

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO  
MINUTES OF REGULAR SCHEDULED MEETING OF  
MAY 28, 2015  
IN COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
CITY ADMINISTRATION BUILDING**

**CHRONOLOGY OF THE MEETING:**

Chairperson Golba called the meeting to order at 9:12 a.m. Vice-Chairperson Stephen Haase adjourned the meeting at 3:19 p.m.

**ATTENDANCE DURING THE MEETING:**

Chairperson Tim Golba – out at 3:05 p.m.  
Vice-Chairperson Stephen Haase – present  
Commissioner James Whalen – out at 2 p.m.  
Commissioner Anthony Wagner – present  
Commissioner Sue Peerson – out at 2 p.m.  
Commissioner Theresa Quiroz – present  
Commissioner Douglas Austin – present

Staff

Shannon Thomas, City Attorney – present  
Nancy Bragado, Planning Department. - present  
Morris Dye, Development Services Department – present  
Louis Schultz, Development Services Department - present  
Carmina Trajano, Recorder – present

PLANNING COMMISSION MINUTES FOR MAY 28, 2015

ITEM – 1: **ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:**

Scott Bernet commented on the MMCC project process.

Justin Navalle commented on the exception from public record.

ITEM – 2: **REQUESTS FOR CONTINUANCE AND/OR ITEMS TO BE WITHDRAWN:**

ITEM # 14 - 3485 NOELL STREET (CC3) MMCC – PROJECT NO.368319 – **WITHDRAWN**

ITEM #15 - 3385 SUNRISE STREET MMCC – PROJECT NO.368337 – **CONTINUED TO JUNE 25, 2015**

ITEM # 16 - 7128 MIRAMAR ROAD (EJ MARKETING) MMCC– PROJECT NO.368309 – **CONTINUED TO JUNE 18, 2015**

ITEM #17 - 3571 PACIFIC HIGHWAY (PATIENTS ALTERNATIVE-MIDDLETOWN) MMCC – PROJECT NO.368295 – **WITHDRAWN**

ITEM – 3: **REQUESTS FOR ITEMS TO BE PLACED ON THE CONSENT AGENDA:**

NONE

ITEM – 4: **APPROVAL OF THE AGENDA:**

Accepted as presented.

ITEM – 5: **DIRECTOR’S REPORT:**

NONE

ITEM – 6: **COMMISSION COMMENT:**

Commissioner Golba acknowledged Commissioner Whalen who is celebrating his birthday today and Deputy Director Nancy Bragado who celebrated her birthday yesterday.

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ITEM – 7: **APPROVAL OF MINUTES FROM MARCH 19, 2015**

COMMISSIONER WAGNER MADE THE MOTION TO APPROVE THE MINUTES FROM MARCH 19, 2015. Commissioner Quiroz seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

ITEM –8: *Appeal of Hearing Officer’s decision on March 25, 2015*

**3421 HANCOCK STREET MMCC – PROJECT NO.368301**

City Council District: 8 Plan Area: Southeastern San Diego

Staff: Edith Gutierrez

Speaker slips in favor of the project, in favor of the appeal submitted by Lance Rogers, Joe Esposito, Joy Greenfield and Janet Matula.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman.

**COMMISSION ACTION:**

COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER’S DECISION TO DENY CONDITIONAL USE PERMIT NO. 1287800. Commissioner Whalen seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

ITEM – 9: *Appeal of Hearing Officer’s decision on March 25, 2015*

**3486 KURTZ STREET MMCC – PROJECT NO.368321**

City Council District: 2 Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project, in favor of the appeal submitted by Gerald Gilbert, Dana Gagnon and Cynara Velazquez.

Speaker slips in opposition to the project, in favor of the appeal submitted by Scott Chipman and Gina Austin.

**COMMISSION ACTION:**

COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER’S DECISION TO DENY CONDITIONAL USE PERMIT NO. 1292271. Commissioner Whalen

seconded the motion. The motion passed by a vote of 6-1 with Commissioners Golba, Haase, Austin, Peerson, Wagner and Whalen voting yea and Commissioner Quiroz voting nay.

ITEM –10: *Appeal of Hearing Officer's decision on March 25, 2015*

**3225 BEAN STREET MMCC – PROJECT NO.368324**

City Council District: 2                      Plan Area: Midway/Pacific Highway  
Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Marcos Getchell, Clinton Pyatt, Jeff Goh, Jesus Cardenas, Cynara Velazquez, Gina Austin, Clint Pyatt, Jeff Gho, Cynthia Morgan-Reed, Oscar Uteaga and Brad Sonnenberg.

Speaker slips in opposition to the project, in favor of the appeal submitted by Scott Chipman, Sharon Julian, George Diaz, Lance Rogers, David Diaz, Kelly Hayes and Phillip Diaz, Jeff Barfield, Tara Lindhardt, Ted Griswold, Nicole Alex, Carol Carpenter and Kavanaugh Bughbeh.

**COMMISSION ACTION:**

COMMISSIONER QUIROZ MADE THE MOTION TO UPHOLD THE APPEAL AND REVERSE THE HEARING OFFICER'S DECISION TO APPROVE CONDITIONAL USE PERMIT NO. 1293933. Commissioner Peerson seconded the motion. The motion passed by a vote of 4-3 with Commissioners Golba, Austin, Quiroz and Peerson voting yea and with Commissioners Haase, Wagner and Whalen voting nay.

