

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
MAY 18, 2006
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:08a.m. Chairperson Schultz adjourned the meeting at 2:19 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz-present
Vice-Chairperson Kathleen Garcia-present
Commissioner Carolyn Chase-present/not present on 15, 19, 20
Commissioner Robert Griswold-present
Commissioner Gil Ontai-present
Commissioner Dennis Otsuji- present
Commissioner Mark Steele- present
Mary Wright, Planning Department – present
Gary Halbert, Development Services-present
Mike Westlake, Development Services- present
Doug Humphreys, City Attorney- present
Sabrina Curtin, Recorder-present
Ave'Marie Perkins, Recorder-present

ITEM 1: **ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:**
None.

ITEM 2: **REQUESTS FOR CONTINUANCE:**
Items No. 6A; staff requested a continuance. After a brief discussion, it was determined to continue the item. Item No. 10 was also continued.

ITEM 3: **REQUESTS FOR ITEMS TO BE PLACED ON THE CONSENT AGENDA:**
Items No. 15, and No. 18 were placed on the consent agenda.

ITEM 4: **DIRECTOR'S REPORT:**
Mary Wright announced the arrival of the new Planning Director, Bill Anderson on Monday, May 22, 2006. Mrs. Wright also spoke of the General Plan at LU&H.

Gary Halbert announced the departure of Mo Sammack. Mr. Sammack will be starting a new position with the General Services, Street Division as the Deputy Director.

ITEM -5: **COMMISSION COMMENT:**
None

ITEM 6: **APPROVAL OF THE MINUTES FOR MARCH 16, MARCH 30,**

COMMISSION ACTION:
MOTION BY COMMISSIONER GARCIA TO APPROVE THE MINUTES FOR MARCH 16 WITH COMMISSIONER GRISWOLD CORRECTING WHAT ITEMS HE WAS PRESENT FOR. Second by Commissioner Chase. Passed by a 6-0 with Commissioner Steele recusing.

MOTION BY COMMISSIONER CHASE TO APPROVE THE MINUTE FOR MARCH 30 WITH THE CORRECTION THAT COMMISSIONER STEELE WAS PRESENT. Second by Commissioner Ontai. Passed by a 4-0 with Commissioners Garcia and Griswold recusing

ITEM 6A: **SCRIPPS WISTERIA- PROJECT NO. 53037**

Mike Westlake briefly explained the reasoning for the continuance.

Speaker slip in opposition of the continuance on behalf of the owner, Jeff Chine.

COMMISSION ACTION:

MOTION BY COMMISSIONER OTSUJI TO CONTINUE TO JUNE 15, 2006. Second by Commissioner Ontai. Passed by a 6-0 vote with Commissioner Steele recusing.

ITEM 7 *Trailed from May 11, 2006:*

***MISSION BREWERY VILLAS – PROJECT NO. 52078**

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER CHASE TO RECOMMEND APPROVAL TO THE CITY COUNCIL AS OUTLINED IN REPORT NO. PC-06-115 TO THE PLANNING COMMISSION. Second by Commissioner Ontai. Passed by a 6-0 vote with Chairperson Schultz recusing. Resolution No. 4028-PC

ITEM 8: *Continued from March 30, 2006:*

4469 OHIO STREET TENTATIVE MAP -PROJECT NO. 73427

Renee Mezo gave a brief update since the item was last heard.

Speaker slips submitted in favor by Cameron Scott

No one present to speak in opposition.

COMMISSION ACTION:

MOTION BY COMMISSIONER STEELE TO APPROVE STAFF’S RECOMMEDATION AS OUTLINED IN REPORT PC-06-050WITH THE ADDITIONAL CONDITIONS;

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL PROVIDE AN INDEPENDENT EVALUATION PREPARED IN ACCORDANCE WITH THE STATE OF CALIFORNIA BUSINESS & PROFESSIONS CODE INCLUDING SECTION 7195) OF THE EXISTING CONDITIONS OF THE BUILDING TO THE SATISFACTION OF THE CITY MANAGER. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY

MANAGER. Second by Commissioner Ontai. Passed by a 6-1 with Commissioners Griswold voting nay. Resolution No. 4029-PC

ITEM 9: *Continued from May 11, 2006:*

***CHABAD ERUV – PROJECT NO. 68048**

Robert Tucker presented Report No.PC-06-116 to the Planning Commission.

Speaker slip submitted in favor by Mitchell Burrar, Marc Kligman, Miriam Goldstein, Jerry Goldstein, Shalon Halery.

Speaker slip submitted in opposition by Marilyn Olson.

COMMISSION ACTION:

Motion by Commissioner Chase to deny the project. Second by Griswold. Vote failed by a 3-4 with Commissioners Garcia, Steele, Otsuji, and Chairperson Schultz voting nay.

