



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: May 6, 2026 REPORT NO. HO-26-026

HEARING DATE: May 20, 2026

SUBJECT: 2765 FIFTH AVENUE, Process Three Decision

PROJECT NUMBER: [PRJ-1141658](#)

OWNER/APPLICANT: Nutmeg and Olive, LLC, Owner / Winship & Friedrichs, APC, Applicant

SUMMARY:

Issue: Should the Hearing Officer approve a Conditional Use Permit to allow an alcoholic beverage outlet within an existing 1,991-square-foot ground-floor commercial space within an existing 20-story, residential/commercial mixed-use building at 2765 Fifth Avenue within the Uptown Community Plan?

Proposed Actions: Approve Conditional Use Permit No. PMT-3376347.

Fiscal Considerations: All costs associated with this action are recovered through a deposit account funded by the applicant.

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

Community Planning Group Recommendation: On November 18, 2025, the Uptown Community Group voted 12-0-0 to approve the project without conditions.

Environmental Review: The project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15061(b)(3) and Section 15301 (Existing Facilities). The environmental determination for the project was made on March 9, 2026, and the opportunity to appeal that determination ended on March 23, 2026 (Attachment 7). There were no appeals of the environmental determination.

BACKGROUND

The 0.61-acre site is located at 2765 Fifth Avenue in the CC-3-9 (Commercial – Community) and RM-4-10 (Residential – Multiple Unit) zones, a Sustainable Development Area, the Airport Land Use Compatibility Overlay Zone (Naval Air Station North Island [NASNI] and San Diego International Airport, the Community Plan Implementation Overlay Zone (CPIOZ) for Bankers Hill and Park West,

the Transit Area Overlay Zone, the Parking Standards Transit Priority Area, the Transit Priority Area, the Airport Influence Area (NASNI and SDIA - Review Area 2), FAA Part 77 Notification Overlay Zone (NASNI and SDIA), and a Very High Fire Hazard Severity Zone within the Uptown Community Plan (Community Plan). The project site is located in the Bankers Hill neighborhood, and adjacent uses include Balboa Park to the east, commercial and residential uses to the west, a church to the south, and commercial uses to the north (Attachment 3).

The project site is governed by a Site Development Permit, Neighborhood Development Permit, and the Vesting Tentative Map that was approved under Project No. 591198. The project site is fully developed, and there is no new development associated with this Conditional Use Permit application.

DISCUSSION

This project requests a Conditional Use Permit (CUP) to allow the sale of alcoholic beverages for a cafe and market through the issuance of a State Department of Alcoholic Beverage Control (ABC) Type 21 License. The project site is a 1,991-square-foot ground-floor commercial space in an existing 20-story mixed-use residential/commercial building in the Bankers Hill neighborhood.

Pursuant to SDMC Section 141.0502(b), alcoholic beverage outlets are permitted as a limited use provided they are not within 100 feet of a residentially zoned property, or within 600 feet of a public or private accredited school, a public park, a playground or recreational area, a church, a hospital, or a San Diego County welfare district office. Proposals for alcoholic beverage outlets that do not comply with the regulations in SDMC Section 141.0502(b) may be permitted with a CUP in accordance with a Process Three decision subject to the regulations in SDMC Section 141.0502(c). A recommendation is also required from the San Diego Police Department (SDPD).

The proposed project requires a CUP because the project site does not meet the location criteria set forth 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 located within Census Tract No. 60.00, which reported a crime rate of 137.4 percent of the citywide average, according to SDPD statistics. This is 37.4 percent higher than the city-wide average. Therefore, the project 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. 60.00, which allows two (2) off-sale ABC licenses under California Business and Professions Code Section 23958.4. Currently, there are two (2) off-sale ABC licenses in Census Tract 60.00 and the project would increase the number of licenses to three (3). Therefore, the project requires a CUP.
3. **In an adopted Redevelopment Project Area.** The project site is not located within an adopted redevelopment project area.

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 27 feet from St. Paul's Episcopal Cathedral (south), and 286 feet from Balboa Park (east). Therefore, the project requires a CUP.
5. **Within 100 feet of residentially zoned property.** The project site is located within 100 feet of residentially zoned properties. Therefore, the project requires a CUP.

The project has been reviewed by the SDPD and the Development Services Department (DSD) for compliance with applicable development regulations and land-use policies. City staff supports the project at this location due to the site's commercial nature within a vibrant mixed-use neighborhood. The project is compatible with the allowed uses within the CC-3-9 and RM-4-10 zones and supports land uses (Community Commercial and Residential - Very High Density) that are consistent with the Community Plan. The project also aligns with the goals of the Economic Prosperity Element of the Community Plan, including supporting a diverse mix of businesses that provide a variety of goods and services, and the establishment of vibrant neighborhood commercial districts where residents purchase a significant share of their basic needs and services from within the community.

Additionally, staff and the SDPD have concluded that if the permit and ABC license were appropriately conditioned, the project would not adversely affect the surrounding neighborhood or the public health, safety, or welfare. Staff and the SDPD support a 20-year CUP based on the project analysis and the SDPD conditions and recommendations. The permit includes requirements that address the hours of operation, that certain alcoholic beverages must be sold in manufacturer-prepackaged multi-unit quantities, that video surveillance be recorded and available to law enforcement upon request, that litter and unauthorized graffiti be removed promptly, and that employees selling alcohol must be trained in ABC regulations.

Required Actions

A Process 3 Conditional Use Permit is required per SDMC Section 141.0502(c) for a proposed alcoholic beverage outlet that does not comply with regulations in SDMC Section 141.0502(b). The decision to approve, conditionally approve, or deny the project shall be made by the Hearing Officer, and the decision is appealable to the Planning Commission.

Conclusion:

Staff has reviewed the proposal, including all issues identified during the review process, and has determined that all project issues have been addressed. The project conforms with the Community Plan, adopted City Council policies, and the Land Development Code regulations. Therefore, draft findings and conditions to support project approval are presented to the Hearing Officer for consideration. Staff recommends approval of this item.

ALTERNATIVES

1. Approve Conditional Use Permit No. PMT-3376347, with modifications.
2. Deny Conditional Use Permit No. PMT-3376347, if the findings required to approve the project cannot be affirmed.

