



THE CITY OF SAN DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE: February 19, 2014 REPORT NO. HO-14-016

ATTENTION: Hearing Officer

SUBJECT: **ACACIA GASOLINE AND CAR WASH**
PTS PROJECT NUMBER - 307131.
PROCESS 3.

LOCATION: 3861 Valley Centre Drive

APPLICANT: Mr. Lawrence Kourie, Acacia Holding LLC, Property Owner
(ATTACHMENT 11) / Mr. Stephen Davis, Consultant/Agent

SUMMARY

Requested Action - Should the Hearing Officer approve a Site Development Permit, Conditional Use Permit and Coastal Development Permit to amend CVPP, CUP, and CDP No. 96-7784 for a retail area addition to an existing mini-market, gas station and car wash facility in the Carmel Valley Community Plan area?

Staff Recommendation – APPROVE Site Development Permit No. 1110474, Conditional Use Permit No. 1110482 and Coastal Development Permit No. 1110487 an Amendment to CVPP/CUP/CDP Permit No. 96-7784.

Community Planning Group Recommendation – The Carmel Valley Community Planning Board did not conduct a meeting in November or December of 2013, due to meeting time conflicts with scheduled holidays both months. This project was to be on their January 23, 2014, agenda; however, the group mistakenly placed another Shell Gas Station addition on their agenda in place of this one. In somewhat of an alternative measure due to the agenda mistake, this applicant presented this project to the Planning Group's sub-committee on February 5, 2014, where it was recommended for approval. In speaking to the chair, Frisco White, via a phone conversation on February 6, 2014, Frisco White was agreeable in letting this project move forward to the Hearing Officer Hearing under the extenuating circumstances. This group will make their formal recommendation at their next scheduled

meeting on February 27, 2014, and would still have the right to file an appeal to the Hearing Officer's Decision if they felt it was needed at that time (ATTACHMENT 10).

Environmental Review – The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303, “New Construction or Conversion of Small Structures”. This project is not pending an appeal of the environmental determination. The exemption determination for this project was made on November 13, 2013, and the opportunity to appeal that determination ended on November 27, 2013.

BACKGROUND

The project site is currently developed with an existing, gas station, car wash and mini market located on 0.51-acre property along Valley Centre Drive, just west of Carmel Creek Road and directly north of the adjacent Highway 56 Freeway (ATTACHMENTS 1-3). The project site is part of a larger existing visitor commercial center with existing shared parking and vehicular access to a portion located further to the east of the subject property. The gas station, car wash and convenience store were approved under Carmel Valley Planned Development Permit, Conditional Use Permit and Coastal Development Permit No. 96-7784 on April 1, 1998, which was an amendment to the previous approval of CVPDD, CUP, CDP No. 93-0451 and 95-0551 (ATTACHMENT 7).

The project site is located at 3861 Valley Centre Drive, within the SC (Specialized Commercial) Zone of the Carmel Valley Planned District Ordinance, Coastal (non-appealable), Parking Impact Overlay Zones within the Carmel Valley Community Plan area. Originally this project was submitted as a Substantial Conformance Review, however, due to the required increase in off-street parking City Staff determined that the prior Carmel Valley Planned Development Permit, Conditional Use Permit and Coastal Development Permit No. 96-7784 needed to be amended.

DISCUSSION

The project proposes to construct a 764 square foot addition of retail use to the existing gas station, mini-market and car wash building previously approved under CVPP, CUP & CDP Permit No. 96-7784. This Site Development Permit, Conditional Use Permit and Coastal Development Permit are an amendment to that previous permit approval. During the review City Staff found the proposed development and use to comply with all of the applicable development regulations including those of the SC (Specialized Commercial) Zone of the Carmel Valley Planned District Ordinance. The proposed addition is located on the west side of the existing building in an area currently developed as a children's play area. The 764 square foot addition required four additional off-street parking spaces to be added to the project site, increasing the required minimum off-street parking from 32 spaces to 36. Landscaping area associated with the additional four parking spaces will also be added as required by the Land Development regulations. The proposed exterior elevations indicate the use of cement plaster smooth finish walls with glass doors and windows in an architectural style to match the existing food mart and car wash buildings.

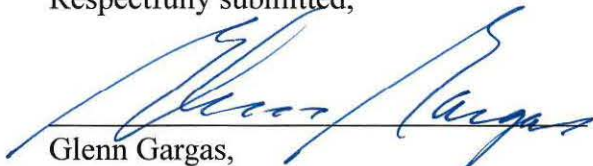
CONCLUSION

Staff has reviewed the request for the Site Development Permit, Conditional Use Permit and Coastal Development Permit an Amendment to CVPP, CUP CDP No. 96-7784 for the proposed addition of retail area to the existing gas station/car wash facility and found the project to be in conformance with all the applicable sections of the San Diego Municipal Code. Staff believes the required findings can be supported and recommends the Hearing Officer approve the project as proposed.

ALTERNATIVES

1. Approve Site Development Permit No. 1110474, Conditional Use Permit No. 1110482 and Coastal Development Permit No. 1110487, with modifications.
2. Deny Site Development Permit No. 1110474, Conditional Use Permit No. 1110482 and Coastal Development Permit No. 1110487, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Glenn Gargas,
Development Project Manager

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft CUP Resolution with Findings
6. Draft CUP with Conditions
7. Copy of existing CVPP/CUP&CDP No. 96-7784
8. Project Site Plan
9. Project Building Elevations & Landscape Plan
10. Copy of Community Group Recommendation
11. Ownership Disclosure Statement
12. Copy of Public Notice

Internal Order Number: 24003477

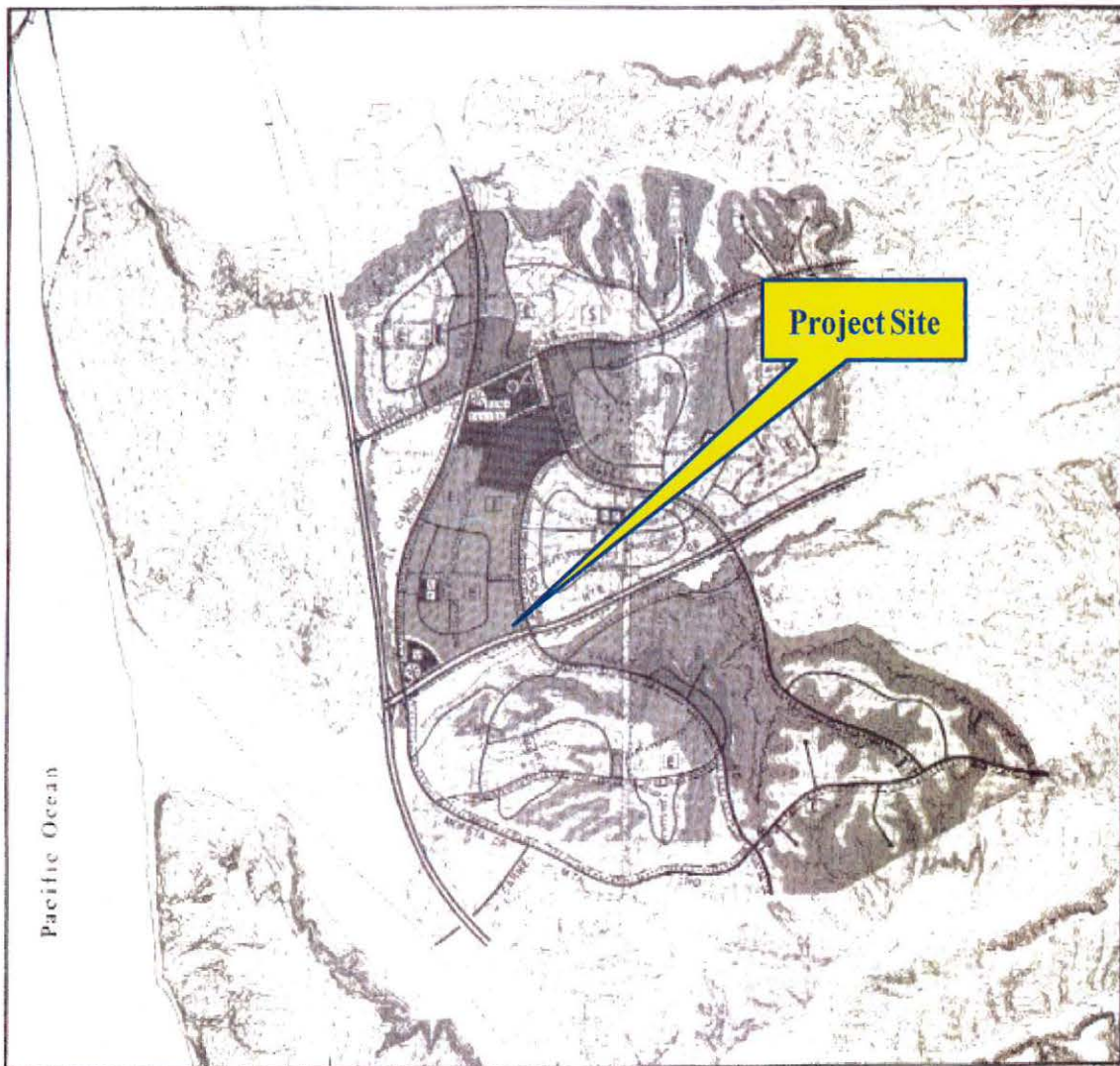


Aerial Photo

3861 VALLEY CENTRE DRIVE – ACACIA GASOLINE & CAR WASH

PROJECT NUMBER 307131





NORTH CITY WEST

RESIDENTIAL

- VERY LOW DEN. 5 DU/AC.
- LOW DEN. 10 DU/AC.
- LOW MED. DEN. 20 DU/AC.
- MEDIUM DEN. 40 DU/AC.

