



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: November 29, 2023 REPORT NO. HO-23-059

HEARING DATE: December 6, 2023

SUBJECT: BevMo Conditional Use Permit (CUP), Process Three Decision

PROJECT NUMBER: [692487](#)

OWNER/APPLICANT: MISSION VALLEY SHOPPINGTOWN LLC a Delaware limited liability company and Gopuff on behalf of BEVERAGES & MORE, INC, dba BevMo!

### SUMMARY

Issue: Should the Hearing Officer approve a new Conditional Use Permit (CUP) to allow the continued sale of alcohol and home delivery conditions, within an existing 6,680-square-foot existing tenant space located at 925 Camino de la Reina, Suite A, within the Mission Valley Community Plan Area?

Proposed Actions: Approve Conditional Use Permit No. 2564380.

Fiscal Considerations: Beverages & More, Inc. dba BevMo! is the Financially Responsible Party.

Code Enforcement Impact: There are no code enforcement actions on the project site.

Community Planning Group Recommendation: On September 7, 2022, the Mission Valley Community Planning Group voted 15-1-1 to recommend approval of the proposed project (Attachment 7).

Environmental Determination: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 15301 (Existing Facilities). Section 15301 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. Since the project would only add delivery services to the existing operations, permitting delivery services would not expand the use, and the exemption was deemed appropriate. The project is located on a developed site and no physical improvements are proposed. No environmental impacts were identified and none of the exceptions described in CEQA Guidelines Section 15300.2 apply. This project is not pending an appeal of the environmental determination. The

environmental exemption determination for this project was made on May 2, 2023, and the opportunity to appeal that determination ended is May 16, 2023.

## BACKGROUND



The project is located at 925 Camino de la Reina, Suite A, and is developed within an existing 6,680-square-foot retail tenant space on a 15.33-acre site, within the mixed-use Mission Valley West Shopping Center (Attachment 2). The site is in the EMX-1 zone and the Community Plan Implementation Zone A, First San Diego River Improvement Specific Plan (FSDRIP) Subdistrict, Parking Standards Transit Priority Area, Transit Area, Transit Priority Area, FP100 (ESL Floodplain), Airport Influence Area (SDIA and Montgomery Field), and Fire Brush Management overlay zones within the Mission Valley Community Plan area. The project site is approximately 0.38 miles east of the 163 freeway, and 0.15 miles north of the I-8 freeway (Attachment 3).

The site is developed under FSDRIP Special Permit 96-723 which developed the Mission Valley West Shopping Center. The project site had an approved Conditional Use Permit No. 6258, Resolution No. 4002 approved on July 10, 2002 (Project No. 3801) to allow the sale of alcoholic beverages for off-site consumption with appropriate conditions which expired on July 10, 2022 (Attachment 6). The applicant applied for a new CUP on May 16, 2023.

The applicant also possesses [a Type 21 - OFF-SALE GENERAL / 42 - ON-SALE BEER AND WINE - PUBLIC PREMISES 24 \(Tasting Room\)](#) license from the Department of Alcoholic Beverage Control (ABC), which allows for the sale of beer and wine for off-premises consumption.

## DISCUSSION

The project is a request for a new Conditional Use Permit (CUP) due to the existing CUP expiring in July 2022. The new CUP would:

1. Allow for the continued operation of the existing alcoholic beverage outlet (BevMo! Facility);
2. Allow for home delivery of alcohol except between the hours of 2:00 a.m.– 6:00 a.m.; and
3. Allow for non-alcohol delivery services from the store 24 hours a day.

The project requires a CUP to allow an alcoholic beverage outlet for the sale of beer, wine, and distilled spirits, contingent upon issuance of a Type 21 license being issued by the state Department of Alcoholic Beverage Control (ABC). In addition, a recommendation from the San Diego Police Department (SDPD) is required. The San Diego Municipal Code (SDMC) defines Type 21 Licenses as

alcoholic beverage outlets, which are allowed in the EMX-1 zone as a Limited Use subject to the requirements of SDMC Section 141.0502(b). An alcoholic beverage outlet that does not comply with these requirements, including the location criteria outlined in SDMC Section 141.0502(b)(1), may be permitted with a Process Three CUP pursuant to SDMC Section 141.0502(c).

The proposed alcoholic beverage outlet at the site requires a CUP because the project site does not meet the criteria outlined in SDMC Section 141.0502(b), as explained below:

**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 of more than 20 percent.** The project is within Census Tract No. 93.04, which reported a crime rate of 806.3 percent of the city-wide average based on statistics provided by the SDPD. A census tract is considered to have “high crime” if the crime rate exceeds 120 percent of the city-wide average, therefore, the project is located in such a census tract, does not comply with this regulation, and requires a CUP.

**2. 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 Professions Code section 23958.4.** The subject property is in Census Tract No. 93,04, which allows for three off-sale ABC licenses based on the California Business and Professions Code Section 23958.4 standards. The project will require a Type 21 License. Currently there are six off-sale licenses (including the existing Type 21 for this location) in Census Tract 93.04 whereas the ABC allows for three, therefore this project requires a CUP.

**3. In an adopted Redevelopment Project Area.** The project site is not located within an adopted redevelopment project area. Therefore, this project meets this regulation.

**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 located within 600 feet of a recreational area. The San Diego River Pathway is a resource-based park where a portion of the trail is located approximately 115 feet to the north of the subject premises along Camino de la Reina; therefore, the project requires a CUP.

**5. Within 100 feet of residentially zoned property.** The project site is located within 95 feet of residentially zoned properties. Therefore, the project requires a CUP due to the close proximity to residentially zoned property.

The project has been reviewed by the SDPD and the Development Services Department (DSD) for conformance to the applicable development regulations and land use policies. City staff supports the alcoholic beverage outlet at this location based on the site’s commercial nature and its location within an existing commercial center. The site is designated Mixed Use, and the project conforms with the goals of the Mixed-Use Land Use Element of providing a variety of resident-serving commercial uses within the Mission Valley Community area.

The SDPD and DSD have concluded that if the permit and ABC license were appropriately conditioned, the project would not adversely impact the surrounding neighborhood and public health, safety, or welfare. Staff supports a 20-year CUP based on the project analysis and the

conditions and recommendations provided by the SDPD for the permit and the ABC license that include limiting the hours permitted for the sale of alcoholic beverages, prohibiting loitering, littering or drinking of alcoholic beverages, a prohibition on public pay phones and arcade games, requiring graffiti to be removed promptly, and requiring retail employees to be trained in ABC regulations, theft deterrence and policies against the sales of alcoholic beverages to those under 21 years of age and intoxicated individuals (Attachment 3).

The proposed CUP amendment request does not involve a change in use or proposed additional floor area, therefore it is not subject to CPIOZ development regulations, and the scope of work does not involve any new construction thus, exterior massing and scale will not be modified.

### Community Plan Analysis

The project site is designated Mixed Use within the Mission Valley Community Plan and is located in the First San Diego River Improvement Project (FSDRIP) Specific Plan. The 6,680-square-foot retail outlet remains situated within an existing retail tenant space of a mixed-use building within the Mission Valley West Shopping Center which was approved via FSDRIP Special Permit No. 96-7231 and is consistent with the permitted uses allowed in the proposed CUP. Staff determined that the existing alcohol beverage retail outlet, which was previously approved in 2002 continues to be consistent with the site's land use designation, design guidelines, and development standards in effect for the subject property per the adopted Mission Valley Community Plan and the City of San Diego's Progress Guide and General Plan and land use plan.

### Conclusion

The proposed project is in conformance with the Community Plan goals, policies, and land use designation as well as in conformance with implementing the Employment Mixed-Use Base Zone. The Mission Valley Community Planning Group reviewed the project and recommended approval. Staff recommends approval of the project.

### ALTERNATIVES

1. Approve Conditional Use Permit No. 2564380, with modifications. Deny Conditional Use Permit No. 2564380, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

*Blake Sonuga*

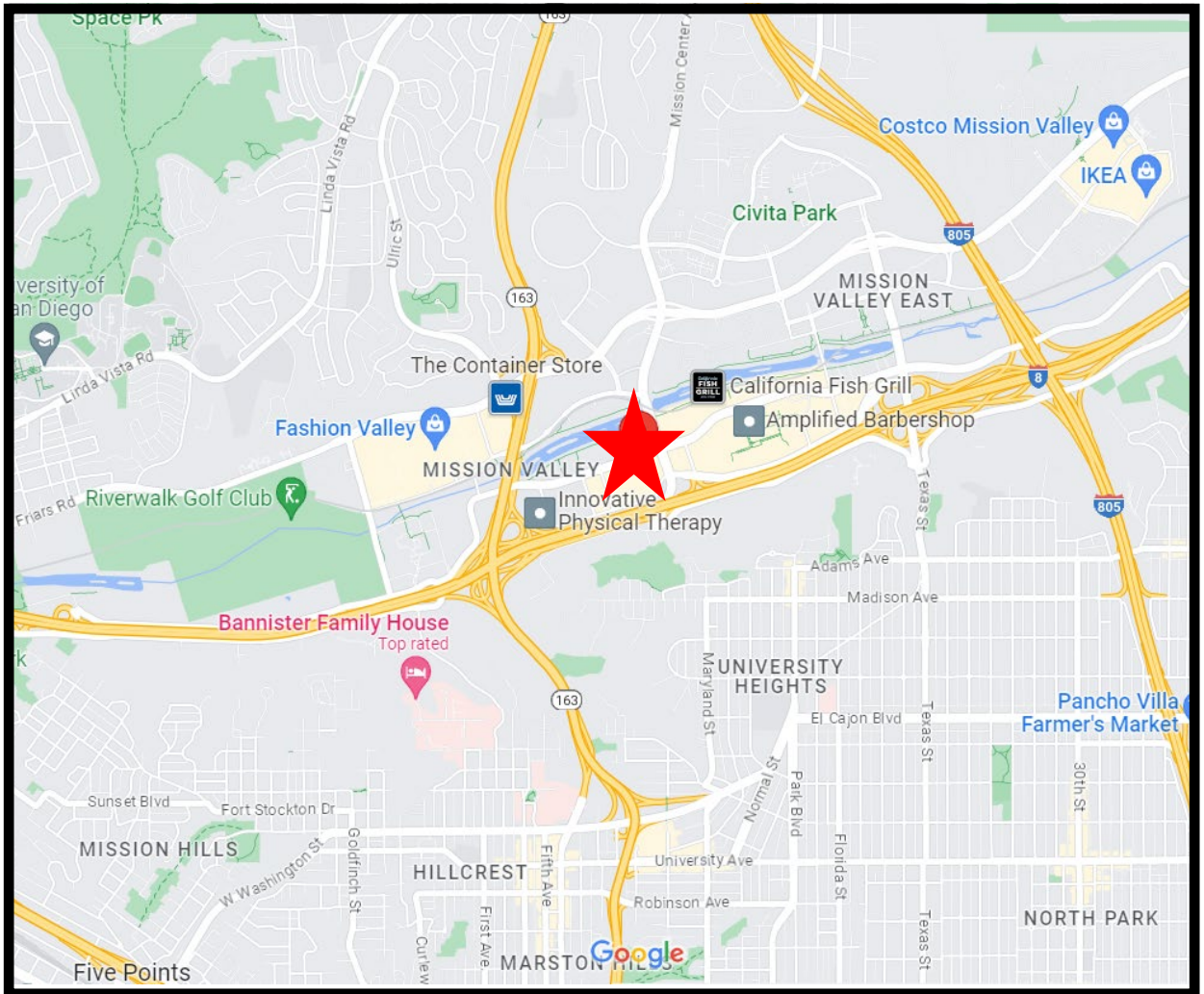
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Blake Sonuga  
Development Project Manager

