# PLANNING COMMISSION OF THE CITY OF SAN DIEGO MINUTES OF REGULAR SCHEDULED MEETING OF DECEMBER 14, 2017 IN COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR CITY ADMINISTRATION BUILDING 202 C STREET, SAN DIEGO, CA 92101

#### CHRONOLOGY OF THE MEETING:

Chairperson Stephen Haase called the meeting to order at 9:11 a.m. Chairperson Stephen Haase adjourned the meeting at 12:37 p.m.

#### ATTENDANCE DURING THE MEETING:

Chairperson Stephen Haase – present Vice-Chairperson Sue Peerson – present Commissioner James Whalen – present Commissioner Douglas Austin – absent Commissioner William Hofman – present Commissioner Granowitz – present Dennis Otsuji – present

<u>Staff</u>

Shannon Thomas, City Attorney – present Laura Black, Planning Department – present PJ FitzGerald, Development Services Department – present Louis Schultz, Development Services Department – present Carmina Trajano, Recorder – present / arrived at 10:15 a.m. Shannon Anthony – present / left at 11:00 a.m.

# ANNOUNCEMENTS/PUBLIC COMMENT

None.

#### **REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN**

None.

# <u>CONSENT AGENDA</u>

ITEM-1: AT&T 47<sup>TH</sup> & IMPERIAL - PROJECT NO. 548397 City Council District: 4 Plan Area: Encanto Neighborhoods

Staff: Karen Lynch

Speaker slips in favor of the project submitted by Morgan Norville.

No speaker slips in opposition to the project were submitted.

#### **COMMISSION ACTION:**

CONSENT MOTION BY COMMISSIONER HOFMAN APPROVING THE STAFF'S RECOMMENDATION TO APPROVE PLANNED DEVELOPMENT PERMIT (PDP) NO. 2042034. Seconded by Commissioner Granowitz. The motion passed by a vote of 6-0-1 with The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Granowitz, Peerson, Otsuji and Whalen voting yea and with Commissioner Austin absent.

### ITEM-2: PHR VILLAGE II - PROJECT NO. 519369

City Council District: 1 Plan Area: Pacific Highlands Ranch

Staff: Morris E. Dye

Speaker slips in favor of the project submitted by Melissa Krause and Matt Semic.

No speaker slips in opposition to the project were submitted.

#### **COMMISSION ACTION:**

CONSENT MOTION BY COMMISSIONER HOFMAN APPROVING THE STAFF'S RECOMMENDATIONS TO RECOMMEND THE CITY COUNCIL ADOPT FINDINGS NO. 519369 TO MASTER ENVIRONMENTAL IMPACT REPORT NO. 96-7918/SCH NO. 97111077 AND ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM; APPROVE REZONE NO. 1830256; APPROVE PUBLIC RIGHT-OF-WAY VACATION NO. 1830259; APPROVE EASEMENT VACATION NO.1830257; APPROVE VESTING TENTATIVE MAP NO. 1830253; APPROVE PLANNED DEVELOPMENT PERMIT NO. 1830261; AND APPROVE SITE DEVELOPMENT PERMIT NO. 1830262. Seconded by Commissioner Granowitz. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Granowitz, Peerson, Otsuji and Whalen voting yea and with Commissioner Austin absent.

#### ITEM-3: RANCHO MILAGRO - PROJECT NO. 535820

City Council District: 1 Plan Area: Pacific Highlands Ranch

Staff: Francisco Mendoza

Speaker slips in favor of the project submitted by Melissa Krause and Matt Semic.

No speaker slips in opposition to the project were submitted.

#### **COMMISSION ACTION:**

CONSENT MOTION BY COMMISSIONER HOFMAN APPROVING THE STAFF'S RECOMMENDATIONS TO ADOPT FINDINGS NO. 535820 TO MASTER ENVIRONMENTAL IMPACT REPORT NO. 96-7918/SCH NO. 97111077 AND ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM; AND APPROVE VESTING TENTATIVE MAP NO. 1884168; AND APPROVE PLANNED DEVELOPMENT PERMIT NO. 1884169. Seconded by Commissioner Granowitz. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Granowitz, Peerson, Otsuji and Whalen voting yea and with Commissioner Austin absent.

#### ITEM-4: SPRINT OTHELLO - PROJECT NO. 530724

City Council District: 6 Plan Area: Kearny Mesa

Staff: Simon Tse

No speaker slips in favor of the project were submitted.

No speaker slips in opposition to the project were submitted.

