



Downtown Community Planning Council San Diego

Planning a Vibrant Downtown for All

Board of Directors Meeting Minutes

March 20, 2024, 5:30 PM

12th Floor Committee Room, City Hall, 202 C Street, San Diego, CA, 92101

I. Call to Order 5:40 pm

- A. Roll Call completed, quorum established (15 of 16 (3 vacancies)) established.
- B. In attendance: Manny Rodriguez, Chloe Lauer (teleconferencing), Bob Link, Brennan Bargmann, Rammy Cortez, Chris Eddy, Joshua George, Yichao Gu, Greg Helmer (teleconferencing), Vanessa Randolph, Moriah Saldana, Jean Paul Schwarz, Michael Villarina, Gabrielle Werve, Tyler Winslow.
- C. Absent (1) Jexsi Grey.

II. Consent Agenda:

- A. February Minutes
- B. Member Responsibilities and Duties Policies
- E. Navy & Port Freedom Park Appreciation Letter (Chair recommendation)
 - 1. Link requested CUP items C&D be pulled from consent agenda. Gary Smith (DRG) objected to CUP being on Consent due to CUP running with the land, need for consistent rules. Clayton (DSDP) spoke in favor of D. to keep downtown businesses downtown. No objections to member consent item pull.
 - 2. Motion Link, 2nd JP to approve remaining consent items (A) Minutes, (B) Policy, (E) (Chair) Freedom Park Appreciation letter - Approved unanimously (15)
- C. Sabre Wine Bar Sidewalk Café – *moved to agenda item X*
- D. Front & A Off-Site Alcohol Sales Conditional Use Permit - *moved to agenda item X*

III. Non-Agenda Public Comment None

IV. Community Reports (Representatives from Elected Officials and Agencies)

- A. City Council District 3 Whitburn - Emily Bonner
 - 1. Highlighted City Budget crash course [Budget Crash Course | City of San Diego Official Website](#)
 - 2. Announced City Police Chief **David Nisleit** Retirement (June 2024)
 - 3. Announced City Fire Chief **COLIN STOWELL** Retirement (August 2024)

4. Mayor to share selections in community forums 3, 5 APR 2024
 5. Re San Diego Street Lights – 100 Operational cameras have helped solve 20 crimes
 6. Mobility Master Plan is available at [Mobility Master Plan | City of San Diego Official Website](#)
 7. Invited members to Land Use and Housing meetings. Most recent agenda is at [View Meeting - OnBase Agenda Online \(hylandcloud.com\)](#)
 8. Noted member concern re appearance of safe camping site branded tents seen on city streets
- B. Downtown San Diego Partnership - Clayton Fowler
1. Encouraged Clean and Safe awareness, statistics and downtown community walk attendance [Clean & Safe – Downtown San Diego Partnership](#)
 2. Street light survey has identified 425 lights out – a priority
 3. There are currently 1063 unsheltered on 275 downtown blocks. 41% decrease from last year.
 4. Partnership has delivered 317 family reunifications
 5. 1st Sunday Fitness Class attendance encouraged Pilates, Yoga, etc. [Stay Fit Downtown – Downtown San Diego Partnership](#)
- C. Airport Authority
1. T1 Car and Bike parking opens AUG 2024
 2. 19 T1 Gates open SEP 2025
 3. T2 Art upgrades consistent with World Design Capital designation
 4. Grape and Hawthorne plans are consistent with city mobility plan, projects are moving forward
 5. Re Member Pedicab access question – bike paths and parking are public access.
- D. Mayor's Office - Emily Piatanesi (emailed report)
- Budget
- As we approach the Fiscal Year 2025 season, the Office of the Independent Budget Analyst (IBA) is offering a Budget Crash Course to the public to learn about the City's budget process and how community members can get involved. The course will also cover key components of the City's operating and capital improvement budgets and budget equity considerations.
 - *When:* Thursday, March 21st, from 5:00PM – 6:00PM via Zoom

- *Registration Link:*
https://sandiego.zoomgov.com/meeting/register/vJIt_dO6opzkvHU0I17-LLadJSeYSdPt7pk0#/registration
- If you have any questions, please call (619)236-6555 or email sdiba@sandiego.gov.

