

# CITY OF SOLANA BEACH

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



## MINUTES

Joint SPECIAL Meeting

Wednesday, December 17, 2018 \* 5:00 p.m.

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

- 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](#).

### CITY COUNCILMEMBERS

David A. Zito, Mayor

Jewel Edson, Deputy Mayor

Judy Hegenauer, Councilmember

Lesa Heebner, Councilmember

Peter Zahn, Councilmember

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

### CALL TO ORDER AND ROLL CALL:

Mayor Zito called the meeting to order at 5:08 p.m.

Present: David A. Zito, Jewel Edson, Judy Hegenauer, Lesa Heebner

Absent: Peter Zahn

Also Present: Greg Wade, City Manager  
Johanna Canlas, City Attorney  
Megan Bavin, Deputy City Clerk  
Dan King, Assistant City Manager  
Mo Sammak, City Engineer/Public Works Dir.  
Marie Berkuti, Finance Manager  
Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: None

FLAG SALUTE:

APPROVAL OF AGENDA:

**Motion:** Moved by Councilmember Heebner and second by Deputy Mayor Edson to approve. **Approved 4/0/1** (Absent: Zahn). **Motion Carried.**

ORAL COMMUNICATIONS: None

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 designee(s) 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. Public Hearing Continued: Consideration of Resolution Nos. 2018-131 and 2018-132 Certifying the Final Environmental Impact Report and Approving an Application for a Development Review Permit, Structure Development Permit, Vesting Tentative Parcel Map, Affordable Housing Plan, Density Bonus and Waiver of Development Standards, and Fee Waiver for Solana Highlands, a 260-unit residential community including affordable senior housing at 661 - 781 South Nardo Drive and 821 Stevens Avenue (Case # 17-14-29 Applicant: H.G. Fenton).** (File 0600-40)

The proposed Project meets the minimum objective requirements under the SBMC, can be found to be consistent with the General Plan and the LCP LUP, and may be found, as conditioned, to meet the discretionary findings required as discussed in this and the original staff report to approve a DRP, SDP, VTPM, Affordable Housing Plan, Density Bonus and Waiver of Development Standards, and Fee Waiver. Therefore, Staff recommends that the City Council:

1. Conduct the continued Public Hearing: Report Council disclosures, Receive public testimony, Close the public hearing.
2. Consider certification of the FEIR and adoption of **Resolution 2018-131**.
3. If the City Council certifies the FEIR and makes the requisite Findings of Fact and approves the project or an alternative, adopt **Resolution 2018-132** conditionally approving a DRP, SDP and VTPM, Affordable Housing Plan, Density Bonus and Waiver of Development Standards, and Fee Waiver for the Solana Highlands project, consider approval of the fee waiver, density bonus and development standards waivers, for a residential community and affordable senior housing project, at 661-781 South Nardo Drive and 821 Stevens Avenue, Solana Beach.

*This item was continued from the December 5, 2018 Meeting.*

Council Disclosures.

Greg Wade, City Manager, introduced the item and presented a PowerPoint (on file).

Ron Blackburn spoke about the existing project appearing dated, the new project plan being an improvement, and that he supported the project.

Adrienne Davenport spoke about living across the street from the project, the blind spots and

traffic on South Nardo, cars parked abutting or blocking her driveway, dangerous conditions on Nardo, expanding the proposed traffic calming measures immediately, increasing no-parking areas, and requiring tenant parking to be included in rent to reduce tenants parking on the street.

Mary Hobson spoke about the project having a huge impact on the neighborhood, opposition to the project, concerns about residents parking on Nardo, requiring the project to be implemented in a quick single phase, restricting demolition on Saturdays, and requiring construction be done with adequate safety measures.

Manny Aguilar spoke about supporting the project, addressing affordable housing for the general population, having safety requirements in place, and parking being limited to the property and not on the public street.

Maggie Rintala spoke about traffic and parking concerns, construction and landscaping being constructed in one phase, and the City maintaining fiscal responsibility with the project.

Shawna McGarry spoke about sustainable development in the City, traffic calming measures, and support for the project to provide more housing units in the City.

Cindi Clemons said that neighbors had asked the developer to provide enough parking for tenants and visitors, that converting the 88 unreserved tenant spaces to reserved spaces would not leave enough unreserved parking spaces for tenants and visitors, and that the project should be conditioned to provide the 88 unreserved tenant spaces.

Mitch Williams (time donated by Linda Williams) spoke about many neighbors opposing the project, noise concerns during construction, higher perimeter barriers being installed, tall and mature trees being planted on the south side to mitigate construction noise and dust.

Thomas Kaiser (time donated by Dusty Sorenson) spoke about the open space easement not being addressed in the EIR and that a public hearing should be held for an amendment of the open space easement.

John Wilson (time donated by Nori Nowbahari and Susan Monken) spoke about recent tree trimming of 75% of the vegetation opening the view to the story poles for buildings 12 and 13, parking and traffic on Nardo, opposition to the applicant converting unreserved spaces to reserved spaces, opposing any monetization for parking, and that some traffic calming needed to be implemented to control and improve visibility.