#### **COMMISSION ACTION:**

CONSENT MOTION BY COMMISSIONER HOFMAN APPROVING THE STAFF'S RECOMMENDATION TO APPROVE PLANNED DEVELOPMENT PERMIT (PDP) NO. 2047211. Seconded by Commissioner Granowitz. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Granowitz, Peerson, Otsuji and Whalen voting yea and with Commissioner Austin absent.

#### ITEM-5: STORM WATER MASTER PROGRAM AMENDMENT - PROJECT NO. 528126

City Council District: 7, 8, and 9

Plan Area: College Area, San Ysidro and Navajo

Staff: Helene Deisher

Speaker slips in favor of the project submitted by Christine Rothman.

No speaker slips in opposition to the project were submitted.

#### **COMMISSION ACTION:**

CONSENT MOTION BY COMMISSIONER HOFMAN APPROVING THE STAFF'S RECOMMENDATIONS TO RECOMMEND THE CITY COUNCIL ADOPT ADDENDUM TO PEIR NO. 42891/SCH NO. 2004101032 AND ADOPT THE MITIGATION MONITORING, AND REPORTING PROGRAM; AND RECOMMEND THE CITY COUNCIL APPROVE SITE DEVELOPMENT PERMIT (SDP) NO. 2034245 AMENDING SDP NO. 1134892. Seconded by Commissioner Granowitz. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Granowitz, Peerson, Otsuji and Whalen voting yea and with Commissioner Austin absent.

### APPROVAL OF THE AGENDA

ITEM # 10 - OTAY MESA NORTHWEST DISTRICT PA 61 CPA INITIATION - PROJECT NO. 581648 was placed on the Consent Agenda.

### DIRECTOR'S REPORT

None.

#### **COMMISSION COMMENT**

Commissioner Whalen commented that the Regional Water Quality Control Board and the City has recently put out the New Storm Water Manual Phase II. The comment period is in April and he thought that it will be a good time to have No. 2 of the Planning Commission's Storm Water workshop sometime in March. He requested the staff to schedule the workshop and will work with them to pull together on what's needed. He mentioned that there is one critical issue that needs to be sorted out with the City Attorney's Office and the Water Board Council; and that is right now, alone among the other 49 States we are not allowed to do stream bed rehabilitation for pollution control. He stated that we want to try and sort that out, because it will really help everybody else who is trying to do this.

Commissioner Peerson commented that she would like to see one or two case studies of projects that have come forward with the new storm water regulations and how those are being met; or

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whether there is challenges or issues. She felt that one case study or two and a couple of different types of situations will be very beneficial for the Commission.

#### **DISCUSSION ITEMS**

ITEM-6: *Expedite* 

\* ARE/ILLUMINA CAMPUS AMENDMENT - PROJECT NO. 498142 City Council District: 1 Plan Area: University

Staff: Jeffrey A. Peterson

Speaker slips in favor of the project submitted by Jason Thatcher, Steve Pomeneake, Neil Hyytinen, Justin Schlaefli, Andrew Wiese, Ernest Cringle, Willie Nishizawa, Dawna De Mars, Carson Edgington and Andy Wiese.

No speaker slips in opposition to the project were submitted.

#### **COMMISSION ACTION:**

MOTION BY COMMISSIONER PEERSON APPROVING THE STAFF'S RECOMMENDATIONS TO RECOMMEND THE CITY COUNCIL ADOPT MITIGATED NEGATIVE DECLARATION NO. 498142 AND ADOPT THE MITIGATION, MONITORING, AND REPORTING PROGRAM; AND ADOPT AN AMENDMENT TO THE GENERAL PLAN AND THE UNIVERSITY COMMUNITY PLAN NO. 1748814; AND APPROVE TENTATIVE MAP NO. 1814806; AND APPROVE PLANNED DEVELOPMENT PERMIT NO. 1748815; AND 5. RECOMMEND THE CITY COUNCIL APPROVE SITE DEVELOPMENT PERMIT NO. 1748818. Seconded by Commissioner Whalen. Though the University Community Planning Group (UCPG) vote was not valid, the Planning Commission vetted the UCPG's recommendation to reduce the building to seven or eight stories, as outlined in the UCPG minutes, and the impacts on the projects to reduce the stories and square footage. The Planning Commission could not find any merit to the UCPG recommendations; therefore, their motion to recommend approval of the project did not include any of the UCPG recommendations. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Granowitz, Peerson, Otsuji and Whalen voting yea and with Commissioner Austin absent.

#### Break: 10:20 a.m. - 10:30 a.m.

ITEM-7: RECONSIDERATION OF THE PLANNING COMMISSION'S ORIGINAL DECISION OF AUGUST 11, 2016 REGARDING THE APPEAL OF LIVING GREEN COOP MMCC - PROJECT NO. 379530

City Council District: 7

Plan Area: Navajo

Staff: Firouzeh Tirandazi

Speaker slips in favor of the item were submitted by Robert Selna.