Transportation and Engineering & Capital Projects

- On January 24, Transportation presented their [Pavement Management Plan](#) to the Active Transportation and Infrastructure Committee. If interested, I would encourage you to go through the [slide deck](#) our Transportation staff put together detailing the City's street repaving process.
- During their presentation staff discussed the results of the recent pavement assessment conducted citywide. Every street is given a PCI – pavement condition index. This information is necessary in determining which streets should be selected for repair when funding is available.
- Importantly, City staff updated streets.sandiego.gov to be more user-friendly. For any repair questions I would encourage you to visit that website to find more information on a streets...
 - PCI
 - Funded projects vs. Unfunded projects
 - Construction timelines
 - Type of repair

Public Safety

Chief of Police Recruitment

- Chief Nisleit announced his retirement after serving the City for ~36 years. Since his announcement our office has conducted a robust community engagement process to hear from residents what qualities and characteristics you are looking for in the next Chief of Police
- Throughout January we hosted a community forum in each Council District alongside an online survey.
- This month, interviews by community members, public safety partners, and City Executive leadership will be taking place to finalize the candidates.
- Fire Chief Recruitment
- Community forums for to provide input on recruitment..

April 3, event time 5:30-7:30 pm, Weds.

- [Martin Luther King Jr. Recreation Center](#). 6401 Skyline Dr. San Diego CA
- April 4, event time 5:30-7:30 pm, Thurs
- [Kearny Mesa Recreation Center | City of San Diego Official Website](#)
- 3170 Armstrong Street San Diego, CA 92111

Smart Streetlight and Automated License Plate Recognition Program

- Just 2 months ago the Mayor signed the Smart Streetlight and Automated License Plate Recognition program into law to help make our communities safer.
- Already, these critical crime-solving tools have been used to solve and advance multiple investigations.
- Over 100 cameras operational so far have aided police with more than 22 homicide, robbery, burglary, assault and stolen vehicle investigations. A dozen stolen vehicles so far have been recovered using this technology, with 11 suspects in custody from these investigations.
- [Read more about San Diego's Smart Streetlight and License Plate Recognition tools on Inside San Diego.](#)

Sustainability and Mobility (SuMo) - Mobility Master Plan

- The SuMo Department recently released the draft Mobility Master Plan. The Mobility Master Plan is a comprehensive transportation planning effort to create a balanced, equitable, and sustainable mobility system for the City of San Diego. It will combine community, mode, and objective-specific planning into one comprehensive document to prioritize mobility projects and to identify programs that will have the largest benefit in our communities and on the environment.
- Additionally, the Mobility Master Plan will ensure that Citywide mobility initiatives support investments in areas with the greatest needs, promote [Vision Zero](#), and advance the goals of the [Climate Action Plan](#) and the [General Plan](#). The Mobility Master Plan will focus on projects, programs and actions that will help make walking, rolling, bicycling, and using transit more convenient, efficient, and affordable.
- The draft for the Mobility Master Plan is now available for review and comment. The full report of the Mobility Master Plan Discussion Draft and individual chapters are available for download below
 - <https://www.sandiego.gov/sustainability-mobility/mobility/mobility-master-plan>

E. Assembly District 76 - Robson Winter (emailed report)
New Legislative Session:

2024 Committees:

o Standing Committees

- Communications and Conveyance – Chair
- Emergency Management – Member
- Higher Education – Member
- Military and Veterans Affairs – Member
- Public Employment and Retirement - Member

o Select Committees

- Select Committee on Sea Level Rise and the California Economy – Chair
- Select Committee on 2028 Olympic and Paralympic Games – Member
- Select Committee on Biotechnology – Member
- Select Committee on Latina Inequities – Member
- Select Committee on Ports and Goods Movement – Member
- Select Committee on Poverty and Economic Inclusion – Member
- Select Committee on Regional Transportation Solutions – Member
- Select Committee on the Digital Frontier and Technological Accounting and Transparency - Member

o Joint Committees

- Joint Legislative Audit Committee
- Joint Committee on the Arts - Member

Our Legislation:

AB 1992: Blue Carbon Projects in Coastal Developments

- o The bill would direct the California Coastal Commission to add blue carbon

demonstration projects to the suite of factors it considers for potential mitigation when approving coastal development permits, where feasible.

