

**MISSION BEACH PRECISE PLANNING BOARD (“MBPPB”)
Tuesday, January 19, 2021 @ 6:30 PM
Meeting via Zoom (Video) Conference
Minutes of Meeting**

Board Members Present:

Rebecca Abbott	Michelle Baron	Josh Geller	Gloria Henson
Dennis Lynch	Brian McCarthy	Scott Morrison	John Ready
Bob Semenson	Brandon Soule	Gernot Trolf	Debbie Watkins
Jenine Whittecar			

Absent: None

OPENING FUNCTIONS

Meeting was called to order by Chair Debbie Watkins at approximately 6:30 PM and a quorum was confirmed. She announced that Jenine Whittecar and Michelle Baron will be taking the minutes of this Zoom Meeting as Acting Secretaries.

Administrative Items

- **Revisions to Agenda**
Copies of the Agenda for the January 19, 2021 Meeting via Zoom Conference were distributed and reviewed. No revisions.
- **Approval of Minutes** for November 17, 2020
Copies of the draft November 17, 2020 Minutes of Meeting via Zoom Conference were distributed and reviewed. Minutes **APPROVED** by **UNANIMOUS CONSENT**.

REPORTS FROM GOVERNMENT OFFICIALS

- **Seamus Kennedy, Community Representative for District 2 CM Jennifer Campbell**
Seamus Kennedy commented that Dr. Campbell is now the current President of the City Council. He discussed ongoing issues: lights at the Jetty; beach fires; enforcement of short term rentals; and the street vendor ordinance. He took questions from the Board and public.
- **Khota Zaiser, Community Representative, Office of Mayor Todd Gloria**
Khota Zaiser introduced himself to the Board and public. He pointed out the SDPD is issuing fines of up to \$1,000 for violations to restaurants, hair salons, gyms, etc. not in compliance with the public health measures for COVID. He commented the parking violations that were suspended during COVID will be lifted. The Mayor is working on the proposed short term residential ordinance, homeless issues and street vendor regulations. He took questions from the Board and public.
- **Miller Saltzman, District Representative, Office of Senate President pro Tempore Toni G. Atkins**
Miller Saltzman introduced himself. He discussed the Governor’s budget, Project Home for homelessness, Homeless Youth Emergency Services, resources available for seniors during COVID. He pointed out AB 392 passed to reform the use of force laws, and SB 200 passed allocating \$130M to ensure safe and affordable drinking water. He talked about the rising sea

levels and implications. Senators Atkins and Steven Bradford introduced a Bill to have police removed for bad behavior. He took questions from the Board and public.

OTHER

Action Item:

- **Mission Boulevard Maintenance Assessment District Proposed Budget for FY 2022 (July 1, 2021 – June 30, 2022):** Discuss and approve proposed FY 2022 Budget for street trees, tree wells and maintenance along Mission Boulevard.

Presenter: Carlos Cordova, Grounds Maintenance Manager, City of San Diego Park & Recreation Department/Open Space/MAD’s

Chair Debbie Watkins commented that Tree Well Numbers 127-132 along Mission Boulevard at the former Mission Beach Elementary School have been removed from the MB MAD’s responsibility because Lennar replaced them with 13 new trees in wells. Their representative worked with Carlos and Chair Watkins to match the tree selection palate along Mission Boulevard. The Bayside Cove Homeowners will be responsible for maintenance of those 13 trees and tree wells. That leaves a total of 186 tree wells maintained in the MB MAD.

Carlos Cordova distributed the DRAFT 10/09/2020 Proposed Budget Worksheet for the Mission Boulevard Maintenance Assessment District Fiscal Year 2022 (07-01-21 to 06-30-22) for review, discussion and approval. Mr. Cordova pointed out the annual cost for “Landscaping Services” budget remained approximately the same as last fiscal year and the Beautification Project now includes decompressed granite being added to the tree wells, which is looking good and holding up. Mr. Cordova took questions from the MBPPB members and public.

After further discussion, the following motion was duly made:

Motion #1 was made by Bob Semenson and seconded by Gernot Trolf to APPROVE the DRAFT 10/09/2020 Proposed Budget Worksheet for the Mission Boulevard Maintenance Assessment District Fiscal Year 2022 (07-01-21 to 06-30-22) as presented.

VOTE For: 12 Against: 0 Abstain: 0

Motion passed.

BUILDING PLAN REVIEW

Action Item:

- **Lupo Map Waiver: Project No. 672037; 732 Ostend Court - 3680 Mission Boulevard** Process Three, Tentative Map Waiver to create two residential condominiums under construction on a single lot located 3680 Mission Boulevard. The 0.076-acre lot is in the R-S Zone of the Mission Beach Planned District, and the Coastal (State), Coastal Height Limit, Parking Impact (Beach and Coastal), Residential Tandem Parking, Transit Area, and Transit Priority Area Overlay Zones within the Mission Beach Community Plan.

This project consists of two (2) residential condominiums - Unit A with 3 bedrooms and Unit B with 3 bedrooms & a Jr. ADU (companion unit) at 496 sq. ft. - and 4 parking spaces with 1 parking stall that can be used by the companion unit for a total of 5 parking spaces.

Presenter: Domenic Lupo, Owner

The owner, Domenic Lupo, presented the proposed project plans. MBPPB Project Reviewers Dennis Lynch and Brandon Soule reviewed the proposed plans for the Board.

