

San Diego Planning Commission All Cannabis CUPs Steering Doc

June 12, 2023

[Main Videos Archive](#)

[Main Minutes Archive](#)

This document compiles all City of San Diego Planning Commission records from 2014 thru 2023, in chronological order, which could be found online relative to cannabis licenses, applications, those who opposed them, those who were in support of them and associated hyperlinks to related documents such as Project/CUP Numbers.

At the time this document was created all the links to those government sites worked. This document will be updated as more information becomes available. One should rely on the date posted underneath the title to assure the most current version is being viewed.

This document relies on a search feature that when typing in a search word (Use Control F on your keyboard) which will take you through this document and to any of the related links that stem from that search word. **Recommended search words: conflict, child-oriented, Charles Alexander, Scott Chipman, Judi Strang**

SECTION ONE: Unresolved Issues

1.0) Is [Commissioner Douglas Austin](#) any relation to Attorney Gina Austin or her husband, Designer Alan Austin of [Austin and Associates](#)? [Douglas Austin. CEO AVR P Skyport](#) [AVR P Skyport](#) DC called AVR P Skyport and spoke with Lauren. When asked if Douglas was related to Alan Austin she got very nervous and said she didn't think so.

1.1) 2016/06/13 SD Union Tribune Article: [Commissioner Austin fined for ethics violation.](#)

1.3) Was Alan Austin involved in this [criminal complaint](#)?

2.0) [Scott Chipman commented on possible Conflict of Interest by two members of the Planning Commission @ 14:35.](#) Was that ever followed up on?

2.1) [Bob Otilie commented on Recusal of Commissioner Wagner @ 17:29.](#) Was this ever followed up on?

3.0) How come, as we scroll through the minutes below, we see so many CUPs [where the owners names are not displayed on the CUP?](#)

3.1) Why are there no links to the Hearing Officer reports? Where are they?

3.2) How can CUP Owners names be in a company name not an individual? Did the company qualify? How was the company background checked? Will a Delaware Corporation qualify as an owner if the owners aren't divulged in the DE Corporation? [CONDITIONAL USE PERMIT NO. 2071481.](#)

3.3) [How do certain CUP owners qualify for a CUP](#) when they have convictions for operating unlicensed cannabis businesses?

4.0) See Commissioner Haas's statement on page 3 of 4 on the [May 10, 2018 minutes](#). He is describing PRECISELY why the City and all their abandoned properties, needs to [take a hard look](#) at what we're doing with our [151 Farms](#).

SECTION TWO: 2014-2023 San Diego Planning Commission Cannabis Related Minutes

2014/12/18 Minutes

Item 9: A Green Alternative Project No. 368304

Continued to January 29, 2015

2015/01/29 Minutes

Item 6: A Green Alternative _Project No 368304 appeal of hearing officers decision of 10/15/14.

City Council District: 8

Plan Area: Otay Mesa

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Greg Magdoff, Rick Krowkowski, Chris Seigel, Leticia Olvera, Bertram Roberts, Laura Perches, Alex Scherer, Michelle, Beauchamp, Douglas Luke, David M, Yova Garces, JoAnne DiRito, Daniel Tideman, Theresa M. DiRito, Terence E. Hagans, Laurie A. Hagans, Wendy Faucett, Catherine Behan, Kelley Taylor, Carolyn Mooney, Darlene Morlett, Charles Torok, Anita Burch, Holly Parker, Debbie Sposato, Cindy Elliott, Michael Kuester, Jeff McCall, Melissa Cronin, Margaret Gibert, Chris Cronin, Lance Rogers, Paul Nager, Terrie Best, Lynne Sandoval, Martha Sullivan, Cynara Velazquez, Scott Levin, James Schmachtenberger, Marcee J. Levin, Michael Volt, David R. Blair, Vicki Estrada, Sgt. Susan Billard, Dr. Robert Walder, Zachary T. Lazarus, Joe Esposito, Janet Matola, Paul Mueller, Pearl Ayon, Anjanette Perkins, Ivan Ramirez, Ember McGowen, Douglas Cristofo, Dale Walder, Jaron Haynes, Irene Gomez and Nick.

Speaker slips in opposition to the project were submitted by Raquel Moran, Katie Poponyak, Carol Green, Jan Asaro, Dean Scott, Christine Griffiths, Peggy Walker, Bertha Alicia Gonzalez, Judi Strang, Scott Chipman, Maria Ofelia Angel, Jon I. Fellers, K. Lippitt and Barbara Gordon.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 1298258](#) WITH TWO MODIFIED CONDITIONS. CONDITION NO. 16 SECURITY SHALL INCLUDE OPERABLE CAMERAS AND A METAL DETECTOR TO THE SATISFACTION OF THE SAN DIEGO POLICE DEPARTMENT, ALARMS, AND AN ARMED SECURITY GUARD (THE ARMING OF THE GUARD IS SUBJECT TO THE SATISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT, THE SAN DIEGO POLICE DEPARTMENT, AND THE OFFICE OF THE CITY ATTORNEY). THE ARMED SECURITY GUARD SHALL BE LICENSED BY THE STATE OF CALIFORNIA AND BE ON THE PREMISES 24 HOURS A DAY, SEVEN DAYS A WEEK. THE SECURITY GUARD SHOULD ONLY BE ENGAGED IN ACTIVITIES RELATED TO PROVIDING SECURITY FOR THE FACILITY, EXCEPT ON AN

INCIDENTAL BASIS. CONDITION NO. 20. THE OWNER/PERMITTEE OR OPERATOR SHALL MAINTAIN THE MMCC, ADJACENT PUBLIC SIDEWALKS, AND AREAS UNDER THE CONTROL OF THE OWNER OR OPERATOR, FREE OF LITTER AND GRAFFITI AT ALL TIMES. THE OWNER OR OPERATOR SHALL PROVIDE FOR DAILY REMOVAL OF TRASH, LITTER, AND DEBRIS. GRAFFITI SHALL BE REMOVED WITHIN 24 HOURS. Commissioner Quiroz seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

2015/03/12 Minutes

Item 8: 3452 Hancock St. [Project No. 368344](#) Appeal of Hearing Officers decision on 12/03/14.

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Michael Morton, Kristine Byers, Gina Austin, Alec Dixon, Abhay Schweitzer, Tiffany Knopf, Adam Knopf, Adrian Kwiatkowski, Nathan Winorur, Tamara Leetham, Andy Lambert, Brad Talbert, Michael Sherlock, Bradford Harcourt, Margaret Gibert.

Speaker slips in opposition to the project, in favor of the appeal submitted by Cynara Velazquez, Chris Siegal, Roberto Torres, Humberto Peraza, Ashlee Santos, Will Senu, Dale Boyer, L. Williams, Chris S, Corey B, Chet W, Donna Jones, Hollie Holda, Gregg Holda, Linda Nunes, Thomas Perans, Luis H, Jessica McElfresh, Marcos Getchell, Anjanette Perkins, Peggy Walker, Daniel Smith, Barbara Gordon, Nancy Logan, Judy Strang, Benjamin Zabal, David Demien, Rado Kalla, Scott Chipman, Kathy Lippitt, Karina Ledesma, Lydia Espinosa, Lance Rogers, John Panique, Steve Dillon, Joy Greenfield, Tim Martin, Gerald Gilbert, Mike Shapouri, Marcee Levin, Scott Levin, Dana Gagnon, James Schmachtenberger, Courtney Winters, Lavell B, Alec Thomas, D Bernard, Nick S, Eric B, Chris G and Louie H.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO CONTINUE THIS ITEM TO MARCH 19, 2015. Commissioner Whalen seconded the motion. The motion passed by a vote of 4-3 with Commissioners Golba, Haase, Wagner and Whalen voting yea and with Commissioners Austin, Quiroz and Peerson voting nay. [\[CUP NO 1377388\]](#)

Item 9: ZENN SD MMCC [Project No. 373481](#) Appeal of Hearing Officers decision on 12/03/14.

