



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: March 5, 2025 REPORT NO. HO-25-010  
HEARING DATE: March 12, 2025  
SUBJECT: Anytime Fitness Washington Street, Process Three Decision  
PROJECT NUMBER: [PRJ-1114608](#)  
OWNER/APPLICANT: SCF Mission Hills Vons Corp./Daniel Sussman

### SUMMARY

Issue: Should the Hearing Officer approve a Conditional Use Permit to allow the 24-hour operation of an existing 6,172 square foot fitness center located at 335 West Washington Street within the Uptown community planning area?

### Proposed Actions:

1. APPROVE Conditional Use Permit No. PMT-3313651.

Fiscal Considerations: Processing costs are recovered through a deposit account funded by the applicant.

Code Enforcement Impact: There is no active code enforcement case on the project site.

Housing Impact Statement: This project proposes a fitness center within an existing commercial shopping center in a commercial zone and no housing is proposed. Therefore, there is no housing impact associated with this project.

Community Planning Group Recommendation: On December 3, 2024, the Uptown Community Planning Group voted 10-0, with one abstention, to recommend approval of the project without conditions (Attachment 6).

Environmental Impact: The project site was previously analyzed within the adopted Vons Mission Hills Mitigated Negative Declaration, Project No. 201016. A consistency evaluation was prepared to determine if conditions specified in the California Environmental Quality Act (CEQA) Statute and Guidelines, Section 15162, would require the preparation of additional CEQA review for the project. As the evaluation outlines, the project is consistent with the original adopted Mitigated Negative Declaration, Project No. 201016, and would not result in new impacts. A Mitigation, Monitoring, and

Reporting Program was prepared for the Mitigated Negative Declaration and was previously implemented. Based on the CEQA Section 15162 consistency analysis, the project would not require any additional environmental review.

## BACKGROUND

The site is located at 335 West Washington Street in the CC-3-10 zone (Community Commercial), the Airport Land Use Compatibility Overlay Zone for North Island Naval Air Station and San Diego International Airport, the FAA Part 77 Noticing Area, the Community Plan Implementation Overlay Zone (Type A), the Transit Area Overlay Zone, and a Transit Priority Area. It is designated Community Commercial (0-218 du/ac) within the Uptown Community Plan (UCP).

The site's development is governed by Site Development Permit (SDP) No. 714171 (Project No. 201016), approved by the City Council on December 7, 2010. This permit developed the site with the VONS Grocery store to the west and a small adjacent building containing the subject tenant space. The proposed project is a use permit that does not require amending that approval. Anytime Fitness currently operates in this tenant space and the subject project does not propose additional physical development.

The site was zoned CC-3-8 when the project was deemed complete on September 20, 2024, and this is the zoning used to evaluate this project. The CC-3-10 zone was applied to the site effective December 1, 2024, as part of the broader Hillcrest Focused Plan Amendment, pursuant to Ordinance O-21867, approved by the City Council on September 17, 2024. The change in zoning does not affect the project, as discussed below.

The area along Washington Street to the east and west of the project site is commercial in the same zone and land use designation as the project site, with residential above the ground floor where buildings have more than one story. To the south of the site are residential uses zoned RM-3-9 and designated Residential-High by the UCP.

### Project Description:

Anytime Fitness currently operates at this location with limitations as allowed by [Table 131-05B](#) of [SDMC Section 131.0522](#), opening no earlier than 6:00 a.m. and closing no later than 10:00 p.m. (11:00 p.m. on Fridays and Saturdays) per [SDMC Section 141.0602\(b\)\(2\)](#).

The proposed project requests 24-hour operation of this existing use, which is allowed with the approval of a Conditional Use Permit per [SDMC Section 141.0602\(b\)\(3\)](#), with the Hearing Officer as the decision maker. The Hearing Officer shall consider, and may impose, conditions as outlined in SDMC Section 141.0602(c).

Staff supports the project because it provides employment opportunities and addresses the service needs of the local community by providing a space for recreation and fitness use 24 hours a day. The proposed fitness center is compatible with the existing land use designation, and the site does not contain and is not adjacent to environmentally sensitive lands as defined by the UCP or the Land Development Code (LDC).

### Community Plan Analysis:

The Uptown Community Plan (UCP) designates the site Community Commercial within a Mixed-Use Corridor, which provides for shopping areas with retail, service, civic, and office uses for the community at-large within three to six miles. Anytime Fitness currently complies with this designation by providing a service use and will continue to do so while operating for 24 hours a day.

The UCP does not contain specific goals or policies related to 24-hour assembly and entertainment uses. However, it does contain the following Economic Prosperity goals (see Page EP-126):

- Increase employment within Uptown by increasing small business opportunities.
- A diverse mix of businesses that provide a variety of goods and services.

The project facilitates these goals by operating for additional hours, providing both increased employment opportunities and allowing the provision of gym-related services for an extended period of time.

### Project-Related Issues:

Conditional Use Permits (CUPs) are required for the development of uses that may be desirable under appropriate circumstances but are not permitted by right in the applicable zone. The intent of a CUP is to review these uses on a case-by-case basis to determine whether and under what conditions the use may be approved at a given site.

Noise is the primary consideration when considering the 24-hour operation of assembly and entertainment uses. Staff reviewed the project and determined that all noise-generating uses will be contained within an enclosed building.

### Conclusion:

City staff reviewed and determined the project is consistent with the Uptown Community Plan, and the regulations of the Land Development Code. Staff has provided draft permit findings and conditions to support approval of the project (Attachments 4 and 5) and recommends the Hearing Officer APPROVE Conditional Use Permit No. PMT-3313651.

### ALTERNATIVES

1. Approve Conditional Use Permit No. PMT-3313651, with modifications.
2. Deny Conditional Use Permit No. PMT-3313651, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

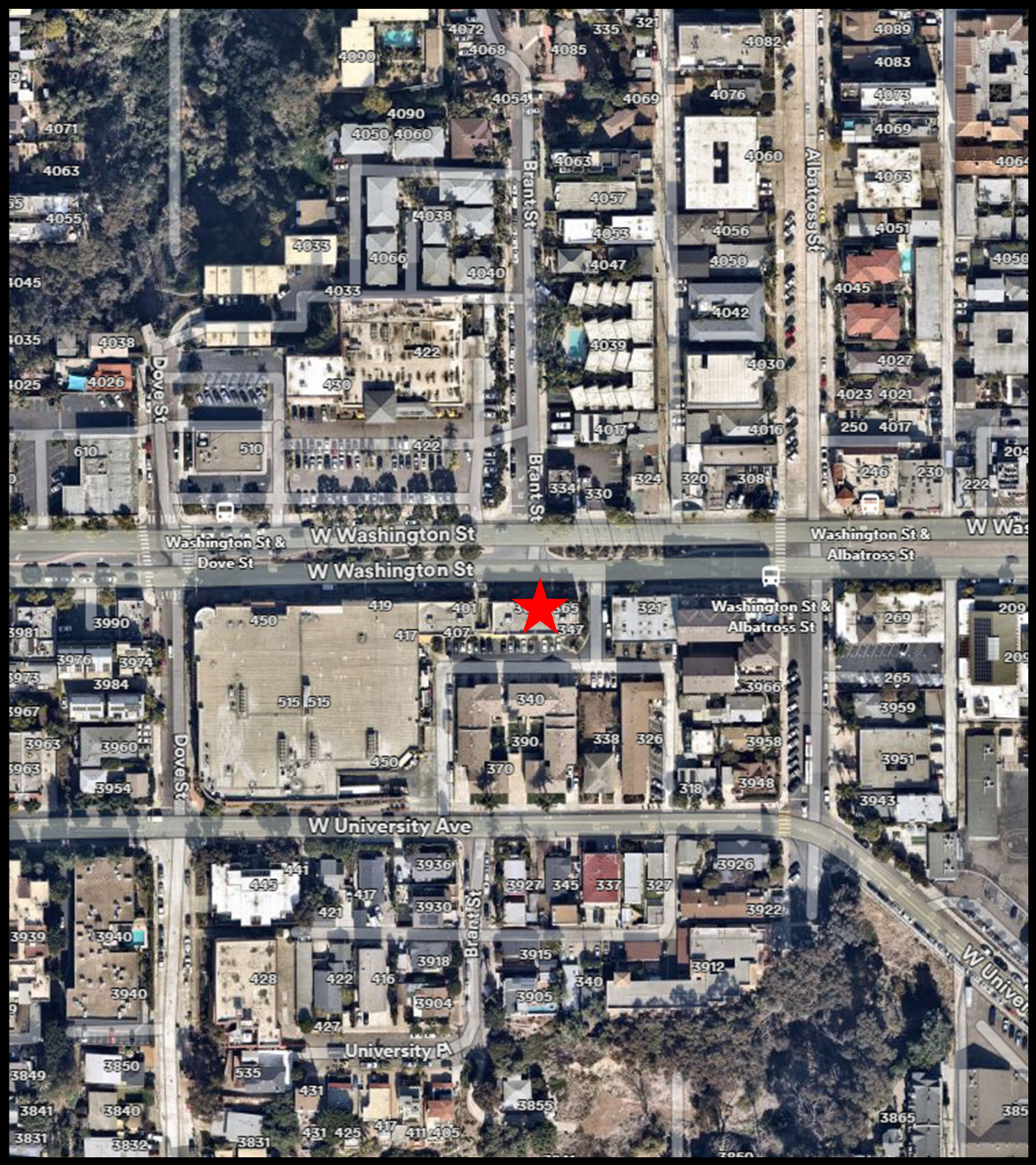


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Travis Cleveland  
Development Project Manager  
Development Services Department