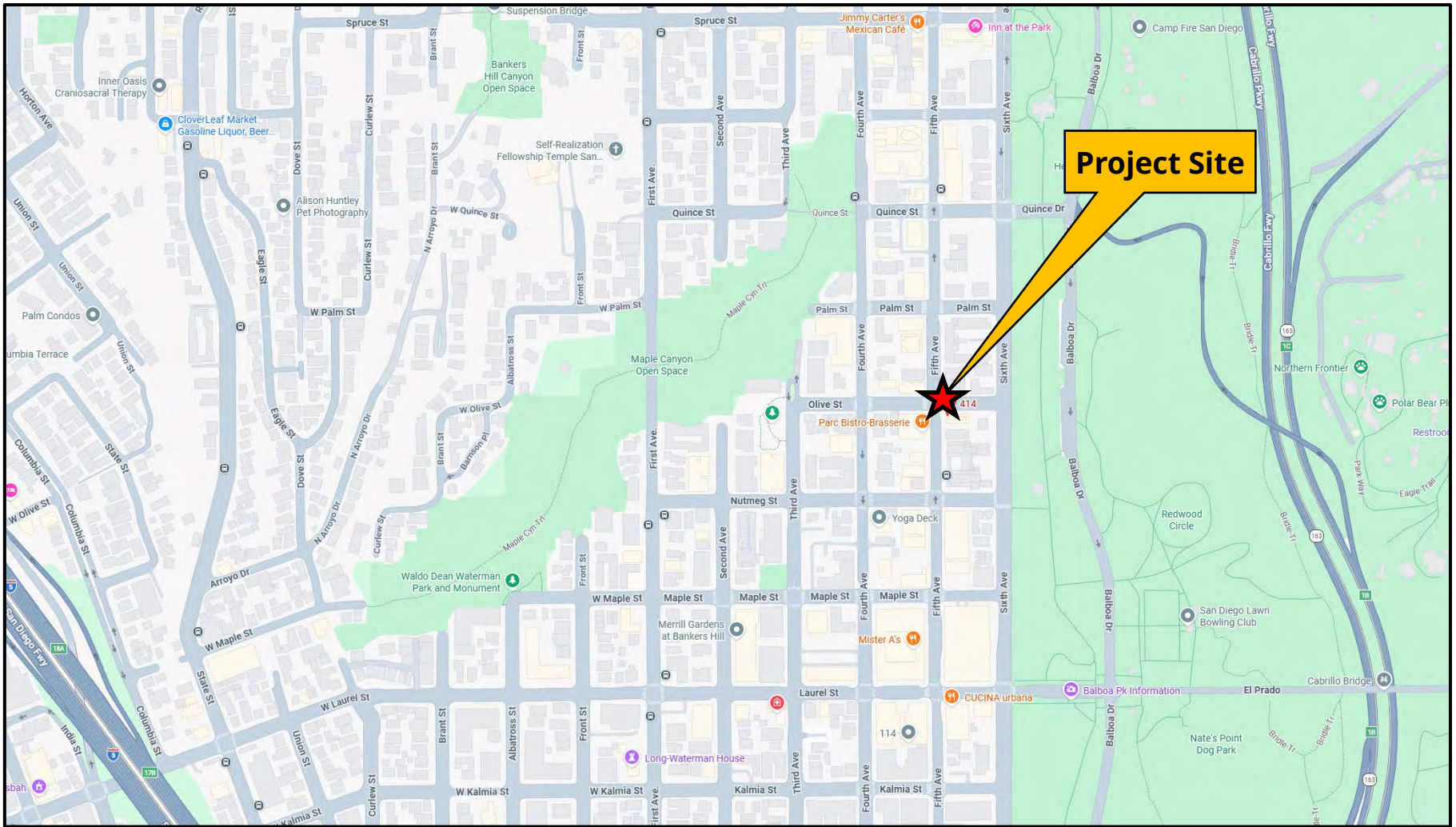
Respectfully submitted,



Blake Sonuga, Development Project Manager

Attachments:

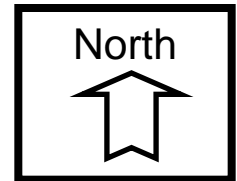
1. Project Location Map
2. Aerial Photograph
3. Community Plan Land Use Map
4. Draft Development Permit Resolution with Findings
5. Draft Development Permit Conditions
6. SDPD Recommendation
7. Notice of Right to Appeal (NORA)
8. Community Planning Group Vote
9. Ownership Disclosure Statement
10. Project Plans



Project Location Map

2765 Fifth Avenue

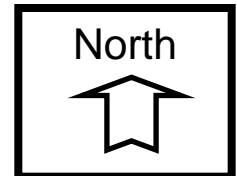
PRJ-1141658: 2765 Fifth Avenue





Aerial Photograph

2765 Fifth Avenue
PRJ-1141658: 2765 Fifth Avenue



Uptown Community Land Use Plan

Legend

- Existing Noise Contours (CNEL)
- Residential**
 - Residential - Low : 5-9 Du/Ac
 - Residential - Low Medium : 10-15 Du/Ac
 - Residential - Medium : 16-29 Du/Ac
 - Residential - Medium High : 30-44 Du/Ac
 - Residential - High : 45-73 Du/Ac
 - Residential - Very High : 74-109 Du/Ac
- Commercial, Employment, Retail, and Services**
 - Community Commercial : 0-29 Du/Ac
 - Community Commercial : 0-44 Du/Ac
 - Community Commercial : 0-73 Du/Ac
 - Community Commercial : 0-109 Du/Ac**
 - Neighborhood Commercial : 0-15 Du/Ac
 - Neighborhood Commercial : 0-29 Du/Ac
 - Neighborhood Commercial : 0-44 Du/Ac
 - Neighborhood Commercial : 0-73 Du/Ac
 - Office Commercial : 0-29 Du/Ac
 - Office Commercial : 0-44 Du/Ac
 - Office Commercial : 0-73 Du/Ac
 - Office Commercial : 0-109 Du/Ac
- Park, Open Space**
 - Open Space
 - Park
- Institutional**
 - Institutional
 - Community Plan Boundary



Project Site

SanGIS

Figure 1

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Land Use Map
 2765 Fifth Avenue
 PRJ-1141658: 2765 Fifth Avenue

HEARING OFFICER RESOLUTION NUMBER _____

CONDITIONAL USE PERMIT NO. PMT-3376347

PRJ-1141658: 2765 FIFTH AVENUE

RECITALS

The Hearing Officer of the City of San Diego adopts this Resolution based on the following:

- A. NUTMEG AND OLIVE, LLC, a Delaware limited liability company, Owner/Permittee, Owner, submitted an application to the City of San Diego for Conditional Use Permit No. PMT-3376347 to operate an alcoholic beverage outlet subject to the City's land use regulations (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval) for the 2765 Fifth Avenue project (Project).
- B. The 0.61-acre site is located at 2765 Fifth Avenue in the CC-3-9 (Commercial – Community) and RM-4-10 (Residential – Multiple Unit) zones, a Sustainable Development Area, the Airport Land Use Compatibility Overlay Zone (Naval Air Station North Island [NASNI] and San Diego International Airport, the Community Plan Implementation Overlay Zone (CPIOZ) for Bankers Hill and Park West, the Transit Area Overlay Zone, the Parking Standards Transit Priority Area, the Transit Priority Area, the Airport Influence Area (NASNI and SDIA - Review Area 2 FAA Part 77 Notification Overlay Zone (NASNI and SDIA), and a Very High Fire Hazard Severity Zone within the Uptown Community Plan (Community Plan). The project site is legally described as: The Commercial Unit of Lot 1 of 6th and Olive, as per Map No. 16494, filed December 28, 2021 as Document No. 2021-7000530 ("Parcel Map") in the Official Records of San Diego County ("Official Records"), as such Commercial Unit is shown on the 6th and Olive Tower Condominiums Condominium Plan, recorded on: June 21, 2022, as Document No. 2022-0256523 in the Official Records, as amended from time to time ("Condominium Plan") and as said Commercial Unit is defined in the Declaration of Covenants, Conditions and Restrictions and Establishment of Easements for 6th and Olive Tower

Condominiums, recorded on June 21, 2022 as Document No. 2022-0256524 in the Official Records, as amended or supplemented from time to time ("Declaration").

On March 9, 2026, 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 15061(b)(3), Common Sense Exemption, and 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.

C. On May 20, 2026, the Hearing Officer considered Conditional Use Permit No. PMT-3376347, pursuant to the Land Development Code of the City of San Diego,

ACTION ITEMS

Be it resolved by the Hearing Officer of the City of San Diego:

1. The Hearing Officer adopts the following findings with respect to Conditional Use Permit No. PMT-3376347:

A. CONDITIONAL USE PERMIT [San Diego Municipal Code Section 126.0305]

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

This project requests a Conditional Use Permit (CUP) to allow the sale of alcoholic beverages for a cafe and market through the issuance of a State Department of Alcoholic Beverage Control (ABC) Type 21 License. The project site is a 1,991-square-foot ground-floor commercial space in an existing 20-story mixed-use residential/commercial building in the Bankers Hill neighborhood.