City Council District: 6

Plan Area: Kearny Mesa

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Margaret Gibert, Martha Sullivan, Cynara Velazquez, Chris Siegel, Roberto Torres, Marcee Levin, Scott Levin, Clarice Gorden, Vicki Estrada, Janet Matula, Joe Esposito, Shanna Droegge, Lance Rogers, Chynna Parks, Luana Farrar, Victoria DuPont, Ken Hanaoka, Douglas Gismond and Paul Nager.

Speaker slips in opposition to the project, in favor of the appeal submitted by Scott Chipman, Robert Dean, Karen Lenyoun, Stephen McCamman, Michael Rollins, Sarah Urich and Gova Ceballos, Angela Rave, Barbara Gordon, Peggy Walker, Nancy Logan, Jan Asaro, David Damion, David Demion, Kathy Lippitt, Judi Strang, Irma Contreras, Joseph Diaz, Stephanie Kinman and Karen Scott.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 1310456](#) WITH MODIFIED CONDITIONS. Commissioner Whalen seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

Item 10: 658 East San Ysidro MMCC [Project No. 368312](#) (McElfresh) Appeal of Hearing Officers decision on 12/17/14.

City Council District: 8

Plan Area: San Ysidro

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Ashlee Santos, Courtney Winters, James Schmachtenberger, Duane Bernard, Erik Boyer, Stephen McCamman, Daniel Orozco, Ethan James Blair, Carl Fiorica, Kyle Martin, Alpha Special Service, Antonio Perez, Kenneth Mum, Douglas Gorman, Odette, Ariza, Chris Siegel, Terrie Best, Martha Sullivan, Ken Sobel, Margaret Gibert, Pamela Lopez, Mac Lopez, Yamileth Bolanos, Sam Humezd, Humberto Peraza, Roberto Torres, Scott Levin, Marcee Levin, Jessica C. McElfresh, Gregory Hood, Wayne Alexander Scherer, Cynara Velazquez, David Najera, Will Greene, Marcos Perez, John Lomas and Dana Gagnon.

Speaker slips in opposition to the project, in favor of the appeal submitted Ofelia Angel, Raquel Moran, Olga Espinoza, Antonio Martinez, Jan Asaro, Judi Strang, Peggy Walker, Scott Chipman, Jason M.B Wells, Josephine Hamada, Steve Hamada, Bertha Alicia Gonzalez, Kathy Lippitt and Nancy Logan.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 1298246](#) WITH MODIFIED CONDITIONS. Commissioner Whalen seconded the motion. The motion passed by a vote of 6-0-1 with Commissioners Golba, Haase, Austin, Quiroz, Wagner and Whalen voting yea and with Commissioner Peerson absent.

[2015/03/19 Minutes](#)

Item 8: 3452 Hancock St. MMCC [Project No. 368344](#) Continued from 03/12/15; Appeal of Hearing Officers decision on 12/03/14.

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

No speaker slips in favor of the project were submitted.

No speaker slips in opposition to the project were submitted.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 1377388](#) WITH MODIFIED CONDITIONS. Commissioner Whalen seconded the motion. The motion passed by a vote of 4-2-1 with Commissioners Haase, Austin, Wagner and Whalen voting yea and with Commissioners Quiroz and Peerson voting nay and with Commissioner Golba absent.

[2015/05/28 Minutes](#)

Item 8: 3421 Hancock St. MMCC [Project No. 368301](#) Appeal of Hearing Officers decision of 03/25/15.

City Council District: 8

Plan Area: Southeastern San Diego

Staff: Edith Gutierrez

Speaker slips in favor of the project, in favor of the appeal submitted by Lance Rogers, Joe Esposito, Joy Greenfield and Janet Matula.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO DENY [CONDITIONAL USE PERMIT NO. 1287800](#). Commissioner Whalen seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

Item 9: 3486 Kurtz St. MMCC [Project No. 368321](#) (McElfresh) Appeal of Hearing Officers decision of 03/25/15.

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project, in favor of the appeal submitted by Gerald Gilbert, Dana Gagnon and Cynara Velazquez.

Speaker slips in opposition to the project, in favor of the appeal submitted by Scott Chipman and Gina Austin.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO DENY [CONDITIONAL USE PERMIT NO. 1292271](#). Commissioner Whalen seconded the motion. The motion passed by a vote of 6-1 with Commissioners Golba, Haase, Austin, Peerson, Wagner and Whalen voting yea and Commissioner Quiroz voting nay.

Item 10: 3225 Bean St. MMCC [Project No. 368324](#) Appeal of Hearing Officers decision of 03/25/15.

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Marcos Getchell, Clinton Pyatt, Jeff Goh, Jesus Cardenas, Cynara Velazquez, Gina Austin, Clint Pyatt, Jeff Gho, Cynthia Morgan-Reed, Oscar Uteaga and Brad Sonnenberg.

Speaker slips in opposition to the project, in favor of the appeal submitted by Scott Chipman, Sharon Julian, George Diaz, Lance Rogers, David Diaz, Kelly Hayes and Phillip Diaz, Jeff Barfield, Tara Lindhardt, Ted Griswold, Nicole Alex, Carol Carpenter and Kavanaugh Bughbeh.

COMMISSION ACTION: COMMISSIONER QUIROZ MADE THE MOTION TO UPHOLD THE APPEAL AND REVERSE THE HEARING OFFICER'S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 1293933](#). Commissioner Peerson seconded the motion. The motion passed by a vote of 4-3 with Commissioners Golba, Austin, Quiroz and Peerson voting yea and with Commissioners Haase, Wagner and Whalen voting nay.

Item 11: 3430 Hancock St. MMCC [Project No. 368291](#) (McElfresh and Sheppard Mullin) Appeal of Hearing Officers decision of 03/25/15.

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project, in favor of appeal submitted by Hollie Holda, Gregg Holda, Maria Severson, Anjanette Perkins, Thomas Perkins, Donna Jones, Marcos Getchell and Jessica McElfresh.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO DENY [CONDITIONAL USE PERMIT NO. 1291991](#). Commissioner Austin seconded the motion. The motion passed by a vote of 6-1 with Commissioners Golba, Haase, Austin, Peerson, Wagner and Whalen voting yea and with Commissioner Quiroz voting nay

Item 12: 3433 Pickwick St. MMCC [Project No. 368351](#) Appeal of Hearing Officer's decision on 03/25/15.

City Council District: 8

Plan Area: Southeastern San Diego

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Justin Navalle, Leslie Parker, Doug McCrady, Anthony Banello, Jessica Albee and Cynara Velazquez.

Speaker slips in opposition to the project, in favor of appeal submitted by Nancy Logan, Steve Veach, Hayley Grunvald, Donna Jones, Oscar Urteaga, Brad Sonnenburg, Jeff Goh, Marcos Getchell, Clint Pyatt, Barbara Gordon, Scott Chipman and Marsha Lyon.

COMMISSION ACTION: COMMISSIONER QUIROZ MADE THE MOTION TO UPHOLD THE APPEAL AND REVERSE THE HEARING OFFICER'S DECISION TO DENY [CONDITIONAL USE PERMIT NO. 1298482](#) AND [SITE DEVELOPMENT PERMIT NO. 1339753](#). Commissioner Wagner seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

Item 13: 4645 De Soto St. [Project No. 368309](#) Appeal of Hearing Officer's decision on 03/25/15.

City Council District: 2

Plan Area: Citiwide

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Cynara Velazquez, Marianne Greene, Rick Turner, George Agganis, Joe Esposito, Stephanie Green, James Vinson, O Kwon, Randy Robbins, Bruno Larios, U Chong, Brian Longmore, Chris Pratt and Jim Pratt.

Speaker slips in opposition to the project, in favor of appeal submitted by Lynn Chisnell, Frances Fellers, Barbara Gordon, Judi Strang and Scott Chipman.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 1292095](#). Commissioner Quiroz seconded the motion. The motion passed by a vote of 4-0-3 with Commissioners Golba, Haase, Quiroz and Wagner voting yea and with Commissioner Austin recusing and with Commissioners Peerson and Whalen absent.