Attachments:

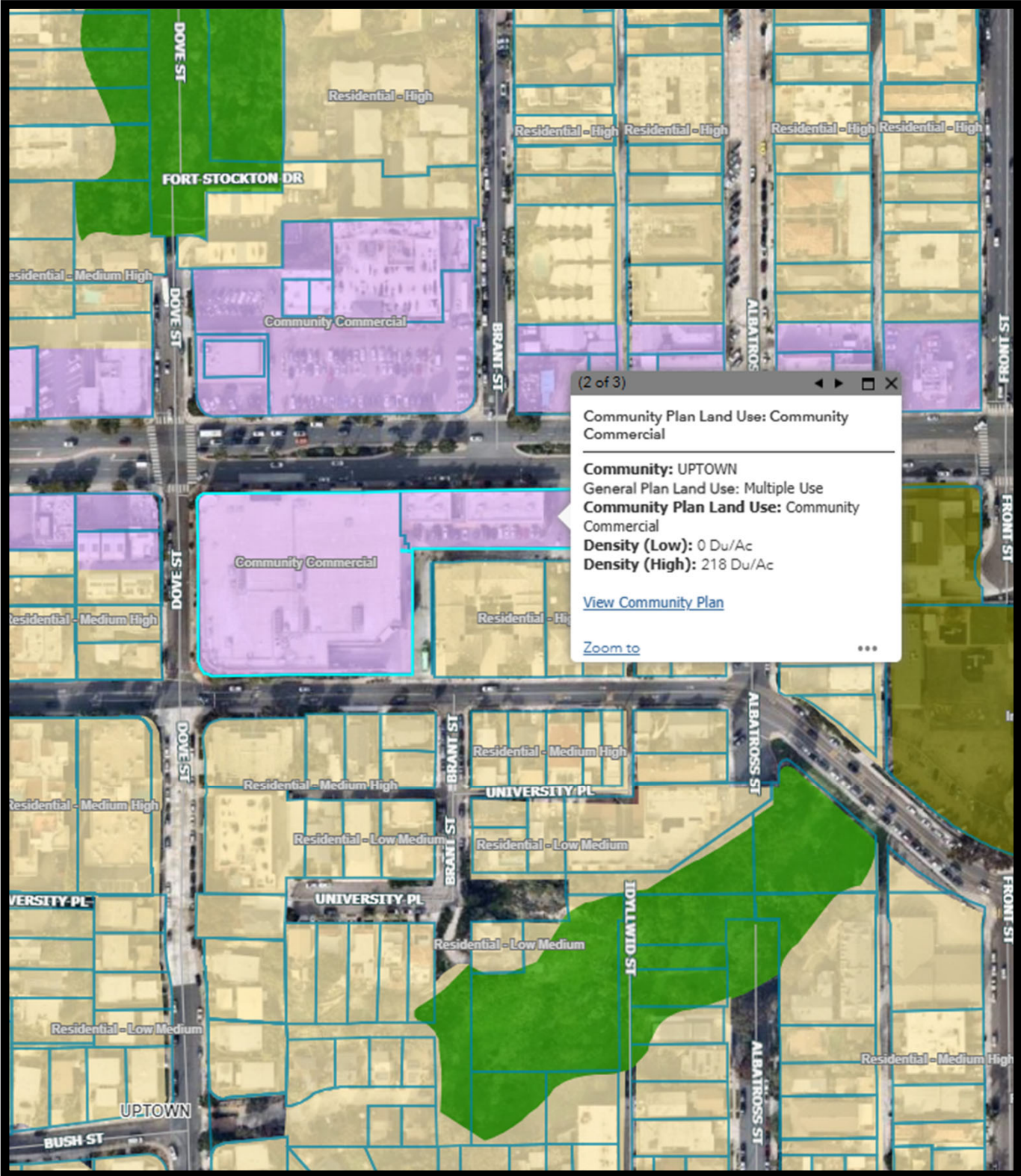
1. Aerial Photograph/Vicinity Map
2. Community Plan Land Use Map
3. Draft Permit with Conditions
4. Draft Permit Resolution with Findings
5. Ownership Disclosure Statement
6. Community Planning Group Recommendation
7. Environmental Determination
8. Project Plans



# Aerial Photo/Vicinity Map

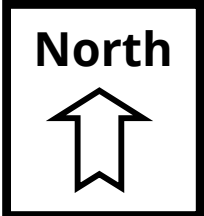
Anytime Fitness Washington Street  
Project No. PRJ-1114608





# Land Use

Anytime Fitness Washington Street  
Project No. PRJ-1114608



**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL STATION  
501

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

INTERNAL ORDER NUMBER: 24010004

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. PMT-3313651  
**ANYTIME FITNESS WASHINGTON STREET - PROJECT NO. PRJ-1114608**  
HEARING OFFICER

This Conditional Use Permit No. PMT-3313651 is granted by the Hearing Officer of the City of San Diego to SCF MISSION HILLS VONS CORP., Owner, and DANIEL SUSSMAN, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 0.45-acre site is located at 335 West Washington Street in the CC-3-10 zone (Community Commercial), the Airport Land Use Compatibility Overlay Zone for North Island Naval Air Station and San Diego International Airport, the FAA Part 77 Noticing Area, the Community Plan Implementation Overlay Zone (Type A), the Transit Area Overlay Zone, and a Transit Priority Area within the Uptown Community Plan. The project site is legally described as: Parcels 1 and 2 of Parcel Map No. 20987, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, July 17, 2012 as Instrument/File No. 2012-0414216, of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to operate a gym/fitness center, Anytime Fitness, for 24 hours a day, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 12, 2025, on file in the Development Services Department.

The project shall include:

- a. Twenty-four-hour operation of an existing Assembly use (Anytime Fitness) in an existing 6,172-square-foot tenant space.
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

### **STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 26, 2028.
2. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
3. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
5. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
6. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
7. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
8. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the



discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

9. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

10. Site Development Permit (SDP) No. 714171 (Project No. 201016) shall remain in full force and effect.

### **PLANNING/DESIGN REQUIREMENTS:**

11. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

12. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

13. Truck deliveries shall occur only between the hours of 6:00 AM and 10:00 PM.

14. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

15. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

### INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on March 12, 2025 and [Approved Resolution Number].

**ATTACHMENT 3**

Conditional Use Permit No. PMT-3313651  
Date of Approval: March 12, 2025

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Travis Cleveland  
Development Project Manager

**NOTE: Notary acknowledgment  
must be attached per Civil Code  
section 1189 et seq.**

\_\_\_\_\_  
**The undersigned Owner/Permittee**, by execution hereof, agrees to each and every condition of  
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

**SCF MISSION HILLS VONS CORP.**  
Owner

By \_\_\_\_\_  
NAME  
TITLE

**DANIEL SUSSMAN**  
Permittee

By \_\_\_\_\_  
NAME  
TITLE

**NOTE: Notary acknowledgments  
must be attached per Civil Code  
section 1189 et seq.**

HEARING OFFICER RESOLUTION NO. \_\_\_\_\_  
CONDITIONAL USE PERMIT NO. PMT-3313651  
**ANYTIME FITNESS WASHINGTON STREET - PROJECT NO. PRJ-1114608**

WHEREAS, SCF MISSION HILLS VONS CORP, Owner, and DANIEL SUSSMAN, Permittee, filed an application with the City of San Diego for a permit to allow the 24-hour operation of a fitness center within an existing tenant space (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. PMT-3313651), on portions of a 0.45-acre site;

WHEREAS, the project site is located at 335 West Washington Street in the CC-3-10 zone (Community Commercial), the Airport Land Use Compatibility Overlay Zone for North Island Naval Air Station and San Diego International Airport, the FAA Part 77 Noticing Area, the Community Plan Implementation Overlay Zone (Type A), the Transit Area Overlay Zone, and a Transit Priority Area within the Uptown Community Plan;

WHEREAS, the project site is legally described as Parcels 1 and 2 of Parcel Map No. 20987, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, July 17, 2012 as Instrument/File No. 2012-0414216, of Official Records.

ALSO LOTS 13, 14 AND 15 IN BLOCK 1 OF PALM HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1023, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 10, 1907.

