



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: February 5, 2025 REPORT NO. HO-25-003

HEARING DATE: February 12, 2025

SUBJECT: Camino Farms, Process Three Decision

PROJECT NUMBER: [PRJ-1116361](#)

OWNER/APPLICANT: NCH Holdings, LLC

SUMMARY

Issue: Should the Hearing Officer approve an Alcoholic Beverage Outlet for the sale of beer, wine, and distilled spirits for off-site consumption located at ground level Suite B of the existing 4-story mixed-use development at 375 Camino De La Reina within the [Mission Valley community planning area](#)?

Proposed Actions:

1. APPROVE Conditional Use Permit No. PMT-3301683).

Community Planning Group Recommendation: On September 3, 2024, the Mission Valley Community Planning Group Voted 16-0-1 to recommend approval of the proposed project with no conditions (Attachment 7).

Environmental Impact

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 25, 2024, and the opportunity to appeal that determination ended November 8, 2024.

BACKGROUND

The 4.88-acre project site is located at 375 Camino De La Reina within the Mission Valley community planning area. The existing six-story building containing a restaurant (Pichudo Mexican Grill) and a market (Camino Farms) on the first and second floors, and 284 residential dwelling units on the

upper floors, is situated at the northwest corner of the intersection between the Interstate 8 and State Route 163. The site is zoned Residential Mixed-Use (RMX-1).

The Camino Farms market is the establishment requesting this Conditional Use Permit. The building is occupied but under construction with a Tenant Improvement project (Project No. PRJ-1064170) unrelated to the subject project.

DISCUSSION

Project Description:

The proposal includes a new Alcoholic Beverage Control (ABC) License type 21 to allow alcohol sales located at ground level within an existing market, "Camino Farms" (Food, Beverages, and Groceries), of an existing mixed-use building at 375 Camino De La Reina. The project requires a Process 3 Conditional Use Permit under San Diego Municipal Code Section (SDMC) [126.0303\(b\)](#) in accordance with the regulations shown in SDMC Table 131-07A Use Regulations Table for Mixed-Use Zone.

Any establishment for which a Type 20 Beer and Wine License or a Type 21 General Liquor License has been obtained from, or for which an application has been submitted to the California Department of Beverage Control for permission to sell alcoholic beverages for off-site consumption shall be regulated as an alcoholic beverage outlet subject to SDMC [Section 141.0502\(c\)](#).

The Conditional Use Permit (CUP) for the project includes various conditions and corresponding exhibits of approval relevant to achieve compliance with the SDMC relative to regulating hours of alcohol sales, container size and package type, loitering, signage, trash, lighting, interior views, and advertising. The San Diego Police Department (SDPD) has reviewed this project and considered factors such as crime rate within the census tract. SDPD has provided a report (Attachment 10), and recommended approval of the CUP with conditions (Attachment 5). The conditions include, but are not limited to, limiting the hours of off-site alcohol sales; limiting container size to no less than 375 milliliters; prohibiting alcohol consumption on or adjacent to the premises; and providing signage, trash collection, lighting, interior views, and advertising requirements.

Community Plan Analysis:

The project proposes the operation of an Alcoholic Beverage Outlet (Type 21 Alcohol Beverage Control (ABC) License) which authorizes the sale of beer, wine and distilled spirits for consumption off the premises at an existing 6-story mixed use building with residential and commercial uses. The 4.88-acre project site is located at 375 Camino De La Reina within the Mission Valley community planning area. The existing mixed-use development contains a restaurant (Pichudo Mexican Grill), a market (Camino Farms), and residential dwelling units, is situated at the northwest corner of the intersection between the Interstate 8 and State Route 163. The site is zoned Residential Mixed-Use (RMX-1).

Alcoholic Beverage Outlets are permitted within the RMX-1 Zone with a Conditional Use Permit (CUP) and are subject to regulations set forth in SDMC Section [141.0502](#). An Alcoholic Beverage Outlet that does not comply with the limited use requirements of SDMC Section [141.0502\(b\)](#), including certain

location criteria per SDMC Section [141.0502\(b\)\(1\)](#), may still be permitted with a CUP subject to the regulations in SDMC Section [141.0502\(c\)](#).

The Mission Valley Community Plan (MVCP) identifies the project site as “Mixed Use-Medium” which allows for a variety of resident- and employee-serving commercial uses. The proposed operation of an Alcohol Beverage Outlet would be contained to the Camino Farms Market only and would serve the community as well as the residents in the upper floors of the building.

The proposed sales of alcoholic beverages would be an accessory use to the permitted retail uses (a restaurant and a convenience store) in the development, and would not adversely affect any applicable land use policies in the MVCP. The project is consistent with the permitted uses allowed in the underlying RMX-1 Zone.

Conclusion:

City staff has determined that the project is consistent with the Community Plan and regulations of the Land Development Code, as described above. Staff has provided draft findings and conditions to support approval of the project (Attachments 4 and 5) and recommends that the Hearing Officer approve the Conditional Use Permit as proposed.

