

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
December 5, 2019
IN COUNCIL CHAMBERS – 12TH FLOOR
CITY ADMINISTRATION BUILDING
202 C STREET, SAN DIEGO, CA 92101**

CHRONOLOGY OF THE MEETING:

Chairperson Susan Pearson called the meeting to order at 9:01 a.m. Vice-Chairperson William Hofman adjourned the meeting at 11:13 a.m.

ATTENDANCE DURING THE MEETING:

Chairperson Susan Pearson – present – left at 10:47 a.m.
Vice-Chairperson William Hofman – present
Commissioner James Whalen – present
Commissioner Douglas Austin – present - left at 10:47 a.m.
Commissioner Vicki Granowitz – present
Commissioner Dennis Otsuji – present
Commissioner Matthew Boomhower - present

Staff

Corrine Neuffer, City Attorney – present
Tait Galloway, Planning Department – present
PJ FitzGerald, Development Services Department – present
Tony Khalil, Development Services Department – present
Carmina Trajano, Recorder – present

ANNOUNCEMENTS/PUBLIC COMMENT

In Memory of Terre Lien

Staff Daniel Neri announced the passing of a colleague Terre Lien, Senior Planner in the Landscape Section of the Development Services Department. On behalf of the Development Service Department and the City of San Diego, he offered condolences to his mother Mary, his sister Elizabeth, and to his entire family, friends and spiritual community. Over the course of his 20-year career with Development Services, Terre has been recognized for his leadership and passionate commitment to making San Diego's landscape green and sustainable. A graduate of Cal Poly Pomona's landscape architecture program, Terre was an expert on native and naturalized flora. Terre was invaluable to DSD and to other City departments on the interpretation and implementation of landscape regulations. Most notably, Terre led a multi-department work group, providing clarification on the City's brush management regulations which ultimately led to the development of a Fire-Rescue Policy. Terre spearheaded updates to the Land Development Code and Land Development Manual related to the state's Model Water Efficiency Landscape Ordinance. Most recently he helped lead on changes to the landscape regulations for the proposed 12th Code Update.

Chairperson Peerson thanked everyone for attending the meeting. She remembered Terre Lien as always being incredibly professional and, on a personal note, his spirit, his enthusiasm, his care and his kindness will be greatly missed.

Commissioner Otsuji commented that he had known Terre Lien for his entire career at the City of San Diego. He recognized that, without Terre Lien and his department, he didn't think that he would have been able to accomplish many of projects he undertook. Commissioner Otsuji commented that Terre Lien always took into consideration what one had to say regarding the concept for particular projects. He listened and made sure that he understood what your original concept or your concept was and worked with you. And, he was a true steward of the land and took great consideration into the reviews that he did with the City of San Diego. Commissioner Otsuji noted how unfortunate it was to lose Terre Lien.

REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN

None.

CONSENT AGENDA**ITEM-1: COURTHOUSE COMMONS TUNNEL - PROJECT NO. 634065**

City Council District: 3

Plan Area: Downtown

Staff: Jeff A. Peterson

Speaker slip in favor of the project was submitted by Brent Schertzer.

No speaker slips in opposition to the project were submitted.

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER WHALEN APPROVING STAFF'S RECOMMENDATION TO APPROVE A RESOLUTION CERTIFYING THAT THE CITY COUNCIL OF THE CITY OF SAN DIEGO, AS A RESPONSIBLE AGENCY, HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR) SCH NO. 2000021015 FOR THE NEW SAN DIEGO CENTRAL CFCOURTHOUSE FOR THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO THAT WAS PREPARED AND CERTIFIED BY THE CALIFORNIA ADMINISTRATIVE OFFICE OF THE COURTS, AS LEAD AGENCY, AND ADOPTED FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IN APPROVING ACTIONS RELATED TO SITE DEVELOPMENT PERMIT NO. 2279389; AND RECOMMEND THE CITY COUNCIL APPROVE SITE DEVELOPMENT PERMIT NO. 2279389. Seconded by Commissioner Hofman. The motion passed by a vote of 6-0-1 with Commissioners Hofman, Granowitz, Boomhower, Otsuji, Peerson and Whalen voting yea. Commissioner Austin recusing.

