

Unapproved

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO  
MINUTES OF REGULAR SCHEDULED MEETING OF  
FEBRUARY 24, 2022  
VIRTUAL MEETING - ZOOM**

**CHRONOLOGY OF THE MEETING:**

Chairperson William Hofman called the meeting to order at 9:00 AM Chairperson William Hofman adjourned the meeting at 10:42 AM

**ATTENDANCE DURING THE MEETING:**

Chairperson William Hofman – Teleconference  
Vice-Chairperson James Whalen – Teleconference  
Commissioner Douglas Austin – Teleconference  
Commissioner Ken Malbrough - Absent  
Commissioner Dennis Otsuji – Teleconference  
Commissioner Matthew Boomhower – Teleconference  
Commissioner Kelly Modén – Teleconference

**STAFF:**

Shannon Eckmeyer, Deputy City Attorney – Teleconference  
Seth Litchney, Interim Deputy Director Planning Department – Teleconference  
Renee Mezo, Assistant Deputy Director, Development Services Department - Teleconference  
Tony Khalil, Senior Civil Engineer, Development Services Department – Teleconference  
Sabrina Custer, Legislative Recorder, Development Services Department – Teleconference

**ANNOUNCEMENTS/NON-AGENDA PUBLIC COMMENT**

Public Comment Speaker #1 - Carol Green spoke on Community input.

**REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN**

Item # 2 Gateway Cannabis Outlet -Project No. 660383

**APPROVAL OF THE MINUTES**

February 17, 2022

**COMMISSION ACTION:**

MOTION BY VICE-CHAIRPERSON WHALEN TO:

- APPROVE THE MINUTES OF FEBRUARY 17, 2022 WITH THE CORRECTIONS OF ADDING DEPUTY CITY ATTORNEY LAUREN HENDRICKSON'S LAST NAME ON THE STAFF PRESENT LISTING.

Second by Commissioner Austin. The motion passed by a vote of 6-0-1 with Commissioners Hofman, Otsuji, Austin, Modén, Boomhower and Whalen yea. Commissioner Malbrough absent.

**REQUEST FOR ITEMS TO BE PLACED ON THE CONSENT AGENDA****APPROVAL OF THE AGENDA**

Approved

**DIRECTOR'S REPORT**

Renee Mezo, Assistant Deputy Director, Development Services Department "I have 3 cannabis related updates. February 15<sup>th</sup>, 2022 the City Council passed the Cannabis operations fee by a vote of 7-2. The fee will go into effect on July 1, 2022 and will be charged to all 66 conditional use permit holders. This will make our division cost recoverable and reduce the impact to the general fund in the amount of 1.3 million dollars annually. Cannabis Equity is also an important priority for our department and as part of this staff has started coordination discussions with the County of San Diego on Cannabis Equity Assessment Data gathering and Public Outreach. Since many of the stakeholders are the same As in the county and the city, it makes sense to join efforts together on the outreach strategy. Finally, due to the District 3 Cannabis Amendment withdrawal staff will be bringing forward an amendment to the Cannabis Regulations to reflect the changed required due to redistricting. Staff is working with the City Attorney's Office to make the necessary changes to the Municipal Code and bring them back through the decision-making process, including the Community Planners Committee, Planning Commission, Council Committees and ultimately City Council. Since the new redistricting boundaries take effect in November we have started working on the redistricting amendments."

Seth Litchney, Program Manager, Planning Department No report out.

**COMMISSION COMMENT**

Chairman Hofman - "It's unofficial, but I'm under the assumption that this may be their last meeting. I wanted to make a few comments about our esteemed Commissioners, Commissioner Whalen, and Commissioner Austin. You both have been extremely impactful to the city in their eight years here. We are losing a broad Knowledge base that will be sorely missed. But most importantly they're just

two really good friends of mine. I just hate to see them off the Commission. It just won't be the same at all. I just want to wish you both the best in your post commission endeavors, but of course I will be seeing both of you a lot afterwards. I want to thank you both for your eight years of service and for just being such great people."

Commissioner Austin – "I want to thank the city and the two mayors' for appointing me because it has been an honor to serve. This is a great city. I'm so impressed with the level of professionalism in our staff. How thoroughly prepared they are when they come to a hearing. The quality of my fellow commissioners and the quality of the Chair, you specifically Chairman Hofman. I'm so proud to be a part of this team. We have had to face some tough decisions, which I guess I just dogged today. I'm sad to go away in a lot of ways, but I guess I get my Thursday's back. Enough said, thank you so much."

