

DATE ISSUED: February 25, 2010

REPORT NO. PC-10-018

ATTENTION: Planning Commission, Agenda of March 11, 2010

SUBJECT: CHEVRON UNIVERSITY AVENUE - PROJECT NO. 157243
PROCESS 4

**OWNER/
APPLICANT:** Chevron USA Inc.

SUMMARY

Issue(s): Should the Planning Commission approve an application to allow for the construction of a new convenience store and to allow for the sale of alcoholic beverages (beer and wine only) at an existing 24-hour service station located at 3359 University Avenue within the Mid-City Communities?

Staff Recommendation:

1. **Certify** Mitigated Negative Declaration No. 157243 and **Adopt** the Mitigation Monitoring and Reporting Program; and
2. **Approve** Planned Development Permit No. 648351 and Conditional Use Permit No. 560268.

Community Planning Group Recommendation: The City Heights Area Planning Committee voted 13-2-0 to recommend approval of the proposed project on July 4, 2009, with recommendations (Attachment 9). Please see the Community Planning Group section of the report for a full discussion of these recommendations.

Environmental Review: Mitigated Negative Declaration No. 157243 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented, which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement: All costs associated with the processing of this project are paid from deposit account maintained by the applicant.

Code Enforcement Impact: None

Housing Impact Statement: This project will provide a community-serving service station and will not impact any existing housing.

BACKGROUND

The 0.95-acre project site is located at 3359 University Avenue in the CC-5-4 and RM-2-5 Zones of the Central Urbanized Planned District within the City Heights Redevelopment Project Area, in the City Heights Neighborhood of the Mid-City Communities Plan area (Attachment 1). The subject property is developed with a 24-hour automobile service station and includes a 1,971-square-foot convenience store, two service bays, five fueling pumps and three 10,000-gallon underground storage tanks. The property is surrounded by a variety of commercial and residential land uses and is adjacent to interstate 805 (Attachment 3). The Mid-City Communities Plan designates the project site for commercial and mixed use development (Attachment 2).

Conditional Use Permit (CUP) No. 87-1006 was issued on March 25, 1988, to allow the renovation of the existing 24-hour gas station. The CUP allowed for the construction of a 1,971-square-foot convenience store, two service bays and a 646-square-foot car wash facility. The car wash was never constructed and the this new proposed CUP will supersede the existing CUP issued for this site.

DISCUSSION

Project Description

The proposed project would demolish the existing structure which contains a convenience store, storage and service bays and construct a new convenience store and remodel the existing five fueling stations. The project also proposes the installation of a new 10,000-gallon, Xerxes double-wall underground storage tank. The proposed convenience store would be 3,076 square feet and consist of a merchandise area, cashier area, floor preparation area, walk in cooler, office, storage room and two restrooms as well as a patio located on the northern side of the building. The applicant is proposing to sell beer and wine, through a Type 20 Beer and Wine License within the convenience store where there is no existing Type 20 Beer and Wine license. The required parking for the proposed project is 10 parking spaces and 19 parking spaces (including one accessible space) and one loading space are provided. The building would feature a cement plaster finish, recessed windows and doors, along with landscaping to provide visual interest and reduce the bulk of the structure.

The Mid-City Communities Plan designates the subject site for commercial and mixed use development. The Plan does not specifically address applications for alcohol sales. The Commercial Element of the Plan recommends the provision of a wide range of commercial goods and services in the City Heights community as well as the provision of convenience shopping facilities within or adjacent to higher density residential neighborhoods. The proposed use would be consistent with the community plan.

Required Permits

The project as proposed requires a Process 3, Conditional Use Permit (CUP) in accordance with section 126.0303 of the San Diego Municipal Code (SDMC) for the sale of alcohol (beer and wine only) and a Process 4 Planned Development Permit (PDP) per section 126.0602(b)(1) for deviations from setbacks and transparency requirements as described in the "Planned Development Permit" section below. All actions will be consolidated under this application and processed concurrently, pursuant to the Consolidation of Processing regulations contained in Municipal Code Section 112.0103. The decision to approve, conditionally approve, or deny the project will be made by the Planning Commission and that decision is appealable to the City Council.

Conditional Use Permit

The applicant is requesting permission to allow a Type 20 Off-Sale ABC License, which allows the sale of beer and wine for offsite consumption, at the convenience store. The Municipal Code permits the sale of alcohol for off-site consumption within a convenience store as a limited use pursuant to Section 141.0502(b) of the LDC if certain location criteria are met. A Conditional Use Permit (CUP) is required for this site because the site is located within a census tract, where the general crime rate exceeds the citywide average general crime rate by more than 20 percent; within 100 feet of residentially zoned property; within 600 feet of a recreation center and church; and is within an adopted Redevelopment Project Area. Below are the criteria listed in Section 141.0502(b) and an explanation of how they relate to this site:

1. Within a census tract, or within 600 feet of a census tract, where the general crime rate exceeds the citywide average general crime rate by more than 20 percent: *The project site is within census tract No. 24.01. Statistics provided by the San Diego Police Department for this census tract show the area to be 152.1 percent of the citywide average crime rate (Attachment 11). A census tract is considered to have "high crime" if the crime rate exceeds 120 percent of the city-wide average. Therefore, a CUP is required for this project.*
2. Within a census tract, or within 600 feet of a census tract, where the ratio of alcohol beverage outlets exceeds the standards established by the California Business and Professional Code (Section 23958.4): *The project site is located within census tract No. 24.01 which permits a total of four off-sale alcoholic beverage outlets. There are currently three off-sale alcohol beverage outlets within the census tract and the addition of the proposed outlet would not exceed the allowable limit. Therefore, a CUP is not required based on this factor for this project.*
3. In an adopted Redevelopment Project Area: *The project site is located within the City Heights Redevelopment Project Area. Therefore a CUP is required for this project.*

4. Within 600 feet of a public or private accredited school, a public park, a playground or recreational area, a church except those established in accordance with Section 141.0404(a), a hospital, or a San Diego County welfare district office: *The project site is located within 600 feet of the Colina del Sol Park & Recreation Center and within 200 feet of a Buddhist Temple. Therefore a CUP is required for this project.*
5. Within 100 feet of a residentially zoned property: *The project site is within 100 feet of residentially zoned property. Therefore a CUP is required for this project.*

The San Diego Police Department (SDPD) has recommended approval of the requested Conditional Use Permit to allow the sale of alcohol for offsite consumption at this location (Attachment 12). Their support for this request is based on the fact that the operator has not been convicted of a felony, it would not exceed the allowable number of alcohol licenses and the business would not be detrimental to the public health, safety, and welfare of the community and city.

The SDPD, in coordination with the California Department of Alcohol Beverage Control (ABC), has made recommendations on the project regarding display and container requirements to ensure compliance with City and State regulations. Additional conditions have been placed on the project by the Development Services Department to also ensure compliance with the Municipal Code requirements. These conditions are listed in the Conditional Use Permit (Attachment 6).

Planned Development Permit

The applicant has applied for a Planned Development Permit per section 126.0602(b) of the SDMC to allow for the three deviations listed below, all of which are supported by staff. The deviations are summarized as follows:

- a. A deviation to allow a front yard setback of 22 feet along the frontage where a maximum front yard setback of 10 feet is required;
- b. A deviation to allow a side yard setback of 5 feet where a setback of either 0 feet or 10 feet is the minimum required;
- c. A deviation to allow 116 square feet of transparency in the street wall where a minimum of 149 square feet of transparency is required.

Front Setback Deviation

The project proposes a deviation to allow a front yard setback of 22 feet along the frontage where a maximum front yard setback of 10 feet is required along at least 70% of the street frontage. Staff supports this deviation to ensure the proposed convenience store is as close to University Avenue as possible but still allows the functional use of the site as a service station and the addition of the patio is placed in front of the building for use by pedestrians. Staff determined this building orientation and site design enhances

and promotes pedestrian interaction along University Avenue which is the purpose and intent of the regulation.

Street Side Setback Deviation

The project proposes a deviation to allow a side yard setback of 5 feet where a setback of either 0 feet or 10 feet is the maximum required. The east property line is bounded by the north on-ramp to Interstate 805. The building location is constrained by the unusual shape of the property, particularly along the east property line which is configured by the curved radius of the freeway on-ramp. In addition, a new 35-foot access easement for the Wastewater Department will be required and all buildings must be a minimum of 10 feet from the sewer easement, which further constrains the project site. Staff supports the deviation as it allows the building to be moved closer to University Avenue in order to promote pedestrian interaction along University Avenue and for the project to maintain the required 10-foot setback required from the sewer easement.

Transparency Deviation

The project proposes a deviation to allow 116 square feet of transparency in the street wall where a minimum of 149 square feet of transparency is required. Staff supports this deviation, as this is where the proposed patio is located for use by pedestrians. The orientation of the structure as well as the patio creates a pedestrian friendly environment and interest for the pedestrians along University Avenue, which is the purpose and intent of the regulation.

When considering the project as a whole, these deviations are minor in scope and the proposed modifications provide for a more attractive design than would be achieved through the strict application of the development regulations.

Environmental Analysis

Mitigated Negative Declaration (MND) No. 157243 dated February 11, 2010, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. The MND requires the implementation of a Mitigation, Monitoring and Reporting Program (MMRP) to reduce potential impacts to Transportation/Circulation resources to below a level of significance. The MMRP would require re-striping of existing streets and the addition of an exclusive northbound right turn lane.

Community Planning Group Recommendations:

The City Heights Area Planning Committee reviewed the proposed project on several occasions. The original motion, taken on October 7, 2008 (Attachment 9), to approve the project passed 16-0-0. Later, in the same meeting there was discussion regarding the sale of alcohol and they took another motion to deny the project as proposed and that passed 9-4-2. The applicant returned to the group for reconsideration on July 7, 2009, and the project as proposed was passed 13-2-0 with the recommendation to include additional cameras in the security system to allow surveillance of the entire premises. The applicant has voluntarily agreed to this condition.

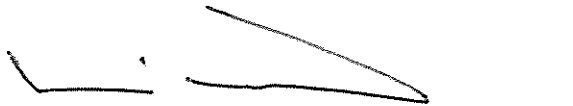
CONCLUSION

The intent of the Conditional Use Permit procedures is to review proposed uses on a case-by-case basis to determine whether or not and under what conditions the use may be approved at a given site. As required by the Municipal Code, the sale of alcohol for off-site consumption at this site will be regulated through a Conditional Use Permit. Alcohol sales are also regulated by the California Department of Alcoholic Beverage Control and enforced by the San Diego Police Department. Staff has reviewed the request for a Conditional Use Permit and a Planned Development Permit and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the development permits (Attachment 7) and draft conditions of approval (Attachment 6). Staff recommends the Planning Commission approve the project as proposed.