Development Services Department

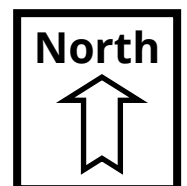
Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Permit Resolution
5. Draft Permit
6. SDPD Recommendation
7. Notice of Right to Appeal (NORA)
8. Prior Conditional Use Permit for Project No. 3801
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Plans

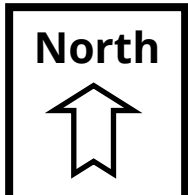
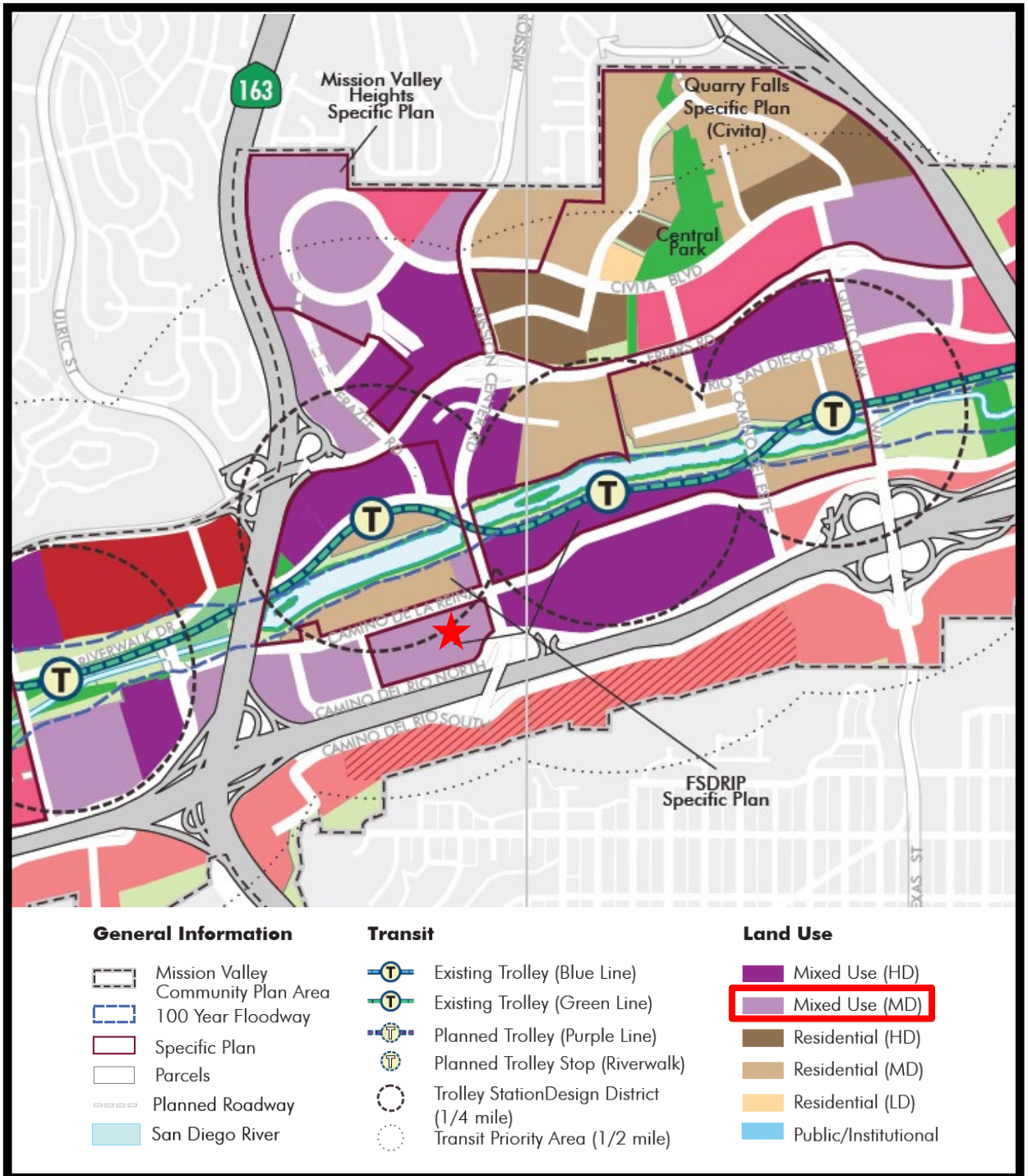


## Project Location

925 Camino De La Reina  
Project No. PTS-692487



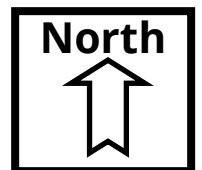






## Aerial Photo

925 Camino De La Reina  
Project No. PTS-692487





HEARING OFFICER RESOLUTION NO. HO-23-059  
CONDITIONAL USE PERMIT NO. 2564380  
**BEVERAGES AND MORE - PROJECT NO. 692487**

WHEREAS, MISSION VALLEY SHOPPINGTOWN LLC a Delaware limited liability company, Owner and Gopuff on behalf of BEVERAGES & MORE, INC, dba BevMo!, Permittee, filed an application with the City of San Diego for a permit to operate an alcoholic beverage outlet within an existing 6,680-square-foot retail tenant space on a 15.33-acre site, within the Mission Valley West Shopping Center, conditioned upon the issuance of a Type 21 and Type 42 license from the State Department of Alcoholic Beverage Control (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2564380), on portions of a 15.33-acre site; and

WHEREAS, the project site is located at 925 Camino de la Reina Suite A, within the Mission Valley Planned District of the Mission Valley Community Plan, EMX-1 Zone, the Community Plan Implementation Zone A, Specific Plan Subdistrict, Parking Standards Transit Priority Area and the Transit Priority Area. The 15.33 acre site is also governed by the First San Diego River Improvement Project (FSDRIP) Specific Plan, Special Permit 96-7231 of the Mission Valley Community Plan; and

WHEREAS, the project site is legally described as Lot 5, Map 4244 of Mission Valley Shopping Center; in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 4244, filed in the Office of the County Recorder of San Diego County, June 30, 1959; and

WHEREAS, on May 2, 2023, 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 Guidelines 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; and

WHEREAS, on December 6, 2023, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2564380 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2564380.

**A. CONDITIONAL USE PERMIT [San Diego Municipal Code (SDMC) section 126.0305]**

**1. Findings for all Conditional Use Permits:**

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

The project is a Conditional Use Permit to allow for an alcoholic beverage outlet to continue operating within an existing 6,680-square-foot retail tenant space within a mixed-use building in the Mission Valley West Shopping Center located at 925 Camino de la Reina, in the EMX-1 zone and within the Mission Valley Community Plan, which designates the 15.33-acre project site for Mixed Use land use. The EMX-1 base zone allows for a broad mix of uses, including office, research and development, industrial, and retail, with non-residential development emphasized as the primary use. The existing retail shopping center was approved via FSDRIP Special Permit No. 96-7231 and the proposed continuation of the alcoholic beverage outlet use remains consistent with that permit.

The sale of alcohol products is defined as a commercial retail use in the Land Development Code and is permitted at the subject site with the approval of a Process 3 Conditional Use Permit (CUP). The San Diego Police Department (SDPD) has provided recommendations for the approval of the subject CUP and proposed conditions for the project that include, but are not limited to, hours of operation, advertising, and training for employees.

Continued operation of the existing alcohol beverage retail outlet is consistent with the site's Mixed Use land use designation per the adopted Mission Valley Community Plan and the City of San Diego's Progress Guide and General Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The proposed Alcoholic Beverage Outlet requires a CUP because the project site does not meet certain location criteria set forth in SDMC Section 141.0502(b).

- The project is located within a census tract where the general crime rate exceeds the citywide average general crime rate of more than 20 percent. The project is within Census Tract No. 93.04, which reported a crime rate of 806.3 percent of the city-wide average based on statistics provided by the SDPD (a census tract is considered to have “high crime” if the crime rate exceeds 120 percent of the city-wide average).
- The project is located within a census tract where the ratio of alcohol beverage outlets exceeds the standards established by California Business and Professions Code section 23958.4. The subject property is in Census Tract No. 93,04, which allows for three off-sale ABC licenses. Currently there are six off-sale licenses in Census Tract 93.04 (including the existing Type 21 for this location).
- The project site is located within 600 feet of a recreational area. The San Diego River Pathway is a resource-based park with a portion of the trail located approximately 115 feet to the north of the subject premises along Camino de la Reina.
- The project site is located within 95 feet of residentially zoned properties.

The San Diego Police Department (SDPD) has reviewed the project application and supports approval of the CUP to allow an alcoholic beverage outlet to continue operating at the site with conditions, including but not limited to: the prohibition of loitering, public pay phone, arcade games, littering, and graffiti; maintaining illumination during all hours of darkness and when the outlet is open for business; and maintaining the premises’ video surveillance of the interior, exterior, and public sidewalks of the premises and areas under the control of the owner or operator. Additionally, conditions of approval have been included to eliminate adverse impacts on the health, safety, and welfare of the community. Therefore, the proposed development will not be detrimental to public health, safety, and welfare.

