



THE CITY OF SAN DIEGO

October 26, 2015

Steve Rawlings  
Rawlings Consulting  
26023 Jefferson Avenue, Suite D  
Murrieta, CA 92652

VIA EMAIL TO: [ser@rawlingspm.com](mailto:ser@rawlingspm.com)

Dear Mr. Rawlings:

Subject: Mission Square Market CUP Assessment Letter; Project No. 432218; Internal Order No. 24006025; Navajo Community Plan Area

The Development Services Department has completed the initial review of the project referenced above, and described as:

- A Process 3 Conditional Use Permit for development of an alcoholic beverage outlet under an Alcohol and Beverage Control (ABC) Type 21 License for the sale of alcoholic beverages from an existing 2,072 square-foot convenience store located at 6171 Mission Gorge Road. The 1.679-acre site is located in the CC-4-2 Zone, and within the Affordable Housing Parking Demand, Community Plan Implementation (CPIOZ-A), Montgomery Field Airport Land Use Compatibility, and Airport Influence Area (Review Area 2) Overlay Zones, within the Navajo Community Plan Area.

Enclosed is a Cycle Issues Report (Enclosure 1) which contains review comments from staff representing various disciplines, outside agencies and the community planning group. The purpose of this assessment letter is to summarize the significant project issues and identify a course of action for the processing of your project.

If any additional requirements should arise during the subsequent review of your project, we will identify the issue and the reason for the additional requirement. To resolve any outstanding issues, please provide the information that is requested in the Cycle Issues Report. If you choose not to provide the requested additional information or make the requested revisions, processing may continue. However, the project may be recommended for denial if the remaining issues cannot be satisfactorily resolved and the appropriate findings for approval cannot be made.

The Development Services Department will generally formulate a formal recommendation for your project subsequent to completion of the following milestones: 1) After the City Council

recognized Community Planning Group has provided a formal project recommendation; 2) After all City staff project-review comments have been adequately addressed; and 3) During the final stages of the environmental review process.

As your Development Project Manager, I will coordinate all correspondence, emails, phone calls, and meetings directly with the applicants assigned “Point of Contact.” You have been designated as the Point of Contact. Please notify me if you should decide to change your Point of Contact while I am managing this project.

## **I. REQUIRED APPROVALS/FINDINGS -**

▪ **Required approval:** Your project as currently proposed requires a Process 3 Conditional Use Permit (CUP) for development of an alcoholic beverage outlet under an Alcohol and Beverage Control (ABC) Type 21 License for the sale of alcoholic beverages pursuant to San Diego Municipal Code [SDMC] Sections 141.0502 (c) and 126.0303(a), Hearing Officer as decision maker.

▪ **Required Findings:** In order to recommend approval of your project, certain findings as outlined below must be substantiated in the record. Please include your answers to the following findings in your “Applicant Response to Issues:”

Conditional Use Permit – Section 126.0305

- (a) The proposed development will not adversely affect the applicable land use plan;
- (b) The proposed development will not be detrimental to the 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
- (d) The proposed use is appropriate at the proposed location.

**II. SIGNIFICANT PROJECT ISSUES:** The significant project issues are summarized below. Resolution of these issues could affect your project. Please refer to the Cycle Issues report for additional explanation.

Public Convenience or Necessity (PCN) Application – The San Diego Police Department cannot make a recommendation on this project until the review of the application for a PCN Public for Type-21 is completed and approved. In the event you wish to change the project scope from Type 21 to a Type 20 Alcohol CUP, please provide a current

approved PCN for Type 20 with your project resubmittal. Please contact Sgt. Robert Stinson, with the San Diego Police Department, at (619) 531-2282.

Public Improvements – The project will generate pedestrian activity and is required to have all public improvements adjacent to the project site ADA compliant and to current City standards. Please reference LDR-Engineering Cycle Issues Report for an explanation.

Parking – The proposed use requires five parking spaces. Please illustrate and number the required spaces on plans demonstrating compliance. Please reference LDR-Planning Cycle Issues Report.

