



THE CITY OF SAN DIEGO

DATE OF NOTICE: October 7, 2020

# NOTICE OF PUBLIC HEARING

## HEARING OFFICER

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**DATE OF HEARING:** October 21, 2020  
**TIME OF HEARING:** 9:00 A.M.  
**LOCATION OF HEARING:** VIRTUAL HEARING  
**PROJECT NO:** 633590  
**PROJECT NAME:** LEGACY CHURCH  
**PROJECT TYPE:** CONDITIONAL USE PERMIT, ENVIRONMENTAL EXEMPTION, PROCESS THREE  
**APPLICANT:** ANDRE GRAF  
**COMMUNITY PLAN AREA:** TIERRASANTA  
**COUNCIL DISTRICT:** 7  
**CITY PROJECT MANAGER:** Firouzeh Tirandazi, Development Project Manager  
**PHONE NUMBER/E-MAIL:** (619) 446-5325 / ftirandazi@sandiego.gov

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Until further notice, Hearing Officer meetings will be conducted pursuant to the provisions of California [Executive Order 29-20](#), which suspends certain 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 will be participating in Hearing Officer meetings by teleconference and/or videoconference. In accordance with the Executive Order, there will be no members of the public in attendance at the Hearing Officer meetings. We are providing alternatives to in-person attendance for participating in Hearing Officer meetings. Updated information is available on the Hearing Officer webpage: <https://www.sandiego.gov/development-services/public-hearings-meetings-notices/hearing-officer>.

In lieu of in-person attendance, members of the public may submit their comments on agenda items using the public comment form found on the Hearing Officer webpage: <https://www.sandiego.gov/development-services/public-hearings-meetings-notices/hearing-officer>. If you have an attachment to your comment, you may send it to [HearingOfficer@sandiego.gov](mailto:HearingOfficer@sandiego.gov) and it will be distributed to the Hearing Officer.

**Please note:** Comments submitted using the public comment form (which will be read into the record) are **limited to 200 words**. Comments received after the start of the Hearing Officer meeting will not be read into the record, but will be distributed to the Hearing Officer for consideration and made part of the meeting record. If you submit more than one form, only one will be read into the record.

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a Conditional Use Permit (CUP), an amendment to CUP C-12150 for the construction of a new 2,500 square-foot, one-story building for the expansion of the existing childcare facility located on the Legacy Church Campus. The 4.8-acre site is located at

10881 Tierrasanta Boulevard, in the RS-1-8 (Residential-Single Unit) Zone, and the Airport Land Use Compatibility Plan (MCAS Miramar and Montgomery), Airport Influence Areas – Review Area 2 (MCAS Miramar and Montgomery), Federal Aviation Administration (FAA) Part 77 Noticing Area (MCAS Miramar and Montgomery), Brush Management, Brush Zones with 300 Foot Buffer, and Very High Fire Hazard Severity Overlay Zones within the Tierrasanta Community Plan.

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal the decision, you must be registered as a speaker at the public hearing concerning the application or have expressed interest by writing to the Hearing Officer, [HearingOfficer@sandiego.gov](mailto:HearingOfficer@sandiego.gov) before the close of the public hearing. Appeal procedures are described in [Information Bulletin 505](#) (<https://www.sandiego.gov/sites/default/files/dsdib505.pdf>). During the Statewide “Safer-at-Home” directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals to the Planning Commission must be filed by email or US mail as follows:

- 1) Appeals filed via E-mail: [The Development Permit/Environmental Determination Appeal Application Form DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Send the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation in pdf format) via email to [PlanningCommission@sandiego.gov](mailto:PlanningCommission@sandiego.gov) by 4:00pm on the last day of the appeal period. When received by the City, the appellant will be invoiced for payment of the required Appeal Fee per this bulletin. Timely payment of this invoice is required to complete processing of the appeal. Failure to pay the invoice within 5 business days of invoice issuance will invalidate the appeal application.
- 2) Appeals filed in person: [The Development Permit/Environmental Determination Appeal Application Form DS-3031](#) can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) to the touchless Payment Drop-Off drop safe in the first-floor lobby of the Development Services Center, located at 1222 First Avenue in Downtown San Diego by 4:00pm on the last day of the appeal period. The completed appeal package must include the required appeal fee per this bulletin in the form of a check payable to the City Treasurer. This safe is checked daily, and payments are processed the following business day. All payments must be in the exact amount, drawn on US banks, and be made out to "City Treasurer." Include in the memo of the check the Project Number. Cash payments are only accepted by appointment; email [DSDCashiers@sandiego.gov](mailto:DSDCashiers@sandiego.gov) to schedule an appointment.

The decision made by the Planning Commission is the final decision by the City.

This project was determined to be categorically exempt from the California Environmental Quality Act on September 4, 2020 and the opportunity to appeal that determination ended September 21, 2020.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call [Support Services at \(619\) 321-3208](#) at least five business days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order No: 11004543



**Development Services Department**

Firouzeh Tirandazi / Project No. 633590 (Legacy Church)  
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San Diego, California 92101-4140

**RETURN SERVICE REQUESTED**