USD master plan since 1992. In-depth negotiations have been held with the university and the committee resulting in the compromise outlined in their letter.

**Peter Hughes, representing himself.** Expressed generic remarks as he has been involved with the University for 20 years. He has seen dramatic developments and changes relevant to the decisions to be made today. The University is a good neighbor and committed to respect for the neighbors and community.

**Dan Derbes, immediate past chair of the Board of Trustees at USD.** Expressed some points that this Board and University is committed to reaching a compromise on any of the issues with their neighbors and the surrounding community. This is a major undertaking and is coordinated

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with a strategic plan and represents a fulfillment when implemented of the vision of the University over the next ten years.

**Darlene Shiley, USD Board of Trustees.** Echoed what her fellow Board members previously said. Restated that she has chaired the University Relations Committee and now chairs the Development Committee. She has watched as the staff has endeavored to speak to everyone to see what their needs are for this master plan. Expressed that she and her husband believe deeply in this community and the university. They are a values-based institution.

**William Jones, USD Board of Trustees.** Responded to Commissioner Quinn's question relative to the Southwest parking lot. It is their impression that the traffic concerns have been addressed in the environmental documents. The issue among some residents is the visual impact from their homes of the parking lot at that location. With respect to the traffic, the University has made every effort to manage the traffic impacts of this mater plan.

**Tim Graves, Tecolote Canyon Advisory Committee.** Advised that this Committee enthusiastically and unanimously supports the Master Plan as proposed. Thanked the staff and university for working with him to resolve any issues of concern.

**Sorrel Paskin, Assistant Headmaster of Francis Parker School.** The administration of Francis Parker School has carefully reviewed the plans of the University. They find the plan to be thoughtfully conceived, sensitive to community interest and concerns, and responsive to the developing needs of a prestigious academic institution.

**Ed Silva, President, University Canyon West Homeowner Association.** Last spring they became aware of USD's plans to build a number of three story dormitories abutting their property. The dorms were extremely close to their property, but they have been working with the University and Linda Vista Planning Committee to resolve the problem and have received a lot of cooperation.

**Doug Beckman, Linda Vista Civic Association.** Advised that their association approves this proposal with the amendments agreed upon by USD and the Planning Committee.

**Roy Drew, representing himself.** At this meeting as a friend of the University. Advised that the University is such an asset to the community and the City and they never do anything without enclosing it in the finest of planting and landscaping.

**Robert H. Fowble, representing himself.** Has been a neighbor of the college since 1960 and he has seen excellent development at the university. He is Chair of the Morena Business Quarter, a new organization. They have problems in the Morena area - they are in the Linda Vista planning area, as well as the Clairemont area. The university has done an exemplary job, but their committee is concerned about the traffic situation.

**Jerry Ferm, President, Overlook Heights Civic and Improvement Association.** Discussed the parking lot along Cushman Street area and certain steps to be taken by USD in order to mitigate the negative impact on Overlook at this site. Read into the record eight points requested to mitigate that area mainly related to landscaping.

Testimony in opposition:

**Russ Pond, Overlook Heights Resident.** Lives right near the site for the parking for the proposed Sports Park. They are not against the parking lot, but they are against the lot as shown on the plan. It appears that that parking lot is now 600 spaces, which differs from the book distributed earlier. Requested to have Plan A and B clarified, and further discussed this parking area.

**David Hannasch, Overlook Heights Civic and Improvement Association.** They do not support the plan as it stands, specifically because of the 600 car parking lot referred by USD. This proposal will have a negative visual, environmental and economic impact on this community. They offered their additional concerns to the project.

**Joe Marciano, resident near the University.** Discussed the lighting situation and how bright the existing lights are now at the university. The proposed lighting will be more of a detriment to people near the canyon. On September Street the present lighting is referred to as the world's largest used car lot. Please do something to mitigate the lighting problems.

**Paul Johnson, Savannah Street resident.** Savannah Street is a residential area, and the parking on the street now is extremely congested with normal resident traffic there. His main concern is that the amendment made without their consent be closely considered. They would prefer to have the tennis courts there with less parking in that area.

**Larry Callegari, resident.** Asked about the environmental study that was done to determine what is going to happen to all the wild life that lives in this canyon where they propose to build a parking lot. Where are the animals going to go and how many are endangered. Also, what will happen to the drainage there because the existing creek cannot hold all the drainage.

**Fred Kuhlmann, resident.** Advised that he personally planted twenty trees on the university in 1987 and all of them died except four; then he planted another 30. He personally waters all these trees. Wants to know what the impact of this proposed plan will have on all this landscaping.

**Norm Walters, Casa del Pueblo Homeowners Association.** They found out that the University and the Linda Vista Planning Committee agreed to a compromise at the Lower Olin parking lot, a 600 car parking lot in place of the expanded Sports Park, Plan A or B. They are vehemently against a 600 car parking lot behind their complex.