The project has been reviewed by the SDPD and the Development Services Department (DSD) for compliance with the applicable land use plan's development regulations and land-use policies. City staff supports the project at this location due to the site's commercial nature within a vibrant mixed-use neighborhood. The project is compatible with the allowed uses within the CC-3-9 and RM-4-10 zones and supports land uses (Community Commercial and Residential - Very High Density) that are consistent with the Community Plan. The project also aligns with the goals of the Economic Prosperity Element of the Community Plan, including supporting a

diverse mix of businesses that provide a variety of goods and services, and the establishment of vibrant neighborhood commercial districts where residents purchase a significant share of their basic needs and services from within the community.

Therefore, the project will not adversely affect the applicable land use plan.

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

The project is a Conditional Use Permit (CUP) to allow the sale of alcoholic beverages at a cafe and market, subject to the issuance of a State Department of Alcoholic Beverage Control (ABC) Type 21 License. The project site is located in a 1,991-square-foot ground-floor commercial space located within an existing 20-story mixed-use residential/commercial building in the Uptown Community Plan (Community Plan) area.

Pursuant to SDMC Section 141.0502(b), alcoholic beverage outlets are not permitted as a limited use within 100 feet of a residentially zoned property, or within 600 feet of a public or private accredited school, a public park, a playground or recreational area, a church, a hospital, or a San Diego County welfare district office. Proposals for alcoholic beverage outlets that do not comply with the regulations in SDMC Section 141.0502(b) may be permitted with a Conditional Use Permit in accordance with a Process Three-level decision subject to the regulations in SDMC Section 141.0502(c). A recommendation is also required from the San Diego Police Department (SDPD).

The site is in Census Tract No. 60.00, which, according to the California Department of Alcoholic and Beverage Control database, allows for two (2) off-sale ABC licenses. Currently, there are two (2) existing off-sale ABC licenses in Census Tract 60.00 and the project would increase the number of licenses to three (3). Therefore, the project requires a CUP to allow the alcohol beverage outlet where the ratio of alcohol beverage outlets exceeds the standards established by California Business and Professions Code section 23958.4.

Staff and the SDPD have concluded that if the permit and ABC license were appropriately conditioned, the project would not have an adverse impact on the surrounding neighborhood or public health, safety, and welfare. Staff supports the project based on the project analysis and the SDPD conditions and recommendations. The permit includes requirements that address the hours of operation, the certain alcoholic beverages must be sold in manufacturer-prepackaged multi-unit quantities, that video surveillance be recorded and available to law enforcement upon request, that litter and unauthorized graffiti be removed promptly, and that employees selling alcohol be trained in ABC regulations, and parking and lighting. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

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

Pursuant to SDMC Section 141.0502(b), alcoholic beverage outlets are permitted as a limited use provided they are not within 100 feet of a residentially zoned property, or within 600 feet of a public or private accredited school, a public park, a playground or recreational area, a church, a hospital, or a San Diego County welfare district office. Proposals for alcoholic beverage outlets that do not comply with the regulations in SDMC Section 141.0502(b) may be permitted with a CUP in accordance with a Process Three decision, subject to the regulations in SDMC Section 141.0502(c). A recommendation is also required from the San Diego Police Department (SDPD).

The proposed project requires a CUP because the project site does not meet the location criteria set forth 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 located within Census Tract No. 60.00, which reported a crime rate of 137.4 percent of the citywide average, according to SDPD statistics. This is 37.4 percent higher than the city-wide average. Therefore, the project 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. 60.00, which allows two (2) off-sale ABC licenses under California Business and Professions Code Section 23958.4. Currently, there are two (2) off-sale ABC licenses in Census Tract 60.00, and the project would increase the number of licenses to three (3). Therefore, the project requires a CUP.
3. **In an adopted Redevelopment Project Area.** The project site is not located within an adopted redevelopment project area.
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 27 feet from St. Paul's Episcopal Cathedral (south) and 286 feet from Balboa Park (east). Therefore, the project requires a CUP.
5. **Within 100 feet of residentially zoned property.** The project site is located within 100 feet of residentially zoned properties. Therefore, the project requires a CUP.

Staff and SDPD have concluded that if the permit and ABC license were appropriately conditioned, then the project would not have an adverse impact on the surrounding neighborhood. The SDPD has provided conditions that address the hours of operation, that certain alcoholic beverages must be sold in manufacturer-prepackaged multi-unit quantities, that video surveillance shall be recorded and available to law enforcement upon request, that litter and any unauthorized graffiti will be removed promptly, and that employees selling alcohol must be trained in ABC regulations.

The project is also compatible with the allowed uses within the CC-3-9 and RM-4-10 zones. Staff supports the project at this location due to the commercial nature of the site within a vibrant residential/commercial mixed-use neighborhood. Therefore, the proposed development will comply with the regulations of the Land Development Code.

IV. The proposed use is appropriate at the proposed location.

The project site is located in a 1,991-square-foot ground-floor commercial space within an existing 20-story mixed-use residential/commercial building at 2765 Fifth Avenue in the Uptown Community Plan (Community Plan) area. The project is also compatible with the allowed uses within the CC-3-9 and RM-4-10 zones. Staff supports the project at this location due to the commercial nature of the site within a vibrant residential/commercial mixed-use neighborhood.

The Community Plan designates the site as Community Commercial and Residential - Very High Density (110-218 dwelling units/acre), and the project supports land uses that are consistent with the Community Plan. The project also conforms with the goals of the Economic Prosperity Element of the Community Plan, including supporting a diverse mix of businesses that provide a variety of goods and services, and the establishment of vibrant neighborhood commercial districts where residents purchase a significant share of their basic needs and services from within the community (Page EP-126).

Additionally, staff and SDPD have concluded that if the permit and ABC license were appropriately conditioned, then the project would not have an adverse impact on the surrounding neighborhood. The SDPD has provided conditions that address the hours of operation, that certain alcoholic beverages be sold in manufacturer-prepackaged multi-unit quantities, that video surveillance be recorded and available to law enforcement upon request, that litter and any unauthorized graffiti will be removed promptly, and that employees selling alcohol must be trained in ABC regulations. Therefore, the proposed use is appropriate at the proposed location.

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

3. Based on these findings adopted by the Hearing Officer, Conditional Use Permit No. PMT-3376347 is 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. PMT-3376347, a copy of which is attached to and made a part of this Resolution by this reference.

Blake Sonuga
Development Project Manager
Development Services

Adopted on May 20, 2026
IO#: 24010379

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: 24010379

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. PMT-3376347

PRJ-1141658: 2765 FIFTH AVENUE

HEARING OFFICER

This Conditional Use Permit No. PMT-3376347 is granted by the Hearing Officer of the City of San Diego to NUTMEG AND OLIVE, LLC, a Delaware Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code (SDMC) section 126.0303. The 0.61-acre site is located at 2765 Fifth Avenue in the CC-3-9 (Commercial – Community) and RM-4-10 (Residential – Multiple Unit) zones, a Sustainable Development Area, the Airport Land Use Compatibility Overlay Zone (Naval Air Station North Island [NASNI] and San Diego International Airport, the Community Plan Implementation Overlay Zone (CPIOZ) for Bankers Hill and Park West, the Transit Area Overlay Zone, the Parking Standards Transit Priority Area, the Transit Priority Area, the Airport Influence Area (NASNI and SDIA - Review Area 2 FAA Part 77 Notification Overlay Zone (NASNI and SDIA), and a Very High Fire Hazard Severity Zone within the Uptown Community Plan (Community Plan). The project site is legally described as The Commercial Unit of Lot 1 of 6th and Olive, as per Map No. 16494, filed December 28, 2021 as Document No. 2021-7000530 ("Parcel Map") in the Official Records of San Diego County ("Official Records"), as such Commercial Unit is shown on the 6th and Olive Tower Condominiums Condominium Plan, recorded on June 21, 2022, as Document No 2022-0256523 in the Official Records, as amended from time to time ("Condominium Plan") and as said Commercial Unit is defined in the Declaration of Covenants, Conditions and Restrictions and Establishment of Easements for 6th and Olive Tower Condominiums, recorded on June 21, 2022 as Document No. 2022-0256524 in the Official Records, as amended or supplemented from time to time ("Declaration").

