

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
FEBRUARY 10, 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 9:16 a.m. The Planning Commission recessed at 10:22 a.m. and reconvened at 10:36 a.m. Chairperson Bernet adjourned the meeting at 3:35 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Scott Bernet-present
Commissioner Karen McElliott-not 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
Janis Sammartino, Senior Chief Deputy City Attorney-not present
Hal Valderhaug, 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-2: APPROVAL OF MINUTES OF OCTOBER 28, 1993, NOVEMBER 18, 1993, DECEMBER 2, 1993 AND DECEMBER 9, 1993.

COMMISSION ACTION:

Item was removed from agenda for revisions. Will be placed on the docket at a later date.

ITEM-3: SABRE SPRINGS PARCELS 28 AND 29; CASE: RPO 91-0330, LDP FOR GRADING, LOCATION: POWAY ROAD BETWEEN SPRINGBROOK DRIVE AND SPRINGHURST DRIVE.

Ron Buckley presented Planning Department Report No. P-93-162.

DAVID POOLE, representing Pardee Construction, advised the Commission on the status of the rock crusher.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY BENN TO APPROVE THE PERMIT WITH THE CONDITION THAT THE ROCK CRUSHER BE REMOVED FOUR MONTHS, OR 120 DAYS FROM THE TIME THE EQUIPMENT IS BROUGHT ON SITE, AND TO NOTIFY THE CITY THAT THIS EQUIPMENT HAS BEEN REMOVED; AND TO ACCEPT COMMISSIONER NEILS REQUEST TO REMOVE THE REFERENCE TO BUILDING PERMITS AND BUILDING PLANS IN CONDITIONS 4 AND 5 AS THEY DO NOT APPLY TO THIS PARTICULAR PROJECT. Second by Neils. Passed by a 6-0 vote with Commissioner McElliott not present.

ITEM 4: MID-CITY CORPORATION, CASE: CUP 89-0731 WORK FURLOUGH FACILITY AT 4025 PACIFIC HIGHWAY BETWEEN WRIGHT STREET AND BANDINI STREET.

ITEM 4A: ADOPTION OF THE ASSOCIATED AMENDMENTS TO THE PROGRESS GUIDE AND GENERAL PLAN.

Ron Buckley requested that these two items be continued as the County Board of Supervisors has referred to a panel of presiding judges, the County's work furlough center Task Force's recommendation to cancel the contract with Mid-City. Therefore staff did not feel it proper to bring this forward to the Commission until this issue has been resolved. Staff will come back to the Commission with a report to deal with either that review, or revocation of the permit as necessary and bring forward the appropriate amendments to the CPC regulations. Staff to renote at appropriate time.

COMMISSION ACTION:

MOTION BY QUINN TO CONTINUE INDEFINITELY BASED ON STAFF'S RECOMMENDATION. Second by White. Passed by a 6-0 vote with Commissioner McElliott not present.

ITEM-5: FRAMEWORK PLAN AND FRAMEWORK AMENDMENT - NORTH CITY FUTURE URBANIZING AREA.

Miriam Kirshner presented Planning Department Report No. P-94-033.

Testimony in favor by:

JEFF HOWARD, representing three properties in subarea 3 and 4, speaking in support of the proposed amendment to the General Plan to allow the phase shift to occur in June.

MARK STEELE, planning consultant for subarea 3. Reminded the Commission that his clients plan to go through the subarea planning process with EIR, financial plans, etc. and all of the aspects of the framework plan.

DAVE NIELSEN, representing subarea 5 owners. This is a subarea for very low residential density, and significant portions for open space.

ALLEN HAYNIE, of Black Mountain Ranch. Described the history of the framework plan.

BOB McNATT, Cole Real Estate Group, owners of 392 acres in subarea 4 of the framework plan, discussed the plans submitted for this area to Council. Requested support of this plan to allow them to go on with the process.

MIKE MADIGAN, Pardee Construction Company, discussed that now is an appropriate time to let the voters determine, as required by Proposition A, whether it's time to urbanize this land in the future urbanizing area and under the conditions and restrictions that would apply.

PLANNING COMMISSION RECESSED AT 11:56 A.M. AND RECONVENED AT 1:45 P.M.

