

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



MINUTES

Joint REGULAR Meeting
Wednesday, July 8, 2015 * 6:00 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.
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CITY COUNCILMEMBERS

Lesa Heebner, Mayor

David A. Zito, Deputy Mayor

Mike Nichols, Councilmember

Peter Zahn, Councilmember

Ginger Marshall, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 6:04 p.m.

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

Absent: None

Also Present: Greg Wade, City Manager
Johanna Canlas, City Attorney
Angela Ivey, City Clerk
Corey Andrews, Principal Planner
Mo Sammak, City Engineer/Public Works Dir.
Marie Berkuti, Finance Manager
Dan King, Asst to City Manager

CLOSED SESSION REPORT:

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

FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Zito and second by Zahn. 5/0 **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:

Council reported community announcements and events.

A. CONSENT CALENDAR: (Action Items) (A.1. - A.8.)

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion. Any member of the public may address the City Council on an item of concern by submitting to the City Clerk a speaker slip (located on the back table) before the Consent Calendar is addressed. Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held March 18, April 18, and May 6, 2015.

A.2. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for May 30, 2015 through June 12, 2015.

A.3. Traffic Engineering Services. (File 860-00)

Recommendation: That the City Council

1. Adopt **Resolution 2015-083:**
 - a. Authorizing the City Manager to approve a Professional Service Agreement with STC Traffic for On-Call, As-Needed Traffic Engineering Services for Fiscal Year 2015-16 for a not-to-exceed amount of \$10,000.
 - b. Authorizing the City Manager to approve a Professional Service Agreement with Chen Ryan Associates for On-Call, As-Needed Traffic Engineering Services for Fiscal Year 2015-16 for a not-to-exceed amount of \$10,000.
 - c. Authorizing the City Manager, at his sole discretion, to extend the Professional Service Agreement with either or both STC Traffic and Chen Ryan Associates for up to four additional years, at the City's option, at an amount not-to-exceed \$10,000 per year per consultant based on satisfactory past performance.

A.4. Lomas Santa Fe/Highland Entry Sign Art Wall, Bid 2015-03. (File 0910-40)

Recommendation: That the City Council

1. Adopt **Resolution 2015-082:**

- a. Awarding a construction contract for the Lomas Santa Fe Entry Sign Art Wall, Bid No. 2015-03, to Greenfield Fence, Inc. in the amount of \$39,990.
- b. Approving an amount of \$5,010 for construction contingency.
- c. Authorizing the City Manager to execute the construction contract on behalf of the City.
- d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.
- e. Appropriating \$45,600 from the Coastal Visitor's Transit Occupancy Tax – Public Arts Reserve into the Lomas Santa Fe Entry Sign Art Wall project in the City's Capital Improvement Program (CIP) fund.
- f. Authorizing the City Treasurer to amend the Fiscal Year 2015-2016 Adopted Budget accordingly.

A.5. Neighborhood Reinvestment Program Grant Funds for Recreational Facilities at Solana Vista Elementary School. (File 0330-25)

Recommendation: That the City Council

1. Adopt **Resolution 2015-084**:

- a. Accepting a Neighborhood Reinvestment Program grant from the County of San Diego, in the amount of \$85,000, for the reconstruction of a building at the Solana Vista Elementary School athletic fields that contains a refreshment sales area, a restroom and storage facility.
- b. Appropriating \$85,000 into the General Fund in Community Grant Revenue and Contributions to Other Agencies in the City Council budget unit.
- c. Authorizing the City Treasurer to amend the Fiscal Year 2015-2016 Adopted Budget accordingly.

A.6. Solid Waste Rate for FY 2015-16 – No Rate Increase. (File 1030-15)

Recommendation: That the City Council

1. Receive and file the report.

A.7. California Fire Assistance Agreement Reimbursement. (File 0220-40)

Recommendation: That the City Council

1. Adopt **Resolution 2015-088**, identifying the new terms and conditions per the California Fire Assistance Agreement with Cal OES for the Solana Beach Fire Department response outside their jurisdiction to ensure proper reimbursement to the City.

A.8. Salary and Classification Plan Update for Miscellaneous Employee Group and Management and Side Letter to the Marine Safety MOU. (File 0530-30)

Staff Recommends that the City Council:

1. Adopt **Resolution 2015-089** approving the FY 2015-16 Salary and Compensation Plan Salary Schedules for Miscellaneous, Marine Safety, and Management.
2. Adopt **Resolution 2015-90** approving the side letter to the Marine Safety MOU.

B. PUBLIC HEARINGS: (B.1. – B.4.)

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. 647 Santa Rosita – Development Review Permit (DRP) and Structural Development Permit (SDP), Applicants: Klassen, Case No. 17-14-33. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines, which exempts limited numbers of new, small structures, such as single-family residences; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2015-087** conditionally approving a DRP and an administrative SDP to construct a 349 square foot addition to the first floor and a 854 square foot addition to the second floor of an existing 2,562 square foot, single-family residence with an attached 674 square foot three-car garage at 647 Santa Rosita in Solana Beach.

Mayor Heebner opened the public hearing.

Greg Wade, City Manager, introduced the item.

Patricia Blumen, Staff Consultant, presented a PowerPoint (on file).