ALTERNATIVES

1. Approve Conditional Use Permit PMT-3301684, with modifications.
2. Deny Conditional Use Permit PMT-3301684 if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



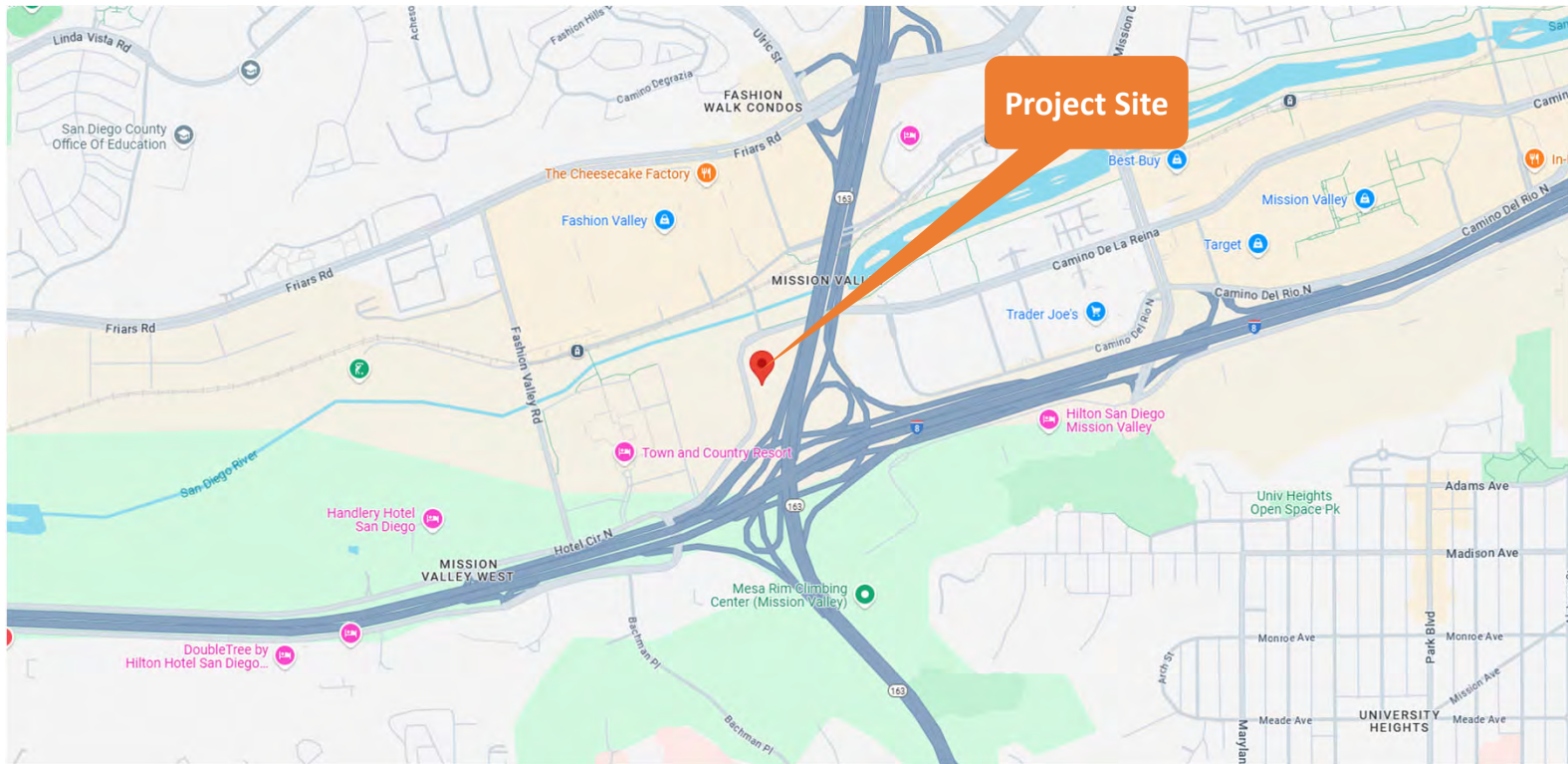
Andrew Murillo
Development Project Manager
Development Services Department

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Environmental Notice of Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Census Tract Active Liquor License List and Map
10. San Diego Police Department Recommendation
11. Project Plans

