

CITY OF SAN DIEGO
PLANNING AND DEVELOPMENT REVIEW DEPARTMENT
HEARING OFFICER MINUTES
COUNCIL CHAMBERS, TWELFTH FLOOR, CITY ADMINISTRATION BUILDING
202 "C" STREET, SAN DIEGO, CALIFORNIA

MAY 31, 2000

Hearing Officer: William Mackey
Recording Secretary: Barbara J. Hubbard
Deadline to Appeal: None
Requests for Continuances: None

NOTE: THERE ARE NOT ANY AUDIO TAPES TO GO WITH THESE MINUTES. THE TAPE RECORDERS FAILED.

ITEM 1

PROJECT TYPE & NUMBER: CDP 99-0804
PROJECT NAME: WACHOVIA GRADING
PROJECT MANAGER: MICHELLE SOKOLOWSKI
RECOMMENDATION: APPROVAL
ENVIRONMENTAL PLANNER: JEFF THOMAS

CERTIFIED MITIGATED NEGATIVE DECLARATION, RESO. NO. D-1351

ACTION: and
APPROVED ON CONSENT, RESOLUTION NUMBER D-1352

An application for a Coastal Development Permit (CDP) to grade an 11.2-acre site for land sale and unspecified future development. Remanufactured slopes would be revegetated for erosion control purposes. Future development of the site will require an additional Coastal Development Permit. The site is located on the **east side of Vista Sorrento Parkway**, immediately southeast of 10509 Vista Sorrento Parkway, in the M-1A and R1-40,000 zones, the Coastal Zone (Nonappealable Area 1), and is within the Mira Mesa Community Plan Area.

IN FAVOR

TED SHAW, 4180 La Jolla Village Dr., #330, San Diego, CA 92037. Representing Latitude 33.

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ITEM 2

PROJECT TYPE & NUMBER: CDP/LJSDP 99-1128
PROJECT NAME: JOSEPHSON RESIDENCE
PROJECT MANAGER: DERRICK JOHNSON
RECOMMENDATION: APPROVAL
ENVIRONMENTAL PLANNER: JERRY JAKUBAUSKAS

ACTION: CERTIFIED MITIGATED NEGATIVE DECLARATION, RESO. # D-1353
 and
 APPROVED ON CONSENT, RESOLUTION NUMBER D-1354

An application for a Coastal Development Permit (CDP), & La Jolla Shores Planned District Permit (LJSPD) at **2506 Ruelle Nicole** between Westway Drive and Ruelle Monte Carlo; the site is zoned LJSPD/Tract A of the La Jolla Shores Planned District w/Coastal Overlay, Council District 1.

IN FAVOR

SCOTT A. SPENCER, 7527 Girard Ave., La Jolla, CA 92037.

ITEM 3

PROJECT TYPE & NUMBER: CDP 99-1251
PROJECT NAME: DRAPER CONDOMINIUMS
PROJECT MANAGER: TIM DALY
RECOMMENDATION: APPROVAL
ENVIRONMENTAL PLANNER: ELIANA BARREIROS

ACTION: CERTIFIED NEGATIVE DECLARATION, RESO. # D-1355
 and
 APPROVED ON CONSENT, RESOLUTION NUMBER D-1356

An application for Coastal Development Permit to demolish two existing detached single family

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residences on the existing 7,002 square-foot lot zoned R-3000 and construct two adjacent 2,227 square-foot, single family residences with three parking spaces for each unit at **7430 Draper Avenue**, La Jolla, CA, in the La Jolla Community Plan Area.

IN FAVOR

DOUGLAS CAMPBELL, 2787 Mission Blvd., San Diego, CA 92109.

ITEM 4

PROJECT TYPE & NUMBER: RPOP 99-0005
PROJECT NAME: COSTCO SEWER RELOCATION
PROJECT MANAGER: TIM DALY
RECOMMENDATION: APPROVAL
ENVIRONMENTAL PLANNER: JEANNE KROSCH

ACTION: **CERTIFIED MITIGATED NEGATIVE DECLARATION, RESO. # D-1357**
 and
 APPROVED ON CONSENT, RESOLUTION NUMBER D-1358

An application for a Resource Protection Ordinance Permit to relocate and construct 830 linear-feet of new 12 inch diameter PVC sewer main, using trenchless technology methods located **between Caminito Cuarzo and Morena Boulevard**, parallel to the western end of Courser Avenue, in the Clairemont Mesa Community Planning Area.