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/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 May 20, 2026, on file in the Development Services Department.

The project shall include:

- a. An alcoholic beverage outlet (Type 21 ABC License) within an existing 1,991-square-foot commercial space (Suite 10) on the ground level of an existing 20-story, mixed-use development; and
- b. 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 June 4, 2029.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on June 4, 2049. 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 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 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 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.

PLANNING/DESIGN REQUIREMENTS:

13. 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.

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.

17. 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.

18. 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.

19. 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:

20. Alcohol sales may begin at 6 a.m. and must end by midnight, each day of the week. Alcohol sales are prohibited between midnight and 6 a.m.

21. Beer, malt beverage products, or wine cooler products, regardless of container size, must be sold in manufacturer-prepackaged multi-unit quantities, no singles.

22. Video surveillance shall be 24/7 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 21 days, absent a request from law enforcement.

23. Litter and any unauthorized graffiti will be removed promptly.

24. Employees responsible for alcohol sales are trained in ABC regulations (LEAD/RBS), 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 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 Hearing Officer of the City of San Diego on May 20, 2026, and [Approved Resolution Number]

Conditional Use Permit No. PMT-3376347
May 20, 2026

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.

**NUTMEG AND OLIVE, LLC
OWNER/PERMITTEE**

By _____
Kenneth Tranbarger
Manager

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

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

PREMISE ADDRESS: 2765 5th Avenue #10, San Diego, CA 92103

TYPE OF BUSINESS: Liquor store/Bodega

FEDERAL CENSUS TRACT: 60.00

NUMBER OF ALCOHOL LICENSES ALLOWED: 2

NUMBER OF ALCOHOL LICENSES EXISTING: 2 (At Concentration)

CRIME RATE IN THIS CENSUS TRACT: 137.4%
(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 60.00. The reported crime rate for 2024 within Census Tract 60.00 was 137.4% and the alcohol crime rate was 69.64%.

There are two incompatible facilities within 600 feet of the location. St Pauls Episcopal Cathedral is 27 feet from the location. Balboa Park is 286 feet from the location.

The San Diego Police Department agrees with the issuance of a CUP for the Off-Sale of alcohol, Type 21 alcohol license, at this location.

SUGGESTED CONDITIONS:

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

1. The sale of alcoholic beverages shall be permitted only between the hours of 6AM to Midnight each day of the week.
2. Beer, malt beverage products, or wine cooler products, regardless of container size, must be sold in manufacturer pre-packaged multi-unit quantities. No singles.
3. 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.
4. Litter and any unauthorized graffiti will be removed promptly.

1025 MFG

5. Employees responsible for alcohol sales are trained in ABC regulations (LEAD/RBS), 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

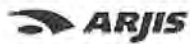
DENY

Benjamin McCurry
Name of SDPD Vice Sergeant (Print)

619-531-2973
Telephone Number

Ben McCurry
Signature of SDPD Vice Sergeant

10-22-25
Date of Review


ABC Report - SDPD

Agency: SAN DIEGO

Group by: Census Tract

Prior Report Number: B98S328R

Total Part 1 Crime and Part 2 Arrest for Agency: 54,633

Total Census Tract: 381

Average Total per Census Tract: 143.4

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

	Census Tract	Totals	% Average by Census Tract
121	005802	315	219.7%*
122	005900	157	109.5%
123	006000	197	137.4%*
124	006100	107	74.6%
125	006200	22	15.3%
126	006300	-13	-9.1%
127	006500	1,785	1,244.8%*
128	006600	193	134.6%*
129	006801	107	74.6%
130	006802	503	350.8%*
131	006900	100	69.7%
132	007002	38	26.5%
133	007100	67	46.7%
134	007200	84	58.6%
135	007302	28	19.5%
136	007303	31	21.6%
137	007304	84	58.6%
138	007401	68	47.4%
139	007402	91	63.5%
140	007501	429	299.2%*
141	007502	494	344.5%*
142	007601	634	442.1%*
143	007602	216	150.6%*
144	007701	132	92.1%
145	007702	92	64.2%
146	007800	279	194.6%*
147	007905	279	194.6%*
148	007907	128	89.3%
149	007908	100	69.7%
150	007910	681	474.9%*

San Diego Police Department
Alcohol Arrests & Cites - By Census Tract
(Excluding Unknown Tracts)
January to December 2024

2020 Census Tract	Alcohol Violations	Tract Total as % of Average Tract
003404	8	61.90%
003501	9	69.64%
003502	13	100.59%
003601	16	123.80%
003602	9	69.64%
003603	2	15.48%
003800	10	77.38%
003901	11	85.11%
003902	28	216.65%
004000	16	123.80%
004101	21	162.49%
004102	23	177.97%
004200	3	23.21%
004300	4	30.95%
004400	4	30.95%
004501	19	147.01%
004600	21	162.49%
004700	41	317.24%
004800	45	348.19%
004900	15	116.06%
005000	11	85.11%
005101	45	348.19%
005102	30	232.13%
005103	25	193.44%
005201	57	441.04%
005202	23	177.97%
005301	924	7149.55%
005302	77	595.80%
005401	255	1973.09%
005402	5	38.69%
005403	16	123.80%
005500	3	23.21%
005601	22	170.23%
005602	29	224.39%
005700	9	69.64%
005801	13	100.59%
005802	16	123.80%
005900	3	23.21%
006000	9	69.64%
006100	5	38.69%
006200	1	7.74%
006300	1	7.74%