**c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.**

The proposed development is a Conditional Use Permit to allow for an alcoholic beverage outlet to continue operating within an existing 6,680-square-foot retail tenant space within a mixed-use building in the Mission Valley West Shopping Center located at 925 Camino de la Reina, in the EMX-1 zone within the Mission Valley

Community Plan, which designates the 15.33-acre project site for Mixed Use land use. Alcoholic beverage outlets are allowed at the project location with the approval of a CUP and are subject to regulations set forth in SDMC section 141.0502.

The CUP for the project includes various conditions and corresponding exhibits of approval relevant to achieving compliance with the SDMC relative to safe operations, lighting, loitering, litter, graffiti, and advertising. No variance or deviations are requested or required as part of this application. Therefore, the proposed development will comply with the regulations of the Land Development Code.

**d. The proposed use is appropriate at the proposed location.**

The project site is designated for Mixed Use land use within the Mission Valley Community Plan. The 6,680-square-foot retail outlet is situated within an existing retail tenant space of a mixed-use building within the Mission Valley West Shopping Center and is consistent with the permitted uses allowed in the EMX-1 zone. The existing alcohol beverage retail outlet, which was previously approved in 2002, continues to be consistent with the site's Mixed Use land use designation, EMX-1 zoning, and provides the surrounding community with commercial retail services.

Approval of this CUP will allow the sale of beer, wine, and distilled spirits to be conditioned so that alcohol sales will not have a negative impact on the surrounding neighborhood, as outlined below. The project site does not meet certain location criteria set forth in SDMC section in SDMC Section 141.0502(b) as outlined in Finding "b" above, however, alcoholic beverage outlets that do not meet all the locational criteria for alcohol sales as a limited use under SDMC section 141.0502 may be approved with a Process Three CUP. The CUP includes conditions to prohibit gaming machines or video game devices on the premises, prohibit loitering and graffiti, prohibit public pay phones, and limit advertising. Additionally, all retail employees are to be trained in ABC regulations Licensee Education on Alcohol and Drugs (LEAD) program, theft deterrence, and policies against the sale of alcoholic beverages to those under 21 years of age or intoxicated persons. These conditions of approval minimize any potential harm to public health, safety, and welfare. The sale of beer, wine and distilled spirits is consistent with the commercial nature of the EMX-1 zone and the Community Plan's Mixed Use land use designation. Therefore, based on the foregoing, the retail nature of the site, and the conditions of approval, the proposed development would be appropriate at the proposed location.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on these findings adopted by the Hearing Officer, CUP No. 2564380, is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the



## ATTACHMENT 4

form, exhibits, terms and conditions as set forth in Permit No. 2564380, a copy of which is attached hereto and made a part hereof.

*Blake Sonuga*

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Blake Sonuga  
Development Project Manager  
Development Services

Adopted on: December 6, 2023

IO#: 24008979

**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: 24008979

SPACES ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2564380  
**BEVERAGES AND MORE - PROJECT NO. 692487**  
HEARING OFFICER

This Conditional Use Permit (CUP) No. 2564380, is granted by the HEARING OFFICER of the City of San Diego to MISSION VALLEY SHOPPINGTOWN LLC a Delaware limited liability company, Owner and Gopuff on behalf of BEVERAGES & MORE, INC, dba BevMo!, Permittee pursuant to San Diego Municipal Code [SDMC] section 141.0502. The 6,680 square-foot retail outlet is located within the 15.33-acre Mission Valley West Shopping Center site, located at 925 Camino de la Reina, Suite A; within the Mission Valley Planned District of the Mission Valley Community Plan, Mixed-Use Zone EMX-1, the Community Plan Implementation Zone A, Specific Plan Subdistrict, Parking Standards Transit Priority Area, Transit Area, Transit Priority Area. The 15.33-acre site is developed under the First San Diego River Improvement Project (FSDRIP) Specific Plan, Special Permit 96-7231. The project is legally described as Lot 5, Map 4244 of Mission Valley Shopping Center; in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 4244, filed in the Office of the County Recorder of San Diego County, June 30, 1959 (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2564380), on portions of a 15.33-acre site;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee, to operate an alcoholic beverage outlet 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 December 6, 2023, on file in the Development Services Department.

The project shall include:

- a. A 6,680-square-foot existing retail outlet to sell alcoholic beverages within an existing shopping center within the Mission Valley West Shopping Center;
- b. Home delivery of alcohol except between the hours of 2:00 a.m. and 6:00 a.m.; and
- c. Non-alcohol delivery services 24 hours/day/daily.

**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 December 21, 2026.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on December 19, 2033. The Owner/Permittee may request that the expiration date be extended in accordance with SDMC section 141.0502(c)(7).
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 that 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 the 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 an election, the Owner/Permittee shall pay all of the costs related thereto, including reasonable attorney's fees and costs without limitation. 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.

**PLANNING/DESIGN REQUIREMENTS:**

13. Owner/Permittee 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.

14. 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.



## ATTACHMENT 5

15. The Owner/Permittee 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/Permittee. 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.
16. 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, except for any advertising prohibited by law. 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.
17. The Owner/Permittee 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/Permittee. 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/Permittee.
18. The sign area for this project shall be in conformance with the Mission Valley First San Diego River Improvement Project (MVFSRIP) Special Permit No. 96-7231, Exhibit "A" Proposed Site Sign Plan dated September 15, 1999.
19. The sign area pertaining to or referencing alcoholic sales or beverages shall not exceed 630 square inches.
20. 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, except for in-store educational tasting conducted by Beverages & More!"
21. The owner or operator of the alcoholic beverage outlet may conduct educational wine/beer tasting within the retail store.
22. Existing off-street parking required by MVFSRIP Special Permit No. 96-7231, shall be permanently maintained, and not converted for any other use.
23. No merchandise, material, or equipment shall be stored on the roof of any building.
24. 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.
25. 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.

26. 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.

**POLICE DEPARTMENT REQUIREMENTS:**

27. The hours for in-store operations shall be from 8:00 am to Midnight as it relates to sales, service, or consumption of alcoholic beverages. The hours for the sale of the alcoholic product via app/online platform for delivery only shall be 6:00 am to 2:00 am.
28. Loitering will be prohibited.
29. The hours for in-store operations shall be from 8:00 am to Midnight as it relates to sales, service, or consumption of alcoholic beverages. The hours for the sale of the alcoholic product via app/online platform for delivery only shall be 6:00 am to 2:00 am
30. No public pay phones will be permitted on the premises or adjacent and under the control of the applicant.
31. No arcade games of any type will be allowed/maintained inside the premises.
32. Video surveillance shall be recorded and available to law enforcement upon request covering the interior and public access points of the premises. Upon request of law enforcement, video surveillance shall not be deleted, voided, or destroyed. Recordings shall be maintained for a minimum of 30 days absent a request from law enforcement.
33. Litter and any unauthorized graffiti will be removed promptly.
34. All retail employees are trained in ABC regulations (LEAD), theft deterrence, and policies against the sales of alcoholic beverages to those under 21 years of age, and/or intoxicated.

**INFORMATION ONLY:**

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 a 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.

**ATTACHMENT 5**

APPROVED by the Hearing Officer of the City of San Diego on December 6, 2023.

Conditional Use Permit No. 2564380

Date of Approval: December 6, 2023

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Blake Sonuga  
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.

**Mission Valley Shopping Town, LLC**  
Owner

By \_\_\_\_\_  
Andres Ripa  
General Manager,  
Westfield Property Management, LLC  
in its capacity as agent for the Owner

**BEVERAGES & MORE, INC.**  
Permittee

By \_\_\_\_\_  
Tim Alborg  
Representative,  
Beverages & More, Inc, dba, BevMo  
Tenant/Lessee

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

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

PREMISE ADDRESS: 925 Camino De La Reina, San Diego CA 92108

TYPE OF BUSINESS: Liquor store (Type 21)/Tasting Room (Type 42)

FEDERAL CENSUS TRACT: 93.04

NUMBER OF ALCOHOL LICENSES ALLOWED: Off-Sale: 3/On-Sale: 6

NUMBER OF ALCOHOL LICENSES EXISTING: Off-Sale: 6/On-Sale: 51 (over-concentrated)

CRIME RATE IN THIS CENSUS TRACT: 806.3%  
(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 premises is located within census tract 93.04 for Crime Rates and 93.07 for alcohol concentration. The reported crime rate for 2022 within Census Tract 93.04 was 806.3% and the alcohol crime rate was 251.6%.

925 Camino De La Reina is within 100 feet of residentially zoned property which is to the north of the location and is a large apartment complex.

SUGGESTED CONDITIONS:

The San Diego Police Department agrees with the renewal or issuance of a Conditional Use Permit so long as the following conditions are incorporated:

1. The hours for in-store operations shall be from 8:00am to Midnight as it relates to sales, service, or consumption of alcoholic beverages. The sale of alcoholic products via app/online platform for delivery only shall be 6:00am to 2:00am.
2. Loitering will be prohibited.
3. No public pay phones will be permitted on the premise or adjacent and under the control of the applicant.
4. No arcade games of any type will be allowed/maintained inside the premise.
5. Video surveillance shall be recording and available to law enforcement upon request covering the interior and public access points of the premises. Upon request of law enforcement video surveillance shall not be deleted, voided or destroyed. Recordings shall be maintained for a minimum of 30 days absent a request of law enforcement.

12/5 MFS



- 6. Litter and any unauthorized graffiti will be removed promptly.
- 7. All retail employees are trained in ABC regulations (LEAD), theft deterrence and policies against the sales of alcoholic beverages to those under 21 years of age, and/or intoxicated.

