

AGUIRRE, MORRIS & SEVERSON LLP
ATTORNEYS AT LAW

444 West C Street, Suite 210
San Diego, CA 92101
Telephone (619) 876-5364
Facsimile (619) 876-5368

Christopher S. Morris, Esq.
cmorris@amslawyers.com

October 22, 2012

City of San Diego
3rd Floor
Development Services
1222 First Ave. 3rd Floor
San Diego, CA 92101

RE: Supplement to Development Permit/Environmental Determination Appeal
Application

To Whom It May Concern:

Our firm has been retained by a coalition of community members,¹ including Palavra Tree,² to file the attached Development Permit/ Environmental Determination Appeal Application Form DS-3031. This letter serves to supplement the Form D-DS-3031, Development Permit / Environmental Determination Appeal Application filed by the coalition. The focus of this appeal is to request that the Planning Commission deny Conditional Use Permit No. 952387 and Site Development Permit No. 952388 (collectively "Permits").

I.
STANDING TO APPEAL

The Permits granted by the Hearing Officer on 10 October 2012 should not be upheld by the San Diego Planning Commission because, as explained in greater detail below, the findings which the Hearing Officer cited to approve and/or conditionally approve the permit are not

¹ The coalition includes, in part, Charles Alexander, Pastor Brian Buggs, Salam Razuki, Denise Reed and William Penick.

² The Palavra Tree Inc is an Alcohol, Tobacco, and Other Drugs (ATOD) Prevention, Intervention, Treatment and Recovery Center is a Community-Social Model (COM-SOC) program. The primary focus is to reduce the availability and accessibility of alcohol, tobacco, and other drugs in the City and County of San Diego. The Palavra Tree's objectives include developing community based alcohol, tobacco, and other drugs prevention, recovery and treatment programs, that promotes healthier behaviors, decisions and to create an environment that reduces, postpones or eliminates the problematic use of legal and illegal drugs. The Palavra Tree's objectives also include being a "launching pad" from which local citizens and community organizations plan, develop, implement, evaluate and duplicate successful activities that reduce local ATOD problems.

supported by the documentary, factual or testimonial information provided, thereby meeting the standards for appeal as stated in San Diego Municipal Code (“SDMC”) sec. 112.0506(c)(3).³

According to SDMC sec. 126.0301 there are a specific set of purposes for a Conditional Use Permit Procedures. SDMC sec. 126.0301 states:

The purpose of these procedures it to establish a review process for the *development* of uses that may be desirable under appropriate circumstances, but are not permitted by right in the applicable zone.⁴

This code section, in particular, points out that the procedures are set to protect the health and safety of the community. Specifically, the code states, “the intent is that each use be developed so as to fully protect the public health, safety, and welfare of the community.”⁵

In granting a Conditional Use Permit, SDMC sec. 126.0305(b) states, “[a]n application for a Conditional Use Permit may be approved or conditionally approved only if the decision maker makes the following findings . . . The proposed *development* will not be detrimental to the public health, safety, and welfare . . .”⁶ Additionally SDMC sec. 126.0305(d) provides, “[a]n application for a Conditional Use Permit may be approved or conditionally approved only if the decision maker makes the following findings . . . The proposed use is appropriate at the proposed location.”⁷ As discussed in greater detail below, the Hearing Officer does not have sufficient evidentiary or factual support to sufficiently show that approval of the CUP complies with SDMC secs. 126.0305(b) and 126.0305(d).

The Hearing Officer’s decision to approve the Permits qualifies as a Process Three decision per SDMC sec. 126.0303(a) which states, in pertinent part, “[a]n application for the following types of uses in certain zones may require a Conditional Use Permit . . . Conditional Use Permits Decided by Process Three . . . Alcoholic beverage outlets (under circumstances describes in Section 141.0502).”⁸ As clarified in greater detail below, the alcohol license sought in the instant matter falls underneath SDMC sec. 126.0303(a) because the applicant’s proposed license falls within the designation as defined by SDMC section 141.0502 which states:

§ 141.0502 Alcoholic Beverage Outlets

³ San Diego Municipal Code sec. 112.0506(c)(3) states: “Process Three Appeals – The Hearing Officer’s decision may be appealed to the Planning Commission, as specified in Chapter 12, Article 6 for the type of *development* and review required. An appeal from a Hearing Officer’s decision that involves applications consolidated in accordance with Section 112.0103 shall be heard by the Planning Commission. An appeal from a Process Three decision shall be made in the following manner . . . (c) Grounds for Appeal. A Process Three decision may be appealed on any of the following grounds: (3) *Findings* Not Supported. The decision maker’s stated *findings* to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker. . .” (Exhibit 1)

⁴ San Diego Municipal Code sec. 126.0301. (Exhibit 2)

⁵ *Id.* (Exhibit 2)

⁶ San Diego Municipal Code sec. 126.0301(b). (Exhibit 2)

⁷ San Diego Municipal Code sec. 126.0301(d). (Exhibit 2)

⁸ San Diego Municipal Code sec. 126.0303. (Exhibit 3)

Any establishment for which a Type 20 Beer and Wine License or a Type 21 General Liquor License have been obtained from, or for which an application has been submitted to, the California Department of Beverage Control for permission to sell alcoholic beverages for off-site consumption shall be regulated as an alcoholic beverage outlet subject to this section.

- (b) Limited Use Regulations. Alcoholic beverage outlets are permitted as a limited use subject to the following regulations.
 - (1) Alcoholic beverage outlets are not permitted in any of the following locations:
 - (A) Within a census tract, or within 600 feet of a census tract, where the general crime rate exceeds the citywide average general crime rate by more than 20 percent;
 - (B) Within a census tract, or within 600 feet of a census tract, where the ratio of alcohol beverage outlets exceeds the standards established by California Business and Professional Code section 13958.4. . .
 - (E) Within 100 feet of a residentially zoned property.⁹

As will be discussed in the greater detail below, the applicant license falls within the areas defined by SDMC secs. 141.0502(b)(1)(A), 141.0502(b)(1)(B), and 141.0502(b)(1)(E).¹⁰ Therefore, the review for the license application falls within a Process Three hearing.

Denise Reed meets the requirement of SDMC sec. 112.0506 which defines the process for appealing a hearing officer decision and states: "The Hearing Officer's decision may be appealed to the Planning Commission"¹¹ and SDMC sec. 112.0506(a)(2) which states, "A

⁹ San Diego Municipal Code sec. 141.0502(b)(1)(A)-(E). (Exhibit 4)

¹⁰ The standards set forth in SDMC 141.0502(b)(1)(A)-(E) are taken from Cal. Bus. & Prof. Code sec. 23958.4(a)(1)-(3) which lays out the standards for "undue concentration" of liquor licenses and states: "For purposes of Section 23958, 'undue concentration' means the case in which the application premises for original or premises-to-premises transfer of any retail license are location in an area where any of the following conditions exist: (1) The applicant premises are located in a crime reporting district that has a 20 percent greater number of reported crimes . . . than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency. (2) As to on-sale retail license applications, the ratio of on-sale retail licenses to population in the census tract or census division in which the applicant's premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises are located. (3) As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located. (Exhibit 4)

¹¹ San Diego Municipal Code sec. 112.0506. (Exhibit 1)

Process Three decision may be appealed by the following persons . . . [a]n *interested* person.”¹² SDMC sec. 113.0103 defines an “*Interested person*” as “a person who was present at a public hearing from which an appeal arose and who had filed a speaker slip with the decision maker at the public hearing or a person who expressed an interest in the decision in writing to that decision maker before the close of the public hearing.”¹³ In this case, all members of the coalition referenced in this appeal submitted a speaker slip at the public hearing.¹⁴

Finally, SDMC sec. 112.0506 requires, “[a] Process Three decision may be appealed by filing an application with the City Manager no later than 10 *business days* after the date of the Hearing Officer’s decision.”¹⁵ Here, the Hearing Officer decision was made at the Hearing Officer Meeting on 10 October 2012.¹⁶

Therefore, Ms. Reed, representative of the Palavra Tree, has standing to file the instant appeal to the San Diego Planning Commission.

II. BACKGROUND OF APPLICANT EFFORT TO OBTAIN LIQUOR LICENSE

In 1990, Mike Dallo filed a corporation with the California Secretary of State titled Dallo & Co., Inc. Mike Dallo was listed as the registered agent for the company at 5075 Federal Boulevard, San Diego CA.

More than 15 years later, in 2005, Dallo & Co., Inc. was assessed for the ownership of the parcel of land located at 3175 National Avenue, San Diego. Dallo had listed a “doing business as,” or DBA, titled “Gigante IGA Market,” according to the assessment records with San Diego County.¹⁷ At about this time, an application by Rafid Dallo for a “20 – Off-Sale Beer and Wine” license was filed with the California Department of Alcoholic Beverage Control. The application was filed for Gigante Super Market and was listed as withdrawn, according to the California Department of Alcoholic Beverage Control.¹⁸

In 2004, Mike Gallo filed a corporation with the California Secretary of State titled MD & CD, Inc. Mike Dallo was listed as the registered agent for the company at 5075 Federal Blvd, San Diego CA. In 2011, MD & CD, Inc. was assessed property taxes for the property at 3175 National Avenue, San Diego.¹⁹ Dallo had listed a “doing business as,” or DBA, titled “Eduardos Mercado,” according to the assessment records with San Diego.²⁰ This would be the business entity that engaged in efforts to secure a liquor license.

¹² San Diego Municipal Code sec. 112.0506(a)(2). (Exhibit 1)

¹³ San Diego Municipal Code sec. 113.0103. (Exhibit 5)

¹⁴ The coalition includes, in part, Charles Alexander, Pastor Brian Buggs, Denise Reed and William Penick.

¹⁵ San Diego Municipal Code sec. 112.0506(b). (Exhibit 1)

¹⁶ City of San Diego Hearing Officer – Docket for Hearing Officer Meeting – October 10, 2012. (Exhibit 6)

¹⁷ Assessment Record for San Diego County: Dallo & Co., Inc., DBA Gigante IGA Market. (Exhibit 7)

¹⁸ California Department of Alcoholic Beverage Control - License Query System Summary. (Exhibit 8)

¹⁹ Assessment Record for San Diego County: MC & CD Inc., DBA Eduardo’s Mercado.(Exhibit 9)

²⁰ *Id.*(Exhibit 9)

On March 9, 2001, Mike Dallo submitted a request to the San Diego Police Department for a Public Convenience or Necessity evaluation of the store at 3175 National Avenue to secure a Type 20 Off-Sale Beer & Wine License.²¹ The San Diego Police Department undertook the evaluation of Mr. Dallo's store located at 3175 National Avenue.²² Linda Griffin, a sergeant with the San Diego Police Department's Vice Admin Unit, conducted the investigation and wrote:

I conducted a site inspection of the premises and the surrounding areas. Although the business is well within 100 feet of several residentially-zoned properties, it appears that the proposed business will benefit the area with appropriate restrictive conditions placed on the Alcoholic & Control License.²³

The conditions listed by Sergeant Griffin included "appropriate hours, no single sales of beer, malt beverages and/or wine coolers and floor space dedicated to refrigerate product" and a series of additional requirements.²⁴ Further, Sergeant Griffin notified Mr. Dallo that the project will require a Conditional Use Permit and wrote:

In accordance with Business and Professions Code, section 23958.4 your application is required to meet standards for public convenience and necessity. After consulting with the City of San Diego Development Services Department, I learned that your client will still need to obtain a Conditional Use Permit in order to conduct the type of business planned for this location.²⁵

Griffin concluded the letter by stating "your application for Public Convenience or Necessity has been approved."²⁶

Shortly thereafter, MD & CD, Inc. applied for a Type 20-Off-Sale Beer and Wine with the California Department of Alcoholic Beverage Control.²⁷ The license for Eduardo's Mercado is listed as pending as of 11 November 2011, according to the California Department of Alcoholic Beverage Control License Query System.

Mr. Dallo continued to collect approvals from the San Diego Police Department. On 20 March 2012, the San Diego Police Department issued a "Conditional Use Permit Recommendation" for Eduardo's Market. The permit recommendation noted the "number of alcohol licenses allowed" in the census tract was "4" and the "number of alcohol licenses

²¹ 30 June 2011 letter from Linda Griffin, sergeant with the San Diego Police Department's Vice Admin Unit, to Mike Dallo, Subject: "Reference: PCN Application." (Exhibit 10)

²² *Id.* (Exhibit 10)

²³ *Id.* (Exhibit 10)

²⁴ *Id.* (Exhibit 10)

²⁵ *Id.* (Exhibit 10)

²⁶ *Id.* (Exhibit 10)

²⁷ California Department of Alcoholic Beverage Control: MD & CD, Inc., DBA Eduardos Mercado.(Exhibit

existing” in the census tract was “4.”²⁸ In other words, at the time the San Diego Police Department issued recommendation for the conditional permit, the number of alcohol licenses existing was at its limit. The Police Department also noted the “Crime Rate In This Census Tract” was “231.7% more than the average crime rate in the City of San Diego.” The recommendation also noted that an area is “Considered High Crime if [the Crime Rate] Exceeds 120% of City-wide Average.” Shockingly, in the form recommendation, the Police Department answered “No” to the question: “Will this Business be detrimental to the public health, safety, and welfare of the community and City.”²⁹

MEETINGS HELD THROUGH VARIOUS PLANNING GROUPS

The Southeastern San Diego Planning Group (“SSDPG”) was the first public body that reviewed the issuance of a CUP and site development permit to Eduardo’s for the sale of alcohol. The minutes of the 25 June 2012 meeting indicate that a presentation was provided to the SSDPG Board by “Attorney Shamoun.” According to the meeting minutes, Mr. Shamoun told the Board:

- “Markets over 15,000sf can bypass the Community Plan and get beer and wine licenses. This market is 12-13,000 sf . . .
- “In the community (Census Tract 39.02), there are 4 liquor licenses, 3 markets and 1 gas station . . .
- “The saturation of liquor licenses in the area, we know, is an issue . . .
- “It will make the community a safer place . . .”³⁰

The Project Committee Summary reflected the members of the committee’s concern that the community is already “over-saturated with beer and wine licenses,” that “[d]omestic violence is high in our area,” and concern over “the at-risk youth and the availability of alcohol.”³¹ The committee expressed concern that this was not the first application for alcohol at this location and that previous attempts were not successful.³² The committee pointed out that, “Saturation of licenses IS STILL A BASIS for denial by the ABC. ALSO, this is a high crime area (over 120% of City-wide average).”³³ Finally, the committee noted that the applicant, Eduardo’s Marketplace, has provided nothing in writing to obligate them to the safety measures they have promised.³⁴ Despite, these concerns, the committee recommended “to take the request to the full Planning Group with the Police Department Recommendation and guarantee of implementation.”³⁵

²⁸ San Diego Police Department Conditional Use Permit Recommendation for 3175 National Ave. San Diego. (Exhibit 12)

²⁹ *Id.* (Exhibit 12)

³⁰ Southeastern San Diego Planning Group (SSDPG) Project Committee Summary: June 25, 2012 – 6 p.m. (Exhibit 13)

³¹ *Id.* (Exhibit 13)

³² *Id.* (Exhibit 13)

³³ *Id.* [emphasis original] (Exhibit 13)

³⁴ *Id.* (Exhibit 13)

³⁵ *Id.* (Exhibit 13)

The Southeastern San Diego Planning Group (SSDPG) held a meeting on 9 July 2012 where the CUP and site development permit were discussed.³⁶ The Planning Group approved the permits by a vote of 5-4.³⁷ The minutes are sparse on details and stated only:

Presentation by applicant team. Family owned and managed grocery, one a series of facilities. Store includes a kitchen, bakery and 13,000+ SF grocery. Beer and wine sales will consist of less than 10% of the square footage. **Motion to approve 5/4/0.**³⁸

Just days after the Planning Group approved the CUP and development permit, Maria Riveroll, chair of the Southeastern San Diego Planning Group submitted a Community Planning Committee Distribution Form Part 2 to the San Diego City Development Services Department.³⁹ The Form, dated 12 July 2012, does not include any of the recommendations that were included in the Southeastern San Diego Planning Group (SSDPG) listed in its meeting of 25 June 2012.

III. CITY OF SAN DIEGO HEARING OFFICER APPROVAL

The issue of Eduardo's Market appeared before the City of San Diego Hearing Officer at the Hearing Officer Meeting of 10 October 2012.⁴⁰ At the hearing, Chris Larson, hearing officer for the City of San Diego Development Services Department approved the CUP and Site Development Permit to sell beer and wine in an existing market at 3175 National Avenue, San Diego. In approving the Conditional Use Permit and the Development Permit, the Hearing Officer relied on Report No. HO-12-078. The report was authored by Tim Daly, development project manager for the Development Services Department (hereinafter referred to as the "Daly Report.")

In the Daly Report, Daly recommended that the Hearing Officer, Chris Larson, "APPROVE Conditional Use Permit No. 952387 and Site Development Permit No. 952388."⁴¹ The Daly Report also stated "the Southeastern San Diego Community Planning Group voted 5-4-0 recommending the project be approved. There were no additional comments or conditions

³⁶ Agenda of the 9 July 2012 meeting of the Southeastern San Diego Planning Group. The Agenda listed Tim Daly as the project manager at the City's Development Services Department. (Exhibit 14)

³⁷ *Id.* (Exhibit 14)

³⁸ *Id.* (Exhibit 14)

³⁹ Community Planning Committee Distribution Form Part 2 – City of San Diego Development Services: for Eduardo's Market, Project Number: 268446. The Community Planning Committee Distribution Form Part 2 states that the Applicant Name of the project is MD&CD, Inc. (Exhibit 15)

⁴⁰ City of San Diego Hearing Officer Docket for Hearing Officer Meeting, October 10, 2012, "Item – 6: Eduardo's – Project No. 268446." (Exhibit 6)

⁴¹ 10 October 2012, City of San Diego Development Services Department Report to the Hearing Officer, Report No. HO 12-078, Subject: Eduardo's Market – Project Number 268446. P. 1 of 5. (Exhibit 16)

provided by the planning group.”⁴² Notably, the Daly Report did not include the list of nine concerns and recommendations of the Southeastern San Diego Planning Group (“SSDPG”).⁴³

The Daly Report stated that the site of Eduardo’s Market has a zoning designation of CSR-2 which “permits the retail sales of general merchandise and an alcoholic beverage outlet is permitted in the zone as a limited use . . .”⁴⁴ The Daly Report clarified that the project required “two discretionary entitlements.”⁴⁵

- “A Conditional Use Permit is required pursuant to the San Diego Municipal Code for alcohol sales on any site that does not comply with specific location criteria of the Land Development Code.”⁴⁶
- “Also, the Southeastern San Diego Planned District Ordinance requires a Site Development Permit for any new commercial development or use requiring a Conditional Use Permit.”⁴⁷

The Daly Report stated that Eduardo’s Market is proposing the sale of beer and wine through a Type 20 Liquor License within the market.⁴⁸ As the Daly Report stated, the SDMC defines alcohol beverage outlets as a limited use under SDMC sec. 141.0502(b) but cautions that outlets which don’t comply with that section may still be granted the permits under SDMC sec. 141.0502(c). Seeking to address these concerns, the Daly Report stated that SDMC section 141.0502(b)(1) does not permit alcoholic beverage outlets by right and would require a CUP in different locations.⁴⁹

As stated in the Daly Report, SDMC sec. 141.0502(b)(1)(A) provides that “Alcoholic beverage outlets are not permitted in any of the following locations . . . Within a census tract, or

⁴² *Id.* (Exhibit 16)

⁴³ The list of concerns listed at the SSDPG Project Committee included: “(1) The conditions imposed by the Police Department are only suggestions. Even though the Applicant has assured us that they will go above and beyond any of these suggestions, they are asking us to accept their word. We have nothing in writing. (2) Concerned (sic) was expressed about the at-risk youth in the community and availability of alcohol. A remark was made that liquor can be acquired anywhere. (3) Traditionally, our community is over-saturated with beer and wine licenses. We do not support the sales of beer and wine. (4) There is a very high saturation of licenses for off-sale alcohol in our community. (5) Domestic violence is high in our area. (6) The Police Department rotates Vice staff every 6 months, they may not be aware of the conditions in our community. We cannot support this because of the social implication to our community. (7) This is NOT the first time the owner of this site had asked for a license. They previous owner was not successful. (8) There were 3 comments of support and 3 comments for denial. (9) Saturation of licenses IS STILL A BASIS for denial by the ABC. ALSO, **this is a high crime area** (over 120% of City-wide average) This Census Tract’s crime rate is 231.7%.” (Exhibit 13)

⁴⁴ 10 October 2012, City of San Diego Development Services Department Report to the Hearing Officer, Report No. HO 12-078, Subject: Eduardo’s Market – Project Number 268446. P. 2 of 5. (Exhibit 16)

⁴⁵ *Id.* (Exhibit 16)

⁴⁶ *Id.* (Exhibit 16)

⁴⁷ *Id.* (Exhibit 16)

⁴⁸ *Id.* (Exhibit 16)

⁴⁹ *Id.* (Exhibit 16)

within 600 feet of a Census Tract, where the general crime rate exceeds the citywide average general crime rate by more than 20 percent.⁵⁰

The Daly Report stated the crime rate in the census tract where Eduardo's Market is located, in Census Tract No. 39.02, has a reported "crime rate 231 percent higher than the citywide average based on the statistics provided by the San Diego Police Department" and that a "Census Tract is considered to have 'high crime' if the crime rate exceeds 120 percent of the city-wide average."⁵¹ The Daly Report concluded that these statistics require a CUP for the sale of alcohol.⁵²

As stated in the Daly Report, SDMC sec. 141.0502(b)(1)(B) provides that "Alcoholic beverage outlets are not permitted in any of the following locations . . . Within a Census Tract, or within 600 feet of a Census Tract, where the ratio of alcoholic beverage outlets exceeds the standards established by the California Business and Professional Code Section 23958.4"⁵³

The Daly Report stated that currently four (4) alcohol permits exist within Census Tract No. 39.02 and that "based on the California Business and Professional (sic) Code Section 23958.4 permits a total of four (4) off-sale alcoholic beverage outlets."⁵⁴ The Daly Report observed, based on the number of existing licenses, "a CUP would be required for the off-sale of alcoholic beverages based on this factor."⁵⁵

As stated in the Daly Report, SDMC sec. 141.0502(b)(1)(E) provides that "Alcoholic beverage outlets are not permitted in any of the following locations . . . Within 100 feet of a residentially zoned property."