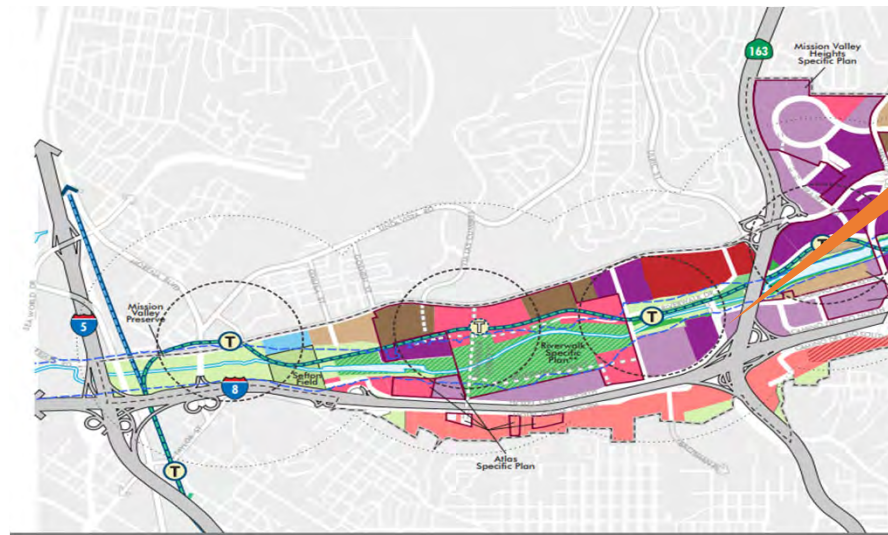


Project Location Map





Community Plan Land Use Map



Project Site

General Information

- Mission Valley Community Plan Area
- 100 Year Floodway
- Specific Plan
- Parcels
- Planned Roadway
- San Diego River

Transit

- Existing Trolley (Blue Line)
- Existing Trolley (Green Line)
- Planned Trolley (Purple Line)
- Planned Trolley Stop (Riverwalk)
- Trolley Station Design District (1/4 mile)
- Transit Priority Area (1/2 mile)

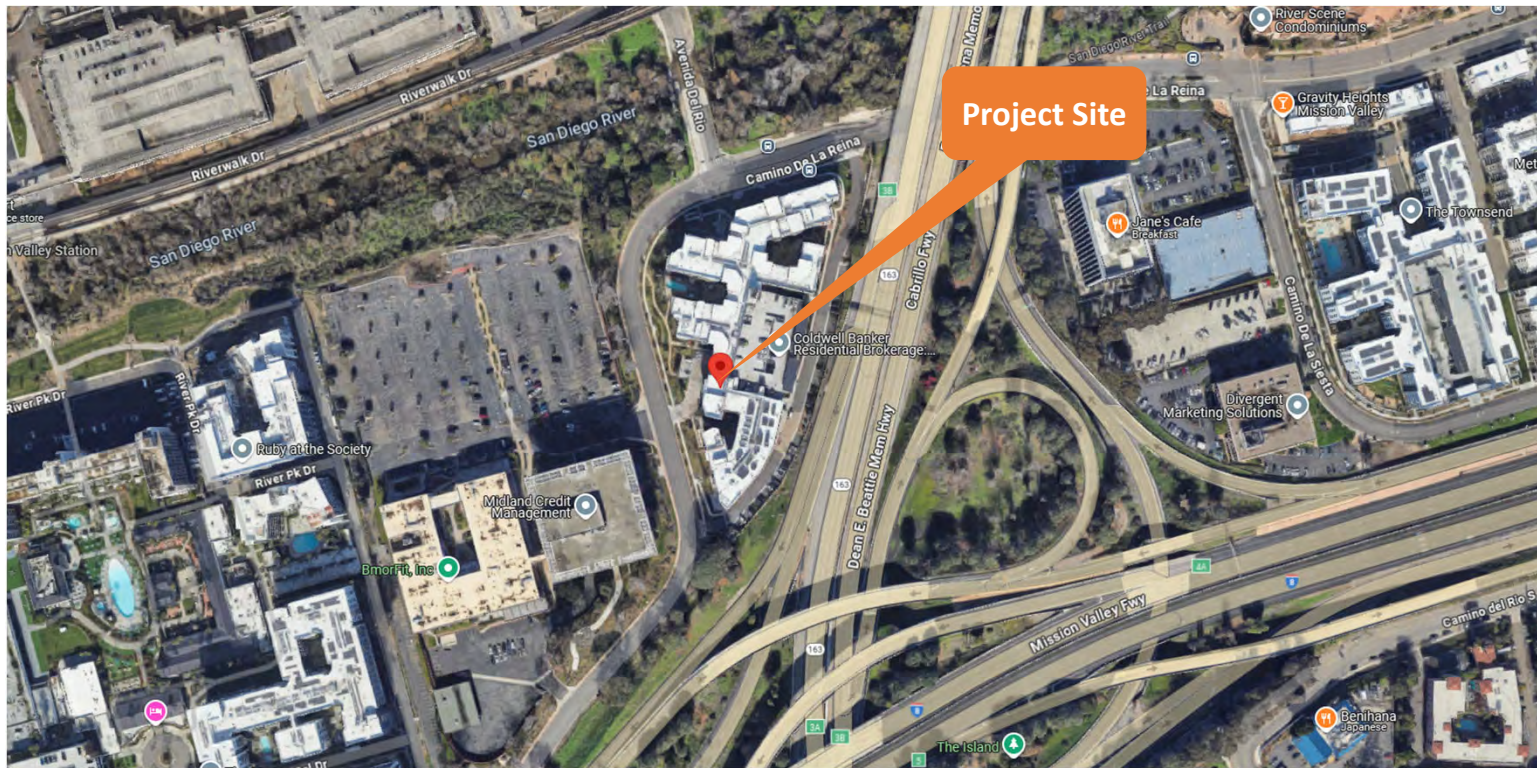
Land Use

- Mixed Use (HD)
- Mixed Use (MD)
- Residential (HD)
- Residential (MD)
- Residential (LD)
- Public/Institutional