NO SPEAKER SLIPS

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ITEM 5

PROJECT TYPE & NUMBER: CDP/MBPDP 99-1257
PROJECT NAME: JAMAICA DUPLEX
PROJECT MANAGER: FLETCHER CALLANTA
RECOMMENDATION: APPROVAL

EXEMPT PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

ACTION: APPROVED PERMIT, RESOLUTION NUMBER D-1359

An application for Coastal Development and Mission Beach Planned District (CDP/MBPD) Permit to construct a 2,540-square foot, 3-story, 2 attached-unit apartment building with a 760-square foot, attached 4-car garage on an unimproved 2,374 square-foot lot and associated site improvements. The project site is located at **780 Jamaica Court** in the R-S and Coastal zones. Proposition "D" 30'-Height Limit Area and Beach Impact Overlay zones of the Mission Beach Planned District within the Mission Beach Community Plan Area.

FLETCHER CALLANTA, Staff - Gave a presentation.

NO SPEAKER SLIPS

CURT HOLDER, developer was available for questions.

HEARING OFFICER (hereafter **HO**) asked what was the vote taken by the Mission Beach Community Planning Group? **CALLANTA** responded the vote was 8 in favor and 1 opposed.

HO asked about parking requirements. **JIMMY AYALA**, Associate Planner, responded that the Mission Beach Planned District requires two parking spaces per unit.

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ITEM 6

PROJECT TYPE & NUMBER: CDP 99-1095
PROJECT NAME: HARTIN RESIDENCE
PROJECT MANAGER: MICHELLE SOKOLOWSKI
RECOMMENDATION: APPROVAL
ENVIRONMENTAL PLANNER: ELIANA BARREIROS

CERTIFIED MITIGATED NEGATIVE DECLARATION, RESO. # D-1360
ACTION: and
APPROVED ON CONSENT, RESOLUTION NUMBER D-1361

An application for a Coastal Development Permit (CDP) to demolish an existing one-story, single-family residence and construct a two-story, 2,781-square-foot, single-family residence with an attached, 533-square-foot, two-car garage on a 0.12-acre site, located at **3553 Bayonne Street**, in the R1-5000 zone and the Coastal Zone (Nonappealable Area 2), and within the Pacific Beach Community Plan Area.

ITEM 7

PROJECT TYPE & NUMBER: CDP 99-1256
PROJECT NAME: BROWN RESIDENCE
PROJECT MANAGER: PATRICIA J. FITZGERALD
RECOMMENDATION: APPROVAL

EXEMPT PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
ACTION: APPROVED ON CONSENT, RESOLUTION NUMBER D-1362

A proposal to demolish an existing single family dwelling & construct a new 2,848-square-foot single family dwelling and detached garage, and to maintain an existing detached artist studio on a 14,460 square-foot site located at **1025 Cordova Street** in the R1-5000 Zone of the Peninsula Community Planning Area (City of San Diego Coastal Zone).

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ITEM 8

PROJECT TYPE & NUMBER: MCD 99-1228
PROJECT NAME: CENTER COURT APARTMENTS
PROJECT MANAGER: BILL TRIPP
RECOMMENDATION: APPROVE WITH CONDITIONS
ENVIRONMENTAL PLANNER: DONNA CLARK

ADDENDUM TO NEGATIVE DECLARATION, RESO. # D-1363
ACTION: and
APPROVED PERMIT, RESOLUTION NUMBER D-1364

An application for a Mid-City Development Permit to allow the demolition of five existing residential structures, and the construction of a four-story, thirty-four (34) unit apartment building with underground parking and associated site landscaping. The 0.48 acre (21,000 square-foot) site is located at **3974-92 Centre Street**, between University and Lincoln Avenues, legally described as Lots 42 through 47, Block 191, University Heights, Amended Map by G.A. D'Hemecourt, Book 8, Page 36 et seq of Lis Pendens. The property is located within the MR-800B Zone (Multi-Family Residential) of the Mid-City Communities Planned District Ordinance (MCCPDO), Uptown Community Plan Area, Process 3, Council District 3.