Pertaining to this issue, the Daly Report observed, "The project city is within 100 feet of a residentially zoned property."⁵⁶

In taking into account the requirements set forth in SDMC 141.0502(b)(1), the Daly Report stated:

[T]he project sight is within a Census Tract that: 1) is defined as having a high crime rate; 2) Is within a Census Tract that would become oversaturated; and 3) is within the 100 feet of residentially zoned property. Any one of these factors established the need for the Conditional Use Permit.⁵⁷

⁵⁰ *Id.* (Exhibit 16)
⁵¹ *Id.* (Exhibit 16)
⁵² *Id.* (Exhibit 16)
⁵³ *Id.* at p. 3 of 5. (Exhibit 16)
⁵⁴ *Id.* (Exhibit 16)
⁵⁵ *Id.* (Exhibit 16)
⁵⁶ *Id.* (Exhibit 16)
⁵⁷ *Id.* (Exhibit 16)

In the “Analysis” section of the Daly Report, the recommendation is based almost entirely on the idea that because there is an existing market, the sale of beer would not have a detrimental impact on the community. Specifically, the Daly Report stated:

The staff recommendation to support the project relies on the fact that the primary use of the site is a supermarket and the sale of beer and wine is an accessory to that use. The property is part of the commercial node serving the community and would be consistent with the land use designation on the site. Therefore, the additional of beer and wine for off-site consumption should not adversely impact the community.⁵⁸

Again, it appears the staff recommendation in the Daly Report is based on the premise that because the sale of alcohol is not the primary business purpose of the market, then it will not have a negative impact on the community.

The Daly Report stated, “both the staff and the Police Department concluded that if the permit were appropriately conditioned, the proposed alcohol sales would not have a negative impact on the surrounding neighborhood.”⁵⁹ The following conditions were included in the Daly Report:

- Regulate advertising⁶⁰
- Provide for a well-lighted, cleaner site and prohibit specific on-site activities with the objective of reducing the likelihood of loitering and other criminal activity on the property,
- Provide an opportunity for the San Diego Police Department to petition the State Department of Alcohol Beverage Control (ABC) to include enforceable conditions regulating the type, size, quantities and alcoholic content (proof by volume) of the beverages.⁶¹

The Daly Report also included a series of prohibitions:

- No pinball games or arcade-style video and electronic games, or coin-operated amusement machines on the premises;
- No exterior or interior public pay phones on the premises , on adjacent sidewalks, or areas under the control of the owner or operator
- Advertising would be limited to interior signs only and ‘No Loitering’ signs would be required to be prominently displayed on the premises;⁶²

The Daly Report concluded, “City staff supports the request for a Conditional Use Permit for the limited use and conditional sale of beer and wine. Permit conditions have been added to this

⁵⁸ *Id.* (Exhibit 16)

⁵⁹ *Id.* (Exhibit 16)

⁶⁰ *Id.* (Exhibit 16)

⁶¹ *Id.* at p. 4 of 5. (Exhibit 16)

⁶² *Id.* (Exhibit 16)

discretionary permit that would assure that the business would be a cohesive element of the neighborhood and would not be detrimental to the public health safety and welfare of the community.”⁶³

IV. GROUNDS FOR APPEAL

Applicant failed to show the project will not be detrimental to the public, health, safety and welfare sufficient to overcome the limitations of SDMC sec. 141.0502.

As stated above, the Daly Report stated that SDMC sec. 141.0502(b)(1) specifically provides that “Alcoholic beverage outlets are not permitted in any of the following locations . . . Within a census tract, or within 600 feet of a census tract, where the general crime rate exceeds the citywide average by more than 20 percent.”

The Daly Report and the Hearing Officer approval of the CUP “relies on the fact that the primary use of the site is a supermarket and the sale of beer and wine is an accessory to that use.”⁶⁴ The Daly Report and Hearing Officer simply conclude, “[t]herefore the addition of beer and wine for off-site consumption should not adversely impact the community.”

This reasoning is bare of any support to meet the requirements of SDMC sec. 126.0305 which requires a showing that “the proposed *development* will not be detrimental to the public health, safety, and welfare.”

What’s more, the Hearing Officer at the 10 October 2012 meeting heard testimony from more than 20 community representatives who stated concern that the crime rate in the neighborhood is 231 percent higher than the citywide average based on the statistics provided by the San Diego Police Department.⁶⁵

Community members in a prior community meeting also expressed concerns that more liquor licenses in the community would be detrimental to the public health, safety, and welfare because of problems that stem from the easier availability of alcohol. Specifically, the Southeastern San Diego Planning Group listed the following concerns in the Projects Committee Summary: “(1) The conditions imposed by the Police Department are only suggestions. Even though the Applicant has assured us that they will go above and beyond any of these suggestions, they are asking us to accept their word. We have nothing in writing. (2) Concerned (sic) was expressed about the at-risk youth in the community and availability of alcohol. A remark was made that liquor can be acquired anywhere. (3) Traditionally, our community is over-saturated with beer and wine licenses. We do not support the sales of beer and wine. (4) There is a very high saturation of licenses for off-sale alcohol in our community. (5) Domestic violence is high in our area. (6) The Police Department rotates Vice staff every 6 months, they may not be aware of the conditions in our community. We cannot support this because of the social implication to

⁶³ *Id.* (Exhibit 16)

⁶⁴ *Id.* (Exhibit 16)

⁶⁵ Hall, Matthew, T., “Liquor license request stirs up anger,” *UT San Diego*, 10 October 2012. (Exhibit 17)

our community. (7) This is NOT the first time the owner of this site had asked for a license. These previous owner was not successful. (8) There were 3 comments of support and 3 comments for denial. (9) Saturation of licenses IS STILL A BASIS for denial by the ABC. ALSO, **this is a high crime area** (over 120% of City-wide average) This Census Tract's crime rate is 231.7%.⁶⁶

Further, Applicant failed to show the project will not be detrimental to the public, health, safety and welfare sufficient to overcome the limitation of alcoholic beverage outlets within a Census Tract, or within 600 feet of a Census Tract, where the ratio of alcoholic beverage outlets exceeds the standards established by the California Business and professional Code Section 23958.4.

As stated above, the Daly Report stated, "both the staff and the Police Department concluded that if the permit were appropriately conditioned, the proposed alcohol sales would not have a negative impact on the surrounding neighborhood."⁶⁷ The following conditions were included in the Daly Report:

- Regulate advertising⁶⁸
- Provide for a well-lighted, cleaner site and prohibit specific on-site activities with the objective of reducing the likelihood of loitering and other criminal activity on the property,
- Provide an opportunity for the San Diego Police Department to petition the State Department of Alcohol Beverage Control (ABC) to include enforceable conditions regulating the type, size, quantities and alcoholic content (proof by volume) of the beverages.⁶⁹

The Daly Report also included a series of prohibitions:

- No pinball games or arcade-style video and electronic games, or coin-operated amusement machines on the premises;
- No exterior or interior public pay phones on the premises , on adjacent sidewalks, or areas under the control of the owner or operator
- Advertising would be limited to interior signs only and 'No Loitering' signs would be required to be prominently displayed on the premises;⁷⁰

The Daly Reports failed to show any nexus to how these conditions would meet the standards set forth in SDMC sec. 126.0305 in the Daly Report's conclusion which stated, "Permit conditions have been added to this discretionary permit that would assure that the business would be a

⁶⁶ Southeastern San Diego Planning Group (SSDPG) Project Committee Summary: June 25, 2012 – 6 p.m. (Exhibit 13)

⁶⁷ 10 October 2012, City of San Diego Development Services Department Report to the Hearing Officer, Report No. HO 12-078, Subject: Eduardo's Market – Project Number 268446. P. 4 of 5. (Exhibit 16)

⁶⁸ *Id.* (Exhibit 16)

⁶⁹ *Id.* at p. 4 of 5. (Exhibit 16)

⁷⁰ *Id.* (Exhibit 16)

cohesive element of the neighborhood and would not be detrimental to the public health, safety and welfare of the community.”

None of the community concerns about neighborhood violence, the ease of accessibility to alcohol to minors and adults, and the high rates of domestic violence were raised or addressed in the materials that the Hearing Officer relied upon. The Daly Report and the Hearing Officer failed to make the proper showing that the community, in terms of these concerns, would not be affected by the issuance of another liquor license in this community.

Further, the Hearing Officer appeared to ignore the concerns of the community as communicated in the PowerPoint presentation given at the meeting. Specifically, the PowerPoint addressed the amount of liquor licenses present in the census tract and stated, “CT 39.02 is already overconcentrated (sic) – ABC website shows 5 active licenses, not 4 as stated in the the report.”⁷¹ The report also points out: “High Crime – CT 39.02 has a crime rate that is 231% of the City Average,” the store is “Adjacent [to] residential use,” and there is “School within 1000 feet.”⁷² These concerns were not even addressed by any evidentiary, factual, or testimonial information.

The Hearing Officer further ignored information presented in the PowerPoint which showed that more than one quarter of the crimes committed within a 1 mile radius of 3175 National Avenue is alcohol and drug related crimes.⁷³ The following information was provided:

///

///

///

///

///

///

///

///

///

///

⁷¹ PowerPoint, “Eduardo’s Market – 3175 National Ave., San Diego CA – CUP/SDP for Off-Site Beer and Wine – October 10, 2012” p. 3. (Exhibit 18)

⁷² *Id.* (Exhibit 18)

⁷³ *Id.* at p. 6. (Exhibit 18)

Crime Type Summary	
Type of Crime	Number of Instances
Drugs/Alcohol Violations	162
Motor Vehicle Theft	86
Assault	84
Theft/Larceny	48
Vandalism	37
Vehicle Break-In/Theft	33
Burglary	33
DUI	28
Robbery	26
Sex Crimes	25
Fraud	17
Weapons	10
Arson	2
Homicide	1 ⁷⁴

The information in the table – which was presented to the Hearing Officer – illustrates that nearly 30 percent of all crime that occurs within a one mile radius of applicant store are drug/alcohol related crimes. About 5 percent of all crimes were driving under the influence arrests. The report presented to the Hearing Officer stated: “Finding B – Alcohol sales are detrimental to Health, Safety and Welfare.”⁷⁵

Since the approval of the Conditional Use Permit by the Hearing Officer from City of San Diego Development Services Department on 10 October 2012, more than 176 members of the community have signed a petition which stated:

Statement in opposition to a Type 20 Beer and Wine License for Proposed Eduardo’s at 3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is

⁷⁴ *Id.* (Exhibit 18)

⁷⁵ *Id.* at p. 7. (Exhibit 18)

located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore, this beer license application is not needed for public convenience and necessity.⁷⁶

Meanwhile, members of the community are currently working to plan a “safe passage” for young members of the community on the very street that Eduardo’s Marketplace is seeking the CUP in order to sell alcoholic beverages. A Safe Passage, coordinates with school security officers, city police and firefighters, but employs parents and neighborhood residents to canvass the neighborhood.

**V.
CONCLUSION**

For the foregoing reasons, the Hearing Officer did not have sufficient evidentiary or factual support to show that the “proposed *development* will not be detrimental to the public health, safety, and welfare.

Very truly yours,



Christopher S. Morris, Esq.

⁷⁶ See 174 signed “Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo’s at 3175 National Avenue San Diego CA 92113.”(Exhibit 19)

§112.0506 Process Three Appeals

The Hearing Officer's decision may be appealed to the Planning Commission, as specified in Chapter 12, Article 6 for the type of *development* and review required. An appeal from a Hearing Officer's decision that involves applications consolidated in accordance with Section 112.0103 shall be heard by the Planning Commission. An appeal from a Process Three decision shall be made in the following manner.

- (a) Persons Who Can Appeal. A Process Three decision may be appealed by the following persons:
 - (1) An *applicant*; or
 - (2) An *interested person*.
- (b) Time for Filing an Appeal. A Process Three decision may be appealed by filing an application with the City Manager no later than 10 *business days* after the date of the Hearing Officer's decision.
- (c) Grounds for Appeal. A Process Three decision may be appealed on any of the following grounds:
 - (1) Factual Error. The statements or evidence relied upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter were inaccurate;
 - (2) New Information. New information is available to the *applicant* or the *interested person* that was not available through that person's reasonable efforts or due diligence at the time of the decision; or
 - (3) *Findings* Not Supported. The decision maker's stated *findings* to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker; or
 - (4) Conflicts. The decision to approve, conditionally approve, or deny the permit, map, or other matter is in conflict with a *land use plan*, a City Council policy, or the Municipal Code.
- (d) Scheduling the Appeal Hearing. The appeal hearing before the Planning Commission shall be held, or the City Manager shall set a date for the appeal hearing, no later than 30 calendar days after the date on which the application for an appeal is filed. The appeal hearing shall be noticed in accordance with Section 112.0308.
- (e) Power to Act on Appeal. After the conclusion of the public hearing, the Planning Commission may affirm, reverse, or modify the decision being appealed.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 11-28-05 by O-19444 N.S.; effective 2-9-2006.)

Exhibit 2

Article 6: Development Permits

Division 3: Conditional Use Permit Procedures
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0301 Purpose of the Conditional Use Permit Procedures

The purpose of these procedures is to establish a review process 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 these procedures 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. Further, the intent is that each use be developed so as to fully protect the public health, safety, and welfare of the community. To provide this protection, conditions may be applied to address potential adverse effects associated with the proposed use.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§126.0302 General Rules for a Conditional Use Permit Regarding Conditions, Adjustments to Regulations, and Combination of Uses

- (a) In granting a Conditional Use Permit, the decision maker may impose reasonable conditions as deemed necessary and desirable to protect the public health, safety, and welfare including making any applicable use regulations or regulations of the zone more restrictive, unless otherwise provided.
- (b) All existing and proposed uses on the site shall be identified in the permit, including existing or new uses permitted by right in the applicable zone, any uses subject to a use permit, and those proposed uses that require the Conditional Use Permit.
- (c) The privileges and conditions of a Conditional Use Permit are a covenant that runs with the land and, in addition to binding the permittee, bind each successor in interest.
- (d) The decision maker may assign an expiration date to the permit.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

Exhibit 3

§126.0303 When a Conditional Use Permit Is Required

An application for the following types of uses in certain zones may require a Conditional Use Permit. To determine whether a Conditional Use Permit is required in a particular zone, refer to the applicable Use Regulation Table in Chapter 13. The decision process is described in Section 126.0304.

(a) Conditional Use Permits Decided by Process Three

- Agricultural equipment repair shops
- Agriculture-related supplies and equipment sales
- Alcoholic beverage outlets (under circumstances described in Section 141.0502)
- Automobile service stations
- Bed and breakfast establishments (under circumstances described in Section 141.0603)
- Child Care Centers
- Churches* and places of religious assembly
- Commercial stables
- Companion units
- Educational facilities
- Employee housing
- Energy generation and distribution stations
- Equestrian show and exhibition facilities
- Fraternities, sororities, and student dormitories
- Historical buildings* used for purposes not otherwise allowed in the zone
- Housing for senior citizens
- Impound storage yards
- Major transmission, relay, or communication switching station
- Museums
- Newspaper publishing plants
- Outdoor storage and display of new, unregistered motor vehicles as a *primary use*
- Parking facilities as a *primary use*
- Plant nurseries
- Private clubs, lodges, and fraternal organizations
- Processing and packaging of plant products and animal by-products grown off-premises
- Recycling facilities (under circumstances described in Section 141.0620)
- Residential care facilities for 7 to 12 persons
- Swap meets and other large outdoor retail facilities
- Wireless communication facilities* (under circumstances described in Section 141.0420)

(b) Conditional Use Permits Decided by Process Four

Botanical gardens and arboretums
Camping parks
Cemeteries, mausoleums, and crematories
Correctional placement centers
Exhibit halls and convention centers
Golf courses, driving ranges, and pitch and putt courses
Hazardous waste research facilities
Homeless facilities
Hospitals, intermediate care facilities, and nursing facilities
Interpretive centers
Junk yards
Marine-related uses in the Coastal Overlay Zone
Mining and extractive industries
Nightclubs and bars over 5,000 square feet in size
Privately operated recreational facilities over 40,000 square feet in size
Residential care facilities for 13 or more persons
Social service institutions
Theaters that are outdoor or over 5,000 square feet in size
Wireless communication facilities (under circumstances described in Section 141.0420)
Wrecking and dismantling of motor vehicles

(c) Conditional Use Permits Decided by Process Five

Airports
Amusements parks
Fairgrounds
Hazardous waste treatment facilities
Helicopter landing facilities
Sports arenas and stadiums
Transitional Housing for 7 or more persons
Very heavy industrial uses
Zoological parks

(Amended 8-10-2004 by O-19308 N.S.; effective 4-11-2007.)

(Amended 11-13-08 by O-19803 N.S.; effective 12-13-2008.)

(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)

[Editors Note: Amendments as adopted by O-20081 N. S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language
http://docs.sandiego.gov/municode_strikeout_ord/O-20081-SO.pdf]

Exhibit 4

Article 1: Separately Regulated Use Regulations

Division 5: Retail Sales Use Category--Separately Regulated Uses
(Added 12-9-1997 by O-18451 N.S.)

§141.0501 Agriculture-Related Supplies and Equipment

Agricultural-related supplies and equipment may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a "C" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

- (a) The location, number, and intensity of other nonagricultural establishments located in the vicinity will be evaluated to determine the appropriate size and intensity of the proposed establishment.
- (b) The proximity and capacity of *freeways*, primary arterials, and major *streets* will be evaluated to determine the appropriate size and intensity of the proposed establishment.
- (c) Off-street parking shall be sufficient to serve the facility and limit adverse impacts to adjacent or nearby property.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§141.0502 Alcoholic Beverage Outlets

Any establishment for which a Type 20 Beer and Wine License or a Type 21 General Liquor License has been obtained from, or for which an application has been submitted to, the California Department of Beverage Control for permission to sell alcoholic beverages for off-site consumption shall be regulated as an alcoholic beverage outlet subject to this section.

Alcoholic beverage outlets are permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the regulations in Section 141.0502(b). Proposals for alcoholic beverage outlets that do not comply with the regulations in Section 141.0502(b) may be permitted with a Conditional Use Permit decided in accordance with Process Three subject to the regulations in Section 141.0502(c).

