

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
FEBRUARY 23, 1995
AT 9:00 A.M.
IN 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 12:05 p.m. and reconvened at 1:36 p.m. Chairperson Bernet adjourned the meeting at 4:15 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Scott Bernet-present
Commissioner Karen McElliott-present
Commissioner Lynn Benn-present
Commissioner Christopher Neils-present
Commissioner Verna Quinn-present
Commissioner Andrea Skorepa-present
Commissioner Frisco White-present
Ernest Freeman, Planning Director-present
Hal Valderhaug, Chief 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.

Ed Oliva, Assistant Director, DSD advised the Commission that staff was in the process of preparing a map illustrating citywide cellular sites and it would be available before the cellular workshop.

Commissioner Skorepa requested that during this workshop the issue of the "911" number and how it relates to the cellular companies be discussed, if applicable. Staff to investigate this matter and advise.

ITEM-2: APPROVAL OF THE MINUTES OF FEBRUARY 9, 1995.

COMMISSION ACTION:

MOTION BY QUINN TO APPROVE THE MINUTES OF FEBRUARY 9, 1995 WITH A REVISION TO THE MOTION BY QUINN ON THE CHABAD-LUBAVICH, ITEM NO. 4, PAGE 4 TO CLARIFY THE MOTION TO READ, "TO DIRECT STAFF THAT ANY FURTHER SUBDIVISION ON THIS SITE WOULD TRIGGER A REVISION OF THE CUP THAT WOULD COME BEFORE THE PLANNING COMMISSION FOR DISCRETIONARY ACTION"; CORRECT ADJOURNMENT BY VICE-CHAIRPERSON McELLIOTT, NOT CHAIRPERSON BERNET. Second by White. Passed by a 5-0 vote with Chairperson Bernet and Commissioner Neils abstaining as they were not present at this meeting.

ITEM-2A: DIRECTOR'S REPORT.

Ernie Freeman, Director reported that the Historic Site Board had a retreat on February 11, 1995 with some facilitation from the City's OEP Department. Also discussed was CEQA and Zoning Code Update issues. In the near future, the Board would like to come before the Commission to have some discussion for a better link between Planning and the Historic Site Board.

ITEM-3: LA JOLLA COUNTRY CLUB CONDITIONAL USE PERMIT/COASTAL DEVELOPMENT PERMIT/HILLSIDE REVIEW PERMIT NO. 94-0564.

Bob Korch presented Report to the Planning Commission No. P-95-035.

Testimony in favor by:

Mark Fehlman, representing La Jolla Country Club. Gave a brief history of the Club over its 67 years of operation. Due to the grandfather clause that the Club has for the golf course, the Club would be very resistant to put a time limit on the CUP.

COMMISSION ACTION:

MOTION BY BENN TO CERTIFY THE MITIGATED NEGATIVE DECLARATION AND APPROVE THE CONDITIONAL USE PERMIT/COASTAL DEVELOPMENT PERMIT AND HILLSIDE REVIEW PERMIT WITH ADDITIONAL CONDITIONS TO INCLUDE LANDSCAPE SCREENING ON THE NORTHERLY PARKING LOT TO PREVENT ANY ADVERSE CONDITIONS TO THE ADJOINING RESIDENTIAL NEIGHBORHOOD; AND TO REQUIRE TEMPORARY USAGE OF THE TRAILERS FOR CLUB FUNCTIONS DURING RENOVATION AND EXPANSION OF THE CLUB HOUSE, TO TERMINATE UPON FINAL INSPECTION AND OCCUPANCY PERMITS FOR THE CLUB HOUSE AND THE TRAILERS SHALL BE REMOVED AND THE LANDSCAPING RESTORED TO PREVIOUS CONDITIONS; ACCEPT AN AMENDMENT THAT REQUIRES A TIME LIMIT OF 30 YEARS ON ONE PART OF THE CONDITIONAL USE PERMIT FOR THE DEVELOPED/ACTIVE USES: MAIN FACILITY, PARKING LOT, ALL ACTIVITIES, POOL, ETC. ALL ACTIVITIES THAT WOULD REQUIRE A CUP AND HAVE AN IMPACT ON THE COMMUNITY; NOT PUT A TIME LIMIT ON THE PASSIVE USE, I.E., THE GOLF COURSE ITSELF. Second by Quinn. Passed by a 6-0 vote with Commissioner Neils abstaining.

ITEM-4: WORKSHOP - OTAY MESA AUTO DISMANTLING YARDS

COMMISSION ACTION:

Workshop held.

ITEM-5: CITY HEIGHTS REDEVELOPMENT PROJECT: INCLUDES SELECTING AREA TO BE DELETED FROM PROJECT AREA AND ESTABLISHING BOUNDARIES THEREFORE, FORMULATING AND APPROVING REVISION TO THE PRELIMINARY REDEVELOPMENT PLAN, AND AUTHORIZING TRANSMITTAL OF SAME TO REDEVELOPMENT AGENCY; INITIATE AMENDMENTS TO THE MID-CITY COMMUNITY PLAN AND THE PROGRESS GUIDE AND GENERAL PLAN AND REZONE.

