

**Mission Beach Precise Planning Board
Tuesday, March 19, 2013
Belmont Park Community Room
Minutes of Meeting**

Board Members Present:

Peggy Bradshaw	Carole Havlat	Dennis Lynch	Mike Meyer
Carlton Nettleton	Robert Ondeck	John Ready	Mary Saska
Gernot Trolf	John Vallas	Debbie Watkins	Mary Willmont

Absent:

Nick Cantalupo

OPENING FUNCTIONS

Meeting was called to order by Chair Debbie Watkins at 7:05 p.m.

- **Approval of Minutes** for February, 2013
Copies of the draft of the February 19, 2013 Minutes of Meeting were distributed and reviewed. There were no changes. The Minutes were approved by unanimous consent as written.

ADMINISTRATIVE ITEMS

- **Revisions to Agenda**
Copies of the March 19, 2013 Agenda were distributed and reviewed. There were no additions to the Agenda.
- **Chair's Report**
 - (1) **Election Results** – Chair Watkins announced the results of the 2013 Election of Area Representatives held this night would be announced at the end of the meeting.
 - (2) **MB Precise Planning Board Appeals Update:**
 - (a) Project No. 271240 at 2975 Ocean Front Walk – The Board's Appeal to the Planning Commission filed on July 14, 2012 regarding the Map Waiver to convert to condominiums was heard on February 18, 2013. Chair Watkins and Dennis Lynch represented the Board. The Planning Commission directed the owner/developer to resubmit plans to alleviate the encroachments along Ocean Front Walk and the stairs on Ensenada Court, and present the revised plans to the Board before the next Planning Commission Hearing on March 28, 2013. Those plans will be reviewed tonight as an Action Item.
 - (b) Appeal of AT&T's 30-ft clock tower at Bonita Cove – Chair noted the alternative location at Belmont Park to install cell phone antennas and computer room equipment has been agreed to by AT&T and plans were filed with the City to accomplish this siting. According to the City's Project Manager, AT&T representatives and the new leaseholder are in the process of reviewing and signing the lease and are optimistically looking at March to get started.
- **Secretary's Report**
None.

PUBLIC COMMENT (limited to 3 minutes per speaker)

Destry Whitney of GoGreen4Education commented his organization is working with the Mission Bay Cluster Schools to assist with funding. Mr. Whitney explained that recycle bins are provided to businesses and residents and free pick-up is available. Proceeds are donated to the schools for their use. Mr. Whitney is working with Councilmember Faulconer’s office to help alleviate the fly problem in Mission Beach caused by a reduced trash pick-up schedule and overflowing trash bins.

Resident Bob Craig distributed a flyer regarding the Sustainable Design Assistance Team that will come to San Diego in October 2013 to look at ways to improve the environment in Pacific Beach, Mission Beach and Mission Bay.

Dan Hayden, Director of Engineering at Pacifica Real Estate Services, Inc., the new Belmont Park Leaseholder, commented they are considering a roof-top bar/eatery. He will be conducting a second workshop to share their concept plans for Belmont Park and get feedback from the community on February 21, 2013 from 7:00 p.m. – 8:30 p.m. in the Belmont Park Community Room.

REPORTS FROM GOVERNMENT OFFICIALS

- **Ian Clappett**, (Community Representative - Office of Councilmember Kevin Faulconer)

Mr.Clappett reported there was a beach clean-up last weekend at the South Mission Beach Jetty sponsored by Evans Hotel and Surfrider. He commented that the trash and flies problem in Mission Beach is a priority for Councilmember Faulconer, who is looking at the cost for a second trash pick-up to be restored. In addition, Mr. Faulconer is talking with GoGreen4Education to partner with to help alleviate the trash and flies problem, which would donate proceeds to schools. Mr. Clappett stated the Land Use and Housing Committee will take action on the oversized vehicle ordinance at its next meeting on March 22, 2013.

OTHER

Possible Action Item

- **Alternative uses for Mission Beach Elementary School** – Presented by Jennifer Tandy, Chair, Mission Bay Cluster Schools. Ms. Tandy stated she was interested in assuring the sale of the school would be used for the benefit of the community. She proposed setting up a meeting with Mayor Filner to determine whether the City would be interested in purchasing the property for use by different public entities such as Park and Recreation, Police or Homeland Security. Ms. Tandy pointed out that time is of the essence because the property will be sold at a public auction on May 1, 2013 to the highest bidder, and April 12, 2013 is the deadline for public entities to place a bid. She asked the Board whether it would be interested in setting up a subcommittee to look into the matter further and meet with the Mayor. Chair Watkins, Carole Havlat, Mike Meyer and Carlton Nettleton volunteered to sit on the subcommittee. After further discussion, the following motion was duly made to form an ad-hoc subcommittee to meet and develop a plan of action to present to Mayor Filner.

