

SAN DIEGO PLANNING COMMISSION

**DOCKET FOR PLANNING COMMISSION MEETING
9:00 A.M., MAY 28, 2009
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS
202 C STREET, 12TH FLOOR**

NOTE: *If a Sign Language Interpreter, aids for the visually impaired, or Alternative Listening Devices (ALD's) are required, please contact the Planning Department at (619) 321-3208 at least five (5) working days prior to the meeting to insure availability.*

Those items with an asterisk () will include consideration of the appropriate environmental document.*

To listen to the "live" broadcast of a Planning Commission meeting, dial 619-533-4001. Note: Rancho Bernardo and Rancho Penasquitos residents dial 619-484-7711 and ask the Citizen's Assistance operator to connect you.

Members of the Public should realize and understand that Planning Commissioners may be unable to thoroughly review and consider materials delivered the day of the hearing.

When it is determined that the Planning Commission will adjourn for lunch, the Planning Commission will adjourn @ 12:30 to Conference Room A, located on the 12th floor next to the Council Chambers, and reconvene @ 1:30.

ITEM-1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD. REQUEST TO SPEAK SHOULD BE SUBMITTED TO THE COMMISSION SECRETARY AT THE TIME OF THE MEETING.

NOTE: 3 MINUTE TIME PER SPEAKER.

ITEM-2: REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN.

ITEM-3: REQUESTS FOR ITEMS TO BE PLACED ON CONSENT AGENDA.
The Chair may entertain a motion by a Commissioner to approve certain non-controversial agenda items as consent agenda items at the beginning of the meeting. Items approved on consent are in accordance with the Manager's recommendation as stated in the Report to Planning Commission.

ITEM-4: DIRECTOR'S REPORT.

ITEM-5: COMMISSION COMMENT.

ITEM – 6: *Appeal of Hearing Officer decision of March 18, 2009***MITCHELL/BUSCH RESIDENCE – PROJECT NO. 165335**

City Council District: 2

Plan Area: Peninsula

Staff: Morris Dye

Appeal of the Hearing Officer approval of a Coastal Development Permit to demolish an existing residence and construct a 3,24 square-foot single-family residence on a 0.12 acre site located at 2930 Owen Street in the RS-1-7 Zone within the Peninsula Community Plan Area. The project is exempt under CEQA Section 15303, New Construction or Conversion of Small Structures. Report No. – PC-09-044

TODAY'S ACTION IS:

Process 3. Approve or deny the appeal

DEPARTMENT RECOMMENDATION:

Deny the appeal

ITEM – 7: *Appeal of Hearing Officer decision of April 29, 2009***99 CENT MARKET STREET – PROJECT NO. 168680**

City Council District: 8

Plan Area: Southeastern San Diego

Staff: PJ FitzGerald

Appeal of the Hearing Officer's decision of April 29, 2009 to approve Site Development Permit No. 605610 allowing construction of a new 14,009 commercial retail building on a 1.13 acre site located at 2611 Market Street in the CSF-2 Zone of Southeastern San Diego Planned District, FAA Part 77 and Transit Overlay zones, within the Southeastern San Diego Community Plan area.

The project is exempt from the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the State CEQA Guidelines. This project is not pending an appeal of the environmental determination. This project was determined to be categorically exempt from the California Environmental Quality Act on January 14, 2009 and the opportunity to appeal that determination ended January 29, 2009. Report No. PC-09-045

TODAY'S ACTION IS:

Process 3. Approve or deny the appeal

DEPARTMENT RECOMMENDATION:

Deny the appeal

**ITEM – 8: **PROPOSED FY 2010 CAPITAL IMPROVEMENTS PROGRAM
CONFORMANCE****

City Council District: NA

Plan Area: NA

Staff: Oscar Galvez

Is the proposed FY 2010 Capital Improvements Program (CIP) in conformance with the City's General Plan and with applicable community plans? Report No. PC-09-033

WORKSHOP ITEM ONLY**NO ACTION WILL BE TAKEN BY THE COMMISSION****ITEM – 9: ***TUCKER SELF STORAGE – PROJECT NO. 141881****

City Council District: 7

Plan Area: Tierrasanta

Staff: Patricia Grabski

The proposed 3.35-acre vacant site is located at 9765 Clairemont Mesa Boulevard, just east of the intersection of Clairemont Mesa Boulevard and Interstate 15 in the Tierrasanta Community Plan area. The site is surrounded by military property to the north, Interstate 15 to the west, industrial/commercial uses to the south, and Multi-Habitat Planning Area (MHPA) open space to the east. The site was formally the right of way alignment of Clairemont Mesa Boulevard before the current development of Interstate 15.

The Tierrasanta Community Plan does not apply a specific land use designation for the project site. The Industrial Element of the community plan states that approximately three developable acres may be added to the existing six-acre, "industrial" designated site to the south of the subject project site, after the Interstate 15 interchange has been completed and after Clairemont Mesa Boulevard has been aligned. Both the Interstate 15 interchange and Clairemont Mesa Boulevard have been realigned.

