

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
JANUARY 27, 1994
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Bernet at 9:06 a.m. The Planning Commission was adjourned by Chairperson Bernet at 12:35 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-not present
Janis Sammartino, Senior Chief Deputy City Attorney-present
Tom Story, Deputy Director, Development and
Environmental Planning-present
Jeff Washington, Deputy Director, Long Range and Facilities
Planning-not present
Linda Lugano, Recorder-present

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

No one appeared to speak at this time.

ITEM-1A: APPROVAL OF MINUTES OF OCTOBER 14, 1993 AND OCTOBER 21, 1993.

COMMISSION ACTION

MOTION BY NEILS TO APPROVE THE MINUTES OF OCTOBER 14 AND 21, 1993 WITH THE FOLLOWING REVISION TO THE MINUTES OF OCTOBER 14, 1993, PAGE SEVEN, COMMISSION ACTION FOR ITEM 5 SHOULD STATE "...AND APPROVE THE PERMIT" AS THE COMMISSION VOTED TO RECONSIDER THE DECISION TO DENY THE APPEAL AND APPROVE THE PERMIT. Second by White. Passed by a 6-0 vote for the minutes of October 14, 1993 as Commissioner Benn was not present for that meeting, and a 7-0 vote for the minutes of October 21, 1993.

ITEM-2: OTAY ASSETS GAS STATION (EOT), CUP 93-0533, PARCEL 2, PARCEL MAP 16553, LOCATION: OTAY ASSETS, LTD.

P.J. Fitzgerald presented Planning Department Report No. P-94-021, and requested to add another condition regarding the proposed driveway design which would become condition No. 30 and would read as follows: "No curb return access will be allowed for this site. City of San Diego's standard driveways, per standard drawing G-16 must be utilized for all driveway accesses."

Testimony in favor by:

SUSAN LAY, representing the applicant. In answer to the question of the alcohol sale, Ms. Lay indicated that the applicant is not at that point in their planning for this site. Expressed her concern about setting a precedent for prohibiting alcohol sales in automobile service stations and suggested that the Commission's concerns might better be addressed through Municipal Code amendments or through discussions with the ABC on their enforcement powers.

COMMISSION ACTION:

MOTION BY NEILS TO CONTINUE TO FEBRUARY 17, 1994 AT 1:30 P.M. IN ORDER FOR STAFF AND THE CITY ATTORNEY TO COME BACK WITH APPROPRIATE LANGUAGE ON THE FOLLOWING POINTS IN THE CUP: CONDITION 6: THE WORDING DISEASE-WEED-AND LITTER-FREE CONDITION AT ALL TIMES. LANGUAGE SHOULD BE AMENDED TO MAKE A STATEMENT ABOUT "HEALTHY" LANDSCAPING. CONDITION 18: HAZARDOUS MATERIALS UNDERGROUND. CONDITION TO ADDRESS NOT ONLY STORAGE, BUT HANDLING OF THESE MATERIALS AS WELL. CONDITION 19: OPENING REFERENCE TO REPAIR AND SERVICING WITHIN SERVICE BAYS WILL BE ELIMINATED AS THE INTENT IS FOR A SELF-SERVICE ONLY STATION, AND THEREFORE NO SERVICING WILL BE CONDUCTED. CONDITION 24: THE WORDS "AND MAINTAINED" SHALL BE ADDED FOR PLANTINGS, PLANTER BOXES AND/OR VINES SHALL BE LACEDIN KEEPING WITH A CONSISTENCY FOR LANDSCAPING. CONDITION 27: ADD A GENERAL REQUIREMENT THAT THE SITE BE CLEANED UP IN ACCORDANCE WITH ALL THE APPLICABLE REQUIREMENTS OF THE COUNTY HEALTH DEPARTMENT AND ANY OTHER STATE OR FEDERAL LAWS THAT APPLY TO MAKE IT CLEAR THAT UPON THE CESSATION OF OPERATION AND TERMINATION OF THE USE THAT THE SITE IS TO HAVE A GENERAL CLEANUP. CONDITION 28: FUTURE GROWTH MANAGEMENT REFERENCE, CITY ATTORNEY TO REWORK THE WORDING TO MAKE IT MORE APPLICABLE; TIMING OF THIS CUP AND WHETHER OR NOT TO IMPOSE ANY TIME LIMITATIONS FOR THE LENGTH OF IT, AND THE RETURN REVIEW PROCESS; COME BACK WITH AN INTERIM POSITION ON PROHIBITING THE SALE OF ALCOHOL AT THIS SITE OR ANY OTHER GAS STATION SITE, (PRIOR TO GETTING COUNCIL POLICY) IN ORDER TO NOT HOLD UP THIS PERMIT - COME BACK TO THE COMMISSION WITH REASONS WHY THESE REGULATIONS APPLY TO THIS PARTICULAR SITE; BRING BACK A REPORT ON THE CRIME RATE AND TRAFFIC COUNT ON THE SURROUNDING ROADS TO THIS STATION. Second by Skorepa. Passed by a 7-0 vote.