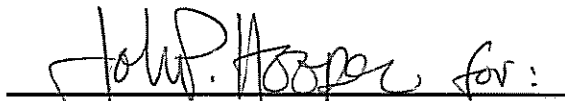
ALTERNATIVES:

1. Approve Planned Development Permit No. 648351 and Conditional Use Permit No. 560268, with modifications.
2. Deny Planned Development Permit No. 648351 and Conditional Use Permit No. 560268, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department

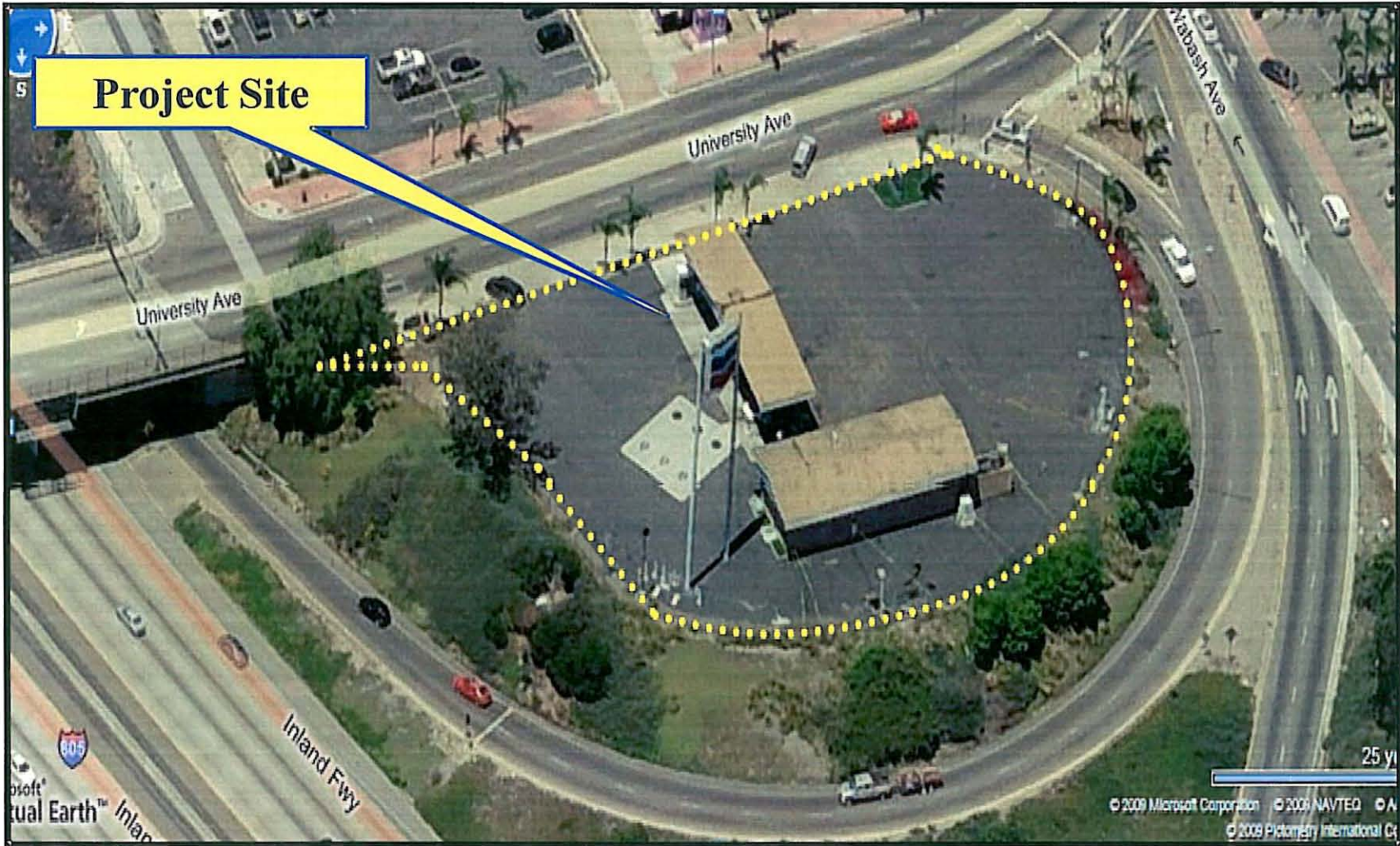


Renee Mezo, Project Manager
Development Services Department

Attachments:

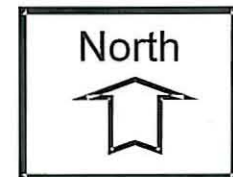
1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Plans
6. Draft Permit with Conditions

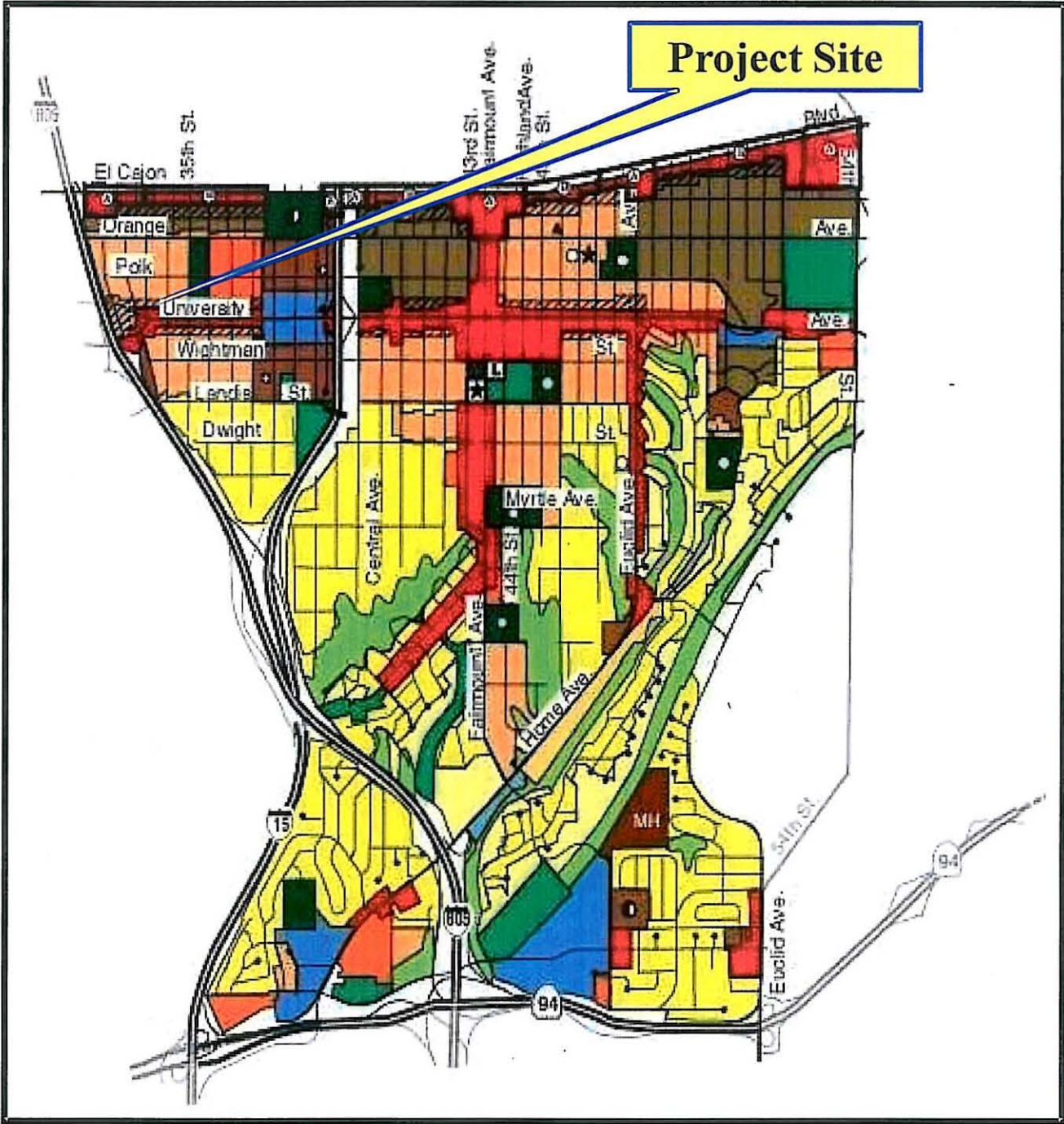
7. Draft Resolution with Findings
8. Copy of CUP 87-1066
9. Community Planning Group Recommendation of August 7, 2009 & October 9, 2008
10. Ownership Disclosure Statement
11. Census Tract 24.01 Map and the distribution of liquor licenses
12. San Diego Police Department Recommendation



