

CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY,
PUBLIC FINANCING AUTHORITY, & HOUSING AUTHORITY



MINUTES

Joint SPECIAL Meeting

Wednesday, May 6, 2015 * 5:30 P. M.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California

- Minutes contain a summary of significant discussions and formal actions taken at a City Council meeting.
- City Council meetings are video recorded and archived as a permanent record. The [video recording](#) captures the complete proceedings of the meeting and is available for viewing on the City's website.
- Posted Reports & Supplemental Docs contain records up to the cut off time prior to meetings for processing new submittals. Complete records containing meeting handouts, PowerPoints, etc. can be obtained through a [Records Request](#).

CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 5:30 p.m.

Present: Mayor Lesa Heebner, Deputy Mayor David A. Zito, Councilmembers Peter Zahn, Mike Nichols, Ginger Marshall

Absent: None

Also Present: David Ott, City Manager
Randall Sjoblom, Deputy City Attorney
Angela Ivey, City Clerk
Wende Protzman, Community Development Dir.
Mo Sammak, City Engineer/Public Works Dir.
Marie Berkuti, Finance Manager
Danny King, Assistant to the City Manager

CLOSED SESSION REPORT: (when applicable)

Johanna Canlas, City Attorney, stated that there was no reportable action.

FLAG SALUTE:

APPROVAL OF AGENDA:

MOTION: Moved by Zito and seconded by Zahn. **Motion carried unanimously.**

ORAL COMMUNICATIONS: None

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by submitting a speaker slip (located on the back table) to the City Clerk. Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

B. PUBLIC HEARINGS: (B.1.)

This portion of the agenda provides citizens an opportunity to express their views on a specific issue as required by law after proper noticing by submitting a speaker slip (located on the back table) to the City Clerk. After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the record. An applicant or designees for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. All other speakers have three minutes each. Please be aware of the timer light on the Council Dais.

B.1. Solana Highlands Revitalization Project – Proposed Story Pole Plan. (File 0600-40)

Recommendation: That the City Council

1. Continue the Public Hearing: Receive public testimony, Close the Public Hearing.
2. Find that the request to use a modified approach to installing story poles is not a “Project” as defined by the 2015 State CEQA Guidelines Section 15378.
3. Adopt **Resolution 2015-055** accepting the Applicant’s modified approach to installing story poles onsite using a combination of traditional, alternative and supplemental approaches to story poling the proposed project as consistent with SBMC Chapter 17.63.

David Ott, City Manager, introduced the item.

Leslea Meyerhoff, Staff Consultant, presented a PowerPoint (on file).

John Laria, Project Manager, HG Fenton, presented a PowerPoint (on file) reviewing the new story pole proposal.

Council Disclosures: Councilmember Zahn stated that he served on the Board of Advisors for the Zahn Innovation Center at San Diego State University with Mike Neal, CEO and President of HG Fenton. He stated that he sought an opinion from the Fair Political Practices Commission (FPPC) regarding any potential conflict of interest in participating on this item and was notified through an advice letter from the FPPC that his participation on the Board with Mr. Neal was not a financial interest in the project and so did not constitute a conflict of interest. Councilmember Zahn stated that a copy of the advice letter was on file with the City Clerk. He stated that he was familiar with the project and had reviewed prior meetings on the project. All other Councilmembers stated that they had no new disclosures to report.

Gina Jacobs (time donated by Emily Behrmann and James Naughton Jr.) stated that she had attended the April meeting regarding the project and that her neighborhood held a meeting afterwards on the project. She stated that concerns presented by

neighbors included the height, density, and added noise from the development, that the project would have a towering effect on the neighborhood, that all story poles were needed to see the entire project and wanted to confirm that they would remain in place for the entire assessment period. She said that she appreciated that the applicant agreed to work with the community that she would like to have at least 3 community meetings with alternate times, that the community needed an explanation of the story poles and color coding, and the proposal was substantially different than what currently existed in the area.

Zahra Nowbarari stated that she had been a resident for 32 years and lived across from the project, that any changes to the area would affect the entire community, and that she had concerns that Councilmember Marshall had expressed at a prior meeting that she did not know where the project site was located. She said that the project would take 3-5 years to complete, adding 66 units to an already congested area, and was concerned about the height increase to 68 feet, which would set a precedence for the area allowing other residents to increase their building heights.

Jim Rutzer stated that he appreciated the efforts by the developer to address concerns raised at March 11th meeting, that Councilmember Zito had responded to all of his questions since the last meeting, and that many of his questions were already addressed by the developer's presentation this evening. He stated that multiple weekend workshops by the developer should be available and that there should be enough lift trucks onsite to assist with providing additional story poles to evaluate any potential view impacts, if requested by residents.

Deputy Mayor Zito stated that the speaker had communicated with the City Manager and not himself and that he did not violate the open public hearing restrictions. He confirmed that all story poles would be in place for the full 30 day review period, that the process to story pole this many buildings was complex, and that additional community meetings, besides the two scheduled meetings, could be coordinated between the applicant and residents, if desired.

Council and Staff discussed that the scheduled viewing dates would be published at least one week to 10 days prior to the meetings and that maps of the project would be available at the leasing office.

Councilmember Marshall said that she wanted to respond to a comment made by Ms. Nowbarari stating that there must have been a miscommunication at the prior meeting attended by the speaker regarding her knowledge of the project and that she was aware of the location of the project site.

Council and Applicant discussion ensued regarding additional lifts being available at the project site during the scheduled meeting dates.

MOTION: Moved by Zito and seconded by Nichols to close the public hearing.
Motion carried unanimously.

MOTION: Moved by Zito and seconded by Nichols to approve staff recommendation. **Motion carried unanimously.**

WORKPLAN COMMENTS:

Adopted June 25, 2014

COMPENSATION & REIMBURSEMENT DISCLOSURE: None

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

ADJOURN:

Mayor Heebner adjourned the meeting at 6:15 p.m.

Angela Ivey, City Clerk

Approved Date: November 18, 2015