Motion 1 was made by Peggy Bradshaw and seconded by Gernot Trolf TO FORM an ad-hoc subcommittee for the purpose of formulating a plan of action for the sale of the Mission Beach Elementary School to be presented to Mayor Bob Filner as discussed above.

VOTE For: 10 Against: 0 Abstain: 0

Motion passes. [Absent for vote: M. Willmont]

Information Item

- **West Mission Bay Bridge Project Update – City of San Diego Project Management Team**

Nitsuh Aberra, City Project Manager presented the project update. Ms. Aberra pointed out the bridge was built in 1950, and is functionally obsolete and structurally deficient. The City will get 80% of the funding from the Federal government and the City will pay for 20% of the cost. She reported the design stage is still in process. The current bridge will be replaced in two pieces at the eastern half and a free lane will be open to traffic during construction. It will be replaced with a 5-span haunched-box girder bridge structure with three thru lanes, an auxiliary lane to I-8, a 12-foot wide bicycle space, and pedestrian seating. The inside of the bridge will provide vehicular lighting. Construction is scheduled to start in 2015 and will take two years to complete. Several Board members expressed concern about the turn lanes off and onto I-8. Ms. Aberra stated she would look into the matter further and get back to the Board since the bridge is still in its design stage.

BUILDING PLAN REVIEWS

Action Items:

- **2719 Bayside Walk – Project No. 290417 (Triplex for WIR Holdings, LLC):** Sustainable Expedite Program Coastal Development Permit and Lot Line Adjustment to demo existing residence and construct a new 3-story 5,276 sq. ft. Triplex on 4,477 sq. ft. lot – Review revised project plans for conformity with Mission Beach Planned District Ordinance

Mark Mitchell of Mark Mitchell Architecture represented the owner.

The Board heard this project on January 15, 2013. The project plans were denied (9-0-1) because several areas in the plans did not conform to the new PDO requirements, effective August 9, 2012.

Architect Mark Mitchell presented the revised project plans.

Plan Reviewers Mike Meyer and Dennis Lynch reviewed the revised project plans on behalf of the Board. They pointed out several areas in the project plans were corrected to conform to the new PDO requirements as follows:

- (1) The interior side yard on the south can not have construction greater than 3 feet in height. Refuse/recyclable storage, steps, railings, etc. that exceed this height must be removed;
- (2) Our PDO allows for an 18-inch vertical offset from the setback line extending the full height of the building. This building is greater than 30 feet wide for which that offset becomes mandatory for the entire width of the building;
- (3) Walls, fences, planters and anything man-made greater than 36 inches in height can not be in the required yards along Avalon Court and Bayside Walk

However, the Plan Reviewers pointed out there is a problem with projections into Bayside Walk, Avalon Court and the interior side yard because the applicant extended the floor joist beyond the walls into the setback. Some extend two feet on Bayside Walk and Avalon Court and some extend six inches into the interior side yard. These projections are not allowed unless they are eaves. The Plan Reviewers explained that an eave is an overhang from a roof and these extensions are not considered eaves because they are coming off a deck on the Bayside Walk. After further discussion, a motion was duly made to deny the project as follows:

Motion 2 was made by Dennis Lynch and seconded by Mike Meyer TO DENY the project plans at 2719 Bayside Walk because the intrusions into the yard setbacks are violations of the new PDO requirements as discussed above.

VOTE For: 10 Against: 0 Abstain: 1

Motion passes. [Abstain: J. Ready]

- **3610 Bayside Walk – Project No. 296187 (Cadena Residence):** Sustainable Expedite Program Coastal Development Permit to demo SFR and construct a 2,762 sq. ft. SFR with attached 399 sq. ft. garage on a 0.06 acre site – Review revised project plans for conformity with Mission Beach Planned District Ordinance

Architect Chad Beaver of Golba Architecture represented the owner.