AB 2007: LGBTQ Centers: Unicorn Homes: Program for Homeless Youth

- o The bill would establish a 3-year pilot in 5 counties including San Diego to allow local

community-based organizations to provide emergency transitional foster housing for LGBTQIA+ youth in the case of family rejection.

AB 2043: Medi-Cal: Non-medical Transportation Reimbursements

- o The bill would require Medi-Cal managed care plan providers to reimburse public transit operators for non-medical transportation services.

AB 2234: E-Bike Safety Training Program

- o The bill would require an online written test and state-issued photo ID for e-bike riders without an active driver's license.

- o Prohibits persons under 12 years old from riding e-bikes.
- o Establishes local diversion and community service programs as an equitable alternative to ticketing riders without a valid license/state issued photo ID.

AB 2259: Bike Smart Handbook

- o The bill would direct the California State Transportation Agency (CalSTA) to develop and distribute, on or before September 1, 2025, the Bike Smart Handbook for bicyclists based on evidence-based practices and emerging trends.

AB 2564: Property Tax Postponement: Senior Citizens and Disabled Citizens Property Tax Postponement Fund

- o The bill would protect senior citizens and disabled citizens from being priced out of their homes due to high property taxes through a program called the Senior Citizens and Disabled Citizens Property Tax Postponement Fund.

AB 2666: Refunding Excessing IOU Profits

- o The bill would require the CPUC, if it determines that an electrical or gas corporation has received revenues that are in excess of its approved rate of return for a prior year, to require the electrical or gas corporation to refund those excessive revenues from the prior year to its ratepayers.

AB 1999 (Irwin): Electricity: Fixed Charges

- o The bill seeks to reconsider the proposed income-based fixed utility rates included in AB 205, and to allow ratepayers to provide their feedback to the CPUC on the proposed income-based fee structure.
- o Asm. Boerner shares the concerns of many residents about the proposed rate changes and that's why she signed on as a co-author of AB 1999.

V. Resolution in support of minimum distance for Tobacco Shops near schools

Laura Gates, Gina Austin, Lt Bill Brown, SDPD

A. Laura

1. cannabis has been legalized and is highly regulated
2. Fed approved industrial Hemp. Surprise has been synthetic transformation to intoxicating products

3. Intoxicating products include Cocaine, mushrooms, and ghost product counter sales.
 4. City Attorney has been involved in letters/memos
 5. Law is overseen by public health. The situation is just like TV series Breaking Bad
 6. There is no age limit re hemp products
 7. Reported that the Smoke Shop near E3 HS was shut down. Member reported seeing it back open
 8. Concern with Elementary School students accessing smoke shops
 9. IRT member question – are the ghost products available only in smoke shops – no, everywhere and on line
- B. Gina
1. Showed ghost packaging "100% legal hemp"
 2. Regulations are frequently misinterpreted
 3. Need better enforcement
 4. IRT member question – edibles are infrequently tested. <.03% is not "intoxicating"
 5. El Cajon is example of community stepping up guidelines
 6. Re member question re distances of cannabis to schools as 1000 feet, smoke shops not as restrictive locally or by CA.
 7. Totality of circumstances is objective
- C. SDPD Lt Bill
1. Enforcement Complaint response priority is based on danger to community
 2. Concern with smoke shops is selling things they 'shouldn't'
- D. GCPC/Guest discussion
1. Gary Smith DRG
 - a) Get Product under control
 - b) Smoke Shops away from schools. 1000' = 5 blocks – would in effect remove shops from downtown due to large presence and positioning of schools
 - c) Recommend DCPC and member letters restricting Smoke Shops to 1000'
 2. K. Hallahan – smoke shops are incompatible – should not be near schools
 3. M. Soriano (EVRG Comm Relations Chair): focus on defining distance, include libraries and playgrounds to also be covered by 1000' umbrella
 4. Members:
 - a) (Bob) concern with DCPC overview for discretionary approvals of smoke shops and Cannabis sales
 - b) (JP) Promote SDPD to police sales to minors with enforceable regs, engage DCPC for Smoke Shop and Cannabis reviews

- c) (Chris)
 - (1) Define Smoke Shops e.g. all paraphernalia only?
 - (2) Too much gray area
 - (3) Look to policy makers and council to regulate
 - d) (Moriah) concerns in the letter should highlight systemic concerns in addition to particular businesses.
 - e) Others – distances, refer to sub committee IAW Roberts Rules, Thanks to presenters.
5. Manny motions to accept resolution. Brennan 2nd. Motion is withdrawn after not reaching agreement with board.

