

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

**CHRONOLOGY OF THE MEETING:**

Chairperson Susan Peerson called the meeting to order at 9:03 a.m. Chairperson Susan Peerson adjourned the meeting at 11:13 a.m.

**ATTENDANCE DURING THE MEETING:**

Chairperson Susan Peerson – present  
Vice-Chairperson William Hofman – present  
Commissioner James Whalen – present / left at 9:39 a.m.  
Commissioner Douglas Austin – present / left at 9:39 a.m.  
Commissioner Vicki Granowitz – present  
Commissioner Dennis Otsuji – present  
Commissioner Matthew Boomhower - present

Staff

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

**ANNOUNCEMENTS/PUBLIC COMMENT**

- Arkan Somo commented on 4337 Home Avenue.
- Terri-Ann Skelly commented on Marijuana business.
- Randall Zaitona commented on 4337 Home Avenue.

**REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN**

None.

**CONSENT AGENDA**

**ITEM-1: SPRINT PLNU – PROJECT 604781**

City Council District: 2      Plan Area: Peninsula

Staff: Karen Lynch

Speaker slip in favor of the project were submitted by Mark Phillips.

No speaker slips in opposition to the project were submitted.

**COMMISSION ACTION:**

CONSENT MOTION BY COMMISSIONER WHALEN APPROVING STAFF’S RECOMMENDATION TO APPROVE CONDITIONAL USE PERMIT NO. 2360045. Seconded by Commissioner Hofman. The motion passed by a vote of 7-0 with Commissioners Peerson, Hofman, Austin, Granowitz, Boomhower, Otsuji and Whalen voting yea.

**ITEM-2: VERIZON MT. ADA - PROJECT NO. 255230**

City Council District: 6      Plan Area: Clairemont

Staff: Karen Lynch

Speaker slips in favor of the project submitted by Shelly Kilbourn.

No speaker slips in opposition to the project were submitted.

**COMMISSION ACTION:**

CONSENT MOTION BY COMMISSIONER BOOMHOWER TO RECOMMEND TO CITY COUNCIL APPROVING STAFF’S RECOMMENDATION TO APPROVE PLANNED DEVELOPMENT PERMIT NO. 898689, SITE DEVELOPMENT PERMIT NO. 898690 AND NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2333003. Seconded by Commissioner Austin. The motion passed by a vote of 7-0 with Commissioners Peerson, Hofman, Austin, Granowitz, Boomhower, Otsuji and Whalen voting yea.

**APPROVAL OF THE AGENDA**

- Item # 3 - FROUDE RESIDENCES - PROJECT NO. 604010 was pulled from the discussion item and approved under the Consent Agenda.
- Item # 5 – PLAZA UTC CPA INITIATION - PROJECT NO. 650416 was pulled from the discussion item and approved under the Consent Agenda

**DIRECTOR'S REPORT**

PJ FitzGerald of the Development Services spoke noting that this was the last Planning Commission Meeting for 2019. She wanted to reflect on all the work done by the commissioners. She thanked the Commission noting that 108 action items were heard in 2019. She informed the audience that commission work is a voluntary position, and she thanked the Commission for their dedication.

PJ FitzGerald also recognized and thanked Kathi Riser for her many years as chair of the Technical Advisory Committee (TAC). For over a decade, she has diligently moderated over a hundred meetings, providing recommendations to Development Services, Planning Commission, Planning Department, and City Council on all types of process items, code updates and land use items. She has always done a great job of keeping meetings in order. She thanked Kathi for her dedicated service to the City of San Diego.

Laura Black, Deputy Director of the Planning Department, echoed PJ FitzGerald's comments. She thanked the Commission for their work with the Planning Department. The Planning Department presented Mission Valley Plan Update which has been adopted by Council and various Community Plan Update workshops. After today's item, the Planning Department would have 100 amendments to the Land Development Code. The Planning Department and Development Services Department would like to thank Marcela Escobar Eck for her role as chair of the Code Monitoring Team (CMT) for the past two years. This is a volunteer position, and she has been a member on CMT for ten years.

As for items of business, 12<sup>th</sup> Update, Phase 1 (56 items) was certified at the California Coastal Commission yesterday. So, those items are in effect in the Coastal Zone. 12<sup>th</sup> Code Update Phase 2. is scheduled for City Council on December 17, item 335. And, the phase 3 is coming up. That is all for the 12<sup>th</sup> Update. She looks forward to next year. The next comprehensive update will be called the 2020 Comprehensive Update with the goal of starting and completing it within the calendar year. She announced, lastly, the department will officially be moving back to Downtown on the 17<sup>th</sup> and 18<sup>th</sup>, located on floors 10<sup>h</sup> & 11 at 101 Ash. She said tours could be provided.

**COMMISSION COMMENT**

Commissioner Austin commented that he would like to explain why he's wearing sunglasses. He said that he usually wears them for driving, but he didn't realize he still had them on when he arrived to the meeting.

Commissioner Granowitz reported the Ad Hoc Committee she is on, at the appointment Councilman Sherman went to, those recommendation on CPGs, went to LU&H last week and most of the items

were endorsed by City Council. The thing that was interesting was that the memo from the City Attorney's office came out later regarding CPGs and their authority. Commissioner Granowitz was hoping the Commission could get a presentation because she found reading that to be somewhat challenging. And, so, she thought it would be interesting for everyone on the Commission to understand what was in that memo as there are major implications for the future of CPGs and the City. Also, she testified at the LU&H task force. She did not give an interview to the media. She said the media just takes it off the feed, and, so, you are surprised that you are being quoted these days. She gave an overview and also spoke to the need of a more robust follow up on violations of the Brown Act and 600-24.