Aerial Photo



HEARING OFFICER RESOLUTION NO. [REDACTED]
CONDITIONAL USE PERMIT PMT-3301684
CAMINO FARMS PROJECT NO. PRJ-1116361

WHEREAS, NCH Holdings, LLC, Owner/Permittee, filed an application with the City of San Diego for a Conditional Use Permit (CUP) for an Alcoholic Beverage Outlet (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval) for the associated Permit No. PMT-3301684, on portions of a 4.88-acre site;

WHEREAS, the project site is located at 375 Camino De La Reina in the Residential Mixed-Use (RMX-1) zone of the Mission Valley Community Plan;

WHEREAS, the project site is legally described as Lot 1 of Golden Valley Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to map thereof No. 6775 filed in the office of the County Recorder of San Diego County, on October 28, 1970;

WHEREAS, on October 25, 2024, 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;

WHEREAS, on February 12, 2025, the Hearing Officer of the City of San Diego considered Conditional Use Permit PMT-3301684 pursuant to the Land Development Code of the City of San Diego;

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 PMT-3301684:

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 proposes the operation of an Alcoholic Beverage Outlet (Type 21 Alcohol Beverage Control (ABC) License) which authorizes the sale of beer, wine and distilled spirits for consumption off the premises at an existing 6-story mixed use building with residential and commercial uses. The 4.88-acre project site is located at 375 Camino De La Reina within the Mission Valley Community Plan Area. The existing six-story building containing a restaurant (Pichudo Mexican Grill), a market (Camino Farms), and residential dwelling units, is situated at the northwest corner of the intersection between the Interstate 8 and State Route 163. The site is zoned Residential Mixed-Use (RMX-1).

Alcoholic Beverage Outlets are permitted within the RMX-1 Zone with a Conditional Use Permit (CUP) and are subject to regulations set forth in San Diego Municipal Code (SDMC) Section 141.0502. An Alcoholic Beverage Outlet that does not comply with the limited use requirements of SDMC Section 141.0502(b), including certain location criteria per SDMC Section 141.0502(b)(1), may still be permitted with a CUP subject to the regulations in SDMC Section 141.0502(c) (as set out in finding A.1.b below, incorporated herein by reference). In addition, SDMC Section 126.0303(b) requires a Process Three CUP for Alcoholic Beverage Outlets (under circumstances described in SDMC Section 141.0502).

The Mission Valley Community Plan (MVCP) identifies the project site as "Mixed Use-Medium" which allows for a variety of resident- and employee-serving commercial uses. The proposed operation of an Alcohol Beverage Outlet would be contained within the Camino Farms Market only and would serve the community as well as the residents in the upper floors of the building.

The proposed sales of alcoholic beverages would be an accessory use to the permitted retail use within the existing six-story building containing a restaurant and a convenience store and residential dwelling units and would not adversely affect any applicable land use policies in the MVCP. The Project is consistent with the permitted uses allowed in the underlying RMX-1 Zone. Therefore, the proposed CUP will not adversely affect the applicable land use plan.

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

The CUP includes conditions provided by the San Diego Police Department (SDPD) to ensure that the project will not adversely impact the surrounding neighborhood or the public health, safety, or welfare. The conditions include, but are not limited to, limiting container size to no less than 375 milliliters; prohibiting alcohol consumption on or adjacent to the premises; and providing signage, trash collection, lighting, interior views, and advertising requirements.

The CUP also includes conditions that prohibit arcade games or video game devices on the premises, prohibit loitering and graffiti, and prohibit public pay phones. A permit condition has been included in the permit limiting the hours for in-store sales of alcoholic beverages from 6:00 AM to 12:00 AM/Midnight. Additionally, all retail employees are to be trained in ABC regulations through the 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. Furthermore, the project is subject to all federal, state, and other local codes related to alcohol beverage sales, which would further ensure that the subject Alcoholic Beverage Outlet would not have an adverse impact on 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; and

The CUP for the project includes various conditions and corresponding exhibits of approval relevant to achieve compliance with the SDMC relative to regulating hours of alcohol sales, container size and package type, loitering, signage, trash, lighting, interior views, and advertising. The alcoholic beverage outlet may be permitted as a limited use with a CUP decided in accordance with Process Three with the Hearing Officer as the decision-maker subject to the regulations in SDMC Section 141.0502(c) which requires a recommendation from the SDPD on the proposed use and location of the Alcoholic Beverage Outlet. On April 27, 2022, the SDPD reviewed the project and provided their recommendation to approve the project and provided conditions relating to the operation of the Alcoholic Beverage Outlet which were included in the permit.

The conditions of approval are required to minimize any potential harm to public health, safety, and welfare. 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 Mission Valley Community Plan (MVCP) identifies the project site land use as "Mixed Use-Medium" which allows for a variety of resident- and employee-serving commercial uses. The proposed operation of an Alcohol Beverage Outlet would be contained within the Camino Farms Market only and would serve the community as well as the residents in the upper floors of the building.