Dennis Lynch pointed out that the subject property violates the regulations within the Mission Beach Planned District Ordinance (“PDO”). The City’s report does not mention the “Junior” ADU unit under consideration. However, the California Coastal Commission Staff Report goes into detail about the issue. The City is allowing the “Junior” ADU with no additional facts to support this action.

The addition of a third unit on the property violates Section 1513.0304 (a) of the PDO, requiring 1,200 sq. ft. of parcel size per unit. It also violates PDO Section 1513.0103, which excludes the City’s density rounding-up provision. Mr. Lynch noted that while the actual lot size is larger than the 2,000 to 2,400 sq. ft, the lot shall still only be entitled to a maximum of two (2) dwelling units because fractions of a dwelling unit shall not be rounded up when determining the total units permitted on the lot.

However, he pointed out the Board appreciates the characteristics of the project as follows:

- The total structure conforms to other regulations in our PDO including that it does not exceed our 1.1 Floor Area Ratio (“FAR”), and the structure does not encroach into any required setbacks;
- It is a “Junior” Accessory Dwelling Unit (“ADU”) with less than 500 sq. ft.;
- A parking space is provided for the one bedroom “Junior” ADU dwelling; and
- There were originally 3 units on this parcel prior to construction of the current project.

After further discussion, the following motion was duly made:

Motion #2 was made by Dennis Lynch and seconded by Bob Semenson to APPROVE the project even though it does not meet the PDO density requirements based on: (1) Junior ADU is under 500 sq. ft; (2) Original structure had three units; (3) Junior ADU provides a parking space; and (4) Conforms to all other PDO regulations including 1.1 FAR, and structure does not encroach into any required setbacks.

VOTE For: 12 Against: 0 Abstain: 0

Motion passed.

NON-AGENDA PUBLIC COMMENTS (Time allotted to each speaker will be limited to one minute for Non-Agenda Items within the Board’s jurisdiction subject to time and technological constraints.) **None.**

BOARD COMMUNICATIONS

- **Chair’s Report** (including but not limited to PDO Update Status; San Diego International Airport Second Part 150 Zoom Workshop on 1.21.21 from 4 PM – 6 PM Register at www.sannoisestudy.com to receive the link and updates on the Study).

Chair Watkins gave updates on the following issues:

- Proposed STR Ordinance - Chair formed a coalition with Chairs of beach community planning groups to meet with Coastal Commission and Mayor Gloria;

- PDO Update – Senior Planner Lesley Henegar submitted the document to City’s Planning Department management.
- Sidewalk Vendor Ordinance – Chair attended a Zoom meeting with Monique from CM Campbell’s. Chairs from the PB and OB Planning Group were in attendance as were representatives from the PB and OB TC and Mayor’s Gloria’s office. The ordinance being considered is the one that was presented back in July 2019, which protects areas of MB like no sidewalk vending on the OFW and Ventura, with restrictions at Mission Beach Park and the park in South Mission Beach. Chair asked that the distance between vendors be increased from 6 feet to 15 feet, and that the ordinance be brought for review after a year to review enforcement and other issues in the communities. Monique said the ordinance will be brought back to the group again for review before going to the City Council for vote.
- SD International Airport will hold its 2nd Part 150 Workshop via Zoom. Participants will learn about what the technical and citizen advisory committees have studied to find potential ways to reduce aircraft noise impacts. There will be small breakout sessions to allow people to ask one-on-one questions with technical experts on noise contours and preliminary recommendations and next steps in the Study. Interested participants will have to register at www.sannoisestudy.com to receive the zoom log in information.

Action Item:

- **Process three (3) consecutive absences by Area 5 Representative Scott Morrison in violation of MBPPB Bylaws** – Continue discussing whether the MBPPB should process the three (3) consecutive absences for the Area 5 Representative (between the North side of San Jose Place and the South side of Pacific Beach Drive); Vote to declare the Area 5 seat vacant to be filled, among other alternatives.

Chair pointed out this item was continued because questions arose as to whether the August 2020 meeting was a “special meeting” since the Board is usually dark in August, and if so, whether Scott Morrison’s absence should be counted toward his 3 consecutive absences since it was not a “regular meeting.” Chair reported that Lesley Henegar’s feedback is that the issue with the August 2020 meeting is that it does not meet the regularly scheduled meeting since for many years the Board has not met in August, nor does it meet a special meeting status, which would be held on another date and time other than the third Tuesday of the month. For that reason, the August 2020 meeting falls into a gray area of meeting status.

After lengthy discussion, the following motion was duly made:

Motion #3 was made by Josh Geller and seconded by Gloria Henson to ALLOW Scott Morrison to stay on the Board and count the absences as three absences, with the caveat that if he misses a fourth meeting through March 2021, the seat will be declared vacant pursuant to the Bylaws; Scott would be eligible to run again to fill the vacancy.

VOTE For: 8 Against: 0 Abstain: 2

Motion passed. [Abstain: G. Trolf; R. Abbott] [Absent for vote: D. Lynch]

There being no further business, Chair noted the next meeting will be held on Tuesday, February 16, 2021 via Zoom (Video) conference at 6:30 PM. Submit Agenda Items 10 days PRIOR to the scheduled Board meeting to the Chair for consideration.

Adjournment

MOTION #4 was made by Gernot Trolf and seconded by Josh Geller

TO ADJOURN the meeting via Zoom (Video) Conference at 8:45 PM.

VOTE: For: 11 Against: 0 Abstain: 0

Motion Passed. [Absent for vote: D. Lynch]