Aerial Photo

CHEVRON UNIVERSITY AVENUE – 157243
3359 University Ave



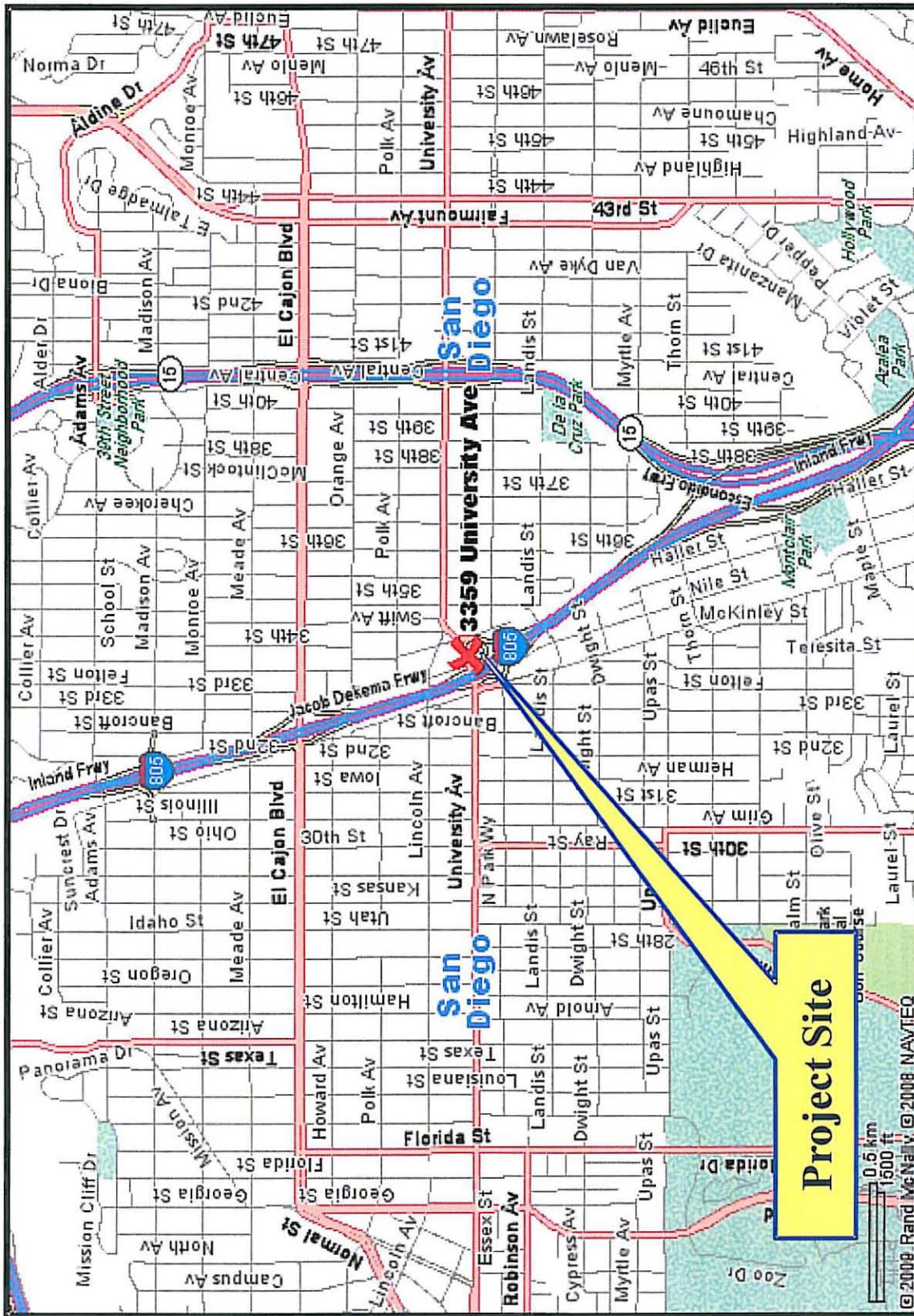


Land Use Map

CHEVRON UNIVERSITY AVENUE – 157243

3359 University Ave.





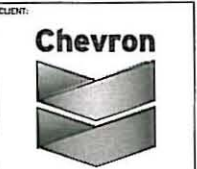
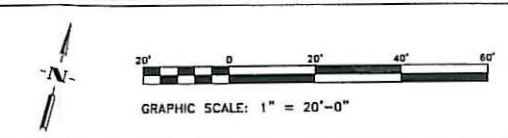
Project Location Map

CHEVERON UNIVERSITY AVENUE – 157243

3359 University Ave.



PROJECT DATA SHEET		
PROJECT NAME:	Chevron University	
PROJECT DESCRIPTION:	Demolition and construction of a convenience store and to allow for the sale of alcoholic beverages (beer and wine only)	
COMMUNITY PLAN AREA:	Mid-City Communities Plan	
DISCRETIONARY ACTIONS:	Planned Development Permit and Conditional Use Permit (CUP) to amend CUP No. 87-1006	
COMMUNITY PLAN LAND USE DESIGNATION:	Commercial and Mixed Use	
ZONING:	CC-5-4 and RM-2-5 Zones and the City Heights Redevelopment Project Area of the Central Urbanized Planned District in the City Heights Neighborhood.	
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Commercial-Mixed Use; CC-5-4	Commercial Retail
SOUTH:	Multi-Family Residential; RM-2-5	On-ramp to Interstate 805
EAST:	Multi-Family Residential; RM-1-1	Multi-Family Residential
WEST:	Commercial-Mixed Use; CC-5-4	Interstate 805
DEVIATIONS OR VARIANCES REQUESTED:	<p>-A deviation to allow a minimum front yard setback of 22 feet along the frontage where a maximum front yard setback of 10 feet is required;</p> <p>-A deviation to allow a minimum side yard setback of 5 feet where a setback of either 0 feet or 10 feet is the maximum required;</p> <p>-A deviation to allow 116 square feet of transparency in the street wall where 149 square feet of transparency is required.</p>	
COMMUNITY PLANNING GROUP RECOMMENDATION:	The City Heights Area Planning Committee voted 13-2-0 to recommend approval of the proposed project on July 4, 2009, with recommendations.	



CLIENT: Chevron
INFORMATION PROVIDED BY: fiedlergroup
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• Engineering
• Planning
• Project Management
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NOTE: REFER TO SURVEY (SHEET SV.1) FOR ALL EXISTING ITEMS NOT NOTED.

CONSTRUCTION NOTES

- 1.0 CONSTRUCT NEW REM-2918 EXTRAMILE BUILDING
1.1 INSTALL (1) NEW UNDERGROUND STORAGE TANK/DIESEL 10,000 GALLON, KERKES, DEL. WALL
1.2 EXISTING 5 MULTI-PRODUCT DISPENSER CANOPY TO REMAIN
1.3 EXISTING (3) 10,000 GALLON UNDERGROUND STORAGE TANKS TO REMAIN
1.4 NEW LANDSCAPE / IRRIGATION SYSTEM

SITE WORKS

- 2.0 NEW 3+1 MULTI-PRODUCT DISPENSER
2.1 NEW MONUMENT SIGN (REPLACE EXISTING)
2.2 NEW TRASH ENCLOSURE (17'-4"x10'-8")
2.3 NEW YARD LIGHT
2.4 NEW PATIO AREA
2.5 NEW MAIN SWITCHGEAR
2.6 NEW PEDESTRIAN PATH OF TRAVEL
2.7 REDUCE EXIST. DRIVEWAY TO 30' WIDE, TO BE RECONSTRUCTED TO CURRENT CITY STANDARDS
2.8 RECONSTRUCT EXISTING ACCESS RAMP, TO BE RECONSTRUCTED TO CURRENT CITY STANDARDS
2.9 NEW BUILDING ADDRESS NUMBERS

CONCRETE & ASPHALTIC PAVING

- 3.0 NEW REINFORCED CONCRETE TANK SLAB
3.1 NEW ASPHALTIC PAVING
3.2 NEW CONCRETE WALKWAY, NON SLIP SURFACE

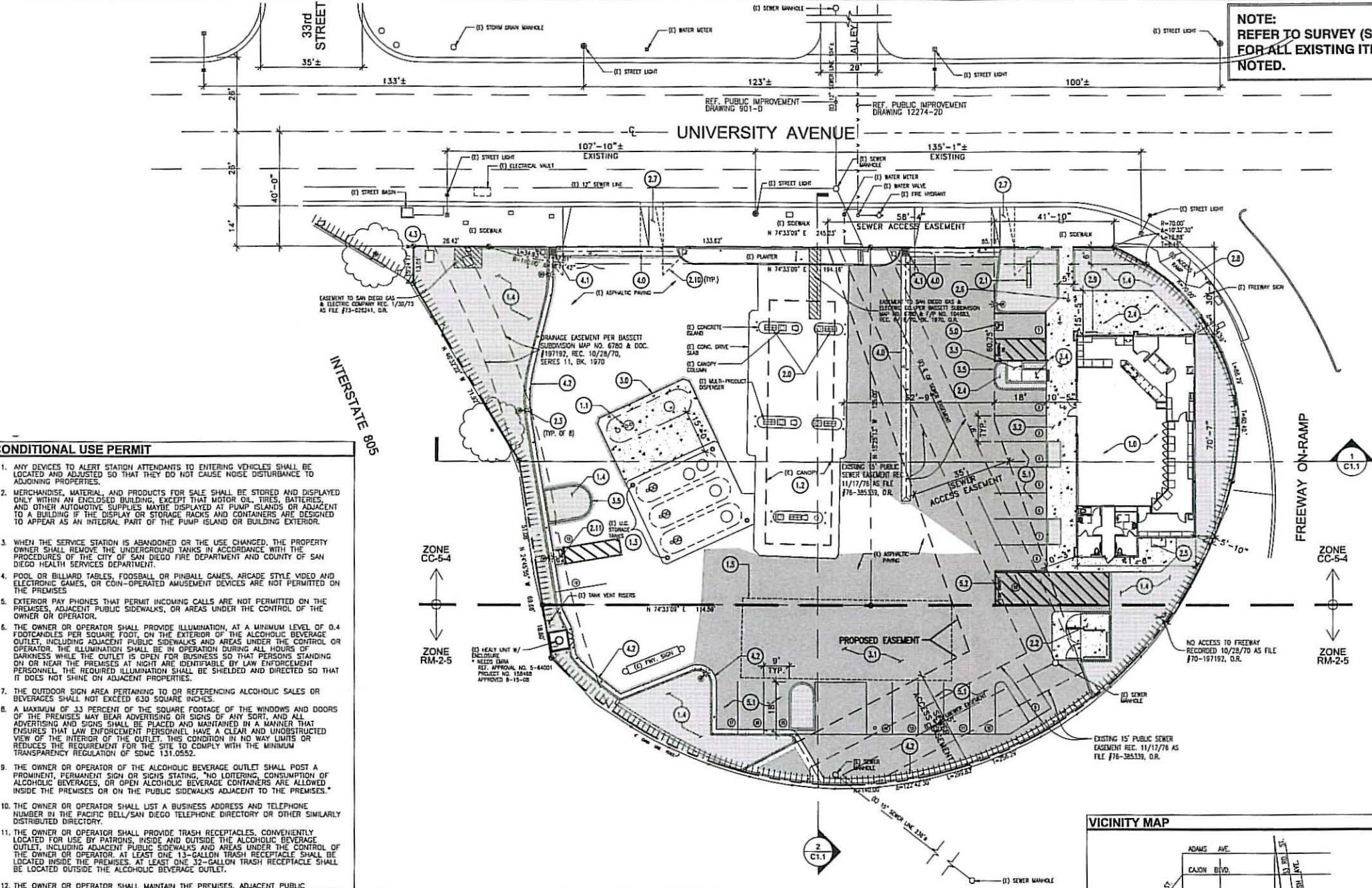
DRAINAGE

- 4.0 NEW CONCRETE SWALE
4.1 NEW CATCH BASIN W/ FOSSEL FILTER

PARKING

- 5.0 NEW 17' x 18' HANDICAP PARKING SPACE
5.1 NEW 9' x 18' STANDARD PARKING SPACE

Revision table with columns for NO., DATE, and REVISION DESCRIPTION. Includes entries for PER CITY COMMENTS and PER CLIENT.