EXCEPTING THE EASTERLY 0.75 FEET OF THE NORTHERLY 19 FEET OF SAID LOT 13, IN BLOCK 1 OF PALM HEIGHTS.

PARCEL B: LOTS 11 AND 12 AND THE EASTERLY 0.75 FEET OF THE NORTHERLY 19 FEET OF LOT 13, BLOCK 1, PALM HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1023, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 10, 1907.

WHEREAS, on March 12, 2025, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. PMT-3313651 pursuant to the Land Development Code (LDC) of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. PMT-3313651:

**A. CONDITIONAL USE PERMIT [San Diego Municipal Code (SDMC) Section 126.0305]**

**1. Findings for all Conditional Use Permits:**

**a. The proposed development will not adversely affect the applicable land use plan.**

The proposed project is a Conditional Use Permit to allow the 24-hour operation of an existing fitness center located at 335 West Washington Street in the Uptown Community Plan.

The Uptown Community Plan (UCP) designates the site as Community Commercial within a Mixed-Use Corridor, which provides for shopping areas with retail, service, civic, and office uses for the community at large within three to six miles. Anytime Fitness currently complies with this designation by providing a commercial service use and will continue to do so while operating 24 hours a day.

The UCP does not contain specific goals or policies related to 24-hour assembly and entertainment uses. However, it does contain the following Economic Prosperity goals (see Page EP-126):

- Increase employment within Uptown by increasing small business opportunities.
- A diverse mix of businesses that provide a variety of goods and services.

The project facilitates these goals by operating for additional hours, providing both increased employment opportunities and allowing the provision of gym-related services for an extended period of time.

Therefore, the proposed development will not adversely affect the applicable land use plan.

**b. The proposed development will not be detrimental to the public health, safety, and welfare.**

The project permit contains specific requirements to ensure compliance with the regulations of the LDC, including those adopted to protect the public health, safety and welfare. Permit requirements include, but are not limited to:

- i. Truck deliveries shall occur only between the hours of 6:00 AM and 10:00 PM.

During operation, the project will be required to comply with established Conditional Use Permit (CUP) conditions and all relevant ministerial codes designed to protect the public health, safety, and welfare of the community, including the California Building Code and applicable regulations.

Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

**c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.**

Anytime Fitness currently operates at this location with limitations as allowed by [Table 131-05B](#) of [SDMC Section 131.0522](#), opening no earlier than 6:00 a.m. and closing no later than 10:00 p.m. (11:00 p.m. on Fridays and Saturdays) per [SDMC Section 141.0602\(b\)\(2\)](#).

The proposed project requests 24-hour operation of this existing use, which is allowed with the approval of a Conditional Use Permit per [SDMC Section 141.0602\(b\)\(3\)](#), with the Hearing Officer as the decision maker.

The site's development is governed by Site Development Permit (SDP) No. 714171 (Project No. 201016), approved by the City Council on December 7, 2010. This permit developed the site with the VONS Grocery store to the west and a small adjacent building containing the subject tenant space. The proposed project is a use permit that does not require amending that approval. Anytime Fitness currently operates in this tenant space as developed by SDP No. 714171 and the subject project does not propose additional physical development.

The site is currently zoned CC-3-10. This zone was applied to the site effective December 1, 2024 pursuant to Ordinance O-21867, approved by the City Council on September 17, 2024. The site was zoned CC-3-8 when the project was deemed complete on September 20, 2024, and this is the zoning used to evaluate this project. The change in zoning does not affect the analysis contained herein in that Assembly and Entertainment Uses are allowed in both CC-3-8 and CC-3-10 zones.

The proposed fitness center will be confined to the existing commercial tenant space, does not propose an increase in the tenant space or any modifications to the existing building, and will observe conformance with building setbacks to all property lines as outlined in Site Development Permit (SDP) No. 714171 (Project No. 201016).

Therefore, the proposed development will comply with the regulations of the Land Development Code.

**d. The proposed use is appropriate at the proposed location.**

The project proposes a 24-hour fitness center within an existing commercial tenant space. The existing fitness use is identified as an Assembly and Entertainment Use, under Separately Regulated Commercial Services, as a permitted use with limitations and already exists on the site. The project seeks a CUP to allow a deviation from the allowed hours of operation to permit 24-hour operation in accordance with [SDMC Section 141.0602\(b\)\(3\)](#). The project location is appropriate for the community as it provides a centralized location for recreation and fitness use, and the location within an existing tenant space is appropriate, as the space has an established parking lot with sufficient parking spaces to accommodate the use, thus minimizing an associated impact on the community.

The project site is adjacent to a residentially zoned area to the south; however, the use is contained entirely within an enclosed building, and the main entrance to the tenant space is located on the north side of the building, away from the adjacent residential use. Therefore, the project and the proposed use is appropriate at the proposed location.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on these findings adopted by the Hearing Officer, Conditional Use Permit No. PMT-3313651 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. PMT-3313651, a copy of which is attached hereto and made a part hereof.

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Travis Cleveland  
Development Project Manager  
Development Services

Adopted on March 12, 2025

IO#: 24010004

FORM  
**DS-318**  
July 2024

# Ownership Disclosure Statement

**Permit/Approval Type:** Check the appropriate box for permit/approval and type(s) requested (See [Project Submittal Manual](#)):

**Development Permit:** Conditiona Use Permit (CUP)

**Subdivision Approval:** \_\_\_\_\_

**Policy Approval:** \_\_\_\_\_

**Project Title:** Anytime Fitness **Project No. For City Use Only:** \_\_\_\_\_

**Project Location/Address/Accessor's Parcel Number:**

365 West Washington Street San Diego, CA 92103 APN# 444-631-29-00

**Specify Form of Ownership/Legal Status (please check):**

Individual     Partnership     Corporation     Limited Liability -or-     General – What State? DE

Corporate Identification No.: 5176632     Trust - Date of Trust: \_\_\_\_\_

City of San Diego/Asset Management Department: \_\_\_\_\_

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. On the second page of this form, please list the owner(s), the applicant(s), and other financially interested persons of the above-referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application, or:

**Important Instructions**

1. If the applicant includes a corporation or partnership, include the names, titles, and addresses of all individuals owning more than 10% of the shares.
2. If it's a publicly owned corporation, include the names, titles, and addresses of the corporate officers.
3. If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer, director, trustee or beneficiary of the nonprofit organization.
4. The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least 30 days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.
5. A signature is required of at least one of the property owners.
6. Attach additional pages if needed.



<b>Property Owner/Authorized Agent</b> (Per <a href="#" style="color: white;">SDMC 5112.0102</a> )	
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Member <input type="checkbox"/> Trustee <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Successor Agency <input type="checkbox"/> City of San Diego/Asset Management Department*	
Name of Individual: Scott Darling	
On behalf of: SVF Mission Hills Vons Corp.	
Street Address: 515 S. Flower Street, 49th Floor	
City: Los Angeles	State: CA
Zip: 90071	
Phone Number: 213-233-5700	Email: sdarling@aracapital.com
Signature:  Signature Page/Project & UWC Attached	Date:  9/13/24
Additional pages attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

\*(Signature within this section not required for City of San Diego/Asset Management Department)

<b>Applicant</b> <input type="checkbox"/> Check if Same as Property Owner/Authorized Agent (Per <a href="#" style="color: white;">SDMC 5112.0102</a> )	
<input type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Member <input type="checkbox"/> Trustee <input checked="" type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Successor Agency	
Name of Individual: Daniel Sussman	
On behalf of:	
Street Address: 180 Broadway, Unit B100A	
City: San Diego	State: CA
Zip: 92101	
Phone Number: 702-533-1932	Email: dans@anytimefitness.com
Signature: 	Date:  9/12/2024
Additional pages attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Other Financially Interested Persons</b> <input type="checkbox"/> Check if N/A	
<input type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent <input type="checkbox"/> Member <input type="checkbox"/> Trustee <input checked="" type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Successor Agency	
Name of Individual: David Geiselman	
On behalf of:	
Street Address: 180 Broadway, Unit B100A	
City: San Diego	State: CA
Zip: 92101	
Phone Number: 818-426-3118	Email: davidg@anytimefitness.com
Signature: 	Date:  9/12/2024
Additional pages attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Visit our web site: [sandiego.gov/DSD](http://sandiego.gov/DSD).

Upon request, this information is available in alternative formats for persons with disabilities.

