

**CITY OF SAN DIEGO HEARING OFFICER
DOCKET FOR HEARING OFFICER MEETING
APRIL 13, 2005
COUNCIL CHAMBERS, 12TH FLOOR CITY ADMINISTRATION BLDG
8:30 A.M.**

NOTE: Land Use Hearings are held at 8:30 A.M. and are appealable to the Planning Commission. Appeal applications may be obtained on the 5th floor of the City Administration Building, located at 202 C Street, San Diego, CA 92101.

If a Sign Language Interpreter, aids for the visually impaired, or Alternative Listening Devices (ADLs) are required, please contact the Disability Services Coordinator at 619-236-5679 at least five (5) working days prior to the meeting to ensure availability. Those items with an asterisk () will include consideration of the appropriate environmental document.*

Each item presented on this docket is a Process 3 under the Land Development Code Section 112.0501.

HEARING OFFICERS ASSIGNED TO TODAY'S HEARING: Tracy Elliott-Yawn

ITEM-1: **PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE HEARING OFFICER NOT PREVIOUSLY HEARD. REQUESTS TO SPEAK SHOULD BE SUBMITTED TO THE HEARING OFFICER RECORDING SECRETARY AT THE TIME OF THE MEETING. NOTE: 3 MINUTE MAXIMUM PER SPEAKER.**

ITEM-2: **REQUESTS FOR CONTINUANCES.**

ITEM-3: **ITEMS TO BE PLACED ON CONSENT AGENDA.**

ITEM-4 (Continued from 3/16 & 3/23)
FLAMING SKEWER – PROJECT NO. 59038
City Council District: 3; Plan Area: Uptown

STAFF: Bill Tripp

Approve, conditionally approve, or deny an application for a Conditional Use Permit to establish and maintain a Alcoholic Beverage Outlet pursuant to Land Development Code Section 141.0502, to accommodate to Type 21 - General Liquor License, and s Site Development Permit as required by Land Development Code Section 103.1504.h.1.C, to accommodate a shared parking agreement within the Mid-City Communities Planned District. Said Alcoholic Beverage Outlet to comprise a maximum 100 sq. ft. liquor store/sales area, and an approximate 1,620 sq. ft. delicatessen and restaurant within an approximate 2,000 sq. ft. ground floor tenant improvements space/portion of an existing three-story building.

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The 0.36-acre (15,660 sq. ft.) site is zoned CN-1A (Commercial-Node) and located within the Mid-City Communities Planned District, addressed as **3896-B Fifth Avenue**, located south of Fifth and University Avenues, east of Fourth and west of Sixth Avenues, legally described as Lots 29-32, Block 3, Nutt's addition, Map No. 628.

RECOMMENDATION:

Approve

ITEM-5: ELLIOTT RESIDENCE - PROJECT NO. 29879

City Council District: 1; Plan Area: La Jolla

STAFF: Robert Korch

Approve, conditionally approve, or deny an application for a Coastal Development Permit and a Variance to demolish portions of an existing 1,274 square-foot, one-story residence and construct a 488 square-foot ground level addition to the residence, a 161 square-foot addition to the garage and a 842 square-foot second story addition on a 5,000 square-foot lot at **426 Marine Street** in the RS-1-7 zone, Coastal Overlay Zone (appealable area), Coastal Height Limit and Beach Parking Impact Overlay Zone within the boundaries of the La Jolla Community Plan. The Variance requests a 15-foot, 8-inch wide driveway curb cut where land use regulations allow a maximum 12-foot wide driveway. Report No. HO-05-055.