The Board heard this project on November 20, 2012. The project plans were denied (8-0-0) because several areas in the plans did not conform to the new PDO requirements, effective August 9, 2012.

Architect Chad Beaver presented the revised plans.

Plan Reviewers Mike Meyer and Dennis Lynch reviewed the revised project plans on behalf of the Board. Plan Review Lynch pointed out the problem areas in the project plans were corrected to conform to the new PDO requirements as follows:

- (1) The open tandem parking space must be 36 feet long and 8 ½ feet wide [See: PDO, effective August 9, 2012, Section 1513.0403 (b) (4) (A)];
- (2) The eaves on the third floor roof can not encroach more than 6 inches into the interior side yard setbacks on the North and South elevations. This also applies to the first floor garage eave on the North interior side yard;
- (3) The railings have a curved portion that encroaches into the front yard second story setback on the East and into the side yard setbacks on the North third floor and on the second and third floors on the South.
- (4) Landscaping: No landscape plans were submitted. PDO requires 50% softscape 50% hardscape. Trees must be planted within 4 to 5 feet from the building, and no man-made objects greater than 36 inches shall be located in the required front yard setback.

After discussion, the following motion was duly made to approve the project because all concerns have been met to conform to the new PDO requirements.

Motion 3 was made by Dennis Lynch and seconded by Peggy Bradshaw TO APPROVE the project plans at 3610 Bayside Walk because all concerns have been met to conform to the new PDO requirements as discussed above.

VOTE For: 11 Against: 0 Abstain: 0

Motion passes.

- **729 Devon Court – Project No. 296192 (Nelson Duplex):** Sustainable Expedite Program Coastal Development Permit to demo SFR and construct a 2,646 sq. ft. Duplex with attached 496 sq. ft. garage on a 0.05 acre site – Review revised project plans for conformity with Mission Beach Planned District Ordinance

Architect Chad Beaver represented the owner.

The Board heard this project on November 20, 2012. The project plans were denied (8-0-0) because several areas in the plans did not conform to the new PDO requirements, effective August 9, 2012.

Architect Chad Beaver presented the project plans.

Plan Reviewers Mike Meyer and Dennis Lynch reviewed the revised project plans on behalf of the Board. Plan Review Lynch pointed out the problem areas in the project plans were corrected to conform to the new PDO requirements as follows:

- (1) Tandem parking space on the Eastern portion of the lot must be 8 ½ feet wide [See: PDO, effective August 9, 2012, Section 1513.0403 (b) (4) (A)];
- (2) Roof eaves can not encroach into interior side yards more than 6 inches. Exact measurements of eaves are not noted on the plans; and
- (3) The tree located in the front yard setback must be planted within 4 to 5 feet of the primary structure [See: PDO, effective August 9, 2012, Section 1513.0402 (a) (1)]. No man-made objects greater than 36 inches shall be located in the required front yard setback.

After discussion, the following motion was duly made to approve the project because all concerns have been met to conform to the new PDO requirements.

Motion 4 was made by Dennis Lynch and seconded by Carole Havlat TO APPROVE the project plans at 729 Devon Court because all concerns have been met to conform to the new PDO requirements as discussed above.

VOTE For: 11 Against: 0 Abstain: 0

Motion passes.

- **2975 Ocean Front Walk (Review pursuant to Appeal before Planning Commission on February 28, 2013):** Map Waiver application to waive the requirements of a Tentative Map to convert 3 existing residential units to condominiums – Review revised project plans for conformity with Mission Beach Planned District Ordinance

Matthew Peterson, Attorney/Lobbyist represented owner/developer.

The Board heard this project on March 20, 2012. The Map Waiver Application was denied (8-0-0) because several areas in the plans did not confirm to the PDO requirements. The Board filed an Appeal of the Hearing Officer Decision on July 14, 2012 to the Planning Commission, and the Appeal before the Planning Commission was heard on February 28, 2013. On that date, the Planning Commission directed the owner to resubmit plans to alleviate the encroachments along

Ocean Front Walk and the stairs on Ensenada Court, and present the revised plans to the Board before the next Planning Commission Hearing on March 28, 2013.

Matthew Peterson presented the revised project plans. Mr. Peterson pointed out the encroachments along Ocean Front Walk have been removed.