Property Owner Signature Page to FORM DS-318 City of San Diego Development Services for  
Project No. PRJ-1114608 – Scope of Work: 24 Hour operation of fitness center Anytime Fitness

SVF MISSION HILLS VONS CORPORATION  
a Delaware corporation

By:   
Scott Darling  
Executive Vice President

**ACTION BY UNANIMOUS WRITTEN CONSENT  
IN LIEU OF ANNUAL MEETING  
OF BOARD OF DIRECTORS  
OF  
SVF MISSION HILLS VONS CORPORATION**

The undersigned, being all of the directors of SVF MISSION HILLS VONS CORPORATION, a Delaware corporation (the "Corporation"), by their signatures below or on a counterpart hereof, hereby adopt the following resolutions on behalf of the Corporation, pursuant to Section 141(f) of the Delaware General Corporation law:

Election of Officers

RESOLVED, that the following persons be elected to the offices set forth opposite their names, to hold office until the earlier of the next annual meeting, their death, resignation, or removal:

Stanley L. Iezman	Chairman of the Board/Chief Executive Officer/Treasurer
Kirk Helgeson	President/Secretary
Scott Darling	Executive Vice President/Assistant Secretary
Kristin Adrian	Vice President/Assistant Secretary
Nancy Stark	Vice President/Assistant Secretary
Martha Shelley	Vice President/Assistant Secretary

FURTHER RESOLVED, that all prior acts taken by the Officers of the Corporation from the date of the last meeting, to and including, the date of these resolutions, be, and hereby are, ratified and adopted as the lawful acts of this Corporation;

FURTHER RESOLVED, that any and all previous Officers of the Corporation, not duly re-elected in the foregoing resolution, are hereby removed as Officers of the Corporation;

FURTHER RESOLVED, that the following Officers, be, and hereby are, authorized and directed to negotiate, prepare and execute all forms of instruments, agreements and other documents in the name of and on behalf of the Corporation:

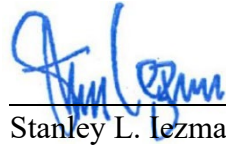
Stanley L. Iezman	Chairman of the Board/Chief Executive Officer/Treasurer
Kirk Helgeson	President/Secretary
Scott Darling	Executive Vice President/Assistant Secretary
Kristin Adrian	Vice President/Assistant Secretary
Nancy Stark	Vice President/Assistant Secretary
Martha Shelley	Vice President/Assistant Secretary

FURTHER RESOLVED, that any one (1) of the above Officers acting alone and without further action of the Directors or any of them, be, and hereby are, authorized, directed and empowered to take any and all further actions and to execute, deliver and perform any and all

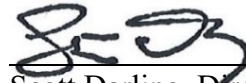
additional instruments, agreements or other documents reasonably necessary to manage, operate and otherwise effectuate and carry out the foregoing resolutions and the responsibilities of the Corporation as an asset manager and investment advisor on behalf of its clients; and

FURTHER RESOLVED, that this Action by Unanimous Written Consent may be executed in several counterparts, which are of effect as if the signatures thereto and hereto were upon the same instrument.

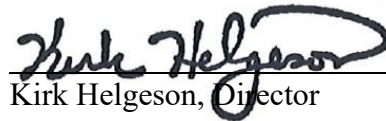
IN WITNESS WHEREOF, this Action by Unanimous Written Consent is made effective as of June 28, 2024.



Stanley L. Iezman, Director



Scott Darling, Director



Kirk Helgeson, Director



**MINUTES FOR THE DECEMBER 03, 2024 (6:00 to 9:24 PM) REGULAR UpCPG PUBLIC MEETING**

**Location:** Joyce Beers Community Center @ the HUB, 3900 Vermont

**I. BOARD MEETING, PARLIAMENTARY ITEMS:**

**1a. Members in attendance:** Mike Singleton (Chair), Benny Cartwright, Tami Ratliffe, John Barney, Matthew Driver (arrived 6:32pm, departed 8:02pm), Mary Brown, Daniel Mullen, Anar Salayev, Bill Ellig, Issac Warner, Mike Calloway, Alberto Guardado, and Benjamin Nicholls. quorum required: 9, present: 14. **Quorum met.**

**1b. Members absent:** Patty Ducey-Brooks and Sophia Alexander.

**1c. Public members who signed in:** Public members signed in included: Gerrie Trussell (UPCD), Peter Raymond (UPCG), Andy Lange, Mary Lange, Claudia Brizuela (City of San Diego), Scott Case, Shannon Corr (City of San Diego), Sharon Gehl, and others that did not sign in including Rey Reyes, Sol Schumer and Tom Mullaney along with several other non-recorded participants.

**2. Adoption of Agenda**

- o **Motion** (B. Ellig / D. Mullen): “Adopt the agenda as presented.”
- o **Motion passed** (11 yeas/0 nays/1 abstain). M. Singleton abstained as the chair.

**3. Approval of Minutes**

- o **Motion** (B. Nicholls / I. Warner): “Approve the minutes from 11/12//24”.
- o **Motion passed** (11 yeas/0 nays/1 abstain). M. Singleton abstained as the chair.

**II. NON-AGENDA PUBLIC COMMENT**

1. S. Case from the Middleton neighborhood stated he opposes a proposed very tall apartment building in Middleton at 3677 Columbia. He is concerned that developers do not engage with the community process. Tom Mullaney also added that this project should be brought before the group. Other group discussion on this topic would like to see developers present whether their development is discretionary or otherwise.

**III. REPRESENTATIVES OF ELECTED OFFICIALS, AGENCIES AND INSTITUTIONS**

1. S. Corr from City Planning re-introduced herself to the new board. She is the appointed staff member to help advise the board. Shannon gave updates on other community plan progress and other initiatives being done city-wide throughout the city.
2. R. Reyes from the Mayor's office introduced himself and spoke about AB143 (20' no parking zones) at all corners of intersections as well as the Olive Street Park opening.
3. There were questions from the group.

**IV. CONSENT AGENDA ITEMS:**

- None agendized.

**V. AGENDA ACTION ITEMS**

**ACTION ITEM #1: Anytime Fitness CUP for late hours of operation.**

1. The applicant spoke about his CUP application and made a presentation.
2. D. Mullen and B. Ellig asked about parking impacts.
3. Members of the public recommended approval.
  - o **Motion** (B. Nicholls / A. Guardo) “Support as presented.”
  - o **Motion passed** (11 yeas/0 nays/ 1 abstain). M. Singleton abstained as the chair.



**MINUTES FOR THE DECEMBER 03, 2024 (6:00 to 9:24 PM) REGULAR UpCPG PUBLIC MEETING**

**Location:** Joyce Beers Community Center @ the HUB, 3900 Vermont

**ACTION ITEM #2: Angled Parking Findings**

1. Spruce St. @ 2nd-3rd Ave.
  2. Spruce St. @ 5th to 6th Ave.
  3. Redwood St. @ 1st to 2nd Ave.
  4. Redwood St. @ 2nd to 3rd Ave
- M. Singleton introduced the four locations proposed for angled parking changes.
  - G. Trussell (UPCD) presented the community public process to date.
  - C. Brizuela from the city made comments about the technical design.
  - Some questions were asked regarding the public process.
  - M. Calloway suggested that the downhill side of the street should be considered for one sided angled parking streets since parked vehicles that have not had the brake set properly, would roll into and over the curb if they did not have their brakes set properly.
  - A member of the public commented on reverse parking.
  - I. Warner asked about space dimensions and expressed concerns about street width.
  - D. Mullen asked about the benefits of angled vs parallel spaces.
  - B. Ellig asked about a 90-degree angled option.
  - **Motion** (M. Calloway / A. Guardo) “Approve all segments as presented, with the added comment that the block between 1st and 2nd on Redwood be investigated for angled parking on the opposite (downward) side for safety’s sake.”
  - **Motion passed** (10 yeas / 2 nays / 1 abstain). I. Warner and A. Salayev opposed. M. Singleton abstained as the chair.

**ACTION ITEM #3 825 Johnson Ave. Tentative Map Waiver**

- The applicant (A. Lange) was seeking to change the two existing buildings and separate them under a condominium form of ownership, with common areas shared between the two users.
- M. Singleton made comments about what conditions the city has put on the property to allow the waiver. These included: driveway adjustments, parkway, landscaping improvements, and an access easement.
- D. Mullen asked about the process to get a lot-line adjustment.
- A. Guardo congratulated the owner.
- **Motion** (B. Ellig / I. Warner) “Approve the request.”
- **Motion passed** (12 yeas/0 nays/1 abstain). M. Singleton abstained as the chair.

**VI. AGENDA INFORMATION ITEMS**

**INFORMATION ITEM #1: Race for Autism** (S. Leon-National Foundation for Autism Research)

- S. Leon presented the Race for Autism and her organization. The event will occur on April 12, 2025.
- M. Singleton asked about the one mile walk not going on Sixth Ave.
- D. Mullin asked how many people attend.
- B. Nicholls asked for specific enforcement of the 72 hour no-parking window.
- **Motion** (B. Nicholls / A. Guardo) “Write a letter of support and include a comment about posting no-parking signs no earlier than the required 72 hours.”
- **Motion passed** (12 yeas/ 0 nays / 1 abstain). M. Singleton abstained as the chair.



