

PACIFIC BEACH PLANNING GROUP
EARL AND BIRDIE TAYLOR LIBRARY
DECEMBER 8, 2010 MEETING MINUTES

6:35 p.m. meeting called to order, quorum established. **Attendees:** John Shannon, Marcie Beckett, Scott Chipman, Greg Daunoras, Diane Faulds, Chris Olson, Curtis Patterson, Barbara Williams and Baylor Triplett (6:52 p.m.).

Agenda & Minutes: Marcie Beckett motioned to adopt the meeting agenda for the evening with minor adjustments to the order, Chris Olson seconded, motion **passed 7-0-0**. Chris Olson motioned to approve the October 2010 minutes with 3 corrections, Marcie Beckett seconded, motion **passed 6-0-1**. Those abstaining did not attend the October 2010 meeting.

Chair's Report: John Shannon talked about the benefits of a vibrant business community here in Pacific Beach. He mentioned the PBPG would have a participating vehicle in the annual holiday parade on Garnet Avenue.

Government Office Reports:

Mayor Sander's Office – Not Present
City Council District 2 – Not Present
Long Range Planner – Not Present

Non-Agenda Public Comment:

Lou briefed the PBPG on a September 17 meeting in Councilman Faulconer's office regarding the oversized vehicle ordinance (OVO). Another meeting was to be scheduled in 30 days, but nothing has happened and it will be doubtful any meeting will occur until after the holidays.

Barbara Williams briefed the Board on the occupancy of vacation rentals in Big Bear is based in square footage of the rental space.

Marcie Beckett reported that the mixed-use project at PB Drive and Mission Blvd. only has one commercial tenant – a smoke shop.

Informational Items:

Don Gross provided an update on the Rose Creek Bridge Project. Scott Chipman motioned to forward the letter written regarding the Rose Creek Bridge and adjacent streets to Councilman Faulconer's office, Chris Olson seconded, motion **passed 8-0-0**.

Action Items:

Scott Chipman gave a presentation regarding the Mission Bay Park Gateway to propose an expansion in order to improve the recreational facilities near Mission Bay High School, Campland On The Bay, DeAnza Park and the Mission Bay Golf Course.

Marcie Beckett motioned to establish a subcommittee of the PBPG to further study the Mission Bay Park Gateway proposal, Barbara Williams seconded, motion **passed 8-0-0**.

Subcommittee Reports:

Alcohol License Review: Scott Chipman stated the 710 Club has three ABC violations; Dirty Birds went from beer & wine to full alcohol. Marcie briefed the Board on Beachwood, an establishment who took over Hooters on Mission Blvd which is now a bar that serves food.

Election and Vacancies: Marcie stated that the PBPG has elections coming up in March 2011. The election subcommittee volunteers are: Diane Faulds, Barbara Williams and Curtis Patterson.

Subcommittee Reports Continued:

Traffic and Parking: Diane stated there is a stop sign request for Missouri and Gresham Streets.

Neighborhood Code Compliance: Barbara Williams takes over for Scott Chipman

Special Events and Community Advisory: Marcie reported one at-large member was elected last month.

Pallisades Park/ Comfort Station:

Scott Chipman briefed the Board on a recent subcommittee meeting regard the Pallisades Park comfort station. Those residents in attendance brought concerns such as: having a rounded shape to reduce the visual impact, keep the structure as simple as possible, reduce the attraction to the homeless and install graffiti proof rocks and siding.

Residential/ Mixed Use/ Commercial Subcommittee Report

Chris Olson stated the commercial / residential subcommittee met on Thursday, November 11, 2010 12:00pm. The meeting was attended by four PBPG members and three applicants. The next meeting will be on Thursday, January 13, 2011 in the Pacific Beach Library Community Room.

1. Oliver Ave Oceanfront Public Land: Development plan for the "paper street" and adjacent public right of way. Chris stated that he is waiting for Lane Mackenzie of the City of San Diego Real Estate Services Division to respond regarding a title search and related restrictions and interpretation of the title language. Also, he is trying to get a meeting with Councilmember Faulconer to discuss the possibility that the property ownership is transferred from streets division to park division.

2. Wesley Palms: Update on the Request to Initiate an Amendment to the Pacific Beach Community Plan. Chris spoke with Mr. Jennings from Wesley Palms and they recently sent a letter to "several hundred" neighbors and interested parties to give them an update. The process is taking longer than expected and he will probably come to PBPG with a presentation in the of Spring 2011.

3. Carports: Letter to the Director of Development Services regarding "carports" with 75% open walls on 2 elevations. Chris presented a draft letter that was requested by the PBPG during the last meeting. The letter was reviewed by the subcommittee and changes made. The letter asks for a response to the PBPGs request to either change the Municipal Code or the plan review process for these projects. Chris Olson motioned to send the letter to the Director of Development Services (with the noted changes) and to the others named in the letter, Greg seconded, motion **passed 8-0-0**.

