

PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF
FEBRUARY 11, 1993
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Acting Chairman Pesqueira at 9:10 a.m. The Planning Commission adjourned at 12:15 p.m.

ATTENDANCE DURING THE MEETING:

Commissioner Ralph Pesqueira-present
Commissioner Lynn Benn-present
Commissioner Scott Bernet-present
Commissioner Verna Quinn-present
Commissioner Edward Reynolds-present
Commissioner Frisco White-present
Ernest Freeman, Planning Director-present
George Arimes, Assistant Planning Director-not present
Janis Sammartino, Chief Deputy City Attorney-present
Rachel Hurst, Principal Planner, Community Planning-present
Tom Story, Deputy Planning Director, Development and
Environmental Planning-present
Ron Friedman, Principal Planner, Development and
Environmental Planning-present
Jeff Strohming, Engineering and Development-present
Dave Schlesinger, -Clean Water Program Director-present
Jeannette Santos, Recorder-present

PLANNING COMMISSION MINUTES-FEBRUARY 11, 1993

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

LEE OLSON, President of the San Diego Council of Divers, addressed two issues: Item 2, the Chair administer the oath for all parties giving public testimony; and Seal Rock Reserve.

JANIS SAMMARTINO, Chief Deputy City Attorney, stated the swearing of witnesses before Planning Commission, not aware or has ever been done. The testimony of witnesses is preserved, these hearings are taped and that constitutes the record, and do not swear witnesses.

Acting Chairman Pesqueira stated concurs with the City Attorney, and that's the position of the Chair.

TOM STORY, Deputy Planning Director, stated on the environmental review for council action on the Seal Rock, it was deemed to qualify under the CEQA guidelines for categorical exemption, because it was council directed to return directly to City Council.

ITEM-7 CHOLLAS CREEK REZONE.

This item continued from October 1, November 5 and 19, 1992. Planning Department Report No. P-92-210.

JANIS SAMMARTINO, Chief Deputy City Attorney, stated this item be continued indefinitely, and will be renoticed.

ITEM-3 REZONING OF SOLAR TURBINES SITE TO IMPLEMENT KEARNY MESA COMMUNITY PLAN (CASE NO. 92-0651).

This item continued from November 19, 1992. Planning Department Report No. P-92-242.

This item moved to Consent Agenda.

Commissioner Frisco White stated did reviewed documents, and listened to tapes and will participate on this item.

No one spoke in opposition to this item.

COMMISSION ACTION

On motion of **VERNA QUINN**, seconded by **FRISCO WHITE**, the Commission voted 6-0 to recommend to City Council adoption of the proposed rezoning of the Solar Turbines site in Kearny Mesa.

PLANNING COMMISSION MINUTES-FEBRUARY 11, 1993

ITEM 6 PLANNED RESIDENTIAL DEVELOPMENT (PRD) PERMIT NO. 92-0653
&6A (EXTENSION OF TIME), AND TENTATIVE MAP (TM) PERMIT NO.
 88-1273, WHICH ALLOWED FOR THE SUBDIVISION OF A 1.549-
 ACRE SITE INTO FIVE LOTS FOR LOW DENSITY, RESIDENTIAL
 DEVELOPMENT. POMERADO ESTATES (EOT). LOCATION:
 POMERADO ROAD BETWEEN: CYPRESS CANYON ROAD AND: LEGACY
 ROAD. APPLICANT: ITEC PROPERTIES.

Planning Department Report No. P-93-029.

This item moved to Consent Agenda.

No one spoke in opposition to this item.

COMMISSION ACTION

On motion of **VERNA QUINN**, seconded by **FRISCO WHITE**, the Commission voted 6-0 to approve the permit for extension of time.

ITEM-2 CLEAN WATER - SAN DIEGO RIVER OUTFALL PROJECT AND
 CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT NO. 91-0830.

DAVE SCHLESINGER, Director of the Clean Water Program, presented City Manager Report No. P-93-031, and gave brief background of the project.

JOHN KOVAC, Planning Department, presented the Final Environmental Impact Report No. 91-0830.

Acting Chairman Pesqueira stated thick documents presented to the Planning Commission at the hearing, be given to the Planning Department staff, the Friday before the hearing, that it is included in their packets for review. For the Commissioners to read and listen to public testimony very difficult.

DAVID HUTCHINSON, presented a letter from County Supervisor Brian Bilbray, dated, February 10, 1993, in opposition to the project.

KEVIN SHANNON, Vice Chair of the Ocean Beach Planning Board, and Chair of the Land Use Subcommittee. He presented a statement and document from the Ocean Beach Planning Board in opposition to this project. The San Diego River Outfall be denied, and Alternative B, Point Loma Outfall connection to new tunnel outfall be considered.

PLANNING COMMISSION MINUTES--FEBRUARY 11, 1993

NORMAN MAGNESON, Chair of the Ocean Beach/Point Loma Steering Committee, presented Goals and Objectives from these two committees, dated February 9, 1993, in opposition to the project, and Alternative B, Point Loma be considered.

THOMAS PERROTTI, President of the Ocean Beach Town Council, presented a letter dated, February 3, 1993, stating over 10,000 signatures were obtained in opposition to this project.

FRANK ROSSO, Treasurer of the Ocean Beach Merchant Association, and been involved with the project for over 10 months. He spoke in opposition to the project, addressed the issue of cost, parallel pipe out to Point Loma.