**III. STUDIES/REPORTS REQUIRED:** No studies/reports are required.

**IV. PROJECT ACCOUNT STATUS:** Our current accounting system does not provide for real-time information regarding account status, however, our records show approximately \$2,096 billed to date. Based on the processing point and unresolved issues, an additional deposit is not required at this time.

During the processing of your project, you will continue to receive statements with the break-down of staff charges to your account. Should you have questions about those charges, please feel free to contact me directly.

**V. TIMELINE:** A formal resubmittal is required. The submittal of the items required by staff is key to the project schedule. The review of the project cannot be completed, and a final environmental determination cannot be made, until the requested additional information/corrections are provided. Please note LDR-Environmental has made a preliminary determination that the proposed activity may be exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines.

Upon your review of the attached Cycle Issues Report, you may wish to schedule a meeting with staff and your consultants prior to resubmitting the project. Please contact me if you wish to schedule a meeting with staff. During the meeting, we will also focus on key milestones that must be met in order to facilitate the review of your proposal and to project a potential timeline for a hearing date. Your next review cycle should take approximately 20 days to complete.

Municipal Code Section 126.0114 requires that a development permit application be closed if the applicant fails to submit or resubmit requested materials, information, fees, or deposits within 90 calendar days. Once closed, the application, plans and other data submitted for review may be returned to the applicant or destroyed. To reapply, the applicant shall be required to submit a new development permit application with required

submittal materials, and shall be subject to all applicable fees and regulations in effect on the date the new application is deemed complete.

If you wish to continue processing this project, please note that delays in resubmitting projects and/or responding to City staff's inquiries negatively impact this Department's ability to effectively manage workload, which can lead to both higher processing costs and longer timelines for your project.

**VI. RESUBMITTALS/NEXT STEPS:** Resubmittals are done on a walk-in basis. Please check in on the third floor of the Development Service Center (1222 First Avenue). Please be prepared to provide the following:

A. Plans and Reports: Provide the number of sets of plans and reports as shown on the attached Submittal Requirements Report. The plans should be folded to an approximate 8 ½ x 11 inch size.

B. Cycle Issues Report response letter: Prepare a cover letter that specifically describes how you have addressed each of the issues identified in the Cycle Issues Report and any issues identified in this cover letter, if applicable. Or, you may choose to simply submit the Cycle Issues Report, identifying within the margins how you have addressed the issue. If the issue is addressed on one or more sheets of the plans or the reports, please reference the plan, sheet number, report or page number as appropriate. If it is not feasible to address a particular issue, please indicate the reason. Include a copy of this Assessment Letter, Cycle Issues Report and your response letter if applicable, with each set of plans.

C. Deposit Account: Our most recent records show that there is a balance of \$5,904 in the deposit account for your project. However, please be advised that the cost of this review has not been posted to your account, and it may take four to six weeks to post these charges to the account. Statements are mailed to the Financially Responsible Party for this project on a monthly basis.

D. The following information is regarding fees incurred as a part of the California Environmental Quality Act (CEQA):

San Diego County Clerk Fee: The San Diego County Clerk now requires \$50.00 to post the required public notice informing the public that a draft environmental document has been prepared. A check made out to the San Diego County Clerk for this amount will be required prior to the distribution of the draft environmental document for public review.

[http://www.dfg.ca.gov/habcon/ceqa/ceqa\\_changes.html](http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html)

CEQA Filing Fees: Required for projects with environmental document (ND, MND or EIR): A California Environmental Quality Act (CEQA) Notice of Determination (NOD) must be filed within five working days after the project's approval and all appeal periods have been exhausted. Filing the NOD would start a 30-day statute of limitations on legal court challenges to the approval under CEQA. The NOD must be accompanied by a California Department of Fish and Wildlife Fee (CDFW) filing fee or a CDFW "No Effect" form, and a San Diego County document handling fee.