SAN DIEGO POLICE DEPARTMENT RECOMMENDATION:

APPROVE

DENY

Benjamin M'Curry  
Name of SDPD Vice Sergeant (Print)

(619) 531-2973  
Telephone Number

[Signature]  
Signature of SDPD Vice Sergeant

11-8-23  
Date of Review

https://geomap.ffiec.gov/ffiecgeomap/

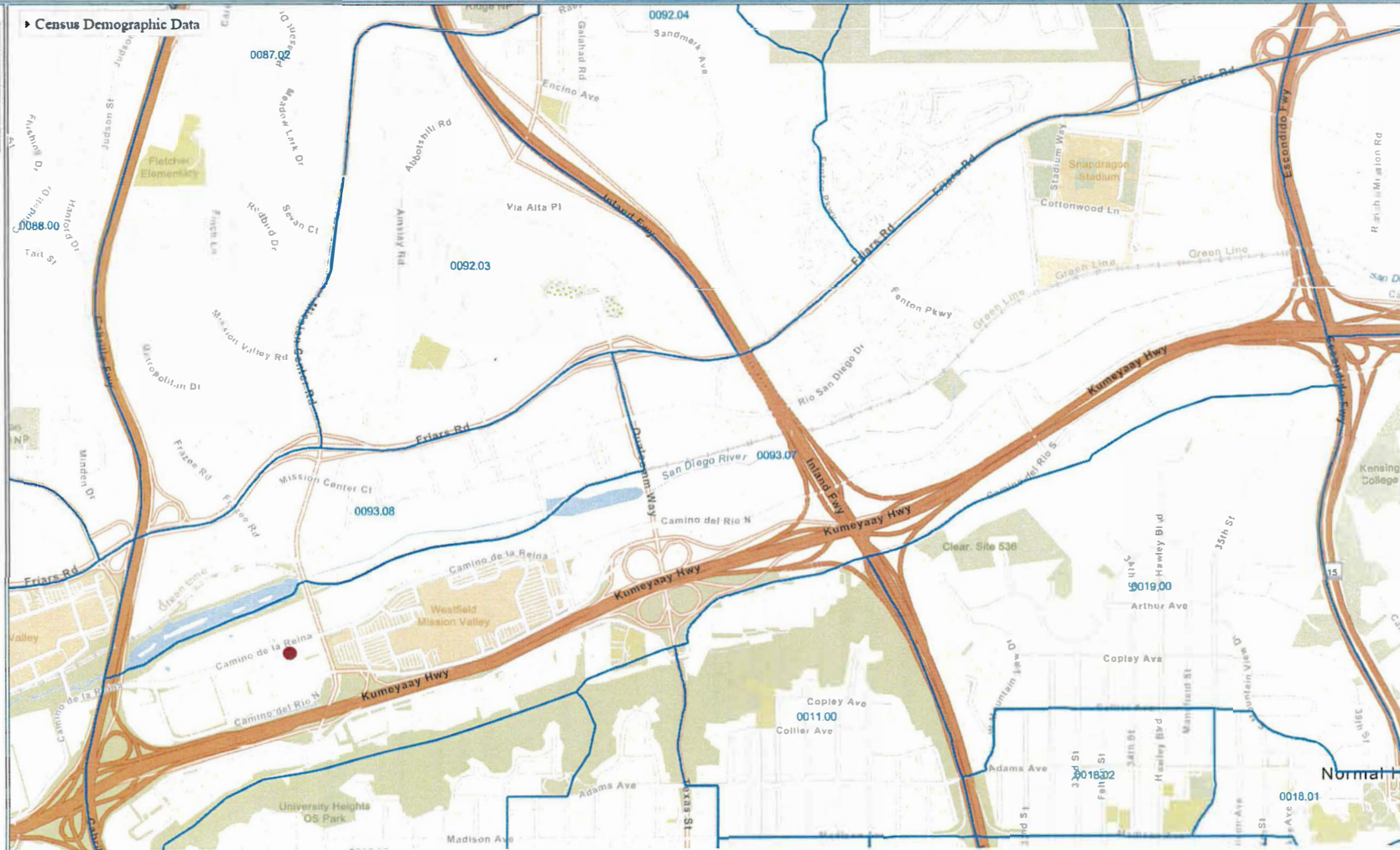
FFIEC Year: 2023 Address: 925 Camino de la Reina, San Diego, CA, 92108, USA

Matched Address	
Address	925 Camino de la Reina, San Diego, California, 92108
MSA/MD Code	41740
Slate Code	06
County Code	073
Tract Code	0093.07
MSA/MD Name	SAN DIEGO-CHULA VISTA-CARLSBAD, CA
Slate Name	CALIFORNIA
County Name	SAN DIEGO COUNTY

Census Demographic Data

User Select Tract

Census Demographic Data





## ABC Report

## Required Parameters

Reporting Period: 01/2022 to 12/2022

Agency: SAN DIEGO

## Optional Parameters

Geographical Area:

Group by: Census Tract

Prior Report Number: B98S328R

Total Part 1 Crime and Part 2 Arrest for Agency: 54,461

Total Census Tract: 302

Average Total per Census Tract: 180.3

(120% or above is High Crime Area indicated by \*)

	Census Tract	Totals	% Average by Census Tract
204	009102	100	55.5%
205	009103	82	45.5%
206	009104	37	20.5%
207	009106	240	133.1%*
208	009107	178	98.7%
209	009201	150	83.2%
210	009202	206	114.2%
211	009301	93	51.6%
212	009304	1,454	806.3%*
213	009305	92	51.0%
214	009306	169	93.7%
215	009400	35	19.4%
216	009502	81	44.9%
217	009504	37	20.5%
218	009505	80	44.4%
219	009506	44	24.4%
220	009507	38	21.1%
221	009509	210	116.5%
222	009510	45	25.0%
223	009511	51	28.3%
224	009602	85	47.1%
225	009603	417	231.2%*
226	009604	302	167.5%*
227	009703	60	33.3%
228	009704	69	38.3%
229	009705	102	56.6%
230	009706	98	54.3%
231	009801	72	39.9%
232	009802	128	71.0%

**San Diego Police Department**  
**Alcohol Arrests & Cites - By Census Tract**  
**(Excluding Unknown Tracts)**  
**January to December 2022**

<b>2010 Census Tract</b>	<b>Alcohol Violations</b>	<b>Tract Total as % of Average Tract</b>
009104	2	12.0%
<b>009106</b>	<b>21</b>	<b>125.8%</b>
009107	7	41.9%
009201	7	41.9%
009202	5	30.0%
009301	7	41.9%
<b>009304</b>	<b>42</b>	<b>251.6%</b>
009305	6	35.9%
009306	15	89.9%
009400	5	30.0%
009502	10	59.9%
009504	0	0.0%
009505	3	18.0%
009506	3	18.0%
009507	0	0.0%
009509	13	77.9%
009510	5	30.0%
009511	0	0.0%
009602	5	30.0%
<b>009603</b>	<b>32</b>	<b>191.7%</b>
<b>009604</b>	<b>26</b>	<b>155.8%</b>
009703	4	24.0%
009704	0	0.0%
009705	12	71.9%
009706	4	24.0%
009801	3	18.0%
009802	9	53.9%
009804	3	18.0%
009805	0	0.0%
009901	2	12.0%
009902	0	0.0%
010001	3	18.0%
010003	6	35.9%
010004	12	71.9%
010005	9	53.9%
010009	4	24.0%
010010	15	89.9%
010011	6	35.9%
010012	5	30.0%
010013	10	59.9%
010014	16	95.9%



## DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

## NUMBER OF LICENSES AUTHORIZED

## ATTACHMENT 6

## BY CENSUS TRACT

County Name	County Population	County Ratio On Sale	County Ratio Off Sale	Census Tract #	Census Tract Population	On Sale	Off Sale
SAN DIEGO	3,315,404	739	1,600	83.73	3,317	4	2
SAN DIEGO	3,315,404	739	1,600	83.74	4,298	5	2
SAN DIEGO	3,315,404	739	1,600	83.75	4,318	5	2
SAN DIEGO	3,315,404	739	1,600	83.76	5,686	7	3
SAN DIEGO	3,315,404	739	1,600	83.77	2,608	3	1
SAN DIEGO	3,315,404	739	1,600	83.78	1,024	1	0
SAN DIEGO	3,315,404	739	1,600	83.79	4,287	5	2
SAN DIEGO	3,315,404	739	1,600	83.80	7,165	9	4
SAN DIEGO	3,315,404	739	1,600	83.81	2,722	3	1
SAN DIEGO	3,315,404	739	1,600	85.01	5,271	7	3
SAN DIEGO	3,315,404	739	1,600	85.02	6,218	8	3
SAN DIEGO	3,315,404	739	1,600	85.03	6,869	9	4
SAN DIEGO	3,315,404	739	1,600	85.04	6,150	8	3
SAN DIEGO	3,315,404	739	1,600	85.05	5,657	7	3
SAN DIEGO	3,315,404	739	1,600	85.06	3,981	5	2
SAN DIEGO	3,315,404	739	1,600	85.07	7,520	10	4
SAN DIEGO	3,315,404	739	1,600	85.09	6,949	9	4
SAN DIEGO	3,315,404	739	1,600	85.10	6,912	9	4
SAN DIEGO	3,315,404	739	1,600	85.11	5,480	7	3
SAN DIEGO	3,315,404	739	1,600	85.12	4,386	5	2
SAN DIEGO	3,315,404	739	1,600	85.13	2,798	3	1
SAN DIEGO	3,315,404	739	1,600	86.00	6,535	8	4
SAN DIEGO	3,315,404	739	1,600	87.01	3,353	4	2
SAN DIEGO	3,315,404	739	1,600	87.02	4,750	6	2
SAN DIEGO	3,315,404	739	1,600	88.00	6,128	8	3
SAN DIEGO	3,315,404	739	1,600	89.01	5,036	6	3
SAN DIEGO	3,315,404	739	1,600	89.02	2,601	3	1
SAN DIEGO	3,315,404	739	1,600	90.00	3,746	5	2
SAN DIEGO	3,315,404	739	1,600	91.01	5,652	7	3
SAN DIEGO	3,315,404	739	1,600	91.02	3,529	4	2
SAN DIEGO	3,315,404	739	1,600	91.03	3,850	5	2
SAN DIEGO	3,315,404	739	1,600	91.04	2,886	3	1
SAN DIEGO	3,315,404	739	1,600	91.07	5,739	7	3
SAN DIEGO	3,315,404	739	1,600	91.08	1,943	2	1
SAN DIEGO	3,315,404	739	1,600	91.09	4,033	5	2
SAN DIEGO	3,315,404	739	1,600	92.01	6,165	8	3
SAN DIEGO	3,315,404	739	1,600	92.03	4,141	5	2
SAN DIEGO	3,315,404	739	1,600	92.04	3,362	4	2
SAN DIEGO	3,315,404	739	1,600	93.01	4,337	5	2
SAN DIEGO	3,315,404	739	1,600	93.05	4,948	6	3
SAN DIEGO	3,315,404	739	1,600	93.06	6,125	8	3
SAN DIEGO	3,315,404	739	1,600	93.07	4,863	6	3
SAN DIEGO	3,315,404	739	1,600	93.08	4,319	5	2
SAN DIEGO	3,315,404	739	1,600	94.00	8,035	10	5
SAN DIEGO	3,315,404	739	1,600	95.02	3,801	5	2