This project emanated from a quiet title action in the case of TRP Limited v. City of San Diego, et al., SCC 578191, filed in 1986 over a dispute between the City of San Diego and Mr. Krutzsch as to the ownership of the subject property. Rather than taking the case to trial, the City and the Andrew Krutzsch family, being the successor in interest to TRP Limited, entered into a Settlement Agreement which was approved by City Council Resolution R-274804 in 1989. The Settlement Agreement allows Mr. Krutzsch, in exchange for relinquishing any claim of title to the disputed property, to ground lease the property from the City for a commercial or industrial development under the terms and conditions in the Agreement.

In 2005, the City began processing an application for three self storage buildings at the subject site. The proposal included two, three-story buildings and one, four-story building for a total of 120,183 square feet. On February 15, 2007, the Planning Commission voted 6:0:1 to approve. On July 17, 2007 the City Council voted 5:2:0 to deny the project.

The current project is the same project in terms of use as the 2005 project, but is lower in height and smaller in size. The proposed project consists of three buildings on two parcels for a total of 90,116 square feet. Parcel A (West Phase) would consist of two, two-story structures over a basement. Building 1 would consist of 26,085 square feet. Building 2 would consist of 25,566 square feet. The combination of the two buildings is 51,651 square feet. Development on Parcel B (East Phase) would consist of one, three-story building with a total of 38,465 square feet. The current project will not exceed 33 feet in height from finished grade and the square footage has been reduced by 25 percent from the 2005 proposal

The proposed project requires a Rezone from the RS-1-1, IH-2-1 and IP-2-1 zones to the IL-2-1 zone. The IL-2-1 zone allows for a mix of light industrial uses and office uses with limited commercial uses. Along with the Rezone the project requires a Site Development Permit (SDP) and a Right-of-Way Vacation. The Public Right-of Way Vacation is for the property which was formerly part of an Interstate 15 off-ramp. A SDP is required due to impacts to Environmentally Sensitive Lands. A Mitigated Negative Declaration No. 141881 and a Mitigation, Monitoring and Reporting Program have been prepared for the project. Report No. PC-09-042.

TODAY'S ACTION IS:

Process 5. Recommendation to the City Council to approve or deny the project.

DEPARTMENT RECOMMENDATION:

Recommendation to the City Council to approve the project

ITEM – 10: ***CARMEL VIEW TENTATIVE MAP – PROJECT NO. 72282**

City Council District: 1

Plan Area: Del Mar Mesa

Staff: Helene Deisher

TENTATIVE MAP, PLANNED DEVELOPMENT PERMIT, SITE DEVELOPMENT PERMIT (for Environmentally Sensitive Lands) and a RECREATION EASEMENT VACATION to create 13 custom home parcels and two private road lots from an existing 15.63 acre site. The project site is located at the corner of Del Mar Mesa Road and Little McGonigle Ranch Road within the Del Mar Mesa Community. Two lots are located north of Little McGonigle Ranch Road (APN No.'s 308-020-48 and 68), and one lot is located south of this road (APN No. 308-020-85). Findings to the Del Mar Mesa Specific Plan (Subarea V) Master

Environmental Impact Report (MEIR) (LDR No. 95-0353/SCH NO.93071097.
 Report No. PC-09-026

TODAY’S ACTION IS:

Process 5. Recommendation to City Council to approve the project

DEPARTMENT RECOMMENDATION:

Recommendation to City Council to approve the project

ITEM – 11: ***TORREY RESERVE – PROJECT NO. 1450**

City Council District: 1 Plan Area: Torrey Hills

Staff: John S. Fisher

The proposed Torrey Reserve project would increase development to an existing developed site in the Torrey Hills community.

The Torrey Reserve project proposes the addition of three buildings on an existing developed site. The new buildings are described as Building 4; a two-story 13,000 square foot office building over subterranean parking structure, Building 5; a one-story 4,600 square foot office building and Building 6; a two-story 20,800 square foot office building over subterranean parking on an existing 11.24 acre site zoned CO-1-2 within the Torrey Hills community. Other improvements would include landscaping, brush management, site improvements and improvements in the public right-of-way. The site is located on the northeast corner of El Camino Real and Arroyo Sorrento Road. A Mitigated Negative Declaration LDR No. 1450 has been prepared for the project and includes a Mitigation Monitoring and Reporting Program. Report No. PC-09-027.

TODAY’S ACTION IS:

Process 4. Approve or deny the project

DEPARTMENT RECOMMENDATION:

Approve the project

ITEM – 12: ***TORREY RESERVE PHASE IV – PROJECT NO. 124765**

City Council District: 1 Plan Area: Torrey Hills

Staff: John S. Fisher

The proposed Torrey Reserve Phase IV project would increase development to an existing developed site in the Torrey Hills community.

The Torrey Reserve Phase IV project would add two buildings described as Building 13; a two-story 20,000 square foot office building and Building 14; a two-story 20,000 square foot office building on an existing 11.65 acre site zoned CO-1-2 within the Torrey Hills community. Other improvements would include landscaping, site improvements and improvements in the public right-of-way. The site is on the west side of El Camino Real, north of Arroyo Sorrento Road. A Mitigated Negative Declaration LDR No. 124765 has been prepared for the project and includes a Mitigation Monitoring and Reporting Program. Report No. PC-09-027

TODAY'S ACTION IS:

Process 4. Approve or deny the project

DEPARTMENT RECOMMENDATION:

Approve the project