

Clairemont Community Planning Group

Minutes of the Meeting of July 16, 2013 North Clairemont Friendship Center

P Jeff Barfield- Chair	P Jack Carpenter	P Richard Jensen	P Michael Sullivan
P Fiona Theseira – Vice Chair	P Keith Hartz	L Billy Paul	A Donald Steele
A Delana Hardacre- Secretary	P Debra Howell	P Michael Puente	P Jacob Welhouse
P Susan Mournian- Treasurer	P Travis Jaedtke	A Margie Schmidt	A Scott Wentworth

P – Present A – Absent L- Late

Item 1. Call to Order / Roll Call

Meeting was called to order at 6:45 p.m. by Chair Jeff Barfield. Roll call was taken and a quorum present.

Item 2. Non-Agenda Public Comment – Issues that are not on the agenda and are within the jurisdiction of the Clairemont Community Planning Group. **NOTE:** 3-minute time limit per speaker.

Public:

Chris Carterette gave status of Rose Creek Bike Path Project which is progressing. Any questions - contact him at chris.carterette@sandag.org

Committee Members:

Debra Howell wanted status of AM/PM project on Balboa.

Item 3. Modifications to the Agenda – Requires 2/3 approval.

None

Item 4. Approval of Minutes

Motion by Richard Jensen to approve minutes for June 18, 2013 with spelling correctiona, second by Mike Sullivan.

Vote: 7-0-2 to approve

Item 5. Council Representative Reports

District 2 Council Report (Ian Clampett, Community Liaison, iclampett@sandiego.gov)

City Council approved Oversized Vehicle Ordinance which targets public safety hazards and abuse of the 72 hour parking rule. This ordinance will not become effective until Coastal Committee approves it. Implementation will be city wide.

District 6 Council Report (Ernie Navarro and Shirley Owen, Community Liaison, enavarro@san.diego.gov)

Shirley - First reading of animal protection ordinance which bans retail sale of dog, cats, and rabbits. Second reading in 30 days.

Ernie - Miramar Air Show. Councilmember Zapf seeking congressional support to keep air show. Despite rumors, there are no plans to reduce lanes on Clairemont Drive. Clairemont Family Day is August 3.

Item 6. Information Items

101. Library Services Available from Clairemont Branches (Erin Moore, Branch Manager)

Erin provided information about services available in the Clairemont library area which include movies, magazines, E books, books and workshops. Central Library opens September 28th. There are 35 branch libraries in city and 3 in Clairemont. Libraries are open 6 days per week. Some have tutoring but you need to check with branch.

102. Water Purification Demonstration Project (Jennifer Casamassima, Public Utilities Dept.)

Jennifer gave extensive report on where our water supply comes from which is the Sacramento and Colorado Rivers. Explained challenges of few water supplies and solutions - conservation, desalination, and recycled water. Explained reservoir testing technologies.

103. City of San Diego Bike Share Program (Ed Clancy, Program Manager, Bicycle Initiatives)

New means of transportation using credit card system at 180 kiosks with 1800 bikes available throughout the city for riders 18 years and older. August 11th Open Street bike event in South Park.

Item 7. Workshop Items

None

Item 8. Action Items

301. 2015 Capital Improvements Program Priorities – Formation of Subcommittee (Jeff Barfield, Chair)

Those willing to take training are Debra Howell, Keith Hartz, Michael Sullivan, Fiona Theseira, Billy Paul, and Richard Jensen. Steve Innis, Clairemont Town Council member, will also be trained. Various dates were given for training.

302. Balboa Mesa, Project #70797 (John Ziebarth Applicant)

Richard Jensen disagrees with the City Attorney's decision that two members, Debra Howell and Michael Puente, must be recused from voting on this item as members.

Development Team for Balboa Mesa Project provided the following information:

John Sandowski, Regency Centers, reports that owners of Balboa Mesa are working with the city on In-N-Out business. Mentioned our committee vote in February 2013 which was 9-2-0 to approve rezone of In-N-Out parcel.

John Ziebarth reported that Regency Centers came up with additional improvements for the In-N-Out site after the committee's approval to rezone in February 2013. These improvements include a reconfiguration of the drive-thru, additional landscaping with mature trees, hedges, mounding a 6 ft high sound wall, menu board with northwest orientation, tower removed from building design, signage on Genesee removed, air filtration system for hoods, one way drive out to potential stacking issues on Genesee, and glass panels on drive -thru lane.

Mr. Ziebarth feels that the developers have addressed complaints for In-N-Out noise, site and odors. His team met with Pacific Bluffs representatives who indicated that they do not support a drive-thru despite the changes which have been made to address their concerns.

Mr. Ziebarth's opinion is that a rezone of the In-N-Out parcel should be implemented to be consistent with the community plan. The project would go to the Planning Commission in September and City Council in December.

