AGENDA FOR THE CITY OF SAN DIEGO HEARING OFFICER MEETING WEDNESDAY, MAY 26, 2021 AT 9:00 A.M. VIRTUAL HEARING

COVID- 19 PUBLIC SERVICE ANNOUNCEMENT REGARDING HEARING OFFICER MEETING ACCESS AND PUBLIC COMMENT:

Until further notice, Hearing Officer meetings will be conducted under the provisions of California Executive Order 29-20, which suspends specific requirements of the Ralph M. Brown Act.

During the current State of Emergency and in the interest of public health and safety, the Hearing Officer meetings will be conducted by teleconference. Per the Executive Order, there will be no members of the public in attendance at these meetings. In lieu of in-person attendance, members of the public may submit their comments online. Learn more about submitting public comments.

In lieu of in-person attendance, members of the public may participate and provide comment via a virtual meeting, telephone, using the Hearing Officer webform, email submission or via U.S. mail of written materials, as follows:

JOINING THE WEBINAR AND OFFERING PHONE-IN TESTIMONY:

Starting February 10, 2021, the Hearing Officer meetings will be held virtually using the Zoom Webinar platform. Members of the public can offer public comment on agendized items or during Non-Agenda Public Comment by accessing the meeting online using a desktop computer, laptop, tablet, or Smartphone, or by calling into the meeting using a Smartphone, cellular phone, or land line.

THE LINK TO JOIN THE WEBINAR BY COMPUTER, TABLET, OR SMARTPHONE IS:

https://sandiego.zoomgov.com/j/1605530072

TO JOIN BY USING IPHONE ONE-TAP:

US: 1-669-254-5252 or 1-646-828-7666 or 1-669-216-1590 or 1-646-828-7666

TO JOIN BY TELEPHONE:

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

When prompted, input Webinar ID: 160 553 0072

HOW TO SPEAK TO A PARTICULAR ITEM OR DURING NON-AGENDA PUBLIC COMMENT:

When the Hearing Officer introduces the item you would like to comment on (or indicates it is time for Non-Agenda Public Comment), raise your hand by either tapping the "Raise Your Hand" button

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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, click the unmute prompt that will appear on your computer, tablet or Smartphone, or dial *6 on your phone

WRITTEN COMMENT THROUGH WEBFORM:

Comment on Agenda Items may be submitted (no later than 8 AM day of meeting in order to participate) using the webform indicating the agenda item number for which you wish to submit your comment. Comments received by the start of the meeting will be distributed to the Hearing Officer. All webform comments are limited to 200 words. Comments received after the start of the meeting but before the item is called will be submitted into the written record for the relevant item. Please visit the Hearing Officer web page for further instructions.

Non-Agenda Public Comments may be submitted using the webform, checking the appropriate box. Comments received by the start of the meeting will be distributed to the Hearing Officer. All webform comments are limited to 200 words. 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.

Written Materials. If you wish to submit written materials for submission into the record or have an attachment to your comment, you may email it to hearingofficer@sandiego.gov or submit via U.S. Mail to 1222 First Avenue, MS501 San Diego, CA 92101. Materials submitted via e-mail will be distributed to the Hearing Officer in accordance with the deadlines described above. Materials submitted via U.S. Mail will need to be received the business day prior in order for it to be distributed to the Hearing Officer.

Watch the Meeting

The public may view the meeting at their scheduled time on YouTube or within 24 to 48 hours of the meeting depending upon techincal streaming issues.

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 contacting Support Services at (619) 321-3208 at least two business days prior to the meeting to insure availability or by email to: hearingofficer@sandiego.gov. The City is committed to resolving accessibility requests swiftly in order to maximize accessibility.

Each item presented on this docket is a Process 3 under the Land Development Code Section 112.0501. *Those items with an asterisk (*) will include consideration of the appropriate environmental document.* For additional information please see **California Environmental Quality Act (CEQA) Notices and Documents** at: https://www.sandiego.gov/ceqa.

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HEARING OFFICER ASSIGNED TO TODAY'S HEARING: Duke Fernandez

ANNOUNCEMENTS/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.

In lieu of in-person attendance, members of the public who would like to comment on a Non-Agenda Public Items may email comments to hearingofficer@sandiego.gov, with the term "Non-Agenda Public Comment" in the subject line of the email. All comments are limited to 200 words.

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 CONTINUANCES OR WITHDRAWALS

Staff will be requesting that Item No. 3 be withdrawn. Project will be re-noticed for a future hearing date.

ITEMS TO BE PLACED ON CONSENT AGENDA

DISCUSSION ITEMS:

Project continued from May 12, 2021

ITEM - 1:*4337 HOME AVENUE CANNABIS OUTLET CUP - PROJECT NO. 665772City Council District:9Plan Area:City Heights

Staff: Sammi Ma

Conditional Use Permit to operate a 1,200-square-foot Cannabis Outlet on the first floor of a new 2,400-square-foot building to be constructed, located at 4337 Home Avenue. The 1.08-acre site is in the CC-1-3 and IL-3-1 Zones, Airport Influence Area (San Diego International Airport – Area 2), Fire Brush Zones, and High Fire Severity Zone within the City Heights Community Planning area. Mitigated Negative Declaration No. <u>593686</u>. Report No. <u>HO-21-025</u>.

RECOMMENDATION:

Approve

ITEM – 2: 6395 BALBOA AVENUE SDP - PROJECT NO. 634180

City Council District: 6

Plan Area: Clairemont Mesa

Staff: Derrick Johnson

Site Development Permit to change the use of existing 1,650 SF oil change facility to a restaurant with a drive through. The 0.36-acre site is located at 6395 Balboa Avenue in the CC-1-3 Zone, Community Plan Implementation Overlay Zone Type

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B(CPIOZ-B), of the Clairemont Mesa Community plan area. Council District 6. Exempt from Environmental. Report No. <u>HO-21-019</u>.

RECOMMENDATION:

Approve

This project will be withdrawn and re-noticed for a future hearing date.

ITEM – 3:*BELLAVA CDP/SDP/TM - PROJECT NO. 655382City Council District:1Plan Area:La Jolla

Staff: Benjamin Hafertepe

Coastal Development Permit, Site Development Permit, and Tentative Map for demolition of an existing single-family residence, subdivision of existing lot into two single lots, and construction of a new 2,496-sq-ft. residence on the south lot and a new 2,250-sq-ft residence on the north lot located at 7306 Draper Avenue. The 0.14-acre site is in RM-1-1 and Coastal Overlay Zone (Non-Appealable Area 2) within the La Jolla Community Plan area. Council District 1. Mitigated Negative Declaration No. <u>655382</u>. Exempt from Environmental. Report No. <u>HO-21-023</u>.

RECOMMENDATION:

Approve

ITEM – 4: GREYHOUND CUP - PROJECT NO. 660146

City Council District: 3

Plan Area: Downtown

Staff: Nicole Pare

Conditional Use Permit to allow an extension of temporary operations for an existing bus transportation terminal located on a 0.29-acre site at 1313 National Avenue in the CCPD-MC zone within the East Village neighborhood of the Downtown Community Plan area. No private improvements are proposed. The previously issued Conditional Use Permit expired March 8, 2020. The applicant is requesting a five-year term.

The Development Services Department completed a CEQA review for the Greyhound CUP project. The Environmental Analysis Section (EAS) has determined that the Project is consistent with the previously certified City of <u>San Diego Downtown</u> <u>Environmental Impact Report</u>. Report No. <u>HO-21-026</u>.

RECOMMENDATION:

Approve