

**SUBSEQUENT ACTION NOTICE OF DETERMINATION**  
**(Consistency Determination Pursuant to CEQA Section 15162)**

**To:** Recorder/County Clerk  
P.O. Box 1750, MS A33  
1600 Pacific Hwy, Room 260  
San Diego, CA 92101-2422

**From:** City of San Diego  
Development Services Department  
1222 First Avenue, MS 501  
San Diego, CA 92101

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Office of Land Use and Climate Innovation  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

**Project Number:** PRJ-1114608

**State Clearinghouse Number:** N/A

**Project Title:** Anytime Fitness Conditional Use Permit

**Project Location:** 335-365 West Washington Street, San Diego, CA, 92103

**City/County:** San Diego/San Diego

**Description of Previous Action and Project:** The City of San Diego's Development Services Department (DSD) prepared a Mitigated Negative Declaration (MND) Project No. 201016 for the Vons Mission Hills (PTS No. 201016) project, and the Council of the City of San Diego (City Council) adopted the MND on December 7, 2010 via Resolution No. R-306488. The Vons Mission Hills project required a Site Development Permit (SDP) No. 714171 to demolish an existing 20,980 square-foot, one-story Vons Market and construct a new 59,760 square-foot, two-story Vons Market with parking on the ground floor at 450 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. The 2.18-acre site was zoned Commercial Node (CN-2A) within the Mid-City Communities Planned District and Mission Hills Neighborhood of the Uptown Community planning area. Development on the site also included the construction of five retail units totaling 8,375 square feet (0.19 acres). The retail units are located at 335-417 West Washington Street. The Vons Missions Hills MND concluded the project would have significant, direct impacts to paleontology and traffic/circulation, and significant, cumulative impacts to solid waste. Implementation of the mitigation measures identified in the adopted Mitigation, Monitoring and Reporting Program would reduce potential impacts to below a level of significance. All other issue areas analyzed in the MND were determined to be less than significant or no impact.

**Description of Current Project:** The project requests a Conditional Use Permit to allow the 24-hour operation of an existing Anytime Fitness gym. The gym is within a 6,172 square-foot (0.14-acre) retail space located at 335-365 West Washington Street that was built as part of the previously approved Vons Mission Hills project. The project does not propose any grading or development. The project is zoned CC-3-8, and is within the Airport Land Use Compatibility Overlay Zone (Naval Air Station (NAS) North Island and San Diego International Airport), Airport Land Use Compatibility Plan Airport Influence Area (San Diego International Airport and NAS North Island – Review Area 2), and Federal Aviation Administration (FAA) Part 77 Noticing 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

**Project Applicant:** Alan Brenner, Trileaf, 1515 Des Peres Road #200, St. Louis, Missouri, 63131. (314) 997-6111.

**Determination:** Pursuant to CEQA Guidelines 15162, the City has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a subsequent or supplemental EIR or subsequent Negative Declaration/Mitigated Negative Declaration exist, and (2) the City will rely on the previous environmental document, which adequately addresses this project.

This is to advise that the Hearing Officer of the City of San Diego on March 12, 2025 approved the above-described project and made the following determinations:

- (1) No Substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- (2) No Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND 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 MND was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous MND;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous MND;
  - 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 MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Furthermore, the City has made the following determinations:

1. The project in its approved form  would, or  would not have a significant effect on the environment.
2. The proposed project  would, or  would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in MND.
3. Mitigation measures  were,  were not, made a condition of the approval of the project;

4. New Findings  were,  were not, required pursuant to CEQA Guidelines Section 15091.

5. New Statement of Overriding Considerations  were,  were not, required.

It is hereby certified that the CEQA 15162 Consistency Analysis Memorandum and final environmental document(s) are available to the public at the office of the City's Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: C. Garcia

Telephone: (619) 687-5959

Filed by:

  
Signature

Senior Planner

Title

Reference: California Public Resources Code, Section 15162/63.