APPROVAL OF THE AGENDA

Accepted as presented.

DIRECTOR'S REPORT

None.

COMMISSION COMMENT

Commissioner Vicki Granowitz reported she went to the CPC meeting and provided non-agenda public comments. On the agenda were the changes regarding improving efficiency and other issues related to CPGs including the role of Planning Commission in that discussion. Commissioner Granowitz reported that she tried to clarify the role of the Planning Commission in relation to the recommendations from the CPGs.

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

Speaker slips in favor of the project submitted by Denise Vo, Sean Scaramella, Arkan Somo, and Randall Zaitona.

Speaker slips in opposition to the project submitted by Theresa Quiroz, Kathleen Lippit, Pedro Quiroz, Jennifer Hoffman, Peaches Turner, Laura Ann Fernea, Dawn Kamali, Marsha

Lyon, Leticia Leal, William Perno, Fabiola Alvarez, Enrique De La Cruz, Cynthia Sanchez, Rickie Brown, and Peggy Walker,

COMMISSION ACTION:

MOTION 1:

MOTION BY COMMISSIONER WHALEN TO GRANT THE APPEAL, REVERSE THE HEARING OFFICER'S DECISION, AND DENY THE CONDITIONAL USE PERMIT NO. 2117121 (MARIJUNANA OUTLET). Seconded by Commissioner Granowitz. The motion passed by a vote of 7-0 with Commissioners Hofman, Austin, Granowitz, Boomhower, Peerson, Whalen, and Otsuji voting yea.

MOTION 2:

MOTION BY COMMISSIONER WHALEN APPROVING STAFF'S RECOMMENDATION TO DENY THE APPEAL, AFFIRM THE HEARING OFFICER'S DECISION, AND APPROVE NEIGHBORHOOD USE PERMIT NO. 2140441 (AUTOMOBILE SERVICE STATION & MINI-MARKET); Seconded by Commissioner Granowitz. The motion passed by a vote of 6-1-0 with Commissioners Hofman, Austin, Granowitz, Boomhower, Peerson, and Whalen voting yea. Commissioner Otsuji voting nay.

MOTION 3:

MOTION BY COMMISSIONER WHALEN TO GRANT THE APPEAL, REVERSE THE HEARING OFFICER'S DECISION, AND DENY THE CONDITIONAL USE PERMIT NO. 2225844 (ABC TYPE 20 ALCOHOL LICENSE). Seconded by Commissioner Granowitz. Seconded by Commissioner Granowitz. The motion passed with a vote of 4-3 with Commissioners Austin, Granowitz, Whalen, and Otsuji voting yea and with Commissioners Hofman, Boomhower, and Peerson voting nay.

Break time: 10:07 a.m. – 10:23 a.m.

ITEM-3: ATLAS SPECIFIC PLAN AMENDMENT - PROJECT NO. 593686

City Council District: 7 Plan Area: Mission Valley

Staff: Tim Daly

Speaker slips in favor of the project submitted by Matt Peterson, Ken Gotthelf, and John Leppert.

Speaker slips in opposition to the project and in favor of appeal submitted by Jeannette Temple. (submitted late 11:10 a.m.)

COMMISSION ACTION:

MOTION BY COMMISSIONER WHALEN APPROVING STAFF'S RECOMMENDATION THE APPROVAL OF A RESOLUTION AMENDING THE ATLAS SPECIFIC PLAN, AMENDING THE

MISSION VALLEY COMMUNITY PLAN, AND AMENDING THE GENERAL PLAN; AND RECOMMEND TO THE CITY COUNCIL APPROVAL OF AN ORDINANCE AMENDING LAND DEVELOPMENT CODE CHAPTER 13, ARTICLE 2, DIVISION 14 (COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE). Seconded by Commissioner Boomhower.

The motion passed by a vote of 5-0-2 with Commissioners Hofman, Granowitz, Boomhower, Whalen, and Otsuji voting yea, and Commissioners Austin and Peerson recusing.