VI. Land Development Code (LDC) Update Presentation (Brian Schoenfisch, Urban Division)

- A. LDC is available for public input re zoning code
- B. Intent of updates this year are to make more efficient and promote outdoor living
- C. In response to member question re some expecting population decline –
 - 1. The Program changes are Right Sized,
 - 2. Promote efficient use of underutilized spaces,
 - 3. Is a housing unit accelerator,
 - 4. Is an act now focus rather than watch property values increase and housing continue to become more expensive
 - 5. Includes middle income incentives
 - 6. Would result in Pinnacle at Broadway converting commercial ground floor space to residences,
 - 7. Improve greening of parking facades.
- D. In response to a member question – The BOSA conversion apartments to condos is representative of C Street Promise Zone activation. Includes increase of outdoor space from 1,000sf to 2,000sf.
- E. Other priorities in LDC updates include:
 - 1. Providing Urgent Care opportunities by right. Would promote family friendly care.
 - 2. Placemaking would increase such as Pickle Ball on surface parking
 - 3. Increase blank wall alternatives
 - 4. Promote affordable housing on Coastal Zone in complete communities, by right.
 - 5. Gaslamp Code clarified in a single chapter in 2025 update
 - 6. Incentivizes temporary parking lot activation
 - 7. Environmentally and sustainability responsive in Preservation of Mature Trees
 - 8. Increase pedestrian and bike lanes. Consideration includes changing one way streets to two way to open up safe passageways for bikes and pedestrians

9. Increase FAR exemptions for inclusion of child care
- F. Recommends to attend 2025 LDC public workshops and hearings [Land Development Code Updates in Process | City of San Diego Official Website](#)
- G. Public comment/questions
 1. Gary Smith DRG – encourages items to be added as they come back with comments/recommendations eg Evidence Presentations. Concern was expressed with water demanding trees. Re Commercial plan – the Marina district is evidence of results of not committing to include commercial spaces.
- H. Member comment/questions:
 1. Chris Eddy – encourages bonuses and opportunities to maximize space available to child care operators
 2. Manny – discussion to increase bonuses in size and quantity
 3. Rammy – congrats on reaching 10,000 new housing units described in opening remarks. Also referenced AB 2560 (Alvarez) that provides for Coastal zone growth by ministerial approval that has been appealed. Share concerns re Ground Floor loss of commercial spaces as permanent or possibly as a conditional change. Finally expressed concern with Marina District loss of Commercial Space resulting in loss of eyes on the streets – encourage approval of residences to be temporary until commercial viability returns.
 4. JP – asked about permit turnaround time in updated LDC. Brian response was that it varied widely but was effectively tracked throughout. Permitting process is sensitive to “Average Times” perceptions.
 5. Brendan – Recommended 2025 LDC be separately addressed as upcoming DCPC meeting agenda item.
 6. Manny – complimented Gaslamp Change
 7. Rammy – recommended LDC be briefed to Planning Council in June for SEP effective date.
- I. **Motion to approve Rammy 1st, M. Vilarina 2nd. Unanimous (13) approval with exception of teleconference (2) members Lauer and Helmer who left the meeting.**

VII. Committee Reports

- A. Elections –Bargmann (Committee Chair). 78 registered voters. 39 ballots cast. 12 of 13 vacancies filled. 8 of 13 are returning members. Congrats to all.
Elected by seat are:
 1. At Large representing Community Groups:
 - a) Manny Rodriguez (Walk and Roll SD)
 - b) Chloe Lauer (SD County Bicycle Coalition)
 - c) Chris Eddy (Gaslamp Quarter Historical Society)
 2. Open At Large seats:

- a) Gabrielle Werve
- b) Mariah Saldana
3. Cortez Hill Resident – Elizabeth Schwartz
4. EV North Resident - Bob Link
5. EV South Resident – Gary Hewitt
6. Little Italy Business (HP Investors) – Tyler Winslow*
7. Little Italy Resident – Greg Barr
8. Horton/Gaslamp/Core Biz (Smokin J's BBQ & Taphouse) – Joshua George
9. Marina Business (Wildflower Roaster and Brewhouse) – Damon Robles (pending verification)*
10. Columbia Business – no candidate – DCPC Board to fill vacancy*

* Seat (3) expires March 2025. Filled one year vacancy.

