



THE CITY OF SAN DIEGO

DATE OF NOTICE: October 12, 2020

# NOTICE OF FUTURE DECISION

## DEVELOPMENT SERVICES DEPARTMENT

As a property owner, tenant, or person who has requested notice, you should know that the Development Services Department Staff will make a decision to approve, conditionally approve, modify or deny an application for a Process Two Neighborhood Use Permit (NUP) to allow an approximately 365-square-foot sidewalk café in the public right-of-way on the northwest corner of Columbia and Ash street for the adjacent eating and drinking establishment. The subject right-of-way is in the CCPD-ER (Centre City Planned District Employment/Residential Mixed-Use) zone and is located within the Little Italy neighborhood of the Downtown Community Plan area. An NUP is required for deviations from the Sidewalk Café Design Requirements, San Diego Municipal Code Section 141.0621(a)(1).

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**PROJECT NO:** 664650  
**PROJECT NAME:** COLUMBIA & ASH PATIO NUP  
**PROJECT TYPE:** NEIGHBORHOOD USE PERMIT, PROCESS TWO  
**APPLICANT:** LMC East Village I Holdings / Dan Ferguson  
**COMMUNITY PLAN AREA:** DOWNTOWN  
**COUNCIL DISTRICT:** 3  
**CITY PROJECT MANAGER:** Nicole Paré, Program Manager  
**PHONE NUMBER/E-MAIL:** (619) 533-7180/ [npare@sandiego.gov](mailto:npare@sandiego.gov)

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The decision by City staff will be made **without** a public hearing no less than thirty (30) calendar days after the date of mailing the Notice of Future Decision. If you want to receive a "Notice of Decision", you must submit a written request to the City Project Manager listed above no later than ten (10) business days from the mailing date of this Notice. This project is undergoing environmental review.

The decision by Development Services Department staff can be appealed to the **Planning Commission** no later than ten (10) business days after the decision date. Appeal procedures are described in [Information Bulletin 505](https://www.sandiego.gov/sites/default/files/dsdib505.pdf) (<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 in person as follows:

1. Appeals filed via email: [The Development Permit/Environmental Determination Appeal Application Form DS-3031](https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf) 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](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@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 be clearly marked on the outside as "Appeal" and 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.

Please note that Community Planning Groups provide citizens with an opportunity for involvement in advising the City on land use matters. Community Planning Group considerations are a recommended, but not required, part of the project review process. You may contact Bill Orabone, Chair of the Downtown Community Planning Council at (619) 751-3391 or by email at [orabone@gmail.com](mailto:orabone@gmail.com) to inquire about the community planning group meeting dates, times, and location for community review of this project.

If you have any questions about the project after reviewing this information, you may contact the City Project Manager listed above.

This information will be made available in alternative formats upon request.

Cost Center No. 1611170012, Internal Order No. 11004543, Fund No. 700036 (Flat Fee)



**Development Services Department**

Nicole Paré / Project No. 664650

1222 First Ave., MS 301

San Diego, California 92101-4101

**RETURN SERVICE REQUESTED**