**MINUTES FOR THE DECEMBER 03, 2024 (6:00 to 9:24 PM) REGULAR UpCPG PUBLIC MEETING**

**Location:** Joyce Beers Community Center @ the HUB, 3900 Vermont

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**VII. SPECIAL UpCPG ORGANIZATIONAL ITEMS / REPORTS**

**1. Chairs Report with General Public Comments**

- M. Singleton requested the group take the required community planning group training and asked the group to also complete a diversity survey to document the new make-up of the board.
- B. Nicholls gave a secretary report and as the proposed Vice Chair of the Outreach Committee, outlined his plan for varying meeting locations, as proposed in the Operations Manual. The group generally agreed that a quarterly (following Spring, Summer, Fall and Winter changes) and encouraged we try to meet the Operations Manual procedures.
- D. Mullen for rooms that have bad acoustics, he suggested the tables be arranged in the round and be closer to the audience.
- L. Rehling asked that attendees on the remote connection be able to see the full board and presenters and hear the online version of the meeting. L. Rehling insisted that the meeting must meet these requirements and is required to stop the meeting when they have not been met. She also questioned the ability to set up any committees that were not in the Operational Procedures.
- P. Raymond noted that there are good rooms available in the community that are well serviced by technology.
- S. Gehl noted that the Joyce Beers Community Center doesn't have good Wi-fi.
- M. Driver gave a report from his attendance at CPC.

**2. Committee Formation Report**

- M. Singleton spoke about finalizing all the committees. But given the remaining meeting time left for this meeting, it is critical to appoint a Chair and Co-chair of the Outreach Committee in-order to have it work with the Election Committee. Mike appointed Benny Cartwright as the Chair and Ben Nicholls as the Co-chair and asked that the Board support this recommendation through a motion.
- M. Singleton and the board had a great deal of discussion regarding the right of the Chair to appoint chairs for committees as well as creating new ad-hoc committees that also needed chairs. The Governance committee was discussed, but M. Singleton thought that given the comments from Lu, that we should only act on the Governance Committee now and the other committees should be acted on at the January meeting so that it can be properly noticed, discussed and voted on as an Action Item. However, the Community Engagement Committee and an Ad-Hoc Governance Committee needs to be voted on tonight since it is critical for them to begin working with the Election Committee.
- Although noted that the chair would like to appoint Margit Whitlock for the Project Committee, Matt Driver for the Infrastructure and CIP Committee, and Patty for the Historic Resources Committee, all of these will need more discussion at the next meeting to act on these committees, including designation as a standing or Ad Hoc committee.



**MINUTES FOR THE DECEMBER 03, 2024 (6:00 to 9:24 PM) REGULAR UpCPG PUBLIC MEETING**

**Location:** Joyce Beers Community Center @ the HUB, 3900 Vermont

- **Motion** (I. Warner / B. Nicholls): “Create the Governance Committee as an Ad-Hoc Committee and confirm Ben Nichols as the Chair;”
- **Friendly Amendment** (M. Singleton): To formalize the Election Committee changes needed to better support the Chair and to replace a member of the Committee (I. Warner that has resigned to avoid conflicts with his run in the March Election) please “Confirm the recommended appointments from the Chair by adding A. Guardo as a Vice-chair of the Election Committee”. Friendly amendment accepted.
- **Motion passed** (7 yeas/ 4 nays / 1 abstain). T. Ratliffe, J. Barney, M. Brown, D. Mullen. Opposed. M. Singleton abstained as the chair.

**3. Election Committee Report**

- T. Ratliffe gave a summary of the discussion at the elections committee meeting. The committee recommended a listing of seats that need to be voted for, another color-coded table outlining the election cycle of board seats. This table is intended to not include names, just seat descriptions.
- D. Mullen, J. Barney and M. Brown and others made comments about Mary’s election cycle changing from election cycle 3 to election cycle 1. M. Singleton offered to go back to cycle 1, as was shown in the Procedure Manual. J. Barney also was fine moving his position to accommodate more flexibility.
- Members of the community asked questions about the various options that were considered and why the assignment of election cycles could not have been less disruptive. I. Warner and B. Nicholls pointed out that because of the challenges, replacements and empty seats and the desire to offset the owners and renters for each neighborhood, it is very difficult to get a balance of 6 seats, rotating for each of the three-year cycles. It was felt that this Election Cycle Table was the best that could be done.
- **Motion** (I. Warner / B. Nicholls) “Affirm the election committee's recommendation with timeline and adopt the table presented beginning with the cycle 1 seats in the March 2025 election”.
- **Motion passed** (6 yeas/ 5 nays / 1 abstain). with T. Ratliffe, J. Barney, M. Brown, D. Mullen, B. Ellig opposed. M. Singleton abstained as the chair.

**Time extensions needed:**

- **First Extension Motion:** (B. Nicholls / T. Ratliffe) “Meeting extension through 9 pm”.
- **Motion passed** (10 yeas/ 1 nays / 1 abstain). B. Cartwright opposed. M. Singleton abstained as the chair.
- **Second Extension Motion:** (I. Warner / D. Mullen) “Meeting extension through 9:30 pm”.
- **Motion passed** (6 yeas/ 5 nays / 1 abstain). B. Cartwright, J. Barney, A. Salayev opposed. M. Singleton abstained as the chair.
- **Adjournment Motion:** (B. Nicholls): “Adjourn the meeting.” This motion was accepted by the Chair at 9:24 pm.

**Next Meeting, January 7<sup>th</sup>, 6:00 to 8:30**





THE CITY OF SAN DIEGO

## M E M O R A N D U M

DATE: February 19, 2025

TO: Environmental/Project File  
Development Services Department

FROM: Dawna Marshall, Senior Planner, Development Services Department

SUBJECT: Anytime Fitness Conditional Use Permit (PRJ-1114608)  
California Environmental Quality Act – Section 15162 Evaluation

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The Development Services Department (DSD) has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent Environmental Impact Reports and Negative Declarations consistency evaluation for the proposed Anytime Fitness Conditional Use Permit (CUP) (PRJ-1114608) (project). See 14 C.C.R. §15162.

This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed Anytime Fitness CUP (PRJ-1114608). As outlined in the evaluation, DSD has determined that the proposed Anytime Fitness CUP is consistent with the original Vons Mission Hills Mitigated Negative Declaration (MND), Project No. 201016, adopted by the Council of City of San Diego (City Council) on December 7, 2010, Resolution No. R-306488; and would not result in new impacts.

**BACKGROUND**

The Vons Mission Hills project (PTS No. 201016) required a Site Development Permit (SDP) No. 714171 which allowed for the demolition of an existing 20,980 square-foot, one-story Vons Market, and the construction of a new 59,760 square-foot, two-story Vons Market with parking on the ground floor at 450 West Washington Street. Development on the 2.18-acre site also included the construction of five retail units totaling 8,375 square feet (0.19-acre). The retail units are located at 335-417 West Washington Street. The project included a Public Right-of-Way Vacation to vacate a street reservation along University Avenue, an unnamed alley and sewer easement located between Washington Street and University, and a drainage easement between Washington Street and University Avenue. The project also included five deviations related to the ground floor commercial area, pedestrian access, offsetting planes, transparency, and right-of-way width. Additional features of the project were the construction of various site improvements such as hardscape, sidewalks,

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Environmental/Project File  
February 19, 2025

street lighting, landscaping, and improvements to the bus stop area including benches and coverings.

On December 7, 2010, City Council adopted, via Resolution No. R-306488, the MND (Project No. 201016) and associated Mitigation, Monitoring and Reporting Program (MMRP) for the Vons Missions Hills project. The MND concluded that the project would have significant, direct impacts to paleontology and traffic/circulation, and significant, cumulative impacts to solid waste. However, it was determined that potential impacts would be reduced to below a level of significance with implementation of the mitigation measures identified in the adopted MMRP. Specifically, the MMRP required the applicant to provide a full-time monitor during grading, excavation, and trenching activities to avoid potential impacts to paleontological resources; install a traffic signal at University Avenue/Dove Street and associated striping to provide eastbound and westbound left turn lanes at Dove Street to mitigate impacts to traffic/circulation; and implement a Waste Management Plan to minimize solid waste generation and disposal impacts from construction and demolition activities. All other issue areas analyzed in the MND were determined to not result in a significant impact or be less than significant.

## **PROJECT DESCRIPTION**

The proposed project would require a Conditional Use Permit (CUP) to allow an existing Anytime Fitness gym to extend hours of operation from 6:00 a.m. to 10:00 p.m. to 24-hours a day. The gym is within a 6,172 square-foot (0.14 acres) retail space located at 335-365 West Washington Street that was built as part of the previously approved Vons Mission Hills project and adopted MND. The project does not propose any grading or development, just a change in the hours of operation.