- (a) Exemptions. The following alcoholic beverage outlets and areas are exempt from the provisions of this section:

- (1) Hotels, *motels*, or any other lodging establishments where the area devoted to the sale of alcoholic beverages for off-site consumption does not exceed 10 percent of the *gross floor area* of the entire *premises*;
- (2) Establishments of more than 15,000 square feet of *gross floor area*, provided the area devoted to alcohol sales does not exceed 10 percent of the *gross floor area* of the entire *premises*;
- (3) Alcoholic beverage establishments within the Gaslamp Quarter Planned District and the Centre City Planned District; and
- (4) Alcoholic beverage outlets that were in existence on December 20, 1995, if the outlet retains the same type of retail liquor license within a license classification and is in continuous operation without substantial change in the mode or character of operation.
 - (A) For the purposes of Section 141.0502(a)(4), a break in “continuous operation” does not include the suspension of business due to extraordinary circumstances beyond the control of the licensee or a closure for more than 180 calendar days during the diligent pursuit of building repairs or remodeling of the *premises* undertaken under the authority of a valid Building Permit.
 - (B) For the purposes of Section 141.0502(a)(4), “substantial change in mode or character of operation” includes any of the following:
 - (i) Closure, abandonment, discontinuance, or suspension of the outlet for more than 180 consecutive calendar days during which the *premises* are not continually maintained and secured;
 - (ii) Alteration of the *premises* that would result in an increase of more than 10 percent of the existing *gross floor area* of all *structures* on the *premises*;
 - (iii) Revocation or suspension of the license issued by the State of California Department of Alcoholic Beverage Control (ABC) for a period of more than 30 calendar days for any reason; or

- (iv) Conviction of the owner, operator, or the ABC licensee for violations of California Health and Safety Code Sections 11350, 11351, 11352, 11550 and 11364.7 when the conviction relates to the *premises* or the operation of the establishment.
- (b) Limited Use Regulations. Alcoholic beverage outlets are permitted as a limited use subject to the following regulations.
- (1) Alcoholic beverage outlets are not permitted in any of the following locations:
 - (A) Within a census tract, or within 600 feet of a census tract, where the general crime rate exceeds the citywide average general crime rate by more than 20 percent;
 - (B) Within a census tract, or within 600 feet of a census tract, where the ratio of alcohol beverage outlets exceeds the standards established by California Business and Professional Code section 23958.4;
 - (C) In an adopted Redevelopment Project Area;
 - (D) Within 600 feet of a public or private accredited *school*, a *public park*, a playground or recreational area, a *church* except those established in accordance with Section 141.0404(a), a hospital, or a San Diego County welfare district office; and
 - (E) Within 100 feet of a residentially zoned property.
 - (2) For the purposes of Section 141.0502(b)(1), the separation distance shall be measured from *property line* to *property line* in accordance with Section 113.0225. A separation distance less than that required in Section 141.0502(b)(1) may be approved by the City Manager due to the existence of natural or built barriers such as topography, *freeways*, *flood* control channels, rivers, or similar divisive features if no direct access is available within the measurement area.
 - (3) Pool or billiard tables, foosball or pinball games, arcade style video and electronic games, or coin-operated amusement devices are not permitted on the *premises* with an alcoholic beverage outlet.

- (4) Exterior public pay phones that permit incoming calls are not permitted on the *premises*, adjacent public sidewalks, or areas under the control of the owner or operator.
- (5) The owner or operator shall provide illumination, at a minimum level of 0.4 foot candles per square foot, on the exterior of the alcoholic beverage outlet, including adjacent public sidewalks and areas under the control of the owner or operator. The illumination shall be in operation during all hours of darkness while the outlet is open for business so that persons standing on or near the *premises* at night are identifiable by law enforcement personnel. The required illumination shall be shielded and directed so that it does not shine on adjacent properties.
- (6) The *sign* area pertaining to or referencing alcoholic sales or beverages shall not exceed 630 square inches.
- (7) A maximum of 33 percent of the square footage of the windows and doors of the *premises* may bear advertising or *signs* of any sort, and all advertising and *signs* shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the outlet.
- (8) The owner or operator of the alcoholic beverage outlet shall post a prominent, permanent *sign* or *signs* stating, "No loitering, consumption of alcoholic beverages, or open alcoholic beverage containers are allowed inside the *premises*, in the parking area, or on the public sidewalks adjacent to the *premises*."
- (9) The owner or operator shall list a business address and telephone number in the Pacific Bell/San Diego telephone directory or other similarly distributed directory.
- (10) The owner or operator shall provide trash receptacles, conveniently located for use by patrons, inside and outside the alcoholic beverage outlet, including adjacent public sidewalks and areas under the control of the owner or operator. At least one 13-gallon trash receptacle shall be located inside the *premises*. At least one 32-gallon trash receptacle shall be located outside the alcoholic beverage outlet, and at least one additional 32-gallon trash receptacle shall be located in the parking areas under the control of the owner or operator.

- (11) The owner or operator shall maintain the *premises*, adjacent public sidewalks, and areas under the control of the owner or operator, free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter, and debris. The owner or operator shall eliminate graffiti within 48 hours of application.
 - (12) Off-street parking shall be provided in accordance with the requirements for retail sales uses in Table 142.05D.
- (c) Conditional Use Permit Regulations. Proposed alcoholic beverage outlets that do not comply with the regulations in Section 141.0502(b) may be permitted with a Conditional Use Permit decided in accordance with Process Three subject to the following regulations.
- (1) The San Diego Police Department shall provide the City Manager with a recommendation on the proposed use and location of the alcoholic beverage outlet. The City Manager will provide the *applicant* with a copy the Police Department recommendation at least 7 calendar days before the date of the public hearing. The decision maker will review and consider the Police Department recommendation before making a decision on the application.
 - (2) The decision maker may request that the State of California Department of Alcoholic Beverage Control impose restrictions on any alcohol sales license to be issued or renewed by the state. The decision maker's request shall be based on an evaluation of conditions in the area of the proposed alcoholic beverage outlet, including the concentration of alcoholic beverage outlets, high crime rates, or any other conditions in the area that would be aggravated by the sale of alcoholic beverages.
 - (3) Off-street parking shall be provided in accordance with the requirements for retail sales uses in Table 142.05D.
 - (4) Conditions addressing the following issues may be imposed by the decision maker:
 - (A) Entertainment uses or activities or amusement devices on the *premises*;
 - (B) Separation, monitoring, or design of the area devoted to alcoholic beverage sales;

- (C) Hours of operation;
 - (D) Security measures; and
 - (E) Lighting, litter, graffiti or nuisance abatement, or any other special requirements for the *premises*.
- (5) The owner or operator shall post a copy of the Conditional Use Permit conditions in the licensed *premises* in a place where they may be readily viewed by any member of the general public or any member of a government agency.
- (6) The Conditional Use Permit shall include a date on which the permit will expire and become void. This date shall not be less than 10 years from the approval date of the Conditional Use Permit.
- (7) An *applicant* may request that the expiration date be extended in accordance with the following provisions.
- (A) An application for an extension shall be filed before the expiration of the approved Conditional Use Permit.
 - (B) An application for an extension shall be considered in accordance with Process Two if there is no record in the City of San Diego Police Department or other department or with any other governmental agency of any violations of the State of California Department of Alcoholic Beverage Control rules, regulations, and orders or of any violation of city, county, state or federal law, code, regulation or policy related to prostitution, drug activity or other criminal activity on the *premises*.
 - (C) An application for an extension shall be considered in accordance with Process Three if there is a record of violations as described in Section 141.0502(c)(7)(B).
 - (D) Prior violations of any conditions contained in an approved Conditional Use Permit shall constitute grounds for denying an application for an extension.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

Exhibit 5

Article 3: Land Development Terms
(Added 12-9-1997 by O-18451 N.S.)

Division 1: Definitions
(“Definitions” added 12-9-1997 by O-18451 N.S.)

§113.0101 Purpose of Definitions

The purpose of this division is to provide clear and concise definitions of words and phrases that have meanings specifically related to the Land Development Code and to apply these terms in a consistent way throughout the Land Development Code.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§113.0102 Identification of Definitions

Each word or phrase that is defined in this division appears in the text of the Land Development Code in italicized letters.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§113.0103 Definitions

Abutting property means a *lot* or parcel of land that shares all or part of a common *lot* line with another *lot* or parcel of land.

Accessory building means an *accessory structure* which is also a “building” as defined in the California Building Code.

Accessory structure means a *structure* attached to or detached from a primary *structure* located on the same *premises* that is customarily incidental and subordinate to the primary *structure* or use. The term *accessory structure* includes accessory buildings.

Accessory use means a use of land or building, or portion thereof, that is customarily incidental to, related to, and clearly subordinate to a *primary use* of the land or building located on the same *premises*.

- (a) Archaeological sites listed in the City of San Diego Historical Resources Board Register or listed in or determined to be eligible for listing in the California Register of Historical Resources or in the National Register of Historic Places;
- (b) Areas of past human occupation where important prehistoric or historic activities or events occurred (such as villages or large camps); and
- (c) Locations of past or current traditional religious or ceremonial observances as defined by California Public Resources Code Section 5097.9, et seq., and protected under Public Law 95-341, the American Indian Religious Freedom Act (such as burials, pictographs, petroglyphs, solstice observation sites, and sacred shrines).

Interested person means a person who was present at a public hearing from which an appeal arose and who had filed a speaker slip with the decision maker at that public hearing or a person who expressed an interest in the decision in writing to that decision maker before the close of the public hearing.

Interior court means a space that is open and unobstructed to the sky and is bounded on three or more sides by walls that extend above *grade*.

Internally illuminated sign means a *sign* that has the light source enclosed within it so the source is not visible to the eye.

Kitchen means an area used or designed to be used for the preparation of food which includes facilities to aid in the preparation of food such as a sink, a refrigerator and stove, a range top or oven.

Land use plans means the Progress Guide and General Plan and adopted community plans, specific plans, precise plans, and sub-area plans.

Large retail establishment means a single tenant retail establishment 50,000 square feet or greater *gross floor area* or one multiple tenant retail establishment 50,000 square feet or greater *gross floor area* where the multiple tenants share common check stands, a controlling interest, storage areas, warehouses, or distribution facilities.

Lateral access means the public access along the shoreline paralleling the water's edge.

Exhibit 6

**CITY OF SAN DIEGO HEARING OFFICER
DOCKET FOR HEARING OFFICER MEETING
OCTOBER 10, 2012
COUNCIL CHAMBERS, 12TH FLOOR
CITY ADMINISTRATION BUILDING
8:30 A.M.**

NOTE: Land Use Hearings are held at 8:30 A.M. and are appealable to the Planning Commission. Appeal applications may be obtained on the 3rd floor of the Development Services Building, located at 1222 Fth Avenue, San Diego, CA 92101.

If a Sign Language Interpreter, aids for the visually impaired, or Alternative Listening Devices (ALD's) are required, please contact the Disability Services Coordinator at 619-321-3208 at least five (5) working days prior to the meeting to ensure availability. Those items with an asterisk () will include consideration of the appropriate environmental document.*

Each item presented on this docket is a Process 3 under the Land Development Code Section 112.0501.

HEARING OFFICER ASSIGNED TO TODAY'S HEARING: Chris Larson

- ITEM – 1: **PUBLIC COMMENT - ISSUES WITHIN THE JURISDICTION OF THE HEARING OFFICER NOT PREVIOUSLY HEARD. REQUESTS TO SPEAK SHOULD BE SUBMITTED TO THE HEARING OFFICER RECORDING SECRETARY AT THE TIME OF THE MEETING. NOTE: 3 MINUTE MAXIMUM PER SPEAKER.**
- ITEM – 2: **REQUESTS FOR CONTINUANCES OR WITHDRAWALS**
- ITEM – 3: **ITEMS TO BE PLACED ON CONSENT AGENDA.**
- ITEM – 4: **TONG RESIDENCE EOT - PROJECT NO. 280468**
City Council District: 1; Plan Area: La Jolla

STAFF: Glenn Gargas

Extension of Time for Coastal Development Permit 139245 and Site Development Permit 141335 for Environmentally Sensitive Lands to demolish an existing Single Dwelling Unit and construct a new 6,796 square foot Single Dwelling Unit with attached 3-car garage on a 18,100 square foot property. The project site is located at 961 La Jolla Rancho Road in the RS-1-4 Zone, Coastal Zone (non- appealable), Coastal Height Limitation Overlay Zone and within the La Jolla Community Plan area. Exempt from Environmental Report No. HO-12-069

RECOMMENDATION:
Approve

HEARING OFFICER DOCKET OF OCTOBER 10, 2012

ITEM – 5: ***KEATING RESIDENCE - PROJECT NO. 266405**
City Council District: 1; Plan Area: La Jolla

STAFF: Glenn Gargas

Coastal Development Permit to demolish an existing residence and construct an approximate 11,470 square foot, two-story, single family residence with a four car garage and rear yard swimming pool on a 47,057 square foot property. The project site is located at 9633 La Jolla Farms Rd in the RS-1-2 Zone, Coastal Overlay Zone (appealable), Coastal Height Limitation, Parking Impact, Residential Tandem Parking and First Public Roadway Overlay Zones, within the La Jolla Community Plan area. Mitigated Negative Declaration No. 266405. Report No. HO-12-077

RECOMMENDATION:
Approve

ITEM – 6: **EDUARDO'S - PROJECT NO. 268446**
City Council District: 8; Plan Area: Southeastern San Diego

STAFF: Tim Daly

Conditional Use Permit and Site Development Permit pursuant to the Southeastern San Diego Planned District Ordinance to sell beer and wine in an existing market at 3175 National Ave in the CSR-2 Zone of Southeastern San Diego Planned District within the Southeastern San Diego Community Plan. Exempt from Environmental. Report No. HO-12-078

RECOMMENDATION:
Approve

ITEM – 7: **COST MART MARKET - PROJECT NO. 285219**
City Council District: 8; Plan Area: Mid-City

STAFF: Patrick Hooper

Conditional Use Permit to upgrade a Type 20 ABC license to a Type 21 license to allow the general sale of alcoholic beverages within an existing market currently selling beer and wine only. The project site is located at 3347 El Cajon Boulevard. Exempt from Environmental. Report No. HO-12-079

RECOMMENDATION:
Approve

HEARING OFFICER DOCKET OF OCTOBER 10, 2012

ITEM - 8: **NORTH PARK 76 STATION - PROJECT NO. 238798**
City Council District: 3; Plan Area: Greater North Park

STAFF: Patrick Hooper

Conditional Use Permit for the sale of alcoholic beverages (beer and wine only) within an existing service station and a 399 square-foot addition to the existing mini-market located at 3154 El Cajon Boulevard. Exempt from Environmental Report No. HO-12-080

RECOMMENDATION:

Approve

Exhibit 7

1 OF 1 RECORD(S)

Assessment Record For SAN DIEGO County

Owner Information

Original Name: DALLO & CO INC (COMPANY/CORPORATION)
DBA GIGANTE IGA MARKET (COMPANY/CORPORATION)

Standardized Name: DALLO & CO INC
DBA GIGANTE IGA MARKET

Original Address: 5075 FEDERAL BLVD
SAN DIEGO, CA 92102

Standardized Address: 5075 FEDERAL BLVD
SAN DIEGO, CA 92102-2652
SAN DIEGO COUNTY

Property Information

Original Property Address: 3175 NATIONAL AVE
SAN DIEGO, CA

Standardized Property Address: 3175 NATIONAL AVE
SAN DIEGO, CA 92113-2543
SAN DIEGO COUNTY

Land Use: COMMERCIAL (GENERAL)
Data Source: B

Legal Information

Assessor's Parcel Number: 550-150-08

Assessment Information

Assessment Year: 2005
Assessed Improvement Value: \$343,692
Total Assessed Value: \$343,172

Tax Information

Tax Rate Code: 8-001

Property Characteristics

No. of Buildings: 2

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

Your DPPA Permissible Use is: I have no permissible use
Your GLBA Permissible Use is: I have no permissible use

Copyright© 2012 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

Exhibit 8



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 10/16/2012*

License Information
License Number: 302137
Primary Owner: DALLO, RAFID N
ABC Office of Application: 10 - SAN DIEGO
Business Name
Doing Business As: GIGANTE SUPER MARKET
Business Address
Address: 3175 NATIONAL AVE Census Tract: 0039.02
City: SAN DIEGO County: SAN DIEGO
State: CA Zip Code: 92113
Licensee Information
Licensee: DALLO, RAFID N
License Types
1) License Type: 20 - OFF-SALE BEER AND WINE
License Type Status: WITHDRAWN
Status Date: Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM:
Current Disciplinary Action
.. No Active Disciplinary Action found ..
Disciplinary History
.. No Disciplinary History found ..
Hold Information
.. No Active Holds found ..
Escrow
.. No Escrow found ..

- - - End of Report - - -

Exhibit 9

1 OF 1 RECORD(S)

Assessment Record For SAN DIEGO County

Estimated Roll Certification Date: 07/01/2011

Owner Information

Original Name: MD & CD INC (COMPANY/CORPORATION)
DBA EDUARDOS MERCADO (COMPANY/CORPORATION)

Standardized Name: DBA EDUARDOS MERCADO
MD & CD INC

Original Address: 5075 FEDERAL BLVD
SAN DIEGO, CA 92102

Standardized Address: 5075 FEDERAL BLVD
SAN DIEGO, CA 92102-2652
SAN DIEGO COUNTY

Property Information

Original Property Address: 3175 NATIONAL AVE
SAN DIEGO, CA

Standardized Property Address: 3175 NATIONAL AVE
SAN DIEGO, CA 92113-2543
SAN DIEGO COUNTY

Land Use: COMMERCIAL (GENERAL)
Data Source: B

Legal Information

Assessor's Parcel Number: 6214060000
Brief Description: (5501500800)
Legal Description: CITY/MUNI/TWNSP: SAN DIEGO

Assessment Information

Assessment Year: 2011
Assessed Improvement Value: \$248,466
Total Assessed Value: \$248,466

Tax Information

Tax Rate Code: 80-01

Property Characteristics

School Tax District: SAN DIEGO CITY

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

Your DPPA Permissible Use is: I have no permissible use
Your GLBA Permissible Use is: I have no permissible use

Copyright© 2012 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

Exhibit 10



THE CITY OF SAN DIEGO

June 30, 2011

IN REPLYING PLEASE
GIVE OUR REF.NO.
1914141113

Certified Mail #7005 1820 000 7491 2954

Mr. Mike Dallo
3175 National Avenue
San Diego, Ca. 92113
Reference: PCN Application
THIS LETTER IS TIME SENSITIVE

Dear Mr. Dallo:

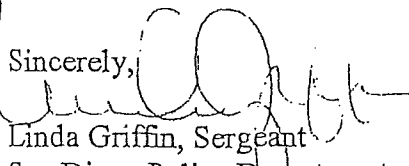
On March 9, 2011, you requested a Public Convenience or Necessity evaluation of the premises located at 3175 National Avenue, San Diego, CA. in consideration for a Type 20 Off-Sale Beer & Wine License.

I conducted a site inspection of the premises and the surrounding areas. Although the business is well within 100 feet of several residentially-zoned properties, it appears that the proposed business will benefit the area with appropriate restrictive conditions placed on the Alcoholic Beverage & Control License. They include but are not limited to: appropriate hours, no single sales of beer, malt beverages and/or wine coolers and floor space dedicated to refrigerated product. In addition, the Police Department will be requesting "No Loitering, No Alcohol Consumption" signs posted on the exterior of the building, sufficient lighting in the parking lot, and no payphones on the premise. Other conditions may be requested to mitigate any public safety issues.

In accordance with Business and Professions Code, section 23958.4 your application is required to meet standards for public convenience and necessity. After consulting with the City of San Diego Development Services Department, I learned that your client will still need to obtain a Conditional Use Permit in order to conduct the type of business planned for this location.

However, pending approval by the Development Services Department, your application for Public Convenience or Necessity has been approved.

Sincerely,


Linda Griffin, Sergeant
San Diego Police Department
Vice Admin Unit

CITY OF SAN DIEGO POLICE DEPARTMENT
VICE OPERATIONS
1401 BROADWAY, SAN DIEGO, CA 92101-5729
PHONE: (619) 531-2452 FAX: (619) 531-2449



Exhibit 11



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 10/16/2012*

License Information
License Number: 516722
Primary Owner: MD & CD INC
ABC Office of Application: 10 - SAN DIEGO
Business Name
Doing Business As: EDUARDOS MERCADO
Business Address
Address: 3175 NATIONAL AVE Census Tract: 0039.02
City: SAN DIEGO County: SAN DIEGO
State: CA Zip Code: 92113
Licensee Information
Licensee: MD & CD INC
Company Information
Officer: KASAWDISH, ED F (PRESIDENT)
Officer: KASAWDISH, MAY M (SECRETARY/ASST SEC)
Officer: KASAWDISH, ED F (VICE PRESIDENT/TREASURER)
Stock Holder: DALLO, MICHAEL N
License Types
1) License Type: 20 - OFF-SALE BEER AND WINE
License Type Status: PENDING
Status Date: 10-NOV-2011 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM:
Current Disciplinary Action
... No Active Disciplinary Action found ...
Disciplinary History
... No Disciplinary History found ...
Hold Information
Hold Date: 10-NOV-2011 Type: FORM 220
Hold Date: 28-DEC-2011 Type: H & L PROTEST

Escrow

<i>... No Escrow found ...</i>

--- End of Report ---

For a definition of codes, view our [glossary](#).

