

**AGENDA FOR THE CITY OF SAN DIEGO
PLANNING COMMISSION MEETING
THURSDAY, DECEMBER 5, 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. For additional information please see **California Environmental Quality Act (CEQA) Notices and Documents** at: <https://www.sandiego.gov/ceqa>.

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: * **COURTHOUSE COMMONS TUNNEL - PROJECT NO. 634065**

City Council District: 3 Plan Area: Downtown

Staff: Jeff A. Peterson

Courthouse Commons Tunnel Project: A Site Development Permit for the construction of a 10,260-square-foot underground tunnel extending beyond the ultimate curb line within the public right-of-way connecting from the County Jail Building to the Central Courthouse, known as the Courthouse Commons Tunnel Project (Project). The site is located at 1100 Union Street in the CCPD-PC Zone of the Centre City Planned District Ordinance (CCPDO) within the Downtown Community Plan area, Transit Priority Area, Transit Area Overlay Zone, and Council District 3. The Project is within the scope of the previously certified New San Diego Central Courthouse Final Environmental Impact Report (EIR) SCH No. 2000021015, and no additional environmental document is required under the California Environmental Quality Act. [Report No. PC-19-097](#); [Memo with Attachments](#); [Memo dated November 8, 2019](#).

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.

APPROVAL OF THE AGENDA**DIRECTOR'S REPORT****COMMISSION COMMENT**

DISCUSSION ITEMS

- ITEM-2: **Appeal of Hearing Officer's decision on July 24, 2019** (Rev. 12/6/19)
*** 4337 HOME AVENUE MARIJUANA OUTLET NUP/CUP - PROJECT 593686**
City Council District: 9 Plan Area: Mid-City-City Heights Community Plan Area

Staff: Edith Gutierrez

4337 Home Avenue Marijuana Outlet NUP/CUP; Process Three; Appeal of the Hearing Officer's decision to approve a Neighborhood Use Permit (NUP) and Conditional Use Permit (CUP) to continue operation of an existing auto service station and mini-market, including an ABC Type 20 license for off-site consumption of alcohol beverage sale from the existing mini-market, and a CUP to operate a Marijuana Outlet on the first floor of a 1,200-square-foot tenant space within a proposed two-story 2,400-square-foot building. The 1.08-acre project site is located at 4333 and 4337 Home Avenue in the CC-1-3 (Commercial-Community) and IL-3-1 (Industrial-light) Zones. The project site is also located within the San Diego International Airport (SDIA) Airport Influence Area - Review Area 2, Fire Brush, and High Fire Severity Overlay Zones within the Mid-City-City Heights Community Plan Area. On July 24, 2019, the Hearing Officer adopted Mitigated Negative Declaration No. 593686 and the Mitigation Monitoring and Reporting Program. The scope of the subject hearing only includes the project, and note the environmental determination. [Report No. PC-19-100](#).

TODAY'S ACTION IS:

Process 3. Approve or deny the appeal. (Rev. 12/6/19)

DEPARTMENT RECOMMENDATION:

Deny the appeal. (Rev. 12/6/19)

- ITEM-3: *** ATLAS SPECIFIC PLAN AMENDMENT - PROJECT 593686**
City Council District: 7 Plan Area: Mission Valley

Staff: Tim Daly

Atlas Specific Plan Amendment; Land Use Plan Amendment to the General Plan, Mission Valley Community Plan, and Atlas Specific Plan and an ordinance amending Land Development Code Chapter 13, Article 2, Division 14, Community Plan Implementation Overlay Zone to remove approximately 7.8 acres located at 1904 Hotel Circle North from the Atlas Specific Plan within the Mission Valley Community Plan area. This project is within the scope of Program Environmental Impact Report No. 518009, previously Certified by City Council on September 10, 2019. [Report No. PC-19-104](#).

TODAY'S ACTION IS:

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

DEPARTMENT RECOMMENDATION:

Recommendation to City Council to approve the project.