Event Search Results ( 15 Returned) [New Event Search >](#)

Show 100  Entries

Date Range  Show All Events

Events From 11/01/22 - 11/01/23 [See search criteria](#)

Agency	DGroup	Date/Time	Event	Type	Primary Unit	Location	Status	Priority	Beat
SDPD	P3	12/14/22 18:45:48	E22120019200	415DV	316Y2	925 CAMINO DE LA REINA SD	Closed - Assigned	1	315
SDPD	P3	12/14/22 19:07:38	E22120019213	FD	316Y2	925 CAMINO DE LA REINA SD	Closed - Assigned	2	315
SDPD	P3	01/16/23 09:11:27	E23010021450	STREET	INFO03	925 CAMINO DE LA REINA SD	Closed - Assigned	2	315
SDPD	P3	01/16/23 16:31:52	E23010021982	CW	311Z2	925 CAMINO DE LA REINA SD	Closed - Assigned	1	315
SDPD	P3	01/16/23 21:08:13	E23010022246	415	315Y2	925 CAMINO DE LA REINA SD	Closed - Assigned	2	315
SDPD	P3	02/28/23 00:12:06	E23020040008	459A	326J3	925 CAMINO DE LA REINA SD	Closed - Assigned	3	315
SDPD	P3	03/23/23 22:43:08	E23030034165	11-8	315J3	925 CAMINO DE LA REINA SD	Closed - Assigned	0	315
SDPD	P3	04/18/23 12:02:13	E23040024765	594		925 CAMINO DE LA REINA SD	Closed - Assigned	2	315
SDPD	P3	05/19/23 18:32:35	E23050028338	415V	315Y2	925 CAMINO DE LA REINA SD: STE A	Closed - Assigned	1	315
SDPD	P3	05/24/23 07:09:11	E23050034840	459R	315J1	925 CAMINO DE LA REINA SD: STE A	Closed - Assigned	3	315
SDPD	P3	08/09/23 22:14:55	E23080013616	459A	313J3	925 CAMINO DE LA REINA SD	Closed - Assigned	3	315
SDPD	P3	08/13/23 05:22:03	E23080018449	459A	311J3	925 CAMINO DE LA REINA SD	Closed - Assigned	3	315
SDPD	P3	10/17/23 16:23:10	E23100024758	AU2		925 CAMINO DE LA REINA SD	Closed - Assigned	2	315
SDPD	P3	10/22/23 05:31:00	E23100031990	1140OD	621K3	925 CAMINO DE LA REINA SD	Closed - Assigned	0	315
SDPD	P3	10/25/23 09:27:46	E23100036690	911		925 CAMINO DE LA REINA SD	Closed - Assigned	1	315



CALIFORNIA DEPARTMENT OF

**Alcoholic Beverage Control**

**Report Date:** Wednesday, November 08, 2023

**LICENSE INFORMATION**

**License Number:** 389469 **Primary Owner:** BEVERAGES & MORE INC **Office of Application:** 10 - SAN DIEGO

**BUSINESS NAME**

BEVMO

**BUSINESS ADDRESS**

925 CAMINO DE LA REINA STE A, SAN DIEGO, CA, 92108

**County:** SAN DIEGO **Census Tract:** 0093.07

**LICENSEE INFORMATION**

**Licensee:** BEVERAGES & MORE INC

**Company Information**

OFFICER: GOLA, YAKIR AARON (CHIEF EXECUTIVE OFFICER)

OFFICER: GOLA, YAKIR AARON (PRESIDENT/SECRETARY)

OFFICER: GOLA, YAKIR AARON (DIRECTOR)

OFFICER: ILISHAYEV, RAFAEL (CHIEF EXECUTIVE OFFICER)

OFFICER: ILISHAYEV, RAFAEL (PRESIDENT/TREASURER)

OFFICER: ILISHAYEV, RAFAEL (DIRECTOR)

STOCKHOLDER: BEVMO! INC.

**LICENSE TYPES**

Allow up to six weeks for expiration date updates after fee waiver or renewal fee submittal.

**21 - OFF-SALE GENERAL**

**License Type Status:** ACTIVE **Status Date:** 26-AUG-2002 **Term:** 12 Month(s) **Original Issue Date:** 26-AUG-2002

From License Number: 21-357445

**Expiration Date:** 31-JUL-2024 **Master:** Y **Duplicate:** 0 **Fee Code:** P40 **Transfers:** Transferred On: 26-AUG-2002

**42 - ON-SALE BEER AND WINE - PUBLIC PREMISES**

**License Type Status:** ACTIVE **Status Date:** 26-AUG-2002 **Term:** 12 Month(s) **Original Issue Date:** 26-AUG-2002

**Expiration Date:** 31-JUL-2024 **Master:** Y **Duplicate:** 0 **Fee Code:** P40 **Transfers:**

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**OPERATING RESTRICTIONS:**

\*Operating Restrictions exist. For more information, please see our [Guidelines for Access to Records](#).

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**DISCIPLINARY ACTION:**

No Active Disciplinary Action found

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**DISCIPLINARY HISTORY:**

**Reg. Number:** 04058420 **Section:**24200(a&b) **Section:**25659.5(b) **Proceeding Status:** CLOSED **Decision:** POIC

**Suspension Days:** 10 **POIC/Fine:** 3000

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**HOLDS:**

No Active Holds found

**ESCROWS:**

No Escrow found





CALIFORNIA DEPARTMENT OF

# Alcoholic Beverage Control

Having trouble viewing the report?

**Results for:** Active Off-Sale Retail License

**County:** SAN DIEGO County

**Census Tract:** 93.07

**Report Date:** Tuesday, November 07, 2023

## Search

Results will be filtered as you type

0 Results

## License Number: 565328

**Status:**ACTIVE **License Type:**20 **Orig. Iss. Date:**03/21/2016 **Expir. Date:**02/29/2024 **Primary Owner:**

2401 CAMINO DEL RIO N,  
SAN DIEGO, CA 92108

LODGING CONCESSIONS LLC **Premises Addr.:**Census Tract: 0093.07 **Business Name:**

SPRINGHILL SUITES MISSION VALLEY **Geo Code:**3710

## License Number: 389469

**Status:**ACTIVE **License Type:**21 **Orig. Iss. Date:**08/26/2002 **Expir. Date:**07/31/2024 **Primary Owner:**

925 CAMINO DE LA REINA, STE A,  
SAN DIEGO, CA 92108

BEVERAGES & MORE INC **Premises Addr.:**Census Tract: 0093.07

**Business Name:** BEVMO **Geo Code:**3710

## License Number: 514374

**Status:**ACTIVE **License Type:**21 **Orig. Iss. Date:**08/30/2013 **Expir. Date:**07/31/2024 **Primary Owner:**

915 CAMINO DEL RIO S,  
SAN DIEGO, CA 92108

A S INVESTMENT LIMITED CORPORATION **Premises Addr.:**Census Tract: 0093.07 **Business Name:** M & V FOOD MART

**Geo Code:**3710

## License Number: 522372

ATTACHMENT 6

Status:ACTIVE License Type:21 Orig. Iss. Date:12/11/2012 Expir. Date:06/30/2024 Primary Owner:

1072 CAMINO DEL RIO N,  
SAN DIEGO, CA 92108

TRADER JOES COMPANY Premises Addr.:Census Tract: 0093.07 Business Name: TRADER JOES #222 Geo Code:3710

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## License Number: 365352

Status:ACTIVE License Type:21 Orig. Iss. Date:06/19/2000 Expir. Date:06/30/2024 Primary Owner:

2345 FENTON PKWY,  
SAN DIEGO, CA 92108

COSTCO WHOLESALE CORPORATION Premises Addr.:Census Tract: 0093.07 Business Name: COSTCO WHOLESALE 488

Geo Code:3710

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## License Number: 407758

Status:ACTIVE License Type:21 Orig. Iss. Date:06/18/2004 Expir. Date:02/29/2024 Primary Owner:

1288 CAMINO DEL RIO NO,  
SAN DIEGO, CA 92108-1511

TARGET CORPORATION Premises Addr.:Census Tract: 0093.07 Business Name: TARGET T1410 Geo Code:3710

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# ATTACHMENT 6

https://www.google.com/maps/place/925+Camino+De+La+Reina,+San+Diego,+CA+92108/@32.7675385,-117.1536036,590m/data=!3m1!1e3!4m6!3m5!1s0x80d9552144ccccb9:0x859c0b8052be1e0!8m2!3d32.7675092!4d-117.1551975!16s%2Fg%2F11b8v5jwbk?entry=ttu