MOTION BY COMMISSIONER CHASE TO CONTINUE TO JUNE 8 2006 TO ALLOW THE CITY ATTORNEYS OFFICE TIME TO ADDRESS ISSUES RELATING TO RIGHT TO TRAVEL, PLACEMENT OF RELIGIOUS SYMBOLS IN THE PUBLIC RIGHT-OF-WAY, FAIR HOUSING LAW, AND THE ISSUES ON PLACEMENT OF NEW POLES. Second by Commissioner Ontai. Passed by a 7-0 vote.

ITEM 10: *Continued from May 11, 2006:*

4447 49th STREET TENTATIVE MAP - PROJECT NO. 81200

COMMISSION ACTION:

MOTION BY COMMISSIONER CHASE TO CONTINUE TO MAY 25, 2006. Second by Commissioner Garcia. Passed by a 7-0 vote.

ITEM 11: *Continued from May 11, 2006:*

3654 42nd STREET TENTATIVE MAP – PROJECT NO. 86204

Renee Mezo presented a report to the Planning Commission

Speaker slip submitted in favor of the appeal by Marco Giaquinto and Alexia Mihalitsianos.

No one present to speak in opposition.

COMMISSION ACTION:

MOTION BY COMMISSIONER ONTÀO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-138 TO THE PLANNING COMMISSION; WITH THE ADDITIONAL CONDITIONS OF ADDING TREES AND COLORED CONCRETE IN THE DRIVEWAY AREA;

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL PROVIDE AN INDEPENDENT EVALUATION PREPARED IN ACCORDANCE WITH THE STATE OF CALIFORNIA BUSINESS & PROFESSIONS CODE INCLUDING SECTION 7195) OF THE EXISTING CONDITIONS OF THE BUILDING TO THE SATISFACTION OF THE CITY MANAGER. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY MANAGER. Second by Commissioner Garcia. Passed by a 6-1 vote with Commissioner Steele voting nay. Resolution No. 4030 -PC.

ITEM 12: **3265 C STREET VESTING TENTATIVE MAP – PROJECT NO. 79596**

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF'S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-122 TO THE PLANNING COMMISSION WITH THE CLARIFICATION; APPLICANT IS AGREEING TO PAY THE IN-LIEU FEE OF \$85, 000.00 AND PROVIDE ONE STUDIO AT 100% AMI. Second by Commissioner Otsuji. Passed by a 5-0 vote with Commissioners Griswold and Ontai recusing. Resolution No. 4031 -PC.

ITEM 13: *Appeal of the Hearing Officer decision:*

6th AND UPAS- PROJECT NO. 95232

Michelle Sokolowski presented Report No. PC-06-158 to the Planning Commission.

Speaker slips submitted in favor of the project by Thomas Steinke, Andy Schlaefli, Jennifer de Poyen, and Jeffrey Brown.

Speaker slip submitted in opposition by Pauline Altman, Peggy Mazzello, Joan Salb, Joan Freitas, Deni Goodman, Arch Freitas, Caroline Lent, Sandra Lowhon, Jearl O’Neal, and Ronald Gotchey.

COMMISSION ACTION:

MOTION BY COMMISSIONER GRISWOLD TO DENY THE APPEL AND APPROVE STAFF’S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-158 TO THE PLANNING COMMISSION. Second by Commissioner Ontai. Passed by a 7-0. Resolution No. 4032-PC

ITEM 14: **RUSSELL MIXED USE –PROJECT NO. 70676**

Robert Korch presented Report No. PC-06-155 to the Planning Commission.

Speaker slip submitted in favor by Matt Peterson, Michael Matalon, Don Russell, Sara Woodcock, Jake Russell, and Darlene Russell

COMMISSION ACTION:

MOTION BY COMMISSIONER STEELE TO APPROVE OF THE PROJECT AND DENY STAFF’S RECOMMENDATION IN REPORT NO. PC-06-155, WITH THE ADDITIONAL CONDITIONS; EXECPT THE PROPOSED FINDINGS PRSENTED BY THE APPLICAN, TO THE COMMISSIONERS AT THE TIME OF THE HEARING. Second by Ontai. Passed by a 6-1 vote with Commissioner Otsuji voting nay. Res olution No. 4033-PC.

ITEM 15: ARCHSTONE LA JOLLA TENTATIVE MAP – PROJECT NO. 53594

Laura Black presented Report No. PC-06-113 to the Planning Commission.

Speaker Slips in favor by Natalie Woody

Speaker slips in opposition by Sandra Stocking.

COMMISSION ACTION:

MOTION BY COMMISSIONER ONTAI TO APPROVE STAFF’S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-113 TO THE PLANNING COMMISSION. Second by Commissioner Garcia Passed by a 4-2 vote with Commissioners Griswold and Ontai voting nay and Commissioner Chase not present. Resolution No. 4034 -PC.

ITEM 16: PARKVIEW – PROJECT NO. 71242

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF’S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-145 Second by Commissioner Chase. Passed by a 7-0 vote. Resolution No. 4035-PC.