Exhibit 12

**SAN DIEGO POLICE DEPARTMENT
CONDITIONAL USE PERMIT RECOMMENDATION**

PREMISE ADDRESS: 3175 National Ave, San Diego
TYPE OF BUSINESS: Grocery Store-MD & CD Inc.-Eduardos Mercado
FEDERAL CENSUS TRACT: 39.02
NUMBER OF ALCOHOL LICENSES ALLOWED: 4
NUMBER OF ALCOHOL LICENSES EXISTING: 4
CRIME RATE IN THIS CENSUS TRACT: 231.7%
(Note: Considered High Crime If Exceeds 120% of City-wide Average)

THREE OR MORE REPORTED CRIMES AT THIS PREMISE WITHIN PAST YEAR YES NO
IS THE PREMISE WITHIN 600 FEET OF INCOMPATIBLE FACILITY YES NO
IS THE PREMISE WITHIN 100 FEET OF RESIDENTIALLY ZONED PROPERTY YES NO
ABC LICENSE REVOKED AT THIS PREMISE WITHIN PAST YEAR YES NO
HAS APPLICANT BEEN CONVICTED OF ANY FELONY YES NO
WILL THIS BUSINESS BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY,
AND WELFARE OF THE COMMUNITY AND CITY YES NO

COMMENTS/OTHER FACTORS CONSIDERED: The applicant is applying for Type 20 Beer & Wine Off Sale license. During inspection of the premises, I found the grocery store clean and well kept. There is a liquor store across the street and residents on the back alley portion of the building.

The store would add convenience too many of the residents who would like to purchase beer & wine with their groceries. Because many of the residents in the area do not own cars, the only other alternative to buy beer & wine would be to purchase from a traditional style liquor store (Baco Liquor) which is located on the corner.

SUGGESTED CONDITIONS: Although the convenience store would be good for the community in a general sense, there are issues that would need to be controlled. Due to its location in a high crime area, proximity to the freeway, and a demographic including families, special considerations should be taken with conditions placed on the off-sale privileges. The following recommended conditions should be incorporated into the regulatory licenses and land use for this location:

The San Diego Police Department agrees to the issuance of the CUP as long as the following conditions are included in the Alcoholic Beverage Control License, and any other language both agencies believe will benefit the community.

1. Sales of alcoholic beverages shall be permitted only between the hours of 7:00 AM and 10:00 each day of the week.

2. Wine shall not be sold in bottles or containers smaller than 750 ml and wine coolers or beer coolers must be sold in manufacturer pre-packaged multi-unit quantities.

3. No wine shall be sold with an alcoholic content greater than 15% by volume except for "Dinner Wines" which have been aged two years or more.

4. Beer, malt beverages or wine cooler products, regardless of container size, must be sold in manufacturer pre-packaged multi-unit quantities.

5. The petitioner(s) shall post and maintain a professional quality sign facing the premises parking lot(s) that reads as the following: NO LOITERING, NO LITTERING, NO DRINKING OF ALCOHOLIC BEVERAGES. VIOLATORS ARE SUBJECT TO ARREST. The sign shall be at least two feet square with two inch block lettering. The sign shall be in English and Spanish.

6. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 48 hours of being applied.

7. There shall be no amusement machines or video game devices on the premises at any time.

8. No pay telephone will be maintained on the interior or exterior of the premises.

9. No loitering on the premises and if necessary a security guard to control enforcement of this provision.

10. Illumination in the parking lot. Security camera covering both interior and exterior premises.

11. No more than 20-percent of the square footage of the premises will be used for the display of alcoholic beverages.

Including any additional conditions that may be appropriate as a result of an establishment being located within a high crime area.

SAN DIEGO POLICE DEPARTMENT RECOMMENDATION:

APPROVE

DENY

U. PAPPAGE ALBRECHT
Name of SDPD Vice Sergeant (Print)

619 531 2349
Telephone Number

[Signature]
Signature of SDPD Vice Sergeant

3/00/12
Date of Review

Exhibit 13

SOUTHEASTERN SAN DIEGO PLANNING GROUP (SSDPG)

PROJECTS COMMITTEE SUMMARY

June 25, 2012 – 6:00 P.M.

1. **CALL TO ORDER, ROLL CALL, AND INTRODUCTIONS:** *The Projects Committee is a subcommittee of the Southeastern San Diego Planning Group and is subject to the Brown Act. Therefore, Board attendance is limited to four Board Members in order to avoid a quorum. All other Board Members must refrain from discussion of the Projects presented. This limitation does not apply to non-voting General Members.* Board Member Present: Reynaldo Pisaño, Vincent Noto, James Lawrence, and Maria Riveroll. General Members Present: Steve Veach and Louise Torio.

2. **GENERAL COMMENTS:** None

3. **INFO ITEMS:**

A. **EKCO METALS, Project No. 241664, 2830-2846 Commercial St., Memorial Neighborhood**

.56 acre, Zoned I-1, Memorial Neighborhood. Application for a Neighborhood Use Permit and Neighborhood Development Permit for a recycling facility with a rear yard and side yard 9' over-height fences, are being being proposed as 10', therefore, these are 2 separate deviations. Applicant is Donnis Eninger. Project Manager is Renee Mezo, Development Services. Presented by Steve Laub, Land Solutions.

Presentation:

- Neighborhood Use Permit (NUP) for a recycling facility and Neighborhood Development Permit (NDP) - NUP for recycle and NDP is for 2 deviations for fence heights on the rear fence and west side fence, proposing 10' where 9' +20% is allowed.
- NUP is for a large recycling collection facility. No processing.
- This is a Process 2, the decision will be made by the Planning Director .
- Site last was used as trucking terminal.
- Ecco has been on the property for more than a year (doing trucking activities without a permit. They (were cited and) requested to get an NUP.
- The NUP (Neighborhood Use Permit) is for recycling; (not over 800sf) which would be considered a large recycling facility. Since 1966, they have operated a site in Los Angeles for heavy recycling. This is a small collection facility, which, after sorting, will send the materials there.
- The only activity at this site is to sort and place the materials in a truck (once a week) – more if they get more business (on permit it requires no more than once a day).
- Will not receive CRV recyclables (noise issues). No after-hours drops. No reverse-vending machines. No after-hours drop-offs. No food waste on property. Dealing with business to business. One of the contracts that they will seek is the water department for the old water meters and such. Will only accept large items.
- At the point of public drop-offs, their clients will require 2 forms of identification. Will generate police reports to ensure that the property recycled has not been stolen.
- No new buildings. Front steps will be moved to the back, for access to the office through the loading dock only.
- Wood-like material will cover corrugated metal fences. Meets PDO requirements.
- Existing fence in the front will be moved back 10 feet from front-yard set-back area, no deviation will be needed – that is allowed.
- 10' set-back will be landscaped, with "thorny" plants. 20 such plants in 15 gallon-size, i.e., pyracantha kasan They will add one peppermint tree to the parkway.

- Hope to have 7 employees on site.
- Environmental review is exempt, no impacts. No new construction.
- Met all requirements for the City; we have asked them to wait for this Board's decision.
- The hours of operation = 7:30AM to 3:30PM M-F, 7:30AM to 12:30PM pm Saturday.
- Doing transfer and storage on the site which is permitted by right on the Code.
- The Ordinance allows the fence on west 10' high.
- 13 off-street parking for employees and customers. The bed of the semi will be parked there and when full, will be picked up and an empty one left.
- The fence went up in March 2011. Will need building permit for the fence...1 to move the front fence back, and the other to re-do the two existing fences.
- Landscaping is not required a site this size for this use. We are adding it voluntarily.

Committee Concerns and Recommendations:

1. Need guarantee on landscape maintenance (*Response: Part of the City's Permit, requires maintenance*).
2. Issue regarding the environmental document - This is not an existing facility. The previous use was a transportation facility.
3. This use is not consistent with the Community Plan. The Environmental Document must be challenged and also the NUP.
4. Page 66, Item 3b, of the 1987 Southeast San Diego Community Plan does not support recycling – there has been no action by the City Council or the Planning Commission to change or remove this language. (*Response: We followed the PDO*).
5. We will reserve our right to appeal. The deadline for comments is tomorrow. One of the requirements for the findings is that it must be consistent with the Community Plan. (*Response: We are hoping you will not do that*).
6. How can this (use) be operating as an existing facility?
7. One of the findings for NUP is that the applicable permitted use of the land should not be incompatible with the Community Plan..
8. We will appeal the Environmental Document and reserve the right to appeal the NUP if it is approved.

Consensus of the Committee: To forward the Project to the Planning Group Board without a recommendation; however, highlight our concerns to the Board. We have notified the Project Manager, Renee Mezo, that we reserve the right to appeal the decision.

B. Eduardo's Market, Project No.268446, CUP Application and a Site Development Permit, 3175 National Avenue, Memorial Neighborhood, for alcoholic beverage sales
 Project Manager, Tim Daly, Development Services. Presented by Attorney Shamoun.

Presentation:

- Very reputable and experienced company.
- Markets over 15,000sf can bypass the Community Plan and get a beer and wine license. This market is 12-13,000sf.
- This is a type 20 license only for beer and wine- no singles and no fortified wines.
- In the community (Census Tract 39.02), there are 4 liquor licenses, 3 markets and 1 gas station.
- Police approved this because on 13% only 1/3 (4%) of those happened between 8AM and 8 PM, when the market would be open. Less than 1% sale to minors.
- Give people to do one-stop shopping. The Police Department has put many restrictions on the operation of Eduardo's if they were to get a beer and wine license.

- The saturation of liquor licenses in the area, we know, is an issue. Customers have requested beer and wine sales.
- We want to be a one-stop shopping convenience store.
- It will make the community a safer place. There 25 persons on staff.
- They close at 8:00PM.
- They will install a security officer to enforce the no loitering condition.
- The Company will go beyond the restrictions imposed by the San Diego Police Department, as follows:

Committee Concerns and Comments:

1. The conditions imposed by the Police Department are only suggestions. Even though the Applicant has assured us that they will go above and beyond any of these suggestions, they are asking us to accept their word. We have nothing in writing.
2. Concerned was expressed about the at-risk youth in the community and the availability alcohol. A remark was made that liquor can be acquired anywhere.
3. Traditionally, our community is over-saturated with beer and wine licenses. We do not support the sales of beer and wine.
4. There is a very high saturation of licenses for off-sale alcohol in our community.
5. Domestic violence is high in our area.
6. The Police Department rotates Vice staff every 6 months, they may not be aware of the conditions in our community. We cannot support this because of the social implication to our community.
7. This is NOT the first time the owner of this site had asked for a license. The previous owner was not successful.
8. There were 3 comments of support and 3 comments for denial.
9. Saturation of licenses IS STILL A BASIS for denial by the ABC. ALSO, this is a high crime area (over 120% of City-wide average) This Census Tract's crime rate is 231.7%.

Committee consensus: to take the request to the full Planning Group with the Police Department Recommendations and guarantee of implementation. We reserve the right to appeal (this is a Process 3 – a Hearing Officer will make the final decision), however, we have not done that formally.

ADJOURNMENT 7:45 PM

Exhibit 14

Southeastern San Diego Community Planning Group

The Community Planning Group meets the second Monday of the month at Neighborhood House, 841 South 41st Street, San Diego CA 92113. Meetings time is 6 pm to 8 pm.

July 9, 2012

1. **CALL TO ORDER, ROLL CALL, AND INTRODUCTIONS**
2. **APPROVAL OF TODAY'S AGENDA (ADDITIONS, CHANGES, OR OMISSIONS)**
 - The agenda was amended to clarify Ekco Metals action items into a) projects component and b) Appeal of Environmental Determination. Motion to amend 9/0/0
3. **APPROVAL OF April 9th and May 12th, 2012 MINUTES**
 - No action taken. Minutes will be tabled until the next meeting
4. **PUBLIC COMMENTS (two minutes per public speaker, on non-agenda items only)**
 - Local educator commented on the unsafe pedestrian and traffic condition on Oceanview Blvd between 40th and 45th Streets. Urges the planning group to look at traffic control options.
5. **STAFF REPORTS:**
 - CD4-Bruce Williams. Council President's Young's weekly update
 - CD 8 -Martha Zapata. Sherman Heights Pot Hole repair day. Comm 22 project to start work Monday July 16th.
 - Susan Davis- Ricardo Flores. July newsletter and update on the activities of Congresswoman Davis.
6. **CONSENT ITEMS: Informational discussion: SEDC/Southeastern San Diego Successor Agency Update –**
 - Sherry Brooks. Civic San Diego to consist of
 - Redevelopment = 2 Staff
 - CCDC= 25 staff
 - SEDC= 4 staff (Nancy, Sherry, Chris, and Maria)
 - State/County audit due this week on list of enforceable obligations.
7. **ACTION ITEMS:**
 - A. **Election of Jerry Guzman-Verara to the Board of the Southeastern San Diego Planning Group**
 - Acceptance of the application and election of Jerry Guzman-Verara to an open even year seat. Mr. Guzman has not been out of office for more than a year so his maximum 8-year term does not restart.

B. EKCO METALS, Project No. 241664, 2830-2846 Commercial St.

0.56 acre, Zoned I-1, Logan Heights Neighborhood. Application for a Neighborhood Use Permit and Neighborhood Development Permit for a recycling facility with a rear yard and side yard 9' over-height fences. 2 separate deviations. Applicant is Donnis Eninger. Project Manager is Renee Mezo, Development Services. Presenter is Steve Laub.

- NUP/NDP presentation by the applicant team stressed the Large Collection facility, operational improvements; General Plan and Council Policy consistency on recycling, solid waste diversion and reduction of green house gas; City code divides recycling into 11 categories – 4 collection types, and 7 processing types; strict interpretation to deny recycling will also prohibit other collection facilities such as boy scouts, Father Joe's, reverse vending, ect. **Motion to deny Pisano/Carter 6/3/0**
- Environmental Determination Appeal-Chair Riveroll submitted an appeal to the Environmental Determination prior to item being heard by the planning group. The an affirmative action by the planning group would codify the Chair' appeal submittal. The appeal was filed on the grounds that:

This is not an existing facility. The facility prior to the recycling use proposed by Ekco Metals was a trucking company. The Development Services Department is determining that Ekco Metals' illegal (unpermitted) use made it an existing facility, we challenge that premise. This will create a precedent of defining "existing facilities" as facilities that have been established illegally and need to file for a permit. We want a more inclusive environmental analysis since the spirit of the Southeastern San Diego Community Plan is to remove recycling and auto dismantling yards out of our community. Reference: page 66, of the 1987 Southeastern San Diego Community Plan, Approved by the Planning Commission, on June 4, 1987 Resolution No. 7046 Adopted by the City Council July 13, 1987, resolution No. R-268847, Document Number: RR-268857). Under "Industrial Element", page 66, Item 3b. Ekco Metals was cited and given the opportunity to apply for a NUP and a NDP those documents were not existent at the time of citation. Therefore it was previously non-existent.

Motion to codify appeal filing by the Chair. 8/0/0

C. Eduardo's Market, Project No.268446, CUP Application and a Site Development Permit, 3175 National Avenue, Memorial Neighborhood, for alcoholic beverage sales

Project Manager, Tim Daly, Development Services. Presenter Attorney Shamoun.

- Presentation by applicant team. Family owned and managed grocery, one of a series of facilities. Store includes a kitchen, bakery and 13,000+ SF of grocery. Beer and wine sales will consist of less than 10% of the square footage. **Motion to approve 5/4/0**

*Chair will
have copies*

8. SUBCOMMITTEE REPORTS AND ANNOUNCEMENTS (two minutes per Board member)

- None

9. PLANNER'S REPORT

- Advanced CEQA Training, September 27, 2012

10. CHAIR'S REPORT

- None

11. BOARD MEMBER COMMENTS (2 minutes per Board member on non-agenda items only)

- None

ADJOURNMENT: by 7:55 p.m.

Community Planner

Karen Bucey

City Planning Division

1222 First Avenue, MS 413

San Diego, CA 92101

KBucey@SanDiego.gov

619-533-6404

Exhibit 15



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name: Eduardo's Market		Project Number: 268446	Distribution Date:
Project Scope/Location: CUP Application and a Site Development Permit, 3175 National Avenue, Memorial Neighborhood, for alcoholic beverage sales Project Manager, Tim Daly, Development Services. Presenter Attorney Ronson J. Shamoun, A.P.C. (Counsel for MD&CD, Inc.			
Applicant Name: MD&CD, Inc.		Applicant Phone Number:	
Project Manager: Tim Daly	Phone Number: (619) 446-5356	Fax Number: (619) 446-5245	E-mail Address: TDaly@sandiego.gov
Committee Recommendations (To be completed for Initial Review): Approve the CUP Application and a Site Development Permit.			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes 5	Members No 4	Members Abstain 0
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS:			
NAME: Maria Riveroll, Southeastern San Diego Planning Group		TITLE: Chair	
SIGNATURE:		DATE: 7/12/12	
<i>Attach Additional Pages If Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			

Exhibit 16

series of individual garages for the residential units as well as a small warehouse area serving the store.

The site is zoned CSR-2 in the Southeastern San Diego Planned District (SESDPDO) and is within the Memorial Neighborhood Element of the Southeastern San Diego Community Plan. The CSR-2 Zone permits the retail sale of general merchandise and an alcoholic beverage outlet is permitted in the zone as a limited use as detailed further in this report. The surrounding neighborhood generally consists of residential development including an older mix of single-family homes and multi-family apartments. The corner of National Avenue and 32nd Street is a small neighborhood commercial node with the Eduardo's Market, a Corona Furniture store, a liquor store, and a Mexican restaurant.

DISCUSSION

This project application is seeking to establish a new alcoholic beverage outlet within an existing independent food market. The proposed project requires two discretionary entitlements. A Conditional Use Permit is required pursuant to the San Diego Municipal Code for alcohol sales on any site that does not comply with specific location criteria of the Land Development Code. Also, the Southeastern San Diego Planned District Ordinance requires a Site Development Permit for any new commercial development or use requiring a Conditional Use Permit.

The applicant is proposing to allow the sale of beer and wine through a Type 20 Liquor License within an existing market. The pending Alcohol Beverage Control (ABC) license is defined as "off-sales" which would require all of the alcohol sold at the store to be consumed off of the premises.

Development Regulations and Location Criteria

Alcoholic beverage outlets are permitted by right as a Limited Use pursuant to San Diego Municipal Code [SDMC] section 141.0502(b). However, alcoholic beverage outlets that do not comply with the locational criteria of this section may still be permitted with a Conditional Use Permit pursuant to SDMC section 141.0502(e).

The Limited Use Regulations of the SDMC section 141.0502(b)(1) do not permit alcoholic beverage outlets by right (i.e. would require a Conditional Use Permit) in the following locations:

- 1. Within a census tract, or within 600 feet of a Census Tract, where the general crime rate exceeds the citywide average general crime rate by more than 20 percent.** The subject property is in Census Tract No. 39.02 which reported a crime rate 231 percent higher than the citywide average based on the statistics provided by the San Diego Police Department. A Census Tract is considered to have "high crime" if the crime rate exceeds 120 percent of the city-wide average. Therefore, a CUP is required for the off-sale of alcoholic beverages at this location based on this factor.

2. **Within a Census Tract, or within 600 feet of a Census Tract, where the ratio of alcoholic beverage outlets exceeds the standards established by the California Businesses and Professional Code Section 23958.4.**

The subject property is within Census Tract No. 39.02, which based on the California Businesses and Professional Code Section 23958.4 permits a total of four (4) off-sale alcoholic beverage outlets. There are currently four (4) existing off-sale alcohol beverage outlets within Census Tract 0027.07 therefore the Census Tract would be considered over saturated with the approval of this permit. Therefore a CUP would be required for the off-sale of alcoholic beverages based on this factor.

