

Greater Golden Hill Planning Committee  
March Meeting Final Minutes  
Wednesday, March 11, 2020, 6:30 P.M.  
Golden Hill Recreation Center- Community Meeting "Clubhouse"

[www.sandiego.gov/planning/community/cpg](http://www.sandiego.gov/planning/community/cpg)

2600 Golf Course Drive, San Diego, CA 92102

Minutes Prepared by Cheryl Brierton, Sabrina DiMinico & Michael Nazarinia

7:11 Call to Order after annual meeting

Additions and/or Deletions to Agenda

Review/Approval of Minutes of February 2020

**In attendance:** Vandenheuvel, Briggs, Santini, Bugbee, Nazarinia, Diminico, Espinoza-Araiza, Starcevic, & Paschetto.

Kroll and Brooks resigned.

6:40 Governmental Reports

39<sup>th</sup> CA Senate District Chevelle Tate 619.645.3133 chevelle.tate@sen.ca.gov

53<sup>rd</sup> Congressional District Robert Case 619.280.5353 robert.case@mail.house.gov

80<sup>th</sup> CA Assembly District Lucas Cruz 619.338.8090 lucas.cruz@asm.ca.gov

78<sup>th</sup> CA Assembly District Randy Wilde 619.645.3090 randy.wilde@asm.ca.gov

City Council District 3 Brett Weise 619.236.6633 bweise@sandiego.gov

City Planner Bernard Turgeon 619.533.6575 bturgeon@sandiego.gov

SDPD Community Officer Officer Kevin Vasquez 619.744.9500 kvasquez@pd.sandiego.gov

7:00 Non-Agenda Public Comment

For items not on the agenda but within the scope of authority of the planning committee. Limited discussion, as these have not been "noticed" for consideration, and limit to two minutes, please.

7:15 Action Items

**1) 30th and C St Market Conditional Use Permit (CUP), Project Number 646980 (Process 3).**

Conditional Use Permit (CUP) for the sale of alcoholic beverages located at 2985 C Street. The 0.24-acre site is located on the corner of 30th and C St. in the CN-1-3 zone. Hours of operation are to be 24 hours per day, 7 days a week. A person to person alcohol license transfer from the existing Miller's Market to new tenant in market space. Action: To provide a recommendation to the City regarding this CUP.

**3 portions of project –**

1. **Land use** - how community can get involved - find out when planning dept is going to have it open for public comment. Need to go to development services; project is in CN zone so they are only going to be able to operate between 6-12 however they can have request an exception; people should go and give input during the public comment for development services; Sergeant McCurry talked to central division (community resource officer and lieutenant) - initially they didn't have any concerns about it; but they did bring up the parking, traffic and the transient issues; McCurry can relook at the project but he already put good conditions on it:

**Alcohol is based off federal census tracks.** Census track for 2018 has a crime rate of 196% anything over 120 is legally high crime; alcohol is

either off or onsite. This is for off sale; because of population density that the Alcohol Beverage Control (ABC) allows for 4 licenses in this census track and currently there is only 3 that are active so it's under total allowed by 1 license;

wine, distilled spirits can only be sold in containers of 375 oz and up;

beer and wine coolers must be in multi quantities;

no singles;

no sale of beer,

malt beverages or kegs;

this is all for the land use;

2. Because it's an off premises license - need to get an investigation by McCurry for public convenience and necessity (90 days) that was done?
3. If the license transfer actually happens, McCurry will look at the conditions and make recommendations to ABC again; might suggest stopping sales at midnight if there is high crime after midnight from police reports.

**What community can do** - when the license is posted; everyone within 500 feet should be notified by business; white sign that says proposed alcohol; when that happens the community has 30 days to protest the license and why and then send it to ABC; easiest way to find out about a posting is to go on ABC's website under licensing reports and click on new licenses and it will show a week's worth of new licenses; protest letters go to San Diego ABC just need to include address of property; ABC has licensing reps and have to address each protest letter.

ABC will send out letters within 100 feet (dome) letting residents know that the license is ready to be reviewed; and 500 feet from property line the business owner needs to send out letters; you don't need to live within 500 feet to protest it; ABC office 619-525-4064; 2985 C Street address can be used on ABC letters; don't use license number because it can change;

CUP is for everything and they look at everything; storm drains; plants, etc;

Zoned for 6am to midnight and if they're looking for an exception they need to go to planning.