CONDITIONAL USE PERMIT

- 1. ANY DEVICES TO ALERT STATION ATTENDANTS TO ENTERING VEHICLES SHALL BE LOCATED AND ADJUSTED SO THAT THEY DO NOT CAUSE NOISE DISTURBANCE TO ADJOINING PROPERTIES.
2. MERCHANDISE, MATERIAL, AND PRODUCTS FOR SALE SHALL BE STORED AND DISPLAYED ONLY WITHIN AN ENCLOSED BUILDING, EXCEPT THAT MOTOR OIL, TIRES, BATTERIES, AND OTHER AUTOMOTIVE SUPPLIES MAY BE DISPLAYED AT PUMP ISLANDS OR ADJACENT TO A BUILDING IF THE DISPLAY OR STORAGE RACKS AND CONTAINERS ARE DESIGNED TO APPEAR AS AN INTEGRAL PART OF THE PUMP ISLAND OR BUILDING EXTERIOR.
3. WHEN THE SERVICE STATION IS ABANDONED OR THE USE CHANGED, THE PROPERTY OWNER SHALL REMOVE THE UNDERGROUND TANKS IN ACCORDANCE WITH THE PROCEDURES OF THE CITY OF SAN DIEGO FIRE DEPARTMENT AND COUNTY OF SAN DIEGO HEALTH SERVICES DEPARTMENT.
4. POOL OR BILLIARD TABLES, FOOSBALL OR PINBALL GAMES, ARCADE STYLE VIDEO AND ELECTRONIC GAMES, OR COIN-OPERATED AMUSEMENT DEVICES ARE NOT PERMITTED ON THE PREMISES.
5. EXTERIOR PAY PHONES THAT PERMIT INCOMING CALLS ARE NOT PERMITTED ON THE PREMISES, ADJACENT PUBLIC SIDEWALKS, OR AREAS UNDER THE CONTROL OF THE OWNER OR OPERATOR.
6. THE OWNER OR OPERATOR SHALL PROVIDE ILLUMINATION, AT A MINIMUM LEVEL OF 0.4 FOOT-CANDLES PER SQUARE FOOT, ON THE EXTERIOR OF THE ALCOHOLIC BEVERAGE OUTLET, INCLUDING ADJACENT PUBLIC SIDEWALKS AND AREAS UNDER THE CONTROL OR OPERATOR. THE ILLUMINATION SHALL BE IN OPERATION DURING ALL HOURS OF DARKNESS WHILE THE OUTLET IS OPEN FOR BUSINESS SO THAT PERSONS STANDING ON OR NEAR THE PREMISES AT NIGHT ARE IDENTIFIABLE BY LAW ENFORCEMENT PERSONNEL. THE REQUIRED ILLUMINATION SHALL BE SHIELDED AND DIRECTED SO THAT IT DOES NOT SHINE ON ADJACENT PROPERTIES.
7. THE OUTDOOR SIGN AREA PERTAINING TO OR REFERENCING ALCOHOLIC SALES OR BEVERAGES SHALL NOT EXCEED 630 SQUARE INCHES.
8. A MAXIMUM OF 33 PERCENT OF THE SQUARE FOOTAGE OF THE WINDOWS AND DOORS OF THE PREMISES MAY BEAR ADVERTISING OR SIGNS OF ANY SORT, AND ALL ADVERTISING AND SIGNS SHALL BE PLACED AND MAINTAINED IN A MANNER THAT ENSURES THAT LAW ENFORCEMENT PERSONNEL HAVE A CLEAR AND UNOBSTRUCTED VIEW OF THE INTERIOR OF THE OUTLET. THIS CONDITION IN NO WAY LIMITS OR REDUCES THE REQUIREMENT FOR THE SITE TO COMPLY WITH THE MINIMUM TRANSPARENCY REGULATION OF SDMC 131.0552.
9. THE OWNER OR OPERATOR OF THE ALCOHOLIC BEVERAGE OUTLET SHALL POST A PROMINENT, PERMANENT SIGN OR SIGNS STATING, "NO LOITERING, CONSUMPTION OF ALCOHOLIC BEVERAGES, OR OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED INSIDE THE PREMISES OR ON THE PUBLIC SIDEWALKS ADJACENT TO THE PREMISES."
10. THE OWNER OR OPERATOR SHALL LIST A BUSINESS ADDRESS AND TELEPHONE NUMBER IN THE PACIFIC BELL/SAN DIEGO TELEPHONE DIRECTORY OR OTHER SIMILARLY DISTRIBUTED DIRECTORY.
11. THE OWNER OR OPERATOR SHALL PROVIDE TRASH RECEPTACLES, CONVENIENTLY LOCATED FOR USE BY PATRONS, INSIDE AND OUTSIDE THE ALCOHOLIC BEVERAGE OUTLET, INCLUDING ADJACENT PUBLIC SIDEWALKS AND AREAS UNDER THE CONTROL OF THE OWNER OR OPERATOR. AT LEAST ONE 13-GALLON TRASH RECEPTACLE SHALL BE LOCATED INSIDE THE PREMISES, AT LEAST ONE 32-GALLON TRASH RECEPTACLE SHALL BE LOCATED OUTSIDE THE ALCOHOLIC BEVERAGE OUTLET.
12. THE OWNER OR OPERATOR SHALL MAINTAIN THE PREMISES, ADJACENT PUBLIC SIDEWALKS, AND AREAS UNDER THE CONTROL OF THE OWNER OR OPERATOR, FREE OF LITTER AND GRAFTIN AT ALL TIMES. THE OWNER OR OPERATOR SHALL PROVIDE FOR DAILY REMOVAL OF TRASH, LITTER, AND DEBRIS. THE OWNER OR OPERATOR SHALL ELIMINATE GRAFTIN WITHIN 48 HOURS OF APPLICATION.
13. THE OWNER OR OPERATOR SHALL POST A COPY OF THE CONDITIONAL USE PERMIT CONDITIONS IN THE LICENSED PREMISES IN A PLACE WHERE THEY MAY BE READILY VIEWED BY ANY MEMBER OF THE GENERAL PUBLIC OR ANY MEMBER OF A GOVERNMENT AGENCY.
14. THE CONDITIONAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES SHALL EXPIRE AND BECOME VOID 10 YEARS FROM THE APPROVAL DATE UNLESS AN APPLICATION TO EXTEND THE EXPIRATION DATE HAS BEEN FILED BEFORE THE EXPIRATION OF THE APPROVED CONDITIONAL USE PERMIT.
15. AN APPLICATION FOR AN EXTENSION OF THE EXPIRATION DATE OF THE CONDITIONAL USE PERMIT FOR ALCOHOL SALES SHALL BE CONSIDERED IN ACCORDANCE WITH PROCESS TWO IF THERE IS NO RECORD IN THE CITY OF SAN DIEGO POLICE DEPARTMENT OR OTHER DEPARTMENT OR WITH ANY OTHER GOVERNMENTAL AGENCY OF ANY VIOLATIONS OF THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RULES, REGULATIONS, AND ORDERS OR OF ANY VIOLATION OF CITY, COUNTY, STATE OR FEDERAL LAW, CODE, REGULATION OR POLICY RELATED TO PROSTITUTION, DRUG ACTIVITY OR OTHER CRIMINAL ACTIVITY ON THE PREMISES. AN APPLICATION FOR AN EXTENSION OF THE EXPIRATION DATE OF THE CONDITIONAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES SHALL BE CONSIDERED IN ACCORDANCE WITH PROCESS THREE IF THERE IS A RECORD OF VIOLATIONS AS DESCRIBED ABOVE. PRIOR VIOLATIONS OF ANY CONDITIONS CONTAINED IN AN APPROVED CONDITIONAL USE PERMIT SHALL CONSTITUTE GROUNDS FOR DENYING AN APPLICATION FOR AN EXTENSION.

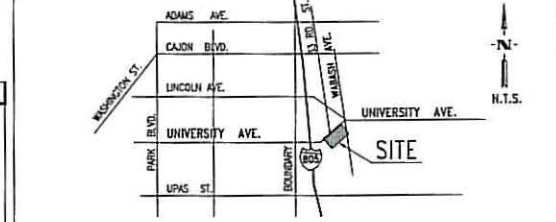
NOTE:

- 1. NO EXISTING BUS STOPS
2. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM STREET OR ROAD FRONTING THE PROPERTY PER PUPS POLICY P-00-6 (UFC 901.4.4)
3. NO STRUCTURES OR LANDSCAPING HIGHER THAN 36" ARE PERMITTED WITHIN THE 10'x10' VISIBILITY TRIANGLE.
4. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, THE APPLICATION SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
5. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, THE APPLICATION 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.
6. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, THE SUBDIVIDER SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE.
7. NO OTHER UTILITIES, INCLUDING GAS, ELECTRIC, TELEPHONE AND FIBER OPTIC CABLE, SHALL BE LOCATED WITHIN 10 FEET OF ANY PUBLIC SEWER MAIN WHEN THESE UTILITIES ARE INSTALLED PARALLEL TO THE SEWER MAIN. GENERAL UTILITY EASEMENTS IN PRIVATE ROADS AND DRIVEWAYS SHALL BE SIZED WITH SUFFICIENT WIDTH TO PROVIDE FOR OTHER AGENCIES FACILITIES. IN SIDE YARDS OR OTHER NON STREET AREAS, A GUE MUST BE DEDICATED FOR THE EXCLUSIVE USE OF THE CITY OF SAN DIEGO OR THE METROPOLITAN WASTE-WATER DEPARTMENT. OTHER AGENCIES SHALL REQUIRE SEPARATE EASEMENTS.
8. PROPOSED PRIVATE UNDERGROUND SEWER FACILITIES LOCATED WITHIN A SINGLE LOT SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CALIFORNIA PLUMBING CODE AND SHALL BE REVIEWED AS PART OF THE BUILDING PERMIT PLAN CHECK.
9. THE DEVELOPER SHALL DESIGN AND CONSTRUCT ANY PROPOSED PUBLIC SEWER FACILITIES TO THE MOST CURRENT EDITION OF THE CITY OF SAN DIEGO'S SEWER DESIGN GUIDE.