COMMERCIAL

- ALL CATEGORIES N-NEIGHBORHOOD V-VISITOR

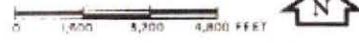
PUBLIC FACILITIES

- SCHOOLS E-ELEM J-JR. S-SR.
- P-PARK N-NEIGHBORHOOD C-COMM.
- LIBRARY ▲ FIRE STATION

TRANSPORTATION

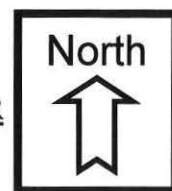
- FREEWAY
- MAJOR STREET
- COLLECTOR STREET

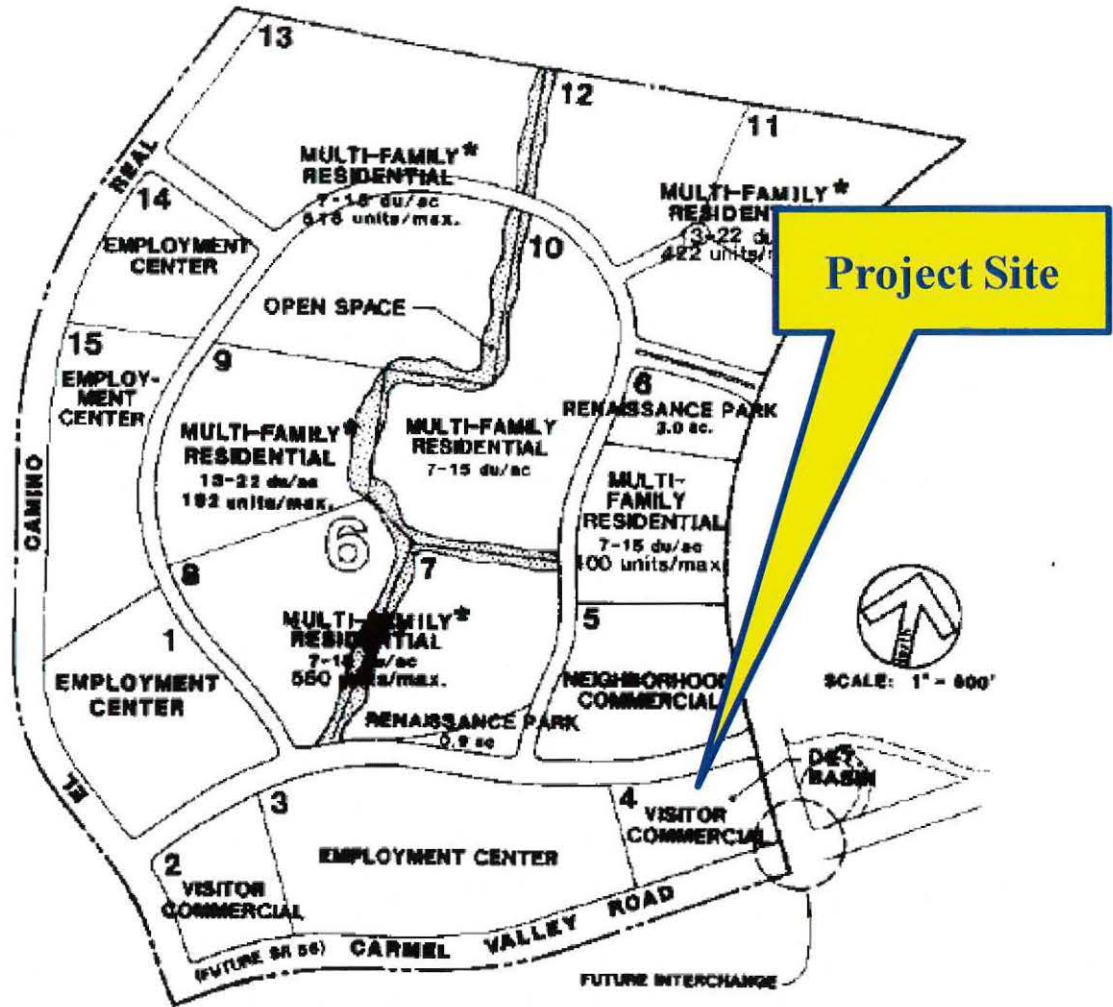
- BICYCLE PATH
- PEDESTRIAN
- TRANSPORTATION TERMINAL
- OPEN SPACE
- FLOOD PLAIN



Land Use Map

ACACIA GASOLINE & CAR WASH – 3861 VALLEY CENTRE DR
PROJECT NO. 307131





* NOTE: each NCW Development Plan must provide 1800 sq.ft. of open space per dwelling unit and may contain a private recreation facility (900 sq. ft. of open space per dwelling unit in lots 9, 11, 12)

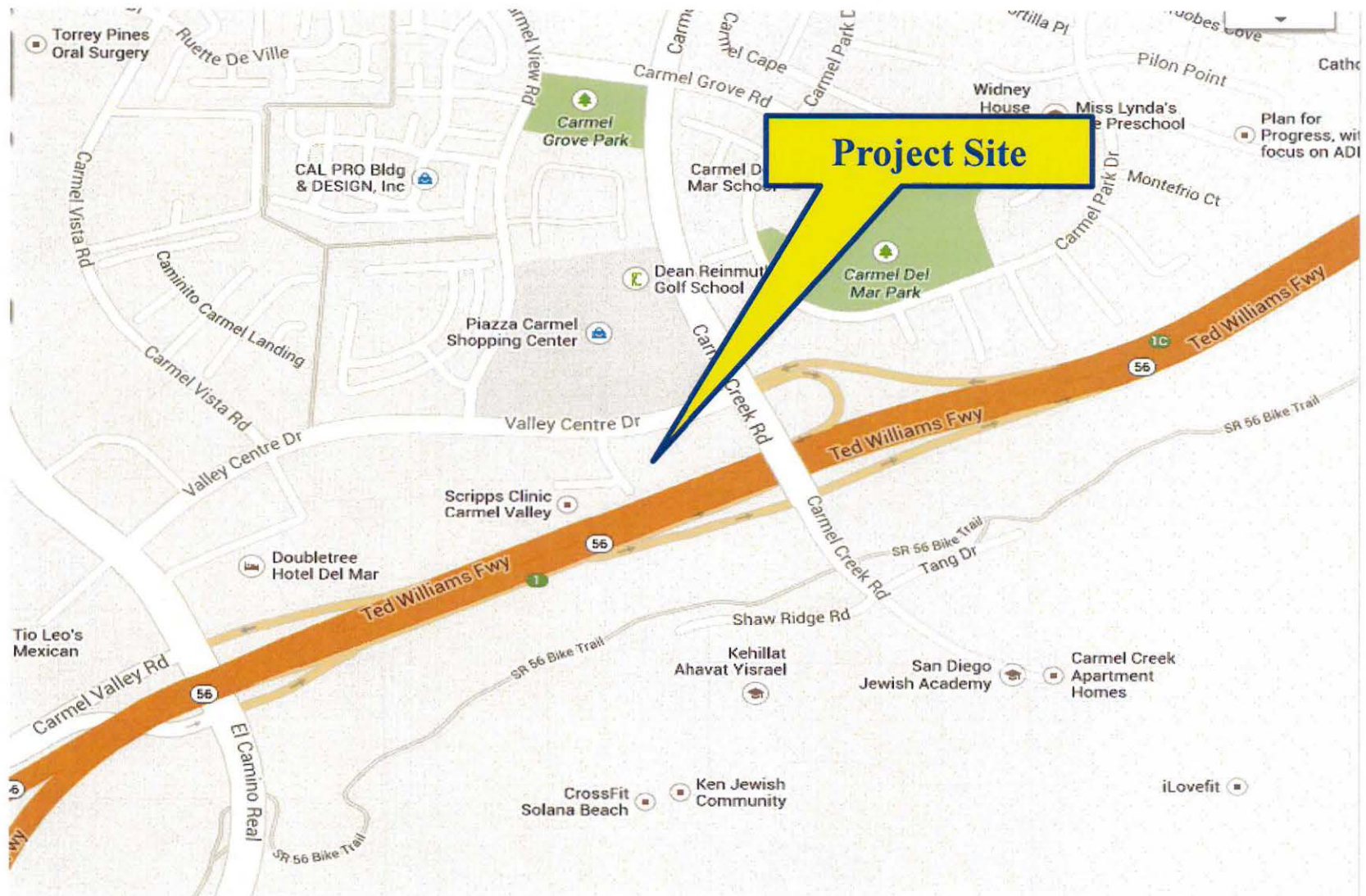
Figure 9
**Neighborhood 6
 Land Use Plan**



Land Use Map

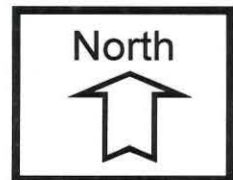
**ACACIA GASOLINE & CAR WASH – 3861 VALLEY CENTRE
 DRIVE**
 PROJECT NO. 307131





Project Location Map

ACACIA GASOLINE & CAR WASH – 3861 VALLEY CENTRE DRIVE
PROJECT NO. 307131



PROJECT DATA SHEET

PROJECT NAME:	Acacia Gasoline and Car Wash – Project No. 307131	
PROJECT DESCRIPTION:	Addition of 764 square feet of retail area to an existing gas station, mini-mart and car wash resulting in a 9,473 square foot facility on a 1.75-acre property.	
COMMUNITY PLAN AREA:	Carmel Valley	
DISCRETIONARY ACTIONS:	Site Development Permit, Conditional Use Permit and Coastal Development Permit, Amendment to CVPP,CUP, CDP No. 96-7784.	
COMMUNITY PLAN LAND USE DESIGNATION:	Visitor Commercial	
<u>ZONING INFORMATION:</u> ZONE: SC- Zone, Carmel Valley PDO HEIGHT LIMIT: 45-Foot maximum height limit. LOT SIZE: 5,000 square-foot minimum lot size – 1.75 acre existing lot. FLOOR AREA RATIO: 0.75 Max - 0.12 proposed FRONT SETBACK: 0 feet - 35 feet existing SIDE SETBACK: 10 - 104 & 62 feet existing STREETSIDE SETBACK: NA REAR SETBACK: 10 feet - 68 feet existing PARKING: 32 existing parking spaces - 4 added for a total of 36.		
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Neighborhood Commercial; CVPD-NC Zone.	Neighborhood Shopping Center
SOUTH:	56 Freeway; AR-1-2 Zone.	56 Freeway
EAST:	Commercial Center; CVPD-SC Zone	Visitor Commercial Center
WEST:	Employment Center; CVPD-SC Zone.	Commercial Office Complex

ATTACHMENT 4

DEVIATIONS OR VARIANCES REQUESTED:	None.
COMMUNITY PLANNING GROUP RECOMMENDATION:	On February 5, 2014, the Carmel Valley Community Planning Board Sub-Committee voted to recommend approval of this project. The recommendation did not include any conditions.

HEARING OFFICER RESOLUTION NO. _____
SITE DEVELOPMENT PERMIT NO. 1110474, CONDITIONAL USE PERMIT NO. 1110482
AND COASTAL DEVELOPMENT PERMIT NO. 1110487
ACACIA GASOLINE AND CAR WASH - PROJECT NO. 307131

WHEREAS, Acacia Holding, LLC, a California Limited Liability Corporation, Owner/Permittee, filed an application with the City of San Diego for a permit to add retail area to an existing food mart, gas station and car wash (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1110474, 1110482 and 1110487), on portions of a 1.75-acre property;

WHEREAS, the project site is located at 3861 Valley Centre Drive, in the Specialized Commercial Zone of the Carmel Valley Planned District Ordinance, Coastal (non-appealable), Parking Impact Overlay Zones and within the Carmel Valley Community Plan area;

WHEREAS, the project site is legally described as Lot 7, Piazza Carmel II, Unit No. 1, Map No. 13138;

WHEREAS, on February 19, 2014, the Hearing Officer of the City of San Diego considered Site Development Permit No. 1110474, Conditional Use Permit No. 1110482 and Coastal Development Permit No. 1110487, pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on November 13, 2013, 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 15003, New Construction, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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

That the Hearing Officer adopts the following written Findings, dated February 19, 2014.

FINDINGS:

Site Development Permit - Section 126.0504

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

The additional retail area is proposed to a site containing an existing food mart, gas station and car wash facility, this improvement will not adversely affect the Carmel Valley Community Plan, because the proposed development has been found consistent with the plan's land use designation, Visitor Commercial, SC (Specialized Commercial) Zone of the Carmel Valley Planned District, allowed intensity of development, design recommendations by the related Carmel Valley Precise Plan, the Carmel Valley Community Plan and North City Local Coastal Program Land Use Plan. The 76,230 square-foot project site is designated for Visitor Commercial development. The current proposal would expansion of the current gas station and car wash facility. No additional development is proposed to be done to the remainder of the existing facility. The proposed retail area addition to the existing gas station and car wash will not adversely affect the applicable land use plan.

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

The proposed addition of retail area to an existing food mart, gas station and car wash facility has been designed to comply with all of the applicable development regulations, including those of the SC Zone of the Carmel Valley Planned District. The environmental review, determined that the project would not have a significant environmental effect and determined the project to be categorically exempt from environmental review under CEQA. The project proposes only a minimal amount of grading, for the foundation and construction of the 764 square foot addition within an area previously developed. This environmental review included an analysis of the project's potential impact on public health and safety. The proposed addition of retail area to the existing gas station facility as proposed would therefore not be detrimental to the public health, safety and welfare.

3 The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed addition of retail area to an existing food mart, gas station and car wash facility, will comply with the SC Zone of the Carmel Valley Planned District, development regulations, the Carmel Valley Community Plan and the North City Local Coastal Program. City staff reviewed the proposed plans and determined that the additional retail area improvements will comply with all of the applicable development regulations, which includes additional off-street parking and related parking lot landscaping. The site is in the SC Zone of the Carmel Valley Planned District, for specialized commercial use and the site and proposed development all comply with the requirements of that zone and the applicable regulations for the proposed retail area addition to the existing gas station facilities.