B. Communications Committee: Werve (Committee Chair)

1. Described increasing exposure – does not yet include LinkedIn.
2. Requested input to subcommittee focused on continual improvement

C. Owners, Developers and Entrepreneurs Advocacy Committee JP Schwartz (Committee Chair)

1. Highlighted 12 persons participation in Bollard Removal discussions, 5th Ave., E Street to Broadway. Michael Trimble had recommended shifting operations around those blocks.
2. Member feedback was to expand use of Bollards to the North, not decrease. Recommended use of surveys and data collection to evaluate concerns.
3. Concern over members not receiving notice of meeting. Chair clarified that the meeting was put together at the last minute and the subcommittee did not give the Chair enough time to advise the other members. New policy adopted in the consent agenda urges subcommittees to notify the chair a week in advance of any meeting they will have so that the Chair may notify the board.

D. Public Spaces

1. Balboa Park - Chris Eddy (Committee Chair)
 - a) Highlighted Balboa Park Strategic Survey
 - b) Reviewed Stakeholder Interviews
 - c) Discussed SDHS bifurcation from Balboa Park by Route 5 S curve
 - d) Reviewed Committee of 100 as interest item re Park development
2. Downtown Parking Management Group – Rodriguez (Committee Chair)

- a) DCPC's entry into the group was stalled by the DPMG's leadership.
- b) FRED anti alcohol advertising revenue prohibition to be reheard in 2025.
- c) DPMG to vote on whether to fund FRED the next day.

VIII. **Pulled Items from Consent Agenda –**

C. Sabre Wine Bar Sidewalk Café

1. Brief discussion in support of application. Motion to approve Manny 1st, JP 2nd, Unanimous approval (13 votes)

D. **Front & A Offsite Alcohol Use Permit**

1. Summarized Grocery Store with High Value Alcohol. Mixed use Residential Bldg, Alcohol is an amenity primarily for residents. Described as in compliance with ordinance hours, container sizes, (SDPD approval) as less than 10% of floor space planned for alcohol sales.
2. Community feedback:
 - a) Gary Smith DRG – regarding container sizes – don't compromise until a known problem regarding vagrants is resolved.
 - b) Pasquale Ioele, Flock & Avoyer/Urban Strategy Group – In favor of supporting the store in Little Italy.
 - c) Mary Soriano, EVRG Community Rep – has concerns but at minimum needs to comply with laws impacting other grocers.
3. Bob abstained from voting. Manny motion, Gabrielle 2nd, Unanimous approval (12 votes)

XI. **Remainder Non-Agenda Public Comments.** none

XII. **Adjournment –8:25 pm**

Public Comments Submitted for 03/20/2024 Meeting

Brett Taylor

8:55 AM (6 hours ago) ☆ ↶ ⋮

to me ▾

This comment is in support of the Resolution to create a minimum distance from tobacco shops from schools.

As the CEO of e3 Civic High, I am extremely frustrated that a smoke shop has opened across the street from our school. Vaping has become an epidemic for the younger generation. We are dealing with our bathroom sensors reporting vaping incidents on a daily basis. Educating teens on the dangers of vaping is a struggle in the face of marketing directed at our youth.

Students should not be exposed to this so close to school. Additionally, despite claims that minors will not have access, our students continue to find access and shops find ways around the rules for sales. And, the shop markets a lifestyle that tempts many minors.

Please help us protect our kids. If this shop were across the street from a large comprehensive public school, the uproar would be unimaginable. Don't punish our students because they have chosen a smaller, more tailored educational atmosphere.

Sincerely,



Brett Taylor
CEO
Phone

San Diego, CA 92101
Twitter: [@e3CivicHigh](#)
IG: [@e3CivicHigh](#)
Website: www.e3civichigh.com



"Take care of you, Take care of each other, Take care of e3!"