Ron Smith and Mary Wright presented Report to the Planning Commission No. P-95-034.

Testimony in favor by:

Thomas Smith, representing the neighborhood of Isle Nair. Expressed his support for the amendment and would like it to stay on track and recommend that Council adopt it. Discussed why the neighborhood wants to be excluded from the district.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE STAFF'S RECOMMENDATIONS. Second by Neils. Passed by a 7-0 vote.

ITEM-7: APPEAL OF THE SHELL OIL COMPANY CONDITIONAL USE PERMIT TO CONVERT AN EXISTING BUILDING AREA TO A CONVENIENCE STORE/MINI-MART AND CAR WASH, INCLUDING MODIFICATIONS TO THE EXISTING ISLAND CANOPY AND SIGNAGE.

Bill Tripp presented Report to the Planning Commission Report No. P-95-030.

Testimony in favor by:

Mark Hayden, representing Shell Oil. Expressed his concerns to maintain the 24 hour operation and that Shell is willing to take the 70 foot sign down. The sign is a neighborhood sign and for freeway viewing. The new station's improvements have been designed for the 24 hour operation. The dealer is willing to meet with the community groups on a monthly basis to be sure that everyone concerned is pleased with the operation.

Kevin Nichols, representing Shell Oil. When Shell submitted this renovation to Houston for approval, it was their understanding that it would include the removal of the two existing signs and that one sign would be put up. Until the CUP process has been completed, they do not want to shut down their 24 hour operation.

Testimony in opposition by:

Bill McBride, representing himself. Discussed his knowledge of the CUP process and Shell not willing to take the sign down. The 30 foot sign is in conformance with the Clairemont Mesa Community Plan. He is not in favor of the 24 hour operation due to congestion and noise.

Billy Paul, representing Clairemont Mesa Planning Committee. Advised that the Board discussed the history of the station and the plans for the new convenience shop. They recommend limited use of hours of operation and recommend to deny the CUP due to lack of conformance, noise levels generated with this expansion. Clairemont already has several 24 hour operations and no need to have more.

John Beard, homeowner in neighborhood. He addressed the 24 hour operation and felt that since it doesn't have much impact on the sale of gasoline it didn't matter; the issue of concern is the rotating sign that is clearly visible from his home and how it obstructs his view of the Bay.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY BENN TO CONTINUE FOR 60 DAYS FOR REMOVAL OF THE SIGN AND FOR ADDITIONAL INFORMATION TO COME BACK TO THE COMMISSION ON CODE ENFORCEMENT. Second by Quinn. Motion withdrawn.

MOTION BY NEILS TO CERTIFY THE MITIGATED NEGATIVE DECLARATION, GRANT THE APPEAL AND APPROVE THE CONDITIONAL USE PERMIT WITH THE FOLLOWING MODIFICATIONS:

1. CONDITION 8A BE CHANGED TO STATE 10 YEARS, NOT 20.

2. THE LANGUAGE OF 8B BE CONFORMED TO 10 YEARS, AND THAT ANY OTHER REFERENCE TO 20 YEARS BE CHANGED TO 10 YEARS.
3. THE SECOND GRAMMATICAL PARAGRAPH OF 8B BE STRICKEN.
4. THE INTRODUCTORY PART OF SECTION 14A BE CHANGED SO THAT IN ADDITION TO THE 60 DAY LIMITATION, IT ALSO STATE THAT THE ACTION TO REMOVE BOTH OF THESE OFFENDING SIGNS BE THE FIRST THING THAT IS DONE AND THAT THAT MUST BE DONE BEFORE ANY OTHER ACTIVITY IS ALLOWED UNDER THIS PERMIT.
5. THE LAST SENTENCE OF CONDITION 14A BE MODIFIED SO THAT PRIOR TO THE COMMA IN THE NEXT TO LAST LINE IT READS, "SHOULD THIS CONDITION NOT BE FULFILLED", CHANGED FROM SHOULD THIS PERMIT NOT BE UTILIZED.
6. BY GRANTING THE APPEAL, THE FIRST THREE SENTENCES OF PARAGRAPH 20 BE STRICKEN, AND THE LAST SENTENCE REMAINS.
7. THE SALE OF ALCOHOL CAN ONLY BE CONDUCTED FROM 8:00 AM TO 9:00 P.M.
8. STORE HOURS WILL BE LIMITED FROM 7:00 AM TO 10:00 P.M.

Second by White. Passed by a 6-1 vote with Commissioner Quinn voting nay.

ADJOURNMENT:

The Planning Commission was adjourned at 4:15 p.m. by Chairperson Bernet.