The project site is within the RMX-1 zone of the SDMC. The purpose of the RMX zones is to provide a mix of uses with a focus on residential uses. The RMX zones support residential employment through the inclusion of shopkeeper units, small-scale artisan or production spaces, live/work units, or amenities for home employment and small businesses. Residential development shall be the primary use. The secondary use can be non-residential or residential development. The proposal includes a new Alcoholic Beverage Outlet operating under an Alcoholic Beverage Control (ABC) License type 21 alcohol sales for off-site consumption located at ground level within an existing market "Camino Farms" (Food, Beverages, and Groceries) of an existing 4-story residential multifamily over 2-story commercial (restaurant and retail spaces) and would be an accessory use to the permitted existing six-story building containing a restaurant and a convenience store and would not adversely affect any applicable land use policies in the MVCP. Therefore, the proposed use is 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, Conditional Use Permit No. PMT-3301684 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. PMT-3301684, a copy of which is attached hereto and made a part hereof.



Andrew Murillo
Development Project Manager
Development Services

Adopted on: February 12, 2025

IO#: 24009957

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: 24009957

CONDITIONAL USE PERMIT PMT-3301684
CAMINO FARMS - PROJECT NO. PRJ-1116361
HEARING OFFICER

This Conditional Use Permit PMT-3301684 is granted by the Hearing Officer of the City of San Diego to NCH Holdings, LLC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 4.88-acre site is located at 375 Camino De La Reina in the Residential Mixed-Use (RMX-1) base zone, and the Airport Land Use Compatibility Overlay Zone (ALUCOZ – Montgomery Field and San Diego International Airport), Airport Influence Area (AIA - SDIA Review Area 2 & Montgomery Review Area 2), Airport FAA Part 77 Noticing Area - SDIA - Lindbergh Field & Montgomery overlay zones of the Mission Valley Community Plan. The project site is legally described as: Lot 1 of Golden Valley Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to map thereof No. 6775 filed in the office of the County Recorder of San Diego County, on October 28, 1970.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner to operate an alcoholic beverage outlet conditioned upon the issuance of a license from the State Department of Alcoholic Beverage Control and subject to the City's land use regulations described and identified by size, dimension, quantity, type, and location on the approved Exhibit "A" dated February 12, 2025, on file in the Development Services Department.

The project shall include:

- a. Operation of an Alcoholic Beverage Outlet within ground level Suite B of an existing 6-story mixed use building located at 375 Camino De La Reina, conditioned upon the issuance of a type 21 License from the State Department of Alcoholic Beverage Control (ABC).
- 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 February 26, 2028.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on February 26, 2035. 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 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:

ATTACHMENT 5

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.
15. 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.
16. Exterior public pay phones that permit incoming calls are not permitted on the premises, adjacent public sidewalks, or areas under the control of the Owner/Permittee.
17. 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.
18. The sign area pertaining to or referencing alcoholic sales or beverages shall not exceed 630 square inches.
19. 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.
20. The Owner/Permittee 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, violators are subject to arrest." The sign shall be at least two square feet with two-inch block lettering. The sign shall be in English and Spanish.
21. The Owner/Permittee shall list a business address and telephone number in the Pacific Bell/San Diego telephone directory or other similarly distributed directory.
22. 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.

23. The Owner/Permittee shall maintain the premises, adjacent public sidewalks, and areas under the control of the Owner/Permittee, free of litter and graffiti at all times. The Owner/Permittee shall provide for daily removal of trash, litter, and debris. The Owner/Permittee shall eliminate graffiti within 48 hours of application.

24. Off-street parking shall be provided in accordance with the requirements for retail uses in Table 142.05E.

POLICE DEPARTMENT REQUIREMENTS:

25. The sales of alcoholic beverage shall be permitted between the hours of 6:00am and 12:00am.

26. No wine or distilled spirits shall be sold in containers of less than 375 milliliters.

27. Beer malt beverage products or wine cooler products, regardless of size, must be sold in manufacturer pre-packaged multi-unit quantities. No singles.

28. The sale of beer or malt beverages in kegs is prohibited.

29. Video surveillance shall be recording and available to law enforcement upon request covering both interior and exterior 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.

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

31. All retail employees shall 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, 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 February 12, 2025, and HO-XXXX.

ATTACHMENT 5

Conditional Use Permit No. PMT-3301684
Date of Approval: February 12, 2025

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Andrew Murillo
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.

NCH Holdings, LLC
Permittee

By _____
Renwar Benyamen
Vice President

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

NOTICE OF EXEMPTION

TO: Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2400

From: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Land Use and Climate Innovation
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Title / Number: 375 Camino de la Reina / PRJ-1116361

State Clearinghouse No.: N/A

Project Location-Specific: 375 Camino De La Reina San Diego, CA 92108

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: Conditional Use Permit for a request to allow a new Alcoholic Beverage Control (ABC) License type 21 alcohol sales located at ground level Suite B of the existing 4-story residential multifamily over 2-story commercial (restaurant and retail spaces) at 375 Camino De La Reina. The 4.88-acre site is in the RMX-1 Base Zone within the Mission Valley Community Plan Area. Council District 3. LEGAL DESCRIPTION: POR LOT 1 (EX DOC 71-183507 & ST), GOLDEN VALLEY UNTIL No. 1 TRACT, MAP 6775

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Sherrie Olson, 1030 N Mountain Ave, Ontario, CA 91762, (909) 519-1816

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption: Section 15301, Existing Facilities
- Statutory Exemptions:
- Other:

Reasons why project is exempt: 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 Section 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 permit alcohol sales in an existing restaurant and retail space with no expansion of use beyond that existing at the time of the determination. The project is located on a developed site with no environmental impacts and where the exceptions listed in Section 15300.2 would not apply.