TONY LETTIERI, discussed the planning effort for subarea 4 in which his company and City staff have been working extensively and requested the Commission's approval of the amendment to the plan.

STEPHEN COURY, representing the Alliance of Property Owners. Requested approval of his client's application to allow a phase shift to occur before completion of the subarea plans.

KEITH RHODES, Owner of property in the future urbanizing area and discussed the density of the homes adjacent to this property.

DAVID GOODELL, property owner. Expressed concern that the process continue with this amendment and suggested that the subarea plans have to be completed.

DOROTHY RHODES, property owner who spoke about taxes paid and time spent in development of this land.

JANET RASCHKE, small property owner in subarea 4. Discussed all the money she has spent through the years for the development of her property.

Testimony in opposition by:

LOUISE ARNOLD, La Jolla resident. Expressed her feelings that Proposition A should be honored since it was passed.

LINDA MICHAEL, representing the Sierra Club, expressed her feelings for comprehensive planning for future urbanizing areas. Crisis management is not the way to go when dealing with such large areas.

ALICE GOODKIND, representing friends of the San Dieguito River Valley, submitted her concerns about the process on this amendment.

OPAL TRUEBLOOD, requested the Commission to put the language on the November ballot and allow the voters time to understand this process.

DAVID KREITZER, discussed one issue - that being the traffic issue and its importance to the preparation of the subarea plans.

RAMONA SALISBURY, president of the League of Women Voters. The League opposes amending the framework plan to allow the public to vote on the phase shift to precede the subarea plan.

CRAIG ADAMS, representing Citizens Coordinate for Century Three, discussed ballot language and the negotiation process.

KAREN BERGER, submitted a letter with recommended revisions to staff's recommendations.

JAN FUCHS, representing the Carmel Valley Planning Board. Discussed how actions on the FUA will affect Carmel Valley greatly and expressed concerns over ballot language.

LOU WOLFSHEIMER, explained his concept of the future urbanizing area and the process that should be taken and the ballot language used.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY NEILS TO MOVE THAT THE PLANNING COMMISSION STATE FOR THE RECORD THAT THE INFORMATION CONTAINED IN THE EIR ADDENDUM, NO. 94-0073 HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION PRIOR TO TAKING AN ACTION; SECONDLY RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE PROPOSED AMENDMENT TO THE FRAMEWORK SUBJECT TO THE

Corrected 3/4/94

FOLLOWING CONDITIONS: 1) IF THE COUNCIL ELECTS TO GO FORWARD, THAT THEY SATISFY THEMSELVES, EITHER BY VIRTUE OF LANGUAGE IN THE BALLOT PROPOSITION OR BY OTHER APPLICABLE LAW AND RULES, THAT THE FULL CITY REGULATORY POWER OVER THE SUBAREA PLANS AND ALL DISCRETIONARY DEVELOPMENT NOT BE COMPROMISED FROM THAT WHICH EXISTS TODAY, (OTHER THAN THE MODIFICATION OF ELIMINATING THE PRIOR REQUIREMENT OF THE PHASE SHIFT), AND 2) RECOMMEND THAT THE CITY COUNCIL ALSO BE SATISFIED THAT THEY AFFIRMATIVELY REQUIRE AS A PART OF THE FULL REVIEW, AGAIN BY BALLOT LANGUAGE, OR OTHERWISE, THAT PART OF THAT REGULATORY APPROVAL INCLUDE REFERENCE BACK TO THE FRAMEWORK PLAN AS THE BASIC GUIDELINE DOCUMENT FOR THE FUTURE URBANIZING AREA, AND 3) THAT NO DEVELOPMENT WOULD GO FORWARD UNTIL THERE HAS BEEN ADOPTED, AND THEN IT WOULD ONLY GO FORWARD CONSISTENT WITH A PUBLIC FACILITIES FINANCING PLAN INCLUDING PHASING CONCEPTS WHICH EMBRACES THE WHOLE NORTH CITY FUTURE URBANIZING AREA, AGAIN THAT THE COUNCIL BE SIMILARLY SATISFIED WITH BALLOT LANGUAGE OR OTHERWISE. Second by Skorepa. Passed by a 4-2 vote with Commissioners Benn and Quinn voting nay, and Commissioner McElliott not present.

