



## THE CITY OF SAN DIEGO

### **JUNE 21, 2023 at 9:00 A.M. HEARING OFFICER AGENDA HYBRID MEETING**

**City Operations Building, 3<sup>RD</sup> Floor  
1222 First Avenue, San Diego, California 92101**

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#### **PUBLIC SERVICE ANNOUNCEMENT REGARDING MEETING ACCESS**

Until further notice, Hearing Officer meetings will be conducted pursuant to the provisions of California Government Code section 54953(a), as amended by Assembly Bill 2249.

The Hearing Officer will be in person and the meeting will be open for in-person testimony. Additionally, we are continuing to provide alternatives to in-person attendance for participating in Hearing Officer meetings.

The public is encouraged to [subscribe](#) to receive meeting agendas.

In lieu of in-person attendance, members of the public may also participate and provide comment via telephone, ZOOM, using the Hearing Officer [webform](#), or via U.S. Mail of written materials, as follows:

#### **The link to join the webinar by computer, tablet, or smartphone is:**

<https://sandiego.zoomgov.com/j/1603558740>

#### **To join by telephone:**

Dial 1-669-254-5252 or (Toll Free) 1-833-568-8864

When prompted, input **Webinar ID: 160 355 8740**

#### **HOW TO SPEAK TO A PARTICULAR ITEM DURING PUBLIC COMMENT:**

**In Person for Agenda Items and Non-Agenda Public Comment:** Please fill out a speaker slip located at the entrance to the meeting. Indicate the item you wish to speak on as well as other requested information. Then submit it to City staff.

**Via Virtual Platform for Agenda Items and Non-Agenda Public Comment:** When the Hearing Officer introduces the item (or indicates it is time for Non-Agenda Public Comment), raise your hand by either tapping the "Raise Your Hand" button on your computer, tablet, or Smartphone, or by

dialing \*9 on your phone. You will be taken in the order in which you raised your hand. You may only speak once on a particular item.

When the Hearing Officer indicates it is your turn to speak, unmute your phone by tapping the unmute button on your computer, tablet or Smartphone, or dial \*6 on your phone.

**Please Note:** Members of the public who wish to provide virtual testimony must enter the virtual queue by raising their hand before the queue closes. The queue will close when the last virtual speaker finishes speaking or five minutes after in-person testimony ends, whichever happens first.

***Those participating virtually may NOT cede time to others participating in person or virtually.***

#### **HOW TO PROVIDE WRITTEN COMMENTS:**

**For Agenda Items and Non-Agenda Public Comment:** Submit using the [webform](#), indicating the comment type and item number (if relevant). Comments must be submitted the business day prior for it to be distributed to Hearing Officer. All webform comments are limited to 200 words but may include attachments. Comments received after the deadlines described above but before the item is called will be submitted into the written record for the relevant item. Please go to the Hearing Officer [website](#) for further instructions.

**Written Materials:** Instead of submitting materials as an attachment to the [webform](#), you may submit via U.S. Mail to the Hearing Officer at 1222 First Avenue, MS 501 San Diego, CA 92101. Materials submitted via U.S. Mail must be received the business day prior for it to be distributed to the Hearing Officer.

#### **HOW TO WATCH THE MEETING:**

The public may view the meetings on their scheduled time-on the [City of San Diego Public Hearings](#) YouTube channel or within 24 to 48 hours of the meeting depending upon technical streaming issues.

#### **GENERAL INFORMATION:**

**Requests For Accessibility Modifications Or Accommodations:** As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by calling 619-321-3208 or emailing [hearing\\_officer@sanidiego.gov](mailto:hearing_officer@sanidiego.gov) at least two business days before the meeting. The City is committed to resolving all accessibility requests swiftly.

**Items Marked with Asterisks:** Those items with an asterisk (\*) will include consideration and adoption/approval of the appropriate environmental document. For additional information please see **California Environmental Quality Act (CEQA) Notices and Documents at:** <https://www.sandiego.gov/ceqa>.

**Consent Agenda:** The Hearing Officer may vote to approve one or more items identified as being part of a Consent Agenda. If an item is approved in that manner, the action approved is as stated in Staff's recommendation, which is normally set forth in the agenda and the Report to the Hearing Officer, and which Staff may modify prior to the vote by informing the Hearing Officer verbally or in writing.

The Consent Agenda may be voted on quickly, if you wish to be heard, please submit your [webform](#), the business day prior for it to be distributed to Hearing Officer. All webform comments are limited to 200 words but may include attachments. Comments received after the deadlines described above but before the item is called will be submitted into the written record for the relevant item.

**HEARING OFFICER ASSIGNED TO TODAY'S HEARING:** Duke Fernandez

**ANNOUNCEMENTS/NON-AGENDA PUBLIC COMMENT**

This portion of the agenda provides an opportunity for members of the public to address the Hearing Officer on items of interest within the jurisdiction of the Hearing Officer. Comments relating to items on today's docket are to be taken at the time the item is heard.

Comments may be submitted using the [webform](#) checking the appropriate box. All webform comments are limited to 200 words but may include attachments. Comments received after the start of the meeting but before Non-Agenda comment is called will be submitted into the written record for the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by the Hearing Officer on any issue brought forth under Announcements/Public Comment.