**Virginia Walters, homeowner.** Opposed to a parking lot in her backyard. University professes to be a good neighbor to the surrounding community and would like to continue the relationship, then why is the entire community in an uproar over this good neighborly master plan.

**Virginia LaGuardia, neighbor.** Discussed that the EIR does not support a finding that all adverse traffic impacts have been adequately analyzed, identified and mitigated. Also discussed trip generation, signal system capacity analysis, expanded circulation system and transit station and park and ride. These unresolved issues support that the traffic section of the EIR does not adequately address all potential significant traffic impacts that could arise from the proposed project.

**Pat Buckmaster, resident.** Have been in the area since 1954. In this time the University has grown tremendously. There have been several problems with lighting, noise, concerts, movie theaters. Requested that conditions be put into the existing permit to mitigate these problems.

They were told that existing or past violations were not in consideration of the new EIR. They urge that these violations be looked into a little longer to be sure they will be mitigated.

**Jay Buckmaster, resident.** Expressed his concern with the environmental impact report - when they asked if the sub-station and the chill water facility, a constant source of noise, was going to be expanded because of the increased air condition load, the comment they heard was that existing or past violations were not in consideration.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY SKOREPA TO APPROVE THE USD MASTER PLAN , MAKE THE CANDIDATE FINDINGS AND CERTIFY THE APPROPRIATE ENVIRONMENTAL DOCUMENTS AND INCLUDE THE FOLLOWING MODIFICATIONS:

1. PROJECT NO. 8 - DESIGNATE LOWER OLIN AS A FUTURE STUDY AREA.
2. PROJECT NO. 11 - SPORTS PARK PARKING LOT WILL HAVE A 40 FOOT LANDSCAPED SETBACK ALONG THE NORTHWEST BOUNDARY; THERE WILL BE A MASONRY WALL TO PROHIBIT BOTH PEDESTRIAN AND VEHICULAR ACCESS TO THE CUSHMAN STREET AREA AND TO PREVENT VEHICLE HEADLIGHTS FOR SHINING INTO ADJACENT PROPERTIES.
3. PROJECT NO. 23 - NORTHEAST STUDENT HOUSING PROJECT WILL BE DESIGNATED AS A FUTURE STUDY AREA ALONG WITH THE EAST CAMPUS PLAY FIELD AREA.
4. PROJECT NO. 26 - DENY THE CANYON FILL PROJECT.

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ADD THE FOLLOWING CONDITIONS:

1. NO CONCURRENT FULL-CAPACITY EVENT SCHEDULED IN THE STADIUM AND THE SPORTS CENTER. SPORTS CENTER EVENTS SHOULD BE REQUIRED TO START NO EARLIER THAN 7:00 P.M. MONDAY THROUGH THURSDAY TO ASSURE



RESOURCE PROTECTION PERMIT FOR HISTORICAL LANDMARK NO. 123 - GALLONE HOUSE, WITH THE REVISION TO CONDITION NO. 2 TO READ, "...THE REQUIREMENT TO INCORPORATE THE FRONT FACADE AND PORCH (OR ITS REPLICA) INTO FUTURE DEVELOPMENT ON THIS SITE". Second by White. No vote taken.

MOTION BY QUINN TO AMEND THE MAIN MOTION TO INCLUDE CONDITION NO. 2 ON PAGE 11 OF STAFF REPORT, AND THE SETBACK REQUIREMENT OF 15 FEET. Second by Skorepa. Passed by a 4-3 vote with Butler, Watson and White voting nay.

MOTION BY QUINN TO APPROVE STAFF'S RECOMMENDATION AND APPROVE THE PERMIT. Second by Skorepa. Passed by a 5-2 vote with Butler and Watson voting nay.

ITEM-8: **DEL MAR HEIGHTS I (CONGREGATION BETH AM), TENTATIVE MAP, CARMEL VALLEY PLANNED DISTRICT DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT, RESOURCE PROTECTION ORDINANCE PERMIT AND PRECISE PLAN AMENDMENT.**

Glenn Gargas presented Report to the Planning Commission No. P-96-206.

Testimony in favor by:

**Bob Fagan, Congregation Beth Am.** Advised that he has been working on this project for some time now. Thanked the staff for their responsiveness to all the issues on this project.

**Marvin Ferrell, Congregation Beth Am.** Advised that there really are two separate projects: Residential development, and a synagogue for the Congregation Beth AM. Discussed the model and rendering and the designs for both. Also spoke to the three year time limit on modular structures.