Cathy Tyre spoke about the project being conducted in one phase, restricting Saturday demolition, adding a landscape buffer, parking concerns, and consideration of a three-way stop sign at Fresca and South Nardo.

Linda Brubaker spoke about prohibiting the monetization of parking, noise concerns during construction, and requiring a single-phase construction.

Joe CuvIELlo spoke about traffic issues, a one-phase project, no demolition on Saturdays, opposing the conversion of the 88 parking spaces to reserved spaces, and that if the

\$500,000 fee was waived that Council review it at a later time and not make it a condition of this particular approval.

Stacie Greene spoke about the 7:00 a.m. construction start time being changed for this project, and that the trees that would block noise and lights on Stevens were removed without any notice.

June Gottlieb (time donated by Michael Nuun) spoke for her daughter, Dana Flach, about how building 15 would impact her daughter's home if the Acacia tree near her house was removed, the project size being too large in mass and bulk, and concerns about noise, pollution and traffic congestion impacts.

Dan Dragland spoke about parking and traffic issues on Nardo and that it was imperative that Council consider the traffic issues.

John LaRaia, H.G. Fenton, Applicant, (rebuttal time) spoke about the steps he took to reduce the view impairment for Mr. Wilson's property site including lowering the pads across the project site, removal of building 3, lowering the pads on building 12 and 13, shifting buildings 4 and 5 to the east, shifting building 12 to the west to open the view corridor, reducing the height of building 12 to a single-story and reducing the height of the flags by 6 ft., reducing the pitch of the roof on building 13 to reduce building height, and opening up the view corridor to maintain a view of the sky, hillside, and lagoon.

Staff and Council discussed the open space easement, codes requirements for parking and proximity to driveways, street parking, the fee waiver, a rent survey and rent pricing, affordable housing, access to the bio-retention basin and height of the retaining wall surrounding it, removing fencing planned for a park area, and certifying the height of all buildings and structures shown on the plan.

Council and Applicant discussed the senior affordable housing residents and their guests' access to the pool and club house, the time and phasing of the project, noise from the project construction, restricting Saturday rough grading and demolition, dangerous traffic conditions on S. Nardo, traffic calming measures, adding the landscaping and a temporary water line on the southern border of the property prior to the completion of construction, completing the project in one phase, and enhancing notification to a larger area of the community beyond the required 300 ft.

**Motion:** Moved by Councilmember Heebner and second by Councilmember Hegenauer to close the Public Hearing. **Approved 4/0/1** (Absent: Zahn).

Council discussed primary view areas, view impacts, vegetation height limits, and limiting additional heights of buildings.

**MOTION:** Moved by Deputy Mayor Edson and second by Councilmember Heebner to uphold the VAC recommendation to deny the Weber appeal request. **Approved 4/0/1** (Absent: Zahn). **Motion Carried.**

**MOTION:** Moved by Councilmember Heebner and second by Mayor Edson Zito to uphold the VAC recommendation to deny the Flach appeal request. **Approved 4/0/1** (Absent: Zahn). **Motion Carried.**

**MOTION:** Moved by Councilmember Heebner and second to Councilmember Hegenauer to overturn the VAC recommendation as it applied to the Wilson's appeal with the following conditions: limit vegetation height to the top of the story pole flags, lower the height of Building 13 by 6", and prohibit additional height on the southern side of building 13. **Approved 4/0/1** (Absent: Zahn). **Motion Carried.**

Mayor Zito adjourned the meeting for a break at 8:25 p.m. and reconvened at 8:35 p.m.

Council discussed the removal of fencing around the fence-park area, restricting parking for street sweeping, requiring pre-wiring of all garages on-site for electrical vehicle charging, no demolition or rough grading on Saturdays and Sundays, notification of noise abatement for 500 ft. around the project, and that Electric Vehicle (EV) parking be subject to the same overnight parking relaxation of conditions as other onsite parking.

**MOTION:** Moved by Councilmember Heebner and second by Councilmember Hegenauer to approve Resolution 2018-131 approved the EIR and implementing construction in one phase. **Approved 4/0/1** (Absent: Zahn). **Motion Carried.**

**MOTION:** Moved by Mayor Zito and second by Councilmember Heebner to approve Resolution 2018-132 with the following conditions: remove fencing around the fence-park area, adopt conditions for SDP approval as stated above on the Wilson's appeal, require pre-wiring of all garages including attachment 6 by reference outlining the charging station locations, no demolition or rough-grading on Saturdays and Sundays, notification of noise abatement for 500 ft. around the project, project will be constructed in one phase as outlined in the EIR, and Electric Vehicle (EV) parking subject to the same overnight parking relaxation of conditions as other onsite parking. **Approved 4/0/1** (Absent: Zahn). **Motion Carried.**

**COMPENSATION & REIMBURSEMENT DISCLOSURE:** None

**COUNCIL COMMITTEE REPORTS:** [Council Committees](#)

**REGIONAL COMMITTEES:** (outside agencies, appointed by this Council)

**STANDING COMMITTEES:** (All Primary Members) (*Permanent Committees*)

**ADJOURN:**

Mayor Zito adjourned the meeting at 8:04 p.m.

Megan Bavin, Deputy City Clerk

Approved: May 6, 2020