3. **Within a Redevelopment Area.**

The project site is not within a Redevelopment Project Area. Therefore a CUP would not be required for the off-sale of alcoholic beverages based on this factor.

4. **Within 600 feet of a public or private accredited school, a public park, playground or recreational area, church, hospital or a San Diego County Welfare District Office.**

The project site is not known to be located within 600 feet of these types of facilities.

5. **Within 100 feet of residentially zoned property.**

The project site is within 100 feet of residentially zoned property.

6. **Within 600 feet of a place of religious assembly.**

The project site is not known to be within 600 feet of religious assembly.

Alcohol Sales-Project Analysis:

The proposed off-sale alcoholic beverage outlet at this site requires a Conditional Use Permit because the project site does not meet all of the location criteria of the Municipal Code. As demonstrated above, the project site is within a Census Tract that: 1) is defined as having a high crime rate; 2) Is within a Census Tract that would become oversaturated ; and 3) is within 100 feet of residentially zoned property. Any one of these factors establishes the need for the Conditional Use Permit.

The project has been reviewed by City staff and the San Diego Police Department for conformance to the applicable development regulations and land use polices. The staff recommendation to support the project relies on the fact that the primary use of the site is a supermarket and the sale of beer and wine is an accessory to that use. The property is part of a commercial node serving the community and would be consistent with the land use designation of the site. Therefore, the addition of beer and wine for off-site consumption should not adversely impact the community. Accordingly, staff is recommending approval of the project as conditioned by staff and the San Diego Police Department.

Draft Conditions of Approval

The project approval would allow the sale of liquor to be conditioned so that the alcohol sales would not have a negative impact on the surrounding neighborhood (Attachment 6). The CUP/SDP includes a number of conditions that would limit the hours of sales, regulate advertising, provide for a well-lighted, cleaner site and prohibit specific on-site activities with the objective of reducing the likelihood of loitering and other criminal activity on the property. Additionally, the CUP provides an opportunity for the San Diego Police Department to petition the State Department of Alcohol Beverage Control (ABC) to include enforceable conditions regulating the type, size, quantities and alcoholic content (proof by volume) of the beverages. Further, both the staff and the Police Department concluded that if the permit were appropriately conditioned, the proposed alcohol sales would not have a negative impact on the surrounding neighborhood.

Specifically, the CUP conditions would limit the hours of alcohol beverage sales from 7:00 AM to 10:00 PM. The CUP would prohibit pinball games, arcade-style video and electronic games, or coin-operated amusement machines on the premises. Exterior and interior public pay phones would not be permitted on the premises, on adjacent public sidewalks, or areas under the control of the owner or operator. Advertising would be limited to interior signs only and "No Loitering" signs would be required to be prominently displayed on the premises. Finally, the Conditional Use Permit would include a 20-year expiration date from the date the CUP was approved. The permit could be extended through the appropriate review and decision process and may be subject to additional conditions at that time.

Community Planning Group Recommendation

On July 12, 2012, the Southeastern San Diego Planning Group heard the proposed project at their monthly board meeting and voted 5-4-0 to recommend approval of the project with no additional conditions or comments were provided (Attachment 8).

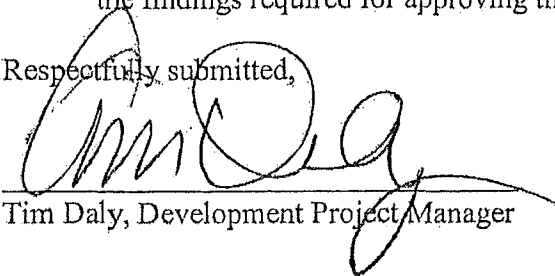
Conclusion

City staff supports the request for a Conditional Use Permit for the limited and conditional sale of beer and wine. Permit conditions have been added to this discretionary permit that would assure that the business would be a cohesive element of the neighborhood and would not be detrimental to the public health, safety and welfare of the community. The project is consistent with the underlying zone and the applicable land use plans and policies in effect for the site. An environmental initial study performed by the Development Services Department determined that the proposed project was exempt from further CEQA review as an existing facility (Attachment 7) and is supported with proposed conditions and ABC license recommendations by the San Diego Police Department (Attachment 9).

ALTERNATIVES:

1. **Approve** Conditional Use Permit No. 952387 and Site Development Permit No. 952388 with modifications; or
2. **Deny** Conditional Use Permit No. 952387 and Site Development Permit No. 952388, if the findings required for approving the project cannot be affirmed.

Respectfully submitted,


Tim Daly, Development Project Manager

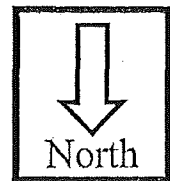
Attachments:

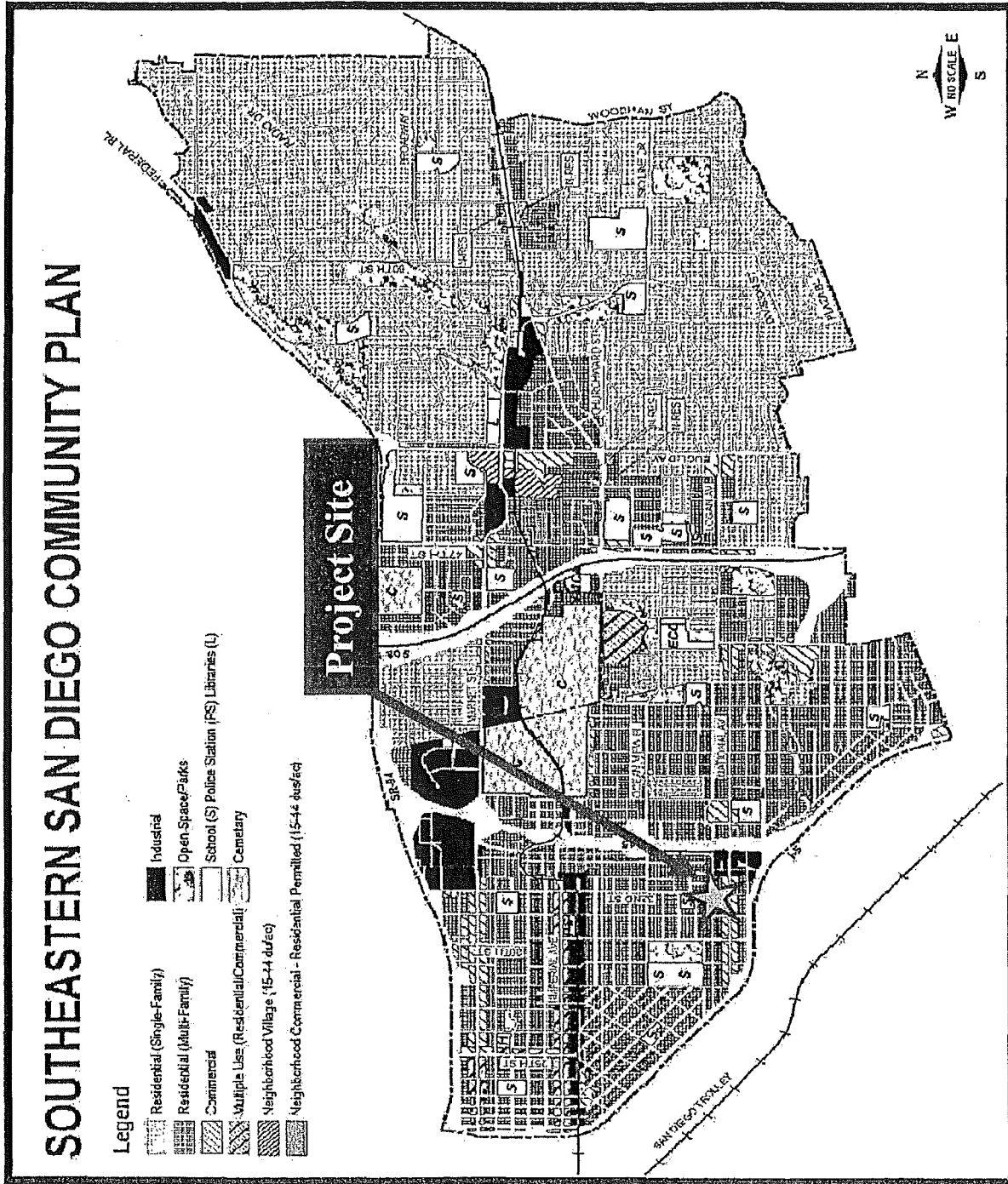
1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft Permit Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption
8. Community Planning Group Recommendation
9. San Diego Police Department Conditional Use Permit Recommendations
10. Ownership Disclosure Statement
11. Project Plans (Hearing Officer only)



Aerial Photo

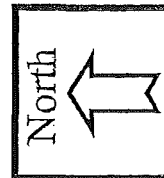
EDUARDO'S, Project No. 268446
3175 National Avenue

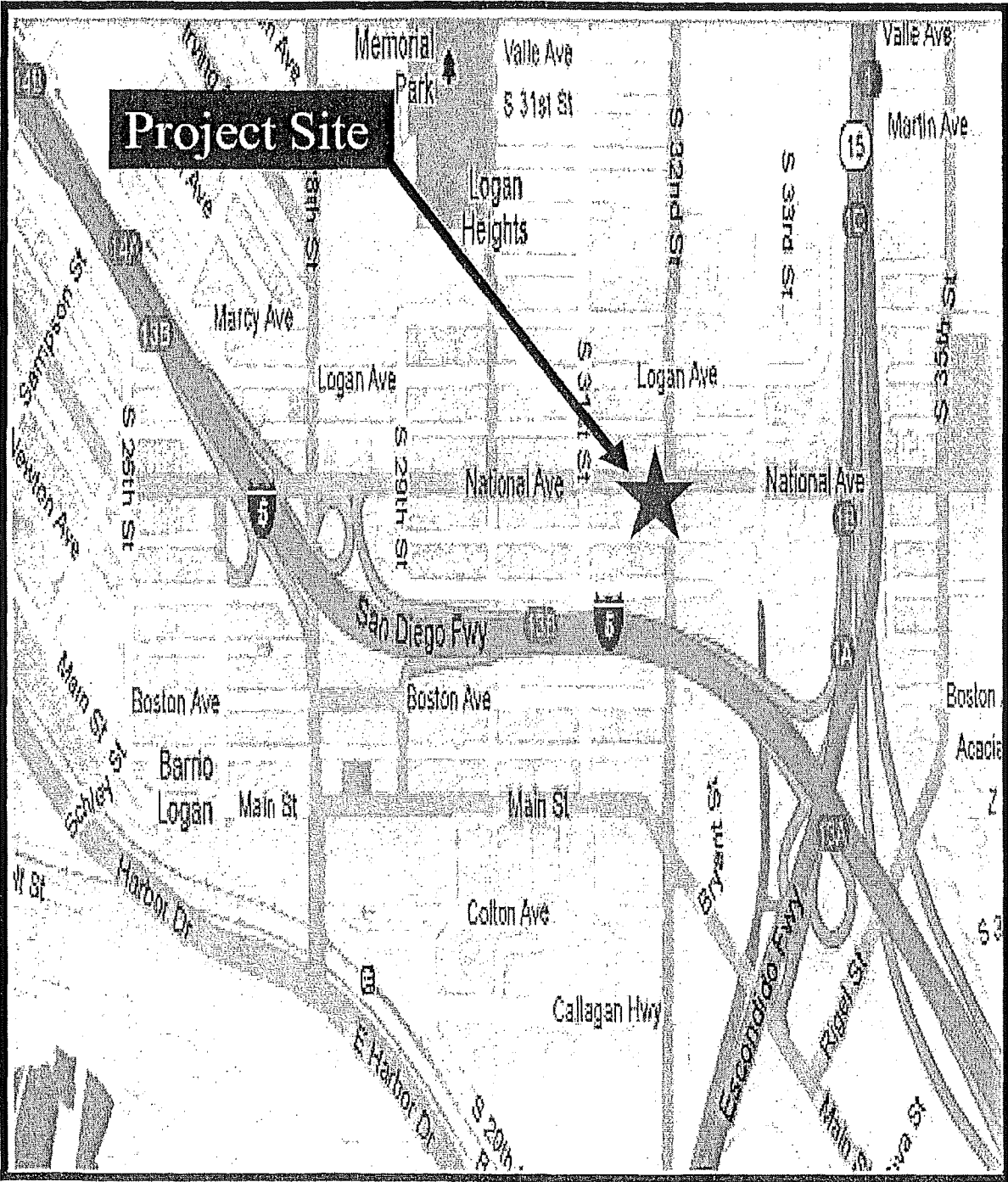




Southeastern San Diego Land Use Map

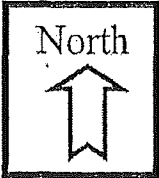
EDUARDO'S, Project No. 268446
3175 National Avenue





Project Location

EDUARDO'S, Project No. 268446
3175 National Avenue



PROJECT DATA SHEET

PROJECT NAME:	Eduardo's	
PROJECT DESCRIPTION:	Create a new alcoholic beverage outlet within an existing independent food market.	
COMMUNITY PLAN AREA:	Southeastern San Diego	
DISCRETIONARY ACTIONS:	Conditional Use Permit and Site Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Commercial	
<u>ZONING INFORMATION:</u>		
ZONE: Southeastern San Diego Planned District CSR-2 HEIGHT LIMIT: N/A LOT SIZE: Min. 5,000 s.f. FLOOR AREA RATIO: Max. 0.75 SETBACKS: Min. Front Yard: 0 ft Min. Side: 0 ft Min. Rear: 0 ft PARKING: 14 parking spaces (1 accessible) required		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Commercial; SESDPD CSR-2	Commercial/Residential
SOUTH:	Multi-family Residential; SESDPD MF-3000	Multi-family
EAST:	Commercial; SESDPD CSR-2	Commercial
WEST:	Commercial; SESDPD CSR-2	Commercial
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On July 12, 2012, the Southeastern San Diego Planning Group voted 5-4-0 to recommend approval of the proposed project.	

HEARING OFFICER RESOLUTION NO. HO-(DRAFT)
CONDITIONAL USE PERMIT NO. 952387
SITE DEVELOPMENT PERMIT NO. 952388
EDUARDO'S - PROJECT NO. 268446

WHEREAS, MIKE N. DALLO and MONA DALLO, husband and wife as joint tenants, Owners and MD & CD Inc., Permittees, filed an application with the City of San Diego for a permit to allow the sale of alcohol limited to beer and wine within an existing market (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Conditional Use Permit No. 952387 and Site Development Permit No. 952388), on portions of a 0.48 acre site; and

WHEREAS, the project site is located at 3175 National Avenue in CSR-2 Zone of the Southeastern San Diego Planned District Ordinance within the Memorial Neighborhood Element of the Southeastern San Diego Community Plan Area; and

WHEREAS, the project site is legally described as Lots 1 through 6, Block 40, H. P. Whitney's Addition in the City of San Diego, County of San Diego, State of California, according to Map No. 168, filed in the Office of the County Recorder of San Diego County, July 8, 1886; and

WHEREAS, October 10, 2012, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 952387 and Site Development Permit No. 952388 pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, on June 1, 2012, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15301 (Existing Facilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

NOW, THEREFORE BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That Hearing Officer adopts the following written Findings for Approval of Conditional Use Permit No. 952387 and Site Development Permit No. 952388 pursuant to Land Development Code Section §126.0305, dated October 10, 2012.

FINDINGS:

Conditional Use Permit – SDMC section 126.0305

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

The proposed development is requesting a Conditional Use Permit for the limited sale of alcohol within an existing market at 3175 National Avenue. The Memorial Neighborhood Element of the Southeastern San Diego Community Plan designates the parcel as a Commercial Zone and recommends General Commercial activities be developed on both sides of National Avenue. The proposed development would implement several plan objectives of the Memorial Neighborhood element by improving the general appearance of existing commercial buildings through permit conditions regulating lighting, graffiti control and façade improvements. The community plan

recommends commercial retail activity on the project site but is silent on the issue of alcohol beverage outlets. The underlying CSR-2 Zone allows a variety of community commercial uses by right and alcohol sales as a limited use that would require a Conditional Use Permit. The existing market provides a small-scale community commercial use and would be enhanced with the limited sale of beer and wine. The market would continue to operate primarily as a general store with the limited addition of some alcoholic beverages. Therefore the proposed development would not adversely impact the applicable land use plan.

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

The proposed development is requesting a Conditional Use Permit and Site Development Permit for the limited sale of alcohol within an existing market at 3175 National Avenue. The sale of alcohol would be regulated by a State of California issued Alcohol Beverage Control (ABC) License and the conditions of Conditional Use Permit No. 952387 and Site Development Permit 952388. Specific ABC license conditions would control the packaging, sale quantities and alcoholic content (proof by volume) and the CUP would regulate land use issues such as loitering, lighting, advertizing and hours of sales. Prohibitions on visible exterior advertizing would enhance transparency into the market and would also serve to deter underage drinking. Limitations on the hours of alcohol sales would restrict sales in the high crime area in the late evening. These conditions combined with the enforcement authority of the ABC and San Diego Police Department would ensure that the limited sale of alcohol would not be detrimental to the public health safety and welfare.

(c) The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code.

The proposed development is requesting a Conditional Use Permit and Site Development Permit for the limited sale of alcohol within an existing market at 3175 National Avenue. The property is zoned CSR-2 which permits the retail sale of general merchandise. The market was constructed in 1963 and has previously conforming rights relative to the existing structure including parking, setbacks and landscape. The sale of beer and wine is permitted within the zone with an approved Conditional Use Permit. No variance or deviation is requested as a part of this application. Therefore, the proposed development would comply with the regulations of the Land Development Code.

(d) The proposed use is appropriate at the proposed location.

The proposed development is requesting a Conditional Use Permit and Site Development Permit for the limited sale of alcohol within an existing market at 3175 National Avenue. The market sells a large variety of food and grocery items and the limited sale of beer and wine would compliment the existing merchandise. The applicable land use plan designates the property for general commercial development and the underlying commercial zone establishes the right to sell retailed merchandise. The San Diego Police Department has concluded that the sale of beer and wine at the market would constitute a public need and convenience and has provided recommendations for the sale of alcohol on the site. Therefore, the proposed use would be appropriate at the proposed location.

Southeastern San Diego Planned District Ordinance – SDMC section 1519.0202

(a) The proposed use and project design meet the purpose and intent of the Southeastern San Diego Planned District Ordinance; comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council.

The purpose of the Planned District regulations is to provide reasonable development criteria for the construction or alteration of quality residential, commercial and industrial development throughout the Southeastern San Diego community. The intent is to implement the Southeastern San Diego Community Plan through the use of the applied urban design standards contained in this Southeastern San Diego Planned District Ordinance. The proposed development would satisfy the purpose and intent of the ordinance and the community plan by implementing the commercial recommendations of the Plan using conditions to limit the sale of alcohol and the Planned District Ordinance by regulate the use of the property relative to lighting, graffiti, signage and hours of operation. This action would not adversely affect the General Plan or the Southeastern San Diego Community Plan.

(b) The proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable.

The proposed development would add the limited sale of alcohol to an existing independent grocery market. The market has been in operation since 1963 and would continue to provide a local neighborhood shopping alternative to the surrounding community. The addition of beer and wine products would not have any significant adverse affect on the adjacent properties as the store would be maintained primarily as a supermarket and conditions of the permit, including upgrades to the public right-of-way, would enhance the area. The existing structure has previously conforming rights relative to the development regulations of the zone and therefore has itself contributed to the architectural style of the surrounding neighborhood for several decades and would continue to be in harmony with the community.

(c) The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.

The proposed development is requesting a Conditional Use Permit and Site Development Permit for the limited sale of alcohol within an existing market at 3175 National Avenue. The sale of alcohol would be regulated by a State of California issued Alcohol Beverage Control (ABC) License and the conditions of Conditional Use Permit No. 952387 and Site Development Permit 952388. Specific ABC license conditions would control the packaging, sale quantities and alcoholic content (proof by volume) and the CUP would regulate land use issues such as loitering, lighting, advertizing and hours of sales. These conditions combined with the enforcement authority of the ABC and San Diego Police Department would ensure that the limited sale of alcohol would not be detrimental to the public health safety and welfare.

(d) The proposed use will comply with the relevant regulations of the Municipal Code.