### Environmental Setting

The project site is zoned Commercial Community (CC-3-10) and designated Community Commercial (0-218 dwelling units per acre) in the Uptown Community Planning Area. The project site was zoned CC-3-8 when the project was deemed complete on September 20, 2024 and the project has been evaluated per that zone. The project site is also adjacent to property zoned Residential Multiple Unit (RM-3-9). The current hours of operation for the existing Anytime Fitness are 6:00 a.m. to 10:00 p.m. Per San Diego Municipal Code (SDMC) Section 141.0602(b), assembly facilities adjacent to residentially zoned property are restricted from operating between 10:00 p.m. and 6:00 a.m. However, SDMC Section 141.0602(b)(3), states that operation outside of these hours may be permitted with the approval of a CUP in accordance with Process Three.

The project is located in Council District 1 and is within the following overlays/areas: Airport Land Use Compatibility Overlay Zone (San Diego International Airport (SDIA) and Naval Air Station (NAS) North Island), Community Plan Implementation Overlay Zone (CPIOZ-A), Transit Area Overlay Zone, Parking Standards Transit Priority Area, Transit Priority Area, Affordable Housing Parking Demand (High), Airport Land Use Compatibility Plan (ALUCP) Airport Influence Area (AIA) (SDIA and NAS North Island – Review Area 2), Federal Aviation Administration (FAA) Part 77 Noticing Area, and Very High Fire Hazard Severity Zone. Surrounding land uses include commercial to the north and east along University Avenue; residential to the south; and mixed-use residential/commercial to the west. The project site is not located within and/or adjacent to the City's Multiple Species Conservation Program

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Environmental/Project File  
February 19, 2025

Multi-Habitat Planning Area. (LEGAL DESCRIPTION: Parcels 1 and 2 of Parcel Map No. 20987, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, July 17, 2012 as Instrument/File No. 2012-0414216, of Official Records.)

### **CEQA 15162 CONSISTENCY EVALUATION**

DSD reviewed the proposed Anytime Fitness CUP and conducted a review pursuant to CEQA guidelines Section 15162 to determine consistency with the previously adopted MND. The following evaluation substantiates the conclusion that supports a determination that no subsequent document is required.

The approved MND completed for the Vons Mission Hills project (PTS No. 201016) addressed potential paleontological, traffic/circulation, and solid waste impacts relating to the demolition and reconstruction of a Vons Market located at 405 West Washington Street, as well as the development of five retail units located at 335-417 West Washington Street.

In November 2016, City Council adopted an update to the Uptown Community Plan (Resolution No. R-310767) that repealed the former Mid-City Communities Planned District Ordinance (Ordinance No(s). O-20768 and O-2079); redesignated the project site to Community Commercial (0-73 dwelling units per acre); and rezoned the site from Commercial Node (CN-2A) to Commercial Community (CC-3-8) (Ordinance No. O-20771). The site remained zoned and designated for commercial land uses and the same applicable sound level limitations as analyzed in the adopted MND for commercial and residential zones still applies. No construction or noise generating activities are proposed as part of the project. The site would still be subject to SDP No. 714171 which restricts truck deliveries between the hours of 10:00 p.m. and 6:00 a.m. Compliance with this condition would be consistent with SDMC noise level limits and would reduce potential land use and noise impacts to a level below significance consistent with the previous MND.

Furthermore, individual airport land use compatibility plans were approved subsequent to the adoption of the Vons Mission Hills MND. Although the previous MND only identified the project site to be within the FAA Part 77 Noticing Area, the site is now located within the Airport Land Use Compatibility Overlay Zone (ALUCOZ) and ALUCP AIA for SDIA (Review Area 2) and NAS North Island (Review Area 2). Since no physical changes to the project site/retail units would be proposed, the existing use would not result in an incompatibility with FAA height requirements, ALUCOZ, AIA, or an adopted airport land use plan consistent with the conclusions in the previously adopted MND.

The existing lot has been previously graded and developed with existing commercial and retail uses. The project does not propose any grading or demolition of any structures that could affect paleontological resources or that would produce solid waste.

The previous MND also analyzed how the level of service of the surrounding streets would be impacted due to the proposed project and required improvements such as a traffic signal and road restriping to mitigate impacts. These traffic improvements have been completed and carried forward through the MMRP. As of September 2022, the City CEQA Significance Thresholds identified the City of San Diego Transportation Study Manual (TSM, 9/19/2022) as a resource for determining the significance of a project's transportation impacts. The applicant provided data at another 24-

hour gym facility that showed an estimated 46 patrons during the hours of 10:00 p.m. to 6:00 p.m. Based on this data, the project would be expected to generate approximately 92 average daily trips (ADT) at a rate of 2 trips/patron for the 46 patrons during these off-peak hours. The proposed expansion is presumed to have a less than significant VMT impact due to its estimated trip generation of 92 ADT, which is under the 300 ADT trip generation screening criteria for Small Projects per the TSM.

The project would not result in a substantial change in impacts from those identified in the MND. With a CUP, the expansion of the existing hours of operation to 24-hours would be compatible with underlying commercial zone that is adjacent to residential; and the conditions in SDP No. 714171 would ensure that potential land use and noise impacts during 10:00 p.m. to 6:00 a.m. would not result in a significant impact. Since no development or grading is proposed, the project would not result in impacts related to paleontology, traffic/circulation, or solid waste; and therefore, the mitigation identified in the MND would not be applicable to the project. Impacts related to paleontology, land use, noise, traffic/circulation, and solid waste would remain the same severity level as previously identified in the MND. No new significant environmental impacts would result from the proposed change in hours of operation for the existing Anytime Fitness. There is also no new information of substantial importance that would affect the MND analysis. As such, a subsequent Environmental Impact Report or negative declaration is not required pursuant to CEQA Guidelines Sections 15162.

## **CONCLUSION**

Overall, implementation of the proposed would not result in any significant direct, indirect or cumulative impacts over and above those disclosed in the previously adopted MND.

Section 15162 of the CEQA Guidelines states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

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Environmental/Project File  
February 19, 2025

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Sections 15162 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts because of the project. This evaluation, therefore, supports the use of the previously adopted MND, under CEQA Guidelines Section 15162, in that both environmental documents adequately covers the proposed project.



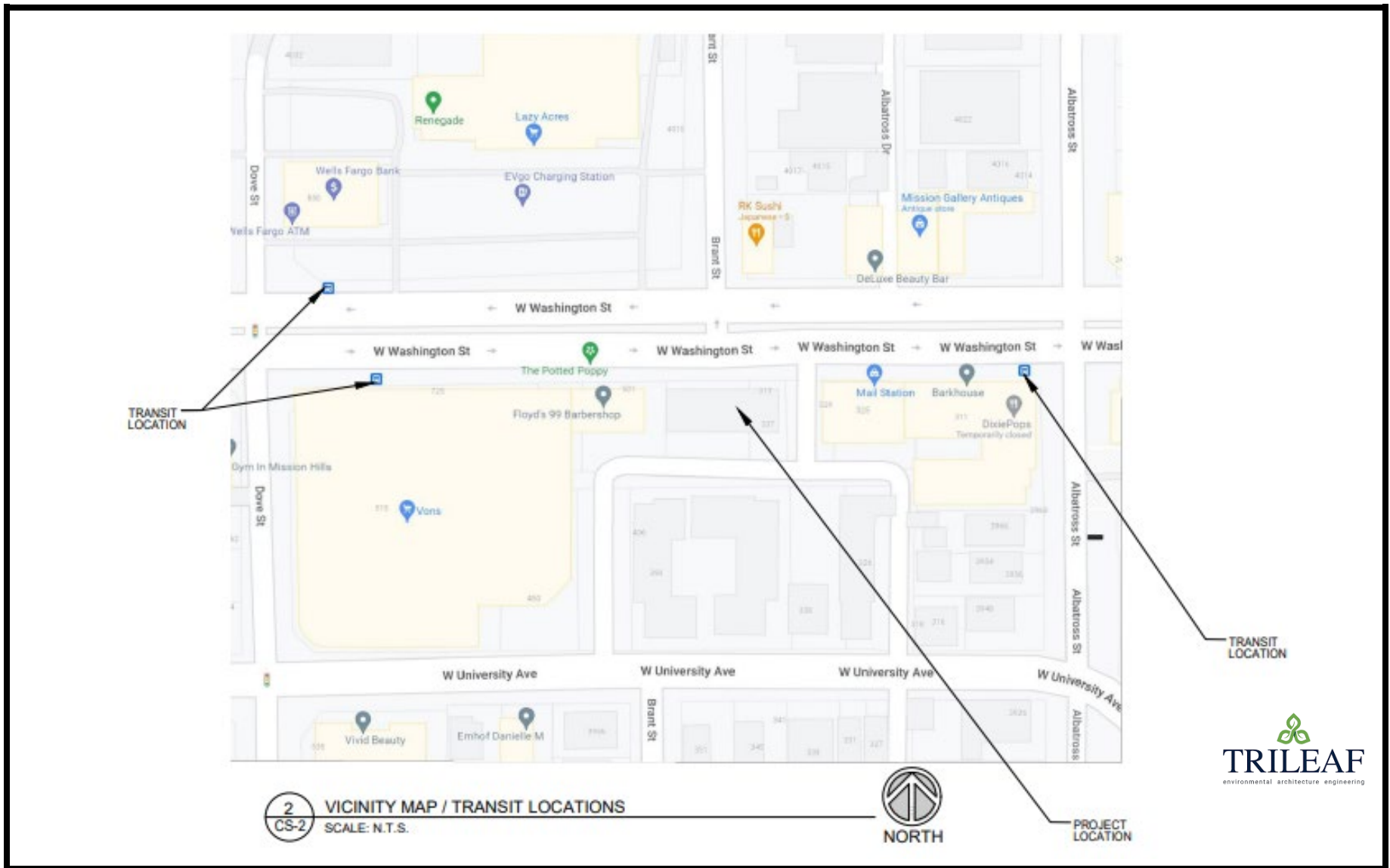
Dawna Marshall  
Senior Planner

DM/cg

Analyst: C. Garcia

cc: Travis Cleveland, Supervising Development Project Manager, Development Services Department  
Carissa Garcia, Junior Planner, Development Services Department