ITEM – 11: *Appeal of Hearing Officer's decision on March 25, 2015*

**3430 HANCOCK STREET MMCC – PROJECT NO.368291**

City Council District: 2                      Plan Area: Midway/Pacific Highway  
Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project, in favor of appeal submitted by Hollie Holda, Gregg Holda, Maria Severson, Anjanette Perkins, Thomas Perkins, Donna Jones, Marcos Getchell and Jessica McElfresh.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman.

**COMMISSION ACTION:**

COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO DENY CONDITIONAL USE PERMIT NO. 1291991. Commissioner Austin seconded the motion. The motion passed by a vote of 6-1 with Commissioners Golba, Haase, Austin, Peerson, Wagner and Whalen voting yea and with Commissioner Quiroz voting nay.

ITEM – 12: *Appeal of Hearing Officer's decision on March 25, 2015*

**3433 PICKWICK STREET MMCC – PROJECT NO.368351**

City Council District: 8

Plan Area: Southeastern San Diego

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Justin Navalle, Leslie Parker, Doug McCrady, Anthony Banello, Jessica Albee and Cynara Velazquez.

Speaker slips in opposition to the project, in favor of appeal submitted by Nancy Logan, Steve Veach, Hayley Grunvald, Donna Jones, Oscar Urteaga, Brad Sonnenburg, Jeff Goh, Marcos Getchell, Clint Pyatt, Barbara Gordon, Scott Chipman and Marsha Lyon.

**COMMISSION ACTION:**

COMMISSIONER QUIROZ MADE THE MOTION TO UPHOLD THE APPEAL AND REVERSE THE HEARING OFFICER'S DECISION TO DENY CONDITIONAL USE PERMIT NO. 1298482 AND SITE DEVELOPMENT PERMIT NO. 1339753. Commissioner Wagner seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

ITEM – 13: *Appeal of Hearing Officer's decision on March 25, 2015*

**4645 DE SOTO STREET – PROJECT NO.368309**

City Council District: 2

Plan Area: Citiwide

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Cynara Velazquez, Marianne Greene, Rick Turner, George Agganis, Joe Esposito, Stephanie Green, James Vinson, O Kwon, Randy Robbins, Bruno Larios, U Chong, Brian Longmore, Chris Pratt and Jim Pratt.

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Speaker slips in opposition to the project, in favor of appeal submitted by Lynn Chisnell, Frances Fellers, Barbara Gordon, Judi Strang and Scott Chipman.

**COMMISSION ACTION:**

COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE CONDITIONAL USE PERMIT NO. 1292095. Commissioner Quiroz seconded the motion. The motion passed by a vote of 4-0-3 with Commissioners Golba, Haase, Quiroz and Wagner voting yea and with Commissioner Austin recusing and with Commissioners Peerson and Whalen absent.

ITEM – 14: *Appeal of Hearing Officer's decision on March 25, 2015*

**3485 NOELL STREET (CC3) MMCC – PROJECT NO.368319**

City Council District: 2

Plan Area: Midway/Pacific Highway  
Corridor

Staff: Edith Gutierrez

No speaker slips in favor of the project were submitted.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman, David Diaz, Lance Rogers, Kelly Hayes, George Diaz and Phillip Diaz.

**COMMISSION ACTION:**

THIS ITEM WAS WITHDRAWN.

ITEM – 15: *Appeal of Hearing Officer's decision on March 25, 2015*

**3385 SUNRISE STREET MMCC – PROJECT NO.368337**

City Council District: 8

Plan Area: Southeastern San Diego

Staff: Edith Gutierrez

Speaker slips in favor of appeal, in favor of the project submitted by Donna Jones, Hayley Grunvald, Marcos Getchell, Oscar Urteaga, Brad Sonnenberg, Jeff Goh, Clint Pyatt, Cynara Velazquez, Marcos Getchell, Steven Veach, Julie Hamilton, Justin Navalle, Leslie Gaunt and Mario Cadto.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman.

**COMMISSION ACTION:**

COMMISSIONER QUIROZ MADE THE MOTION TO CONTINUE THIS ITEM TO JUNE 25, 2015. Commissioner Austin seconded the motion. The motion passed by a vote of 4-0-3 with Commissioners Haase, Austin, Quiroz and Wagner voting yea and with Commissioners Golba, Peerson and Whalen absent.

ITEM – 16: *Appeal of Hearing Officer’s decision on March 25, 2015*

**7128 MIRAMAR ROAD (EJ MARKETING) MMCC– PROJECT NO. 368309**

City Council District: 2

Plan Area: Citiwide

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Jessica McElfresh.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman.

**COMMISSION ACTION:**

COMMISSIONER WHALEN MADE THE MOTION TO CONTINUE THIS ITEM TO JUNE 18, 2015. Commissioner Wagner seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

ITEM – 17: *Appeal of Hearing Officer’s decision on March 25, 2015*

**3571 PACIFIC HIGHWAY (PATIENTS ALTERNATIVE-MIDDLETOWN) MMCC – PROJECT NO. 368295**

City Council District: 2

Plan Area: Midway/Pacific Highway  
Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by George Diaz, Lance Rogers, David Diaz, Kelly Hayes and Phillip Diaz.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman.

**COMMISSION ACTION:**

THIS ITEM WAS WITHDRAWN.