The proposed development is requesting a Conditional Use Permit and Site Development Permit for the limited sale of alcohol within an existing market at 3175 National Avenue. The property is zoned CSR-2 which permits the retail sale of general merchandise. The market was constructed in 1963 and has previously conforming rights relative to the existing structure including parking, setbacks and landscape. The sale of beer and wine is permitted within the zone with an approved Conditional Use Permit. No variance or deviation is requested as a part of this application. Therefore, the proposed development would comply with the regulations of the Land Development Code

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 952387 and Site Development Permit No. 952388 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Conditional Use Permit No. 952387 and Site Development Permit No. 952388, a copy of which is attached hereto and made a part hereof.

Tim Daly
Development Project Manager
Development Services

Adopted on: October 10, 2012

Internal Order No. 24002472

**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: 24002472

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**EDUARDO'S - PROJECT NO. 268446
CONDITIONAL USE PERMIT NO. 952387
SITE DEVELOPMENT PERMIT NO. 952388
HEARING OFFICER**

This Conditional Use Permit No. 952387 and Site Development Permit No. 952388 is granted by the Hearing Officer of the City of San Diego to MIKE N. DALLO and MONA DALLO, husband and wife as joint tenants, Owners and MD & CD INC., Permittees, pursuant to San Diego Municipal Code [SDMC] section 126.0305 and 1519.0202. The 0.48-acre site is located at 3175 National Avenue in CSR-2 Zone of the Southeastern San Diego Planned District Ordinance within the Memorial Neighborhood Element of the Southeastern San Diego Community Plan Area. The project site is legally described as Lots 1 through 6, Block 40, H. P. Whitney's Addition in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 168, filed in the Office of the County Recorder of San Diego County, July 8, 1886

Subject to the terms and conditions set forth in this Permit, permission is granted to the Owners and Permittees to operate an alcoholic beverage outlet conditioned upon the issuance of a license from the State Department of Alcoholic Beverage Control and subject to the City's [land use regulations] described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 10, 2012, on file in the Development Services Department.

The project shall include:

- a. The existing 13,248 square-foot market to include the operation of an alcoholic beverage outlet conditioned upon the issuance of a license from the State Department of Alcoholic Beverage Control.
- b. Existing landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;

- d. 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 October 10, 2015.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on October 10, 2032. Upon expiration of this Permit, the facilities and improvements relative to the sale of alcohol described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.
3. The utilization of this CUP is contingent upon the approval of a license to sell alcohol at this location by the California Department of Alcoholic Beverage Control [ABC]. The issuance of this CUP does not guarantee that the ABC will grant an alcoholic beverage license for this location.
4. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
5. 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.
6. 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.
7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

8. 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.).

9. 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.

10. 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.

11. 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.

12. 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.

ENGINEERING REQUIREMENTS:

13. Prior to the issuance of the building permit, the applicant/owner shall assure by permit and bond the upgrade the existing pedestrian ramp at the south west corner of National Avenue and 32nd Street to the current City Standards SDG-134 to the satisfaction of the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

14. Owner/Permittee shall maintain a minimum of thirteen (13) off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

15. The sales of alcoholic beverage shall be permitted only between the hours of 7:00 a.m. and 10:00 p.m., seven days a week.

16. Exterior advertising of alcoholic beverages or interior advertising of alcoholic beverages that is visible from the exterior of the premises shall be prohibited.

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

18. 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.

POLICE DEPARTMENT REQUIREMENTS:

19. The operator shall post and maintain a professional quality sign facing the premises parking area stating: NO LOITERING, NO DRINKING OF ALCOHOLIC BEVERAGES. VIOLATORS ARE SUBJECT TO ARREST. The sign shall be a minimum of 24 inches square with 2 inch block lettering in both English and Spanish.

20. Any graffiti painted or marked upon the premises or any adjacent areas under the control of the operator shall be removed or painted over within 48 hours of being applied.

21. There shall be no amusement or video arcade games on the premises at any time.

22. There shall be no pay telephone maintained on the interior or exterior of the premises.

23. There shall be no loitering on the premises and a professional, bonded security guard shall be hired to enforce this provision if necessary.

24. The parking lot shall be illuminated and security cameras will be installed to monitor the exterior of the premises.

25. The area dedicated to the sale and display of alcohol shall not exceed twenty percent (20%) of the square footage of the interior sales area of the market.

POLICE DEPARTMENT RECOMMENDATIONS FOR ABC LICENSE:

The following recommendations from the San Diego Police Department are requested to be included on the State of California Department of Alcohol Beverage Control license:

- Wine shall not be sold in containers of less than 750 milliliters, and wine coolers sold in multi-unit containers.
- Beer, Malt beverages and wine cooler products, regardless of container size, must be sold in manufacturer pre-packaged multi-unit quantities.
- Wine shall not be sold with an alcoholic content greater than 15 percent by volume with the exception of "dinner wines" aged two or more years.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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 Officer of the City of San Diego on October 10, 2012 pursuant to Hearing Officer Resolution No. [DRAFT]

Permit Type/PTS Approval No.:
Date of Approval:

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Tim Daly
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,

MIKE N. DALLO or MONA DALLO
Owner

By _____
NAME
TITLE

MD & CD INC.
Permittee

By _____
NAME
TITLE

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

NOTICE OF EXEMPTION

(Check one or both)

TO: X RECORDER/COUNTY CLERK
P.O. BOX 1750, MS A-33
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

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

PROJECT NO.: 268446 PROJECT TITLE: Eduardo's

PROJECT LOCATION-SPECIFIC: 3175 National Avenue, San Diego, CA 92113

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: The project is a Conditional Use Permit and Site Development Permit to sell beer and wine in an existing market.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Dallo Enterprises
Michael and Mona Dallo
303 Highland Avenue
National City, California 91950
(619) 572-3385

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 21080(b)(1); 15268);
- DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));
- EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
- CATEGORICAL EXEMPTION: CEQA EXEMPTION 15301 (EXISTING FACILITIES)
- STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: The proposed project is exempt from CEQA pursuant to Section 15301 which allows for the operation, repair maintenance, permitting, leasing, licensing, or minor alteration of existing facilities (public or private) involving negligible or no expansion of use beyond that existing at the time of the determination. The proposed project, a Conditional Use Permit and Site Development Permit to sell beer and wine in an existing market, is a negligible expansion of use. No environmental impacts were identified for the proposed project. Additionally, none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

LEAD AGENCY CONTACT PERSON: Anna L. McPherson

TELEPHONE: (619) 446-5276

IF FILED BY APPLICANT:

- 1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
- 2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
 YES NO

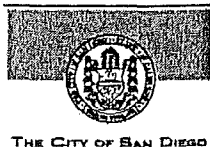
IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA

Anna L. McPherson AICP/Senior Planner
SIGNATURE/TITLE

June 1, 2012
DATE

CHECK ONE:
 SIGNED BY LEAD AGENCY
 SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name: Eduardo's Market		Project Number: 268446	Distribution Date:
Project Scope/Location: CUP Application and a Site Development Permit, 3175 National Avenue, Memorial Neighborhood, for alcoholic beverage sales Project Manager, Tim Daly, Development Services. Presenter Attorney Ronson J. Shamoun, A.P.C. (Counsel for MD&CD, Inc.			
Applicant Name: MD&CD, Inc.		Applicant Phone Number:	
Project Manager: Tim Daly	Phone Number: (619) 446-5356	Fax Number: (619) 446-5245	E-mail Address: TDaly@sandiego.gov
Committee Recommendations (To be completed for Initial Review): Approve the CUP Application and a Site Development Permit.			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes 5	Members No 4	Members Abstain 0
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS:			
NAME: Maria Riveroll, Southeastern San Diego Planning Group		TITLE: Chair	
SIGNATURE:		DATE: 7/12/12	
<i>Attach Additional Pages If Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			

**SAN DIEGO POLICE DEPARTMENT
CONDITIONAL USE PERMIT RECOMMENDATION**

PREMISE ADDRESS: 3175 National Ave, San Diego

TYPE OF BUSINESS: Grocery Store-MD & CD Inc.-Eduardos Mercado

FEDERAL CENSUS TRACT: 39.02

NUMBER OF ALCOHOL LICENSES ALLOWED: 4

NUMBER OF ALCOHOL LICENSES EXISTING: 4

CRIME RATE IN THIS CENSUS TRACT: 231.7%
(Note: Considered High Crime If Exceeds 120% of City-wide Average)

THREE OR MORE REPORTED CRIMES AT THIS PREMISE WITHIN PAST YEAR YES NO

IS THE PREMISE WITHIN 600 FEET OF INCOMPATIBLE FACILITY YES NO

IS THE PREMISE WITHIN 100 FEET OF RESIDENTIALLY ZONED PROPERTY YES NO

ABC LICENSE REVOKED AT THIS PREMISE WITHIN PAST YEAR YES NO

HAS APPLICANT BEEN CONVICTED OF ANY FELONY YES NO

WILL THIS BUSINESS BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY,
AND WELFARE OF THE COMMUNITY AND CITY YES NO

COMMENTS/OTHER FACTORS CONSIDERED: The applicant is applying for Type 20 Beer & Wine Off Sale license. During inspection of the premises, I found the grocery store clean and well kept. There is a liquor store across the street and residents on the back alley portion of the building:

The store would add convenience too many of the residents who would like to purchase beer & wine with their groceries. Because many of the residents in the area do not own cars, the only other alternative to buy beer & wine would be to purchase from a traditional style liquor store (Base Liquor) which is located on the corner.

SUGGESTED CONDITIONS: Although the convenience store would be good for the community in a general sense, there are issues that would need to be controlled. Due to its location in a high crime area, proximity to the freeway, and a demographic including families, special considerations should be taken with conditions placed on the off-sale privileges. The following recommended conditions should be incorporated into the regulatory licenses and land use for this location:

The San Diego Police Department agrees to the issuance of the CUP as long as the following conditions are included in the Alcoholic Beverage Control License, and any other language both agencies believe will benefit the community.

1. Sales of alcoholic beverages shall be permitted only between the hours of 7:00 AM and 10:00 each day of the week.

2. Wine shall not be sold in bottles or containers smaller than 750 ml and wine coolers or beer coolers must be sold in manufacturer pre-packaged multi-unit quantities.
3. No wine shall be sold with an alcoholic content greater than 15% by volume except for "Dinner Wines" which have been aged two years or more.
4. Beer, malt beverages or wine cooler products, regardless of container size, must be sold in manufacturer pre-packaged multi-unit quantities.
5. The petitioner(s) shall post and maintain a professional quality sign facing the premises parking lot(s) that reads as the following: NO LOITERING, NO LITTERING, NO DRINKING OF ALCOHOLIC BEVERAGES. VIOLATORS ARE SUBJECT TO ARREST. The sign shall be at least two feet square with two inch block lettering. The sign shall be in English and Spanish.
6. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 48 hours of being applied.
7. There shall be no amusement machines or video game devices on the premises at any time.
8. No pay telephone will be maintained on the interior or exterior of the premises.
9. No loitering on the premises and if necessary a security guard to control enforcement of this provision.
10. Illumination in the parking lot. Security camera covering both interior and exterior premises.
11. No more than 20-percent of the square footage of the premises will be used for the display of alcoholic beverages.

Including any additional conditions that may be appropriate as a result of an establishment being located within a high crime area.

SAN DIEGO POLICE DEPARTMENT RECOMMENDATION:

APPROVE

DENY

U. PAPALIE AUBRECHTSEN

Name of SDPD Vice Sergeant (Print)

619 531 2349

Telephone Number

[Signature]

Signature of SDPD Vice Sergeant

3/20/12

Date of Review



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other CUP

Project Title: Eduardo's CUP Project No. For City Use Only
268446

Project Address:
 3175 National Ave., San Diego, California 92113

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: 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 thirty 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.

Additional pages attached Yes No

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Project Title: EDUARDO'S CUP Project No. (For City Use Only) 268474

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation Limited Liability -or- General) What State? _____ Corporate Identification No. 199615510020
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: 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 thirty 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. Additional pages attached Yes No

Corporate/Partnership Name (type or print):
MD & CD INC.

Owner Tenant/Lessee

Street Address:
5075 FEDERAL BLVD.

City/State/Zip:
SAN DIEGO CA. 92102

Phone No: 619-527-3385 Fax No: 619-527-3395

Name of Corporate Officer/Partner (type or print):
MIKE DALIO

Title (type or print):
DIRECTOR

Signature: [Signature] Date: _____

Corporate/Partnership Name (type or print):
MD & CD INC.

Owner Tenant/Lessee

Street Address:
5075 FEDERAL BLVD.

City/State/Zip:
SAN DIEGO CA 92102

Phone No: 619-527-2385 Fax No: 619-527-3395

Name of Corporate Officer/Partner (type or print):
ED KASAWDISH

Title (type or print):
CEO/CFO

Signature: [Signature] Date: _____

Corporate/Partnership Name (type or print):
MD & CD INC.

Owner Tenant/Lessee

Street Address:
5075 FEDERAL BLVD.

City/State/Zip:
SAN DIEGO CA. 92102

Phone No: 619-527-3385 Fax No: 619-527-3395

Name of Corporate Officer/Partner (type or print):
MAY KASAWDISH

Title (type or print):
SECRETARY

Signature: [Signature] Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: _____ Date: _____

Recorded at the request of:

DOC # 1997-0607100

Dec 02, 1997 10:49 AM

FIDELITY NATIONAL TITLE

and when recorded mail this deed
and unless otherwise shown below
mail tax statements to:

551

Mr. & Mrs. Mike N. Dallo
3589 Jamul Vista Drive
Jamul, CA 91935

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 835.00
DC: DC

FLORIDA

the space above is for recorder's use only

Escrow No. 97-38146-M
Title Order No. 97098461

Tax Parcel #
550-150-08

GRANT DEED

The undersigned grantor(s) declare(s)

Documentary transfer tax is \$ 825.00

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale.
- Unincorporated area
- City of San Diego,

BY THIS INSTRUMENT DATED October 9, 1997 FOR A VALUABLE CONSIDERATION,

JULIUS H. SCHNEIDER, Trustee under Declaration of Trust dated February 8, 1989

HEREBY GRANTS TO:

MIKE N. DALLO and MONA DALLO,
husband and wife as joint tenants

the following described real property in the City of San Diego, County of San Diego, State of California,

Lots 1 through 6 in Block 40, H.P. WHITNEY'S ADDITION, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 168, filed in the Office of the County Recorder of San Diego County, July 8, 1886.

Julius H. Schneider
JULIUS H. SCHNEIDER, TRUSTEE

ALL PURPOSE ACKNOWLEDGEMENT

State of California)

) ss.
)

552

County of San Diego

On October 13, 1997, before me Michele Pope, a notary public, personally appeared

JULIUS H. SCHNEIDER**

() personally known to me (X) or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/~~are~~/subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~/executed the same in his/~~her~~/~~their~~ authorized capacity(ies), and that by his/~~her~~/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Michele Pope

Signature of Notary

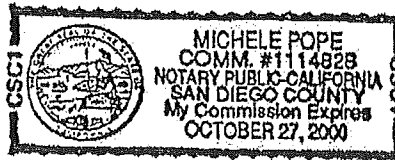


Exhibit 17

UT **Kids' New Day** Benefit for Rady Children's Hospital - San Diego **Rady Children's Hospital Auxiliary** **Z** **ONE DAY.**

UT San Diego COLUMNISTS

- News
- Sports
- Business
- Entertainment
- Lifestyle
- Opinion
- Obits
- Deals
- Classifieds
- Cars
- Jobs
- Real Estate
- Partners

Today's Paper Weather 66° F Traffic Surf **LIVE** U-TTV: Prep Sports

Search

NAN THE BOSS BEST Coastal Carlsbad homes from the high \$500s. **Low Tax rate 1.2%**

BrookfieldSD.com

Columnists »

Related:

Liquor license request stirs up anger

Comments (10) Share: [Tweet](#) [Facebook](#) [Email](#) [Print](#) [Save](#)



Written by Matthew T. Hall

9:34 p.m., Oct. 10, 2012

Follow »

Twitter: @SDuncovered

Facebook: matthewhall

Also see »

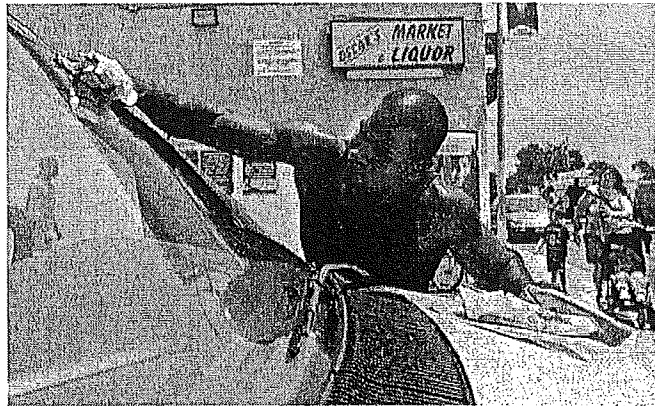


Public school yoga: Relaxation or religious doctrine?



Canapa: What a fine mess Bolts have gotten into now

Del Mar Monster Mash: The beauty and the beast of politics



Community activist Charles Alexander washes a car on the corner of Market and 42nd Street in 2008 to help raise money for the family of a 17-year-old killed in southeastern San Diego. — Earnie Grafton

It's the kind of question that says a lot about a place.

Related

Previous Matthew T. Hall columns

Should a market surrounded by liquor stores be allowed to sell beer and wine? Would that be a convenience for residents looking for meat, produce and anything but trouble in the Memorial neighborhood of southeastern San Diego? Or would the booze fuel more violence in a part of town plagued by it?

It was a tough question, and a tougher crowd answering it Wednesday.

How tough? When a city official suggested allowing alcohol sales at the market, protesters reacted so loudly and angrily that the hearing officer fled the room at San Diego City Hall for several minutes before resuming the meeting.

"How dare you, man?" shouted activist Charles Alexander, who has the names of 41 victims of southeastern San Diego violence tattooed on his back.

"Nice to be able to walk away," Tasha Williamson yelled at the hearing officer. "We can't walk away. We live here."

41 MPG* + LUXURY

HYBRID

WIT LINCOLN SAN DIEGO

588 CAMINO DEL RIO N. MISSION VALLEY CA
SALES 888 414.5322 | SERVICE 888 584.2616 | witlincoln.com

Most Popular Most Recent

1. Junior Seau: Bitter endgame

The Dallo family, which owns 13 upscale and Hispanic markets across the county, including several Foodland sites in South County and Jonathan's in La Jolla, wants to sell beer and wine at Eduardo's Mercado on National Avenue. Previous efforts to get a liquor license had failed.

The opportunity the family sees now is the very problem the community sees: There are three liquor stores within two blocks — one across the street — and five other places to buy beer and wine within a half-mile radius, including another Dallo family-owned supermarket on the same street.

"The very arguments they make against it are the very arguments we're making for it," said Ronson Shamoun, the market's attorney. "We strongly believe that it will not add to crime. We actually feel it's good for the community."

The debate was complex enough before any outbursts underscored the risks in a place with a crime rate that's 232 percent of the city average, a place where, by one estimate, roughly 150 of 600 crimes this year involved drugs or alcohol.

About 20 people attended Wednesday's public meeting to ask city hearing officer Chris Larson not to issue the required permit, a precursor to a state-issued liquor license, for the 13,000-square-foot market.

They did what people at city hearings often do — rearrange busy lives, pay too much for parking, wait too long in uncomfortable chairs, plead cases to decision-makers who have heard it all and leave disappointed but determined that the next hearing will go their way.

On the other side, no one from the community other than market owner Mike Dallo and two attorneys showed up to make their argument.

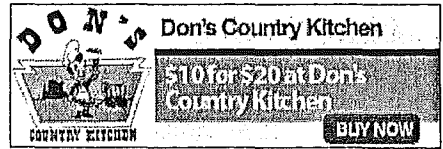
Larson bought it anyway, becoming the latest official to OK the idea, following the San Diego Police Department and a neighborhood planning group that split 5-4 on the issue.

"It's a business decision they're making," Larson said. "If their customers don't want it, they won't be selling it."

Community activists were incredulous about the demand and the decision.

2. Chargers under investigation, could lose a draft pick
3. Canepa: What a fine mess Bolts have gotten into now
4. One dead, three injured after semi jack-knife
5. Crash near Linda Vista leaves one dead

More



Today's Paper

- OBAMA, ROMNEY MUSCLE UP FOR DEBATE
- UCSD EXPANDING 'BENCH-TO-BEDSIDE' RESEARCH
- POLL WEIGHS THE ROLE OF MAYOR IN SCHOOLS
- CHARGERS TARGET OF NFL PROBE
- SHOOTING SPREE AT SPA
- MANY FACTORS GIVE RISE TO MEAN ELECTION SEASON



Banks Forced to Forgive Credit...
Find Out if You Qualify for Debt Settlement! More info...