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

NUMBER OF LICENSES AUTHORIZED

BY CENSUS TRACT

Census Tract

Off Sale

ALAMEDA	1641869	710	1611	4001.00	3038	4	1
SAN DIEGO	3291101	705	1569	39.02	4673	6	2
SAN DIEGO	3291101	705	1569	40.00	4521	6	2
SAN DIEGO	3291101	705	1569	41.01	3986	5	2
SAN DIEGO	3291101	705	1569	41.02	1899	2	1
SAN DIEGO	3291101	705	1569	42.00	5818	8	3
SAN DIEGO	3291101	705	1569	43.00	3660	5	2
SAN DIEGO	3291101	705	1569	44.00	3750	5	2
SAN DIEGO	3291101	705	1569	45.01	2612	3	1
SAN DIEGO	3291101	705	1569	46.00	1912	2	1
SAN DIEGO	3291101	705	1569	47.00	1493	2	0
SAN DIEGO	3291101	705	1569	48.00	3384	4	2
SAN DIEGO	3291101	705	1569	49.00	4978	7	3
SAN DIEGO	3291101	705	1569	50.00	2312	3	1
SAN DIEGO	3291101	705	1569	51.01	3199	4	2
SAN DIEGO	3291101	705	1569	51.02	4428	6	2
SAN DIEGO	3291101	705	1569	51.03	4242	6	2
SAN DIEGO	3291101	705	1569	52.01	3562	5	2
SAN DIEGO	3291101	705	1569	52.02	4270	6	2
SAN DIEGO	3291101	705	1569	53.01	2975	4	1
SAN DIEGO	3291101	705	1569	53.02	4328	6	2
SAN DIEGO	3291101	705	1569	54.01	1723	2	1
SAN DIEGO	3291101	705	1569	54.02	4126	5	2
SAN DIEGO	3291101	705	1569	54.03	3705	5	2
SAN DIEGO	3291101	705	1569	55.00	390	0	0
SAN DIEGO	3291101	705	1569	56.01	2728	3	1
SAN DIEGO	3291101	705	1569	56.02	2365	3	1
SAN DIEGO	3291101	705	1569	57.00	1416	2	0
SAN DIEGO	3291101	705	1569	58.01	1959	2	1
SAN DIEGO	3291101	705	1569	58.02	2535	3	1
SAN DIEGO	3291101	705	1569	59.00	2959	4	1
SAN DIEGO	3291101	705	1569	60.00	4381	6	2
SAN DIEGO	3291101	705	1569	61.00	2274	3	1
SAN DIEGO	3291101	705	1569	62.00	109	0	0
SAN DIEGO	3291101	705	1569	63.00	2183	3	1
SAN DIEGO	3291101	705	1569	65.00	3338	4	2
SAN DIEGO	3291101	705	1569	66.00	1845	2	1
SAN DIEGO	3291101	705	1569	68.01	2739	3	1
SAN DIEGO	3291101	705	1569	68.02	5704	8	3
SAN DIEGO	3291101	705	1569	69.00	5427	7	3
SAN DIEGO	3291101	705	1569	70.02	3155	4	2
SAN DIEGO	3291101	705	1569	71.00	4646	6	2
SAN DIEGO	3291101	705	1569	72.00	5589	7	3
SAN DIEGO	3291101	705	1569	73.02	2193	3	1
SAN DIEGO	3291101	705	1569	73.03	1744	2	1
SAN DIEGO	3291101	705	1569	73.04	3303	4	2
SAN DIEGO	3291101	705	1569	74.01	3197	4	2
SAN DIEGO	3291101	705	1569	74.02	3631	5	2
SAN DIEGO	3291101	705	1569	75.01	3993	5	2
SAN DIEGO	3291101	705	1569	75.02	3150	4	2
SAN DIEGO	3291101	705	1569	76.01	2419	3	1
SAN DIEGO	3291101	705	1569	76.02	1876	2	1
SAN DIEGO	3291101	705	1569	77.01	3682	5	2
SAN DIEGO	3291101	705	1569	77.02	3837	5	2



Year: 2025 Address: 2765 5th Ave, San Diego, CA, 92103, USA

Print

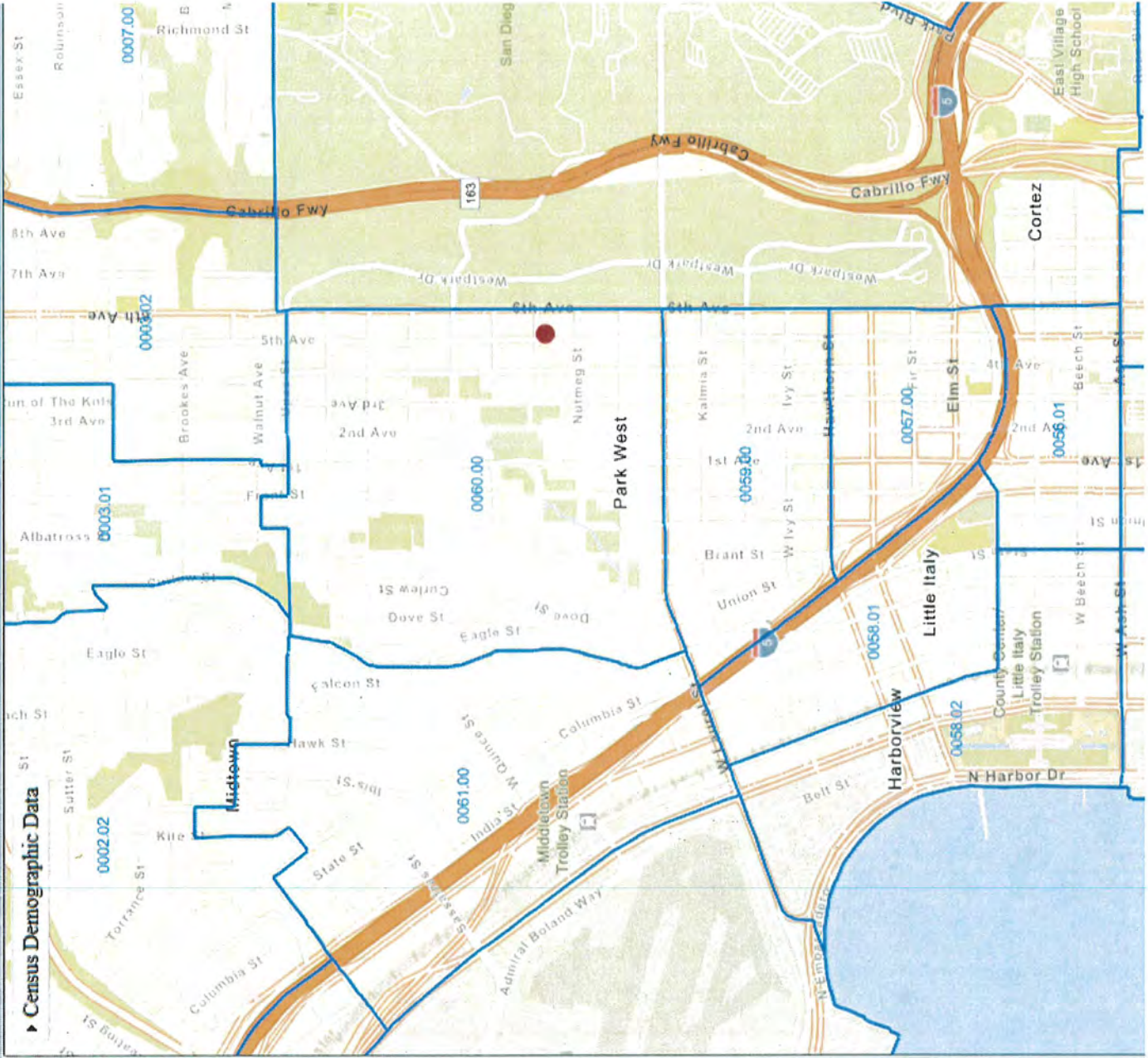
Reset

Matched Address	
Address	2765 5th Ave, San Diego, California 92103
MSA/MD Code	41740
State Code	06
County Code	073
Tract Code	0060.00
MSA/MD Name	SAN DIEGO-CHULA VISTA-CARLSBAD, CA
State Name	CALIFORNIA
County Name	SAN DIEGO COUNTY

Census Demographic Data

User Select Tract

Census Demographic Data



 We are performing scheduled system maintenance from October 24, 2025 at 5 p.m. through October 26, 2025, at 5 p.m. During this period, online services will be unavailable.