Item 14: 3485 Noell St. (CC3) MMCC [Project No. 368319](#) Appeal of Hearing Officers decision of 03/25/15.

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

No speaker slips in favor of the project were submitted.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman, David Diaz, Lance Rogers, Kelly Hayes, George Diaz and Phillip Diaz.

COMMISSION ACTION: THIS ITEM WAS WITHDRAWN.

Item 15: 3385 SUNRISE STREET MMCC – [PROJECT NO.368337](#) Appeal of Hearing Officers decision of 03/25/15.

City Council District: 8

Plan Area: Southeastern San Diego

Staff: Edith Gutierrez

Speaker slips in favor of appeal, in favor of the project submitted by Donna Jones, Hayley Grunvald, Marcos Getchell, Oscar Urteaga, Brad Sonnenberg, Jeff Goh, Clint Pyatt, Cynara Velazquez, Marcos Getchell, Steven Veach, Julie Hamilton, Justin Navalle, Leslie Gaunt and Mario Cadto.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman.

COMMISSION ACTION: COMMISSIONER QUIROZ MADE THE MOTION TO CONTINUE THIS ITEM TO JUNE 25, 2015. Commissioner Austin seconded the motion. The motion passed by a vote of 4-0-3 with Commissioners Haase, Austin, Quiroz and Wagner voting yea and with Commissioners Golba, Peerson and Whalen absent.

Item 16: 7128 MIRAMAR ROAD (EJ MARKETING) MMCC– [PROJECT NO. 368309](#) Appeal of Hearing Officers decision of 03/25/15.

City Council District: 2

Plan Area: Citiwide

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Jessica McElfresh.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman.

COMMISSION ACTION: COMMISSIONER WHALEN MADE THE MOTION TO CONTINUE THIS ITEM TO JUNE 18, 2015. Commissioner Wagner seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

Item 17: 3571 PACIFIC HIGHWAY (PATIENTS ALTERNATIVE MIDDLETOWN) MMCC – [PROJECT NO. 368295](#) Appeal of Hearing Officers decision of 03/25/15.

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by George Diaz, Lance Rogers, David Diaz, Kelly Hayes and Phillip Diaz.

Speaker slips in opposition to the project, in favor of appeal submitted by Scott Chipman.

COMMISSION ACTION: THIS ITEM WAS WITHDRAWN.

[2015/06/18 Minutes](#)

Item 8: 7128 MIRAMAR ROAD (EJ MARKETING) MMCC– [PROJECT NO.368309](#) Continued from May 28, 2015; Appeal of Hearing Officer's decision on 03/25/15.

City Council District: 2

Plan Area: Citiwide

Staff: Edith Gutierrez

Speaker slips in favor of the project, opposed to appeal submitted by Cynara Velazquez, Margaret Gibert, Jessica McElfresh, Mike Shapouri, James Schmachtenberger, Shaun Silva, Clarence Sidbeck, Ben Whittlegay, Ebon Johnson, Brandon MacFarlane, Don Rerretti and Andrea Laparra.

Speaker slips in opposition to the project, in favor of appeal submitted by Carol Green, Barbara Gordon, Scott Chipman, David Demian, Steven Hwang, Heidi Runge and Rick Engebretsen.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 1296361](#) WITH CONDITIONS. Commissioner Whalen seconded the motion. The motion passed by a vote of 5-0-2 with Commissioners Golba, Quiroz, Peerson, Wagner and Whalen voting yea and with Commissioners Haase and Austin absent.

[2015/06/18 Video](#)

1:58:01 **Item 8: 7128 Miramar Rd.**

2:05:13 Gutierrez defines the minor-oriented facility set back issues as defined in SDMC as being "... where the primary use is devoted to people under the age of 18..."

2:08:16 David Demian representing Engerbretson

2:14:57 Barbara Gordon talks about the applicant EJ Marketing having run an illegal dispensary and is being rewarded a license.

2:16:13 Scott Chipman describes "irresponsible behavior by City Council."

2:17:23 Carol Greene re [minor-oriented facilities](#) and how the list requirements are examples not exclusive under SDMC confirmed at prior city council meetings. ([See SDMC 141.0606 Regulations re Child-Care Facilities](#) and [SDMC Section 141.0504 re Cannabis Outlets](#))

2:19:12 Jessica McElfresh is an example of what McElfresh SHOULD have done for Geraci at 6220. Neither McElfresh or Bartell spoke at all at those hearings. ([See Item 4 on 12/06/18](#))

[2015/06/25 Minutes](#)

Item 8: SD HEALTH 7 WELLNESS MMCC – [PROJECT NO. 369478](#) Appeal of Hearing Officer's decision on 04/22/15.

City Council District: 6

Plan Area: Kearny Mesa

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Gina Austin, Tamara Leetham, Marialisa Samo, Will Senn, Gary Metelski, Dr. Vasanti Peiris, Mohini Pande, Dr. Quinn Meisinger, Tyler Sherer, Marcela Escobar-Eck, Adam Knopf, Kris Clonin, Melissa Clonin, Greg Magdoff, Eva Advani, Rakesh Goyal, Dr. Sonny Patidar, Dr. Mike Apadaca, William O Rilio, Jan Foster, Tyler Verdick, Stephen McCamman, Tim Rubesh, Margaret Gibert, and Cynara Velazquez.

Speaker slips in opposition to the project submitted by Scott Chipman, Kathleen Lippitt, Nancy Logan, Judi Strang, Stephen Cline, Leticia Corona, Javier A. Soriano, David Demian, Ricki Engebretsen, Heidi Runge and Steven Hwang.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO UPHOLD THE APPEAL, REVERSE THE HEARING OFFICER'S DECISION AND APPROVE [CONDITIONAL USE PERMIT NO. 1291580](#). Commissioner Whalen seconded the motion. The motion passed by a vote of 4-1-2 with Commissioners Haase, Austin, Wagner and Whalen voting yea and with Commissioner Quiroz voting nay and with Commissioners Golba and Peerson absent.

Item 9: 8863 BALBOA STE E MMCC – [PROJECT NO. 368347](#) Appeal of Hearing Officer's decision on 04/22/15.

City Council District: 6

Plan Area: Kearny Mesa Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Abhay Schweitzer, Damielli Teza, Alexander Garza, Stephanie Hess, Michael Sherlock, Gia-rose Strada, David Chadwick, Nicholas Enciso, Christine Bordenave, Margaret Gibert, Jim Bartell and Kristine Byers.

Speaker slips in opposition to the project submitted by Brian Kean, Mary Howell, Ronald Lockman, Daniel Burakowski, Bronle Crosby, Eleanor Bell, Lucretia M. Scudder, Glenn Strand, John Peek, Edward Quinn, David Demian, Steven Hwang, Heidi Runge, Rick Engebretsen, Peter Midelel, Hilary Brady, Thomas Brady, Kathleen Lippitt, Scott Chipman and Barbara Gordon.

COMMISSION ACTION: COMMISSIONER AUSTIN MADE THE MOTION TO CONTINUE THIS ITEM TO JULY 9, 2015. Commissioner Wagner seconded the motion. The PLANNING COMMISSION MINUTES FOR JUNE 25, 2015 motion passed by a vote of 4-0-3 with Commissioners Haase, Austin, Quiroz, Wagner voting yea and with Commissioners Golba, Peerson and Whalen absent.

ITEM –10: 4417 RAINIER AVE (LIVING GREEN) MMCC – [PROJECT NO. 379530](#) Appeal of Hearing Officer's decision on 04/22/15.

City Council District: 7

Plan Area: Navajo

Speaker slips in favor of the project submitted by Margaret Gibert.

Speaker slips in opposition to the project submitted by Ted Griswold, Moffitt Timlake and Scott Chipman.

COMMISSION ACTION: THIS ITEM WAS WITHDRAWN

ITEM 11-7625 CARROLL ROAD MMCC – [PROJECT NO. 370687](#) Appeal of Hearing Officer’s decision on 04/22/15.

City Council District: 6

Plan Area: Mira Mesa

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Margaret Gibert, David Demian, Steven Hwang, Heidi Runge and Rick Engebretsen.