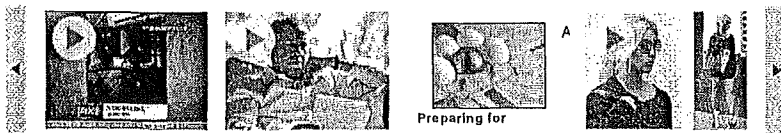
Videos »



U-T TV Sea World New Look with Lori Welsberg 10-12-12



San Diego: This Weekend (10/18-21)

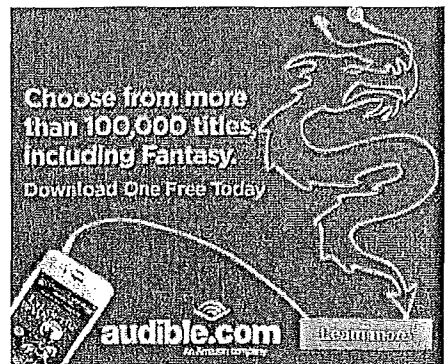
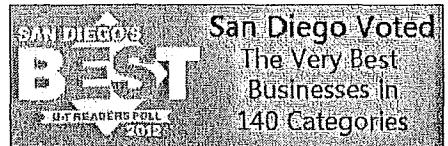


More 1 2 Next

Comments (10)

Be relevant, respectful, honest, discreet and responsible.

Complete terms »





ONE DAY.

UT San Diego COLUMNISTS

- News
- Sports
- Business
- Entertainment
- Lifestyle
- Opinion
- Obits
- Deals
- Classifieds
- Cars
- Jobs
- Real Estate
- Partners

Today's Paper Weather 66° F Traffic Surf **[LIVE]** UTTV: Prep Sports

Search

MIDWAY
Volvo, Jeep, Chrysler, Dodge from dealer in San Diego County!



0% APR FOR 36 MONTHS
On approved credit. \$27.77 per month per \$1000 financed. \$0 down payment. See dealer for details. Term 12-36 months.
ALL IN STOCK! GREAT SELECTION!

Columnists »

Related:

Liquor license request stirs up anger

Comments (10) Share: Tweet Facebook Email Print Save



Written by Matthew T. Hall

9:34 p.m., Oct. 10, 2012

Follow »

Twitter: @SDuncovered

Facebook: matthewthall

Also see »



Public school yoga: Relaxation or religious doctrine?



Canepa: What a fine mess Bolts have gotten into now

Del Mar Monster Mash: The beauty and the beast of politics

"Who are these people?" William Pennick asked without answer.

After the meeting, pastor Brian Buggs of Greater Works Ministries, whose membership includes Eduardo's shoppers, reiterated the question. "If people are going to buy liquor, they don't care where they're going to get it," he added.

Shamoun said some of the customers in question are seniors and mothers with children who don't want to cross or walk down a street for a 12-pack or a bottle of wine.

Maybe so. We'll have to take his word for it because the manager deferred questions to the owner when I went to the store Monday, and the lawyers wouldn't let the owner talk when I approached him Wednesday.

Opponents plan to appeal Wednesday's decision to the city's Planning Commission and said they're optimistic they'll prevail at that last stand.

Of note: If this year is any example, approvals by hearing officers are common, and appeals of their rulings rare. This would be the first in 2012.

Rarer still? The passion that temporarily halted Wednesday's meeting. Another hearing officer said he's seen nothing like it in eight years. That's something the Planning Commission should really drink in.

In the end, the answer should be simple: Let the community call this shot. Let the actual voices of the neighborhood be heard.

Related:

Recent columns by Matthew T. Hall

- Occupy San Diego turns 1 marginalized, motivated
- Will new law shield idiotic Facebook users?
- Meet Mitt Romney's garbage man, via attack ad
- A lame lost Padres season lurches to a close
- Keep SeaWorld trainers out of killer whale pools

41 MPG* + LUXURY

HYBRID

WIT LINCOLN SAN DIEGO

588 CAMINO DEL RIO N. MISSION VALLEY CA
SALES 888 414.5522 | SERVICE 888 584 2616 | witlincoln.com

GEVALIA

Save 10% For Life* with Auto Delivery Sign Up

+ GET a FREE Ceramic Canister

SAVE NOW

More Previous 1 2

Most Popular Most Recent

1. Junior Seau: Bitter endgame

Exhibit 18

Eduardo's Market

3175 National Ave.
San Diego, CA

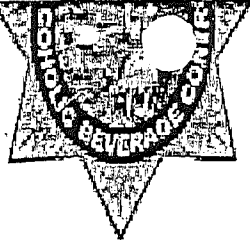
CUP/SDP for Off-Site Beer and Wine
October 10, 2012

Deny Applicant's Request

- PCN is outdated and does not adequately address neighborhood concerns
- Findings for Municipal Code and SESD PDO cannot be made

PCN

- Outdated and issued in error on 6/30/11 – There are 9 items that need to be considered
 - Affects your findings
- CT 39.02 is already over concentrated – ABC website shows 5 active licenses, not 4 as is stated in the report
- High Crime – CT 39.02 has a crime rate that is 231% of the City Average
- Adjacent residential use
- School within 1000 feet



and Census Tract = 39

Report as of 10/5/2012

	License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary
1)	<u>151670</u>	ACTIVE	21	3/12/1984	10/31/2012	PUTRUS, AMIER H 2996 NATIONAL AVE SAN DIEGO, CA 92113 Census Tract: 0039.02
2)	<u>835027</u>	ACTIVE	21	10/30/1997	9/30/2012	MATTIA, NAMIR GERGES 3201 NATIONAL AVE SAN DIEGO, CA 92113-2636 Census Tract: 0039.02
3)	<u>461846</u>	ACTIVE	20	1/14/2008	12/31/2012	J R GAS AND MINI MART INC 506 S 30TH ST SAN DIEGO, CA 92113-2404 Census Tract: 0039.02
4)	<u>507896</u>	ACTIVE	20	10/13/2011 3:53:42 PM	9/30/2012	SHAMOUN, JAHAD MICHAEL 1145 S 28TH ST SAN DIEGO, CA 92113-3703 Census Tract: 0039.02
5)	<u>509601</u>	ACTIVE	21	5/2/2011 1:23:08 PM	12/31/2012	WHITE MOON INC 3101-03 NATIONAL AVE SAN DIEGO, CA 92113-2548 Census Tract: 0039.02

592 crimes in less than a year within a 1-mile radius of the subject site.

iPhone App Contact Help About Omega

CRIMEMAPPING™
Building Safer Communities

3175 National Ave, San Diego, CA, 921



Try: 1401 Broadway, San Diego, CA

Crime Types

Dates

Address

Agencies

View Settings

First, select a starting date "From" and an end date "To". Then, click **Apply** or collapse the tab.

FROM:

TO:

10/15/2011

10/09/2012

Apply

Wednesday, 8 October, 2012

592 crimes between 10/15/2011 - 10/9/2012

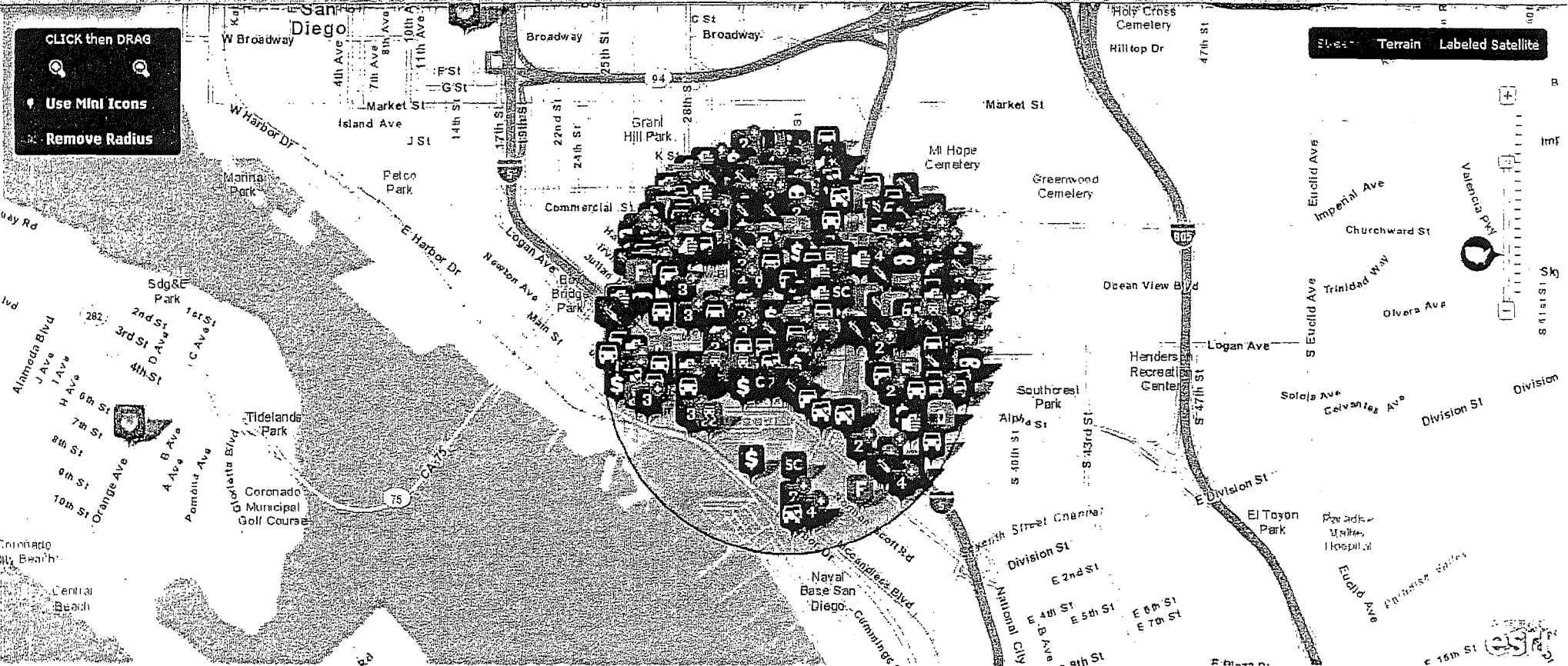


CLICK then DRAG

Use Mini Icons

Remove Radius

Terrain Labeled Satellite



Findings

- SDMC
 - Finding B – Alcohol sales are detrimental to Health, Safety and Welfare.
 - 162 alcohol and drug related crimes within a 1 mile radius of the site (27% of all crimes committed)
 - 28 DUI arrests
 - Finding D – The off-sale use WOULD BE appropriate at the proposed location IF:
 - It was not already oversaturated
 - The crime rate was below 120% of the Citywide Average
 - No schools or churches within a 1000 foot radius

Findings

- PDO
 - Finding C – proposed use WILL adversely affect other property in the vicinity
 - The area is already over concentrated. Any new licenses will have a detrimental affect on other beer and wine outlets potentially driving them out of business leaving empty storefronts.

Conclusion

- No mandate
 - The planning group narrowly approved the application.
 - People have mixed feelings
- Sec. 23958.4 Business and Professions Code
 - State law was set up to protect high crime communities from oversaturation of alcohol sales
 - A market has operated at this location for almost 50 years without alcohol
- No compelling reason to approve this application

Exhibit 19

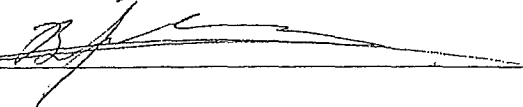
Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Bonifacio Zamora

ADDRESS: 440 S 32nd Str.

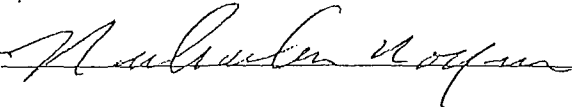
CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: 

NAME: NICHOLAS ROGERS

ADDRESS: 3150 MAIN ST.


CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: 

NAME: Richard J. Clark

ADDRESS: 3142 National Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: 

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: JACKSON BROWN

ADDRESS: 2863 BOSTON

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: Jackson Brown

NAME: ANGEL DELGADO

ADDRESS: 923 MARIA AVE

CITY: San Diego STATE: Ca ZIP CODE 92102

SIGNATURE: Angel Delgado

NAME: Higinio Andrade Jr

ADDRESS: 2886 Newton Ave.

CITY: San Diego STATE: Ca. ZIP CODE 92113

SIGNATURE: Higinio Andrade Jr

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Joanna Crespo

ADDRESS: 2373 Irving Ave.

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Joanna Crespo

NAME: [Signature]

ADDRESS: 3071/2 National Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: Kristen Moore

ADDRESS: 3942 Boston Ave

CITY: San Diego STATE: CA ZIP CODE 92112

SIGNATURE: Kristen Moore

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Vicente Mondragon

ADDRESS: 3032 Newton

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Vicente

NAME: Filiberto Bahena

ADDRESS: 327 A St San Diego CA

CITY: CA STATE: CA ZIP CODE 92107

SIGNATURE: _____

NAME: Emmanuel

ADDRESS: 244 Sampson St

CITY: San Diego STATE: CA ZIP CODE 92213

SIGNATURE: Emmanuel

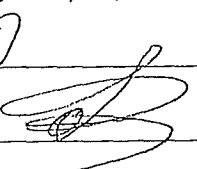
Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: OLAGUER LOZANO

ADDRESS: 31-37- machona

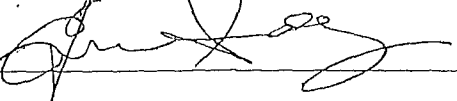
CITY: S-D STATE: C-H ZIP CODE 92113

SIGNATURE: 

NAME: Cofem Sanchez

ADDRESS: 3177 NATIONAL AV

CITY: SD STATE: CA ZIP CODE 92113

SIGNATURE: 

NAME: Rudolph Silva

ADDRESS: 3037 Martin Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: 

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Steven Hilland
ADDRESS: 299 17th Street (619) 234-3041
CITY: San Diego STATE: CA ZIP CODE 92101
SIGNATURE: Steven Hilland

NAME: Chris
ADDRESS: 3119 San Gabriel St.
CITY: SD STATE: CA ZIP CODE 92113
SIGNATURE: Chris

NAME: Ramon B. Rivera
ADDRESS: 3117 VALLE Ave. Apt. 23
CITY: SAN Diego STATE: CA ZIP CODE 92113
SIGNATURE: Ramon B. Rivera

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Juan Silva

ADDRESS: 7010 NATOMM AV

CITY: SD STATE: CA ZIP CODE 92117

SIGNATURE: Juan Silva

NAME: MARIO PEREZ

ADDRESS: 3012 NATOMM AV

CITY: SD STATE: CA ZIP CODE 92113

SIGNATURE: Mario Perez

NAME: Simon Ricardo

ADDRESS: 2960 NATOMM AV

CITY: SD STATE: CA ZIP CODE 92117

SIGNATURE: Simon Ricardo

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: TONY QUIROZ

ADDRESS: 980 9th St

CITY: NATIONAL CITY STATE: CA ZIP CODE 92113

SIGNATURE: Tony Quiroz

NAME: ALBA SOLIS

ADDRESS: 3050 NATIONAL AVE

CITY: SD STATE: CA ZIP CODE 92117

SIGNATURE: [Signature]

NAME: JUAN JORDAN

ADDRESS: 2980 NATIONAL AVE

CITY: SD STATE: CA ZIP CODE 92117

SIGNATURE: [Signature]

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Humberto Talamera

ADDRESS: 3140 Logan Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: 

NAME: Salvador Vasquez

ADDRESS: 2755 K Street

CITY: San Diego STATE: CA ZIP CODE 92102

SIGNATURE: 

NAME: Miguel Gomez

ADDRESS: 3013 #B Clay Ave

CITY: SAN Diego STATE: CA ZIP CODE 92113

SIGNATURE: 

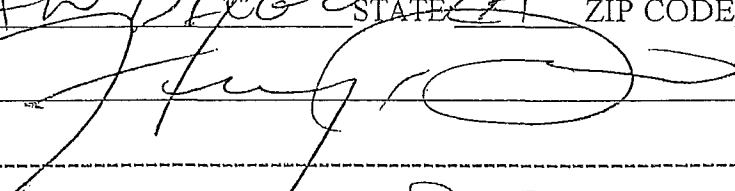
Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: H. Daniel

ADDRESS: 2929 BROADWAY


CITY: SAN DIEGO STATE: CA ZIP CODE 92102

SIGNATURE: 

NAME: Enrico P Flores

ADDRESS: 1086 Genma St

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: 

NAME: NOI NOI

ADDRESS: 317 National ave.

CITY: S.D. STATE: CA ZIP CODE 92113

SIGNATURE: NOI NOI

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Carolina De la Puente

ADDRESS: 3186 Logan Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Carolina De la Puente

NAME: Pedro Padilla

ADDRESS: 3186 Logan Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Pedro Padilla

NAME: Junior Padilla

ADDRESS: 3186 Logan Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Junior Padilla

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.


NAME: Armando Torres
ADDRESS: 588 Sipes Circle
CITY: Chula Vista STATE: Ca ZIP CODE 91911
SIGNATURE: A-T-S

NAME: Antonio Juarez Miras
ADDRESS: 3431 1/2 acacia st
CITY: San Diego STATE: ca ZIP CODE 92113
SIGNATURE: Antonio Juarez Miras


NAME: Medel Martinez
ADDRESS: 415 E Av
CITY: National City STATE: CA ZIP CODE 91950
SIGNATURE: [Signature]

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Richard Castillo
ADDRESS: 3136 Newton Ave
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: 

NAME: Joe Smith
ADDRESS: 30521
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: Joe Smith

NAME: MARCO STEY
ADDRESS: 387 MOSS ST
CITY: CACUA VISTA STATE: CA ZIP CODE 91911
SIGNATURE: 

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Wm Houses
ADDRESS: 3268 National
CITY: SD STATE: CA ZIP CODE 92113
SIGNATURE: William Houses

NAME: Miguel Ornelas III
ADDRESS: 2362 Julian Ave
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: Miguel Ornelas III

NAME: P CASTRO
ADDRESS: 3719 NEW TOWN AV
CITY: SD STATE: CA ZIP CODE 92113
SIGNATURE: P Castro

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: RICHARD PEREZ

ADDRESS: 1208 532

CITY: SD STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: TANIESHA KIRK

ADDRESS: 3086 Logan AVE

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: Emilio AGUIZAR

ADDRESS: _____

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Emilio AGUIZAR

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Santiago Anguiano G.

ADDRESS: 82050 Franklin Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Santiago Anguiano G.

NAME: Graciela Salinas

ADDRESS: 2050 Franklin Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Graciela Salinas

NAME: JAVIER LOPEZ

ADDRESS: 3635 National Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: JAVIER LOPEZ

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Severiano Urbano

ADDRESS: 3179 Logan Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Severiano Urbano

NAME: Daniel Padilla

ADDRESS: 3186 Logan Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Daniel Padilla

NAME: Thaivy Toma

ADDRESS: 876 E chase ave

CITY: El Cajon STATE: CA ZIP CODE 92020

SIGNATURE: [Signature]

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: A. Alvarez

ADDRESS: 708 H St #13

CITY: C.V. STATE: CA ZIP CODE 92110

SIGNATURE: [Signature]

NAME: DANNY GOODMAN

ADDRESS: 3959 TEAK ST

CITY: SAN DIEGO STATE: CA ZIP CODE 92143

SIGNATURE: [Signature]

NAME: Lupe Garcia

ADDRESS: 1204 S 31st

CITY: San Diego STATE: Cal. ZIP CODE 92113

SIGNATURE: [Signature]

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Ivan Estrada

ADDRESS: Newton Ave 4300

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: Santos Carrillo Reyes

ADDRESS: 903 S 3312D-

CITY: San Diego STATE: Ca ZIP CODE _____

SIGNATURE: Santos Carrillo

NAME: Mrs. M. Hansen

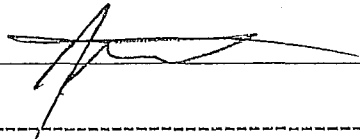
ADDRESS: 3268 National Ave.