The site is not included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.


Lead Agency Contact Person: C. Holowach

Telephone: (619) 446-5187

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from the California Environmental Quality Act.

 Senior Planner
Signature/Title

11/12/24
Date

Check One:

- Signed by Lead Agency
 Signed by Applicant

Date Received for Filing with County Clerk or LCI:

	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101		<h1>Community Planning Committee Distribution Form</h1>	
	Project Name: Camino Farms Market		Project Number: 1116361	
Community: Mission Balley				
<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="radio"/> 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: September 03,	
# of Members Yes 16	# of Members No 0	# of Members Abstain 1		
Conditions or Recommendations: Not Applicable				
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)				
NAME: Michele Addington				
TITLE: Chair, Mission Valley Planning Group			DATE: September 04, 2024	

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

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statement	FORM DS-318 October 2017

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 _____

Project Title: Camino Farms **Project No. For City Use Only:** _____

Project Address: 375 Camino De La Reina
San Diego, CA 92108

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: R & V Fasion Valley Genpar, LLC & R&V Fashion Valley Investment Owner Tenant/Lessee Successor Agency

Street Address: 375 Camino De La Reina

City: San Diego State: CA Zip: 92108

Phone No.: _____ Fax No.: _____ Email: _____

Signature:  Dennis Szuberla Date: 4/30/2027

Additional pages Attached: Yes No

Applicant

Name of Individual: NCH Holdings LLC - Renwar Benyamen Owner Tenant/Lessee Successor Agency

Street Address: 375 Camino De La Reina

City: San Diego State: CA Zip: 92108

Phone No.: 619-328-7285 Fax No.: _____ Email: renben619@gmail.com

Signature:  Date: 5/2/24

Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: NCH Holdings LLC - Renwar Benyamen Owner Tenant/Lessee Successor Agency

Street Address: 375 Camino De La Reina

City: San Diego State: CA Zip: 92108

Phone No.: 619-328-7285 Fax No.: _____ Email: renben619@gmail.com

Signature:  Date: 5/2/24

Additional pages Attached: Yes No

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
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One Existing Off-Sale License in Census Tract 93.04

Results for: License Type

Census Tract: 93.04

Report Date: Monday, January 20, 2025

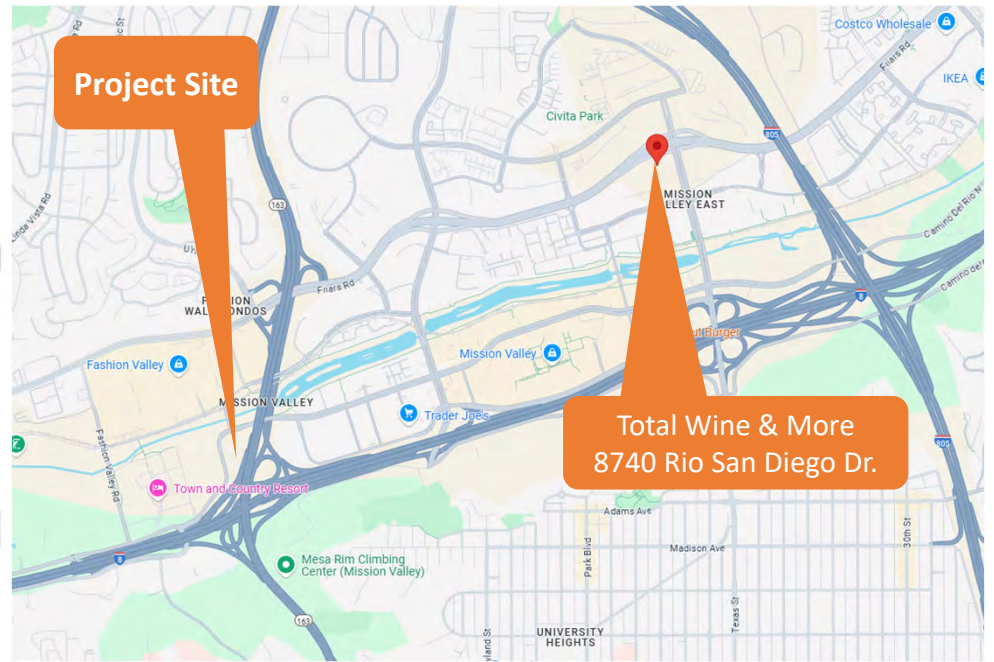
Show 10 entries

Search:

License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name	Geo Code
623076	ACTIVE	21	11/22/2021	06/30/2025	CALIFORNIA FINE WINE & SPIRITS LLC	8740 RIO SAN DIEGO DR, SAN DIEGO, CA 92108 Census Tract: 0093.04	TOTAL WINE & MORE	3710

Showing 1 to 1 of 1 entries

Previous 1 Next



Total Wine & More
8740 Rio San Diego Dr.