Operationally, McCurry doesn't get to suggest conditions; they can stay open 24 hours a day; McCurry only advises on alcohol sales; because they're moving location of building as a result of tearing down the old one that was on same parcel but closer to alley and now being moved to corner of C and 30<sup>th</sup>. Previously, the building was setback from the street to allow above ground parking for about 25 vehicles and now will have 10 underground and using 3000sqft instead of 5,000 sqft that Miller's was using; it's like a new off premises alcohol sale license request to the ABC.

**William Perno, Prevention Specialist at SAY San Diego**  
**(Social Advocates for Youth) <https://www.saysandiego.org/>**

Public convenience and necessity is local and the SDPD can make a decision to put the restrictions on the license or even say no.

He can help the community with the protest process; can the SDPD act on enough info from the community saying it's a problem; pb convenience and necessity is yes or no; later when the license comes is when the community comment comes into play; ABC owns the license and they come up with the conditions to mitigate the communities concerns; on the CUP, McCurry believes he's early enough to change his recommendation if the community has concerns;

**Maureen McNulty** - had conversations with Kevin Vasquez on January 8th GGHPC meeting and then sent an email on 1/23 and when back and forth; Brought her email chain; McCurry probably contacted Vasquez before Kevin ever had any interaction with the community; Vasquez didn't know of 24/7 liquor store as of 1/23. Mccurry - it happens quite often; had 90 people at the February GGHPC meeting; there is a petition; how does the police not know about the community; Mccurry asked mcnulty to forward email chain and will reach out to Kevin;

**Jim Steele** - Where do folks look to know when the development services meeting will occur?

**Turgeon (city planning)** - there should be a notice of decision 10 working days before the hearing that should be mailed to prop owners and tenants of record 300 feet of site;

**Brenda Hrynkiw** - will McCurry change his decision? Last meeting was a good meeting; Kathy will send Sergeant minutes; McCurry will look at all the info and if it's legal and appropriate he will change his assessment beyond the recommended restrictions on the license outlined above.

**Tiffany Holm** her house is exactly in front of the old Miller's market location where people will be walking up; safety is important to her; someone died in her arms at that location; someone broke into her house a few weeks ago; we want anything that is family friendly; her bedroom window faces the street and safety is a concern and would be appreciative if he can do what he can to protect the community; If you can show up to the CUP hearings and tell ABC all of your concerns; hearings can be at all hours during the days;

**Corrinne Lytlebonine** - on Edgemont can members of the public see McCurry's recommendation to CPG so they can give him feedback? McCurry you can make a public info request but you can also just send him your concerns;

**Maureen Mcully** - how did they come up with 3 licenses when they walked the community and came up with 19 places you can get alcohol? It's based off census track; is it useful for the community to include they 19 locations in their letters as feedback? McCurry said yes.

**Sylvia Cortez**; 3070 Broadway - who has the ultimate say? The Planning Commission. Normally they accept McCurry's conditions b/c they are the Police dept; do they have to? No. But they typically do. ABC creates the conditions on the license; Public convenience and necessity can't be defined in concrete terms.

10 guidelines for public convenience or necessity City Council Resolution; Mccurry will send it to us b/c it's a public document

**William Perno** - alcohol and drug convention; wants to help the community; license is in surrendered status; public convenience and necessity; only 2 things that trigger it - high crime area or an over concentration of license; authorized number is 3 and we only

have 2 with one in surrendered status; city has 90 day timeframe to look at this; your voice is important and your protest can include conditions;

**Vandenheuvel**- according to city's documented issues - due to location near residence; (get what Kathy read out loud in meeting)

Conditions 1) entertainment devices 2) separation of alcohol sales 3)

We will be making a recommendation to the city's project manager that goes in the packet that goes to the Planning Commission;

### **General Public comment**

**Nazarinia** - lives at Broadway and 30th; officer Vasquez hasn't been to our meetings in the last 3 months; that's an issue because if he had been he would've been made aware of overwhelming community opposition. We had a lot of people in both January and February meetings; \$100k for the License and \$4 a square foot is what they're trying to sell it for; lighting is poor due to undergrounding; graffiti has gotten worse; that corner is bad enough as it is always weeds are overgrown I have to call owner to have weeds wacked otherwise won't do it regularly; nobody in the community wants this they want a market; anything you can do to limit alcohol sales until 9 if at all; can we get notification when the 30 day clock starts? 70 year old neighbor got assaulted in her garage and officer Vasquez wasn't here for her to tell him; 90 people were at the last meeting; out of 520 signatures on [change.org](https://www.change.org) there were 375 locals; zero have been in favor of the liquor store.

