

**AGENDA FOR THE CITY OF SAN DIEGO
PLANNING COMMISSION MEETING
THURSDAY, MAY 9, 2019 AT 9:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS - 12TH FLOOR
202 "C" STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the Planning Commission Secretary at (619) 321-3208 or email to planningcommission@sandiego.gov. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, requires different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Those items with an asterisk (*) will include consideration and adoption/approval of the appropriate environmental document.

The Commission may take one vote to approve one or more items identified as being part of a Consent Agenda. If an item is approved in that manner, the action approved is as stated in Staff's recommendation, which is normally set forth in the agenda and the Report to Planning Commission, and which Staff may modify prior to the vote by informing the Commission verbally or in writing. The Consent Agenda may be voted on quickly, so if you wish to be heard, please submit your Request to Speak form prior to the start of the meeting.

Members of the Public should provide materials to the Planning Commission via the Planning Commission Secretary so they are able to thoroughly review and consider materials prior to the day of the hearing.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to Planning Commission meeting agenda items which are distributed to the Planning Commissioners prior to and during the Planning Commission meeting may be inspected upon request in the official project file which is maintained by the City's Project Manager, located at the Development Services Department's offices at 1222 First Avenue, San Diego, 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Planning Commission Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled "SB 343." Late-arriving materials received during a Planning Commission meeting are available for review by making a verbal request of Development Services staff located in Council Chambers.

ANNOUNCEMENTS/PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Commission on items of interest within the jurisdiction of the Commission. Comments relating to items on today's docket are to be taken at the time the item is heard.

Time allotted to each speaker is determined by the Chair; however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the Commission Secretary **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by the Commission on any issue brought forth under "Announcements/Public Comment."

REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN

CONSENT AGENDA

ITEM-1: **T-MOBILE COLUMBIA COURT – PROJECT NO. 583530**

City Council District: 3 Plan Area: Uptown

Staff: Karen Lynch

T-Mobile - Columbia Court. Conditional Use Permit for an existing Wireless Communication Facility consisting of 6 panel antennas and 9 remote radio units, which are proposed to be relocated behind existing decorative mansard roof screens on a multi-unit residential building located at 3217 Columbia Street. Existing equipment located on the roof top is proposed to be moved to the parking garage. The site is zoned RM-2-5. The project is exempt from the California Environmental Quality Act (CEQA). [Report No. PC-19-030](#).

TODAY'S ACTION IS:

Process 4. Approve or deny the project.

DEPARTMENT RECOMMENDATION:

Approve the project.

APPROVAL OF THE AGENDA

DIRECTOR'S REPORT

COMMISSION COMMENT

DISCUSSION ITEMS

ITEM-2: ***Appeal of Hearing Officer's decision on February 6, 2019***
MPF 9731 SIEMPRE VIVA ROAD – PROJECT NO. 585480
City Council District: 8 Plan Area: Otay Mesa

Staff: Sammi Ma

MPF 9731 Siempre Viva Road; Conditional Use Permit to operate a Marijuana Production Facility in five tenant spaces, totaling 10,042 square-feet, within an existing 16,820 square-foot building located at 9731 Siempre Viva Road in Suites A, B, C, H and I. The project will occupy 6,140 square-feet of existing floor area and proposes to add 3,902 square feet to the second-floor within the existing building envelope. The 1.03-acre site is located in the IL-2-1 Zone within the Otay Mesa Community Plan area. The project was determined to be categorically exempt from the California Environmental Quality Act on October 9, 2018 and the opportunity to appeal that determination ended on October 23, 2018. [Report No. PC-19-037](#).

TODAY'S ACTION IS:

Process 3. Approve or deny the appeal.

DEPARTMENT RECOMMENDATION:

Deny the appeal.