 **Alcoholic Beverage Control**

Search

[Having trouble viewing the report?](#)

Results for: Active Off-Sale Retail License

County: SAN DIEGO County

Census Tract: 60.00

Report Date: Tuesday, October 21, 2025

Search

Results will be filtered as you type

0 Results

License Number: 634900

Status:	ACTIVE	20
License Type:	03/25/2022	06/30/2026
Orig. Iss. Date:	7 ELEVEN INC	
Expir. Date:	430 SPRUCE ST, SAN DIEGO, CA 92103-5806 Census Tract: 0060.00	
Primary Owner:		
Premises Addr.:		
Business Name:	STORE # 18710 E	3710
Geo Code:		

License Number: 379374

Status:	ACTIVE	21
License Type:	09/10/2001	08/31/2026
Orig. Iss. Date:	LILTEX INC	
Expir. Date:	2601 5TH AVE, SAN DIEGO, CA 92103 Census Tract: 0060.00	
Primary Owner:		
Premises Addr.:	MARKET PLACE THE	3710
Business Name:		
Geo Code:		





St Paul's Episcopal Cathedral

4.7 ★★★★★ (103)
Cathedral ·

- Overview
- Reviews
- About
- Directions
- Save
- Nearby
- Send to phone
- Share

2728 Sixth Ave, San Diego, CA 92103

Closed

Wednesday	10 AM–4 PM
Thursday	10 AM–4 PM
Friday	10 AM–4 PM
Saturday	12–1 PM
Sunday	8 AM–6 PM
Monday	10 AM–4 PM
Tuesday	10 AM–4 PM

- Suggest new hours
- stpaulcathedral.org
- (619) 298-7261
- PRMR • J5 San Diego, California
- [Suggest an edit](#)

Updates from customers






Labyrinth at St Paul's for Healing
11 months ago








Measure   

Click points on the map to measure distances and area

Length
286 ft

Heading
92.16°

Advanced measurements 

Elevation estimate
Min: 272 ft | Median: 275 ft | Max: 279 ft

Slope estimate
Min: 0° | Median: 0.9° | Max: 6°

[Save to project](#)







THE CITY OF SAN DIEGO

DATE OF NOTICE: March 9, 2026

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT

SAP No. 24010379

PROJECT NAME / NUMBER: 2765 5th Avenue / PRJ-1141658

COMMUNITY PLAN AREA: Uptown

COUNCIL DISTRICT: 3

LOCATION: 2765 5th Avenue, San Diego, CA 92103

PROJECT DESCRIPTION: Conditional Use Permit (CUP) to allow for the sale of alcoholic beverages (Type-21 (Off-Sale General)) at an 1,822 square-foot cafe and marketplace, located on the ground level of an existing mixed-use building. The project would also include interior tenant improvements to the existing space. The 0.61-acre site, located at 2765 5th Avenue, is zoned Commercial - Community (CC-3-9) and designated as Community Commercial in the Uptown Community Plan. The project is also within the following overlays and planning areas: Sustainable Development Areas, Complete Communities Housing Solutions, Complete Communities Mobility Choices, Airport Land Use Compatibility Overlay Zone, Community Plan Implementation Overlay Zone, Transit Area Overlay Zone, Parking Standards Transit Priority Area, Transit Priority Area, Affordable Housing Parking Demand, Airport Land Use Compatibility Planning Airport Influence Area, FAA Part 77 Noticing Area, and Very High Fire Hazard Severity Zone. **LEGAL DESCRIPTION:** LOT 1*OFFICE UNIT ON LEVEL B2 PER DOC22-0256523&UND INT IN. Assessor Parcel Number (APN) 452-713-1700.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15061(b)(3), Common Sense Exemption and Section 15301, Existing Facilities.

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The project meets the criteria set forth in CEQA Section 15061(b)(3) (Common Sense Exemption), which states that CEQA only applies to projects which have the potential to cause a significant effect on the environment. The alcohol permit and proposed interior tenant improvements would not cause a significant impact on the environment because improvements would be interior only and the

alcohol permit only consists of a license. The project would also 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. The project meets this exemption criteria because the CUP would only permit the sale of alcoholic beverages (Type 21 License) and not expand the use of the existing café and marketplace or existing mixed-use (commercial and residential) development. Tenant improvements would only occur within the interior space of the existing café and marketplace and therefore meets the criteria as a minor alteration of an existing facility involving negligible or no expansion of use as stated in this exemption. The exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environment was identified; the project is not adjacent to a scenic highway; lastly, the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

DEVELOPMENT PROJECT MANAGER: Blake Sonuga
MAILING ADDRESS: 7650 Mission Valley Road, MS DSD-1A, San Diego, CA 92108
PHONE NUMBER / EMAIL: (619) 687-5928 / MSonuga@sandiego.gov

On March 9, 2026 the City of San Diego (City), as Lead Agency, has 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 determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk by 5:00pm within ten (10) business days from the date of the posting of this Notice (March 23, 2026). 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 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.

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

<p>POSTED ON THE CITY'S CEQA WEBSITE</p> <p>POSTED: <u>3/9/26</u></p> <p>REMOVED: _____</p> <p>POSTED BY: <u>Myra Lee</u></p>

Page 3	City of San Diego · Information Bulletin 620		August 2018
	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101		<h2 style="text-align: center;">Community Planning Committee Distribution Form</h2>
Project Name: Heavenly Bodega CUP Type 21 Off-site License		Project Number: PRJ-1134355	
Community: Uptown			
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>			
<input checked="" type="checkbox"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="checkbox"/> Vote to Deny			Date of Vote: November 04, 2025
# of Members Yes 12	# of Members No 0	# of Members Abstain 1	
Conditions or Recommendations: Approval of Type 21 license using the same conditions applied by the City for type 47 (as well as no live amplified music, maintain public access in patio area, and limit sale to ≥ 375 ml sales).			
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			
NAME: Michael Singleton			
TITLE: Chair		DATE: November 18, 2025	

Visit our web site at www.sandiego.gov/development-services.

Upon request, this information is available in alternative formats for persons with disabilities.

DS-5620 (08-18) ONLINE FORM



Ownership Disclosure Statement

Permit/Approval Type: Check the appropriate box for permit/approval and type(s) requested (See [Project Submittal Manual](#)):

- Development Permit:** Conditional Use Permit (CUP)
- Subdivision Approval:** _____
- Policy Approval:** _____

Project Title: Heavenly Bodega, Inc. **Project No. For City Use Only:** _____

Project Location/Address/Accessor's Parcel Number:

2765 Fifth Ave, Suite 10, San Diego, CA 92103

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

- Individual Partnership Corporation Limited Liability -or- General – What State? Delaware
- Corporate Identification No.: 200520910052 Trust - Date of Trust: _____
- City of San Diego/Asset Management Department: _____

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. On the second page of this form, please list the owner(s), the 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, or:

Important Instructions

1. If the applicant includes a corporation or partnership, include the names, titles, and addresses of all individuals owning more than 10% of the shares.
2. If it's a publicly owned corporation, include the names, titles, and addresses of the corporate officers.
3. If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer, director, trustee or beneficiary of the nonprofit organization.
4. 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 30 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.
5. A signature is required of at least one of the property owners.
6. Attach additional pages if needed.

Visit our web site: sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities.

DS-318 (07-24)

Property Owner/Authorized Agent
(Per [SDMC 5112.0102](#))

- Owner Authorized Agent Member Trustee Tenant/Lessee Successor Agency
- City of San Diego/Asset Management Department*

Name of Individual: Kenneth Tranbarger, Manager

On behalf of: Nutmeg & Olive, LLC

Street Address: 2728 Sixth St.

City: San Diego

State: CA

Zip: 92101

Phone Number: 619-298-7261

Email: ktranbarger@mac.com

Signature:


Ken Tranbarger (Sep 8, 2025 15:32:37 PDT)

Date:

9/8/2025

Additional pages attached: Yes No

**(Signature within this section not required for City of San Diego/Asset Management Department)*

Applicant Check if Same as Property Owner/Authorized Agent
(Per [SDMC 5112.0102](#))

- Owner Authorized Agent Member Trustee Tenant/Lessee Successor Agency

Name of Individual: Chehadeh Alchikh

On behalf of: Heavenly Bodega, Inc.