If the applicant believes or has evidence (e.g. aerial images, photographs, etc.) to verify that the project will have no effect on fish and wildlife, please consult the "Process for No Effect Determinations" on the California Department of Fish and Wildlife web site, [http://www.dfg.ca.gov/habcon/ceqa/ceqa\\_changes.html](http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html) (under the "No Effect Determinations" section), Submit the form via email to: [R5NoEffect@dfg.ca.gov](mailto:R5NoEffect@dfg.ca.gov) (NOTE ) The mail server does not accept attachments over 10 MB.

Prior to scheduling your project for a decision, the following must be forwarded to me to be filed with the CEQA NOD:

- The **original** approved CDFW "No Effect" Form and a check for \$50 (handling fee) made payable to the "San Diego County Clerk". -or-
- A check, payable to the "San Diego County Clerk" in the amount of \$2,260.00 (\$2,210.00 CDFW fee + \$50 handling fee) if a Negative Declaration or a Mitigated Negative Declaration was prepared for your project; **or** \$3,119.75 (\$3,069.75 CDFW Fee + \$50 handling fee) if an Environmental Impact Report was prepared for your project. Please include your project number on the check.

A receipt for the fee and a copy of the CDFW "No Effect" Form or NOD will be forwarded to you after the 30-day posting requirement by the County Clerk.

If your project has been determined to be Exempt from the provisions of the California Environmental Quality Act (CEQA); a Notice of Exemption (NOE) will be filed with the County Clerk after your project approval and all appeal periods have been exhausted. The County requires a \$50 documentary handling fee to file a CEQA NOE. Prior to scheduling your project for a decision, a check payable to the "San Diego County Clerk" in the amount of \$50 must be forwarded to my attention. Please include your project number on the check. A receipt for this fee and a copy of the NOE will be forwarded to you after the 30-day posting requirement by the County Clerk.

E. Records Fee: Prior to scheduling your project for a decision you must pay the Records Fee to cover the cost of imaging and archiving your complete project record

electronically (see Information Bulletin 503). I will let you know the Records Fee amount prior to a decision on your project.

- VII. COMMUNITY PLANNING GROUP:** Staff provides the decision maker with the recommendation from your locally recognized community planning group. If you have not already done so, please contact Matthew Adams, Chairperson of the Navajo Community Planners Inc., at [navajoplanners@cox.net](mailto:navajoplanners@cox.net) to schedule your project for a recommendation from the group. If you have already obtained a recommendation from the community planning group, in your resubmittal, if applicable, please indicate how your project incorporates any input suggested to you by the community planning group.

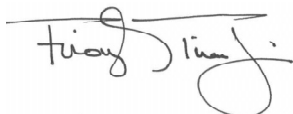
Information Bulletin 620, "Coordination of Project Management with Community Planning Committees" (available at <http://www.sandiego.gov/development-services>), provides some valuable information about the advisory role the Community Planning Group. Council Policy 600-24 provides standard operating procedures and responsibilities of recognized Community Planning Committees and is available at <http://www.sandiego.gov/city-clerk/officialdocs/index.shtml>.

- VIII. STAFF REVIEW TEAM:** Should you require clarification about specific comments from the staff reviewing team, please contact me, or feel free to contact the reviewer directly. The names and telephone numbers of each reviewer can be found on the enclosed Cycle Issues Report.

In conclusion, please note that information forms and bulletins, project submittal requirements, and the Land Development Code may be accessed on line at <http://www.sandiego.gov/development-services>. Many land use plans for the various communities throughout the City of San Diego are now available on line at <http://www.sandiego.gov/planning/community/profiles/index.shtml>

For modifications to the project scope, submittal requirements or questions regarding any of the above, please contact me prior to resubmittal. I may be reached by telephone at (619) 446-5325, or via e-mail at [ftirandazi@sandiego.gov](mailto:ftirandazi@sandiego.gov).

Sincerely,



Firouzeh Tirandazi  
Development Project Manager

Page 7  
Steve Rawlings  
October 26, 2015

Enclosures:

1. Cycle No. 2 Issues Report
2. Submittal Requirements Report

cc: File  
Matthew Adams, Chairperson, Navajo Community Planners Inc.  
Reviewing Staff (Assessment letter only)  
Seth Litchney, Planner