Conditional Use Permit Approval – Section 126.0305

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

The additional retail area is proposed to a site containing an existing food mart, gas station and car wash facility, this improvement will not adversely affect the Carmel Valley Community Plan, because the proposed development has been found consistent with the plan's land use designation, Visitor Commercial, SC (Specialized Commercial) Zone of the Carmel Valley Planned District, allowed intensity of development, design recommendations by the related Carmel Valley Precise Plan, the Carmel Valley Community Plan and North City Local Coastal Program Land Use Plan. The 76,230 square-foot project site is designated for Visitor Commercial development. The current proposal would only expand the retail portion of the current gas station and car wash facility. No additional development is proposed to be done to the remainder of the existing facility. The proposed retail area addition to the existing gas station and car wash will not adversely affect the Carmel Valley Community Land Use Plan.

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

The proposed addition of retail area to an existing food mart, gas station and car wash facility has been designed to comply with all of the applicable development regulations, including those of the SC Zone of the Carmel Valley Planned District. The environmental review, determined that the project would not have a significant environmental effect and determined the project to be categorically exempt from environmental review under CEQA. The project proposes only a minimal amount of grading, for the foundation and construction of the 764 square foot addition within an area previously developed. This environmental review included an analysis of the project's potential impact on public health and safety. The proposed addition of retail area to the existing gas station facility as proposed would therefore not be detrimental to the public health, safety and welfare.

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

The proposed addition of retail area to an existing food mart, gas station and car wash facility, will comply with the SC Zone of the Carmel Valley Planned District, development regulations, the Carmel Valley Community Plan and the North City Local Coastal Program. City staff reviewed the proposed plans and determined that the additional retail area improvements will comply with all of the applicable development regulations, which includes additional off-street parking and related parking lot landscaping. There are no proposed variances or deviations to the applicable regulations associated with this proposal. The site is in the SC Zone of the Carmel Valley Planned District, for specialized commercial use and the site and proposed development all comply with the requirements of that zone and the applicable regulations for the proposed retail area addition to the existing gas station facilities

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

The proposed addition of retail area to an existing food mart, gas station and car wash facility, which is located as part of a larger commercial center with shared parking and access with the adjacent commercial properties. All the surrounding uses are also commercial uses with multi-story office use to the west, visitor commercial restaurant uses to the east, a neighbor commercial shopping center to the north and Highway 56 Freeway directly to the south. The Carmel Valley Community Plan identifies this site for Visitor Commercial land use and the proposed use as additional retail area to the existing gas station, mini-market and car wash was found to be in general conformance with the land use plan, the existing and previously approved Conditional Use Permit for the existing gas station with alcohol sales will not be altered or effected by this proposed additional retail area. Thus the proposed addition to the existing gas station use is appropriate at this proposed location.

Coastal Development Permit - Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development

will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

The 76,230 square-foot project site, is currently developed with an existing gas station, mini-market and car wash facility. The development proposes to add 764 square feet of retail area to the existing facility. This addition is located towards the interior of the project site within a currently developed area (paved area). The project site is located approximately one and a half miles from the coastline. The proposed development is contained within the existing legal lot area, and the lot does contain any identified public access on or adjacent to the property as identified by the North City Local Coastal Plan or the Carmel Valley Community Plan. The project site is not located on or adjacent to an identified visual access corridor as identified within the North City Local Coastal Plan. The project site is situated along Valley Centre Drive, directly adjacent to the Highway 56 Freeway, within a developed commercial area. There are no public access or public visual access resources identified by the plan in or near the project site area.

2. The proposed coastal development will not adversely affect environmentally sensitive lands.

The 76,230 square-foot project site is currently developed, with a gas station, mini-market and car wash facility, the property has been previously developed and disturbed and the project site does not contain any form of environmentally sensitive lands. The environmental review, determined that the project would not have a significant environmental effect and determined the project to be categorically exempt from environmental review under CEQA. The project proposes only a minimal amount of grading, for the foundation and construction of the 764 square foot addition within an area previously developed. This environmental review included an analysis of the project's potential impact on environmentally sensitive lands. Thus the proposed coastal development, to add additional retail area to this existing gas station facility will not adversely affect environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The proposed addition of retail area to an existing food mart, gas station and car wash facility, is located on a site which has a Visitor Commercial land use designation by the Carmel Valley Community Plan. The environmental review, determined that the project would not have a significant environmental effect and determined the project to be categorically exempt from environmental review under CEQA. The project design was also determined to be in compliance with all of the applicable development regulations. Due to these factors the proposed addition to the existing gas station and car wash facility was found to be in compliance with the City of San Diego adopted Carmel Valley Community Plan and certified North City Local Coastal Plan.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The 76,230 square foot site, currently developed with an existing gas station, mini-market and car wash, is part of a well established urbanized commercial area. The project site is not located between the first public road and the sea or coastline. Development of the project, proposed retail area addition will be located fully within the private property. The project site is approximately one and a half miles from the Pacific Ocean. There is no identified public access to public recreation area on the project site, which is being maintained and these stated resources will not be impaired by the proposed retail space addition to the existing gas station on this site. The project takes access off the existing public street, Valley Centre Drive with existing and additional off street parking designed to meet current standards. The existing character and pedestrian design of the street will remain unaltered.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Site Development Permit No. 1110474, Conditional Use Permit No. 1110482 and Coastal Development Permit No. 1110487 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1110474, 1110482 and 1110487, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas, AICP
Development Project Manager
Development Services

Adopted on: February 19, 2014

Internal Order No. 24003477

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24003477

**SITE DEVELOPMENT PERMIT NO. 1110474, CONDITIONAL USE PERMIT NO. 1110482 AND COASTAL DEVELOPMENT PERMIT NO. 1110487
 ACACIA GASOLINE AND CAR WASH - PROJECT NO. 307131
 AMENDMENT TO CVPP/CUP/CDP NO. 96-7784
 HEARING OFFICER**

This Site Development Permit No. 1110474, Conditional Use Permit No. 1110482 and Coastal Development Permit No. 1110487, an Amendment to CVPP/CUP/CDP No. 96-7784 is granted by the Hearing Officer of the City of San Diego to Acacia Holding, LLC, a California Limited Liability Corporation, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 153.0201, 126.0303 and 126.0702. The 1.75-acre site is located at 3861 Valley Centre Drive, in the Specialized Commercial Zone of the Carmel Valley Planned District Ordinance, Coastal (non-appealable), Parking Impact Overlay Zones and within the Carmel Valley Community Planning area. The project site is legally described as: Lot 7, Piazza Carmel II, Unit No. 1, Map No. 13138.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to add on to an existing commercial center described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 19, 2014, on file in the Development Services Department.

The project shall include:

- a. Construct a 764 square foot addition of retail space to an existing 8,709 square foot food mart, gas station, car wash, office building, resulting in a total of 9,473 square foot building on a 76,230 square foot property;
- b. Existing and Proposed Landscaping (planting, irrigation and landscape related improvements);

- c. Existing and Proposed Off-street parking;
- d. Existing gas station canopy and pump islands; and
- e. 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 March 5, 2017.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The 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.
3. 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.
4. 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.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. 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.).

7. 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.

8. 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.

9. 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.

10. 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.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement for the existing handicap ramp and railing locate within the City's easement, satisfactory to the City Engineer.

12. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing curb ramp with the City standard curb ramp with truncated domes, located at the southeast corner of the project main entrance and Valley Centre Drive, per Standard Drawing SDG-132, satisfactory to the City Engineer.

13. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.

14. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

15. Prior to issuance of any construction permits, landscape plans in substantial conformance with Exhibit 'A' shall be submitted to the Development Services Department for approval. Construction plans shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities.

16. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards.

17. If any required landscape is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved plans to the satisfaction of the Development Services Department within 30 days of damage or prior Certificate of Occupancy.

PLANNING/DESIGN REQUIREMENTS:

18. Owner/Permittee shall maintain a minimum of 36 off-street parking spaces, including two disabled accessible parking spaces, on the property at all times in the approximate locations shown on the approved Exhibit "A.". Parking spaces and aisle widths shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

19. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

20. All signs associated with this development shall be consistent with sign Carmel Valley Signage Guidelines and Criteria.

21. 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.

22. All terms and conditions of Coastal Development Permit, Conditional Use Permit and Carmel Valley Planned Permit No. 96-7784 shall remain in effect except as modified by this approval.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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 19, 2014, by Resolution No. _____.

610

DOC 9. 1998-02 ATTACHMENT 7

MAY 19. 1998 10:12 AM

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 53.00

AND WHEN RECORDED MAIL TO
PERMIT INTAKE
MAIL STATION 501



1998-0292887
SPACE ABOVE THIS LINE FOR RECORDER'S USE

Carmel Valley Planned District Development/Conditional Use/Coastal Development
Permit Amendment No. 96-7784

ACACIA GASOLINE & CAR WASH OF CARMEL VALLEY, LLC
(Amending CVPDD/CUP/CDP 93-0451 and 95-0551)
City Manager

This Permit is granted by the City Manager of the City of San Diego to ACACIA GASOLINE & CAR WASH OF CARMEL VALLEY, LLC, Owner/Permittee pursuant to Section 103.0600, 105.0205, 101.0510 and 101.0515 of the Municipal Code of the City of San Diego. The 1.75 acre site is located at 3861 Valley Center Drive in the Commercial Visitor (CV) of the Carmel Valley Community Plan area. The project site is legally described as Lot 7 of Piazza Carmel II, Unit No. 1 according to Map No. 13138, filed September 13, 1994.

Subject to the terms and conditions set forth in this permit, permission is granted to Owner/Permittee to develop a gasoline service station with a food mart including the sale of beer and wine, car wash, carport detail and lube facility and a second story office within an 8,709 square foot building, signs, landscaping and parking described as, and identified by size, dimension, quantity, type and location on the approved Exhibits "A", dated April 1, 1998 on file in the Office of Development Services. The facility shall include:

- a. Operation of a twenty-four hour self-service gasoline service station with a food mart, car wash, carport detail and lube facility and a second story office within an 8,709 square foot building; and
- b. Signs; and
- c. Landscaping (planting, irrigation and landscape related improvements); and
- d. Thirty-two off-street parking spaces; and
- e. Sale of beer and wine between the hours of 6 A.M. to 12 A.M.; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted Community Plan, California Environmental Quality Act guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this permit, and any other applicable regulations of the Municipal Code in effect for this site.

ORIGINAL

1. Construction, grading or demolition must commence and be pursued in a diligent manner within 36 months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within 36 months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the Municipal Code requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decisionmaker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to Development Services; and
 - b. The Permit is recorded in the office of the San Diego County Recorder.
3. Unless this permit has been revoked by the City of San Diego the property included by reference within this permit shall be used only for the purposes and under the terms and conditions set forth in this permit unless otherwise authorized by the City Manager.
4. This permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.
5. The utilization and continued use of this permit shall be subject to the regulations of this and any other applicable governmental agencies.
6. Issuance of this permit by the City of San Diego does not authorize the applicant for said permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.)
7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and/or site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," dated April 1, 1998, on file in the Office of Development Services. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.
9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this discretionary permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded special rights which the holder of the Permit is obtaining as a result of this Permit. It is the intent of the City that the Owner of the property which is the subject of this Permit either utilize the property

for any use allowed under the zoning and other restrictions which apply to the property or, in the alternative, that the Owner of the property be allowed the special and extraordinary rights conveyed by this Permit, but only if the Owner complies with all the conditions of the Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new Permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the Permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove or modify the proposed Permit and the condition(s) contained therein.

10. This Coastal Development Permit shall become effective on the eleventh working day and after receipt by the Coastal Commission of the Notice of Final Action, following all appeals.