Street Address: 2765 Fifth Ave, Suite 10

City: San Diego

State: CA

Zip: 92103

Phone Number: 619-703-7769

Email: c.alchikh@gmail.com

Signature:


Chehadeh Alchikh (Sep 10, 2025 11:21:58 PDT)

Date:

9/8/2025

Additional pages attached: Yes No

Other Financially Interested Persons Check if N/A

- Owner Authorized Agent Member Trustee Tenant/Lessee Successor Agency

Name of Individual: Matthew Friedrichs, Esq.

On behalf of: Winship & Friedrichs, APC

Street Address: 591 Camino de la Reina, Suite 909

City: San Diego

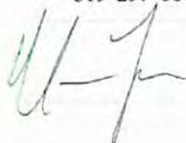
State: CA

Zip: 92108

Phone Number: 619-297-0066

Email: matt@winshiplaw.com

Signature:



Date:

9/8/2025

Additional pages attached: Yes No

Visit our web site: sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities.

09092025_DS-318

Final Audit Report

2025-09-10

Created:	2025-09-09
By:	Matthew Friedrichs (matt@winshiplaw.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA6W6alpe_eR4shSOml2Md42_QkQe_e0Qu

"09092025_DS-318" History

-  Document created by Matthew Friedrichs (matt@winshiplaw.com)
2025-09-09 - 8:08:36 PM GMT- IP address: 107.143.100.15
-  Document emailed to c.alchikh@gmail.com for signature
2025-09-09 - 8:08:39 PM GMT
-  Email viewed by c.alchikh@gmail.com
2025-09-09 - 8:09:55 PM GMT- IP address: 192.178.15.7
-  Signer c.alchikh@gmail.com entered name at signing as Chehadeh Alchikh
2025-09-10 - 6:21:56 PM GMT- IP address: 72.197.83.209
-  Document e-signed by Chehadeh Alchikh (c.alchikh@gmail.com)
Signature Date: 2025-09-10 - 6:21:58 PM GMT - Time Source: server- IP address: 72.197.83.209
-  Agreement completed.
2025-09-10 - 6:21:58 PM GMT

HEAVENLY BODEGA

2765 5TH AVENUE SUITE 10
SAN DIEGO, CA 92103

SAFDIE RABINES ARCHITECTS

925 FORT STOCKTON DRIVE
SAN DIEGO, CA 92103
P (619) 297-6153
www.safdie.com

CLIENT
KYLE FIDDELKE & CHEHADEH ALCHIKH

MECHANICAL ENGINEER:
MCPARLANE & ASSOCIATES, INC
FRANCISCO CHAIDEZ

ELECTRICAL ENGINEER:
ENGINOVA
RYAN BERTALAN

PLUMBING ENGINEER:
MCPARLANE & ASSOCIATES, INC
FRANCISCO CHAIDEZ

FOOD SERVICE CONSULTANT:
ORNES DESIGN GROUP
NEIL HERNES

STRUCTURAL ENGINEER:
TBD

(REFER TO COVER SHEET FOR MORE CONTACT INFORMATION)

CONDITIONAL USE PERMIT FOR ALCOHOLIC BEVERAGES AT AN 1,822 SQUARE FOOT CAFE AND MARKETPLACE, LOCATED ON THE GROUND LEVEL OF AN EXISTING MIXED_USE BUILDING.



HEAVENLY BODEGA

TENANT IMPROVEMENT

2765 5TH AVENUE SUITE 10
SAN DIEGO CA 92103

CONDITIONAL USE PERMIT (CUP)

OWNER INFORMATION	PROJECT TEAM	PROJECT INFORMATION	SHEET INDEX	MECHANICAL																																																																																																																																																																												
<p>CHEHADEH ALCHIKH 2454 4TH AVE SAN DIEGO, CA 92101</p>	<p>ARCHITECT: SAFDIE RABINES ARCHITECTS 925 Fort Stockton Drive San Diego, CA 92103 (619) 297-6153</p> <p>MECHANICAL ENGINEER: MCPARLANE ASSOCIATES, INC 4830 VIEWRIDGE AVE SUITE A SAN DIEGO, CA 92123 (858) 277-9721</p> <p>ELECTRICAL ENGINEER: ENGINOVA 1044 PIONEER WAY SUITE E EL CAJON, CA 92020 (619) 334-6020 x202</p> <p>PLUMBING ENGINEER: MCPARLANE ASSOCIATES, INC 4830 VIEWRIDGE AVE SUITE A SAN DIEGO, CA 92123 (858) 277-9721</p> <p>FOOD SERVICE: ORNESS DESIGN GROUP 5955 MIRA MESA BLVD SUITE H SAN DIEGO, CA 92121 (858) 457-5955 x224</p>	<p>PROJECT DESCRIPTION / SCOPE AN INTERIOR TENANT IMPROVEMENT TO EXISTING COMMERCIAL SPACE, AND BUILD OUT A FULL CAFE & MARKET IN SUITE 10. THE SHELL SPACE IS EXISTING WITHIN THE BUILDING. REQUEST FOR A DISCRETIONARY PERMIT REQUEST, CONDITIONAL USE PERMIT FOR ALCOHOLIC BEVERAGE OUTLET (TYPE 21 ABC LICENSE) AT AN 1,822 SQUARE FOOT CAFE AND MARKETPLACE, LOCATED ON THE GROUND LEVEL OF AN EXISTING MIXED-USE BUILDING.</p> <p>PROJECT SIZE CAFE & MARKETPLACE - 1,822 SF RESTROOM - 73 SF STORAGE ROOM - 96 SF TOTAL SF - 1,991 SF</p> <p>APPLICABLE BUILDING CODE: 2022 CALIFORNIA BUILDING CODE 2022 CALIFORNIA FIRE CODE</p> <p>YEAR OF BUILT OF EXISTING STRUCTURE: 2022</p> <p>PROJECT ADDRESS 2765 5TH AVENUE SUITE 10 SAN DIEGO, CA 92103</p> <p>ASSESSOR'S PARCEL NUMBER 452-713-17-01</p> <p>LOT SIZE OLIVE SITE: 26,994 SF</p> <p>LEGAL DESCRIPTION LOT 1 OFFICE UNIT ON LEVEL B2 PER DOC22-0256523&UND INT IN</p> <p>EXISTING USE AND OCCUPANCY CURRENT TENANT SPACE IS A SHELL SPACE PERMITTED FOR COMMERCIAL USE.</p> <p>PROPOSED USE AND OCCUPANCY OCCUPANCY TYPE B</p> <p>CONSTRUCTION TYPE CONSTRUCTION TYPE IIB</p> <p>NUMBER OF STORIES EXISTING: 20 LEVELS ABOVE GRADE & 5 STORIES BELOW GRADE.</p> <p>PROPOSED STRUCTURE HEIGHT N/A - TENANT IMPROVEMENT IS WITHIN AN EXISTING SHELL SPACE ON THE GROUND FLOOR.</p> <p>REQUIRED SETBACKS / EASEMENTS FRONT: _____ REAR: _____ SIDES: _____ EASEMENT(S): _____</p> <p>GEOLOGIC HAZARD CATEGORY N/A - THE PROJECT IS A TENANT IMPROVEMENT WITHIN AN EXISTING BUILDING THAT IS ALREADY COMPLETE</p> <p>LANDSCAPE AREA SQUARE FOOTAGE N/A - THE PROJECT IS A TENANT IMPROVEMENT WITHIN AN EXISTING BUILDING THAT IS ALREADY COMPLETE</p>	<p>GENERAL</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>SHEET NAME</th> </tr> </thead> <tbody> <tr><td>G-001</td><td>TITLE SHEET</td></tr> <tr><td>G-002</td><td>GENERAL NOTES, SYMBOLS, ABBREVIATIONS</td></tr> <tr><td>G-003</td><td>OCCUPANCY & CODE PLAN</td></tr> <tr><td>G-004</td><td>ACCESSIBILITY REQUIREMENTS</td></tr> <tr><td>G-005</td><td>ACCESSIBILITY REQUIREMENTS</td></tr> </tbody> </table> <p>ARCHITECTURE</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>SHEET NAME</th> </tr> </thead> <tbody> <tr><td>A-001</td><td>SITE PLAN</td></tr> <tr><td>A-100</td><td>FLOOR PLANS</td></tr> <tr><td>A-101</td><td>RCP</td></tr> <tr><td>A-102</td><td>FLOOR FINISH PLAN</td></tr> <tr><td>A-103</td><td>DEMO PLAN</td></tr> <tr><td>A-200</td><td>INTERIOR ELEVATIONS</td></tr> <tr><td>A-201</td><td>INTERIOR ELEVATIONS</td></tr> <tr><td>A-202</td><td>EXTERIOR ELEVATIONS</td></tr> <tr><td>A-300</td><td>BUILDING SECTIONS</td></tr> <tr><td>A-301</td><td>BUILDING SECTIONS</td></tr> <tr><td>A-400</td><td>ENLARGED PLANS - BATHROOM</td></tr> <tr><td>A-401</td><td>ENLARGED PLANS - KITCHEN</td></tr> <tr><td>A-402</td><td>ENLARGED PLANS - KITCHEN</td></tr> <tr><td>A-403</td><td>GREASE INTERCEPTOR ROOM</td></tr> <tr><td>A-404</td><td>TRASH CHUTE</td></tr> <tr><td>A-700</td><td>DETAILS INTERIOR - DOORS</td></tr> <tr><td>A-701</td><td>DETAILS INTERIOR</td></tr> <tr><td>A-702</td><td>DETAILS INTERIOR - MILLWORK</td></tr> <tr><td>A-703</td><td>INT. 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<ol style="list-style-type: none"> 24"x24" MOCK UP OF THE TILE AT COUNTERTOPS, REF A-401 ENLARGED PLANS - KITCHEN (STACK-BOND INSTALLATION) 24"x24" MOCK UP OF THE BRICK VENEER 																																																																																																																																																																																
<p>VICINITY MAP</p>	<p>DEFERRED SUBMITTALS</p> <ol style="list-style-type: none"> FIRE ALARM FIRE SUPPRESSION SYSTEM BUILDING SIGNAGE STRUCTURAL ANCHORAGE PLANS FOR SHELVING UNITS OVER 5'-9" HEIGHT <p>ADD ALTERNATES</p> <ol style="list-style-type: none"> STAINLESS STEEL 2B FINISH COUNTERTOP AT KITCHEN BACK WALL ILO QUARTZ TILE FINISH FOR COUNTER SUPPORT WALLS WALNUT WOOD VENEER FOR SHELVING & MILLWORK 																																																																																																																																																																															

