

San Diego Hearing Officer Meeting

PRJ-1141658: 2765 FIFTH AVENUE

PHONE-IN TESTIMONY INFORMATION

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Development Services Department

2765 Fifth Avenue
PRJ-1141658

Item # 2

Hearing Officer

May 20, 2026

Address

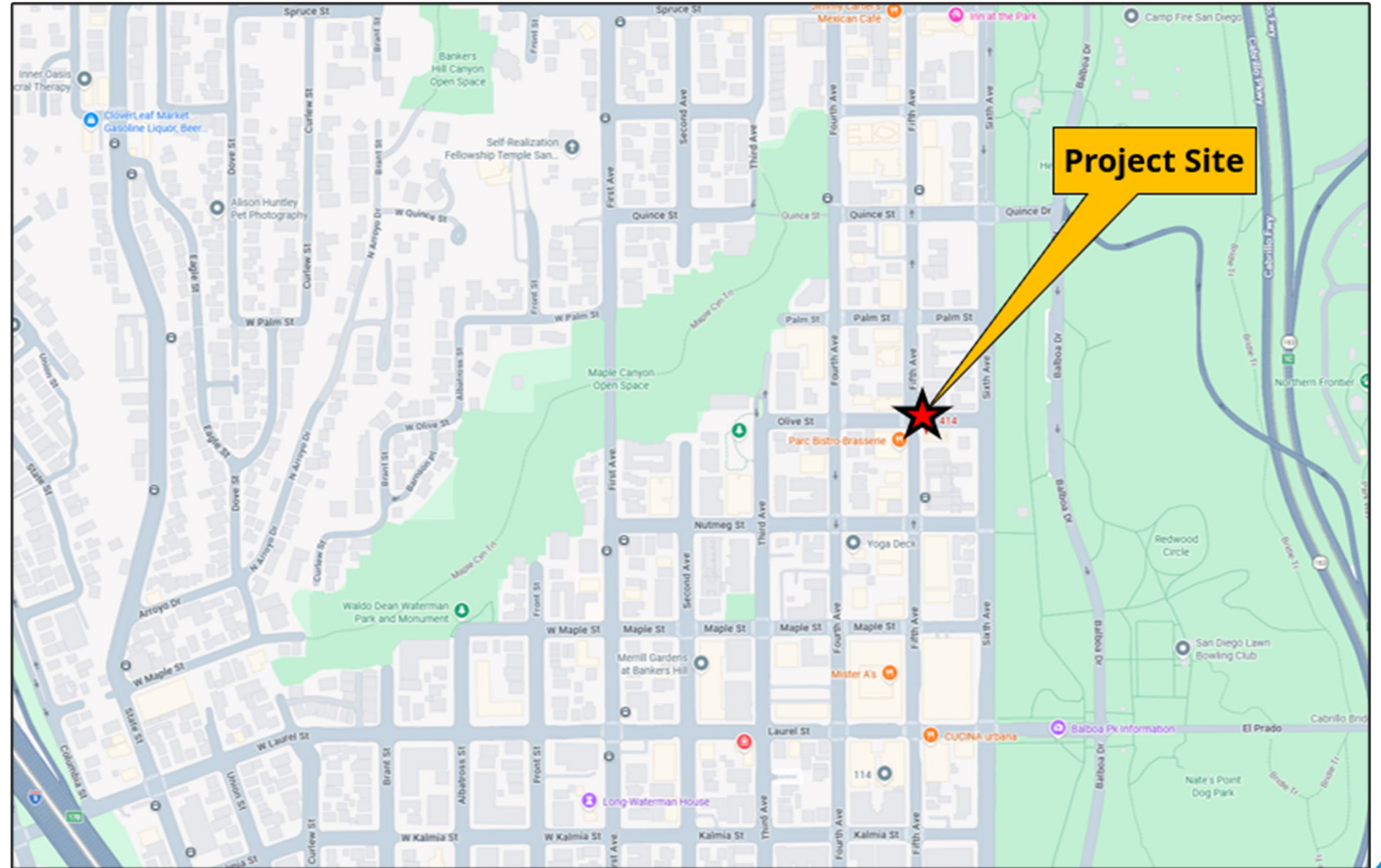
2765 Fifth Avenue

Zone

CC-3-9 and RM-4-10

Community Plan

Uptown

Land UseCommunity Commercial
and Residential - Very
High Density

Project Area:
0.61 acres

Adjacent Uses:

North/West
Commercial
Uses

South
Church

East
Balboa Park



Required Approvals

- Process 3 Conditional Use Permit to allow an alcoholic beverage that does not comply with regulations in SDMC regulations.
- Hearing Officer decision; appealable to the Planning Commission.
- Recommendation required by the San Diego Police Department.

Project Scope

- Conditional Use Permit to allow the sale of alcoholic beverages.
- Issuance of a State ABC Type 21 License.
- Café/market located in existing 1,991-sf ground floor commercial space



Location Criteria	Analysis
<p>1. Within a census tract, or within 600-ft of a census tract, the general crime rate exceeds the citywide average general crime rate of more than 20%.</p>	<p>Located in Census Tract which is 37.4% higher than the city-wide average.</p>
<p>2. Within a census tract, or within 600-ft of a census tract, the ratio of alcohol beverage outlets exceeds the standards established by CA Business and Professions Code.</p>	<p>Census Tract allows 2 off-sale ABC licenses per the CA Business and Professions Code; project increases the number to 3 licenses.</p>

Location Criteria	Analysis
3. In an adopted redevelopment area.	Not in a redevelopment area.
4. Within 600-ft of a public or private accredited school, public park, church, playground, recreational area, hospital, or County Welfare District Office.	Located 27-ft from St. Paul Episcopal Cathedral and 286-ft from Balboa Park.
5. Within 100-ft of residentially zoned property.	Located 100-ft from residentially zoned property.

City Staff concluded that if the permit and ABC license were appropriately conditioned, the project would not adversely affect the public health, safety, or welfare. The permit includes requirements that address:

1. Hours of operation
2. Video surveillance be recorded and available to law enforcement upon request
3. Litter and unauthorized graffiti be removed promptly.
4. Employees selling alcohol must be trained in ABC regulations.

Environmental Determination

- Exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) and Section 15301 (Existing Facilities).

Community Planning Group Recommendation

On November 18, 2025, the Uptown Community Group voted 12-0-1 to approve the project without conditions.

Staff Recommendation

- Approve Conditional Use Permit No. PMT-3376347

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