Gmail YouTube Maps



**925 Camino De La Reina**  
Building

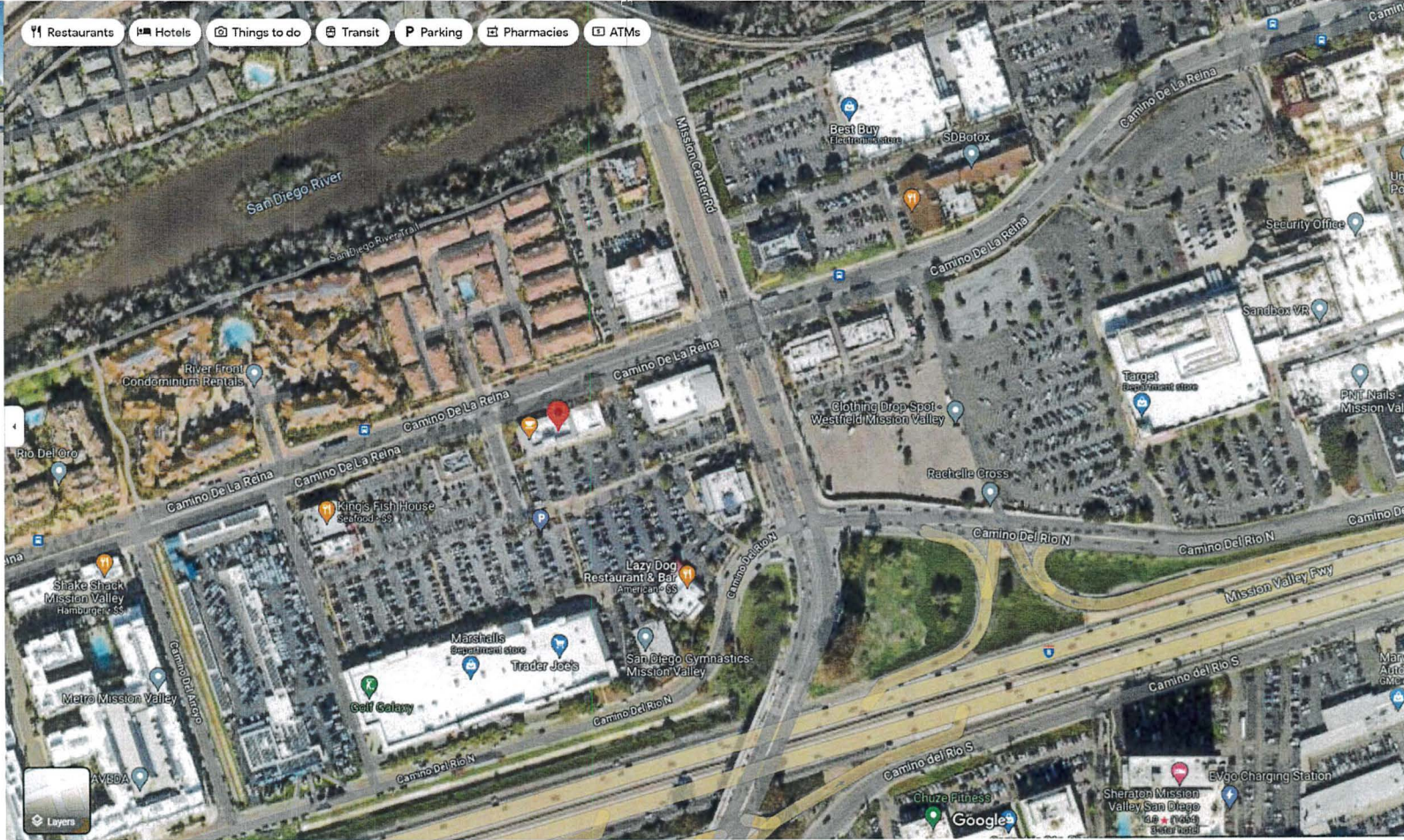
- Directions
- Save
- Nearby
- Send to phone
- Share

- 925 Camino De La Reina, San Diego, CA 92108
- Suggest an edit on 925 Camino De La Reina
- Add a missing place
- Add your business



**At this place**

**The Coffee Bean & Tea Leaf**  
4.4 ★★★★★ (701) \$  
Coffee shop Floor 1  
Open · Closes 9 PM







THE CITY OF SAN DIEGO

Date of Notice May 2, 2023

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24008979

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**PROJECT NAME/NUMBER:** BevMo CUP 1692487

**COMMUNITY PLAN AREA:** Mission Valley

**COUNCIL DISTRICTS:** 7

**LOCATION:** The project is located at 925 Camino de la Reina, San Diego, CA 92108

**PROJECT DESCRIPTION:** Conditional Use Permit (CUP) to amend CUP 6258. The amended permit would allow for the home delivery of alcohol at all hours except between the hours of 2a.m. - 6a.m. The amended permit would also allow all non-alcohol delivery services from the store 24 hours/day. The project is located at 925 Camino de la Reina and is within the EMX-1 zone and the Airport Influence Area (SDIA and Montgomery Field) and Fire Brush Management overlay zones within the Mission Valley Community Plan and Council District 7. No physical changes are being proposed to the building site and the store is located on a site that is currently developed with the public utilities in place to serve the facility.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego, Hearing Officer

**ENVIRONMENTAL DETERMINATION:** Section 15301 (Existing Facilities)

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego, Development Services Department

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The City of San Diego conducted an environmental review and determined that the project would qualify to be categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities). Section 15301 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. Since the project would only permit the delivery services which would not expand the use the exemption was deemed appropriate. The project is located on a developed site and no physical improvements are proposed. No environmental impacts were identified and none of the exceptions described in CEQA Guidelines Section 15300.2 apply.

**DEVELOPMENT PROJECT MANAGER:** Ollie Shepherd  
**MAILING ADDRESS:** 1222 First Avenue, MS 501, San Diego, CA 92101-4153  
**PHONE NUMBER/EMAIL:** (619) 446-5412/ oshepherd@sandiego.gov

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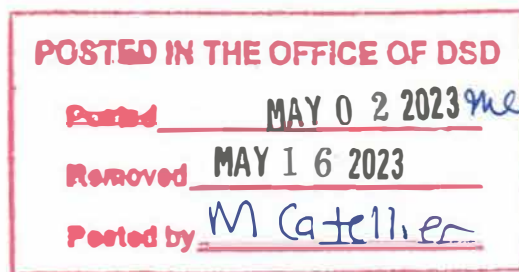
On May 2, 2023, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determinations made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice so the final day to file an appeal is May 16, 2023. Appeals to the City Clerk must be filed by email or in-person as follows:

- 1) Appeals filed via E-mail: The Environmental Determination Appeal Application Form DS-3031 can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031>. Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to [Hearings1@sandiego.gov](mailto:Hearings1@sandiego.gov) by 5:00p.m. on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked) before or on the final date of the appeal. Please include the project number on the memo line of the check.
- 2) Appeals filed in person: Environmental Determination Appeal Application Form DS-3031 can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>. Bring the fully completed appeal application DS-3031 (including grounds for appeal and supporting documentation) to the City Administration Building—Public Information Counter (Open 8:00am to 5:00pm Monday through Friday excluding City-approved holidays), 1st Floor Lobby, located at 202 C Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The completed appeal form shall include the required appeal fee, with a check payable to: City Treasurer.

The appeal application can also be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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



JUL 16, 2002 11:33 AM

RECORDERING REQUESTED BY  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
DEPARTMENT

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
GREGORY J. SMITH, COUNTY RECORDER  
FEES: 25.00

WHEN RECORDED MAIL TO  
PERMIT INTAKE  
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-0396

CONDITIONAL USE PERMIT NUMBER 6258  
**BEVERAGES & MORE! - PROJECT NUMBER 3801**  
HEARING OFFICER

This Permit, is granted by the HEARING OFFICER of the City of San Diego to BEVERAGES & MORE!, Owner and Permittee pursuant to the Land Development Code of the City of San Diego. The 15.33 acre site is located at 925 Camino de la Reina within the First San Diego River Improvement Project (FSDRIP) Specific Plan within the Mission Valley Planned District of the Mission Valley Community Plan. The project site is legally described as Lot 5, Map 4244 of Mission Valley Shopping Center.

Subject to the terms and conditions set forth in this permit, permission is granted to Owner and Permittee to sell alcoholic beverages for off-site consumption within an existing 6,680 square foot tenant space within the Mission Valley West Shopping Center described as, and identified by size, dimension, quantity, type and location on the approved Exhibits "A," dated July 10, 2002, on file in the Office of the Development Services Department. The facility shall include:

- a. A 6,680 square foot retail outlet to sell alcoholic beverages within an existing shopping center within the Mission Valley West Shopping Center;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking facilities;
- d. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted Community Plan, California Environmental Quality Act guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this permit, and any other applicable regulations of the Land Development Code in effect for this site.

1. Construction, grading or demolition must commence and be pursued in a diligent manner within 36 months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within 36 months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the Municipal/Land Development Code requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.

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2. 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 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.
3. Unless this permit has been revoked by the City of San Diego the property included by reference within this permit shall be used only for the purposes and under the terms and conditions set forth in this permit unless otherwise authorized by the City Manager.
4. This permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.
5. The utilization and continued use of this permit shall be subject to the regulations of this and any other applicable governmental agencies.
6. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and/or site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
7. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this discretionary permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded special rights which the holder of the Permit is obtaining as a result of this Permit. It is the intent of the City that the Owner of the property which is the subject of this Permit either utilize the property for any use allowed under the zoning and other restrictions which apply to the property or, in the alternative, that the Owner of the property be allowed the special and extraordinary rights conveyed by this Permit, but only if the Owner complies with all the conditions of the Permit.

In the event that 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 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.

**PLANNING/DESIGN REQUIREMENTS:**

8. The utilization of this Conditional Use Permit is contingent upon the subsequent approval, by the State of California Alcohol Beverage Control Board (ABC) of a license to sell alcohol at this location. The issuance of the Conditional Use Permit does not guarantee the granting of a license by the ABC to sell alcohol at this location.



9. The owner or operator of the alcohol beverage outlet 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.
10. Pool or billiard tables, football 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.
11. Exterior public pay phones that permit incoming calls are not permitted on the premises or adjacent public sidewalks within 100 feet of the alcohol beverage outlet.
12. 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.
13. The sign area for this project shall be in conformance with the Mission Valley First San Diego River Improvement Project (MVFSDRIP) Special Permit No. 96-7231, Exhibit "A" Proposed Site Sign Plan dated September 15, 1999.
14. The sign area pertaining to or referencing alcoholic sales or beverages shall not exceed 630 square inches.
15. 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.
16. 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, except for in-store educational tasting conducted by Beverages & More!"
17. The owner or operator of the alcoholic beverage outlet may conduct educational wine/beer tasting within the retail store.
18. The hours of operation shall be 10 a.m. to 7 p.m. on Sunday, 10 a.m. to 9 p.m. Monday through Friday, and 9 a.m. to 9 p.m. on Saturday. During the holiday season, the hours of operation may be extended.
19. The owner or operator shall list of a business address and telephone number in the Pacific Bell/San Diego telephone directory or other similarly distributed directory.
20. 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 retail outlet. 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.

21. 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.

22. Existing off-street parking, required by MVFSDRIP Special Permit No. 96-7231, shall be permanently maintained and not converted for any other use.

23. This Conditional Use Permit (CUP) shall expire and become void 20 years from the approval date of the Conditional Use Permit. The expiration date may be extended in accordance with LDC 141.0503(c)(7).

24. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

25. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

26. No merchandise, material or equipment shall be stored on the roof of any building.

#### INFORMATION ONLY

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

APPROVED by the Hearing Officer of the City of San Diego on July 10, 2002.

ALL-PURPOSE CERTIFICATE

Type/PTS Approval Number of Document Conditional  
Use Permit Number 6258/PTS 3801  
Date of Approval July 10, 2002

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

Kathy Henderson  
Kathy Henderson, Development Project Manager

On July 10, 2002 before me, Phillip D. Hill, (Notary Public), personally appeared Kathy Henderson, Development Project Manager of the Development Services Department of the City of San Diego, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Signature

Phillip D. Hill  
Phillip D. Hill



ALL-PURPOSE CERTIFICATE

OWNER(S)/PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED ~~OWNER(S)/PERMITTEE(S)~~, BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF ~~OWNER(S)/PERMITTEE(S)~~ THEREUNDER.