NOTICE OF DETERMINATION

TO: X RECORDER/COUNTY CLERK  
P.O. BOX 1750, MS A33  
1600 PACIFIC HWY, ROOM 260  
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO  
DEVELOPMENT SERVICES DEPARTMENT  
1222 FIRST AVENUE, MS 501  
SAN DIEGO, CA 92101

1 0 0 2 8 7

FILED  
David Butler, Recorder/County Clerk

DEC 10 2010

BY V. Esquivel  
DEPUTY

OFFICE OF PLANNING AND RESEARCH  
1400 TENTH STREET, ROOM 121  
SACRAMENTO, CA 95814

PROJECT NUMBER: 201016

STATE CLEARINGHOUSE NUMBER: N/A

PROJECT TITLE: Vons Mission Hills

PROJECT LOCATION: 450 West Washington Street, San Diego, California 92103

PROJECT DESCRIPTION: SITE DEVELOPMENT PERMIT (SDP), PUBLIC RIGHT-OF-WAY (ROW) VACATION FOR ADJACENT ALLEY, SEWER EASEMENT ABANDONMENT, DRAINAGE EASEMENT VACATION AND STREET RESERVATION VACATION to allow the demolition of an existing 20,980-square-foot, one-story Vons Market, and construction of a development consisting of a new 59,760-square-foot, two-story Vons Market with parking on the ground floor, and five retail units consisting of 8,375-square-feet, on a 2.18-acre site.

PROJECT APPLICANT: Safeway Companies, Inc., 618 Michillinda Avenue, Arcadia, CA 91007, Point of Contact Randi Coopersmith, (858) 751-0633.

This is to advise that the City of San Diego City Council on December 7, 2010 approved the above described project and made the following determinations: R-306488

- 1. The project in its approved form      will, X will not, have a significant effect on the environment.
- 2.      An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.
- X A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- An Addendum to Negative Declaration / Mitigated Negative Declaration / Environmental Impact Report No.          was prepared for this project pursuant to the provisions of CEQA.

Record of project approval may be examined at the address above.

- 3. Mitigation measures X were,      were not, made a condition of the approval of the project; and a mitigation, monitoring and reporting program X was,      was not, adopted for the project.
- 4. (EIR only) Findings      were,      were not, made pursuant to CEQA Guidelines Section 15091.
- 5. (EIR only) A Statement of Overriding Considerations      was,      was not, adopted for this project.

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: Rhonda Benally

Telephone: (619) 446-5468

Filed by: Anna L. McPherson  
Signature

Senior Planner, AICP  
Title

FILED IN THE OFFICE OF THE COUNTY CLERK  
San Diego County on DEC 10 2010  
Posted DEC 10 2010 Removed JAN 18 2011  
Returned to agency on JAN 18 2011  
Deputy V. Esquivel



State of California – The Natural Resources Agency  
 DEPARTMENT OF FISH AND GAME  
 Environmental Review and Permitting  
 1416 Ninth Street, Suite 1260  
 Sacramento, CA 95814  
[www.dfg.ca.gov](http://www.dfg.ca.gov)

ARNOLD SCHWARZENEGGER, Governor  
 JOHN MCCAMMAN, Director



## CEQA Filing Fee No Effect Determination Form

**Applicant Name:** Safeway, Inc. **Date Submitted:** September 28, 2010  
**Applicant Address:** 618 Michillinda Avenue, Arcadia, CA 91007

**Project Name:** Vons Mission Hills

**CEQA Lead Agency:** City of San Diego  
**CEQA Document Type:** (ND, MND, EIR) Mitigated Negative Declaration  
**SCH Number and/or local agency ID number:** Project No. 201016

**Project Location:** 450 West Washington Street, San Diego

**Brief Project Description:** Site Development Permit, public right-of-way vacation for adjacent alley, and a sewer easement abandonment to allow the demolition of an existing 20,980-square-foot, one-story Vons Market, and construction of a development consisting of a new 59,760-square-foot, two-story Vons Market with parking on the ground floor, and five retail units consisting of 8,375-square-feet, on a 2.18-acre site. The project would also construct various site improvements such as hardscape, sidewalks, street tree lighting, landscaping, and improvements to the bus stop area including benches and coverings.

**Determination:** Based on a review of the Project as proposed, the Department of Fish and Game has determined that for purposes of the assessment of CEQA filing fees [F&G Code 711.4(c)] the project has no potential effect on fish, wildlife and habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records; you are required to file a copy of this determination with the County Clerk after your project is approved and at the time of filing of the CEQA lead agency's Notice of Determination (NOD). If you do not file a copy of this determination with the County Clerk at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid No Effect Determination Form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code Section 711.4(c)(3).

DFG Approval By: Yuh-Wei-Rul Lester Newton-Reed Date: 10-19-2010

Title: Environmental Scientist

CALIFORNIA DEPT. OF FISH AND GAME  
 SOUTH COAST REGION  
 4949 VIEWRIDGE AVENUE  
 SAN DIEGO, CA 92123-1662

*Conserving California's Wildlife Since 1870*

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180 BROADWAY  
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SAN DIEGO, CA 92101-5054

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DATE 2/26/25 90/7162

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