BILL TRIPP, Staff - Gave a presentation.

HO requested an explanation of the MR800B, asking if the zone allows high densities? **TRIPP** responded that the zone allows a maximum density of one unit for each 600 square feet of lot space if the lot is 15,000 square feet or greater in size; the subject property is greater than 15,000 square feet in size.

IN FAVOR

GARY TAYLOR, Design Consultant, 3241 Adams Ave., San Diego, CA 92116.

DAN LIEWER, Hawk St., San Diego, CA 92103.

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IN OPPOSITION

RON SALISBURY, 3979 Centre St., San Diego, CA 92103.

KELLY GRALEWSKI, 3944 Centre St., San Diego, CA 92103.

ROBERT J. GRALEWSKI, JR, 3944 Centre St., San Diego, CA 92103.

GREGORY SENOFF, 1627 Lincoln Ave., San Diego, CA 92103.

MELISSA SENOFF, 1327 Lincoln Ave., San Diego, CA 92103.

JEFF DOYLE, 3960 Centre St., San Diego, CA 92103.

HO requested Gary Taylor come to the podium to speak in favor of the project.

GARY TAYLOR explained that this project has a lot of history. It was appealed to the Planning Commission after the first Hearing Officer Hearing, then appealed to the City Council. The City Council denied the project, sending the applicant back to get more community input. They have made numerous changes to the project, such a landscaping, interior side yards, added a trellis to areas to make the appearance softer; changed the architecture for the front appearance.

HO requested Dan Liewer come to the podium to speak in favor of the project.

DAN LIEWER, developer said he didn't have anything to say, but he is available for any answers to the negative comments coming forth. We moved the project in 9 feet from the property line, where only 6 feet is required, away from the neighbor to the north. We have made every effort to appease the neighbors.

HO requested Ron Salisbury come to the podium to speak in opposition to the project.

RON SALISBURY, lives across the street from the project. He presented picture boards to the HO. **RON** said, the project doesn't conform to the neighborhood. Also, it doesn't follow the Urban Design Guidelines.

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JEFF DOYLE, also spoke in opposition to the project by saying, he has two rental units in the area and his tenants asked if the parking would be a problem. It may not be a problem during the day, but it would be a problem at night. Adding 34 units will compound the parking. Twenty four (24) of the sixty four (64) parking spaces being provided are tandem parking. It is not practical for a couple to use tandem parking, therefore, overload parking would impact Centre Street. Four (4) stories are too high, the highest in the area is three (3) stories high. The project doesn't fit the scale or character of the neighborhood.

MELISSA SENOFF, stated the alley traffic would impact the area in a negative way. The number of accidents would increase due to the underground parking exiting into the alley, as the cars attempt to get on Lincoln Ave. There are plenty of accidents now because of the congestion in the area.

GREGORY SENOFF, stated that he has been in the area for sixty (60) years. He doesn't mind someone making a buck, but when they are making a buck at his expense, he objects. This project will completely overshadow his property. He and his neighbors beg that you deny this project to be built.

ROBERT J. GRALEWSKI, said that he and his wife were here to protest the project and request that it be denied. He stated that the developer says he has made many changes to the project to satisfy the neighbors, however he doesn't see any major improvement and that the project does not fundamentally fit in the neighborhood.

KELLY GRALEWSKI, stated that the project would destroy the fabric and not keep with the integrity of the neighborhood.

HO asked the project manager Bill Tripp several questions in reference to the tandem parking and the landscaping. **HO** stated the community planning process resulted in the MR800B zone being applied to the neighborhood, and the community said it wanted this to be a higher density multi-family neighborhood. The City Council adopted the community plan and the zoning as a result of the community planning process. The project conforms to the Community Plan and zoning. Some of the parking congestion in the neighborhood may result from existing older development that doesn't provide off-street parking by today's standards. The articulation of the building and the landscaping prevents the project from being a box. The Uptown

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Community Planning Group recommends the project be approved. **HO** continued by saying his job is to look at the entire neighborhood, not just one block. There are other multi-family multi-story buildings in this neighborhood, some taller than the project. This is not a single family neighborhood. Language in the community plan about neighborhoods does not refer just to a single blocks or to one or two streets, but to much broader areas.

