

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
AUGUST 17, 1995
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Bernet at 9:07 a.m. The meeting was recessed at 12:30 p.m. and reconvened at 1:35 p.m. Chairperson Bernet adjourned the meeting at 5:23 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Scott Bernet-present
Commissioner Karen McElliott-present
Commissioner William Anderson-present
Commissioner Christopher Neils-present
Commissioner Verna Quinn-present
Commissioner Andrea Skorepa-present
Commissioner Frisco White-present
Ernest Freeman, Planning Director-present
Mike Stepner, Urban Design Coordinator-present
Hal Valderhaug, Chief Deputy City Attorney-not present
Rick Duvernay, Deputy City Attorney-present
Tina Christiansen, Department Director-not present
Ed Oliva, Assistant Director, Development Services
Department-present
Jeff Washington, Deputy Director, Long Range and Facilities
Planning-not present
Mohammad Sammak, Development Coordinator, Engineering and
Development-present
Linda Lugano, Recorder-present

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

No one present to speak.

ITEM-2: APPROVAL OF THE MINUTES OF JULY 27, 1995 AND AUGUST 3, 1995.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE THE MINUTES OF JULY 27, 1995 AND AUGUST 3, 1995. Second by Skorepa. Passed by a 5-0 vote with Vice-Chairperson McElliott and Commissioner Neils not present.

ITEM-2A: REQUESTS FOR CONTINUANCE.

None.

ITEM-2B: DIRECTOR'S REPORT

Staff gave a brief announcement regarding an issue raised during the August 3, 1995 hearing concerning Code Enforcement Overview. A report was distributed to the Commissioners on this and the Commission advised if there were any questions, staff would be asked to come back to the Commission to respond to these concerns.

ITEM-3: CENTRAL IMPERIAL PROJECT AREA AMENDMENT.

Chandra Clady of Southeast Economic Development Corporation presented a report to the Planning Commission. Maureen Stapleton, Assistant City Manager and Pat Hightman of the Redevelopment Agency were also present to answer questions.

Testimony in favor by the following speakers also apply to Item No. 6 on this docket as it was a companion item.

Michael Sprague, representing himself. Advised that the confusion that he is hearing at this hearing is extremely understandable as is exactly what the community has been hearing as well. The long term result of this confusion is that this is something that can move redevelopment forward in City Heights and bring in private development which is something they have not been able to do before and urged the Commission to vote for this plan.

David Watson, President of Mid-City Development Corporation. Now they have no tax increments and they will not be getting any for seven more years so the City Heights project is nothing new - it's not viable and if this amendment is not passed nothing will happen. The City Heights plan also has no power over residential property, and in reality with this amendment taking those properties out, they can do the same thing to those properties after the amendment that they can do now - which is rehab. Their powers of redevelopment are not going to change at all.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY QUINN TO RECOMMEND TO THE REDEVELOPMENT AGENCY APPROVAL OF THE AMENDED PRELIMINARY PLAN FOR THE CENTRAL IMPERIAL REDEVELOPMENT PROJECT AREA TO INCLUDE THE REMOVAL OF 16 SITES FROM THE PROJECT AREA; AND THE MODIFICATION OF TWO LAND USE DESIGNATIONS WITHIN THE PROJECT AREA; STAFF TO PROVIDE A DRAFT OF THE REPORT THAT WILL GO TO THE CITY COUNCIL FROM THE PLANNING COMMISSION BEFORE IT IS HEARD BEFORE THE COUNCIL; AND THAT A REPRESENTATIVE FROM THE COMMISSION BE PRESENT AT THAT HEARING. DATE TO BE ADVISED. Second by White. Passed by a 6-0 vote with Commissioner Anderson abstaining.

ITEM-3: WORKSHOP - AMENDMENT TO THE STONECREST SPECIFIC PLAN.

Workshop held.

ITEM-4: WORKSHOP - FOLLOW UP TO THE TELECOMMUNICATIONS WORKSHOP OF JUNE 1, 1995.

A memo from staff was distributed to the Commissioners. Staff to reschedule another workshop if necessary.

ITEM-5: GENERAL PLAN AMENDMENT TO CHANGE THE NAVAL TRAINING CENTER FROM THE FUTURE URBANIZING AREA DESIGNATION TO THE URBANIZED AREA DESIGNATION.

Gail Goldberg presented Report to the Planning Commission No. P-95-132.

Public testimony in opposition by:

Jay Powell, representing himself. Distributed information to the Commissioners, one of which contained a map adopted by the Council on December 15, 1991 which clearly shows NTC, Lindbergh Field and MCRD being designated in the future urbanizing area. He takes issue with a number of things in the staff report which includes the ballot arguments and the staff has been selective with what it has chosen to quote to the Commission regarding that ballot argument, but he requested to take a look at the fact that the Council has consistently violated the growth plan, and that they have been unable to say no to development projects. Prop A was supposed to protect certain lands but it was about the cost of decisions being made.