Commissioner Hofman commented that this will be ending his fourth year on the Commission. He thanked staff and appreciated all the improvements with the exhibits and said that things are running very well. He also said that this is the last meeting of the year and will miss the Commission's Holiday celebration and wished everyone a Happy Holiday.

### **DISCUSSION ITEMS**

#### **ITEM-3: FROUDE RESIDENCES - PROJECT NO. 604010**

City Council District: 6                      Plan Area: Ocean Beach

Staff: Bryan Hudson

No speaker slips in favor of the project were submitted.

No speaker slips in opposition to the project.

#### **COMMISSION ACTION:**

CONSENT MOTION BY COMMISSIONER WHALEN APPROVING STAFF'S RECOMMENDATIONS TO RECOMMEND THE CITY COUNCIL ADOPT THE RESOLUTION OF THE CEQA EXEMPTION; APPROVE TENTATIVE MAP NO. 2167006; APPROVE COASTAL DEVELOPMENT PERMIT NO. 2155137; APPROVE SITE DEVELOPMENT PERMIT NO. 2258152; AND APPROVE EASEMENT VACATION NO. 2363368. Seconded by Commissioner Hofman. The motion passed by a vote of 7-0 with Commissioners Peerson, Hofman, Austin, Granowitz, Boomhower, Otsuji and Whalen voting yea.

#### **ITEM-4: 12TH CODE UPDATE-PHASE 3**

City Council District: All                      Plan Area: All

Staff: Renee Mezo

Speaker slips in favor of the project submitted by Phil Rath, Khoa Nguyen, Jessica McElfresh, Brett Peace and Heather Riley

Speaker slips in opposition to the project Theresa Quiroz, Craig Beisted, David Andrews, Marcelo Esqueros, Carrie Jaquess, Tony Cook, John Masoni, Leticia Leo, Ricky Brown, William Perno, Mary Bandenor Enrique Dela Cruz, Fabiola Alvarez, Rocio Hernandez, Cynthia Sanchez, Dawn Kamali, Mary Baum, Peggy Walker, Pedro Quiroz, Becky Rapp, Kathleen Lippitt, Daniel Gabrielosi and Judi Strang.

**COMMISSION ACTION:**

**Motion 1:**

MOTION BY COMMISSIONER HOFMAN TO RECOMMEND CITY COUNCIL TO APPROVE STAFF'S RECOMMENDATION ON "MEASURING DISTANCE FOR PATH OF TRAVEL BETWEEN USES" TO KEEP THE CURRENT LANGUAGE IN THE CODE AND NOT ACCEPT STAFF'S PROPOSED LANGUAGE. Seconded by Commissioner Boomhower. That motion passed by a vote of 5-0-2 with Commissioners Hofman, Austin, Granowitz, Boomhower and Otsuji voting yea and with Commissioner Whalen and Commissioner Austin recusing.

**Motion 2:**

MOTION BY COMMISSIONER HOFMAN TO REQUEST STAFF TO LOOK AT THE CURRENT CODE SECTION FOR PHYSICAL BARRIERS WHEN MEASURING DISTANCES BETWEEN USES AND BE

ABLE TO PROVIDE A CONSISTENT INTERPRETATION. Seconded by Commissioner Granowitz. That motion passed by a vote of 5-0-2 with Commissioners Hofman, Austin, Granowitz, Boomhower and Otsuji voting yea and with Commissioner Whalen and Commissioner Austin recusing.

**Motion 3:**

MOTION BY COMMISSIONER BOOMHOWER TO RECOMMEND CITY COUNCIL TO APPROVE STAFF'S RECOMMENDATIONS ON THE "MEASUREMENT FROM A RESIDENTIAL ZONE" OF STAFF'S PROPOSED LANGUAGE IN MEMO PROVIDED ON 12/12/19. Seconded by Commissioner Hofman. The motion passed by a vote of 5-0-2 with Commissioners Hofman, Austin, Granowitz, Boomhower and Otsuji voting yea and with Commissioner Whalen and Commissioner Austin recusing.

**Motion 4:**

MOTION BY COMMISSIONER GRANOWITZ TO RECOMMEND CITY COUNCIL TO APPROVE STAFF'S RECOMMENDATIONS ON THE ON THE "EXPIRING OF MEDICAL MARIJUANA CONSUMER COOPERATIVES, CANNABIS OUTLETS AND CANNABIS PRODUCTION FACILITIES" WITH NO CHANGES. The motion passed by a vote of 5-0-2 with Commissioners Hofman, Austin, Granowitz, Boomhower and Otsuji voting yea and with Commissioner Whalen and Commissioner Austin recusing.

ITEM-5: **PLAZA UTC CPA INITIATION - PROJECT NO. 650416**

City Council District: 1                      Plan Area: University

Staff: Katie Witherspoon

No speaker slips in favor of the project were submitted.

No speaker slips in opposition to the were project.

**COMMISSION ACTION:**

CONSENT MOTION BY COMMISSIONER BOOMHOWER APPROVING STAFF'S RECOMMENDATION TO INITIATE THE PLAN AMENDMENT PROCESS.

Seconded by Commissioner Hofman. The motion passed by a vote of 6-0-1 with Commissioners Peerson, Hofman, Granowitz, Boomhower, Otsuji and Whalen voting yea and with Commissioner Austin recusing.