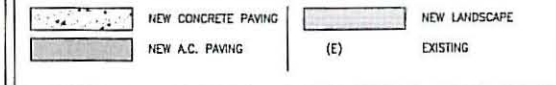
PROJECT OWNERS

LAND OWNER: CHEVRON COMPANY
CONTACT: ROBERT MILNER
145 S. STATE COLLEGE BLVD. # 400
BREA, CA 92821
PHONE #: (714) 671-3203
FAX #: (714) 671-3439
APPLICANT: FIEDLER GROUP
CONTACT: ERIKA SKEIE
2322 WEST THIRD ST.
LOS ANGELES, CA 90057
PHONE #: (213) 381-7891
FAX #: (213) 381-1517

VICINITY MAP



LEGEND



LEGAL DESCRIPTION

LOTS 1 AND 2 OF "BASSETT SUBDIVISION", IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 6780, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
EXCEPTING THEREFROM:
ALL THAT PORTION OF LOTS 1 AND 2 OF BASSETT SUBDIVISION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 6780, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 9, 1970, BEING DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE NORTHERLY LINE OF SAID LOTS 1 AND 2 AND THE SOUTHERLY LINE OF UNIVERSITY AVENUE, NORTH 74° 33' 09" EAST, 26.53 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTHERLY AND SOUTHERLY LINES, NORTH 74° 33' 09" EAST, 218.70 FEET TO THE BEGINNING OF A HIGH-TANGENT 70.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, A RADIAL LINE TO SAID POINT BEARS NORTH 07° 05' 26" EAST; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2, EASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10° 12' 30", A DISTANCE OF 12.88 FEET; THENCE LEAVING SAID NORTHERLY LINE, SOUTH 74° 33' 09" WEST, 194.16 FEET TO THE BEGINNING OF A TANGENT 110.00 FOOT RADIUS CURVE, CONCAVE TO THE NORTH; THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 18° 11' 42", A DISTANCE OF 34.93 FEET, TO THE BEGINNING OF A REVERSE 90.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTH, A RADIAL LINE TO SAID POINT BEARS NORTH 02° 44' 51" EAST; THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07° 02' 55", A DISTANCE OF 1.83 FEET TO TRUE POINT OF BEGINNING.

SITE INFORMATION

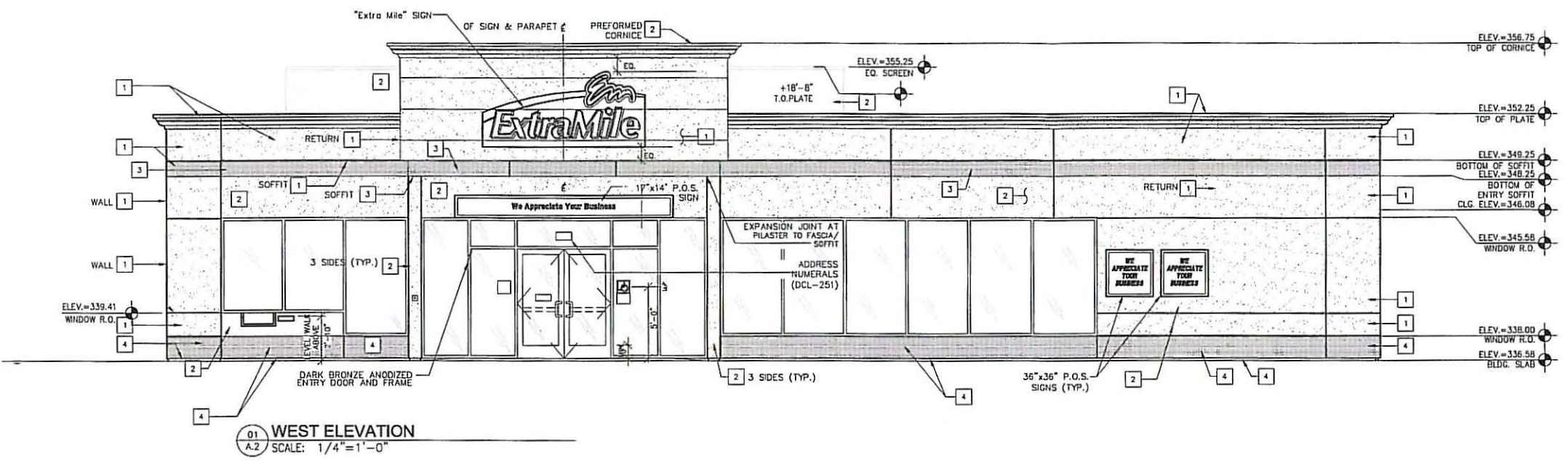
Table with columns for SITE, LANDSCAPING, STRUCTURES, and PARKING. Includes areas for Gross Area, Unbuildable Area, Dedication, and various zoning and parking specifications.

CHEVRON STATION
NEW REM 2918 C-STORE
NEW DIESEL TANK
SITE ADDRESS:
3359 UNIVERSITY AVE.
@ INTERSTATE 805
SAN DIEGO, CA 92104
STATION # 94919

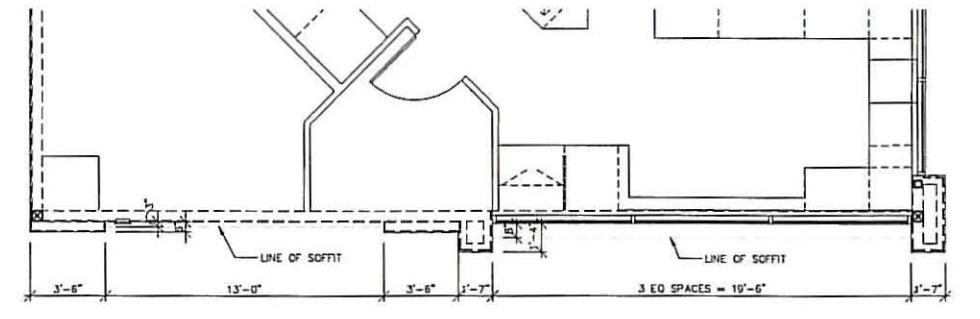
DESIGNED BY: LMM
CHECKED BY: EJM
DATE: 08/08/2007
PROJECT NO: 12302

SHEET TITLE: SITE PLAN
SHEET NO: C1.0
SHEET 1 OF 13

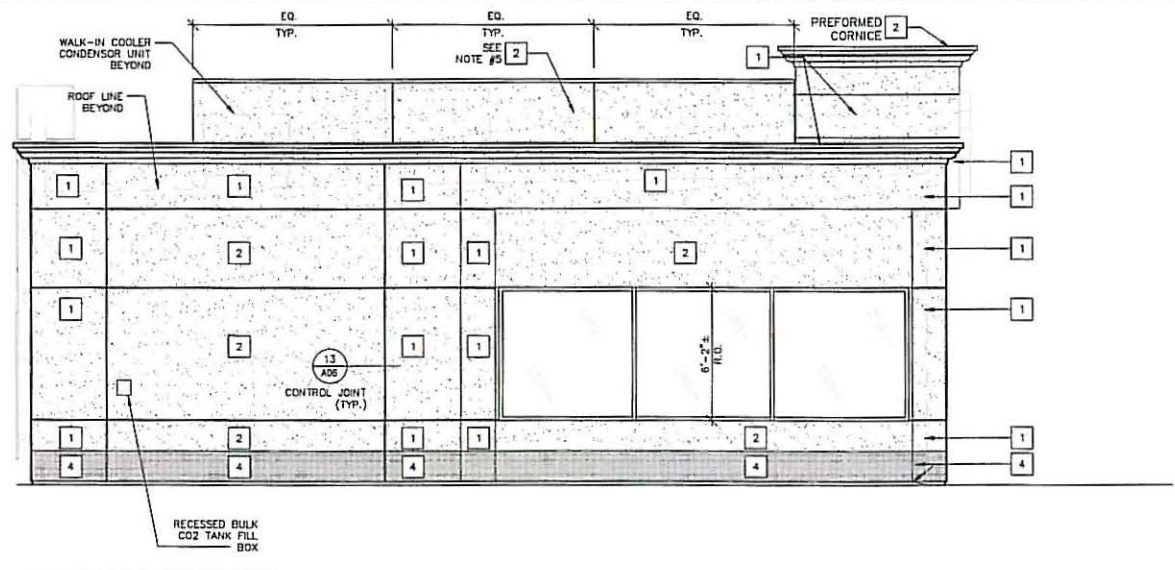
I:\projects\12302\Design\200 Entitlement Documents\Architectural\12302-A.2.dwg, 12/18/2009 11:56:50 AM, mmendoza



01 WEST ELEVATION
A.2 SCALE: 1/4"=1'-0"



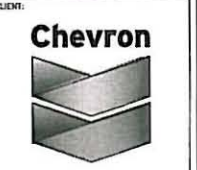
02 PLAN VIEW OF NORTH WALL
A.2 SCALE: 1/4"=1'-0"



03 NORTH ELEVATION
A.2 SCALE: 1/4"=1'-0"

COLOR LEGEND

MARK	DESCRIPTION	PPG #
1	CAFE AU LAIT (SEMI GLOSS)	NCS-101-PPG
2	NUTMEG (SEMI GLOSS)	NCS-102-PPG
3	CHILLED WINE (SEMI GLOSS)	438-7
4	MOCHA (SEMI GLOSS)	NCS-104-PPG
5	CLAY TILE BY U.S. MFG.	TWO PIECE COLOR NEWPORT BLEND



CLIENT:
Chevron

INFORMATION PROVIDED BY:
fiedlergroup
•Architecture
•Engineering
•Planning
•Project Management
2322 West Third Street
Los Angeles, CA
90057-1906
Phone: (213) 381-7891
Fax: (213) 381-1517
fiedlergroup.com

CONSULTANT:

NO.	DATE	REVISION DESCRIPTION
1	04/18/06	RESTROOM REVISION

SEAL:

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DEVELOPMENT INFORMATION:
**CHEVRON STATION
NEW REM 2918 C-STORE
NEW DIESEL TANK**