Dave Kreitzer, representing himself. Spoke to the map dated October, 1983 which notes approximate boundaries of future urbanizing areas unchanged since August 1, 1984. This map shows downtown, NTC, MRCD, and Lindbergh Field in the FUA, but not Harbor Island. He remembers that the downtown military lands were considered part of the FUA, and this was during a peace time that military lands did become available for some other kind of use. In this sense it would give the people an opportunity to, through the ballot, look at what is going to be done. If the City comes up with a good plan and presents it to the voters, why can't the voters have the opportunity to look at it and make a decision.

Craig Adams, representing Sierra Club. Wanted to register in opposition today to the Commission acting. The Club doesn't have a position on whether a vote should be taken or not, but they are concerned about the information that has been available. The number one concern is the integrity of the initiative process of the vote that the people took. They are very concerned that to their knowledge the sponsors who put this measure together were not consulted regarding additional documentation.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY McELLIOTT TO RECOMMEND TO THE CITY COUNCIL THAT THE PROGRESS GUIDE AND GENERAL PLAN BE AMENDED TO CHANGE THE DESIGNATION OF THE NTC FROM FUTURE URBANIZING TO URBANIZED TO CORRECT A MAPPING ERROR MADE WHEN THE GENERAL PLAN WAS INITIALLY ADOPTED IN 1979; AND THAT THE PROGRESS GUIDE AND GENERAL PLAN ALSO BE AMENDED TO CHANGE THE DESIGNATION OF THE OTHER FEDERAL AND PORT DISTRICT LANDS - HARBOR ISLAND, LINDBERGH FIELD, AND THE MARINE CORPS RECRUIT DEPOT FROM FUTURE URBANIZING CATEGORY TO THE URBANIZED CATEGORY. Second by White. Passed by a 5-1 vote with Commissioner Anderson voting nay, and Commissioner Neils not present.

ITEM-6: FIRST AMENDMENT TO THE CITY HEIGHTS REDEVELOPMENT PLAN.

Pat Hightman presented Report to the Planning Commission NO. P-95-134.

See Item-2C above for speaker information. Speakers spoke to both Item 2C and 6 as companion items.

COMMISSION ACTION:

MOTION BY WHITE TO RECOMMEND APPROVAL TO THE CITY COUNCIL TO ADOPT A RESOLUTION SELECTING THE AREAS TO BE DELETED FROM THE PROJECT AREA AND MODIFICATION OF THE REDEVELOPMENT PLAN REGARDING EMINENT DOMAIN RESTRICTIONS FOR THE LUCKY STORE EXPANSION AND CITYLINK

PROJECTS; ESTABLISH REVISED BOUNDARIES FOR THE PROJECT AREA, FORMULATE AND ADOPT REVISIONS TO THE PRELIMINARY PLAN, AND AUTHORIZE TRANSMITTAL OF SAME TO THE REDEVELOPMENT AGENCY. STAFF TO PROVIDE A DRAFT OF THE REPORT THAT WILL GO TO THE CITY COUNCIL FROM THE PLANNING COMMISSION BEFORE IT IS HEARD BEFORE THE COUNCIL, AND THAT A REPRESENTATIVE FROM THE COMMISSION BE PRESENT AT THAT HEARING. DATE TO BE ADVISED. Second by Anderson. Passed by a 7-0 vote.

ITEM-7: PURCELL RESIDENCE, COASTAL DEVELOPMENT PERMIT (CDP 95-0215), APPEAL OF THE HEARING OFFICER'S APPROVAL OF THE DEMOLITION OF AN EXISTING 2,327 SQUARE FOOT RESIDENCE WITH 2-CAR GARAGE AND THE CONSTRUCTION OF A NEW 5,162 SQUARE FOOT RESIDENCE WITH 3-CAR GARAGE AT 741 ROSECRANS STREET IN THE PENINSULA COMMUNITY.

Nancy Pechersky and Ron Buckley presented Report to the Planning Commission No. P-95-127.

Testimony in favor by: _____

Rebecca Michael, representing Dave Purcell. Ms. Michael presented a video tape which demonstrated where the new home would be placed showing a view of the area before the home is in place and after. She then reviewed the appellant's concerns and findings and advised how they differed from her client's. Noise, retainer wall and driveway construction was also discussed, along with the main issue of the torrey pine tree. They intend to protect that tree and permits have been signed off by the Port Commission and the City. The compatibility issue was also discussed, as well as the history and development of the house and rationale for moving the house closer to the water. Bulk and scale issue does comply with what can be constructed on this lot.

David Purcell, owner. Mr. Purcell had all the neighbors in support of his project stand - adjacent neighbors as well as those in the area. Described how and why he and his wife moved to San Diego, particularly this area. Explained when they bought the property, it was overgrown, underwater and pest infected and how he cleaned up the entire lot.

Described the style house they wanted and how it complies with the zoning.

Niki Krutop, representing herself as a neighbor. Ms. Krutop lives down the hill from the Purcells. She wanted the Commission to know that from her perspective, this house will fit in with the community and will be an uplift to the neighborhood.