ITEM 9

PROJECT TYPE & NUMBER: CDP 99-0464-54
PROJECT NAME: GRAY RESIDENCE
PROJECT MANAGER: PATRICK HOOPER
RECOMMENDATION: APPROVAL
ENVIRONMENTAL PLANNER: CHRIS ZIRKLE

ACTION: CERTIFIED NEGATIVE DECLARATION, RESO., # D-1365
 and
 APPROVED PERMIT, RESOLUTION NUMBER D-1366

An application for a Conditional Use Permit (CUP) to install and operate a wireless telecommunication facility located at **13003 Avenida Grande**, in the Rancho Peñasquitos Community Plan Area.

PATRICK HOOPER - Gave a presentation.

IN FAVOR

KEVIN MCGEE, 2605 Scranton Rd., San Diego, CA 92121. Representing AT&T.

IN OPPOSITION

SANDRA LOGARO, 13011 Avenida Grande, San Diego, CA 92129. Presenting a signed petition from people in the neighborhood.

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HO asked Hooper what the outcome of the Community Planning Group vote on the project.

HOOPER, replied that there wasn't a vote, but that the CPG did support the project.

HO requested that Kevin McGee come to the podium to speak in favor of the project.

KEVIN MCGEE, explained that the project does have staff approval and that they received substantial support from the Rancho Peñasquitos Planning Group. We proved to them that we followed the CC&R's. If the project didn't follow the CC&R's there could be civil lawsuits.

HO requested that Sandra Lofaro come to the podium to speak in opposition to the project.

SANDRA LOFARO, states that this project is in direct violation of the CC&R's. Also, she says, she is concerned about the electromagnetic field that would be generated by this wireless antenna. She states that there is a lot of extra clear land available for this antenna to be placed somewhere else, without placing it in our neighborhood of about 200 homes. Sandra says that she was not notified of the Community Planning Group meeting. She has lived in her home here for 23 years and feels that the neighborhood doesn't need a 30 ft. antenna at the top of the street, where that is all you will see when approaching the area. She further states that the neighborhood belongs to them, not AT&T. She urges the **HO** to deny this application.

HO asked the Development Project Manager, Patrick Hooper if the antenna is 30 feet high and was it designed to look like a palm tree, with two real palm trees on either side.

HOOPER replied, yes, according to the City 30 feet is allowable.

HO stated that the City cannot enforce private CC&R's. The **HO** also stated that the Telecommunication Act prevents local government from making any decisions based on radio frequency issues. He also stated that the height limit here is 30 feet and that the antenna is no higher than the height to which any structure could be built. The **HO** noted that the project includes live trees to camouflage the antenna. The **HO** stated that all the findings could be met to approve this project.

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ITEM 10

PROJECT TYPE & NUMBER: CUP 99-0464-66
PROJECT NAME: TERRACE COURT
PROJECT MANAGER: PATRICK HOOPER
RECOMMENDATION: APPROVAL
ENVIRONMENTAL PLANNER: KENNETH TEASLEY

CERTIFIED NEGATIVE DECLARATION RESO. # D-1367
ACTION: and
APPROVED ON CONSENT, RESOLUTION NUMBER D-1368

An application for a Conditional Use Permit (CUP) to install and operate a wireless telecommunication facility located at **4030 Terrace Court**, in the Mid-City Community Plan Area.

NO SPEAKER SLIPS

LAND USE HEARINGS HELD AT 10:30 A.M. ARE APPEALABLE TO THE BOARD OF ZONING APPEALS. Appeal applications may be obtained at the Planning and Development Review Department, 1222 First Avenue, 3rd Floor, San Diego, CA 92101.

Request to speak should be submitted to the Hearing Officer Secretary in the box labeled IN FAVOR and OPPOSITION next to the podium. If you don't wish to speak and are available for questions please fill out the form titled IN FAVOR.

10:30 ITEMS

NONE