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

PREMISE ADDRESS: 375 Camino De La Reina #300, San Diego, CA 92108

TYPE OF BUSINESS: Market/Liquor store (Type 21 Off-Sale General)

FEDERAL CENSUS TRACT: 93.04

NUMBER OF ALCOHOL LICENSES ALLOWED: Off-Sale: 6

NUMBER OF ALCOHOL LICENSES EXISTING: Off-Sale: 3

CRIME RATE IN THIS CENSUS TRACT: 700.8%
(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. The reported crime rate for 2022 within Census Tract 93.04 was 700.8% and the alcohol crime rate was 120.5%. 375 Camino De La Reiana #300 is within 100 feet of residents, it is located inside an apartment complex.

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 hours for in-store operations shall be from 6:00am to Midnight as it relates to sales, service, or consumption of alcoholic beverages. The hours for the sale of alcoholic product via app/online platform for delivery only, shall be 6:00am to 2:00am.
2. No wine or distilled spirits shall be sold in containers of less than 200 milliliters.
3. Beer, malt beverage products or wine cooler products, regardless of container size, must be sold in manufacturer pre-packaged multi-unit quantities. No singles.
4. The sale of beer or malt beverages in kegs is prohibited.
5. Video surveillance shall be recording and available to law enforcement upon request covering both interior and exterior 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.
6. Litter and any unauthorized graffiti will be removed promptly.

10/5/24

11. 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 persons.

SAN DIEGO POLICE DEPARTMENT RECOMMENDATION:

APPROVE ✓

DENY _____

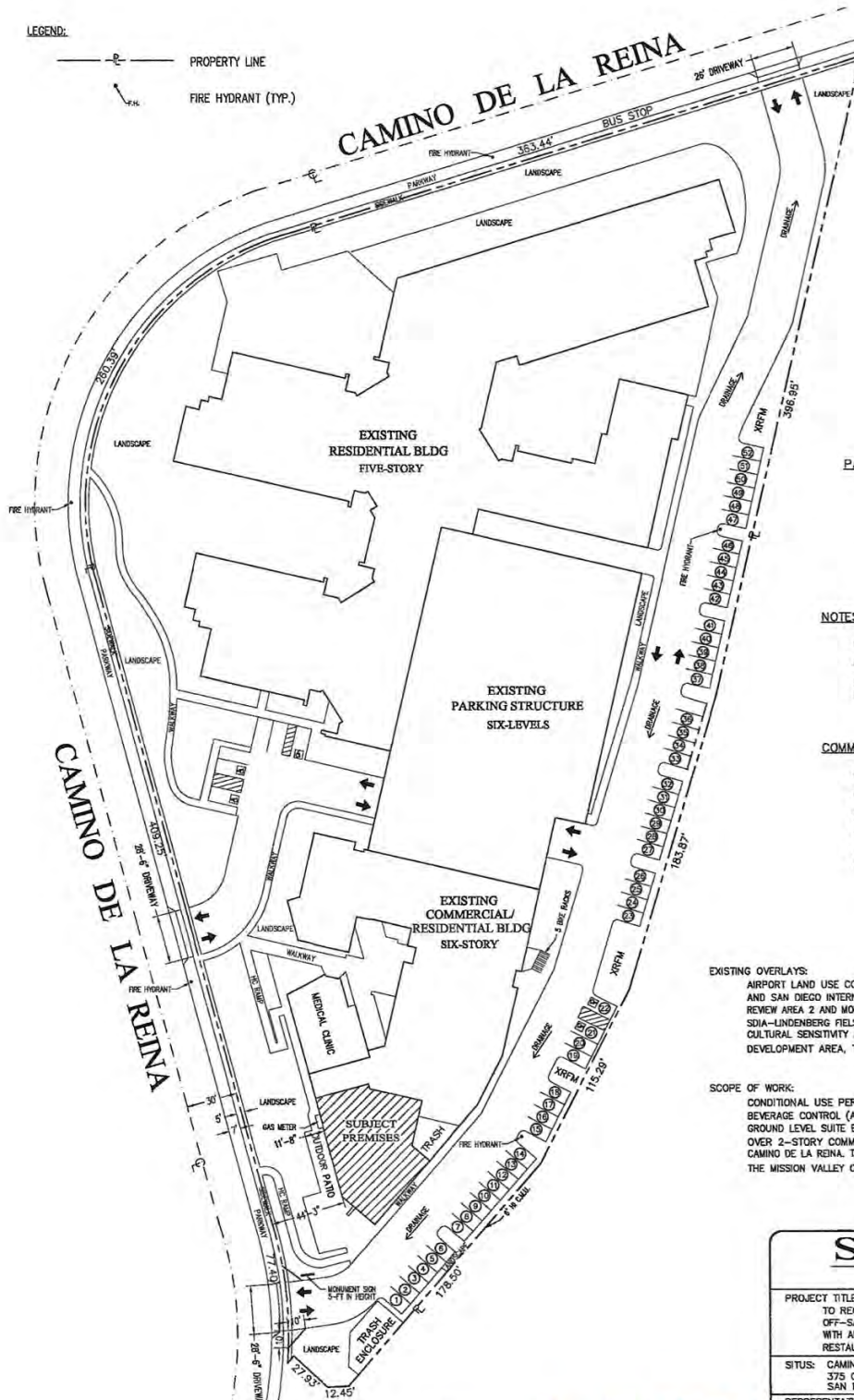
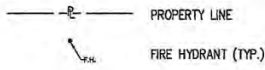
Benjamin M'Curry
Name of SDPD Vice Sergeant (Print)