BEVERLY MILLER, representing Utilities Consumer Action Network (UCAN), presented a letter, dated February 11, 1993 from Michael Shames, Executive Director, in opposition to the Draft Environmental Impact Report be revised to reflect an alternative for Point Loma.

MR. & MRS. W. C. HEMBURY not present, but noted: This is to record objection to EIR and protect. Details to be provided for consideration separately.

JOHN SEYMOUR, representing past Ocean Beach Planning Boardmember and current Ocean Beach Point Loma Steering member. He addressed the issue of fair share, everytime it rains massive urban runoff contaminants, natural flow into the ocean area.

LEE OLSON, representing the San Diego Council of Divers, presented a statement in opposition to the project, that the Point Loma be considered.

LINDA MICHAEL, representing the Sierra Club, spoke in opposition to the San Diego River Outfall not needed, cannot be justified environmentally or economically.

Public testimony was closed.

PLANNING COMMISSION MINUTES-FEBRUARY 11, 1993

COMMISSION ACTION

On motion of **LYNN BENN**, seconded by **SCOTT BERNET**, the Commission voted 5-1 (**QUINN** voting in the negative) to recommend to City Council the following: 1. has reviewed and considered Environmental Impact Report No. 92-0830, recommending certification; 2) not approve the San Diego River Outfall, but recommend Alternative A or B; 3) not approve the Mitigation Monitoring and Report Program (SDRO), but recommend the proposed mitigation by Councilmember Ron Roberts, memo, dated February 5, 1993, for \$5 million improvements to the park in Point Loma; 4) the findings are not considered; 6) recommend the discharge of secondary effluent to this outfall not be considered; 7) add scrubbers and updating of the Point Loma Sewer Treatment Plant.

RECESS, RECONVENE

The Planning Commission recessed at 10:55 a.m. and reconvened at 11:00 a.m.

ITEM-4 APPEAL OF THE PLANNING DIRECTOR DECISION TO APPROVE THE HERMAN RESIDENCE. LA JOLLA SHORES PLANNED DISTRICT PERMIT (LJS) NO. 92-0480. PROJECT DESC: 1134 SQ.FT. 2ND STORY ADDITION TO SINGLE FAMILY RESIDENCE. LEGAL: PORT. OF LOT 1297 PUEBLO LANDS OF S.D. MAP 36. LOCATION: 2380 CALLE DEL ORO. BETWEEN: CALLE CORTE AND: CALLE DE LA GARZA. ENVIRONMENTAL IMPACT REPORT NO. 92-0480 EXEMPT FROM STATE CEQA GUIDELINES. APPLICANT: MR. & MRS. LEONARD HERMAN.

PATRICIA FITZGERALD presented Planning Department Report No. P-93-033.

FRED BOYINGTON, presented photographs showing the impact to his property and adjacent property, spoke in opposition to the present design.

ADELE WEBSTER, presented a letter from Nina McCarthy of the La Jolla Shores Association in opposition to the project, regarding height of the wall, and impact to the neighborhood.

JAMES FOX, attorney, representing the applicants, presented a display chart of the project, in conformance with the neighborhood.

PLANNING COMMISSION MINUTES-FEBRUARY 11, 1993

THOMAS KLAUDA, architect, representing the applicants, addressed the issues that were raised, and spoke in favor project.

Public testimony was closed.

COMMISSION ACTION

On motion of **FRISCO WHITE**, seconded by **VERNA QUINN**, the Commission voted 6-0 to deny appeal, and approve the permit.

ITEM-5
&5A

COASTAL DEVELOPMENT (CDP) AND SENSITIVE COASTAL RESOURCE (SCR) PERMIT NO. 92-0571. DESCRIPTION: NEW 2-STORY; 8,257 SQ. FT. SINGLE FAMILY RESIDENCE WITH BASEMENT. LEGAL: LOT 1, LA JOLLA BLUFFS, MAP 8883. LOCATION: 9046 LA JOLLA SHORES LANE BETWEEN: LA JOLLA SHORES DRIVE AND; WAY. ZONE: R1-10000 HRO TO R1-10000 HRO. APPLICANT: HUGHES L. POTIKER.

SHELLY KILBOURN presented Planning Department Report No. P-93-034.

LYNNE HEIDEL, representing the applicant, presented photographs, spoke in favor of the project.

KEN RONCHETTO, representing the applicant, presented a model, display charts of the project, showing the wall, view, and landscaping.

OPAL TRUEBLOOD, representing Save Everyone's Access (SEA). She presented a slide presentation showing the public view point, bluff, and chain link fence, surrounding the proposed project. Ms. Trueblood stated that there be a condition for a scenic open space easement over the northwesterly portion of the proposed landscape area, and the chain link fence be removed once the wall has been built.

Public testimony was closed.

COMMISSION ACTION

On motion of **LYNN BENN**, seconded by **EDWARD REYNOLDS**, the Commission voted 6-0 to approve as amended with the additional 10 foot setback of the wall, and restriction on height of planting in the area agreed to; has reviewed and considered the Environmental Mitigated Negative Declaration No. 92-0571.

PLANNING COMMISSION MINUTES-FEBRUARY 11, 1993

ADJOURNMENT

The Commission adjourned at 12:15 p.m., and will reconvene on Thursday, February 25, 1993, at 9:00 a.m.