[e3 Civic High was named a California Pivotal Practice Award School](#)

cindy Cook

8:13 AM (7 hours ago) ☆ ↶ ⋮

to me ▾

A smoke shop recently opened across from 2 schools in East Village. This is an area that is already suffering and the residents and homeowners have been working diligently to clean up the area and provide a clean and safe environment for ALL. This smoke shop opened where there is already a 7/11 nearby. The 7/11 attracts drug users. They are constantly loitering and openly using drugs outside.

When I learned a smoke shop was approved, No Seal No Deal, I was appalled. East Village is losing a world famous bakery Izola due to permitting issues, yet a smoke shop is being allowed in direct proximity to our prized Central Library, and 2 schools. This is unbelievable to me. The kids in the area need to be given a fighting chance at safety and we need to protect them from harm.

No Seal No Deal is a cover for a dispensary and that is openly displayed on their Instagram along with photos of people in ski masks grabbing at their waste bands outside of the new smoke shop.

I recommend the City puts as much (if not MORE) scrutiny into allowing permits for smoke shops as they do a bakery. Our City should be putting our youth FIRST and doing everything we can to keep harm and bad influence away from them.

Thank you,
Cindy

greg bickel <gbic12@outlook.com>
to me ▾

9:13 AM (6 hours ago) ☆ ↶ ⋮

I disagree with any attempt to put a smoke shop anywhere near the school/library. There are more than enough in the East Village area and anymore would constitute a hazard and a danger to those citizens who reside here. We have enough threats to deal with here already.

Greg Bickel

Cookie Serrano
to me ▾

10:01 AM (5 hours ago) ☆ ↶ ⋮

To: Downtown Community Planning Council

Re: Resolution in Support of Minimum Distance for Tobacco Shops Near Schools - Agenda item V

I am writing you today in [support](#) of enacting a resolution to require a minimum distance for Tobacco Shops near schools. I am a resident of the East Village in Downtown San Diego and in the past year a "Smoke Shop" called No Seal No Deal opened on 11th Ave in the East Village. This is directly across the street from the charter school inside the public library and is just around the corner from the school on 10th Ave. It takes only one look at this store's social media sites to see what kind of activity goes on at this location. Selling flavored loose tobacco and marijuana products while school children are literally walking by everyday does not seem appropriate. In addition, there are parties held inside and in front of the store where seemingly inappropriate activity for children is taking place. Surely there is a better location for this type of establishment than right outside schools where children are being educated.

Thanks for your consideration.

Regards,

Kathleen Serrano

Letter submitted by Tricia Moore:

To Whom It May Concern,

I am writing to express the East Village Resident Groups (EVRG) collective concern regarding the current permit and licensing process for smoke shops specifically the shop located at 302 11th Ave San Diego CA 92101 near Charter School, Of San Diego, and e3 Civic High Schools and the San Diego public library.

As a resident and advocate for the well-being of our community, I believe it is imperative for us to prioritize the health and safety of our youth by ensuring that such establishments are not located in close proximity to places where children and adolescents frequently gather.

While I understand the importance of fostering a diverse urban environment and supporting diverse local businesses, I am troubled by the potential negative impacts that smoke shops near schools and libraries may have on the health and development of our younger population.

Research has consistently shown that exposure to tobacco and related products at a young age can significantly increase the likelihood of addiction and other adverse health outcomes later in life. Furthermore, the presence of these establishments in close proximity to educational and recreational facilities may normalize

smoking behavior and undermine efforts to promote a smoke-free lifestyle among our youth.

Therefore, I respectfully request that the city undertake a comprehensive review of its permitting and licensing process for smoke shops at this particular location and consider implementing measures to restrict their location near schools and libraries. By adopting such measures, we can demonstrate our commitment to promoting the health and well-being of our

community, particularly our younger residents who are most vulnerable to the harmful effects of tobacco use.

I would be more than willing to collaborate with city officials, community stakeholders, and local businesses to explore alternative solutions that balance the interests of economic development with the imperative to protect public health.

Together, we can work towards creating a safer and healthier environment for all residents of our city.

Thank you for considering the concerns of East Village residents.

I look forward to your prompt attention to this matter and to working together towards a positive outcome.

Sincerely,

Tricia Moore
On behalf of EVRG