Vice-Chairman Whalen – "I really do appreciate it. I have mixed feeling because on the one hand I'm out and we were in the middle of things and on the other hand this thing about having Sunday afternoons and Thursday's back is pretty good. We updated the Community Plans, increased the housing supply you can see with your eyes. There have been exciting redevelopment opportunities. The environment and stormwater have always been a thing for me. I just want people to recognize that the biggest land use success in San Diego is not the built environment, it's the unbuilt environment. You can look out the window now and you know that anything that's open space is going to be open space for the rest of your life. I think that stormwater management could be the second thing if we do it right. I really want people to thin about sending the storm water into the sewers. That is free water. If we are going to be having to treat it to higher standards, why not use that as the resource that it is. Then at the same time it makes the streams healthier. The last thing is I just want to make sure that the idea of multiple benefits and that is to say the same place of land can be used for habitat, stormwater treatment, ground water recharge or whatever which is a national EPA Policy. I'm not going away. I didn't die, I'm kind of older, but I will be back and particularly to bother Tony Khalil, if need be. Thank you all. I have really enjoyed it. Literally for eight years I have enjoyed every moment except for like one or two meetings. That says that all the rest of you have made it as good as it has been, and I think you all.

Commissioner Modén – "I'm going to miss them greatly and I thin they provide so much valuable input especially when it comes to architecture and aesthetics and Whalen with stormwater environmental. I'm going to miss their comments and their camaraderie on this board. Thank you both."

Commissioner Boomhower – "Someone asked me if I could recommend a couple of people that might be able to fill the vacancies being left by the Commissioners Austin and Vice-Chairman Whalen. Unless you are going to increase the size of the Planning Commission we are still going to be at a disadvantage. Honestly, I have been consistently amazed. Commissioner Austin and I come from the same background with architecture, but with Vice-Chairman Whalen's knowledge of the environment and regulations and his ability to tease out the nuance that I just miss. Commissioner Austin with his vast experience and his passion for middle-income housing and some of the critical things that the City are facing. It has been a true pleasure to work with both of you.

Commissioner Otsuji – "I have had pleasure of watching both come up to their professional careers. I really appreciated you all for the input they have basically given both on the private side where they

practice and on the public side of sharing their knowledge and experiences of serving on the Planning Commission. I will miss both regarding their resource. I know we are all going to see each other off and on. Keep up the good work and looking forward in having discussions.

## AGENDA ITEMS

### **ITEM 1: *Appeal of the Hearing Officer Decision on December 15, 2021***

#### **701 FIFTH AVENUE CUP/NUP – PROJECT NO. 656544**

**City Council District:** 3    **Plan Area:** Downtown

**Staff:** Nicole Pare

Speakers on the project: Marco Polo Cortes, Kathy Vandenheuvel, Kathleen Lippett, Michelle Navarro

#### **COMMISSION ACTION:**

MOTION BY VICE-CHAIRPERSON WHALEN TO:

- DENY THE APPEAL AND AFFIRM THE HEARING OFFICER'S DECISION
- APPROVE CONDITIONAL USE PERMIT NO. 2412192 THAT INCLUDES A PROHIBITION OF OUTDOOR AMPLIFIED LIVE ENTERTAINMENT
- APPROVE NEIGHBORHOOD USE PERMIT NO. 2412193
- REQUIREMENT THAT THERE BE A ONE-YEAR ADMINISTRATIVE REVIEW THAT WOULD INCLUDE THE MONITORING OF ANY COMPLAINTS.

Second by Commissioner Austin. The motion passed by a vote of 6-0-1 with Commissioners Hofman, Otsuji, Austin, Modén, Boomhower and Whalen yea. Commissioner Malbrough absent.

### **ITEM 2: *Appeal of HO Decision on 8/18/2021-Approved Planning Commission reconsideration of 1/20/2022***

#### **GATEWAY CANNABIS OUTLET -PROJECT NO. 660383**

**City Council District:** 9    **Plan Area:** Southeastern San Diego

**Staff:** Travis Cleveland

Speakers on the project: Suzanne Varco, Shaun Chamberlin

#### **COMMISSION ACTION:**

MOTION BY COMMISSION AUSTIN TO:

- TO CONTINUE TO DATE CERTAIN OF MARCH 24, 2022 TO BE HEARD IN FRONT OF A FULL COMMISSION.

Second by Commissioner Boomhower. The motion passed by a vote of 6-0-1 with Commissioners Hofman, Otsuji, Austin, Modén, Boomhower and Whalen yea. Commissioners Malbrough absent.

## ADJOURNMENT

Meeting adjourned at 10:42 AM