11. The following conditions shall be in force for all off-sale of alcoholic beverages:

- a. No wine shall be sold in containers less than 750 milliliters and no single beer container less than 32 ounces.
- b. No beer or malt beverage products shall be sold in less than four-pack or six-pack quantities, as packaged by manufacturer, per sale.
- c. No keg beer or malt beverage product shall be sold in less than six (6) gallon containers.
- d. No wine shall be sold with an alcoholic content greater than fifteen (15%) percent by volume.
- e. All graffiti on all the buildings, storage sheds, and trash enclosures or receptacles shall be removed within forty-eight (48) hours.
- f. There shall be no amusement devices or pool tables maintained on the licensed premises.
- g. Public telephones located on the exterior of buildings and/or on the property shall not be able to receive incoming calls. Telephones located inside the buildings may be able to receive incoming calls at the owners discretion.
- h. No alcoholic beverage consumption is allowed within the property.

12. Prior to the issuance of building permit, the Owner/Permittee shall provide plans showing building address numbers to be visible and legible from the street or road fronting the property in accordance with Uniform Fire Code Section 901.4.4.

13. Prior to the issuance of building permit, the Owner/Permittee shall provide plans showing the location of all existing hydrants, within 600', on site plan in accordance with Uniform Fire Code Section 903.2.

14. **ENVIRONMENTAL MITIGATION REQUIREMENTS:**

The following mitigation measures were incorporated into the original Mitigated Negative Declaration, and proof of compliance must be submitted to the Development Services Manager prior to the issuance of building permits;

Traffic

- A. The intersection of Valley Centre Drive/El Camino Real shall be re-stripped at the eastbound and westbound approaches to provide single left- and right-turn lanes and a shared left/through/right-turn lane. East/west split phasing shall be implemented. The northbound approach shall be re-stripped to provide a northbound right-turn lane.
- B. The intersection of Valley Centre Drive/Carmel Creek Road shall be re-stripped at the northbound approach to provide dual left-turn and through-lanes and a single right-turn lane. The westbound approach shall be re-stripped to provide single left- and right-turn lanes and a shared left/through/right-turn lane. The westbound approach would not necessitate widening until State Route 56 is completed eastward to I-15. The eastbound approach shall be widened to accommodate an eastbound to southbound right-turn lane.
- C. Install a traffic signal at the westerly project driveway on Valley Centre Drive at Carmel Vista Road.
- D. Annually monitor the easterly full access project driveway on Valley Centre Drive to determine if further intersection control is needed. A report summarizing the annual monitoring shall be submitted to the Transportation Development Section of the Land Development Review Division.

Cultural Resources

- A. A cultural resources survey prepared in 1985 for neighborhoods 4, 5, and 6 Precise Plan identified eight archaeological sites on the tentative map site. A subsequent 1989 investigation found that all sites on the subject property had been destroyed without correct surveying for archaeological resource significance. The project applicant acknowledged that appropriate mitigation was not completed for the sites and has agreed to compensate for the loss of these resources through a monetary contribution to the City's archaeological library and record keeping efforts. The amount of monetary damages will be determined by the Principal Planner of the Environmental Analysis Section (EAS). This amount shall be included as a condition of the Carmel Valley Development Permit and shall be submitted to EAS prior to the issuance of building permits.
 - B. The above mitigation monitoring and reporting program will require an additional deposit of \$450 to be collected prior to the issuance of building permits to ensure the successful completion of the monitoring program.
15. Prior to the issuance of any building occupancy, applicant shall provide proof that the improvement plans for Piazza Carmel II, work order 940189, drawing number 27337-D have been as-built.

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16. All extant conditions of CUP 93-0451 and CUP 95-0551 shall remain in full force and effect.

17. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.

18. The drainage system proposed for this project, as shown on the approved plans, is subject to approval by the City Engineer.

19. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Removal Agreement, from the City Engineer, for landscaping in Valley Center Drive.

20. No fewer than thirty-two off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibits "A," dated April 1, 1998, on file in the Office of Development Services. Parking spaces shall comply at all times with Chapter X, Article I, Division 8 of the Municipal Code and shall not be converted for any other use unless otherwise authorized by the City Manager.

21. All signage associated with this development shall be consistent with sign criteria established by either of the project sign plan, Exhibit "A," dated April 1, 1998, on file in the Office of Development Services.

22. Prior to the issuance of any building permits, complete outdoor lighting information shall be submitted to the Development Services, Land Development Review Division for review and approval. Complete lighting information shall include a plan view photometric analysis indicating an isofoot candle plot and/or a point by point plot to include all areas within the private property and to extend a minimum of fifty (50) feet beyond the property line, construction details as necessary to direct installation of the outdoor lighting system, manufacturers name, visors, prisms, lenses and reflectors and a lighting plan locating each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located.

Prior to the issuance of any occupancy permit, a night inspection shall be required to verify compliance of the outdoor lighting system. No light shall be directed to fall outside the property line. Light levels along the perimeter of the property shall be measured no higher than three footcandles. Light levels throughout the development shall be the least practical level necessary to effectively illuminate the operation. Sky glow or light halo shall be reduced to the greatest extent practical and in no case shall initial light levels be measured exceeding forty footcandles anywhere within the site. The Owner/permittee, or an authorized representative, shall provide an illuminance meter to measure light levels as required to establish conformance with the conditions of this permit during the night inspection.

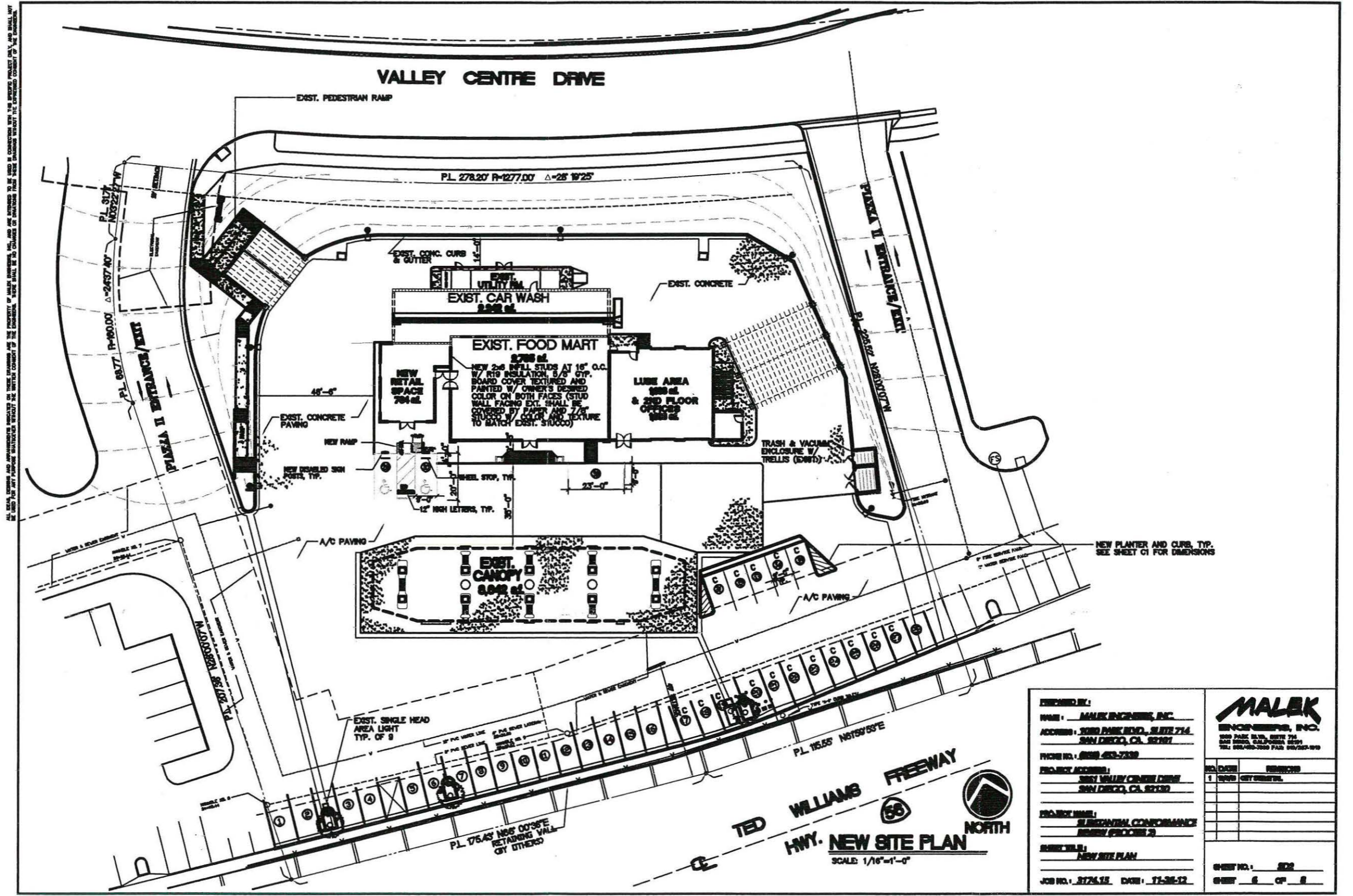
23. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

ORIGINAL

24. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.
25. All uses, except storage and loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material and equipment is permitted in any required interior side or rear yard, provided the storage area is completely enclosed by walls, fences or a combination thereof. Walls or fences shall be solid and not less than six feet in height and, provided further, that no merchandise, material or equipment stored not higher than any adjacent wall.
26. No mechanical equipment, tank, duct, elevator enclosure, cooling tower or mechanical ventilator or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed structure whose top and sides may include grillwork, louvers and latticework.
27. No merchandise, material or equipment shall be stored on the roof of any building.
28. No mechanical equipment shall be erected, constructed, or enlarged on the roof of any building on this site, unless all such equipment is contained within a completely enclosed architecturally integrated structure.
29. Prior to issuance of any building permits, complete landscape construction documents, including plans, details and specifications (including a permanent automatic irrigation system unless otherwise approved), shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A," General Arrangement for the Site Plan, dated April 1, 1998, on file in the Office of Development Services. No change, modification or alteration shall be made unless appropriate application or amendment of this Permit shall have been granted.
30. Prior to issuance of any Certificate of Occupancy it shall be the responsibility of the Permittee to install all required landscape and obtain all required landscape inspections and to obtain a No Fee Street Tree Permit for the installation, establishment and on-going maintenance of all street trees. Copies of these approved documents must be submitted to the City Manager.
31. All required landscape shall be maintained in a disease, weed and litter free condition at all times and shall not be modified or altered unless this Permit has been amended. Modifications such as severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit. The Permittee, or subsequent Owner shall be responsible to maintain all street trees and landscape improvements consistent with the standards of the *Landscape Technical Manual*.
32. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved plans is damaged or removed during demolition, it shall be repaired and/or replaced in kind and equivalent size per the approved plans within 30 days of completion of construction by the Permittee. The replacement size of plant material after three years shall be the equivalent size of that plant at the time of removal (the largest size commercially available and/or an increased number) to the satisfaction of the City Manager.

APPROVED by the City Manager of the City of San Diego on April 1, 1998.

