



THE CITY OF SAN DIEGO

**OCTOBER 2, 2024 at 9:00 A.M.
HEARING OFFICER AGENDA
HYBRID MEETING**

**City Operations Building, 3RD Floor
1222 First Avenue, San Diego, California 92101**

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 comments 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/1613831565>

To join by telephone:

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

When prompted, input **Webinar ID: 161 383 1565**

GENERAL INFORMATION AND HOW TO PROVIDE MATERIAL AND PARTICIPATE IN THE MEETING CAN BE FOUND AT THE END OF THE AGENDA

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REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN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

Continued from September 4, 2024

ITEM 1: 4811 MT. ETNA DRIVE – PROJECT NO. 1059048

Staff: Martin Mendez

City Council District: 6

Plan Area: Clairmont Mesa

Conditional Use Permit (CUP) to amend CUP No. 8276 for the phased demolition of an existing church facility and the phased construction of an educational facility to include three two-story buildings totaling 15,873 square feet, for 12 classrooms for infant care to fifth grade, a rooming house as an accessory use to the educational facility for short-term stays for traveling teachers in accordance with SDMC Section 131.0125(b), and associated site improvements. The development of the proposed project would occur in four phases. The 1.2-acre site is located at 4811 Mount Etna Drive in the RS-1-7 (Residential-Single Unit) zone, the Airport Land Use Compatibility Overlay Zone (ALUCOZ) for Marine Corps Air Station (MCAS) Miramar and Montgomery Field, the Airport Land Use Compatibility Plan (ALUCP) Airport Influence Area (AIA) Review Area Two for MCAS Miramar and Montgomery Field, the Federal Aviation Administration (FAA) Part 77 Noticing Area, the Clairmont Mesa Height Limit Overlay Zone (CMHLOZ), and a Transit Priority Area within the Clairmont Mesa Community Plan area.

This project was determined to be categorically exempt pursuant to Section 15332 (In-fill Development) of the California Environmental Quality Act.

[Report No. HO-24-038](#).

DEPARTMENT RECOMMENDATION

Approve the project.

ITEM 2: 4165 WILSON AVENUE – PROJECT NO. 1087442

Staff: May Rollin
City Council District: 9
Plan Area: Mid-City

Map Waiver to convert a two-story duplex and one single-dwelling unit (under construction) into three condominium ownerships. The proposed project is on a 0.14-acre site located at 4165 Wilson Avenue in the RM-1-2 base zone, Airport Land Use Compatibility (San Diego Interna Airport) Overlay Zone, Transit Area Overlay Zone, Transit Priority Area (TPA), the San Diego International Airport - Review Area 2 (AIA), and the FAA Part 77 Noticing Area within the City Heights Neighborhood of the Mid-City Community Plan area.

This project was determined to be categorically exempt pursuant to Section 15332, In-Fill Development Projects, of the California Environmental Quality Act. [Report No. HO-24-042](#).

DEPARTMENT RECOMMENDATION

Approve the project.

ITEM 3: 4078 STEPHENS STREET – PROJECT NO. 1075228

Staff: Daniel Neri
City Council District: 3
Plan Area: Uptown

Map Waiver to convert three existing units on one parcel into condominium ownership. The 0.15-acre project site is located at the intersection of W. Lewis Street and Stephens Street in the single-unit, RS-1-7 base zone of the Uptown Community Plan area. The project site is comprised of two (2) existing one-story detached units located at 4072 and 4078 Stephens Street, and one (1) existing one-story commercial building located at 1705 W. Lewis Street on a single parcel identified as APN 443-4621100.

This project was determined to be categorically exempt pursuant to Section 15315 (Minor Land Divisions) of the California Environmental Quality Act. [Report No. HO-24-044](#).

DEPARTMENT RECOMMENDATION

Approve the project.

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 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.

Late-Arriving Materials:

Pursuant to the Brown Act, California Government Code Section 54957.5(b), late-arriving documents related to the Hearing Officer meeting agenda items which are distributed to the legislative body prior to and during the meeting are available for public review at the Development Services Department Building, 1222 First Avenue, 3rd Floor, San Diego, CA. 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting.

Please note: Approximately one hour prior to the start of the Hearing Officer meeting, the documents will be available just outside the meeting location as identified herein in a binder labeled “Late-Arriving Materials”. Late arriving materials received during the Hearing Officer meeting are available for review by making a verbal request of the Legislative staff at the meeting location.

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 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](https://www.sandiego.gov/ceqa) 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.