PLANNING COMMISSION RECESSED AT 11:02 A.M. AND RECONVENED AT 11:12 A.M.

ITEM-3-

3A: CASE: LJC 92-0764 WALLNER RESIDENCE SEAWALL/SCR;
LOCATION: 274 COAST BLVD. BETWEEN OLIVETAS AND COAST
BLVD.

P.J. Fitzgerald presented Planning Department Report No. P-94-022. The Commission was advised that the applicant has requested minor changes to the draft permit, and staff agrees to these changes as follows: Condition No. 3 will be modified to delete the reference to the Exhibit A drawings as no parking is proposed with this project; the last sentence will also be deleted referring to landscaped areas in the parking area. However, staff will retain the reference to the need to retain two parking spaces on site. Condition No. 10 will be deleted as it is not applicable to this proposal. The applicant has offered a lateral public access easement along the western portions of the site that will not be utilized by the seawall structure. The Planning Department would like to accept that offer and could include that as the new Condition No. 10 with standard language pertaining to the lateral access easement.

Testimony in Favor by:

LYNN HEIDEL, representing the applicant. Explained the history of this wall and the Wallner's remodel of their beach cottage, and how the wall came about and its use for protection and privacy.

MARTIN POIRIER, designer of the seawall. Explained two areas of concern about the appearance of the wall and its alignment, and the issue of the width and thickness of the wall. The wall was created to protect the structure and the thickness does try to deal with the articulation of the house.

NICK WALLNER, owner of the home. Discussed the "protective device" (seawall) and explained how he built the property and reinforced the foundation but that it doesn't protect the overhang. Original permit stipulated how the remodel of this cottage must be preserved exactly as it was. and how the replication is in keeping with that stipulation. He also explained the surf concerns and how damaging it could be to the house.

LAWRENCE DWYER, resident in the area, echoed Mr. Wallner's sentiments for building the wall for protection.

Testimony in opposition by:

BARBARA JONES, resident across the street. Purchased time shares to be near the beach and for the view. Advised how she felt walk on the beach would now be prohibitive due to this wall and the view obstructed.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY NEILS TO APPROVE PERMITS NO. 92-0764, AND CERTIFY THE NEGATIVE DECLARATION NO. 92-0764. Second by White. Passed by a 7-0 vote.

ITEM-4: CASE: CDP 92-0251, 1627 OCEAN FRONT STREET, LOTS 5-6 BLOCK 66 MAP 279.

Teri Bumgardner presented Planning Department Report No. P-93-184 and discussed the history of this project and how ultimately the crib wall was built.

RICHARD SAGER, applicant, addressed two issues: landscaping - there was nothing said about landscaping in the original permits. As far the landscape plan that has been submitted at this point, a landscape architect was hired and his plans meet all the requirements requested. Secondly, Mr. Sager explained how the approvals were received in the field and with the City and how he did in fact follow all rules and regulations.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE WITH THE FOLLOWING ADDITIONAL CONDITION THAT THE LANDSCAPING AND THE WALL IS MAINTAINED AS A COVENANT THAT GOES WITH THE LAND THROUGHOUT THE DURATION OF THE LAND AND ACCEPTED COMMISSIONER NEILS' SUGGESTION TO REWORD "...THAT THE OBLIGATION TO MAINTAIN LASTED AS LONG AS THE WALL REMAINS UNDER THE ENCROACHMENT PERMIT;" AN ADDITIONAL CONDITION WAS INCLUDED AT THE REQUEST OF THE COASTAL COMMISSION UNDER CONDITION 2, THAT A-E WOULD REMAIN THE SAME BUT ADD FOUR WEEKS ONTO THE TIME FRAME AFTER THE RECORDATION OF CDP 92-0251 FOR THE REMOVAL OF THE DECK,

HANDRAIL AND STAIRS ON PUBLIC PROPERTY. ON CONDITION NO. 5 ADD A TIME FRAME THAT BEFORE ISSUANCE OF ANY BUILDING PERMITS, A COMPLETE LANDSCAPE PLAN, INCLUDING AN IRRIGATION SYSTEM SHALL BE SUBMITTED TO THE PLANNING DIRECTOR FOR APPROVAL BY MARCH 2, 1994. THE PLAN SHALL BE IN SUBSTANTIAL CONFORMITY TO EXHIBIT A, DATED JANUARY 27, 1994, ON FILE IN THE OFFICE OF THE PLANNING DEPARTMENT. APPROVE INSTALLED PLANTING SHALL NOT BE MODIFIED OR ALTERED UNLESS THE PERMIT HAS BEEN AMENDED AND IS TO BE MAINTAINED IN A DISEASE, WEED AND LITTER-FREE CONDITION AT ALL TIMES. CONDITION NO. 10 AN ENCROACHMENT REMOVAL AGREEMENT WILL ALSO BE REQUIRED BY MARCH 2, 1994 FOR THE PORTION OF THE DECK AT THE HIGHEST ELEVATION TO ENCROACH ON PUBLIC LANDS PURSUANT TO CONDITIONS AND PERMIT REQUIREMENTS, AND THAT A-G REMAINS THE SAME. Second by Neils. Passed by a 6-1 vote with Commissioner Benn voting nay.