Signed S.R. McLaren Signed \_\_\_\_\_  
Typed Name S.R. McLaren Typed Name \_\_\_\_\_

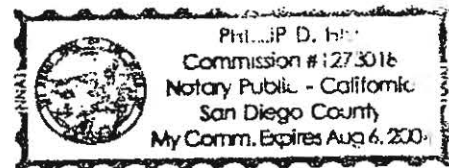
STATE OF CALIFORNIA Beverages & More!  
COUNTY OF SAN DIEGO

On July 10, 2002 before me, PHILLIP D. HILL (Name of Notary Public) personally appeared S.R. McLaren, personally known to me (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.

Signature

Phillip D. Hill



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HEARING OFFICER  
RESOLUTION NO. 4002  
CONDITIONAL USE PERMIT NUMBER 6258  
**BEVERAGES & MORE! - PROJECT NUMBER 3801**

WHEREAS, BEVERAGES & MORE!, Owner/Permittee, filed an application with the City of San Diego for a permit to sell alcoholic beverages for off-site consumption within an existing 6,680 square foot tenant space within the Mission Valley West Shopping Center as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 6258, on portions of a 15.33 acre site and;

WHEREAS, the project site is located at 925 Camino de la Reina within the First San Diego River Improvement Project (FSDRIP) Specific Plan within the Mission Valley Planned District of the Mission Valley Community Plan and;

WHEREAS, the project site is legally described as Lot 5, Map 4244 of Mission Valley Shopping Center and;

WHEREAS, on July 10, 2002, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 6258 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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

That the Hearing Officer adopts the following written Findings, dated July 10, 2002.

FINDINGS:

Findings for Conditional Use Permit Approval - Municipal Code Section 126.0305

- 1. The proposed development will not adversely affect the applicable land use plan;**

The project site is designated for multiple use within the Mission Valley Community Plan and is located in the First San Diego River Improvement Project (FSDRIP) Specific Plan. The retail outlet will be situated within an existing building within the Mission Valley West Shopping Center which was approved via FSDRIP Special Permit No. 96-7231 and is consistent with the permitted uses allowed in this permit. The proposed alcohol beverage retail outlet is consistent with the site's land use designation, design guidelines, and development standards in effect for the subject property per the adopted Mission Valley Community Plan and the City of San Diego's Progress Guide and General Plan.

- 2. The proposed development will not be detrimental to the public health, safety, and welfare;**

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The permit prepared for this project includes various conditions to achieve compliance with the regulations of the Land Development Code in effect for the project site determined by the Hearing Officer as necessary to avoid adverse impacts upon the health, safety, and general welfare of the persons residing or working in the area. Furthermore, the City's Environmental Analysis Section has reviewed the proposed retail outlet and issued an Environmental Exemption per CEQA Section 15301 for existing facilities.

**3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code;**

The proposed alcoholic beverage retail outlet will be located within the existing Mission Valley Shopping Center which was approved via FSDRIP Special Permit No. 96-7231. The project site is already developed and the only building permit required will be for tenant improvements. The proposed alcoholic beverage retail outlet, with the proposed tenant improvements, complies with all relevant regulations of the Land Development Code and will be in compliance with the conditions of the permit.

**4. The proposed use is appropriate at the proposed location.**

The proposed use is consistent with the adopted Mission Valley Community Plan, the First San Diego River Improvement Project (FSDRIP) Specific Plan, and the approved FSDRIP Special Permit No. 96-7231. Additionally, the Police Department has recommended approval. Therefore, the proposed alcoholic beverage retail outlet is an appropriate use at this location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 6258 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 6258, a copy of which is attached hereto and made a part hereof.



Kathy Henderson  
Development Project Manager  
Development Services

Adopted on: July 10, 2002

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**MINUTES OF THE REGULAR MEETING  
MISSION VALLEY PLANNING GROUP**

**ATTACHMENT 9**

**September 7, 2022**

Mission Valley Library 2123 Fenton Parkway

**Members Present** (full meeting):

Michele Addington, Kaye Durant, Rachel Erwin, Derek Hulse, Johnathan Frankel, Cory Hazlewood, Elizabeth Leventhal, Kathy McSherry, Andrew Michajlenko, Phil Ouellette, Darshan Patel, Mark Radelow, Colton Speas and Ryley Webb

**Members Present** (arrival noted in Minutes):

Steve Abbo, Pete Shearer and Josh Weiselberg

**Members Absent:**

Ken Callaway, David Doyle, Marissa Feliciano, Narayanan Perumal, Keith Pittsford, Michael Sherman

**City / Government Staff:**

none

**Guests:** See sign-in sheet

**A. Call to Order**

Johnathan Frankel called the regular meeting of the Mission Valley Planning Group (MVPG) to order at 12:03 pm

Quorum Verified:

- 14 members in attendance

**B. Opening Remarks/Introductions/Report of the Chair**

No opening remarks

**C. Approval of August 3, 2022, Meeting Minutes**

**Motion to approve** the minutes of the **August 3, 2022**, Regular Meeting was made by **Kaye Durant**, seconded by **Derek Hulse** and approved 10 / 0 (with 4 abstentions)

**For:** Addington, Durant, Erwin, Frankel, Hazlewood, Leventhal, Michajlenko, Radelow, Speas & Webb

**Against:** none

**Abstain:** Hulse, McSherry, Ouellette & Patel

**Members** Shearer and Weiselberg arrived during the following Agenda item.

**D. Public Input – Non-Agenda Items but within the authority of the planning group**

**Becky Rapp** – a Resident and Public Health worker – spoke regarding concerns around the city's efforts to change marijuana ordinances:

- Discussed upcoming meetings and proposed agenda
- Noted that out of 36 permits available only a few were available for social equity groups

**Kathleen Lippitt** – a Public Health worker (CCDFC) – also spoke regarding marijuana changes:

- Believes some changes were beneficial and others not so
- Concerned that community interests do not have a strong enough voice in this debate

#### E. Membership Committee – Michele Addington

**Michele Addington** reported:

- 1 vacancy in the taxpayer category
- Chair Frankel reminded the group of attendance rules / requirements:
  - bylaws indicate if you miss 3 consecutive meetings or 4 meetings in a calendar year you can be removed.

#### F. Treasurer’s Report – Michele Addington

- Current balance of \$1,344.16 - remains unchanged

#### G. Information Items

1. None

**Member** Abbo arrived at the beginning of the following Agenda item.

#### H. Action Items

1. 925(a) Camino De La Reina- Amendment of CUP #6258 (PTS #692487)

*Description: Amendment of CUP #6258 to permit alcohol delivery except between the hours of 2am – 6am and to permit non-alcohol delivery service 24 hours a day.*

**Dan Maroon** (Sheppard Mullin) & **James Lawson** (Presidio Public Affairs) speaking on behalf of Gopuff provided handouts of a presentation which they delivered:

- Gopuff is an app based delivery system who recently acquired BevMo
- Since acquisition, Gopuff is seeking the CUP amendment to allow for delivery of alcohol.
- No changes to store hours but limits to hours for alcohol delivery
- City has review application and has not challenged elements
- Requesting this group’s support

**Q:** What are driver requirements? **A:** Drivers have personal (age etc.) and delivery identification (consumer check) requirements

**Q:** Does alcohol include beer, wine, liquor? **A:** yes, same inventory as BevMo.

**Q:** How is Mission Valley serviced by Gopuff – why does this location need the exception? **A:** Expands delivery options for the community. Other locations are being requested as well.

**Q:** Is there a limit (amount available to order in a transaction)? **A:** Unknown but will find out. Imagine that it would be consistent with in-store purchase

**Q:** For clarity you are ONLY seeking amendment to the delivery conditions? All others remain the same? **A:** Yes and it may require a time extension to the permit.

**Q:** Are requested hours consistent across San Diego? **A:** Yes

**Q:** Will Gopuff inventory be available in-store at BevMo or are drivers picking up items at other locations? **A:** Back of house has items not available in store – store is warehouse.

**Q:** How many jobs have been created? **A:** Unsure – will have to follow up. Drivers are independent contractors.

**Motion to support** the proposal as presented was made by **Kaye Durant**, seconded by **Michele Addington** and approved 15 / 1 (with 1 abstention)

**For:** Addington, Durant, Erwin, Hulse, Frankel, Hazlewood, McSherry, Michajlenko, Ouellette, Patel, Radelow, Shearer, Speas, Webb, Weiselberg

**Against:** Leventhal

**Abstain:** Abbo

## 2. 2835 Camino Del Rio South Crosswalk Prioritization

*Description: Proposed action to support traffic calming measures, including a HAWK crosswalk, along Camino Del Rio South between Texas Street and Mission City Parkway, approximately 550 feet west of the I-805 overpass.*

**Spencer Andrews** (Public Affairs Director for Marsh & Ash) and **Phil Roth** (Roth Public Affairs) delivered a prepared presentation:

- Proposal to improve pedestrian access on Camino Del Rio South.
  - No crossing opportunities for pedestrians across Camino Del Rio South between Texas and 15 fwy
- **Marsh & Ash** (M&A) commissioned a Traffic Study
  - Report concluded there was a need for improved pedestrian access
- City approved and budgeted work consistent with the plan
- M&A are interested in ensuring this project happens this budget year (and isn't delayed)

**Q:** When M&A moved into the area in 2018 was there any pedestrian access? **A:** No, they built them

**Q:** Had we prioritized this in our infrastructure improvement list? **A:** No, we did not so we would now be altering our priorities to move this request higher than other things we have requested. This project has been elevated as an issue since the arrival of M&A. This item is already budgeted (would not financially bump another project). Current state is that the budget for this project is included in a "bucket" of other city-wide projects (AIL00001)

**Q:** Has this group ever written a similar "support letter"? **A:** Not aware of any 1-off request but our interests were prioritized in our city planning list. These were generally "large ticket" items that required their own budget. This is a different type of project.

**Q:** Could we examine the other projects in the "bucket" and would we want to support any other projects? **A:** The level of detail available about projects in the "bucket" is not clear. This project is anticipated to be under \$250K (relatively small for city projects) which is why it's held with other, similar projects

**Q:** Has the design work been done for this project? **A:** To M&A's knowledge no – just the proposed design provided by M&A

**Q:** What was the time window of the traffic study? **A:** The study was conducted over a 4-hour period. Customers and employees of M&A as well as Seafood often cross in this area

**Q:** How many parking spots on the M&A property? **A:** Exact number unclear but it exceeds parking requirements for this business (~15+25) but their employee population is large due to delivery etc. – 60–70 employees at this location

**Q:** Is there a way for M&A to cover the costs and pull their own permits. **A:** They tried but the city was not prepared to discuss this. – **Comment:** Private entity request should be included in letter.