4. 944 and 946 Diamond St. Project #215750: CDP and map waiver to waive requirements of a tentative map to convert two existing residential units to condominiums. Scott Chipman motioned to approve the project, Chris Olson seconded, motion **passed 8-0-0**.

5. 1263 Oliver Ave. Project #222319: CDP to demolish existing structures on two lots and construct one three story single family residence on one lot in the RM-1-1 zone.

Chris Olson motioned to deny the project as the Carport square footage should be included in the GFA calculation. The rationale is explained in a letter to the Director of Development services regarding "carports" with 75% open walls on 2 elevations, dated 12/8/2010, and a copy of the letter should be considered part of the motion, Marcie Beckett seconded, motion **passed 6-2-0**.

The reason for the dissenting votes is that the proposed project is not in violation of municipal code.

6. 1265 Oliver Ave. Project #212582: CDP to demolish existing structures on two lots and construct one three story single family residence on one lot in the RM-1-1 zone.

Chris Olson motioned to deny the project as the Carport square footage should be included in the GFA calculation. The rationale is explained a letter to the Director of Development services regarding "carports" with 75% open walls on 2 elevations, dated 12/8/2010, and a copy of the letter should be considered part of the motion, Marcie Beckett seconded, motion **passed 6-2-0**.
The reason for the dissenting votes is that the proposed project is not in violation of municipal code.

Meeting adjourned at 8:42 p.m.

ATTACHMENT

TO: Kelly Broughton, Development Services Director
FROM: John Shannon, Chairperson, Pacific Beach Planning Group (PBPG)
RE: "Carports" loophole exploited by developers in Pacific Beach
DATE : December 8, 2010
CC: Kevin Faulconer, Councilmember District 2, Bill Anderson, Director of Planning, Lesley Henegar, Senior Planner, Thyme Curtis, District 2, Robert Vacchi, Deputy Director of Code Compliance, Jerry Sanders, Mayor, San Diego Community Planning Committee

The PBPG voted to send this letter informing you of a loophole in the municipal code that adversely affects the Community of Pacific Beach and wastefully increases workload on City staff. Using the loophole developers obtain approval for projects that are contrary to the community plan. Additionally, these projects are problematic and require more staff time for plan review, building inspection and code enforcement.

Over the last few years, several residential projects have included carports that misuse Municipal Code. Section 113.0234(a) (6) regarding gross floor area (GFA) calculations. The municipal code allows carports to be built and not included in the GFA if they maintain 2 elevations at least 75% open. Excluding Carport square footage, allows for more square footage in the primary building structure.

Not in compliance with Community Plan Adding more square footage to the building creates a more massive structure, effectively exceeding the Municipal code maximum GFA and conflicting with our community plan in terms of bulk and scale and established neighborhood standards. Most of these projects are created by demolishing a residential structure(s) on a 50 foot wide property and developing two separate 25 foot wide lots, thereby further emphasizing tall narrow structures, not in character with our community. See Attachment "A"

Plan Review Phase: In reality the carports, once built, appear like enclosed garages. As seen in attachment "B", they do not comply with the intent of an "open elevation". In terms of visual bulk and scale there is no difference between these garages and any garage not using this loophole in the municipal code. Considerable staff time has already been spent interpreting the complaints of our planning group and trying to add conditions the approval process.

Building Phase: Approved plans are vague in details for open walls. Building inspectors can't be expected to interpret and enforce the confusing "75% open elevation rule". As seen in attachment "C" buildings pass final inspection and do not comply with the 75% rule nor the intent of an "open elevation".

Code Compliance: Typically, after final building inspection, the developer sells the property and the new owner encloses the two "open elevations" with either rolling garage doors, windows, bars and nylon mesh or studs / drywall / stucco. Attachment "D" illustrates several projects in Pacific Beach with enclosed walls that are now code violations. Does neighborhood code compliance have the resources to play cat and mouse with these projects that were obvious code compliance disasters at the time of plan review?

The PBPG has been raising this issue with developers, architects and city planners for 3 years now. The only solution offered is a condition on the permit stating that the open walls will not be enclosed. We do not consider this an acceptable solution. Four of these projects have come before the PBPG in the last 2 months and we will continue to deny them. The situation is only getting worse and the code violations continue to proliferate. Do we really want to burden our community with regular reporting of violations and our Neighborhood Code Compliance Department with regular inspections?

This problem can be resolved by either a change in the municipal code or a change during the approval process. We respectfully request that you respond with a plan for resolving this issue.