ITEM-3: ***Appeal of Hearing Officer's decision on February 6, 2019***
MPF 10671 ROSELLE STREET – PROJECT NO. 585605
City Council District: 1 Plan Area: Torrey Pines

Staff: Firouzeh Tirandazi

MPF 10671 Roselle Street; Conditional Use Permit to operate a Marijuana Production Facility (MPF) within 7,447 square feet in Suites 200-203, 102, and a portion of Suite 101 of an existing 9,687-square-foot, two-story building located at 10671 Roselle Street. The 0.44-acre project site is in the IL-3-1 Zone and the Coastal Overlay Zone (Appealable and Non-Appealable), Coastal Height Limit Overlay Zone, MCAS Miramar Airport Land Use Compatibility Overlay Zone (Airport Influence Area - Review Area 1 and Accident Potential Zone 2), Parking Impact Overlay Zone (Campus and Coastal), Transit Priority Area, and Prime Industrial Lands within the Torrey Pines Community Plan area. This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) on August 31, 2018. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on November 13, 2018. [Report No. PC-19-038](#).

TODAY'S ACTION IS:

Process 3. Approve or deny the appeal.

DEPARTMENT RECOMMENDATION:

Deny the appeal.

ITEM-4: ***Appeal of Hearing Officer's decision on February 6, 2019***
MPF 2220 NEILS BOHR COURT – PROJECT NO. 585368

City Council District: 8 Plan Area: Otay Mesa

Staff: Tim Daly

MPF 2220 Niels Bohr Court; Conditional Use Permit to operate a Marijuana Production Facility within an existing 86,288 square-foot building located at 2220 Niels Bohr Court. The project is located within a 2.61-acre site in the IL-2-1 Zone, Transit Priority Area, Community Plan Implementation Zone "A" (CPIOZ-A), Geologic Hazard 53, Very High Severity Zone, Airport FAA Part 77 Noticing Area – Brown Field, Airport Influence Area Review Area 2 – Brown Field, and Airport Land Use Compatibility Overlay Zone – Brown Field within the Otay Mesa Community Plan. This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) on September 26, 2018. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on December 3, 2018. [Report No. PC-19-045](#).

TODAY'S ACTION IS:

Process 3. Approve or deny the appeal.

DEPARTMENT RECOMMENDATION:

Deny the appeal.

ITEM-5: ***Appeal of Hearing Officer's decision on February 6, 2019***
MPF 9350 TRADE PLACE – PROJECT NO. 585463

City Council District: 6 Plan Area: Mira Mesa

Staff: Tim Daly

MPF 9350 Trade Place; Conditional Use Permit to operate a Marijuana Production Facility within an existing 43,536 square-foot building within Suites A, B, C, D located at 9350 Trade Place. The Marijuana Production Facility would occupy 40,368 square feet of floor area and an existing deli would occupy the remaining 168 square feet of floor area. The project site is located on a 2.3-acre site in the IL-2-1 Zone within the Mira Mesa Community Plan. This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) on September 26, 2018. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on December 3, 2018. [Report No. PC-19-044](#).

TODAY'S ACTION IS:

Process 3. Approve or deny the appeal.

DEPARTMENT RECOMMENDATION:

Deny the appeal.

ITEM-6: * 12TH UPDATE (PHASE ONE) TO THE LAND DEVELOPMENT CODE AND LOCAL COASTAL PROGRAM

City Council District: All Plan Area: Citywide

Staff: Edith Gutierrez

The 12th Update (Phase One) to the Land Development Code includes 56 code amendments that are intended to streamline the review process and reduce project costs. While many of these amendments help improve permit processes by simplifying and clarifying rules and regulations, a handful of changes directly increase housing opportunities. Specifically, Permanent Supportive Housing will be allowed as a Limited Use; the Transitional Housing process has been reduced from a Conditional Use Permit to a Limited Use; Residential development that requires commercial ground floor will allow interim ground floor residential with a Neighborhood Use Permit; and the Civic SD Employment Overlay Zone will allow increased residential uses.

The CEQA and Environmental Policy Section has reviewed the 12th Update (Phase One) to the Land Development Code and conducted a consistency evaluation pursuant to CEQA Guidelines Section 15162. Implementation of this project's actions would not result in new significant direct, indirect, or cumulative impacts over and above those disclosed in the previously certified EIR No. 96-0333/SCH No. 96081056. [Report No. PC-19-020](#).

TODAY'S ACTION IS:

Process 5. Recommend to City Council to approve or deny the project.

DEPARTMENT RECOMMENDATION:

Recommend to City Council to approve the project.