No speaker slips in opposition to the project submitted by Scott Chipman.

COMMISSION ACTION: COMMISSIONER AUSTIN MADE THE MOTION TO CONTINUE THIS ITEM TO JULY 9, 2015. Commissioner Wagner seconded the motion. The motion passed by a vote of with Commissioners Haase, Austin, Quiroz, Wagner voting yea and with Commissioners Golba and Peerson.

ITEM –12: 9212 MIRA ESTE CT (GLASS TEK) MMCC – PROJECT NO. 368509 [no results found] Appeal of Hearing Officer’s decision on 04/22/15.

City Council District: 6

Plan Area: Mira Mesa

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Margaret Gibert, Steven Cline, Will Senn, Scott Bernet, Genevieve Band, Nicolas Augsburg, Geoff Musni, Gavin Bond and Michael Rollins.

Speaker slips in opposition to the project submitted by Scott Chipman.

COMMISSION ACTION: COMMISSIONER AUSTIN MADE THE MOTION TO CONTINUE THIS ITEM TO JULY 9, 2015. Commissioner Wagner seconded the motion. The motion passed by a vote of with Commissioners Haase, Austin, Quiroz, Wagner voting yea and with Commissioners Golba and Peerson.

ITEM –13: 2405 HARBOR DRIVE (SOUTH BAY DREAMS) MMCC – [PROJECT NO. 381308](#) Appeal of Hearing Officer’s decision on 04/22/15.

City Council District: 8

Plan Area: Barrio Logan

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Barbara Gordon, Nancy Logan and Scott Chipman.

Speaker slips in opposition to the project submitted by Margaret Gibert, Cynara Velazquez, Paul Nayer, Dallin Young, Jessica McElfresh, Jesus Cardenas, Wissam Shamoun, Yolanda Esparga, Noel Shamoun, Swana Shamoun, Chris Cronin, Melissa Cronin, Odette Medina, Jacquelin Veneyas and Juan Villegas.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER’S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 1337996](#) WITH CONDITIONS. Commissioner Quiroz seconded the motion. The motion passed by a vote of 4-0-3 with

Commissioners Haase, Austin, Quiroz and Wagner voting yea and with Commissioners Golba, Peerson and Whalen absent.

ITEM – 14: 3385 SUNRISE STREET MMCC – [PROJECT NO. 368337](#) Continued from May 28, 2015; Appeal of Hearing Officer’s decision on 03/25/15.

City Council District: 8

Plan Area: Southeastern

San Diego Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Donna Jones, Brad Sonnenberg, Marcos Getchell, Hayley Grunvald, Jeff Goh, Clint Pyatt, Tara Lake, Oscar Urteaga, Christopher Sesi, John Dudek, Steve Veech, Will Senn, Dallin Young and Cynara Velazquez.

Speaker slips in opposition to the project submitted by Scott Chipman, Kathleen Lippitt, Michael Williams, Barbara Gordon, Gina Austin, Jim Bartell, Tamara Leetham, Marialisa, Doug McCrady, Tony Banello, Leslie Parker, Peachy Ruane, Jessica Albee, Justin Navalle, Matthew Grabowski, Lauren Naralle, Nicholas Podimatis and Dylan Sanchez.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER’S DECISION TO DENY [CONDITIONAL USE PERMIT NO. 1298376](#) AND [SITE DEVELOPMENT PERMIT NO. 1319996](#). Commissioner Austin seconded the motion. The motion failed by a vote of 3-2-2 with Commissioners Haase, Austin and Wagner voting yea and with Commissioners Quiroz and Whalen voting nay and with Commissioners Golba and Peerson absent; COMMISSIONER QUIROZ MADE THE MOTION TO UPHOLD THE APPEAL AND REVERSE HEARING OFFICER’S DECISION TO APPROVE CONDITIONAL USE PERMIT NO. 1298376 AND SITE DEVELOPMENT PERMIT NO. 1319996 WITH CONDITIONS. Commissioner Whalen seconded the motion. The motion failed by a vote of 2-3-2 with Commissioners Quiroz and Whalen voting yea and with Commissioners Haase, Austin and Wagner voting nay and with Commissioners Golba and Peerson absent. (The motion automatically trailed to the next meeting, July 9, 2015 as unfinished business.)

[2015/06/25 Video](#)

2:34:50 **Item 9: 8863 Balboa** references an Appeal of the April 22, 2015 decision.

Continued to 07/09/15

[2015/07/09 Minutes](#)

ITEM – 7: 3385 SUNRISE STREET MMCC – [PROJECT NO. 368337](#) Trailed from June 25, 2015; Continued from May 28, 2015; Appeal of Hearing Officer’s decision on March 25, 2015

City Council District: 8

Plan Area: Southeastern

San Diego Staff: Edith Gutierrez

No speaker slips in favor of the project were submitted.

Speaker slips in opposition to the project submitted by Scott Chipman.

COMMISSION ACTION: THIS ITEM WAS WITHDRAWN.

[2015/07/09 Video](#)

8:44 **Item 8: 8863 Balboa Ave.**

33:25 Bartell refers to 3 meetings he has presented at on 05/21/15, 06/18/15 and 07/16/15

56:15 Commissioner Haase raises some excellent Kearny Mesa Planning Group processing issues which could have just as easily been directed to DSD.

1:09:46 Biker comes in to whisper into Schweitzer's ear

1:17:48 Commissioner Wagner asks Mr. Larson (DSD) about the Child Welfare Services being a child-oriented facility and Larson responds that Child Welfare Services serves an administrative function only and there are no on-site child-oriented services at this location. This is clearly a problem for the 6220 Federal Project child-oriented services setbacks that DSD ignored. (See [6220 Federal Blvd. My Story of Child-Care Setbacks](#))

[2015/07/16 Minutes](#)

ITEM – 7: PATIENTS ALTERNATIVE – MIDDLETOWN MMCC – [PROJECT NO. 368295](#)

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Ted Griswold, Jeff Barfield, Nikke Alex, Anna Honay, Carol Chase, Lance Bradley, Kavon Bagbeh, Carol Carpenter and Matt Bucciero

Speaker slips in opposition to the project submitted by Scott Chipman, Kathleen Lippitt, Judi Stang, Peggy Walker, Nancy Logan, Janet Asaro, George Diaz, Phillip Diaz and David Diaz.

COMMISSION ACTION: COMMISSIONER HAASE MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION [When was that Hearing?] TO DENY CONDITIONAL USE PERMIT NO. 1292502. Commissioner Peerson seconded the motion. The motion passed by a vote of 5-1-1 with Commissioners Golba, Haase, Austin, Quiroz and Peerson voting yea and with Commissioner Wagner voting nay and with Commissioner Whalen absent.

[2015/08/13 Minutes](#)

ITEM –9: THE HEALING CENTER MMCC – [PROJECT NO. 378883](#) Appeal of Hearing Officer's decision on June 24, 2015.

City Council District: 3

Plan Area: Mission Valley

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Justine Nielsen, Ray Taylor, James Dickinson, Christina Curtis, Margaret Gibert, Matt Sibert and Khoa Nguyen.

Speaker slips in opposition to the project submitted by Scott Chipman, Jan Asaro and Judi Strang.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 1330834](#) AND [SITE DEVELOPMENT PERMIT NO. 1420871](#) WITH CONDITIONS. Commissioner Whalen seconded the motion. The motion passed by a vote of 6- 0-1 with Commissioners Golba, Haase, Austin, Peerson, Wagner and Whalen voting yea and with Commissioner Quiroz absent.

[2015/09/17 Minutes](#)

ITEM – 8: 3385 SUNRISE STREET MMCC– [PROJECT NO. 368337](#) Appeal of Hearing Officer's decision on March 25, 2015.

City Council District: 8

Plan Area: Southeastern

San Diego Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Donna Jones, Paul Bishop, Hayley Grunvald, Marcos Getchell, Hank Taylor, Kim Williams, Clinton Pyatt, Brad Sonnenburg, John Keating, Howard Warren, Oscar Urteaga and Cynara Velasquez.