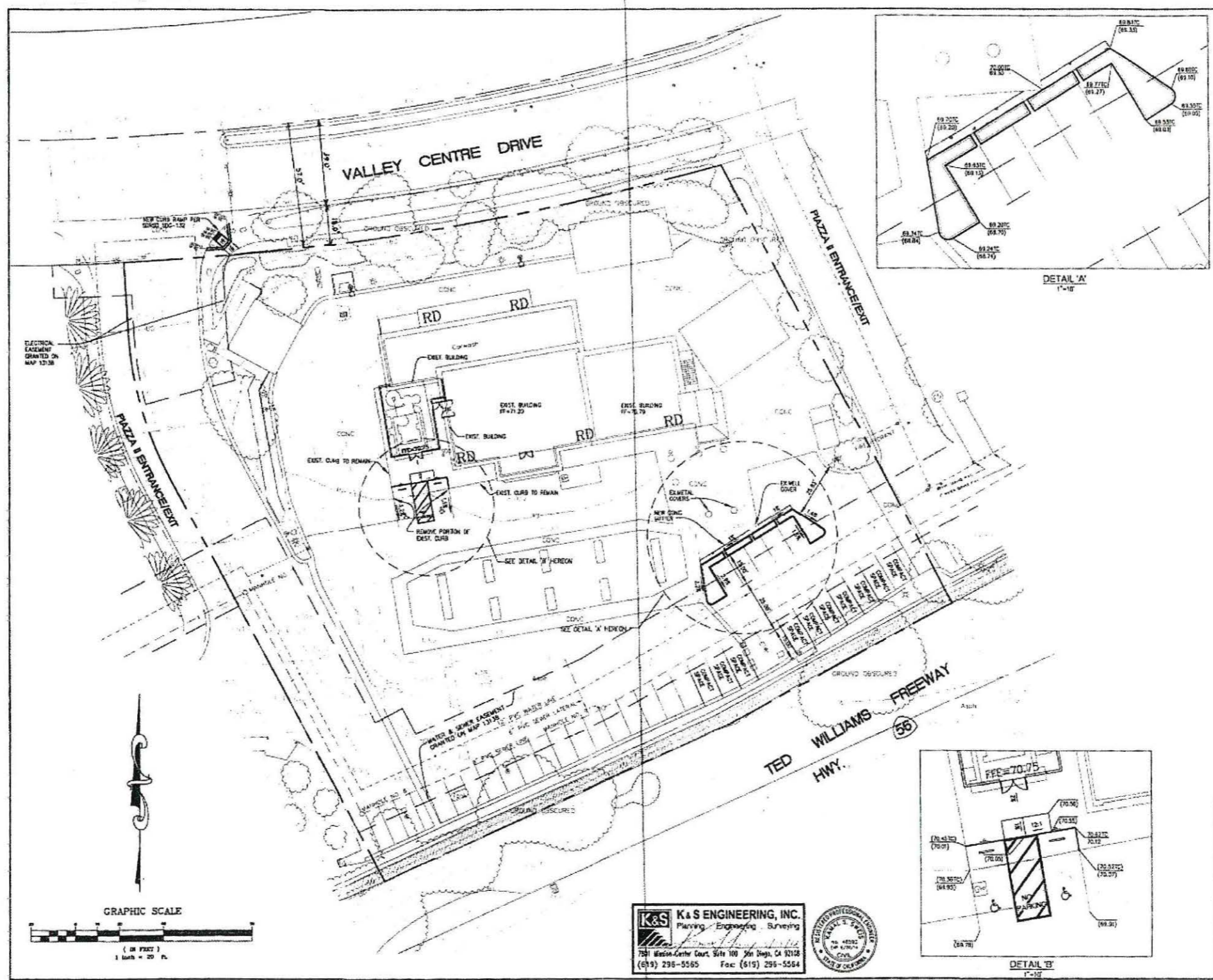
ORIGINAL



ALL DESIGN, DRAWINGS AND APPROPRIATIONS INDICATED ON THESE DRAWINGS ARE THE PROPERTY OF MALEK ENGINEERS, INC. AND ARE INTENDED TO BE USED IN CONNECTION WITH THE SPECIFIC PROJECT ONLY. AND SHALL NOT BE USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. THERE SHALL BE NO CHANGE OF PARTS OR DIMENSIONS WITHOUT THE EXPRESSED CONSENT OF THE ENGINEER.

PREPARED BY: MALEK ENGINEERS, INC. ADDRESS: 3080 PARK BLVD., SUITE 714 SAN DIEGO, CA 92107 PHONE NO.: (619) 452-7339 PROJECT ADDRESS: 3081 VALLEY CENTRE DRIVE SAN DIEGO, CA 92130 PROJECT NAME: SUBSTANTIAL CONFORMANCE REVIEW (PROCESS 2) SHEET NAME: NEW SITE PLAN JOB NO.: 377412 DATE: 11-26-12		MALEK ENGINEERS, INC. 3080 PARK BLVD., SUITE 714 SAN DIEGO, CALIFORNIA 92107 TEL: 619/452-7339 FAX: 619/267-8199
NO. DATE 1 11/26/12	REVISIONS 1 11/26/12	
SHEET NO.: 822 SHEET 6 OF 8		

TED WILLIAMS FREEWAY
 HWY. 56
 NORTH
NEW SITE PLAN
 SCALE: 1/16"=1'-0"



LEGEND

DESCRIPTION	STANDARD DRAWING	SYMBOL
EXISTING PROJECT BOUNDARY		---
PARKING LIGHT		☉
EXISTING ROOF DRAINS		RD
PROPOSED		
NEW 6" CURB	RSD C-1	—
NEW 6" CURB & GUTTER	RSD C-2	—
NEW CURB RAMP TYPE A	RSD SDC-112	⤴
REFERENCE DRAWINGS		
EXIST. SEWER AND WATER MAINS		20467-0

SOURCE OF TOPOGRAPHY
 M500 SHN
 MERCATOR ASSOCIATES, INC.
 1846 SHARPARA DR.
 HESLA, CA
 Phone 760-599-7330
 Email mercator@mercatousa.com

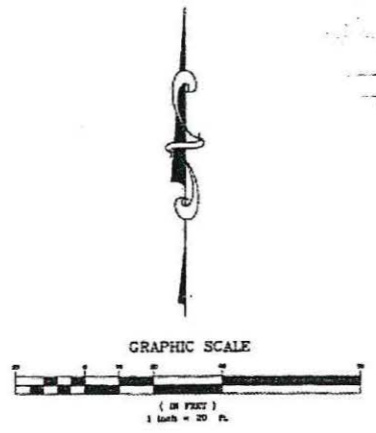
DATE OF TOPOGRAPHY
 JULY 2013

GRADING QUANTITIES

GRADED AREA	0 [ACRES]	MAX. CUT DEPTH	.50' [FT]
OUT QUANTITIES	0 [CY]	MAX. OUT SLOPE RATIO (2:1MAX)	.5/1
FILL QUANTITIES	0 [CY]	MAX. FILL DEPTH	.50' [FT]
IMPORT	0 [CY]	MAX. FILL SLOPE RATIO (2:1MAX)	.5/1

NOTES

- NO GRADING IS BEING PROPOSED.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 3, DIVISION 1 (GRADING REGULATIONS) OF THE MUNICIPAL CODE INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPP). THE WPP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS.



K&S ENGINEERING, INC.
 Planning Engineering Surveying
 7581 Mission Center Court, Suite 100 San Diego, CA 92128
 (619) 296-5565 Fax: (619) 296-5564

Professional Engineer Seal for K. S. Engineering, Inc., State of California, License No. 44392.

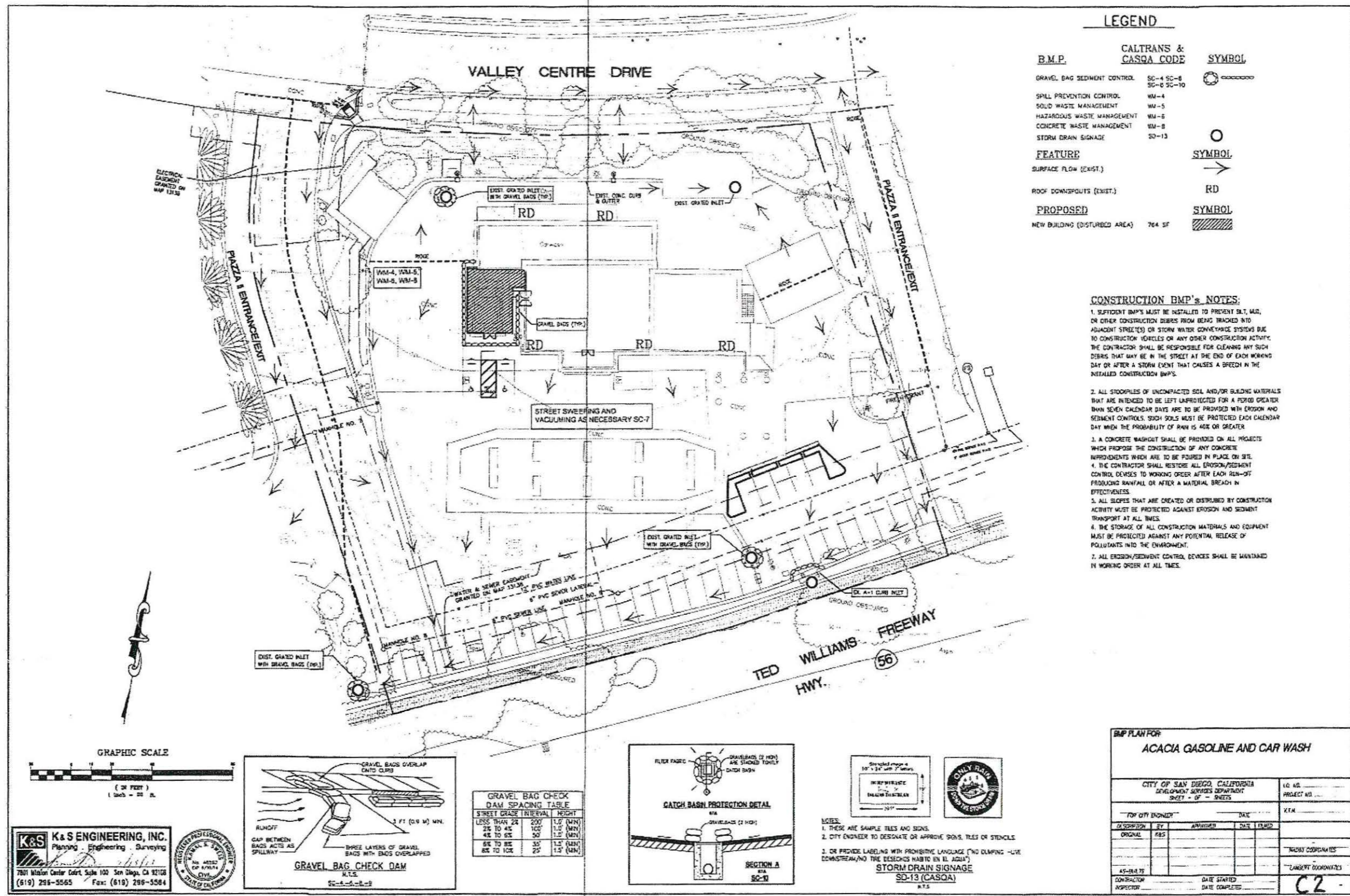
PLANS FOR
ACACIA GASOLINE AND CAR WASH

CITY OF SAN DIEGO, CALIFORNIA

SHEET 1 OF 1 SHEETS

FOR CITY ENGINEER	DATE	BY
DESCRIPTION	BY	APPROVED
ORIGINAL	K&S	
CONTRACTOR		DATE STARTED
INSPECTOR		DATE COMPLETED

PROJECT NO. _____
 SCALE _____
 TICKET COORDINATES _____
 LAYOUT COORDINATES _____
CI

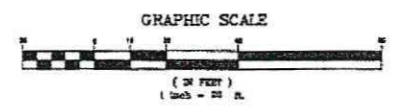


LEGEND

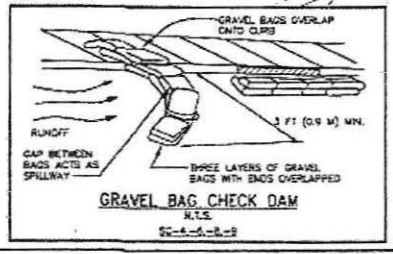
B.M.P.	CALTRANS & CASQA CODE	SYMBOL
GRAVEL BAG SEDIMENT CONTROL	SC-4 SC-8 SC-6 SC-10	
SPILL PREVENTION CONTROL	WM-4	
SOLID WASTE MANAGEMENT	WM-5	
HAZARDOUS WASTE MANAGEMENT	WM-6	
CONCRETE WASTE MANAGEMENT	WM-8	
STORM DRAIN SIGNAGE	SD-13	
FEATURE		SYMBOL
SURFACE FLOW (EXIST.)		
ROOF DOWNSPOUTS (EXIST.)		RD
PROPOSED		SYMBOL
NEW BUILDING (DISTURBED AREA)		764 SF