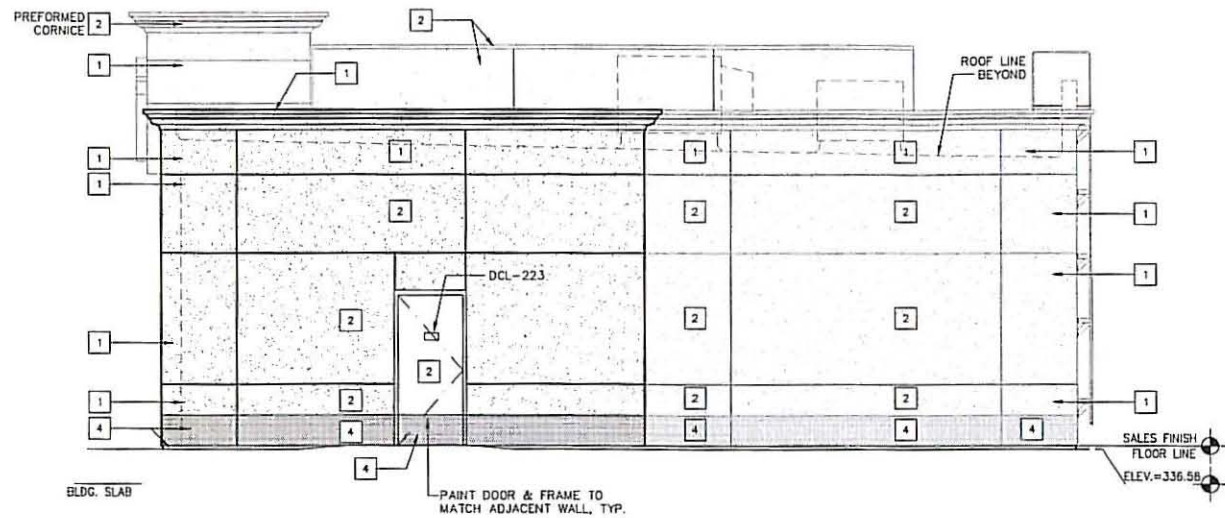
SITE ADDRESS:
**3359 UNIVERSITY AVE.
@ INTERSTATE 805
SAN DIEGO, CA 92104**

STATION # 94919
DESIGNED BY: RC /FC PM
CHECKED BY: EJ /MEP PM
DRAWN BY: RC /CONSULTANT PM
DATE: 09/25/07 PROJECT NO: 12302

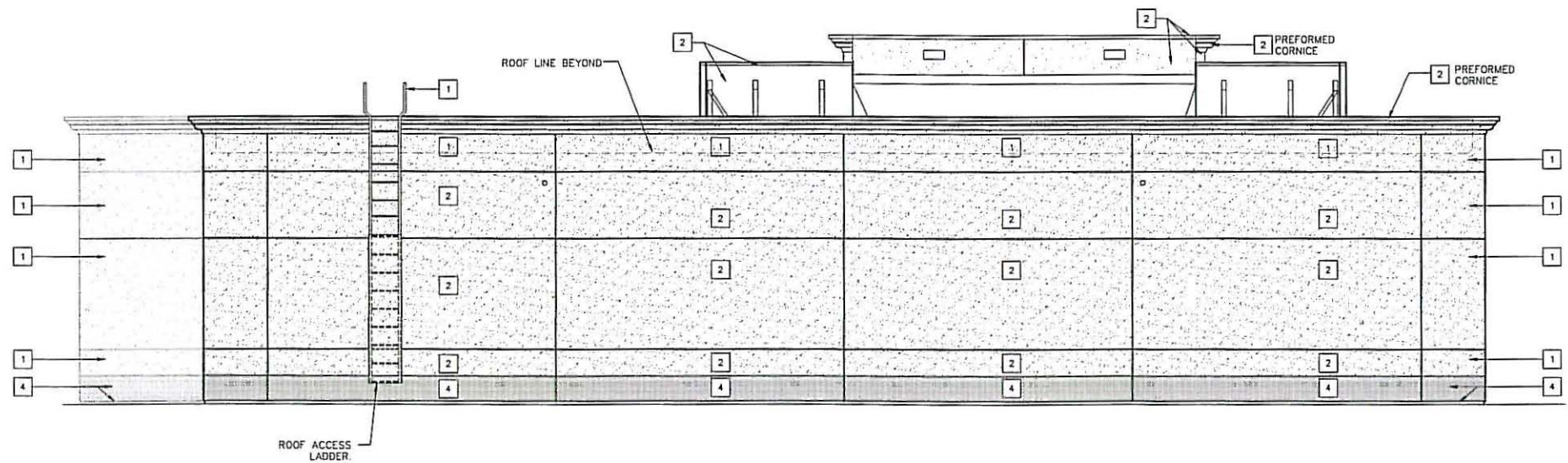
DRAWING TITLE:
BUILDING ELEVATIONS

SHEET NO:
A.2
SHEET 6 OF 13

I:\projects\12302\Design\200 Entitlement Documents\Architectural\12302-A.2.1.dwg, 12/18/2009 7:55:34 AM, mmendoza



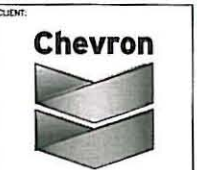
01 SOUTH ELEVATION
A.2.1 SCALE: 1/4"=1'-0"



02 EAST ELEVATION
A.2.1 SCALE: 1/4"=1'-0"

COLOR LEGEND

MARK	DESCRIPTION	PPG #
1	CAFE AU LAIT (SEMI GLOSS)	NCS-101-PPG
2	NUTMEG (SEMI GLOSS)	NCS-102-PPG
3	CHILLED WINE (SEMI GLOSS)	43B-7
4	MOCHA (SEMI GLOSS)	NCS-104-PPG
5	CLAY TILE BY U.S. MFG.	TWO PIECE COLOR NEWPORT BLEND



INFORMATION PROVIDED BY:

fiedlergroup

- Architecture
- Engineering
- Planning
- Project Management

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CONSULTANT:

NO.	DATE	REVISION DESCRIPTION
1	01/18/06	RESTROOM REVISION

SEAL:

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DEVELOPMENT INFORMATION:

CHEVRON STATION
NEW REM 2918 C-STORE
NEW DIESEL TANK

SITE ADDRESS:

3359 UNIVERSITY AVE.
@ INTERSTATE 805
SAN DIEGO, CA 92104

STATION # 94919

DESIGNED BY:	RC	FC PM:
CHECKED BY:	EJ	WCP PM:
DRAWN BY:	RC	CONSULTANT PM:
DATE:	09/25/07	PROJECT NO:
		12302

DRAWING TITLE:

BUILDING ELEVATIONS

SHEET NO:

A.2.1
SHEET 7 OF 13



CLIENT:

Chevron

INFORMATION PROVIDED BY:

fiedlergroup

- Architecture
- Engineering
- Planning
- Project Management

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CONSULTANT:

NO.	DATE	REVISION DESCRIPTION

SEAL:

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DEVELOPMENT INFORMATION:
CHEVRON STATION
NEW REM 2918 C-STORE
NEW DIESEL TANK

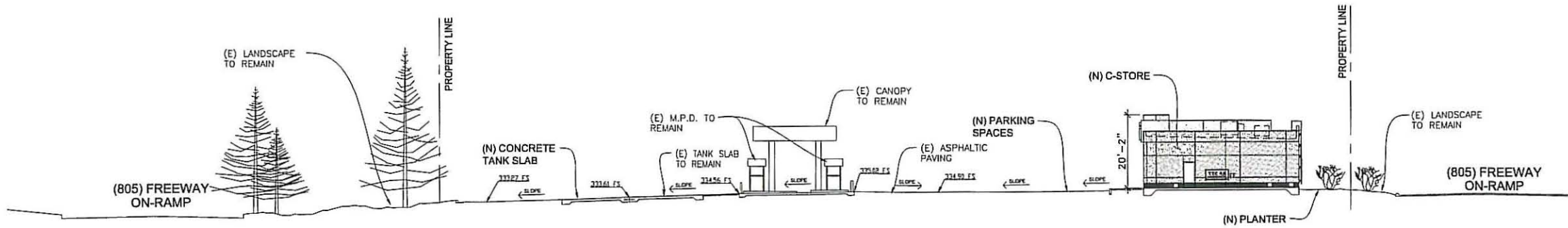
SITE ADDRESS:
3359 UNIVERSITY AVE.
@ INTERSTATE 805
SAN DIEGO, CA 92104

STATION # 94919

DESIGNED BY:	HVT	FC PM:
CHECKED BY:	EJ	MEP PM:
DRAWN BY:	HVT	CONSULTANT PM:
DATE:	03/14/2008	PROJECT NO:
		12302

SITE SECTIONS

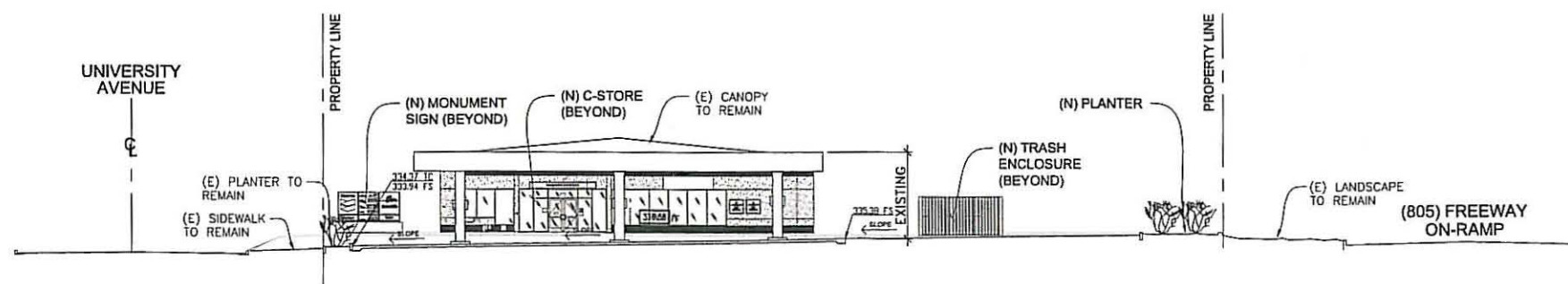
SHEET NO:
C1.1
SHEET 2 OF 13



1

EAST-WEST SECTION

SCALE: 1/16"=1'-0"