John Klassen, applicant, stated that he and his wife had been a long time residents of the City, that the goal was to upgrade the property and expand to accommodate a growing family and guests, and that they had attempted to keep the development modest and stayed within the existing footprint and neighborhood compatibility. He stated that all the Homeowners Association (HOA) requirements were followed, that the

HOA approved the project, and that they had obtained approval consents from all adjacent neighbors and impacted neighbors. He stated that several design changes were made to accommodate neighbor concerns, that there was one neighbor whom submitted a denial request to the Council for their project due to privacy concerns, and that although attempts were made to work with the neighbor such as offering to pay for vegetation to enhance privacy no resolve could be made.

Gary Cohn, architect, stated that the project maintained the existing roof line in order to not impact current views from the south, that the home was a craftsman design, that it the home was articulated to break up mass, and that it was consistent with the existing neighborhood.

Motion: **Moved by Zito and second by Nichols to close the public hearing. 5/0** Motion carried unanimously.

Council discussed that it was a large home but also a large lot, that the Council could not regulate privacy issues, and that they appreciated the applicants working with neighbors to accommodate their concerns.

Motion: **Moved by Zito and second by Zahn to approve. 5/0** Motion carried unanimously.

B.2. 442 Santa Bartola – Development Review Permit (DRP) and Structural Development Permit (SDP), Applicants: Bittar, Case No. 17-14-34. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing;
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2015-085** conditionally approving a DRP and an administrative SDP for a second story addition to an existing residence located on property at 442 Santa Bartola.

Greg Wade, City Manager, introduced the item.

Corey Andrews, Principal Planner, presented a PowerPoint (on file).

Council disclosures.

Applicant:

Frank Bittar, applicant, said that this was their dream home, that their family was growing and would want room for his mother in law to come to help when he was out on deployment as a member of the National Guard, that the project was in compliance, reached out to all of their neighbors, and that Staff had been great to work with.

Motion: Moved by Zito and second by Nichols to close the public hearing. 5/0 Motion carried unanimously.

Motion: Moved by Zito and second by Nichols to approve. 5/0 Motion carried unanimously.

B.3. 1543 Santa Elena – Development Review Permit (DRP) and Structural Development Permit (SDP), Applicants: Pawlowski, Case No 17-15-02. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing;
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2015-086** conditionally approving a DRP and an administrative SDP for a first and second floor addition to an existing single story, single family residence located at 1543 Santa Elena Court.

Greg Wade, City Manager, introduced the item.

Christina Rios, Assistant Planner, presented a PowerPoint (on file).

Council disclosures.

Applicant: No applicant presentation.

Motion: Moved by Zito and second by Nichols to close the public hearing. 5/0 Motion carried unanimously.

Motion: Moved by Zito and second by Nichols to approve. 5/0 Motion carried unanimously.

B.4. 242 S. Nardo Ave. – Development Review Permit (DRP), Variance (VAR) and Structural Development Permit (SDP), Applicant: Keystone Financial Group, LLC, Case No. 17-14-21. (File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP, VAR and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing;
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2015-043** conditionally approving a DRP, VAR and an administrative SDP for a two-story, single family residence with an attached garage located at 242 S. Nardo Avenue.

Greg Wade, City Manager, introduced the item.

Corey Andrews, Principal Planner, presented a PowerPoint (on file).

Greg Wade, City Manager, stated that the applicant proposed a split face on the retaining wall to mitigate visual impacts.

Council Disclosures: Council reported no disclosures.

Bob Mueller, applicant, presented a PowerPoint (on file). He discussed concerns addressed by Council at the previous meeting including reducing the height of the retaining wall, and discussed various redesign attempts to provide more landscaping area to mitigate the aesthetics of the wall as requested by Council. He stated that in order to increase area for landscaping from 2 feet to 5 feet the driveway would have to be narrowed which would limit fire truck access to the home, that access was not needed however due to the stand pipe which allowed fire trucks to hook up their hose rather than having drive down the driveway, and that a standpipe was needed to mitigate the lack of turn around area for fire vehicles. He stated that reducing the driveway to under 16 feet would not create a safety concern and would allow for 5 feet of landscaping area.

Council, Staff, and Mr. Mueller discussed reducing the driveway 12 -14 feet to allow for 5 feet of planter space, discussed any potential fire access concerns with reducing the driveway, that the standpipe would preclude the necessity to drive all the way down the driveway, and discussed basing approval of the project on the applicant working with the City Manager to determine how to provide 5 feet of landscape area while adhering to fire codes.

Johanna Canlas, City Attorney, stated that the Council motion could include language delegating the City Manager to use best efforts to work with the applicant to address concerns discussed.

Motion: Moved by Zito and second by Nichols to close the public hearing. 5/0 Motion

carried unanimously.

Councilmember Zahn stated that he would second the motion however with the amendment that the project return to Council for project approval and for review of the changes discussed with the City Manager.

Johanna Canlas, City Attorney, stated that the public hearing had already been closed, in order for the item to return to Council as proposed by Councilmember Zahn the public hearing would need to re-opened and the item continued. She stated that Council could delegate the City Manager to allow the applicant to move forward if items discussed were resolved.

Councilmember Nichols stated that if the applicant could agree to work with the City Manager to provide 5 feet of landscape area by adhering to fire codes, as a condition, the applicant would not need to return to Council.

Councilmember Zahn concurred with the motion amendment.

Motion: Moved by Nichols and second by Zahn to direct Staff to work with the applicant on the issues discussed to provide a 5 foot landscape buffer as proposed by the applicant to mitigate visual impacts of the wall. Approved 5/0. Motion carried unanimously.

ADJOURN:

Mayor Heebner adjourned the meeting at 7:03 p.m.

Angela Ivey, City Clerk

Approved: May 25, 2016