Plan Reviewers Mike Meyer and Dennis Lynch reviewed the revised project plans on behalf of the Board. They confirmed several areas in the project plans were corrected to conform to the PDO requirements as follows:

- (1) The stair case and underlying substructure encroaches into the required front yard setback along Ocean Front Walk at a height in excess of 36 inches; and
- (2) The concrete planter and concrete entry steps encroach into the required front Yard setback along Ocean Front Walk by a height in excess of 36 inches

With regard to the stairs and railing encroaching into the required front yard setback in excess of 36 inches on Ensenada Court, Mr. Peterson distributed copies of the Ensenada Court plans. He stated the owner/developer does not want to make any changes regarding the concrete stairs along Ensenada Court except to add a glass railing.

Plan Reviewer Dennis Lynch pointed out that prior to the March 19th Board Meeting, he met with Matthew Peterson along with Chair Watkins and Mike Meyer at the project site to discuss ways to alleviate the stairs and railing along Ensenada Court. At that time, a viable solution was suggested to remedy the violation. Plan Reviews Lynch and Meyer explained the remedy to the Board. Mr. Peterson stated the remedy recommended would cost \$30-\$40,000 to accomplish.

Plan Reviewer Lynch advised these concrete entry stairs are a violation of our PDO, and an obstruction of the Ensenada Court view corridor. He pointed out that our PDO was in full force at the time this project was built in 1986; and as a result, these items must be corrected whether they were or were not in the original approved plans before a tentative map waiver can be issued.

After further discussion, the following motion was made to deny the project:

Motion 5 was made by Dennis Lynch and seconded by Peggy Bradshaw TO DENY the Tentative Map Waiver Application at 2975 Ocean Front Walk because the concrete entry stairs along Ensenada Court need to be resolved to conform to the new PDO requirements.

VOTE For: 10 Against: 1 Abstain: 0
Motion passes.

BOARD COMMUNICATIONS

Information Items:

- **Mission Boulevard Maintenance Assessment District Ad-hoc Subcommittee Update**

Chair John Vallas distributed the subcommittee's report dated March 19, 2013. He reported that 98% of the property owners responded to the community survey to gauge public interest in expanding the Mission Boulevard Maintenance Assessment District ("MBMAD") beyond its current purpose of providing for the maintenance of landscaped right-of-way trees and planters located on Mission Boulevard. Mr. Vallas pointed out that this is a statistically valid data sample with an error

correction rate of +/-6% points. He apprised the Board that 90.38% of survey responders support expanding the scope of the MBMAD, with 67.49% supporting increasing their Maintenance Assessment Fee from the current \$14.68 per year to \$34.69 - \$64.88. He noted the responders' levels of importance include clean streets and sidewalks, extra trash and recycling pickup, and improved pedestrian lighting.

Chair Vallas stated the next step in the process is to work with Park and Recreation to create a petition to distribute and collect signatures of at least 30% of property owners in order to utilize the Formation Fund to pay for the engineer's report and mail-in balloting. He requested an Action Item be placed on the April 16, 2013 Agenda to discuss and approve the creation of a Petition to move forward with the Ballot measure.

- **March 2013 Board Election for Area Representatives Results**

Election Secretary Mary Saska reported the results of the 2013 Election of Area Representatives as follows:

Area I (between San Diego PI & South Side of Capistrano PI)

Dennis Lynch – Term expiring 2016

John Ready – Term expiring 2015

Area II (between North Side of Capistrano PI & South Side of W. Mission Bay Dr and Ventura PI)

Nick Cantalupo – Term expiring 2016

Area III (between North Side of W. Mission Bay Dr and Ventura PI & South Side of El Carmel PI)

Carole Havlat – Term expiring 2016

Area IV (between North Side of El Carmel PI & South Side of San Jose Place)

Gernot Trolf – Term expiring 2016

Area V (between North Side of San Jose Place & South Side of Pacific Beach Drive)

Peggy Bradshaw – Term expiring 2014

Tim Cruickshank – Term expiring 2016

Chair Watkins certified the results of the March 19, 2013 Election of Area Representatives.

Chair Watkins pointed out Agenda Items need to be submitted to the Chair 10 days PRIOR to the scheduled Board meeting. The next Board Meeting is **Tuesday, April 16, 2013** in the Belmont Park Community Room.

ADJOURNMENT

Motion 6 was duly made and seconded to ADJOURN the meeting.

VOTE

For: Unanimous

Against:

Abstain:

Respectfully submitted,
Debbie Watkins, Secretary