Speaker slips in opposition to the project submitted by Gina Austin, Douglas McCrady, Tamara Leetham, Jim Bartell, Mario Ceretto, Matthew Grabowski, Peachy Ruane, Justin Navalle, Tom Fraoili, Leslie Parker, Judi Strang and Janet Asaro.

COMMISSIONER WHALEN MADE THE MOTION TO RESUME THE PUBLIC HEARING AND OPEN PUBLIC TESTIMONY. Commissioner Wagner seconded the motion. The motion passed by a vote of 6-0-1 with Commissioners Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea and with Commissioner Golba absent. COMMISSIONER WHALEN MADE THE MOTION TO UPHOLD THE APPEAL, REVERSE THE HEARING OFFICER'S DECISION AND APPROVE [CONDITIONAL USE PERMIT NO. 1298376](#) AND [SITE DEVELOPMENT PERMIT NO. 1319996](#) WITH CONDITIONS. Commissioner Quiroz seconded the motion. The motion passed by a vote of 5- 1-1 with Commissioners Austin, Quiroz, Peerson, Wagner and Whalen voting yea and with Commissioner Haase voting nay and with Commissioner Golba absent.

[2015/10/22 Minutes](#)

ITEM – 8: NOTE: Project withdrawn by the applicant on October 12, 2015

3895 PACIFIC HIGHWAY MMCC– [PROJECT NO. 368341](#) Appeal of Hearing Officer’s decision on July 15, 2015

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

No speaker slips in favor of the project were submitted.

No speaker slips in opposition to the project were submitted.

COMMISSION ACTION: THIS ITEM WAS WITHDRAWN.

[2015/10/29 Minutes](#)

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD: [Scott Chipman commented on Pot shop land use @ 5:00:25.](#)

ITEM - 8: 4417 RAINIER AVENUE (LIVING GREEN) MMCC– [PROJECT NO. 368341](#)

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Cary Weaver and Gina Austin.

Speaker slips in opposition to the project submitted by Peggy Walker and Scott Chipman.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO ACCEPT APPLICANT’S REQUEST TO CONTINUE THIS ITEM TO DECEMBER 10, 2015. Commissioner Whalen seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

ITEM – 9: TORREY HOLISTICS CLINIC MMCC – [PROJECT NO. 390943](#) Appeal of Hearing Officer’s decision on September 16, 2015.

City Council District: 1

Plan Area: Torrey Pines

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Michael Rollins, Scott Bernet, Stephen Cline, Julie Manakas, Anthony Hughes, Rosalia Garcia, Greg King, Donna Hall, Will Senn and Shane Smith.

Speaker slips in opposition to the project submitted by Barbara Gordon, Dennis Ridz, Patti Ashton, Kelly McKay, Janet Asara, Carol Green, Peggy Walker, Scott Chipman and Katie Poponyak

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 1371299](#). Commissioner Peerson seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

[2015/12/10 Minutes](#)

ITEM – 7: 3455 CAMINO DEL RIO SOUTH MMCC – [PROJECT NO. 368346](#) Appeal of Hearing Officer's decision on October 7, 2015.

City Council District: 3

Plan Area: Mission Valley

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Gina Austin, Carlos Angulo, Jon Bain, Roy Bain, Rafael Corral, Margaret Gibert, Terrie Best, Phil Rath, Khoa Nguyen, Jean Bain, Lisa Kisse Bain, Ron Bain, Sara Cadenas, Chris Boudreau, Roland Lanzi, Jonathan A. Martin, Andrew Slenkiewicz, Blake Grauerholz, Kori Manning, Katie Vasquez, Cassandra Pearson and Dan Lukerchine

No speaker slips in opposition to the project were submitted.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO ACCEPT THE APPLICANT'S REQUEST FOR A CONTINUANCE TO INDEFINITE DATE. Commissioner Whalen seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

ITEM – 8: GRANTVILLE GREEN MMCC – [PROJECT NO. 368381](#) Appeal of Hearing Officer's decision on October 28, 2015.

City Council District: 7

Plan Area: Navajo

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Vicki Estrada, Nick Hosig, Ron Miller, Saad Alzayad, Majed Aldhalimi, Hasangn Alzayad, Carole Conrad, Mark Simonds, Michael Baehr, Jesse Adcock, Patty Melero, Ryan Hurtado, Cara Spector, Daniel McKenzie, Kolton A Kollmar, Victor Aguilar, Jeff Cloud, Cody Cloud, Travis K Conrad, Anders Romanowski and Andrea Poat.

Speaker slips in opposition to the project submitted by Jim Bartell and Gina Austin.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO ACCEPT THE APPLICANT'S REQUEST FOR A CONTINUANCE TO INDEFINITE DATE. Commissioner Whalen seconded the motion. The motion passed by a vote of 6-1 with Commissioners Golba, Haase, Austin, Peerson, Wagner and Whalen voting yea and Commissioner Quiroz voting nay.

ITEM – 9: SUSTAINABLE THERAPEUTICS MMCC – [PROJECT NO. 368302](#) Appeal of Hearing Officer's decision on September 16, 2015.

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Margaret Gibert, Greg Magdoff, Lance Rogers, Maggie Diaz, Karen ZoBell, Kelly Hayes, George P. Diaz, George Diaz, Rakesh Goyal, Robert Furey and Janet Matula.

Speaker slips in opposition to the project submitted by Kathleen Lippitt, Jan Asaro and Barbara Gordon. Public Testimony was closed.

COMMISSION ACTION: COMMISSIONER QUIROZ MADE THE MOTION TO ACCEPT THE APPLICANT'S REQUEST TO CONTINUE THIS ITEM TO DECEMBER 17, 2015. Commissioner Peerson seconded the motion. The motion passed by a vote of 6-1 with Commissioners Golba, Haase, Austin, Quiroz, Peerson and Whalen voting yea and with Commissioner Wagner voting nay.

ITEM – 10: LIVING GREEN MMCC (4417 RAINIER AVENUE) – [PROJECT NO. 379530](#) (Gina Austin)
Continued from October 29, 2015; Appeal of Hearing Officer's decision on April 22, 2015

City Council District: 7

Plan Area: Navajo

Staff: Edith Gutierrez ‘

Speaker slips in favor of the project submitted were submitted by Gina Austin, David Jansen, Heidi Whitman, Cary Weaver, Anthony Scimeca, Gary Faahs, Daryl Bundy, Margaret Gibert, Tamar Leethman, Bianca Martinez, Jim Bartell, Michael Cullen, Vivian McCardle, Brad Brolun, Lauren Moore, Darren Moore, Erin McDonald, Andrew Casey and Marion Preciado.

Speaker slips in opposition to the project submitted were submitted Ron Miller, Majed Aldhalimi, Raad Najo, Saad Alzayad, Hasangn Alzayad, Jeff Cloud, Cody Cloud, Daniel McKenzie, Victor Aguilar, Kolton Kollmar, Jesse Adcock, Patty Melero, Andrea Poat, Michael Baehr, Mark Simonds, Anders Romanowski, Cara Spector, Travis Conrad and Carole Conrad.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO ACCEPT THE APPLICANT'S REQUEST FOR A CONTINUANCE TO INDEFINITE DATE. Commissioner Whalen seconded the motion. The motion passed by a vote of 7-0 with Commissioners Golba, Haase, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

[2015/12/17 Minutes](#)

ITEM 1- [Scott Chipman commented on Marijuana Retailers @ 6:20.](#) Representing San Diegans for Safe Neighborhoods.

ITEM – 6: COMMISSION COMMENT: Commissioner Haase commented that on Tuesday, January 12th The Urban Land Institute is hosting a breakfast to discuss the Medical Marijuana Ordinance in the City of

San Diego as well as the imminent placing of a measure on the 2016 ballot to legalize Medical Marijuana in the State of California. He also mentioned that he will be a panel member on that morning breakfast.

ITEM – 7: SUSTAINABLE THERAPEUTICS MMCC – [PROJECT NO. 368302](#) Continued from December 10, 2015; Appeal of Hearing Officer’s decision on September 16, 2015.