RECOMMENDATION:

Deny

ITEM-6: MORENA BOULEVARD OFFICE CONDOS - PROJECT NO. 47545

City Council District: 6; Plan Area: Clairemont Mesa

STAFF: Bill Tripp

Approve, conditionally approve, or deny an application for a Tentative Map Waiver to waive the requirements for a Tentative Map to create 32 commercial condominium units in an existing commercial building on a 1.866 acre site at **4455 Morena Boulevard** in the IP-2-1 zone within the Clairemont Mesa Community Plan, Clairemont Mesa Height Limitation Overlay Zone. The property is legally described as Lots 33 and 34, Vista Bay Ho, Map No. 7649. Report No. HO-05-061

RECOMMENDATION:

Approve

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TEM-7: **1447 REED AVENUE MAP WAIVER - PROJECT NO. 53076**
City Council District: 2; Plan Area: Pacific Beach

STAFF: Laura Black

Approve, conditionally approve, or deny an application for a Coastal Development Permit, Map Waiver and Waiver of Undergrounding to convert four (4) existing residential units to condominiums on an existing 6,234 square foot site. The project is addressed as **1447-49 Reed Avenue** in the RM-1-1 Zone within the boundaries of the Pacific Beach Community Plan, Coastal Overlay Zone (non-appealable area) and Coastal Height Limit Overlay Zone. Report No. HO-05-071.

RECOMMENDATION:

Approve.

ITEM-8: **OCEAN FRONT WALK DUPLEX 1- PROJECT NO. 42567**
City Council District: 2; Plan Area: Mission Beach

STAFF: John Cruz

Approve, conditionally approve, or deny an application for a Map Waiver to waive the requirements for a Tentative Map to convert two (2) residential units (under construction) to condominium ownership and a request to waive the requirements to underground existing overhead utilities. The project is located on a 0.062 acre site at **3533 Ocean Front Walk** and is in the R-S zone of the Mission Beach Planned District and Mission Beach Precise Plan area. The site is within the State Coastal Jurisdiction, Coastal Height Overlay, Parking Impact, and Transit Area Overlay zones. Current construction is permitted by Coastal Development Permit No. 6-03-060. Report No. HO-05-063.

RECOMMENDATION:

Approve.

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ITEM-9: **OCEAN FRONT WALK DUPLEX 2- PROJECT NO. 42571**
City Council District: 2; Plan Area: Mission Beach

STAFF: John Cruz

Approve, conditionally approve, or deny an application for a Map Waiver to waive the requirements for a Tentative Map to convert two (2) residential units (under construction) to condominium ownership and a request to waive the requirements to underground existing overhead utilities. The project is located on a 0.062 acre site at **3537 Ocean Front Walk** and is in the R-S zone of the Mission Beach Planned District and Mission Beach Precise Plan area. The site is within the State Coastal Jurisdiction, Coastal Height Overlay, Parking Impact, and Transit Area Overlay zones. Current construction is permitted by Coastal Development Permit No. 6-03-060. Report No. HO-05-064.

RECOMMENDATION:

Approve.

ITEM-10: **SORRENTO VALLEY - PROJECT NO. 45813**
City Council District: 1; Plan Area: Torrey Pines

STAFF: Cherlyn Cac

Approve, conditionally approve, or deny an application for a Coastal Development Permit and Map Waiver to convert three existing commercial units to condominiums, including a waiver for undergrounding utilities, on a 134,374 square-foot site. The property is located at **4105, 4115, and 4125 Sorrento Valley Boulevard** in the IL-3-1 Zone within the Torrey Pines Community Plan Area. Report No. HO-05-077.

RECOMMENDATION:

Approve.

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ITEM11: **THORN STREET MAP WAIVER- PROJECT NO. 55338**

City Council District: 2; Plan Area: Uptown

STAFF: John Fisher

Approve, conditionally approve, or deny an application for a Map Waiver No. 161262 and waive the requirement to underground existing overhead utilities to convert two existing residential units into condominium ownership on a 3,761.26 square foot site at **1410 W. Thorn Street** within the Uptown Community Plan area.

Should the condominium conversion project be approved, tenants may be required to vacate the premises. No units may be sold in this building unless the conversion is approved by the city and until after a public report is issued by the Department of Real Estate. Each tenant has the exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right. Report No. HO-05-065.

RECOMMENDATION:

Approve.