Attachments: Figure 1 – Project Vicinity  
Figure 2 – Project Site



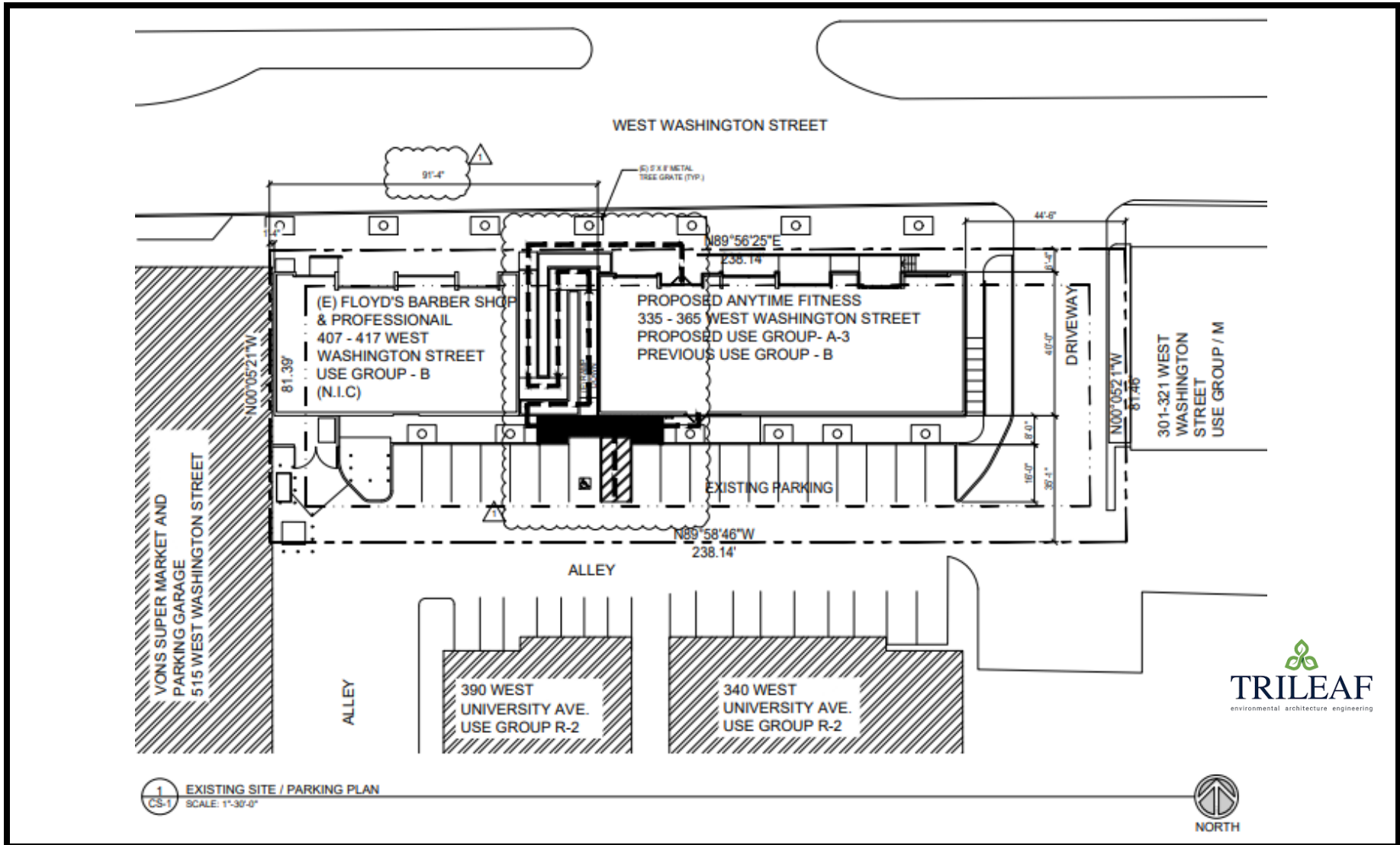
## Project Vicinity Map

Anytime Fitness CUP / PRJ-1114608

Development Services Department

**FIGURE  
No. 1**





## Project Site

Anytime Fitness CUP / PRJ-1114608

Development Services Department

**FIGURE  
No. 2**

DISCRETIONARY PERMIT APPLICATION FOR:  
24 HOUR OPERATION OF AN



**AF#5249**  
MISSION HILLS PLAZA  
335 WEST WASHINGTON STREET  
SAN DIEGO, CA 92103  
PROJECT DIRECTORY:

<b>ARCHITECT:</b>	TRIFAR	3115 5th STREET SAN DIEGO, CA 92103	PHONE: 619.594.6000 WWW.TRIFAR.COM
<b>PROJECT CASE:</b>	AF#5249	335 WEST WASHINGTON STREET SAN DIEGO, CA 92103	PHONE: 619.594.6000 WWW.TRIFAR.COM
<b>CLIENT:</b>	ANYTIME FITNESS	335 WEST WASHINGTON STREET SAN DIEGO, CA 92103	PHONE: 619.594.6000 WWW.TRIFAR.COM
<b>DESIGNER:</b>	JULIE BISHOP	335 WEST WASHINGTON STREET SAN DIEGO, CA 92103	PHONE: 619.594.6000 WWW.TRIFAR.COM
<b>DATE:</b>	11/14/22		

SCOPE OF WORK  
INTERIOR TENANT FINISH AND EXTENSION WORK OF EXISTING BUILDING WORK  
INCLUDES EXPANDING MEZZANINE, NEW INTERIOR PARTITION WALLS, DOORS,  
FINISHES, MECHANICAL, ELECTRICAL, PLUMBING, STRUCTURAL. APPROXIMATE AREA:  
6,193 SF TOTAL

**PROPERTY ADDRESS**

335 WEST WASHINGTON STREET  
SAN DIEGO, CA 92103

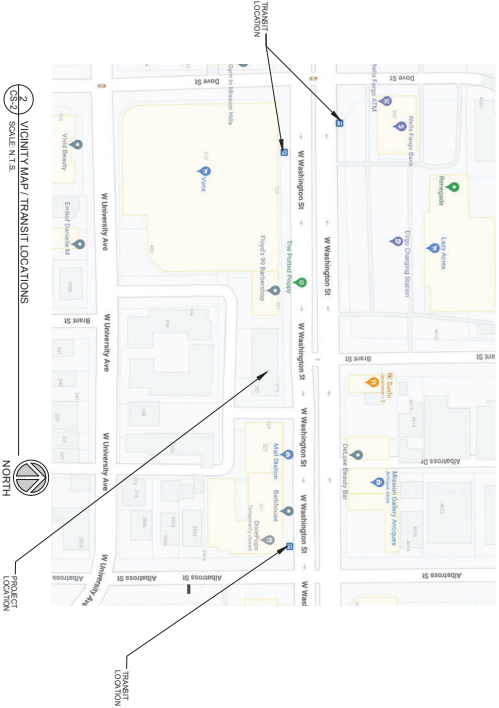
APN# 444531-29-00

**LEGAL DESCRIPTION:**

Block No. 5  
FLOORING HEIGHTS ADDITION  
Parcel Map No. 1  
Parcel Map No. 2  
Parcel Map No. 3  
Parcel Map No. 4  
Parcel Map No. 5