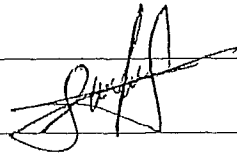
CITY: San Diego STATE: CA ZIP CODE 92113

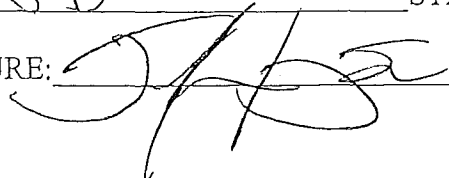
SIGNATURE: [Signature]

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Richard Lopez
ADDRESS: 3190 National Ave
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: 

NAME: Jose Luis Salazar
ADDRESS: 4150 National Av.
CITY: SD. STATE: CA ZIP CODE 92113
SIGNATURE: 

NAME: JEFFREY HARRIS
ADDRESS: 3452 NATIONAL AVE
CITY: SD STATE: CA ZIP CODE 92113
SIGNATURE: 

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: NORBERTO CRUZ

ADDRESS: 4004 BROADWAY

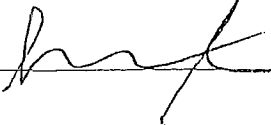
CITY: S.D. STATE: CA ZIP CODE 92102

SIGNATURE: 

NAME: LETICIA DE LOS SANTOS

ADDRESS: 4004 BROADWAY

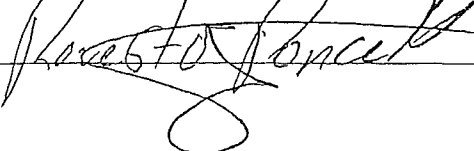
CITY: SD. STATE: CA ZIP CODE 92102

SIGNATURE: 

NAME: ROBERTO PORCE

ADDRESS: 11258 37 ST #8

CITY: SD STATE: CA ZIP CODE 92105

SIGNATURE: 

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Patricia Nailor

ADDRESS: 1465 So 58th St

CITY: SD STATE: CA ZIP CODE 92114

SIGNATURE: Patricia Nailor

NAME: [Signature]

ADDRESS: 2346 Calle Cerma

CITY: San Diego STATE: CA ZIP CODE 92139

SIGNATURE: [Signature]

NAME: Iselle Gallegos

ADDRESS: 3232 Logan Ave

CITY: SD STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: James Evans

ADDRESS: 3234

CITY: SD STATE: CA ZIP CODE 92113

SIGNATURE: James Evans

NAME: James Broderick

ADDRESS: 2002 El Cajon Blvd

CITY: San Diego STATE: CA ZIP CODE 92104

SIGNATURE: James Broderick

NAME: Jocamy De Busterch

ADDRESS: 4761 Wightman St

CITY: San diego STATE: CA ZIP CODE 92165

SIGNATURE: Jocamy De Busterch

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: DOUG SHIELDS
ADDRESS: 8890 Broomfield
CITY: SD. STATE: CO ZIP CODE 92114
SIGNATURE: [Signature]

NAME: Antonio R CASTRO
ADDRESS: 10880 Hwy 67
CITY: LAKESIDE STATE: CA ZIP CODE 92040
SIGNATURE: Antonio R Castro

NAME: Wohemal Beltrac
ADDRESS: 4495 48th St
CITY: SD STATE: CA ZIP CODE 92115
SIGNATURE: [Signature]

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Omar Lopez
ADDRESS: 2912 National Ave
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: Omar Lopez

NAME: Ma. del Rocío Solís
ADDRESS: 4121 Eta St. San Diego
CITY: San Diego STATE: Ca ZIP CODE 92117
SIGNATURE: [Signature]

NAME: Erick Rodriguez
ADDRESS: 2052 29th St
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Rosalinda Romero

ADDRESS: 3101 Logan

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Rosalinda Romero

NAME: ROBERT DRAVO

ADDRESS: 3150 NATIONAL AVE

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: Stephanie Hunter

ADDRESS: 3031 National Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Stephanie Hunter


Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: NICK YALD

ADDRESS: 3117 SUN SHINE AVE

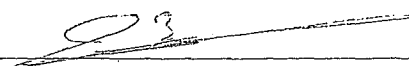
CITY: SAN DIEGO STATE: CA ZIP CODE 92109

SIGNATURE: 

NAME: ZAIAD ZAYA

ADDRESS: 115 28th ST #3

CITY: SAN DIEGO STATE: CA ZIP CODE 92109

SIGNATURE: 

NAME: Claudia Cortez

ADDRESS: 3017 Webster Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Cortez Claudia

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Martin Rosales

ADDRESS: 614 S Bancroft st Apt 1

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Martin R. R.

NAME: Sharon Gomez

ADDRESS: 3088 Kelly Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Sharon Gomez

NAME: John Gomez

ADDRESS: 1923 Logan Ave

CITY: San Diego STATE: CA ZIP CODE 92115

SIGNATURE: John Gomez

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Robert Salazar
ADDRESS: 3045 Boston Ave
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

NAME: Janeth Flores
ADDRESS: 3452 National Ave A1 + B
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

NAME: Wendy Zira
ADDRESS: 3114 Newton Ave
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: Wendy Zira

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Eduardo Sanchez

ADDRESS: 3179 National Ave 92113

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: Antonio Estrada

ADDRESS: 2067 Franklin Ave

CITY: SD STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: Antonio Estrada JR

ADDRESS: 3050 National Ave

CITY: SD STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

55x3 => 165 in opposition

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at 3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Jorge Arellano
ADDRESS: 3627 Birch St,
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: Jorge C. Arellano

NAME: Joel Cruz
ADDRESS: 7740 McKinley Ave B
CITY: NATIONAL CITY STATE: CA ZIP CODE 91950
SIGNATURE: Joel Cruz

NAME: Elis Pollard
ADDRESS: 3132 J St
CITY: San Diego STATE: CA ZIP CODE 92119
SIGNATURE: Elis Pollard

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Vanessa J.
ADDRESS: NEOS Logan Ave. #104
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

NAME: Antonette Wilson
ADDRESS: 628 So 33rd
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

NAME: Anabela Arellano
ADDRESS: 3627 Burch St
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: WILCIAN C. ABECTION
ADDRESS: 4300 Newton Ave #18
CITY: SAN DIEGO STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

NAME: JAMES PIERCE
ADDRESS: 4840 W Mountain View DR
CITY: San Diego STATE: CA ZIP CODE 92116
SIGNATURE: [Signature]

NAME: JESUS TRUJILLO
ADDRESS: 2143 Logan AVE
CITY: SAN DIEGO CA STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Wesley Coleman
ADDRESS: 4031 Caminito Dehesa
CITY: San Diego STATE: CA ZIP CODE: 92106
SIGNATURE: [Handwritten Signature]

NAME: Xavier M. Townsend
ADDRESS: 2955 Boston Ave. #4
CITY: San Diego STATE: CA ZIP CODE: 92113
SIGNATURE: [Handwritten Signature]

NAME: JORGE L. CASTILLO
ADDRESS: 3136 1/2 MARTIN ST
CITY: S.D STATE: CAL ZIP CODE: 92113
SIGNATURE: JORGE L. CASTILLO

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Jennifer Franco

ADDRESS: 2916 Main St

CITY: San Diego STATE: CA ZIP CODE 92123

SIGNATURE: Jennifer Franco

NAME: LINO LOPEZ

ADDRESS: 711 MADISON AVE

CITY: CHULA VISTA STATE: CA ZIP CODE 92110

SIGNATURE: Lino Lopez

NAME: Hector Mendez

ADDRESS: 2256 OCEAN VIEW

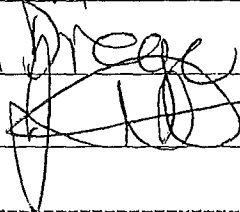
CITY: SD STATE: CA ZIP CODE 92110

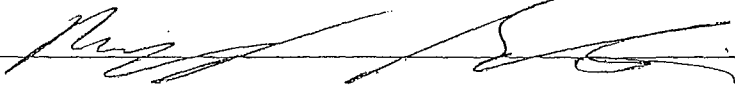
SIGNATURE: [Signature]

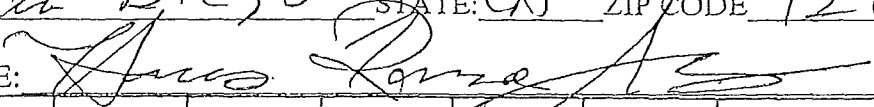
--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Jorge Cleaver
ADDRESS: 3231 Newton Ave
CITY: San Diego STATE: Ca. ZIP CODE 92103
SIGNATURE: 

NAME: Rex Sautze
ADDRESS: 27 E. First
CITY: National City STATE: CA ZIP CODE 91950
SIGNATURE: 

NAME: Hanes Roman Jones
ADDRESS: 3216 Franklin Ave
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: 

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: William Frank Kalish

ADDRESS: 2743 manos DR

CITY: San diego STATE: CA ZIP CODE 92139

SIGNATURE: William Frank Kalish

NAME: PATRICIA ALAMILLO

ADDRESS: 838 S. BANCROFT ST

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: Patricia Alamillo

NAME: Barbara Samelk

ADDRESS: 1094 Angeleno Ave

CITY: SD CA STATE: CA ZIP CODE 92114

SIGNATURE: Barbara Samelk

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: MICHAELA AGUILAR

ADDRESS: 838 S. BANCROFT ST.

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: Micela Aguilar

NAME: Cheresa Gilbert

ADDRESS: 740 So. 36th APT 301

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: Cheresa Gilbert

NAME: Art White

ADDRESS: 4481 60th

CITY: SAN DIEGO STATE: CA ZIP CODE 92115

SIGNATURE: Art White

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: RYAN RAUER
ADDRESS: 3150 MAIN ST.
CITY: SAN DIEGO STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

NAME: Mark A Jenkins Sr
ADDRESS: 3142 ISLAND AVE
CITY: SD STATE: CA ZIP CODE 92102
SIGNATURE: [Signature]

NAME: Christian Carter
ADDRESS: 3081 LOGAN AVE.
CITY: SAN DIEGO, STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Arturo Rodriguez
ADDRESS: 2793 Luros Dr. #4
CITY: San Diego STATE: CA ZIP CODE 92139
SIGNATURE: [Signature]

NAME: Martin Gonzalez
ADDRESS: 3232 National Ave.
CITY: SD STATE: CA ZIP CODE 92113
SIGNATURE: Martin Gonzalez

NAME: Eliseo Martinez Jr
ADDRESS: 1143 Malta Ave
CITY: Chula Vista STATE: Ca ZIP CODE 91911
SIGNATURE: [Signature]

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: CARL BRADFORD
ADDRESS: 3137 BOSTON AVE #1
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: Carl Bradford

NAME: VARRANACA Fontenot
ADDRESS: 3259 Greer St
CITY: SD STATE: CA ZIP CODE 92113
SIGNATURE: V. Fontenot

NAME: JAVIER GARCIA
ADDRESS: 673 SAN MIGUEL AV
CITY: S.A S.A STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: JESUS SEGOVIA
ADDRESS: 744 SO GREGORY ST
CITY: SAN DIEGO STATE: CA ZIP CODE 92113
SIGNATURE: Josue Segovia

NAME: Vicente Villa
ADDRESS: 3737 Florence st
CITY: San Diego STATE: CAL ZIP CODE 92113
SIGNATURE: Vicente Villa

NAME: Rene Williams
ADDRESS: 3529 BOSTON
CITY: SAN DIEGO STATE: CA ZIP CODE 92113
SIGNATURE: Rene Williams

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Gerardo Cuervo

ADDRESS: 3228 Nacional Av.

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Gerardo Cuervo

NAME: Jose A Olea

ADDRESS: 2254 Market st

CITY: San Diego STATE: CA ZIP CODE 92102

SIGNATURE: J A Olea

NAME: Pedro Padilla

ADDRESS: 8186 Logan Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE:

<u>Pedro</u>	<u>Padilla</u>						
--------------	----------------	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Debra Davis

ADDRESS: 3137 Bost Ave Apt 1

CITY: SAN Diego STATE: CA ZIP CODE 92113

SIGNATURE: Debra Davis

NAME: Guayula Lagrone

ADDRESS: 3249 Martin ave

CITY: SD STATE: CA ZIP CODE 92113

SIGNATURE: Guayula Lagrone

NAME: Love Scalap

ADDRESS: 3247 B Martin Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Love Scalap

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Michael Abas

ADDRESS: _____

CITY: SAN DIEGO STATE: CA ZIP CODE 92150

SIGNATURE: [Signature]

NAME: Marcella Currier

ADDRESS: 3231 Newton Ave

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: MARCO A. CAMAREAN

ADDRESS: 3276 NATIONAL AVE

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Cardenas David

ADDRESS: 27 E 1st

CITY: National City STATE: CA ZIP CODE 91950

SIGNATURE: Cardenas David

NAME: EAN SMITH

ADDRESS: 3269 MARTIN AV #B

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: LARRY JAMES

ADDRESS: 81 A 5th Ave

CITY: C.V STATE: CA ZIP CODE 91910

SIGNATURE:

<u>Larry James</u>					
--------------------	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Jose Carlos Alva

ADDRESS: 1916 Irving Ave SD

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Jose Carlos Lopez

NAME: Gabriel Nuñez

ADDRESS: 633 South 32nd St.

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: Gabriel Nuñez

NAME: Melody Smallwood

ADDRESS: 4912 Date Pl

CITY: San Diego STATE: CA ZIP CODE 92114

SIGNATURE:

M Smallwood

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: J M R G S S C S

ADDRESS: 3175 N - Ave

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: CARLOS PEREZ

ADDRESS: 4940 WIPPING WILLOW Rd

CITY: CHULA VISTA STATE: CA ZIP CODE 91915

SIGNATURE: [Signature]

NAME: Math Santos

ADDRESS: 364A Bonbon Dr

CITY: San Diego STATE: CA ZIP CODE 92102

SIGNATURE: _____

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Pablo Diaz
ADDRESS: 6513 4th St
CITY: NAT'L City STATE: CA ZIP CODE 92050
SIGNATURE: Pablo D.

NAME: Roberto Clemente
ADDRESS: 3432 Florence St apt A
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: Roberto Clemente

NAME: David Holm
ADDRESS: 3174 NEWTON AVE
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Shawn Hack
ADDRESS: 3157 Logan Ave
CITY: SD STATE: Ca ZIP CODE 92113
SIGNATURE: [Signature]

NAME: George Bustos
ADDRESS: 1208 S. 52nd
CITY: San Diego STATE: Ca ZIP CODE 92113
SIGNATURE: [Signature]

NAME: Frank A. Cleaver Jr.
ADDRESS: 3231 Newton Ave.
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: FAY Dee YOUNG

ADDRESS: 3203 Webster Ave

CITY: San Diego STATE: CA ZIP CODE 92123

SIGNATURE: [Signature]

NAME: Jesus Merino Jesus Merino

ADDRESS: 2011 West St

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: Angel Ortega

ADDRESS: 3007 plaza BIV

CITY: NATIONAL CITY STATE: CA ZIP CODE 91950

SIGNATURE: [Signature]

A									
---	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: LISA CHAVEZ

ADDRESS: 1212 32ND STREET

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: Ana Ramirez

ADDRESS: 20103 Boston Ave

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

NAME: Morgan Hawthorne

ADDRESS: 2993 Boston Ave

CITY: SD STATE: CA ZIP CODE 92113

SIGNATURE: [Signature]

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: MIKE Brown
ADDRESS: 627 38 ST.
CITY: SAN Diego STATE: CA ZIP CODE 92103
SIGNATURE: Mike Brown

NAME: Keith R. Oliver
ADDRESS: 3285 Oceanview Blvd #12
CITY: San Diego STATE: CA ZIP CODE 91915
SIGNATURE: Keith Oliver

NAME: Cris Herrera
ADDRESS: 3850 T St
CITY: San Diego STATE: Ca ZIP CODE 92113
SIGNATURE: Herrera

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Michael Price
ADDRESS: 2955 Boston ave #4
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

NAME: Earl Chapman
ADDRESS: 2955 Boston ave #1
CITY: San Diego STATE: CA ZIP CODE 92113
SIGNATURE: [Signature]

NAME: Shana McMahon
ADDRESS: 2777 A St. #1
CITY: San Diego STATE: CA ZIP CODE 92102
SIGNATURE: [Signature]

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: Tommy Sims

ADDRESS: 3418 MARTIN AVE

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: Tommy Sims

NAME: X Xemo Ramirez

ADDRESS: 2628 Newton

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: X Xemo Ramirez

NAME: Ramirez

ADDRESS: 3291 Casa Vista

CITY: SAN DIEGO STATE: CA ZIP CODE 92113

SIGNATURE: Ramirez

--	--	--	--	--	--	--	--	--	--

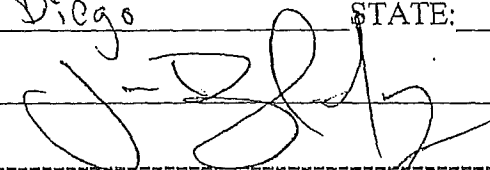
Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: James Blakney

ADDRESS: 2545 KST

CITY: San Diego STATE: CA ZIP CODE 92102

SIGNATURE: 

NAME: Albert FRANCIS VALENCIA-MORENO

ADDRESS: 3115 XENOPHON STREET

CITY: SAN DIEGO STATE: CA ZIP CODE 92106

SIGNATURE: Albert Valencia

NAME: Jason McIntosh

ADDRESS: 821 33rd St.

CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: 

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: JUAN CARLOS RUBIO

ADDRESS: 303 N. 47 ST.

CITY: SAN DIEGO STATE: CA ZIP CODE 92102

SIGNATURE: JUAN CARLOS RUBIO

NAME: CRAUHEMOC GAMINO Gtz.

ADDRESS: 1214 S. 32nd st.

CITY: San Diego STATE: ca ZIP CODE 92113

SIGNATURE: [Signature]

NAME: STEVEN A MILLER

ADDRESS: 250 Kennedy St

CITY: Chula Vista STATE: CA ZIP CODE 91911

SIGNATURE: Steve A Miller

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling wine, beer in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: RYAN T. BROWN

ADDRESS: 3695 NORMAN SCOTT RD. C074

CITY: SAN DIEGO STATE: CA ZIP CODE 92136

SIGNATURE: 

NAME: GABRIELA SIMPTON

ADDRESS: 2034 National av

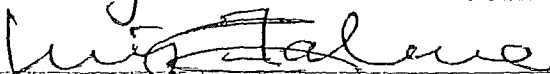
CITY: San Diego STATE: CA ZIP CODE 92113

SIGNATURE: 

NAME: Laura Talavera

ADDRESS: 4732 Wilson Ave

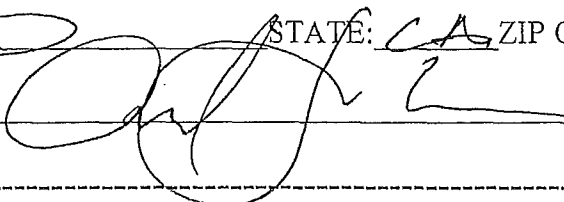
CITY: San Diego STATE: CA ZIP CODE 92116

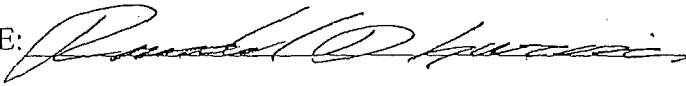
SIGNATURE: 

--	--	--	--	--	--	--	--	--	--

Statement of Opposition to a Type 20 Beer and Wine License for Proposed Eduardo's at
3175 National Avenue San Diego CA 92113

As residents, community members and business owners in San Diego, we take pride in a safe, friendly, community oriented neighborhood and we believe the proliferation of stores selling beer and wine, jeopardizes the health, safety and welfare of our citizens, our youth and our community at large. We, the undersigned, are asking for your support in our efforts to protect our children and families and to preserve our quality of life in San Diego. Specifically, we request your serious consideration to deny the request of the proposed type 20 Beer and Wine application for 3175 National Avenue San Diego CA 92113. This proposed retail outlet is not compatible with neighborhood character. The proposed store is located near youth sensitive area, residential areas, next to an apartment unit and near a church and other facilities serving young people. There are two liquor stores in each corner selling beer and wine in the immediate area, including one located across the street from the proposed location. Other nearby businesses already sell similar goods and services, therefore this beer and wine license application is not needed for public convenience and necessity.

NAME: AEEL SALCHEZ
ADDRESS: 4730 NATIONAL AVE.
CITY: SD STATE: CA ZIP CODE 92113
SIGNATURE: 

NAME: RAUDEL GARCIA
ADDRESS: 4814 National Ave
CITY: S.D. STATE: CA ZIP CODE 92113
SIGNATURE: 

NAME: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE _____
SIGNATURE: _____