ITEM-5: CASE: CDP 93-0450, HERMANSON RESIDENCE REMODEL AND ADDITION TO EXISTING SFR DWELLING. LOCATION 5880 RAVENSWOOD ROAD LOT 226, LA JOLLA CORONA ESTATES UNTI 3, MAP 3927.

There was no one present to speak on this item. Item taken on consent.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE THE PERMIT. Second by Skorepa. Passed by a 7-0 vote.

ITEM-6: CASE: PRD, VTM, RZ, CDP, PAM, 87-1038 AND CONSIDERATION OF INTERIM HABITAT LOSS FOR MONARCH POINTE, SORRENTO VALLEY BLVD., NEAR INTERSTATE 805.

Commission Neils advised that he would be abstaining from voting on this item.

Tony Gangitano presented Planning Department Report No. P-94-010.

Testimony in favor by:

DOUG BOYD, representing the planning consulting firm T&D Planning Consultants. Advised that this project has been a very long process and appreciate the Commission's comments about the design and redesign;

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and how it adheres to the environmental concerns and have addressed the sensitive issues of the area. Requested that this project be issued to the name of the Newland Group, Inc. rather than American Newland Association of California, a general partnership.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY WHITE TO MOVE APPROVAL OF THE PROJECT AND SUPPORT THE PLANNING DEPARTMENT'S RECOMMENDATIONS WITH CONSIDERATION TO ADD THE FOLLOWING AMENDMENTS TO ENHANCE REAR AND SIDE ELEVATIONS ON THOSE LOTS THAT FRONT SORRENTO VALLEY ROAD AND CAMINO SANTA FE; THAT THE COLORS BE MODIFIED TO REFLECT SLIGHTLY MORE EARTH TONES; REQUIRE HYDROSEEDING OF THE BORROWED SITE (CONDITION 22) GRADING WOULD BE DONE IN CONJUNCTION WITH BUILDING SO THERE IS SOME TIME RELATIONSHIP BETWEEN GRADING AND BUILDING TO PREVENT EROSION, ETC. (STANDARD CONDITION IS WITHIN 90 DAYS FOR THE HYDROSEEDING OF THE SLOPES AND NOW IN ADDITION STAFF WILL SPECIFY HYDROSEEDING ON THE PADS AT THEIR DISCRETION); AND THE OWNERSHIP OF THE NAME WILL BE CHANGED, AS PER THE REQUEST OF MR. BOYD. Second by Quinn. Passed by a 5-0 vote with Commissioner Neils abstaining and Commissioner Skorepa not present.

ITEM-7: CASE: CDP 93-0491, DWYER REMODEL/SCR. DEMO SFR EXC FOUNDATION AND REBUILD. LOT 15, SUN GOLD POINT MAP 3216. LOCATION: 5334 CALUMET AVENUE BETWEEN RICHARDO PLACE AND BANDERA STREET.

There was no one present to speak on this item. Item taken on consent.

COMMISSION ACTION:

MOTION BY WHITE TO APPROVE THE PERMIT. Second by Skorepa. Passed by a 7-0 vote.

ITEM-8: COMMUNITY PLAN AMENDMENT INITIATION - SCRIPPS MIRAMAR RANCH COMMUNITY PLAN AMENDMENT.

Commission White advised that he would be abstaining from voting on this item.

Testimony in favor by:

DOUG BOYD, representing the San Diego Unified School District. This is a subject of a MOU which was adopted both by the School Board and the City Council and requires the district to initiate the process within 90 days of that approval. The first action of this project is to initiate the Community Plan amendment.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY McELLIOTT TO ACCEPT THE INITIATION OF THE PLAN AMENDMENT OF THE SCRIPPS MIRAMAR RANCH COMMUNITY PLAN AND PROGRESS GUIDE AND GENERAL PLAN AND REQUEST STAFF TO FOCUS ON THE ISSUE OF THE SAFETY OF THE BRIDGE AND ADDRESS IT AS PART OF THE REPORT THAT COMES BACK; AND WAIVE THE CONSOLIDATED HEARING PROCESS. Second by Quinn. Passed by a 5-0 vote with Commission White abstaining, and Commissioner Skorepa not present.

ADJOURNMENT:

The Planning Commission adjourned at 12:35 p.m.