Note: Commissioner Neils suggested that a report from the Planning Commission be prepared to the City Council on this matter, and that the Chairman consider attending the City Council hearing.

ITEM 6: MOSKOWITZ ADDITION, CASE LJS 93-0520, ADDITION TO SFR, LOCATION 2684 COSTEBELLE DRIVE, LAJOLLA.

Jean Cameron presented Planning Department Report No. P-94-029.

Testimony in opposition by:

ERNEST BEUTLER, neighbor to the Moskowitz residence. Discussed how much larger the house will be in contrast to the original house. Garages have been extended as well and this was done without the community being notified.

JIM SOLINSKY, neighbor of the area. Dr. Solinsky echoed Dr. Beutler's sentiments. Expressed his feelings about the involvement on the part of the neighbors, but also felt there were a lot of threats from the Moskowitz against the neighbors.

Testimony in favor by:

KEVIN MORLEY, architect representing the owners. Commented on issues presented by Drs. Beutler and Solinsky regarding the existing square footages and issues discussed at the LaJolla Shores Advisory Board hearings. Mr. Morley then went into the history of this project over the past six months.

JOEL MOSKOWITZ, owner of the property. Requested the Commission to deny the appeal and grant the permit to allow he and his wife to get on with the remodeling of their house so they can move in within a reasonable period of time; stressed how they have complied with the permitting process and have tried to please the neighbors as well.

PHILLIP MERTEN, Architect and Chairman of LaJolla Shores Association. The Association is in agreement with the Moskowitz's and the design and character of this home.

ROBERT THIELE, Citizen advisor on the zoning code update residential team and member of the La Jolla Community Planning Association speaking on behalf of the Moskowitz's. Mr. Thiele requested the Commission to consider a "friendlier" process, a kinder planning process.

ROY DREW, architect and resident in area. Expressed how he feels about unfair, carefully organized harassment of neighborhood people like the Moskowitz's by certain groups.

DICK SMITH, told the Commission that they do have the power to make present advisory decisions to the City Council on items regarding Planning.

MARY FRANCES SMITH, resident of area. Attended the advisory board hearing and expressed her disdain to their behavior.

Public testimony was closed.

COMMISSION ACTION:

MOTION BY NEILS TO DENY THE APPEAL AND GRANT THE PERMIT. Second by Skorepa. Passed by a 6-0 vote with Commissioner McElliott not present.

ITEM-7

AND 7B: Foothill Terrace, PRD 92-0605/TM 92-0605 CONSTRUCTION OF 59 MULTI-FAMILY UNITS AND 62 LOT SUBDIVISION. LOCATION, FOOTHILL ROAD BETWEEN SMYTHE AVENUE AND DEL SURE BLVD.

Bob Korch presented Planning Department Report No. P-94-016, and advised that Mr. Walsh, the applicant and the property owner have come to an agreement on the project design issue.

COMMISSION ACTION:

MOTION BY BENN TO CERTIFY THE NEGATIVE DECLARATION AND APPROVE THE PRD AND TM 92-0605. Second by Quinn. Passed by a 6-0 vote with Commissioner McElliott not present.

ITEM-8: CALIFORNIA TERRACES PRECISE PLAN, MASTER REZONE, SMALL LOT OVERLAY ZONE, COMMUNITY PLAN IMPLEMENTATION OVERLAY, VESTING TENTATIVE MAP, PLANNED RESIDENTIAL DEVELOPMENT PERMIT, RESOURCE PROTECTION ORDINANCE PERMIT, HILLSIDE REVIEW PERMIT, EIR 86-1032 AND 90-0574.F

COMMISSION ACTION:

MOTION BY WHITE TO CONTINUE TO THURSDAY, FEBRUARY 17, 1994 AT 9:00 A.M. AT THE REQUEST OF CHAIRPERSON BERNET. Second by Quinn. Passed by a 5-0 vote with Commissioners McElliott and Neils not present.

ADJOURNMENT:

The Planning Commission adjourned at 3:35 P.M.