



THE CITY OF SAN DIEGO

**SEPTEMBER 18, 2024 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 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:** Patricia Bautista

**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### **REQUESTS FOR ITEMS TO BE CONTINUED AND/OR WITHDRAWN**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: GARCIA RESIDENCE – PROJECT NO. 0697754**

**Staff:** Chandra Clady  
**City Council District:** 1  
**Plan Area:** La Jolla

Coastal Development Permit and Site Development Permit for the demolition of a 3,723-square-foot single dwelling unit and the construction of a new, two-story, 5,250-square-foot single dwelling unit with a 1,648-square-foot basement (total of 6,898 square feet), a new, attached 408-square-foot Junior Accessory Dwelling Unit (JADU), a new, attached 1,200-square-foot Accessory Dwelling Unit (ADU), a new, attached 888-square-foot garage, and a new pool, spa and exterior decks. The 0.51-acre site is located at 812 Havenhurst Point and is in the RS-1-4 Zone within the Coastal (Non-Appealable) Overlay Zone, Transit Priority Area, and Environmentally Sensitive Lands (ESL). This development the La Jolla Community Plan Area.

This project was determined to be categorically exempt pursuant to Section 15302 (Replacement/Reconstruction) of the California Environmental Quality Act.  
[Report No. HO-24-029](#).

#### **DEPARTMENT RECOMMENDATION**

Approve the project.

#### **ITEM 2: 11724 CARMEL CREEK TANG WASHOUT MITIGATION – PROJECT NO. 0692168**

**Staff:** Francisco Mendoza  
**City Council District:** 1  
**Plan Area:** Carmel Valley

Site Development Permit to repair an erosion washout of a gas line and stormwater improvements to mitigate future erosion south of SR-56 and east of Carmel Creek Road. The 0.015-acre project area is located within a 19.74-acre site in the OC-1-1 and AR-1-1 zones and Environmentally Sensitive Lands, Coastal Overlay Zone (Deferred Certification), and Fire Brush Zones within the Carmel Valley Community Plan area. A Coastal Development Permit will be required by the California Coastal Commission.

This project was determined to be categorically exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act.

[Report No. HO-24-037](#).

**DEPARTMENT RECOMMENDATION**

Approve the project.

**ITEM 3: SMITH RESIDENCE – PROJECT NO. 1109992**

**Staff:** Andrew Murillo

**City Council District:** 2

**Plan Area:** Peninsula

Coastal Development Permit for the addition and remodel of an existing one-story single dwelling unit consisting of 1,803 square feet of remodel, 291 square feet of first floor great room addition, and 424 square feet of basement addition, located at 730 Amiford Drive. The 0.149-acre site is in the RS-1-7 Base Zone, Coastal (Appealable) Overlay Zone within the Peninsula Community Plan Area. This development is within Coastal Overlay Zone.

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-24-039](#).

**DEPARTMENT RECOMMENDATION**

Approve the project.

**ITEM 4: TACOS EL CABRON LIVE ENTERTAINMENT – PROJECT NO. 1051280**

**Staff:** Saba Raisesmaili

**City Council District:** 3

**Plan Area:** Downtown

Conditional Use Permit for indoor live entertainment at Tacos El Cabron, a restaurant located at 534 Fifth Avenue on the 2,598 square-foot property at the west side of Fifth Avenue between Market Street and Island Avenue in the Gaslamp Quarter Planned District and the Transit Priority Area Overlay within the Horton/Gaslamp neighborhood of the Downtown Community Plan area. Development within the Downtown Community Planning area is covered under the [Downtown Final Environmental Impact Report \(FEIR\)](#) for the San Diego Downtown Community Plan. [Report No. HO-24-046](#).

**DEPARTMENT RECOMMENDATION**

Approve the project.

**ADJOURNMENT**

**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, 3<sup>rd</sup> 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](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](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.