Opponent Position statements.

Longer presentations listed first

Scott - studies never recommended a rezone, sound from drive-thru will effect neighbors, drive-thru window open past midnight, rezoning is not necessary.

Nikki Bradford - rezone will add no new buildings, loss of sit down options, keep current zoning CN

Michael Puente - issue is removal of neighborhood zoning protections, 500 petitions which oppose rezoning, deviations, variances. States no recommended rezoning in community plan.

Debra Howell - Pacific Bluffs resident. No supporting information for rezone in community plan.

Shorter Comments/Questions from the public:

- Is building pad elevated?
- Objection to developer's presentation about traffic issues.
- How are smells minimized?
- HOA meeting - changes appreciated but rezoning sets precedent for Clairemont
- Will In-N-Out bring other businesses?
- Objection to noise and smells across from Building #1.
- Sense of neighborhood will change.
- Can committee stop rezoning? Chairperson Barfield says no as this is an advisory group.
- Rezone changes walk ability and biking due to increased traffic
- Deed restrictions?
- 5 objections because of traffic by different parties.
- This is a family friendly community.
- Want better community.
- Inebriates from Pacific Beach will patronize In-N-Out at night.
- Does committee want their legacy to be approval of rezoning?

Proponent Position statements

- Filtration system will work. Well executed drive-thru. Considering average daily traffic of 25,000 on Genesee noise from drive-thru is insignificant.
- Blight is in this community. Bringing a new business will help deter blight.
- Alternative of 7000 square foot building permitted under current zoning will cause noise.
- Corner has been blighted for years. Commend developer for patience and persistence.
- Thank you for removing blight from this community.
- Support rezoning.
- Regency Centers are good neighbors. If Clairemont says no, what happens?
- Support rezoning.
- Support business as it will bring jobs to Clairemont.
- This is a cornerstone business.
- In-N-out is a grade A business.
- Traffic is already an issue. Regency Center is a Clairemont resource.
- In-N-Out will bring additional police patrols.
- 2 more comments of support for rezoning.
- In-N-Out requested via outreach studies of the community.
- Leasing agent – In-N-Out a merchandizing plus to add other leases.
- Real Estate agent – In-N-Out 10 year representative stating many communities want this business.

John Ziebarth's Answers to Questions/Comments

- In-N-Out wants to be in this particular community.
- 3/4 of traffic comes through Balboa Avenue.

- Volunteering to restrict uses in 4 buildings through deed restriction which will restrict all future owners to limited uses including hours of operation/ sales of beer and wine.
- Filtration system will only be at In-N-Out and not at any other potential businesses. Same for sound wall
- Other tenants in this center want In-N-Out.
- Genesee is not quiet residential street as proven by traffic study.
- Location of In-N-Out cannot be swapped for another place within the center.
- Bike/pedestrian friendly within center as currently designed
- Other businesses open within center past midnight - Von's, CVS (24 hours), Blarney Stone Pub.
- Rezone would further implement community plan in his opinion.

Motion by Richard Jensen to deny rezone, second by Billy Paul.

Vote: 4-5-0 Motion Fails

Motion by Susan Mournian to approve rezone with added deed restrictions to In-N-Out property; second by Jack Carpenter.

Vote: 5-4-0 Motion Passes

303. Approval of Comment/Support Letters-Mid Coast Corridor Transit Project (Jeff Barfield, Chair)
Hannah Kite indicates support of Live Well Team. Requests committee support for her letter.

Motion by Richard Jensen supports this letter, second by Michael Sullivan.

Vote: 11-0-0 Motion passes (Howell and Puente return to committee for vote)

Motion by Billy Paul to support Jeff Barfield's letter of support for project, second by Fiona Theseira.

Vote: 11-0-0 Motion passes

304. Subcommittees – Membership and Chairs (Jeff Barfield, Chair)

Need for three standing committees - project review, transportation, and parking. Due to our full calendar, there will be a meeting in August when we are normally dark.

Committee Comments:

- Keith Hartz mentioned EIR review for airport master plan.
- Susan Mournian made request for Brown Act Training in the future.

Item 9. Reports to Group

Do to unusual length of meeting some reports will be given at the next meeting.

Airports

BACAC (Billy Paul)

Chair (Jeff Barfield)

CPC Report (Jeff Barfield)

Development Services Department (Brian Schoenfisch)

Parking (Susan Mournian)

Project Review (Jack Carpenter)

School Liaison

Secretary (Delana Hardacre)

Town Council (Delana Hardacre)

Traffic & Transportation (Billy Paul)

Treasurer (Susan Mournian)

Vice Chair (Fiona Theseira)

Vision Committee

Additional Items:

Adjournment at 9:45 PM

Minutes taken by Susan Mournian as Acting Secretary