City Council District: 2

Plan Area: Midway/Pacific Highway Corridor

Staff: Edith Gutierrez

NOTE: Public Testimony was closed on December 10, 2015.

COMMISSION ACTION: COMMISSIONER HAASE MADE THE MOTION TO UPHOLD THE APPEAL, REVERSE THE HEARING OFFICER’S DECISION AND APPROVE THE [CONDITIONAL USE PERMIT NO. 1292799](#). Commissioner Quiroz seconded the motion. The motion passed by a vote of 4-3 with Commissioners Golba, Haase, Austin and Quiroz voting yea and with Commissioners Peerson, Wagner and Whalen voting nay.

[2016/04/07 Minutes](#)

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:

[Janet Asaro commented on Marijuana @ 4:50](#). Bilyсандiego.org

[Judi Strang commented on process for agendas @ 10:58 re Marijuana Outlet setbacks](#).

[Scott Chipman commented on Pot Shop Marijuana related deaths @ 13:58](#).

[Kate Poponyak commented on distance requirements for MMCC @ 17:19](#).

ITEM – 7: 1028 BUENOS AVENUE MMCC – [PROJECT NO. 369290](#) Appeal of Hearing Officer’s decision on December 16, 2016.

City Council District: 2

Plan Area: Linda Vista

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Michael Rollins, Scott Bernet, Jennifer Ahn, Terry Metsch, Esteban Hernandez, Tony D’Amato, Ronald Taylor and Willie Senn.

Speaker slips in opposition to the project submitted by Ellen Ketter, Kris Campion, David Snyder, Scott Chipman, Juilius Paeske, Peggy Walker, Nancy Logan, Barbara Gordon and Kathleen Lippitt.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER’S DECISION TO APPROVE THE [CONDITIONAL USE PERMIT NO. 1605038](#). Commissioner Whalen seconded the motion. The motion passed by a vote of 5-1-1 with Commissioners

Haase, Hofman, Quiroz, Wagner and Whalen voting yea and with Commissioner Peerson voting nay and with Commissioner Austin absent.

2016/04/14 Minutes

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD: [Judi Strang commented @ 6:00 on 3500 Estudillo as a MO being within 1,000 of a minor oriented facility.](#)

2016/05/12 Minutes

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD: [Scott Chipman commented on land use policy re MO @ 3:35.](#) “DSD is not our friend in these decisions”

2016/06/23 Minutes

ITEM – 2: REQUESTS FOR CONTINUANCE AND/OR ITEMS TO BE WITHDRAWN:

ITEM # 8 - GRANTVILLE GREEN MMCC – PROJECT NO. 363381 – CONTINUED TO JULY 21, 2016

ITEM # 9 - LIVING GREEN MMCC – PROJECT NO. 379530 - WITHDRAWN

2016/07/21 Minutes

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:

[Scott Chipman commented on Marijuana availability to teens @ 6:12.](#)

[Judi Strang commented on the Pot of Gold shop on 3275 Adams Street @ 9:14.](#)

[Kathleen Lippitt commented on the disconnect between City efforts to close unpermitted barriers @ 11:55.](#) Why fines on unlicensed dispensaries is not a deterrent.

[Barbara Gordon commented on Marijuana Dispensary billboard advertising @ 14:25.](#)

ITEM – 7: GRANTVILLE GREEN MMCC – [PROJECT NO. 368381](#) Continued from June 23, 2016; Appeal of Hearing Officer’s decision on October 28, 2015

City Council District: 7

Plan Area: Navajo

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Vicki Estrada, Amy Marks, Michael Cindrich, Carlos Angulo, David Mosack, James McElwee, Nick Hosig, Ron Miller, Thomas Perkins, Anjanette Perkins, Hasanen Alzayad, Dany O'Neill, Kolton Komar and Daniel Smith.

Speaker slips in opposition to the project submitted by Gina Austin, Peter Karvalis, Anthony Scimeca, Darren Moore, Heidi Whitman, Judi Strang, Scott Chipman and Barbara Gordon.

COMMISSION ACTION: COMMISSIONER PEERSON MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO DENY [CONDITIONAL USE PERMIT NO. 1288100](#). Commissioner Hofman seconded the motion. The motion passed by a vote of 5-1-1 with Commissioners Haase, Hofman, Austin, Peerson and Wagner voting yea and with Commissioner Quiroz voting nay and with Commissioner Whalen absent.

2016/08/11 Minutes

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:

[Judi Strang commented on illegal pot shops and Superior Court actions @ 6:40.](#)

ITEM – 7: Living Green MMCC – [PROJECT NO. 379530](#) (Gina Austin) Appeal of Hearing Officer's decision on April 22, 2015.

City Council District: 7

Plan Area: Navajo

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Gina Austin, Marcela Escobar-Eck, Cary Weaver, Heidi Whitman, Mike Oneal, Peter Karvelis, Carlos Vasquez, Wallace Bernard, Darren Moore, Vivian McCardle, Veronica Stetter, Brad Brown, Edward Gil, Maya Rosas, Abhay Schweltzer, Daniela Reuther, Austin Reed Palmero, Adrian Kwatkowski, Bianca Martinez, Terri Best, Vey Linville, Kim Twolan and Marcu Boyd.

Speaker slips in opposition to the project submitted by Kathleen Lippitt, Judi Strang, Janet Asaro, Chris Eddy and Nick Hosig.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO DENY [CONDITIONAL USE PERMIT NO. 1333320](#). Commissioner Hofman seconded the motion. The motion passed by a vote of 5-1-1 with Commissioners Haase, Hofman, Austin, Wagner and Whalen voting yea and with Commissioner Quiroz voting nay and with Commissioner Peerson absent.

ITEM – 8: 3455 CAMINO DEL RIO SOUTH MMCC – [PROJECT NO. 368346](#) Appeal of Hearing Officer's decision on October 7, 2015.

City Council District: 3

Plan Area: Mission Valley

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Phil Roth, Dan Lukerchine, Khoa Nguyen, Blake Grauerholz, Sare Cadenes, Cristian Cadenas, Rakesh Gozal, Justin Schlaefli and Henryk Pedersen.

Speaker slips in opposition to the project submitted by Kathleen Lippitt, Janet Asaro and Judi Strang.

COMMISSION ACTION: COMMISSIONER WAGNER MADE THE MOTION TO ACCEPT THE APPLICANT'S REQUEST TO CONTINUE THIS ITEM TO AUGUST 25, 2016. Commissioner Whalen seconded the motion. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Austin, Quiroz, Wagner and Whalen voting yea and with Commissioner Peerson absent.

2016/08/25 Minutes

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:

[Judi Strang commented on the Appeal process @ 2:45.](#) “What I notice is you're going to look at a public opportunity to appeal as there are new staff recommendations. The appeal should go back to the lower decision maker (the Hearing Officer).” Great recommendations!

[Carol Green commented on Collective Process experience re criminal sentencing of an unpermitted pot shop @ 6:19.](#)

[Janet Asaro commented on signage for pot shops @ 8:56.](#)

ITEM – 9: 3455 CAMINO DEL RIO SOUTH MMCC – [PROJECT NO. 368346](#) Continued from August 11, 2016; Appeal of Hearing Officer's decision on October 7, 2015.

City Council District: 3

Plan Area: Mission Valley

Staff: Edith Gutierrez

Speaker slips in favor of the project submitted by Phil Rath, Blake Grauerholz, Khoa Nguyen, Dan Lukerchine, Sara Gadena, Cassandra Peerson, Justin Schlaefli, Chris Boudreau, Christian Cadenas, Solomon Ontiveros and Matthew Nash-Cruz.

Speaker slips in opposition to the project submitted by Joel Boxdan, Diane Rapp, Janet Asaro, Judi Strang, Barbara Gordon, Kathleen Lippitt and Carol Green.