Greg Schwab, M.D., Dianne Reichardt, Craig Andrews, Eugene Berkenstadt, all neighbors. The above advised they are in total support of what Mr. Purcell is going to do, and that it will only enhance the community.

Testimony in opposition by:

Larry Pappas, Peninsula Community Planning Board. Explained why the Board changed their mind on this project, and one very big concern was the FAR. This house is located on a very special path in this area. This house could be set back and still allow the owners to enjoy the view. The approval of the permits happened so quickly that it tends to be suspicious. The house is not architecturally compatible to the neighborhood. The Commission should more closely look at the impact being placed on this site.

Marty Bohl, immediate Neighbor to the Purcells. Discussed all the issues as outlined in their booklet provided to the Commission. Explained that this house is in a very special place - truly coastal property. Described the path in detail and the uses that take place on this path. Described the Hearing Officer process that occurred, and the loopholes used to exceed FAR. The applicant has not been entirely straight forward. Never showed him the plans; the public notice was placed behind the bushes by the front door, a place where no one could possibly see it. Plans are incomplete and incomprehensible and misleading and the bulk and scale of this structure is not in conformance. The torrey pine tree is in jeopardy and will probably be destroyed when the sewer easement is put in place.

Bruce Green, architect consulted regarding the FAR. Described the FAR analysis used on the proposed home and explained how the FAR exceeds the bulk and scale limitations.

Terri Fleming, neighbor. Described the beauty of this area and how the trees will be destroyed and how the hedge was drastically cut back to separate the two houses. Does not feel that this house is in conformance.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY QUINN TO DENY THE APPEAL AND APPROVE THE COASTAL DEVELOPMENT PERMIT 95-0215 WITH THE ADDITIONAL PERMIT CONDITION AS PRESENTED BY STAFF IN THEIR MEMO DATED AUGUST 17, 1995. Second by White. Passed by a 6-0 vote with Chairperson Bernet abstaining.

ITEM-8: SAN DIEGO RESOURCE RECOVERY TRANSFER STATION MND 94-0552.

John Fisher presented Report to the Planning Commission No. P-95-123.

Testimony in opposition by:

Prof. Richard Wharton, Environmental Law Clinic, representing Protect Our Barrio. Explained that he was never notified of the Hearing Officer's hearing and inquired if this was a legal hearing if the first one had not been property notice. It was determined by the City Attorney that this hearing could take place. He did not know that the project has been changed and therefore was not able to present their testimony. Gave statistics as to how much trash would be treated at this facility and how many trucks would come up and down these streets each day. Explained mixed zoning violations as well. Student interns expounded on the theories of noise, traffic and tonnage.

Donna Tisdale, representing B.A.D. Complained that she had not been notified at all of this project and since it is so controversial it should not be approved today. Spoke to the solid waste and how it is going to be treated and that this does not comply with CEQA. Please deny this project for the sake of the area.

Testimony in favor by:

Richard Opper, representing Edco. Explained that this is an existing facility and has been there since 1960. All they want to do is enclose it. Noise studies were conducted and it was revealed that there are no greater impacts - same project and reduced capacity. They reduced the days of operation and hours of operation. They feel they are improving an existing licensed facility and can't understand why it is being held up for so long.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY McELLIOTT TO DENY THE APPEAL AND APPROVE THE CDP PERMIT, BARRIO LOGAN PERMIT NO. 94-0552 AND CERTIFY THE MITIGATED NEGATIVE DECLARATION WITH THE MODIFICATION THAT THE OPERATION START AT 9:00 A.M. ON SATURDAY'S AND THAT THEY HAVE THE WILLINGNESS TO TAKE CARE OF ALL GRAFFITI, IF ANY, ON THEIR PROPERTY THEMSELVES. COMMISSIONER SKOREPA DIRECTED THE DEVELOPMENT SERVICES DEPARTMENT IN THE FUTURE TO PROVIDE ANY MATERIAL AVAILABLE FROM THE HEARING OFFICER'S MEETING AND TRANSMIT TO THE PLANNING COMMISSION SECRETARY BEFORE EACH HEARING SO THE COMMISSIONER'S ARE FULLY ADVISED. COMMISSIONER ANDERSON REQUESTED STAFF TO PLACE BARRIO LOGAN NEAR THE TOP OF THE LIST OF COMMUNITY PLANS TO UPDATE. Second by Neils. Passed by a 4-3 vote with Commissioners Skorepa, Anderson and ~~White~~ voting nay.

Quinn

Revised. 9/25/95
L. Lugano

ITEM-9: **PACIFIC BELL - MIRA MESA - CONDITIONAL USE PERMIT NO. 95-0163 AMENDMENT TO CONDITIONAL USE PERMIT NO. 386-PC(AM1).**

Item was taken on consent.

COMMISSION ACTION:

MOTION BY McELLIOTT TO CERTIFY THE NEGATIVE DECLARATION AND APPROVE THE CUP AMENDMENT WITH CONDITIONS. Second by White. Passed by a 6-0 vote with Commissioner Quinn abstaining.

The Planning Commission was adjourned at 5:23 p.m. by Chairperson Bernet.