ITEM 17: 2605 HIGHLAND TENTATIVE MAP – PROJECT NO. 74488

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF’S RECOMMENDATION AS OUTLINED IN REPORT NO. PC 06-145 WITH THE ADDITIONAL CONDITIONS ADDED;
 PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL PROVIDE AN INDEPENDENT EVALUATION PREPARED IN ACCORDANCE WITH THE STATE OF CALIFORNIA BUSINESS & PROFESSIONS CODE INCLUDING SECTION 7195) OF THE EXISTING CONDITIONS OF THE BUILDING TO THE SATISFACTION OF THE CITY MANAGER. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY

MANAGER. Second by Otsuji. Passed by a 5-2 vote with Commissioners Griswold and Steel voting nay. Resolution No. 4036 PC.

ITEM 18: 4475 49th STREET TENTATIVE MAP – PROJECT NO. 83623

Derrick Johnson presented Report No. PC-06-139 to the Planning Commission.

Speaker slips submitted in favor by Jeremy Cowan, and Tom Behr.

Speaker slip submitted opposition by David Moty.

COMMISSION ACTION:

MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF’S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-139 WITH THE ADDITIONAL CONDITIONS ADDED;

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL PROVIDE AN INDEPENDENT EVALUATION PREPARED IN ACCORDANCE WITH THE STATE OF CALIFORNIA BUSINESS & PROFESSIONS CODE INCLUDING SECTION 7195) OF THE EXISTING CONDITIONS OF THE BUILDING TO THE SATISFACTION OF THE CITY MANAGER. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY MANAGER. Second by Otsuji Passed by a 5-2 vote with Commissioners Griswold Chase voting nay. Resolution No. 4037-PC.

ITEM 19: 4658 E. MOUNTAIN VIEW TENTATIVE MAP – PROJECT NO. 78317

Michelle Sokolowski presented Report No. PC-06-142 to the Planning Commission.

Speaker slip submitted in favor by David Stebbins.

No one present to speak in opposition.

COMMISSION ACTION:

MOTION BY COMMISSIONER GARCIA TO APPROVE STAFF’S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-142 TO THE

PLANNING COMMISSION. WITH THE ADDITIONAL CONDITION; THAT THE FRONT PARKING AREA IS MODIFIED TO REDUCE THE AMOUNT OF CONCRETE AND PROVIDE MORE LANDSCAPING.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL PROVIDE AN INDEPENDENT EVALUATION PREPARED IN ACCORDANCE WITH THE STATE OF CALIFORNIA BUSINESS & PROFESSIONS CODE INCLUDING SECTION 7195) OF THE EXISTING CONDITIONS OF THE BUILDING TO THE SATISFACTION OF THE CITY MANAGER. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY MANAGER. Second by Commissioner Ontai. Passed by a 5-1 vote with Commissioner Griswold voting nay and Commissioner Chase not present. Resolution No. 4038 PC.

ITEM 20: 6704 TAIT STREET TENTATIVE MAP – PROJECT NO. 78317

John Cruz presented Report No. PC 06-150 to the Planning Commission.

Speaker slip submitted in favor by Michael Contreras.

Speaker slip submitted in opposition by Margarita Castro.

COMMISSION ACTION:

MOTION BY COMMISSIONER ONTAI TO APPROVE STAFF’S RECOMMENDATION AS OUTLINED IN REPORT NO. PC-06-150 TO THE PLANNING COMMISSION WITH THE ADDITIONAL CONDITIONS; THAT THE APPLICANT AGREES TO BRING THE LANDSCAPING UP TO CURRENT CODE.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL SUBMIT LANDSCAPE PLANTING AND IRRIGATION PLANS DEMONSTRATING LANDSCAPE UPGRADES TO THE PROPERTY.

PRIOR TO RECORDING A FINAL MAP, THE SUBDIVIDER SHALL PROVIDE AN INDEPENDENT EVALUATION PREPARED IN ACCORDANCE WITH THE STATE OF CALIFORNIA BUSINESS & PROFESSIONS CODE INCLUDING SECTION 7195) OF THE EXISTING CONDITIONS OF THE BUILDING TO THE

SATISFACTION OF THE CITY MANAGER. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO: THE STRUCTURAL INTEGRITY; MECHANICAL; ELECTRICAL; AND PLUMBING SYSTEMS OF THE BUILDING. THE APPLICANT SHALL PROVIDE PROOF OF COMPLIANCE OR OTHER MEANS TO ASSURE ANY RECOMMENDATIONS TO REPAIR OR REPLACE THOSE SYSTEMS TO THE SATISFACTION OF THE CITY MANAGER. Second by Commissioner Otsuji. Passed by a 5-1 vote with Commissioner Griswold voting nay and Commissioner Chase not present. Resolution No. 4039-PC.

Chairperson Schultz adjourned the Planning Commission meeting at 2:17a.m.