**CODES AND REGULATIONS:**

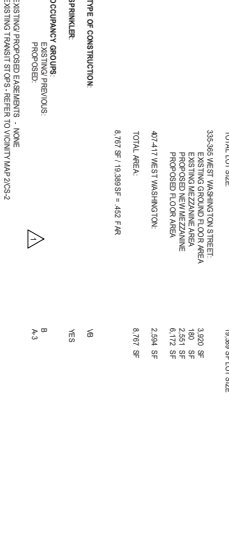
<b>BUILDING:</b>	2019 EDITION CALIFORNIA BUILDING CODE
<b>MECHANICAL:</b>	2019 EDITION CALIFORNIA MECHANICAL CODE
<b>PLUMBING:</b>	2019 EDITION CALIFORNIA PLUMBING CODE
<b>ELECTRICAL:</b>	2019 EDITION CALIFORNIA ELECTRICAL CODE
<b>FIRE:</b>	2019 EDITION CALIFORNIA FIRE CODE
<b>ENERGY EFFICIENCY:</b>	2019 EDITION CALIFORNIA ENERGY EFFICIENCY CODE
<b>LANDSCAPE HAZARD:</b>	2019 EDITION CALIFORNIA LANDSCAPE HAZARD CODE
<b>LIFE SAFETY:</b>	2019 EDITION CALIFORNIA LIFE SAFETY CODE



**PROJECT INFORMATION:**

<b>PROJECT INFORMATION:</b>	CC-33	335 WEST WASHINGTON STREET SAN DIEGO, CA 92103
<b>BLDG. TYPE:</b>	RETAIL	
<b>BLDG. AREA:</b>	16,389 SF	
<b>OVERLAY ZONE REGULATIONS:</b>	COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT	
<b>PLANNING AREA:</b>	COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT	
<b>TRANSPORTATION:</b>	COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT	
<b>APPROPTS:</b>	COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT - COMMUNITY DEVELOPMENT DISTRICT	

<b>GEOL. HAZARD CATEGORY:</b>	SEISMIC	SEISMIC
<b>SETBACK:</b>	10 FT	10 FT
<b>FLOOR AREA RATIO (FAR):</b>	NA	NA
<b>TOTAL LOT SIZE:</b>	16,389 SF	16,389 SF
<b>EXISTING GROUND FLOOR AREA:</b>	3,000 SF	3,000 SF
<b>PROPOSED FLOOR AREA:</b>	2,551 SF	2,551 SF
<b>TOTAL FLOOR AREA:</b>	5,551 SF	5,551 SF
<b>TOTAL MEAL:</b>	2,594 SF	2,594 SF
<b>TYPE OF CONSTRUCTION:</b>	W6	W6
<b>SPRINKLER:</b>	YES	YES

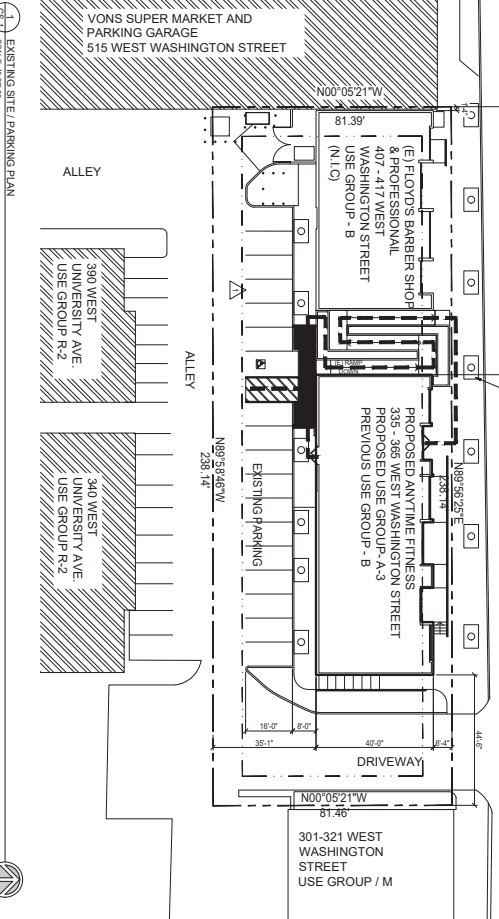


**SHEET INDEX:**

C31	COVER SHEET
A01	SITE/PHOTOGRAPHS
A02	SITE PHOTOGRAPHS

**DEVELOPMENT SUMMARY**

- DISCRETIONARY CONDONATIONAL USE PERMIT (PRJ-21-114) 6082 S APRIL YOUNG BLVD. SAN DIEGO, CA 92108
- EXPANDING MEZZANINE - PMF-21-0950 & PRJ-21-09774
- NEW INTERIOR PARTITION WALLS, DOORS, FINISHES - PMF-21-0950 & PRJ-21-09774
- ELECTRICAL - PMF-21-0950
- MECHANICAL - PMF-21-0950
- PLUMBING - PMF-21-0950
- LANDSCAPE HAZARD AREA - 52
- GEOL. HAZARD AREA - 52
- STRUCTURAL - PMF-21-0950 & PRJ-21-09774

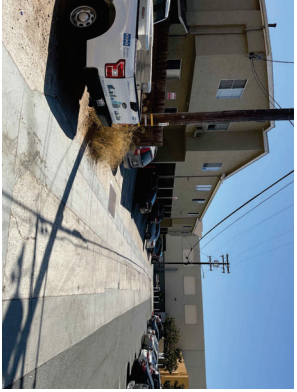


<b>ARCHITECT</b>	TRIFAR									
<b>CONSULTANT</b>	TRIFAR									
<b>SEAL</b>										
<b>REVISIONS</b>	<table border="1"> <tr> <th>REV.</th> <th>DATE</th> <th>ISSUE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	REV.	DATE	ISSUE						
REV.	DATE	ISSUE								
<b>DATE:</b>	11/14/22									
<b>DRAWN BY:</b>	AAB									
<b>CHECKED BY:</b>	JOB									
<b>PROJECT NUMBER:</b>	708251									
<b>COVER SHEET</b>	CS-1									





# ATTACHMENT 8



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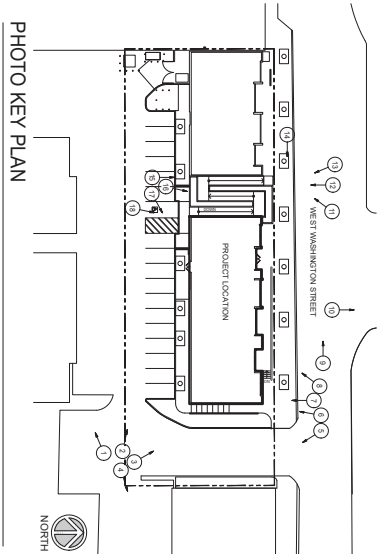
⑦



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⑨



K13

ARCHITECT



architectural engineering  
 4411 Camino del Rio South, Suite 400  
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 Phone: 619-594-1111 Fax: 619-594-4545

CONSULTANT

SEAL



**ANYTIME FITNESS**

335 W. WASHINGTON STREET  
 SAN DIEGO, CA 92103

REV.	DATE	SCALE

DATE: 11.14.22  
 DRAWN BY: AAB  
 CHECKED BY: JCB  
 PROJECT NUMBER: 709251

SITE PHOTOGRAPHS

A0.1

ATTACHMENT 8



01



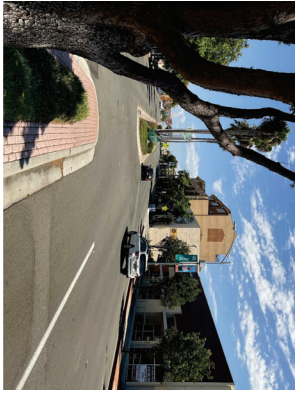
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03



04



05



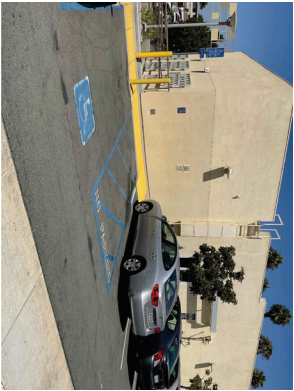
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07



08



09

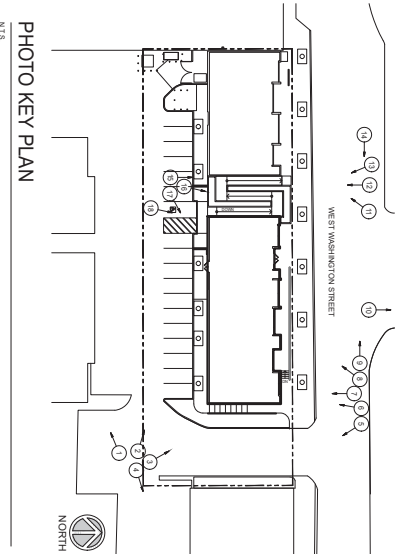


PHOTO KEY PLAN

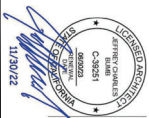
N13

ARCHITECT



CONSULTANT

SEAL



**ANYTIME FITNESS**  
 335 W. WASHINGTON STREET  
 SAN DIEGO, CA 92103

REV.	DATE	SCALE	REVISIONS

DATE: 11.14.22  
 DRAWN BY: ANB  
 CHECKED BY: JCB  
 PROJECT NUMBER: 709251

SITE PHOTOGRAPHS

A0.2