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

**REQUEST FOR ITEMS TO BE PLACED ON CONSENT AGENDA**

**AGENDA ITEMS**

**ITEM 1: 4575 CAMINO DE LA PLAZA CANNABIS OUTLET – PROJECT NO. 1061754**

**Staff:** Travis Cleveland  
**City Council District:** 8  
**Plan Area:** San Ysidro

Conditional Use Permit application for a new Cannabis Outlet in a previously approved building (under construction) at 4575 Camino De La Plaza in the CR-2-1 zone within the San Ysidro Community Plan and City Council District 8. The project is also in the FAA noticing area for Brown Field, Imperial Beach Naval Outlying Landing Field Review Area 2, the Coastal Height Limitation Overlay Zone, and a Transit Priority Area. On May 19, 2019, the City Council approved Project No. 375960, the Virginia Avenue Parking Garage project, for which an EIR Addendum (Addendum to EIR No. 310690/SCH No. 2015111012) was prepared. The City of San Diego, as lead agency, has completed a California Environmental Quality Act (CEQA) Guidelines Section 15162 – Subsequent EIRs and Negative Declarations consistency evaluation for the proposed project. A consistency evaluation was performed to determine if conditions specified in CEQA Guidelines Section 15162 would require preparation of additional CEQA review for the proposed project. The City has determined that the proposed project is consistent with Addendum to EIR No. 310690/SCH No. 2015111012 and would not result in any significant direct, indirect or cumulative impacts over and above those disclosed in the previously adopted Virginia Avenue Parking Garage Addendum. There are no substantial changes proposed in the project or its circumstances which would not

result in new significant impacts or a substantial increase in the severity of impacts. No new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project. Report No. [HO-23-025](#).

**DEPARTMENT RECOMMENDATION**

Approve the project.

**ITEM 2: EASTGATE MIRAMAR ASSOCIATES – PROJECT NO. 683552**

**Staff:** Veronica Davison

**City Council District:** 6

**Plan Area:** University

Conditional Use Permit (CUP) to amend CUP No. 98-0553 to operate an Alcoholic Beverage Outlet. The project proposes a 30-year CUP instead of the previously approved 25-year CUP with no changes to the development and hours of operation. The existing development includes a 4,400-square-foot car wash facility, a 2,250-square-foot convenience store that sells alcohol with fuel pumps, and a 2,862-square-foot auto repair facility. The 1.46-acre site is located at 5706 through 5726 Miramar Road, in the IL-2-1 base zone, Airport Land Use Compatibility Overlay Zone (ALUCOZ) for Marine Corps Air Station (MCAS) Miramar, Airport Influence Area (AIA) Review Area 1 for MCAS Miramar, Federal Aviation Administration (FAA) Part 77 Noticing Area for MCAS Miramar, Accident Potential Zone 2 for MCAS Miramar, Airports Noise Contours for MCAS Miramar and the Community Plan Implementation Overlay Zone Type-B (CPIOZ-B) within the University Community Plan area. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15061(b)(3). Report No. [HO-23-026](#).

**DEPARTMENT RECOMMENDATION**

Approve the project.

***This project will be continued to July 26, 2023***

**ITEM 3: \*GIBBY RESIDENCE – PROJECT NO. 1053312**

**Staff:** Will Rogers

**City Council District:** 1

**Plan Area:** La Jolla

Coastal Development Permit and Site Development Permit for a proposed addition and remodel of an existing 2,569-square-foot, one-story single-family residence into a 4,117-square-foot, two-story residence with an existing 684-square-foot attached garage. The 0.12-acre site that is located at 8311 El Paseo Grande and is in the LJSPD-SF Zone and Coastal Overlay (non-appealable), La Jolla Shores Archaeological Study Area, Coastal Height Limit, Parking Impact Overlay Zone (Beach Impact Area), and Transit Priority Area, within the La Jolla Community Plan area. [Mitigated Negative Declaration PRJ-1053312](#). Report No. HO-23-027.

**DEPARTMENT RECOMMENDATION**

Approve the project.

***This project will be continued to July 12, 2023***

**ITEM 4: 4605 SANTA CRUZ – PROJECT NO. 684770**

**Staff:** Martin Mendez

**City Council District:** 2

**Plan Area:** Ocean Beach

Coastal Development Permit, Site Development Permit and Vesting Tentative Map to subdivide an existing 0.16-acre parcel into two parcels, retaining the existing single-family dwelling unit on one parcel, and constructing a 2,400 square-foot, two-story single-family dwelling unit on the second parcel. The project site is located at 4605 Santa Cruz Avenue in the RM-1-1 (Residential Multiple Unit) base zone, Coastal Overlay Zone (non-appealable area two), Coastal Height Limit Overlay Zone, Transit Priority Area, Ocean Beach Emerging District, Parking Impact Overlay Zone (Coastal Impact), Airport Land Use Compatibility Overlay Zone for an Diego International Airport (SDIA) and North Island Naval Air Station (NAS), Airport Approach Overlay Zone, Airport Influence Area Review Area Two for SDIA and North Island NAS, and the Federal Aviation Administration (FAA) Part 77 Notification area for SDIA and North Island NAS, within the Ocean Beach Community Plan area. The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Infill Development Projects. Report No. HO-23-028.

**DEPARTMENT RECOMMENDATION**

Approve the project.

**ITEM 5: HAVANA 1920 LIVE ENTERTAINMENT – PROJECT NO. 1067486**

**Staff:** Jacob Basinger

**City Council District:** 3

**Plan Area:** Downtown

Conditional Use Permit (CUP) to extend the existing indoor live entertainment approved under CUP 2003-10 to the second floor of Havana 1920 Restaurant located at 548 5th Avenue. The 2,500 square-foot property is located on the west side of 5th Avenue between Market Street and Island Avenue in the Gaslamp Quarter Planned District, the Transit Priority Area Overlay, the Horton/Gaslamp neighborhood of the Downtown Community Plan area. This project is within the scope of the previously certified [Downtown Final Environmental Impact Report](#) pursuant to a California Environmental Quality Act Section 15162 consistency evaluation and no additional environmental document is required. Report No. [HO-23-029](#).

**DEPARTMENT RECOMMENDATION**

Approve the project.

**ADJOURNMENT**