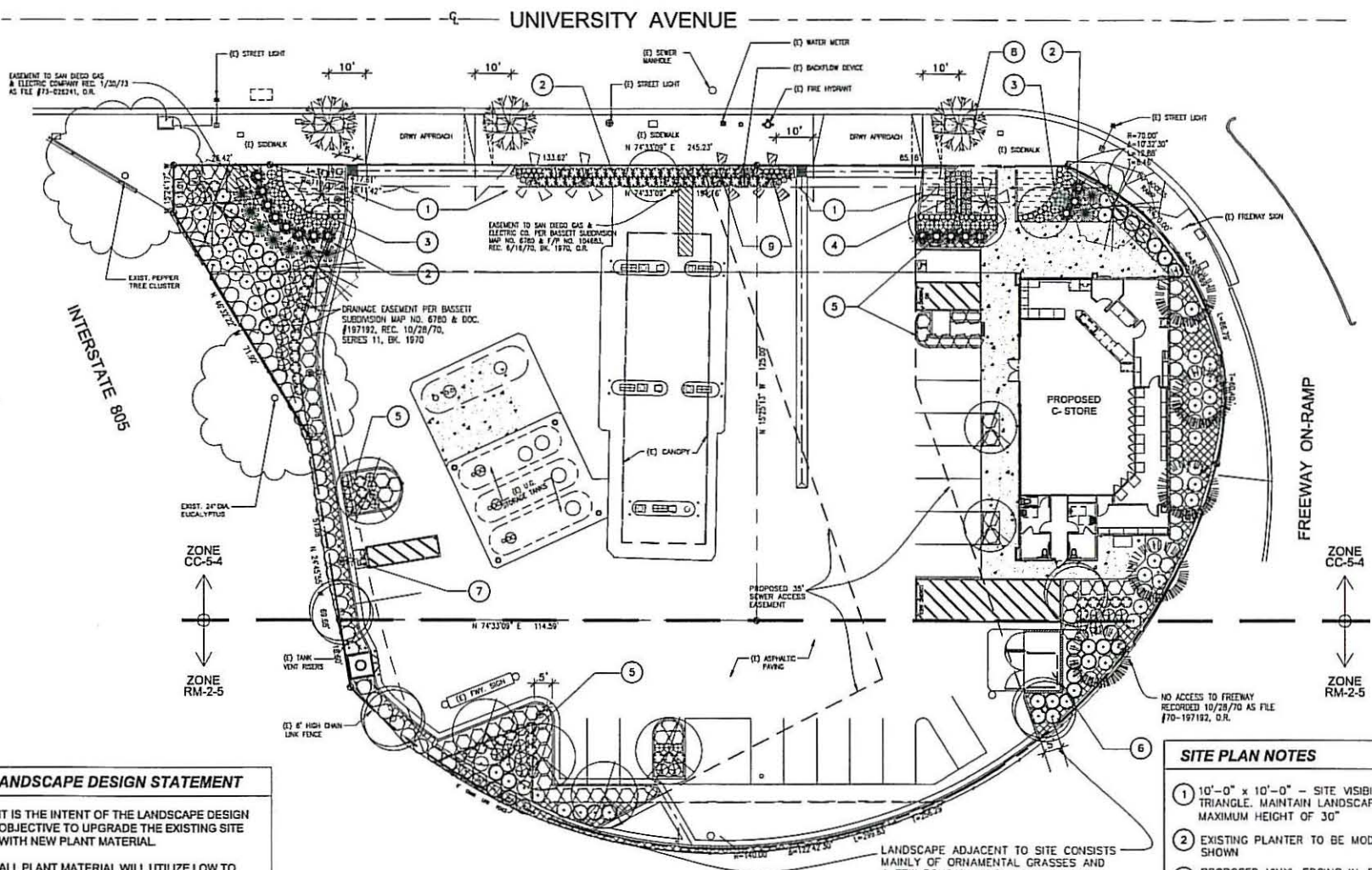
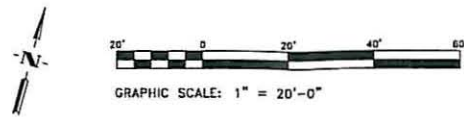


2

NORTH-SOUTH SECTION

SCALE: 1/16"=1'-0"

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LANDSCAPE DESIGN STATEMENT

IT IS THE INTENT OF THE LANDSCAPE DESIGN OBJECTIVE TO UPGRADE THE EXISTING SITE WITH NEW PLANT MATERIAL.

ALL PLANT MATERIAL WILL UTILIZE LOW TO MEDIUM WATER USE AS SET FORTH IN THE 'WUCOLS III-1999 EDITION' (WATER USE CLASSIFICATION OF LANDSCAPE SPECIES)

THE PLANT MATERIAL SELECTED IS INTENDED TO ALSO COMPLEMENT THE ARCHITECTURE AND DRAW INTEREST THROUGH OUT THE YEAR WITH TEXTURE AND COLOR.

CONCEPTUAL LANDSCAPE PLAN

SCALE: 1" = 20'-0"

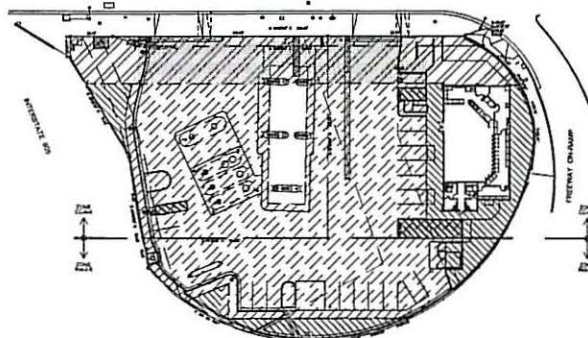
NOTE:
REFER TO SURVEY (SHEET SV.1) AND CIVIL PLAN (SHEET C1.0) FOR ADDITIONAL ITEMS NOT SHOWN ON THIS PLAN

SITE PLAN NOTES

- 10'-0" x 10'-0" - SITE VISIBILITY TRIANGLE. MAINTAIN LANDSCAPE AT A MAXIMUM HEIGHT OF 30"
- EXISTING PLANTER TO BE MODIFIED AS SHOWN
- PROPOSED VINYL EDGING IN-BETWEEN ALL SHRUB AND TURF AREAS (TYP)
- PROPOSED MONUMENT SIGN
- PROPOSED PLANTER
- PROPOSED TRASH ENCLOSURE
- PROPOSED AIR/WATER UNIT
- PROPOSED 8' X 5' PLANTER (TYP OF 3)
- PALM TO BE REMOVED DUE TO SEWER EASEMENT (TYP OF 2)

LANDSCAPE PLANT MATERIAL LEGEND

SYMBOL	CATEGORY / DESCRIPTION	PERCENTAGE / SIZE
	STREET TREES PER CITY OF SAN DIEGO STREET TREE SELECTION GUIDE (HEIGHT 12 TO 20') SUCH AS: METROSIDEROS EXCELSUS (NEW ZEALAND CHRISTMAS TREE) ERIOBOTRYA DEFLEXA (BRONZE LOQUAT) ALONG WITH EXISTING SYAGRUS ROMANZOFFIANUM (QUEEN PALM) AND LARGE SCALE ACCENT TREE (USED AS STREET TREE) (HEIGHT 30' TO 60') SUCH AS: PISTACIA CHINENSIS (CHINESE PISTACHE) CHORISIA SPECIOSA (FLOSS SILK TREE)	(3) 30% (24" BOX) (1) 10% (36" BOX) (4) 40% (12"-14" BTH) (2) 20% (36" BOX) NOTE: ADDITIONAL ERIOTRYA AND LARGE SCALE ACCENT TREE TO BE USED ON-SITE AS WELL.
	MEDIUM SCALE EVERGREEN TREE WITH ACCENT FOLIAGE/FLOWER (HEIGHT TO 40') SUCH AS: HYMENOSPORUM FLAVUM (SWEETSHADE) KOELREUTERIA PANICULATA (GOLDEN RAIN)	100% (36" BOX)
	LARGE SCALE SCREENING TREE (HEIGHT 30' TO 60') SUCH AS: BRACHYCHITON ACERIFOLIUS (FLAME TREE) EUCALYPTUS FICIFOLIA (RED FLOWERING GUM)	100% (24" BOX)
	EVERGREEN SCREENING HEDGE (HEIGHT TO 4'-0" TO 5'-0") SHRUBS SUCH AS: XYLOSMA CONGESTUM "COMPACTUM" (COMPACT XYLOSMA) PHOTINIA FRASERI "INDIAN PRINCESS" (PHOTINIA) EURYOPE PECTINATUS "VIRDIS" (EURYTOPS)	<ul style="list-style-type: none"> 72% (5 GAL.) PLANTS AT 4'-6" ON-CENTER 28% (5 GAL.) PLANTS AT 4'-0" ON-CENTER
	EVERGREEN SHRUB (HEIGHT TO BE MAINTAINED AT MIN.30" AND MAX. 26") SHRUBS SUCH AS: LIGUSTRUM JAPONICUM "TEXANUM" (WAX-LEAF PRIVET) RHAPHOLEPIS INDICA (INDIA HAWTHORNE) SOLLYA HETEROPHYLLA (AUSTRALIAN BLUEBELL CREEPER)	<ul style="list-style-type: none"> 40% (5 GAL.) PLANTS AT 2'-6" ON-CENTER 21% (5 GAL.) PLANTS AT 3'-6" ON-CENTER 39% (5 GAL.) PLANTS AT 3'-0" ON-CENTER
	ACCENT SHRUB (3'-0" TO 4'-0" IN HEIGHT) SUCH AS: PHORMIUM DAZZLER PHORMIUM "YELLOW WAVE"	<ul style="list-style-type: none"> 64% (5 GAL.) PLANT AT 4'-0" ON-CENTER 36% (5 GAL.) PLANT AT 5'-0" ON-CENTER
	LOW EVERGREEN PERENNIAL (UP 2'-0" IN HEIGHT) SUCH AS: DIETES BICOLOR (FORTNIGHT LILY) HEMEROCALLIS (DAY LILLY) PHORMIUM TENAX "JACK SPRATT" (DWARF FLAX)	<ul style="list-style-type: none"> 25% (5 GAL.) PLANT AT 2'-6" ON-CENTER 75% (1 GAL.) PLANT AT 1'-6" ON-CENTER
	EVERGREEN GROUND COVER MATERIAL (MAXIMUM HEIGHT 2'-0") SUCH AS: MYOPORUM PARVIFOLIUM "WHITE" LANTANA MONTEVEDENSIS "LAVENDER SWIRL"	<ul style="list-style-type: none"> 70% (FLATS) SPACED AT 4'-0" ON-CENTER 30% (5 GAL.) PLANTED AT 4'-0" ON-CENTER
	FESTUCA DWARF MARATHON 'III' SOD BERM SOIL TO TWO INCHES BELOW TOP OF BACK CURB	100% (ROLLS) (7.00% OF SITE)