**Maureen McNulty**; Corona virus prevented many of the neighbors from coming to meeting tonight; only person in her condo complex received notice this out of 22 units; they have canvassed 3,000 people

**Stephen Whitburn** - there is deep concern by the community and can attest through his own personal experience that there is unanimity on this issue

**Corrine** - proposed use is not consistent with site use of neighborhood market; as a planning group it would be irresponsible for the planning group to permit this without a thorough analysis.

**Gary Roberts** - attended meeting a year or 2 ago and thought this was supposed to be in conjunction with residences; mixed use; does the fact that there are residential units attached to it mean anything? The market is not attached. Not sharing a wall Letters need to be written; and state your concerns; issue about lighting; separate out concerns and be specific;

**Maureen McNulty** how long are we going to wait until Stephen Pollack (Saad's Rep) to come to a meeting; Kathy confirmed Stephen Pollack was copied on notice that this is an action item tonight

**Turgeon** - Simple solution is to limit hours of operation; 7/11 on university and Fairmount;

**Starcevic** - how is Perno connected to all of this

**William Perno** - at the local level the SDPD can recommend to not approve the license ? Learned about it from SONO and Union Tribune; funded by the county to do alcohol and drug prevention; [www.saysandiego.com](http://www.saysandiego.com)

Corrine - site development says over 4,000 sq feet?

**Vandenheuvel & Brierton** statement - limit hours of operation to the same hours of operation to former miller's market

**Briggs motion** - we suggest a preliminary recommendation on this permit that the proposed business operating at xxx have hours of operation and sales of alcohol that end at 9:00 pm, including alcohol sales; no wine  
Recommendations are based on multiple places to buy alcohol in the area; EP122 in community plan; and being in a high crime area (196% per 2018 Census Tract);santini to second it; unanimous

**Full text sent to**

To: Travis Cleveland <tcleveland@sandiego.gov>

Cc: Steven Pollock <steven.pollock@kimley-horn.com>, Maureen McNulty <maureen.mcnulty00[REDACTED]>, Timothy Briggs <timothypaulbriggs@[REDACTED]>, bmccurry@pd.sandiego.gov <bmccurry@pd.sandiego.gov>, Bernard Turgeon <bturgeon@sandiego.gov>, Brett Weise <bweise@sandiego.gov>

**"Based on the recommendation overwhelmingly provided by the community over the course of several meetings and surveying hundreds of residents, the Greater Golden Hill Planning Committee makes the following preliminary recommendation to the City for the following conditions for the Conditional Use Permit (CUP) for the sale of alcoholic beverages located at 2985 C Street (Project No. 646980):**

**Hours of operation, including alcohol sales to end at 9 PM**

- 1. No wine or distilled spirits shall be sold in containers of less than 375 milliliters.**
- 2. Beer, malt beverage products or wine cooler products, regardless of container size, must be sold in manufacturer pre-packaged multi-unit quantities. No Singles.**
- 3. The sale of beer or malt beverages in kegs is prohibited.**

**These preliminary recommendations are based on the fact that there are multiple places to buy alcohol in the area, the Greater Golden Hill Community Plan Land Use Policy LU-2.12; and the high crime rate in this area, Census Tract 41 (196.8% crime rate for 2018). If new information becomes available through the environmental reports, closure of the City's review or from the applicant, additional recommendations may be made."**

**2) Election Results:** Announce and certify results. (new members will take their seats in April) (this item may be heard earlier and out of order, as soon as the elections team is ready to share results of the vote). Elections of planning group officers (one-year terms) will occur with the new board in April.

Election results - all 8 member were elected;

3) **Development Review Subcommittee:** Appoint members and a chair for this subcommittee, which reviews and makes recommendations on proposed development projects for consistency with the Greater Golden Hill Community Plan. Tabled.

8:00 Information Item

4) **Buzz, 30<sup>th</sup> and B Street (1144 30<sup>th</sup> Street), Building Mixed-Use Residential Development, Project Number 603769 (Process 1).** The 0.32-acre site is located on the corner of 30<sup>th</sup> and B Street in the RM-2-5 zone. A 4-story structure currently under construction is described to include 9 dwelling units and 3 rooming housing dwelling units consisting of 21 tenants and commercial on the ground level. This development was approved by the City as a ministerial process (Process 1) which does not include review by the community planning group. tabled

8:20 Chair, Vice Chair, ANAC, CAC, CPC, BPC, Website and Bike Plan Subcommittee reports  
None

Golden hill planning committee meeting adjourned at 9:12.

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(619) 235-5200 or [sdplanninggroups@sandiego.gov](mailto:sdplanninggroups@sandiego.gov).

Find the GGHPC on the Web at <https://goldenhillplanning.com>