CONSTRUCTION BMP'S NOTES:

- SUFFICIENT BMP'S MUST BE INSTALLED TO PREVENT SILT, MUD, OR OTHER CONSTRUCTION DEBRIS FROM BEING TRACKED INTO ADJACENT STREET(S) OR STORM WATER CONVEYANCE SYSTEMS DUE TO CONSTRUCTION VEHICLES OR ANY OTHER CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING ANY SUCH DEBRIS THAT MAY BE IN THE STREET AT THE END OF EACH WORKING DAY OR AFTER A STORM EVENT THAT CAUSES A BREACH IN THE INSTALLED CONSTRUCTION BMP'S.
- ALL STOOPLES OF UNCOMPACTED SOIL AND/OR BUILDING MATERIALS THAT ARE INTENDED TO BE LEFT UNPROTECTED FOR A PERIOD GREATER THAN SEVEN CALENDAR DAYS ARE TO BE PROVIDED WITH EROSION AND SEDIMENT CONTROLS. SUCH SOILS MUST BE PROTECTED EACH CALENDAR DAY WHEN THE PROBABILITY OF RAIN IS 40% OR GREATER.
- A CONCRETE WASHOUT SHALL BE PROVIDED ON ALL PROJECTS WHICH PROPOSE THE CONSTRUCTION OF ANY CONCRETE IMPROVEMENTS WHICH ARE TO BE POURED IN PLACE ON SITE.
- THE CONTRACTOR SHALL RESTORE ALL EROSION/SEDIMENT CONTROL DEVICES TO WORKING ORDER AFTER EACH RUN-OFF PRODUCING RAINFALL OR AFTER A MATERIAL BREACH IN EFFECTIVENESS.
- ALL SLOPES THAT ARE CREATED OR DISTURBED BY CONSTRUCTION ACTIVITY MUST BE PROTECTED AGAINST EROSION AND SEDIMENT TRANSPORT AT ALL TIMES.
- THE STORAGE OF ALL CONSTRUCTION MATERIALS AND EQUIPMENT MUST BE PROTECTED AGAINST ANY POTENTIAL RELEASE OF POLLUTANTS INTO THE ENVIRONMENT.
- ALL EROSION/SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED IN WORKING ORDER AT ALL TIMES.

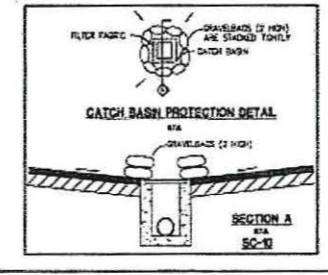


K&S ENGINEERING, INC.
 Planning - Engineering - Surveying
 7801 Mission Center Court, Suite 100, San Diego, CA 92128
 (619) 298-5565 Fax: (619) 298-5584



GRAVEL BAG CHECK DAM SPACING TABLE

STREET GRADE INTERVAL	HEIGHT	MIN.	MAX.
LESS THAN 24"	200'	1.0' (MIN)	1.0' (MIN)
24" TO 48"	100'	1.0' (MIN)	1.0' (MIN)
48" TO 66"	50'	1.0' (MIN)	1.0' (MIN)
66" TO 84"	35'	1.2' (MIN)	1.2' (MIN)
84" TO 100"	25'	1.5' (MIN)	1.5' (MIN)



STORM DRAIN SIGNAGE
 SD-13 (CASQA)
 N.T.S.

NOTES:
 1. THESE ARE SAMPLE TILES AND SIGNS.
 2. CITY ENGINEER TO DESIGNATE OR APPROVE SIGNS, TILES OR STENCILS.
 3. OR PROVIDE LABELING WITH PROHIBITIVE LANGUAGE ("NO DUMPING - LEE DOWNSTREAM") IN THE BESOCHOS HABITO EN EL AGUA"

BMP PLAN FOR
ACACIA GASOLINE AND CAR WASH

CITY OF SAN DIEGO, CALIFORNIA
 DEVELOPMENT SERVICES DEPARTMENT
 SHEET # OF # SHEETS

DATE: _____
 PROJECT NO.: _____
 K&S

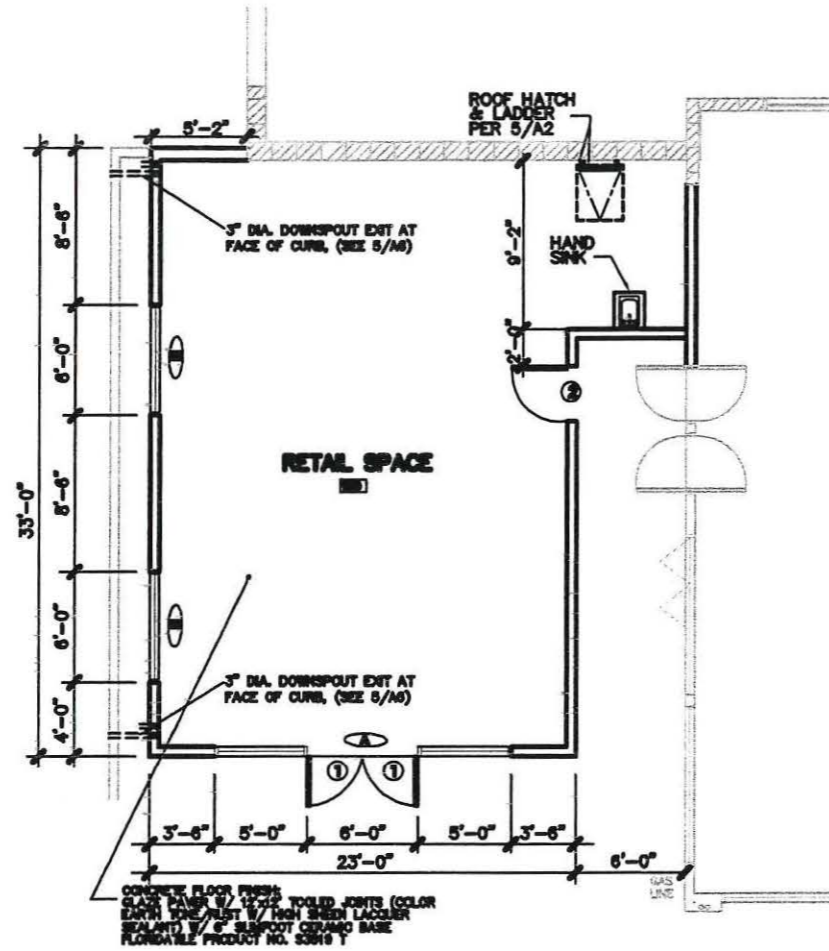
CLASSIFICATION	BY	APPROVED	DATE	REVISED
ORIGINAL	K&S			

AS-BUILT BY: _____ DATE STARTED: _____
 CONTRACTOR: _____ DATE COMPLETED: _____
 INSPECTOR: _____

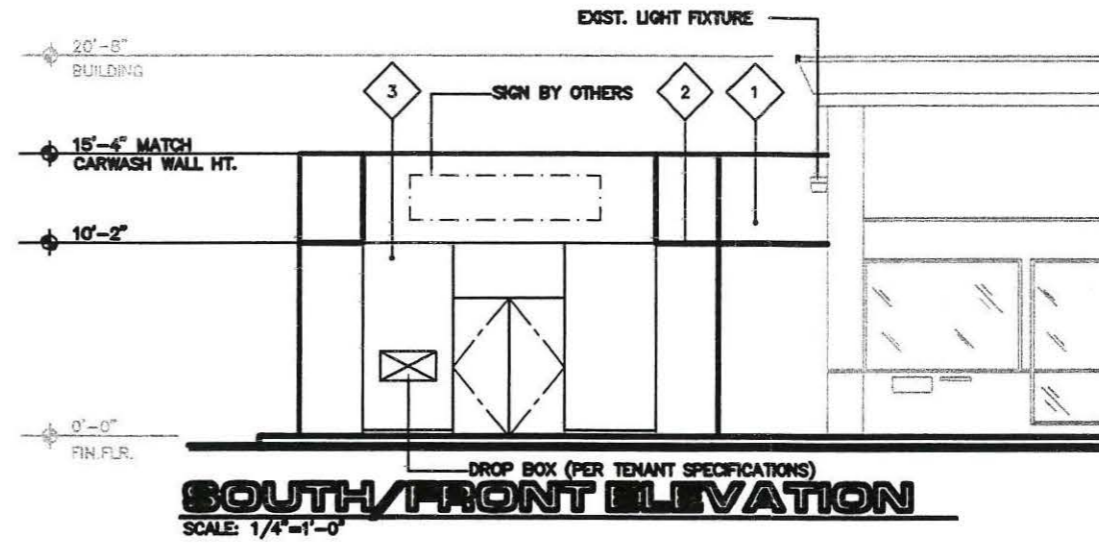
PROJECT COORDINATOR: _____
 TRANSPORT COORDINATOR: _____

C2

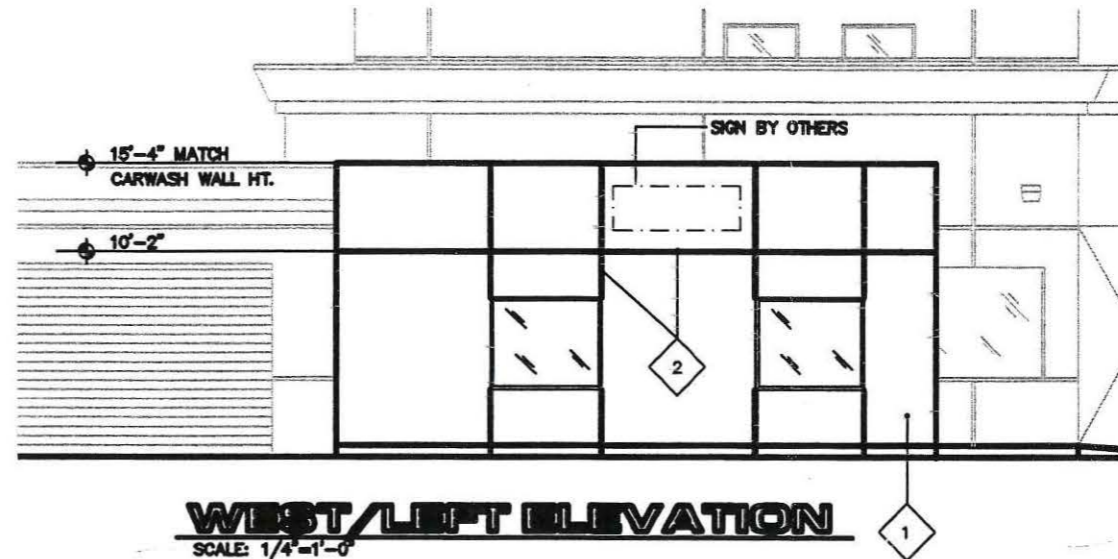
ALL NOTES, DIMENSIONS AND INFORMATION RELAYED TO THE CONTRACTOR SHALL BE THE PROPERTY OF MALEK ENGINEERS, INC. AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.



FLOOR PLAN
SCALE: 1/4"=1'-0"



SOUTH/FRONT ELEVATION
SCALE: 1/4"=1'-0"



WEST/LEFT ELEVATION
SCALE: 1/4"=1'-0"

NOTE:

- CLEAR FLOOR SEALANT SHALL BE GREASE AND ACID RESISTANT, USDA AND/ OR FDA APPROVED. IF PROMINENT, USE A TWO-PART EPOXY.