NOT FOR CONSTRUCTION

REVISIONS

Number	Description	Date

Issue Date: 09/17/25 Scale: 12" = 1'-0"

SRA Project Number: 2425

TITLE SHEET

G000

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ELECTRICAL ENGINEER:
ENGINOVA
RYAN BERTALAN

PLUMBING ENGINEER:
MCPARLANE & ASSOCIATES, INC
FRANCISCO CHAIDEZ

FOOD SERVICE CONSULTANT:
ORNES DESIGN GROUP
NEIL HERNES

STRUCTURAL ENGINEER:
TBD

(REFER TO COVER SHEET FOR MORE CONTACT INFORMATION)

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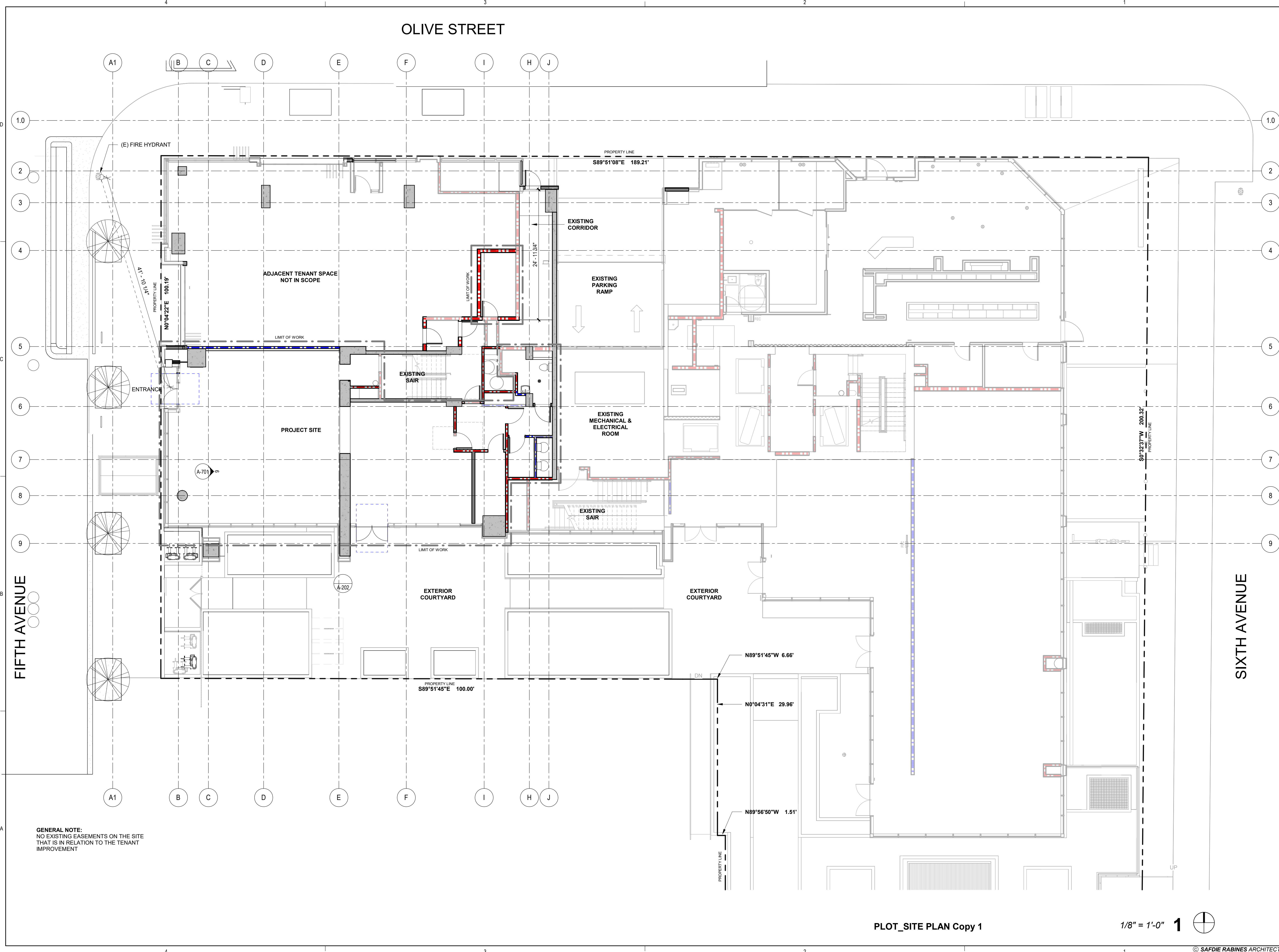
REVISIONS

Number	Description	Date

Issue Date: 09/17/25
Scale: 1/8" = 1'-0"
SRA Project Number: 2425

SITE PLAN

A100



PLOT_SITE PLAN Copy 1

1/8" = 1'-0" 1