COMMISSION ACTION: COMMISSIONER HOFMAN MADE THE MOTION TO UPHOLD THE APPEAL, REVERSE THE HEARING OFFICER'S DECISION, AND APPROVE [CONDITIONAL USE PERMIT \(CUP\) NO. 1295099](#) AND [SITE DEVELOPMENT PERMIT \(SDP\) NO.1508276](#) WITH THE CONDITION THAT EMPLOYEES PARK OFF-SITE AND THE UPDATED SITE PLAN BE USED FOR THE APPROVED EXHIBITS. Commissioner Wagner seconded the motion. The motion passed by a vote of 5-0-2 with Commissioners Haase, Hofman, Austin, Quiroz and Wagner voting yea and with Commissioners Peerson and Whalen absent.

2016/09/22 Minutes

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:

[Phil Roth commented on the MMCC signage issues @ 3:50](#) Follows with Commissioner Wagner requesting a workshop on cannabis signage requirements.

[2016/10/27 Minutes](#)

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:

[Ron Slayen commented on Sustainable Therapeutics Marijuana Dispensary at 3500 Estudillo & Kurtz Street being within 1000’ of a child-oriented facility @ 8:25.](#) “No adults visit these classes. There are 15-20 children in each of these classes. Virtually all children, no adults.”

[David Siegler, Veterans Village of San Diego commented on an approved Marijuana dispensary @ 12:15 near their drug treatment center.](#)

[2016/12/15 Minutes](#)

ITEM – 1: ANNOUNCEMENTS/PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE COMMISSION NOT PREVIOUSLY HEARD:

[Ron Slayen commented on 3500 Estudillo St. Marijuana Dispensary @ 12:41.](#)

[Scott Chipman commented on possible Conflict of Interest by two members of the Planning Commission @ 14:35.](#) Commissioners Anthony Wagner (Wagner Consulting and Land Use Public Health and Safety Firm) and Jim Whalen and Whalen’s representation of Good Earth Plant Company (commercial cannabis cultivators) as expressed on Friday November 4, 2016 at a SD County hearing. Scott requests that he be contacted @ 629.990.7480 for any followup questions staff or the City Attorney might have. Was there ever a follow up?

[Bob Otilie commented on Recusal of Mr. Wagner @ 17:29.](#) Bob [Otilie is a licensed CA attorney](#) who argues bias and conflict of interest issues with the Planning Commission. The Commission and the City Attorney follow his comments and discuss the matter as a procedural issue.

ITEM – 13: ADULT USE OF MARIJUANA ACT AMENDMENTS – PROJECT NO. 12003223

City Council District: All

Plan Area: City-Wide Staff: Dan Normandin

Speaker slips in favor of the project submitted by Khoa Nguyen, Phil Roth, Will Senn and Carol Green.

Speaker slips in opposition to the project submitted by Ann Hollenbaugh, Greg Magdoff, Frances Eleanor Fellers, Kathleen Lippitt, David Jansen, Mara Felsen, Martha Sullivan, Terrie Best, Barbara Gordon, Christopher Siegel, Jessica McElfresh, Ninus Malan, Dario Farisato, Scott Chipman, Peggy Walker, Judi Strang, Nasser Azimi, Aaron Magagna, William Greene, Salam Razuki, Christina Urban, Gina Austin, Dina

Goldberg, Eric Goldberg, Richard Andrews, Jim Bartell, Adam Knoff, Scott Pack, Bianca Martinez, Cynara Velazquez and Jehoan Espinosa.

COMMISSIONER HOFMAN MADE THE MOTION TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF AMENDMENTS ADDRESSING THE ADULT USE OF MARIJUANA ACT AND THE MEDICAL MARIJUANA CONSUMER COOPERATIVE REGULATIONS AND TO INCLUDE THE FOLLOWING RECOMMENDATIONS:

- REMOVE THE PROHIBITIONS THAT ARE IN THE DRAFT FOR CULTIVATION, TESTING, PROCESSING, STORAGE & DISTRIBUTION REQUIRE A CUP FOR THESE WITH TIME LIMITATIONS
- REQUIRE THAT ALL CULTIVATION BE SECURED
- FURTHER REDEFINE PARKS... CONSIDERED CLARIFYING LANGUAGE THAT ADDRESSES THE USERS OF THE PARK • REVIEW PARKING REQUIREMENTS
- REMOVE THE SEPARATION REQUIREMENT OF OUTLETS FROM ONE ANOTHER
- PROVIDE STANDARDS FOR RETAIL OUTLETS (MINIMUM SIZES/REQUIRED AREAS)
- REMOVE FROM CONSIDERATION OF AN EXTENSION OF TIME FOR A REZONE AFTER APPROVAL OF A CUP THAT WOULD CAUSE THE OUTLET TO NO LONGER BE AN ALLOWABLE USE WITH A CUP.
- CONSIDER A SEPARATE ORDINANCE FOR DELIVERIES.

Commissioner Austin seconded the motion. The motion passed by a vote of 5-0-2 with Commissioners Haase, Hofman, Austin, Quiroz and Peerson voting yea and with Commissioner Wagner recusing and with Commissioner Whalen absent.

[2017/02/02 Minutes](#)

ITEM – 7: APPROVAL OF MINUTES FROM DECEMBER 15, 2016 AND JANUARY 19, 2017 MINUTES FROM DECEMBER 15, 2016 WAS RETURNED TO STAFF TO INCLUDE SPECIFIC COMMENTS AND/OR RECOMMENDATIONS FOR ACCURACY ON ITEM # 13 - ADULT USE OF MARIJUANA ACT AMENDMENTS – PROJECT NO. 12003223. COMMISSIONER PEERSON MADE THE MOTION TO APPROVE THE MINUTES FROM JANUARY 19, 2017. Commissioner Whalen seconded the motion. The motion passed by a vote of 7-0 with Commissioners Haase, Hofman, Austin, Quiroz, Peerson, Wagner and Whalen voting yea.

[2017/07/20 Minutes](#)

ITEM–2: CDRS COOPERATIVE – [PROJECT NO. 514308](#) Appeal of Hearing Officer’s decision on May 24, 2017.

City Council District: 7

Plan Area: Mission Valley

Staff: Firouzeh Tirandazi

Speaker slips in favor of the project submitted by Jim Bartell, Gina Austin, Andy Schlaefli, Flavia Gomes, Michael Morton, Saul Valladaves, Judd Henkes, Carlos Gonzalez, Ben Peterson, Tiffany Knopf, Adam Knopf, Dina Goldberg, Eric Goldberg, Brittany Cohen, Richard Andrews, Tami Leetham, Andy Lambert, Tami Ratliff and Marina Welb.

Speaker slips in opposition to the project submitted by Pastor Louis Wilburn, Keenan Holmes, Yvonne Pryor-Anderson, Jordan Wilburn, Samuel Whitley, Dareen Wilburn, Cynthia Morgan, James Lawson, Jon Hamby, Jacqueline A. Osborne, Howard Fung, Dessa Rather, Jorge Hernandez, Louis Wilburn Jr., Jessica McElfresh, Steve LaMarca, Diane Rapp, Susan Wilcox, Kathleen Lippitt and Stan Smith.

COMMISSION ACTION: COMMISSIONER PEERSON MADE THE MOTION TO UPHOLD THE APPEAL, REVERSE THE HEARING OFFICER'S DECISION, AND APPROVE [CONDITIONAL USE PERMIT NO. 1810030](#). [currently showing revoked-imposed] 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 recusing.

ITEM-3: STONE AGE FARMACY – [PROJECT NO. 510523](#) (Gina Austin) Appeal of Hearing Officer's decision on May 24, 2017

City Council District: 7

Plan Area: Mission Valley

Staff: Firouzeh Tirandazi

Speaker slips in favor of the project submitted by Gina Austin, Marcela Escobar-Eck, Alan Austin, Jeffry Leitch, Marguerite Leitch, Shauna Paniagua, Courtney Stein, Helina Beck, Hayla Beck, Michael Blazerich, Tami Ratliffe, Tami Leetham, Richard Andrews, Jeannette Temple and Brittany Cohen.

