



THE CITY OF SAN DIEGO

DATE OF NOTICE: November 21, 2023

# NOTICE OF PUBLIC HEARING

## HEARING OFFICER

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DATE OF HEARING:	DECEMBER 6, 2023
TIME OF HEARING:	9:00 AM
LOCATION OF HEARING:	CITY OPERATIONS BUILDING, 1222 FIRST AVENUE, SAN DIEGO, CA 92101
PROJECT NUMBER:	692487
PROJECT NAME:	<u>BEVMO</u>
PROJECT TYPE:	CONDITIONAL USE PERMIT, CEQA EXEMPT, PROCESS THREE
APPLICANT:	SHEPPARD MULLIN
COMMUNITY PLAN AREA:	MISSION VALLEY
COUNCIL DISTRICT:	7
CITY PROJECT MANAGER:	Blake Sonuga, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 687-5928 / <a href="mailto:Msonuga@sanidiego.gov">Msonuga@sanidiego.gov</a>

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As a property owner, tenant, or person who has requested notice, you should know that a public hearing will be held by the Hearing Officer to consider an application for a Conditional Use Permit (CUP) to amend CUP No. 6258 to allow for the home delivery of alcohol at all hours except between the hours of 2 a.m. - 6 a.m. The amended permit would also allow all non-alcohol delivery services from the store 24 hours/day. The project site is located at 925 Camino de la Reina in the EMX-1 Zone, Community Plan Implementation Zone A, First San Diego River Improvement Specific Plan Subdistrict, Parking Standards Transit Priority Area, Transit Priority Area, and Flood Plain 100-year area.

This CUP was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15301 (Existing Facilities). The environmental determination for this project was made on May 2, 2023, and the opportunity to appeal the determination ended on May 16, 2023. There were no appeals to the environmental determination.

The decision of the Hearing Officer is final unless appealed to the Planning Commission. The decision made by the Planning Commission is the final decision by the City. 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@sanidiego.gov](mailto:HearingOfficer@sanidiego.gov) before the close of the public hearing. Appeal procedures are described in [Information Bulletin 505](https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505) (<https://www.sandiego.gov/development-services/forms-publications/information-bulletins/505>). Appeals to the Planning Commission can be filed by email/mail or in person:

- 1) Appeals filed via email/mail: Send the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>) (including grounds for appeal and supporting documentation in pdf format) via email to [PlanningCommission@sanidiego.gov](mailto:PlanningCommission@sanidiego.gov) by 4:00 PM 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. Timely payment of this invoice is required to complete processing of the appeal. Failure to pay the invoice within five (5) business days of invoice issuance will invalidate the appeal application.

- 2) Appeals filed in person: Bring the fully completed appeal application [DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) (<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>) (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, San Diego, CA 92101 by 4:00 PM. on the last day of the appeal period. The completed appeal package must be clearly marked on the outside as "Appeal" and must include the required appeal fee per Information Bulletin 505 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." Please include in the memo of the check the invoice number or Project number or attach the invoice to the check. Cash payments are only accepted by appointment; email [DSDCashiers@sandiego.gov](mailto:DSDCashiers@sandiego.gov) to schedule an appointment.

### **COMMUNICATIONS:**

To join using the Zoom platform use this link:  
<https://sandiego.zoomgov.com/join/1603558740>

To join by using Telephone:  
Dial 1-669-254-5252 or (Toll Free) 1-833-568-8864. When prompted, input Webinar ID: 160 355 8740.

In lieu of in-person attendance, members of the public may submit their comments on agenda items using the public comment [webform](#) found on the Hearing Officer webpage: (<https://www.sandiego.gov/development-services/hearing-officer/agenda-comment-form>). 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.

The public is encouraged to [subscribe](#) to receive meeting agendas.

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 Development Project Manager listed above.

### **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. 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 or via e-mail to [hearingofficer@sandiego.gov](mailto:hearingofficer@sandiego.gov) at least five (5) 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: 24008979



**Development Services Department**

Blake Sonuga / Project No. 692487

1222 First Avenue, MS 501

San Diego, California 92101-4140

**RETURN SERVICE REQUESTED**