LEGEND

- ① DENOTES DOOR TYPE
- 100 DENOTES ROOM NO.
- △ DENOTES WINDOW TYPE

TYP. FINISHES AND COLORS

- ① CEMENT FLASER SMOOTH FINISH IC 9 888 82/01 'TWIST BLUE'
- ② 1 1/2" HCRG + VENT. FINISH CLEAR PER DETAIL 6/A6
- ③ GLASS DOOR + STOREFRONT PER STOREFRONT MANUF.
- ④ DOOR + FRAME IC 9 888 82/09 'FORM APPROACH'

DESIGNED BY:
 NAME: MALEK ENGINEERS, INC.
 ADDRESS: 3080 PARK BLVD., SUITE 714
 SAN DIEGO, CA. 92101
 PHONE NO.: 619-443-7239
PROJECT ADDRESS:
 SIGN VALLEY CENTER DRIVE
 SAN DIEGO, CA. 92130
PROJECT NAME:
 SUBMITTAL CONFORMANCE
 REVIEW PROCEDURE 2
DATE:
 NEW FLOOR PLAN
 AND ELEVATIONS
 JOB NO.: 2176.1E DATE: 11-28-12

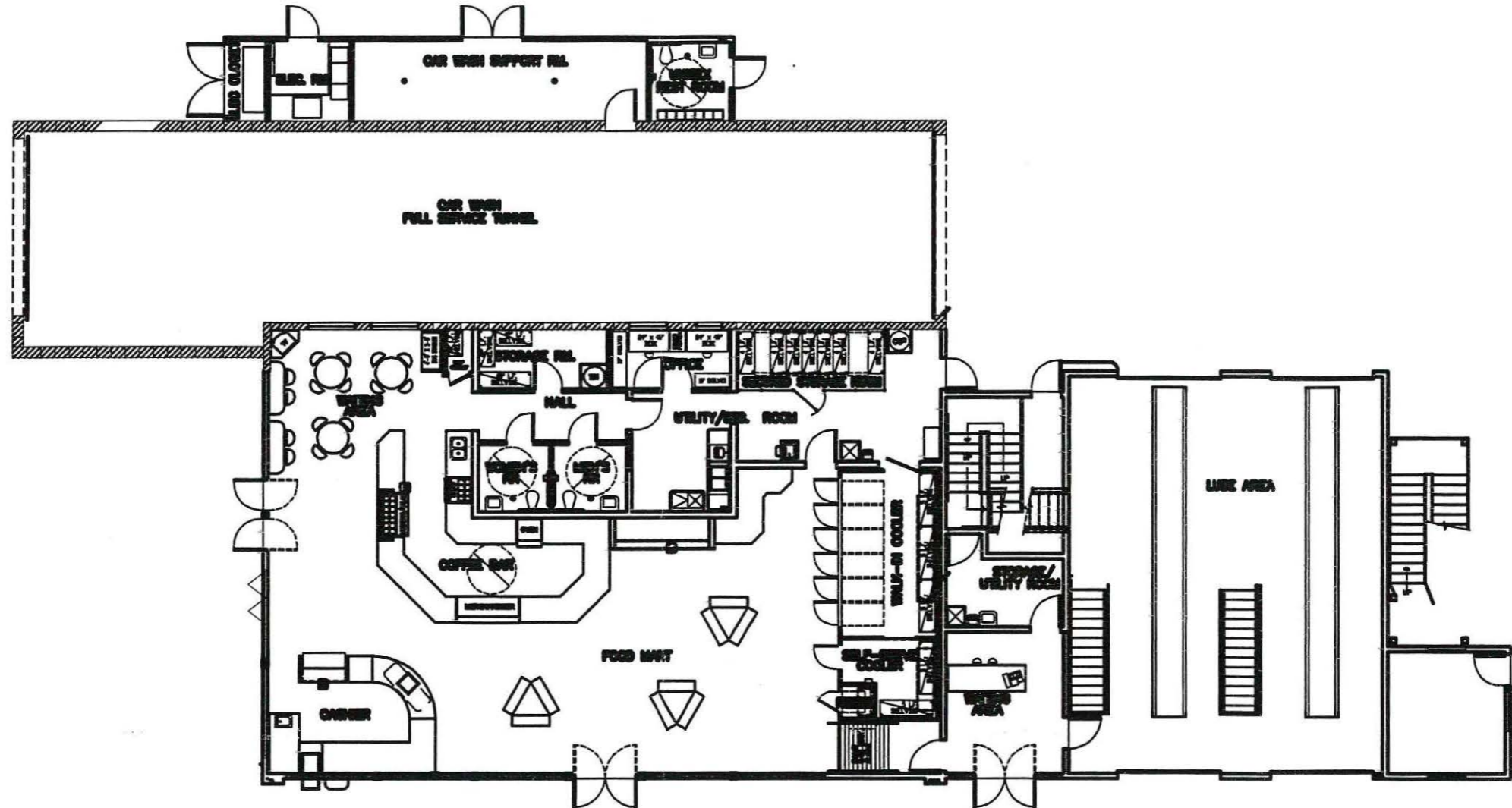


3080 PARK BLVD., SUITE 714
 SAN DIEGO, CALIFORNIA 92101
 TEL: 619/443-7239 FAX: 619/515-1195

NO. DATE REVISION
 1 10/20 01/2012

SHEET NO.: A1
 SHEET 7 OF 8

ALL DESIGN, DIMENSIONS AND APPROPRIATE NOTATIONS ARE THE PROPERTY OF MALEK ENGINEERS, INC. AND ARE INTENDED TO BE USED IN CONNECTION WITH THE SPECIFIC PROJECT ONLY, AND SHALL NOT BE USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. THERE SHALL BE NO CHANGES OR ALTERATIONS MADE WITHOUT THE EXPRESSED CONSENT OF THE ENGINEER.



EXISTING FLOOR PLAN
SCALE: 3/16"=1'-0"



PREPARED BY:		MALEK ENGINEERS, INC. 3000 PARK BLVD., SUITE 714 SAN DIEGO, CALIFORNIA 92101 PHONE NO.: 619-442-7230															
NAME: MALEK ENGINEERS, INC.																	
PROJECT ADDRESS:		<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> <tr> <td>1</td> <td>04/10</td> <td>REVISED</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	REVISION	1	04/10	REVISED									
NO.	DATE		REVISION														
1	04/10	REVISED															
3001 VALLEY CENTER DRIVE SAN DIEGO, CA 92130																	
PROJECT NAME:		SUBSTANTIAL CONFORMANCE REVIEW (PHASE 2)															
EXISTING FLOOR PLAN																	
SHEET NO.: 11A		SHEET NO. 11A SHEET 2 OF 2															
JOB NO.: 3176.12 DATE: 11-26-12																	

ALL SEALS, STAMPS AND AMENDMENTS INDICATED ON THESE DRAWINGS ARE THE PROPERTY OF MALEK ENGINEERS, INC. AND ARE INTENDED TO BE USED IN CONNECTION WITH THE SPECIFIC PROJECT ONLY, AND SHALL NOT BE USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. THESE SHALL BE THE SOLE RESPONSIBILITY OF THE ENGINEER.

IRRIGATION NOTES

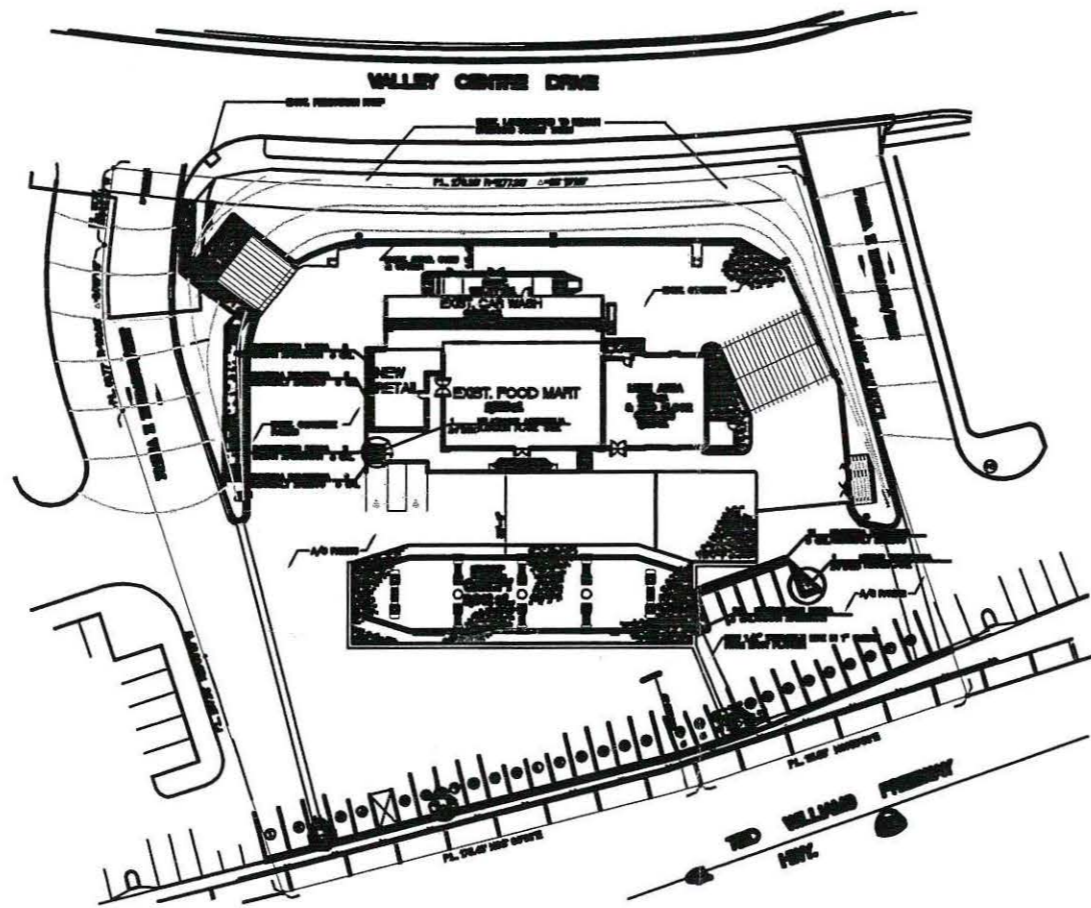
1. IRRIGATION SYSTEMS ARE TO BE INSTALLED IN ACCORDANCE WITH THE CRITERIA AND STANDARDS OF THE CITY OF SAN DIEGO.
2. ALL REQUIRED PLANT MATERIAL SHALL BE IRRIGATED WITH A PERMANENT BELOW GRADE IRRIGATION SYSTEM.
3. ALL REQUIRED IRRIGATION SYSTEMS SHALL BE AUTOMATIC, ELECTRICALLY CONTROLLED, AND DESIGNED TO PROVIDE WATER TO ALL REQUIRED PLANTINGS TO MAINTAIN THEM IN A HEALTHY, DISEASE-RESISTANT CONDITION.
4. NO RUNOFF OR OVERSPRAY SHALL CROSS PROPERTY LINES OR PAVED AREAS.
5. THE VELOCITY OF WATER FLOWING IN IRRIGATION SYSTEM PIPING OR SUPPLY PIPES SHALL NOT EXCEED 5 FEET PER SECOND DOWNSTREAM OF THE WATER METER.
6. IRRIGATION SYSTEMS SHALL BE DESIGNED TO MINIMIZE SYSTEM MAINTENANCE REQUIREMENT AFTER INSTALLATION. ABOVE GROUND IRRIGATION SYSTEM THAT IS EXPOSED TO POTENTIAL DAMAGE SHALL BE DESIGNED TO BE DAMAGE-RESISTANT.
7. INSTALL ONE W.C.S. "RA-N-GUARD" RAIN SHUT-OFF DEVICE ON EACH ABOVE AUTOMATIC IRRIGATION CONTROL VALVE.
8. IF ANY EXISTING HARDSCAPE, IRRIGATION OR LANDSCAPE INDICATED ON THESE PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPLACED IN KIND AND EQUIVALENT SIZE.
9. ALL HEADS LOCATED WITHIN 12" OF PEDESTRIAN OR VEHICULAR USE AREAS SHALL BE POP-UP TYPE.