Speaker slips in opposition to the project submitted by Wade Aschbrenner, Spencer Andrews, Lynne Alipio, Jim Arnone, Wes Jones, Clif Williams, Jennifer Rey, Gabriel Lopez, Michael Hanna, Stephanie Stall, Geoff Stample, Amanda Orozco, Arayna Sheard, Jay Garrity, Michelle Anderson, Arline McGowan, Rachel Thomas, Aaron Smith, Alissa Tuter, Veronica Ballman, Alina Nuno, Tom Davis, Mary Bixby, Jackie Robertson, Cathryn Rambo, Tim Tuter, Lee Dulgeroff, Cahn Tran, Douglas Peterson, Delawie, Jorge Hernandez, Miles Durfee, Kathleen Lippitt, Mahnudal

COMMISSION ACTION: COMMISSIONER HOFMAN MADE THE MOTION TO APPROVE THE APPEALS AND DENY [CONDITIONAL USE PERMIT NO. 1797393](#). Seconded by Commissioner Whalen. The motion passed by a vote of 4-0-3 with Commissioners Haase, Hofman, Granowitz, and Whalen voting yea and with Commissioners Austin, Peerson and Otsuji recusing.

[2017/08/31 Minutes](#)

ANNOUNCEMENTS/PUBLIC COMMENT

[Scott Chipman commented on Pot Shops/Planning Commissioners connections @ 7:40](#). "Commissioner Anthony Wagner is making a S...load of money with the pot businesses he represents." We're going to file a complaint with the Grand Jury to investigate the connections between DSD and the "pot industry."

[Kathleen Lippitt of San Diegans for Safe Neighborhoods commented on MJ v. Tobacco @ 9:47.](#)

[Charles Alexander commented on soliciting our youth @ 11:50.](#) Speaks about someone who owns 4 licensed dispensaries but has an injunction against him. Offering free pot to those who pass by.

ITEM-4: SDMM CUP- [PROJECT NO. 523179](#) Appeal of Hearing Officer's decision on June 28, 2017.

City Council District: 7

Plan Area: Mission Valley

Staff: Firouzeh Tirandazi

Speaker slips in favor of the project submitted Anthony Bettencourt, Gina Austin, Tara St. Peter, Kells Booth, Michael Morton and Sean St. Peter.

Speaker slips in opposition to the project submitted by Susan Wilcox, Kathleen Lippitt, Peggy Walker, Barbara Gordon, Judi Strang, Jorge Hernandez, Scott Chipman, Anthony Scimeca and Carol Green.

COMMISSION ACTION: MOTION BY COMMISSIONER HOFMAN TO DENY THE APPEALS AND UPHOLD THE DECISION OF THE HEARING OFFICER TO APPROVE [CONDITIONAL USE PERMIT NO. 1846240](#) AND [SITE DEVELOPMENT PERMIT NO. 1952272](#). Seconded by Commissioner Granowitz. The motion passed by a vote of 7-0 with Commissioners Haase, Hofman, Austin, Granowitz, Peerson, Otsuji and Whalen voting yea.

[2017/12/14 Minutes](#)

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.

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ITEM–6: MISSION CENTER COURT MARIJUANA OUTLET – [PROJECT NO. 542366](#) Appeal of Hearing Officers decision on March 7, 2018.

City Council District: 7

Plan Area: Mission Valley

Staff: Cherlyn Cac

Speaker slips in favor of the project submitted by Marcela Escobar-Eck, Heather Riley, Phil Rath, Suzanne Varco, Rakesh Goyal, Khoa Nguyen, Abhay Schweitzer, Vasanti Peiris, John Hamby, Andrey Shmykov, Jolia Trifomov, Max Tsybrivsky, Carlos Gonzalez and Gina Austin.

Speaker slips in opposition to the project submitted by Mehrdad Banki Ermen Hameed, Sherwin Sepehri, Aaron Kruse, Kahtleen Lippitt, Kelly McCormick, Niloofar Sepehri, Evelyn Heidelberg, Joshua Hamlin, Mark Woodard, Jason Griffith, Cody Campbell, Brenda Osmena, John Osmena, Rodney Allen, Danielle Levin, Travis Knapp, Joe Esposito and Gracie Morgan.

COMMISSION ACTION: MOTION BY COMMISSIONER AUSTIN APPROVING THE STAFF’S RECOMMENDATION TO GRANT THE APPEAL, REVERSE THE HEARING OFFICER’S DECISION, AND APPROVE [CONDITIONAL USE PERMIT NO. 1911475](#). Seconded by Commissioner Whalen. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Austin, Granowitz, Otsuji and Whalen voting yea and with Commissioner Peerson recusing.

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ITEM-3: MPF 10170 SORRENTO VALLEY RD #B - [PROJECT NO. 585472](#) Appeal of Hearing Officer's decision on September 19, 2018.

City Council District: 1

Plan Area: Torrey Pines

Staff: Hugo Castaneda

Speaker slips in favor of the project submitted by Gina Austin, Brittany Biestfeld, Tiffany Hooper, Russell Betts and Travis Coulter.

Speaker slips in opposition to the project submitted by Kelly McCormick, Kathleen Lippitt, Judi Strang, Jim Bartell, Heather Riley, Cameron Barker, Bradford Hancourt, Michael Hayford, Remy Bowden, Abhay Schweitzer, Jeff Chine and Sean St. Peter.

COMMISSION ACTION: MOTION BY COMMISSIONER HOFMAN APPROVING STAFF'S RECOMMENDATION TO DENY THE APPEAL AND UPHOLD THE HEARING OFFICER'S DECISION TO APPROVE [CONDITIONAL USE PERMIT NO. 2071481](#). Seconded by Commissioner Peerson. The motion passed by a vote of 7-0 with Commissioners Haase, Hofman, Austin, Granowitz, Peerson, Whalen and Otsuji voting yea.

ITEM-4: FEDERAL BLVD. MARIJUANA OUTLET - [PROJECT NO. 598124](#) Appeal of Hearing Officer's decision on October 17, 2018.

City Council District: 4

Plan Area: Encanto Neighborhoods

Staff: Cherlyn Cac

Speaker slips in favor of the project submitted by Abhay Schweitzer, Jim Bartell, Cameron Barker, Marcela Escobar-Eck, Aaron Magagna, Cynthia Morgan-Reed, Bruno Vasquez, Laura Magagna, Elidia Dostal, Chris Mendiara, Nicholas Rossi.

Speaker slips in opposition to the project submitted by Marsha Lyon, Ken Malborough, Becky Johnson, Becky Johnson, Robert Robinson and Jessica McElfresh.

COMMISSION ACTION: MOTION BY COMMISSIONER WHALEN APPROVING STAFF'S RECOMMENDATIONS TO DENY THE APPEAL, UPHOLD THE HEARING OFFICER'S DECISION, AND APPROVE [CONDITIONAL USE PERMIT NO. 2114346](#). Seconded by Commissioner Hofman. The motion passed by a vote of 6-0-1 with Commissioners Haase, Hofman, Austin, Granowitz, Whalen and Otsuji voting yea and with Commissioner Peerson recusing.

[This project passed despite the fact that there were two licensed day-care (Child-Oriented Facilities) within 1,000 ft of the proposed MO. Judi Strang brings it up and Cherlyn Cac said she saw no evidence of any child-care facilities. Why? Because she didn't look. The two facilities are licensed by the state and the city. Check out page 6 of ["My Story of Setbacks"](#) for a topographical distance map. The City of Lemon Grove parcel that abuts this property immediately to the North had a MO application and was

[denied because they found the child-care facilities within 1,000 ft of the proposed MO.](#) Where this project was approved is even nearer to the child-care facilities than where it would have been on the Lemon Grove parcel.

There also have been major traffic issues associated with the addition of this project in terms of the way the building was constructed. These additional issues and serious processing anomalies have been detailed in [“Could this Happen in La Jolla? A District 4 CUP Comparison.”](#)

Lastly, how is it that Jim Bartell and Abhay Schweitzer, who both worked for Larry Geraci on the competing 6176 Federal Blvd. project, were in favor of this project? It’s a major conflict of interest.]