Speaker slips in opposition to the item submitted by Scott Chipman and Judith Strang.

### **COMMISSION ACTION:**

MOTION #1:

MOTION BY COMMISSIONER HOFMAN TO SUSPEND THE PERMANENT RULES OF THE PLANNING COMMISSION. Seconded by Commissioner Granowitz. Seconded by Commissioner Granowitz. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Granowitz, Peerson, Otsuji and Whalen voting yea and with Commissioner Austin absent.

MOTION #2:

MOTION BY COMMISSIONER HOFMAN TO RECONSIDER THIS ITEM PURSUANT TO A COURT JUDGMENT. Seconded by Commissioner Whalen. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Granowitz, Peerson, Otsuji and Whalen voting yea and with Commissioner Austin absent.

# ITEM-8: Appeal of Hearing Officer's decision on April 22, 2015

### LIVING GREEN COOP MMCC - PROJECT NO. 379530

City Council District: 7 Plan Area: Navajo

Staff: Firouzeh Tirandazi

Speaker slips in favor of the project were submitted by Robert Selna, Darren Moore, Heidi Whitman, Sheldan Chitwood, Kevin Carlin, Bobby Bruno, Cary Weaver, Gary Faahs, Brad Brown, Joseph Ebner, Joseph Ebner Sr., Jonathan Babayer, Anthony Scimeca and Omar Isaias.

Speaker slips in opposition to the project submitted by Kathleen Lippitt, Scott Chipman, Judith Strang, Barbara Gordon and Chris Eddy.

### **COMMISSION ACTION:**

MOTION BY COMMISSIONER HOFMAN APPROVING THE STAFF'S RECOMMENDATIONS TO DENY THE APPEALS AND UPHOLD THE DECISION OF THE HEARING OFFICER TO DENY CONDITIONAL USE PERMIT NO. 1333320, WITH MODIFICATIONS TO THE RESOLUTION AND FINDING B. Seconded by Commissioner Whalen. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Granowitz, Peerson, Otsuji and Whalen voting yea and with Commissioner Austin absent.

### ITEM-9: \* CARROLL CANYON MIXED USE - PROJECT NO. 240716

City Council District: 5 Plan Area: Scripps Miramar Ranch

Staff: Morris E. Dye

Speaker slips in favor of the project submitted by Wallace Wulfeck, Colton Sudberry, Janay Kruger, Justin Schlaefli, Bob Ilko, Jeff Rogers, Karen Ruggels and Justin Rasas.

Speaker slips in opposition to the project submitted by Robert Peterino and Marc Sorensen.

### **COMMISSION ACTION:**

MOTION BY COMMISSIONER WHALEN APPROVING THE STAFF'S RECOMMENDATIONS TO RECOMMEND THE CITY COUNCIL CERTIFY ENVIRONMENTAL IMPACT REPORT NO. 240716 AND ADOPT THE MITIGATION, MONITORING, AND REPORTING PROGRAM, FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS; APPROVE REZONE NO. 979194; APPROVE GENERAL PLAN AND COMMUNITY PLAN AMENDMENT NO. 979191; APPROVE VESTING TENTATIVE MAP NO. 979190; APPROVE PLANNED DEVELOPMENT PERMIT NO. 1000051. Seconded by Commissioner Hofman. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Granowitz, Peerson, Otsuji and Whalen voting yea and with Commissioner Austin absent.

### ITEM-10: OTAY MESA NORTHWEST DISTRICT PA 61 CPA INITIATION - PROJECT NO. 581648

City Council District: 8

Plan Area: Otay Mesa

Staff: Michael Prinz

Speaker slips in favor of the project submitted by Allen Kashani, Maykia Vang, Wallace Wulfek, Elizabeth Hansen and Robert Iessa.

No speaker slips in opposition to the project were submitted.

#### **COMMISSION ACTION:**

MOTION BY COMMISSIONER PEERSON TO PLACE THIS ITEM ON THE CONSENT AGENDA APPROVING THE STAFF'S RECOMMENDATION TO INITIATE THE PLAN AMENDMENT PROCESS. Seconded by Commissioner Hofman. The motion passed by a vote of 5-0-2 with Commissioners Haase, Hofman, Granowitz, Peerson and Otsuji voting yea and with Commissioner Whalen recusing and with Commissioner Austin absent.

#### <u>ADJOURNMENT</u>

The meeting was adjourned by Chairperson Stephen Haase at 12:37 p.m.