LANDSCAPE NOTES

1. ALL LANDSCAPING AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO'S LAND DEVELOPMENT CODE, LANDSCAPE REGULATIONS; THE LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS, THE OCEAN BEACH PRECISE PLAN; AND ALL OTHER CITY AND REGIONAL STANDARDS.
2. NEW TREES, EXCEPT PALMS, PLANTED WITHIN 6 FEET OF WALKS, CURBS AND PAVING SHALL BE PLANTED WITH 24" DEEP, STRAIGHTLINEAR ROOT SOLUTIONS' 0.080 INCH HOMOPOLYMER POLYETHYLENE EXTRUDED ROOT BARRIER, ROUND/CIRCULAR ROOT BARRIERS ARE NOT ACCEPTABLE.
3. IF ANY EXISTING LANDSCAPE OR HARDSCAPE INDICATED ON THE APPROVED PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED PLANS.
4. PLANTING AREAS WITH A LENGTH/WIDTH RATIO OF < 3:1 SHALL BE COVERED WITH A 2 INCH THICK LAYER OF BARKWOOD CHIP MULCH. SUBMIT SAMPLES TO THE ARCHITECT FOR APPROVAL.
5. LONG TERM MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER/MANAGER. ALL AREAS OF LANDSCAPING SHALL BE MAINTAINED FREE OF WEEDS, DEBRIS AND LITTER. ALL PLANT MATERIAL SHALL BE IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.
6. IRRIGATION SHALL BE BY AN APPROVED, AUTOMATICALLY CONTROLLED ZONED SPRINKLER SYSTEM. SEE IRRIGATION NOTES.

7. MINIMUM TREE SEPARATION DISTANCE:

IMPROVEMENT	MIN. DIST. TO STREET TREE
TRAFFIC SIGNALS	20 FEET
UNDERGROUND UTIL. LINES	5 FEET
ABOVE GROUND UTIL. STRUCTURES	10 FEET
DRIVEWAYS (ENTRIES)	10 FEET
INTERSECTIONS (TWO STREETS)	25 FEET
SEWER LINES	10 FEET



PLANT LIST / LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE	HT.	SPREAD
(+)	ACACIA BAILEYANA "BAILEY ACACIA"	1.5 GAL. or 24" BOX	20'-30'	20'-40'
(E)	HASS AVACADO	SEC. PLAN	10'	20'
(D)	OLEA EUROPAEA	SEC. PLAN	20'	20'
(LAV)	LAVANDULA "ENGLISH LAVENDER" - D.R.	1 GAL.	2'	3'
(MYR)	MYRTUS COMMUNIS COMPACTA "DWARF MYRTLE" - D.R.	5 GAL.	5'	5'
(NAN)	NANDINA DOMESTICA "HEAVENLY DAMASCUS" - D.R.	5 GAL.	6'	3'
(PHO)	PHOENIX ROSEBELLINI "FRIGID DATE PALM"	1.5 GAL.	6'-10'	6'-8'
(ALY)	ALYOGYNE HUEGELII "BLUE HIBISCUS" - D.R.	5 GAL.	5'-8"	6'-8"
(COR)	CORTADERIA PUMILA "PAMPUS GRASS"	5 GAL.	3'	4'
(PHO)	PHOENIX "JERUSALEM SAGE" - D.R.	5 GAL.	4'	4'
(POD)	PODOCARPUS MACROPHYLLA "YEW PODCARPUS"	5 GAL.	15'	6'
(RAP)	RAPHIOLEPIS INDICA "BALLERINA"	5 GAL.	4'-5"	5'-6"
(IND)	INDIAN Hawthorne - D.R.	1.5 GAL.	30'	20'
(STR)	STRELITZIA NICOLAI "GIANT BIRD OF PARADISE"			
(GAZ)	GAZANIA MISOUWA "YEI" DW. TRAILING GAZANIA" - D.R.	12" OC FROM PLATS		
(MAR)	MARATHON 111 - "DWARF FESCUE"	50D		

NOTES: 1. D.R. = DROUGHT RESISTANT/ LOW WATER REQD.
2. THIS IS AN INCLUSIVE LIST. SEE LANDSCAPE PLAN FOR SPECIFICALLY CHOSEN PLANTS.

LANDSCAPE PLAN
DATE: 11-26-12



<p>PREPARED BY: NAME: MALEK ENGINEERS, INC. ADDRESS: 1888 PARK BLVD., SUITE 714 SAN DIEGO, CA 92101 PHONE NO.: (619) 453-7300</p>		<p>MALEK ENGINEERS, INC. 6000 PARK BLVD., SUITE 714 SAN DIEGO, CALIFORNIA 92101 TEL: (619) 453-7300 FAX: (619) 453-7301</p>
<p>PROJECT ADDRESS: 3801 VALLEY CENTRE DRIVE SAN DIEGO, CA 92130</p>		
<p>PROJECT NAME: SUBMITTAL CONFORMANCE REVIEW (PROCESS 2)</p>		<p>NO. OF SHEETS: 1</p>
<p>DATE:</p>		<p>DATE: 11-26-12</p>
<p>LANDSCAPE PLAN</p>		<p>SHEET NO.: 11</p>
<p>JOB NO.: 372615 DATE: 11-26-12</p>		<p>SHEET 4 OF 8</p>

Gargas, Glenn

From: Frisco White [white@wwarch.com]
Sent: Friday, January 24, 2014 11:39 AM
To: Gargas, Glenn
Subject: Re: Carmel Valley Community Planning Board Vote - Acacia Gas & Car Wash - Project No. 307131 - 3861 Valley Center Drive

Glenn,

Give me a call when you can. How embarrassing.

Frisco White AIA I Chair
Carmel Valley Community Planning Board

On Jan 24, 2014, at 10:20 AM, "Gargas, Glenn" <GGargas@sandiego.gov> wrote:

Frisco,

My understanding from the applicant is that something went wrong and this project was not heard at your community group meeting last night.

Was there anything missing from us?...could you please let me know what went wrong? I assume that it will be on next month's agenda...is that correct?

Thank You!

From: Frisco White [mailto:white@wwarch.com]
Sent: Tuesday, December 17, 2013 10:21 AM
To: Gargas, Glenn
Cc: precise@precisepermits.com
Subject: Re: Carmel Valley Community Planning Board Vote - Acacia Gas & Car Wash - Project No. 307131 - 3861 Valley Center Drive

Glenn,

The station is on the January 23, 2014 agenda. The meeting starts at 7 pm.

Frisco White AIA I Chair
Carmel Valley Community Planning Board

Gargas, Glenn

From: Frisco White [white@wwarch.com]
Sent: Tuesday, December 17, 2013 10:21 AM
To: Gargas, Glenn
Cc: precise@precisepermits.com
Subject: Re: Carmel Valley Community Planning Board Vote - Acacia Gas & Car Wash - Project No. 307131 - 3861 Valley Center Drive

Glenn,

The station is on the January 23, 2014 agenda. The meeting starts at 7 pm.

Frisco White AIA I Chair
Carmel Valley Community Planning Board

On Dec 15, 2013, at 12:05 PM, "Gargas, Glenn" <GGargas@sandiego.gov> wrote:

Frisco,

Yes, his name is Stephen Davis with Precise Permits and you can reach him at (619) 260-8524 or precise@precisepermits.com. Please let me know which agenda date you place him on. Thanks Again!

From: Frisco White [mailto:fwhite@wwarch.com]
Sent: Sunday, December 15, 2013 11:45 AM
To: Gargas, Glenn
Subject: Re: Carmel Valley Community Planning Board Vote - Acacia Gas & Car Wash - Project No. 307131 - 3861 Valley Center Drive

Hey there Glenn,
 He hasn't requested to be heard. Can you pass along his phone number and I'll set it up with him?

Merry Christmas and happy new year to you.

Sent from my iPhone

On Dec 15, 2013, at 9:45 AM, "Gargas, Glenn" <GGargas@sandiego.gov> wrote:

Frisco,

The applicant for this project is indicating to me that this project is on your group's next agenda (January ?) for a vote/recommendation.

Could you please confirm that and if so, please let me know the scheduled date of that meeting.



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

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 Project No. *For City Use Only*
 Acacia Gas & Car Wash CUP

Project Address:
 3861 Valley Centre Dr., San Diego, CA 92130

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, 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) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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.

Additional pages attached Yes No

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Project Title:
Acacia Gas & Car Wash CUP

Project No. (For City Use Only)

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation Limited Liability -or- General) What State? _____ Corporate Identification No. _____
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, 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 names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. 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. **Additional pages attached** Yes No

Corporate/Partnership Name (type or print):
Acacia Gasoline & Car Wash of Carmel Valley, L.P.

Owner Tenant/Lessee

Street Address:
3861 Valley Centre Dr.

City/State/Zip:
San Diego

Phone No: _____ Fax No: _____
(858)792-9801

Name of Corporate Officer/Partner (type or print):
Lawrence P. Kourie

Title (type or print):
Partner

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):
Acacia Gasoline & Car Wash of Carmel Valley, L.P.

Owner Tenant/Lessee

Street Address:
3861 Valley Centre Dr.

City/State/Zip:
San Diego

Phone No: _____ Fax No: _____
(858)792-9801

Name of Corporate Officer/Partner (type or print):

Title (type or print):
Partner

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: _____ Fax No: _____

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : _____ Date: _____



THE CITY OF SAN DIEGO

DATE OF NOTICE: February 4, 2014

NOTICE OF PUBLIC HEARING

HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING:	February 19, 2014
TIME OF HEARING:	8:30 A.M.
LOCATION OF HEARING:	Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101
PROJECT TYPE:	COASTAL DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT & SITE DEVELOPMENT PERMIT AMENDMENT / CEQA EXEMPTION / PROCESS THREE
PROJECT NO:	<u>307131</u>
PROJECT NAME:	<u>ACACIA GASOLINE & CAR WASH</u>
APPLICANT:	Stephen Davis
COMMUNITY PLAN AREA:	Carmel Valley
COUNCIL DISTRICT:	District One
CITY PROJECT MANAGER:	Glenn Gargas, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 446-5142 / ggargas@sandiego.gov

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a **Site Development Permit, Conditional Use Permit and Coastal Development Permit Amendment to CVPP/CUP/CDP 96-7784 to add 764 square feet of retail space to an existing gasoline service station with a food mart and car wash on a 76,230 square foot property. The project site is located at 3861 Valley Centre Drive, in the Commercial Visitor Planned District of Carmel Valley PDO, Coastal (non-appealable) and Parking Impact overlay zones and within the Carmel Valley Community Plan area.**

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Hearing Officer before the close of the public hearing. The appeal must be made within 10 working days of the Hearing Officer's decision. Please do not e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services or in person at the Development Services Department, located at 1222 First Avenue, 3rd Floor, San Diego, CA 92101

The decision made by the Planning Commission is the final decision by the City.

ATTACHMENT 12

This project was determined to be categorically exempt from the California Environmental Quality Act on November 13, 2013 and the opportunity to appeal that determination ended November 27, 2013.

The final decision by the City of San Diego is not appealable to the California Coastal Commission. If you want to receive a Notice of Final Action, you must submit a written request to the City Project Manager listed above.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at

(619) 321-3208 at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order Number: 24003477.

Revised 04/08/10 HRD