**Q:** Does project budget for these kinds of things roll-over to a new budget year? **A:** Not clearly known – it may include elements or not

**Comment:** Earlier (similar) projects were budgeted for many years before they were executed.

**Comment:** Underscore the importance of the Public/Private projects and request that any letter include ALL prioritized pedestrian projects for Mission Valley – **Add'l Comment:** concerns that broadening the letter might diminish the importance of this particular project

**Q:** Can we find out what other Mission Valley projects are included in the bucket? **A:** M&A doesn't have insight into this

**Motion to approve** directing Chair Frankel to draft a letter (which will be reviewed in our next meeting) in support of prioritizing this project, seeking add'l information about what other items are in the "bucket" and underscoring concerns about why the Public/Private elements discussed in the meeting didn't work was made by **Pete Shearer**, seconded by **Derek Hulse** and unanimously approved 17 / 0

**For:** Abbo, Addington, Durant, Erwin, Hulse, Frankel, Hazlewood, Leventhal, McSherry, Michajlenko, Ouellette, Patel, Radelow, Shearer, Speas, Webb, Weiselberg

**Against:** none

**Abstain:** none

### I. Committee/Community Reports:

#### 1. Subcommittee Reports:

##### a. Standing Committees:

##### 1) Design Advisory Board – Andrew Michajlenko

No meeting last month – no pending applications

##### b. Ad Hoc Committees

##### 1) Public Health, Safety and Welfare – Elizabeth Leventhal

Panel on The Politics of Homelessness will be held on Oct 8<sup>th</sup> at USD (flyer attached)

##### 2) MV Stadium Redevelopment – Kaye Durant

Opening last weekend was a success despite heat/sun

Every other game this year is at night

#### 2. Community Reports

##### a. Community Planning Chairs (CPC) Meeting – Michele Addington

No Aug meeting

Still waiting for code language

Anticipating amendments

624 (Council policy governing Community groups) going through city council this month

### Informational comments from Pete Shearer regarding the Riverwalk Project

- Formal groundbreaking on Sept 21 at 9:30 – all are invited
- Starting work on Friars Rd removing trees (2 to 3 weeks)
  - 1 lane will be closed
- County Supervisors released a finding of trail access across Mission Valley today
  - Efforts to unite access to SD River Walk

### J. Adjournment: Meeting was adjourned at 12:58 pm

Next Regular Meeting Date – Wednesday, October 5, 2022 at 12PM at the Mission Valley Library.

	<b>City of San Diego Development Services</b> 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<b>FORM DS-318</b>  <b>October 2017</b>
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**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** Amend CUP 6258

**Project Title:** CUP amendment **Project No. For City Use Only:** \_\_\_\_\_

**Project Address:** 925a Camino de la Reina

**Specify Form of Ownership/Legal Status (please check):**

Corporation  Limited Liability -or-  General – What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_  
 Partnership  Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. 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.

**Property Owner**

Name of Individual: Andres Ripa - GM for Westfield Mission Valley ShoppingTown  Owner  Tenant/Lessee  Successor Agency

Street Address: 1640 Camino De Rio North, Suite 351

City: San Diego State: CA Zip: 92108

Phone No.: 619.895.6058 Fax No.: \_\_\_\_\_ Email: andres.ripa@urw.com

Signature: \_\_\_\_\_ Date: 5.11.21

Additional pages Attached:  Yes  No

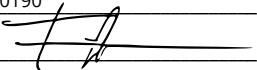
**Applicant**

Name of Individual: Tim Alborg, Beverages & More, Inc, dba BevMo!  Owner  Tenant/Lessee  Successor Agency

Street Address: 537 N 3rd Street

City: Philadelphia State: PA Zip: 19123

Phone No.: 770-595-0190 Fax No.: \_\_\_\_\_ Email: tim.alborg@gopuff.com

Signature:  Date: 5/24/21

Additional pages Attached:  Yes  No

**Other Financially Interested Persons**

Name of Individual: \_\_\_\_\_  Owner  Tenant/Lessee  Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Additional pages Attached:  Yes  No



MISSION VALLEY SHOPPINGTOWN, LLC,  
a Delaware limited liability company

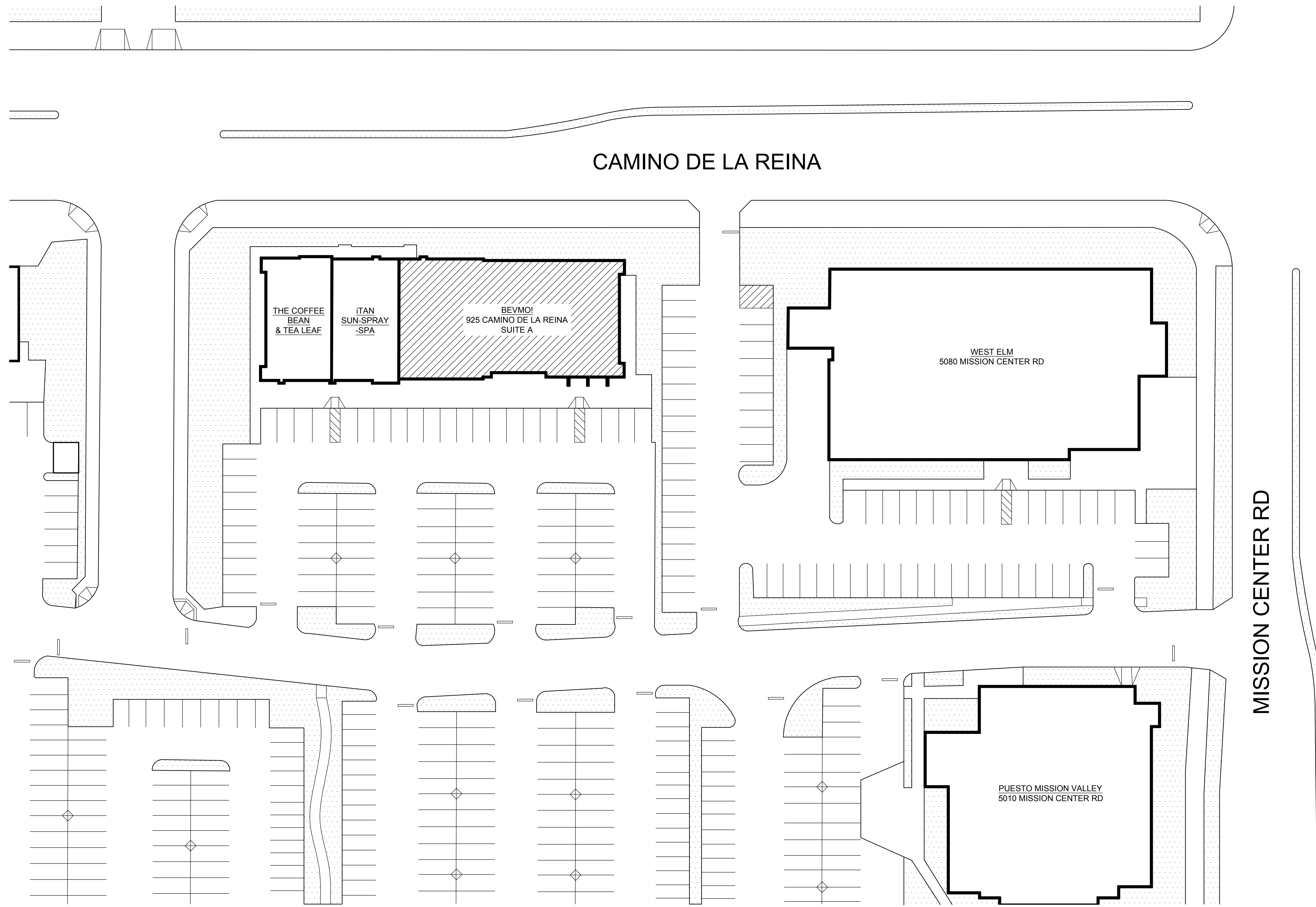
By: Westfield Property Management LLC,  
a Delaware limited liability company,  
in its capacity as agent for Landlord

By: Andres Ripa

Print Name: Andres Ripa

Its: General Manager





925 CAMINO DE LA REINA, SUITE A  
SAN DIEGO, CALIFORNIA 92108

DEVELOPMENT SUMMARY:	
REFERENCE PERMIT #	#6258
BevMo! ADDRESS	925 CAMINO DE LA REINA, SUITE A SAN DIEGO, CALIFORNIA 92108
PROJECT TEAM:	AMI SHAH - 630.926.5898
LEGAL DESCRIPTION	LOT 5*19.82 AC M/L IN1
ASSESSOR PARCEL #	4380204200
OWNER NAME	MISSION VALLEY SHOPPINGTOWN LLC
OWNER ADDRESS	2049 CENTURY PARK EAST, 41ST FLOOR LOS ANGELES, CALIFORNIA 90067
CONSTRUCTION TYPE	V-B (FULLY SPRINKLERED)
OCCUPANCY CLASSIFICATION	MERCANTILE
ZONING DESIGNATION	EMX-1
FLOOR AREA	+/- 6,680 SQFT
EXISTING USE	LIQUOR STORE
PROPOSED USE	LIQUOR STORE
YEAR CONSTRUCTED	1998

**PROJECT DESCRIPTION:**  
 APPLICANT REQUESTS AN EXTENSION OF TIME OF THE TERM CONTAINED IN CONDITION 23 OF CONDITIONAL USE PERMIT #6258 TO ALLOW FOR THE CONTINUED OPERATION OF THE EXISTING BEVMO! FACILITY. ADDITIONALLY, THE APPLICANT REQUESTS TO AMEND CONDITION 18 OF THE CONDITIONAL USE PERMIT #6258 TO ALLOW FOR THE DELIVERY OF ALCOHOLIC BEVERAGES BETWEEN 6AM-2AM AND THE DELIVERY OF ALL OTHER PRODUCTS 24/7. PLEASE NOTE THAT THE APPLICANT IS NOT REQUESTING TO AMEND THE PREVIOUSLY APPROVED IN-STORE RETAIL HOURS.