Testimony in opposition by:

**Gayle Mayfield, Attorney representing Canyon Hills Community Church.** Advised they are not necessarily in opposition but have concerns. CHCC is directly to the west of Beth Am. As part of their CUP

they have documented their intention to have future expansion in the near future. They have been recently approached by Pardee regarding their activities. They are between Pardee's property and Beth Am and they front Black Mt. Road in the middle. Concerned about their future access and the traffic.

**Gabriele Prater, representing herself.** Did not have notice of this hearing, nor did they see the negative declaration. Addressed the issues of traffic in conjunction with the flow of traffic, not just with the project on its own, but with Del Mar Heights Road as well. Feels there will be entrance and exit problems at this site.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY WATSON TO RECOMMEND REVIEW AND CONSIDERATION OF MITIGATED NEGATIVE DECLARATION 94-0541 AND RECOMMEND APPROVAL TO CITY COUNCIL FOR TM, CVPD, CUP, RPO AND THE PRECISE PLAN AMENDMENT 94-0541 WITH A MODIFICATION TO CONDITION NO. 60 TO READ AS FOLLOWS:

1. "... FOR A PERIOD OF THREE YEARS WITH INSPECTION OF THE SITE AND REVIEW OF OVERALL PERMIT COMPLIANCE BY THE CITY MANAGER FOR A POSSIBLE EXTENSION OF AN ADDITIONAL THREE YEAR PERIOD OF MODULAR BUILDING USE."; AND,
2. CONDITION NO. 53 TO BE REVISED TO MAKE IT CLEAR THAT THERE IS AN ADEQUATE NUMBER OF PARKING SPACES BASED ON CITY STANDARDS AND IT SHOULD ALSO MAKE IT CLEAR THAT THAT ASPECT OF THE PERMIT WHICH AUTHORIZES THE SANCTUARY TO BE ANY LARGER THAN 6400 FEET IS SPECIFICALLY CONDITIONED UPON THE CONTINUED LIFE OF THAT SHARED PARKING AGREEMENT.

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

ITEM-9: **745 COAST BOULEVARD SOUTH, APPEAL OF COASTAL DEVELOPMENT PERMIT AND LA JOLLA PLANNED DISTRICT PERMIT NO. 96-0228 FOR THE DEMOLITION OF TWO SINGLE FAMILY RESIDENCES AND A THREE-CAR GARAGE AND THE CONSTRUCTION OF A THREE-STORY, SIX-UNIT CONDOMINIUM.**

Mary Rousch presented Report to the Planning Commission No. P-96-221.

Testimony in favor of the appeal by:

**Joyce Pavao, neighbor.** Discussed the view corridor down Eads Avenue. Distributed photos and advised that the view would be gone. Also spoke to the bulk and scale and how this project will dramatically change the neighborhood as it is the only view on this street.

**Richard Rudisill, representing Devonshire House.** Representing 64 home owners. Opposed to this development because it is three and one half stories with a gable roof. Does not believe it adds a great deal to the neighborhood at all. Feels it will ~~triples~~ the utilization rate of sewer and the area has already had sewer overflows. triple Rev. 10/8/96 LL

**Jay Roth, neighbor.** Spoke to the list of points provided to the Commission which are directives of La Jolla Local Coastal Program that states where existing streets serve as visual corridors, development on corner lots require special design considerations. This project shows a clear violation of the law if this project is approved.

**Albert Benzie, neighbor.** Also spoke to the La Jolla Local Coastal Program directives and that their view corridor will be blocked and they will lose their ocean view.

**Al Alferos, Save Our Heritage Organization.** Discussed the scenic easement protecting their ocean view. This project will have a very large impact on the surrounding area. Please give consideration to not approving this project.

**Fay Considine, resident.** Discussed the ocean view and how this project will block all sides of the ocean except a portion of one house. Asked the Commission to grant the appeal and deny the project.

Testimony in opposition to the appeal by:

**Marie Lia, representing the owner.** Discussed the existing homes in this area and the density of development, and how the views are affected. Further discussed the PDO zones in this area.

Public testimony was closed.

**COMMISSION ACTION:**

MOTION BY WATSON TO REVIEW AND CONSIDER PREVIOUSLY CERTIFIED MITIGATED NEGATIVE DECLARATION LDR NO. 96-0228, AND DENY THE APPEAL AND APPROVE CDP AND LJC NO. 96-0228 SUBJECT TO CONDITIONS. Second by Skorepa. Passed by a 5-0 vote with Chairperson Neils and ~~Commissioner~~ White not present.  
Commissioner

ITEM-10: **MID-CITY COMMUNITY PLAN UPDATE WORKSHOP.**

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**COMMISSION ACTION:**

MOTION BY QUINN TO CONTINUE TO OCTOBER 3, 1996. Second by White. Passed by a 6-0 vote with ~~Commissioner~~ Watson not present.  
Commissioner

The Planning Commission meeting was adjourned by Vice-Chairperson Anderson at 6:03 p.m.