619-531-2974
Telephone Number

[Signature]
Signature of SDPD Vice Sergeant

8-15-24
Date of Review

LEGEND:



PARKING PROVIDED (COMMERCIAL)

STANDARD SPACES = 50
 COMPACT SPACES = 0
 HANDICAPPED SPACES = 2
 TOTAL PARKING PROVIDED = 52
 PARKING STRUCTURE FOR RESIDENTIAL USES ONLY
 TOTAL BICYCLE PARKING PROVIDED = 5

NOTES:

NO EXISTING OR PROPOSED EASEMENTS ON THE PROPERTY
 ALL BUILDINGS ARE EXISTING TO REMAIN
 BUILDING ADDRESS NUMBER PAINTED ON TRANSOM,
 ENTRY DOOR, PER FHPS POLICY P-00-6 (UFC 901.4.4)

COMMENTS:

HEIGHT OF MONUMENT SIGN = 5-FT
 EMRA APPROVAL No. 2216455-Pro No. 611730
 EIR No. 474586 AND SCH No. 2016071065 - ALL INCORPORATED
 TO CODE AND SITE APPROVED BY CITY OF SAN DIEGO.
 ONLY ADDING ALCOHOL SALES TO APPROVED SITE UNDER EIR
 BUILDING PERMIT FOR THE RESTAURANT AND MARKET UNDER
 PRJ-1064170

□ VISIBILITY AREA
 NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY
 AREA SHALL EXCEED 3 FEET IN HEIGHT. PER SDMG SECTION
 142.0409(b)(2), PLANT MATERIAL, OTHER THAN TREES, LOCATED
 WITHIN VISIBILITY AREAS OR ADJACENT PUBLIC RIGHT-OF-WAY SHALL
 NOT EXCEED 36 INCHES IN HEIGHT, MEASURED FROM THE LOWEST
 GRADE ADJUTING THE PLANT MATERIAL TO THE TOP OF THE PLANT
 MATERIAL.



SITE PLAN	
SCALE 1" = 30'	
PROJECT TITLE: TO REQUEST A CONDITIONAL USE PERMIT TO ALLOW TYPE 21 OFF-SALE GENERAL ALCOHOLIC BEVERAGE LICENSE; IN CONJUNCTION WITH AN UNDER TENANT IMPROVEMENT 3,908 SQUARE-FOOT MARKET / RESTAURANT IN A RMX-1 BASE ZONE	
SITUS: CAMINO FARMS 375 CAMINO DE LA REINA, SUITE B SAN DIEGO, CA 92108	
REPRESENTATIVE: SHERRIE OLSON 1030 N MOUNTAIN AVE # 190 ONTARIO, CA 91762 909-519-1816	MAPMAKER: ZUPAY MAPPING SERVICE 13645 SHAWLOW AVE. SYLMAR, CA 91342 818-833-9059
PROPERTY OWNER: FASHION VALLEY APARTMENTS LP & FV DEL 1 LLC 3444 CAMINO DEL RIO # 202 SAN DIEGO, CA 92108	APPLICANT: CAMINO FARMS RENWAR BENYAMEN 2121 SAN ELJO AVENUE CARDIFF BY THE SEA, CA 92007
LEGAL DESCRIPTION: POR LOT 1 (EX DOC 71-183507 & ST), GOLDEN VALLEY UNIT No.1 TRACT, MAP 6775, SEE APPLICATION A.P.N. 437-260-38-00, 437-260-39-00 & 437-260-40-00	
ZONE INFORMATION: BASE ZONE = RMX-1 COMMUNITY PLAN AREA = MISSION VALLEY COMMUNITY PLAN LAND USE DESIGNATION: MIXED-USE - MEDIUM COMMUNITY PLAN LAND DENSITY HIGH: 8500/ACRE	TYPE OF CONSTRUCTION: 1A PODIUM FULLY SPRINKLERED OCCUPANCY GROUP: A2-M
GROSS SITE AREA = 4.88 ACRES YEAR OF CONSTRUCTION: 2022 TOTAL FLOOR AREA (SUBJECT PREMISES) = 3,908 Sq.Ft.	
EXISTING USE: VACANT, UNDER TENANT IMPROVEMENT PROPOSED USE: NEIGHBORHOOD MARKET & RESTAURANT HOURS OF OPERATION: 8 AM TO MIDNIGHT DAILY	
PREPARATION DATE: APRIL 17, 2024 REVISED DATE: OCTOBER 4, 2024	

B-01