LANDSCAPE CALCULATIONS SITE PLAN

NOT TO SCALE

CHEVRON STATION - 3359 UNIVERSITY AVE, SAN DIEGO									
AREA	TOTAL SQFT PROVIDED	LANDSCAPE AREA REQUIRED	MIN. SQFT. AREA	POINTS REQUIREMENT (PTS/SQFT)	MIN. POINTS REQUIRED	TOTAL POINTS CLAIMED	EXCESS POINTS CLAIMED	TOTAL LANDSCAPE SQFT PROVIDED	EXCESS SQFT PROVIDED
SITE SQFT.	41,758								
BLDG SQFT	3,076								
STREET YARD SQFT (Site area minus bldg where bldg is less than than 5,000 sqft.)	7,765	15% OF STREET YARD	1,165	0.03	233	628	395	1,842	677
VEHICULAR USE AREA	4,866	5% OF VUA IN ST YD	243	0.05	243	463	220	691	448
VEHICULAR USE AREA	24,348	3% NOT IN ST YD	730	0.03	730	732	2	1,573	643
REMAINING YARD AREA	5,078	30%	1,523	0.05	254	588	334	2,662	1,139
TOTAL			3,661		1,460	2,411	951	6,768	3,107

CITY OF SAN DIEGO REQUIREMENTS

- MINIMUM STREET TREE SEPARATION DISTANCE:
TRAFFIC SIGNALS (STOP SIGN) 20 FEET
UNDERGROUND UTILITY LINES 5 FEET
ABOVE GROUND UTILITY STRUCTURES 10 FEET
DRIVEWAY (ENTRIES) 10 FEET
INTERSECTIONS (INTERSECTING CURB LINES OF 2 STREETS) 25 FEET
SEWER 10 FEET
- ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.
- IRRIGATION: AN IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, DEVELOPMENT AND MAINTENANCE OF THE VEGETATION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED. THE OWNER IS RESPONSIBLE FOR MAINTAINING THE IRRIGATION SYSTEM.
- MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.

Prepared By:

NAME: FIEDLER GROUP
Address: 2322 W. 3rd. ST. LOS ANGELES, CALIFORNIA 90057
Phone #: (213)-381-7891

Project Address: 3359 UNIVERSITY AVENUE @ INTERSTATE 805 SAN DIEGO, CALIFORNIA

Project Name: CHEVRON STATION NEW REM 2918 C-STORE NEW DIESEL TANK

Sheet Title: CONCEPTUAL LANDSCAPE PLAN

Revision 14: _____
Revision 13: _____
Revision 12: _____
Revision 11: _____
Revision 10: _____
Revision 9: _____
Revision 8: _____
Revision 7: _____
Revision 6: _____
Revision 5: _____
Revision 4: _____
Revision 3: _____
Revision 2: 11-12-08
Revision 1: 08-06-08

Original Date: 07-10-08
Sheet 12 of 13
DEP# 164A-003B

Chevron

CLIENT:

INFORMATION PROVIDED BY:

fiedlergroup

- Architecture
- Engineering
- Planning
- Project Management

2322 West Third Street
Los Angeles, CA
90057-1506
Phone: (213) 381-7891
Fax: (213) 381-1517

fiedlergroup.com

CONSULTANT:

NO.	DATE	REVISION DESCRIPTION
1	08-06-08	PLAN CHECK REVIEW
2	11-12-08	PLAN CHECK REVIEW

SCALE:

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DEVELOPMENT INFORMATION:

CHEVRON STATION
NEW REM 2918 C-STORE
NEW DIESEL TANK

SITE ADDRESS:
3359 UNIVERSITY AVE.
@ INTERSTATE 805
SAN DIEGO, CA 92104

STATION # 84919

DESIGNED BY: PAF / FG PM
CHECKED BY: MIP PM
DRAWN BY: PAF / CONSULTANT PM

DATE: 04/16/08 PROJECT NO: 12302

DRAWING TITLE:
CONCEPTUAL LANDSCAPE PLAN

SHEET NO:
L1.1
SHEET 12 OF 13

I:\projects\12302\Design\200 Entitlement Documents\landscape\C-12302-L1.1.dwg, 12/18/2009 11:58:49 AM, mmendoza

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

JOB ORDER NUMBER: 2343-0985

PLANNED DEVELOPMENT PERMIT NO. 648351
CONDITIONAL USE PERMIT (CUP) NO. 560268
AMENDMENT TO CUP NO. 87-1006
CHEVRON UNIVERSITY AVENUE - PROJECT NO. 157243 (MMRP)
PLANNING COMMISSION
DRAFT

This Planned Development Permit No. 648351/Conditional Use Permit (CUP) No. 560268, to amend CUP No. 87-1006, is granted by the Planning Commission of the City of San Diego to CHEVRON USA INC., Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0303 and 126.0602(b)(1). The 0.95-acre site is located at 3359 University Avenue in the CC-5-4 and RM-2-5 Zones, of the Central Urbanized Planned District within the City Heights Redevelopment Project Area, in the City Heights Neighborhood of the Mid-City Communities Plan area. The project site is legally described as Lots 1 and 2 of Basset Subdivision, Map No. 6780.

Subject to the terms and conditions set forth in this Permit, permission is granted to CHEVRON USA INC., Owner/Permittee for a Planned Development Permit (PDP) and Conditional Use Permit (CUP) to amend CUP No. 87-1006 and allow for deviations to the Municipal Code for the demolition and construction of a convenience store and to allow for the sale of alcoholic beverages (beer and wine only) at an existing 24-hour service station conditioned upon the issuance of a license from the State Department of Alcoholic Beverage Control and subject to the City's land use regulations described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 11, 2010, on file in the Development Services Department.

The project shall include:

- a. The demolition of the 1,701-square-foot existing store and service bays, while maintaining the five existing fueling pumps;

- b. The construction of a 3,076-square foot convenience store and to remodel the five existing fueling stations;
 - c. The installation of a new 10,000-gallon, Xerxes double-wall underground storage tank;
 - d. The project has the following three deviations:
 - 1. A deviation to allow a front yard setback of 22 feet along the frontage where a maximum front yard setback of 10 feet is required;
 - 2. A deviation to allow a minimum side yard setback of 5 feet where a setback of either 0 feet or 10 feet is the minimum required;
 - 3. A deviation to allow 116 square feet of transparency in the street wall where a minimum of 149 square feet of transparency is required.
 - e. Landscaping (planting, irrigation and landscape related improvements);
 - f. Off-street parking spaces;
 - g. 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.
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.
2. The utilization of this CUP is contingent upon the approval of a license to sell alcohol at this location by the California Department of Alcoholic Beverage Control [ABC]. The issuance of this CUP does not guarantee that the ABC will grant an alcoholic beverage license for this location.
3. 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:
- 1. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - 2. The Permit is recorded in the Office of the San Diego County Recorder.

4. 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.
5. 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.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. 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.).
8. 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.
9. 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.
10. 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.

11. 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.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

13. The mitigation measures specified in the MMRP and outlined in MITIGATED NEGATIVE DECLARATION NO. 157243, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in MITIGATED NEGATIVE DECLARATION NO. 157243 to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Transportation/Circulation

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of any building permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

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

17. Prior to the issuance of any construction permits, 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.

18. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.

19. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the two existing (wider than 30 feet in width) driveways along the project frontage on University Avenue with standard commercial 30-foot wide driveways and the curb ramp at the northeasterly corner of the site to current City standards, satisfactory to the City Engineer.

20. The drainage system proposed for this development is private and subject to approval by the City Engineer.

21. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for a private drain connection to a curb inlet in the public drainage system in University Avenue, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

22. Prior to issuance of construction permits for public right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvements plans shall indicate an area equal to 40 square feet around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

23. Prior to issuance of any construction permits for buildings; the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department.

24. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

25. The Owner/Permittee shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

26. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards.

27. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to issuance of a Certificate of Occupancy.

PLANNING/DESIGN REQUIREMENTS:

28. The Owner/Permittee shall maintain a minimum of 10 automobile spaces (including 1 van accessible space and 1 loading zone) are required (20 provided) by the Land Development Code. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.
29. This Conditional Use Permit shall supersede all previous amendments, including CUP 87-6001.
30. 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.
31. Any devices to alert station attendants to entering vehicles shall be located and adjusted so that they do not cause noise disturbance to adjoining properties.
32. Merchandise, material, and products for sale shall be stored and displayed only within an enclosed building, except that motor oil, tires, batteries, and other automotive supplies maybe displayed at pump islands or adjacent to a building if the display or storage racks and containers are designed to appear as an integral part of the pump island or building exterior.
33. When the service station is abandoned or the use changed, the Owner/Permittee shall remove the underground tanks in accordance with the procedures of the City of San Diego Fire Department and the County of San Diego Health Services Department.
34. Pool or billiard tables, foosball or pinball games, arcade style video and electronic games, or coin-operated amusement devices are not permitted on the premises.
35. Exterior pay phones that permit incoming calls are not permitted on the premises, adjacent public sidewalks, or areas under the control of the Owner/Permittee.
36. The Owner/Permittee shall provide illumination, at a minimum level of 0.4 footcandles per square foot, on the exterior of the alcoholic beverage outlet, including adjacent public sidewalks and areas under the control or operator. The illumination shall be in operation during all hours of darkness while the outlet is open for business so that persons standing on or near the premises at night are identifiable by law enforcement personnel. The required illumination shall be shielded and directed so that it does not shine on adjacent properties.
37. The outdoor sign area pertaining to or referencing alcoholic sales or beverages shall not exceed 630 square inches.
38. A maximum of 33 percent of the square footage of the windows and doors of the premises may bear advertising or signs of any sort, and all advertising and signs shall be placed and

maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the outlet. This condition in no way limits or reduces the requirement for the site to comply with the minimum transparency regulation of SDMC 131.0552.

39. The Owner/Permittee of the alcoholic beverage outlet shall post a prominent, permanent sign or signs stating, "No loitering, consumption of alcoholic beverages, or open alcoholic beverage containers are allowed inside the premises or on the public sidewalks adjacent to the premises."

40. The Owner/Permittee shall list a business address and telephone number in the Pacific Bell/San Diego telephone directory or other similarly distributed directory.

41. The Owner/Permittee shall provide trash receptacles, conveniently located for use by patrons, inside and outside the alcoholic beverage outlet, including adjacent public sidewalks and areas under the control of the owner or operator. At least one 13-gallon trash receptacle shall be located inside the premises. At least one 32-gallon trash receptacle shall be located outside the alcoholic beverage outlet.

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

43. The Owner/Permittee shall post a copy of the Conditional Use Permit conditions in the licensed premises in a place where they may be readily viewed by any member of the general public or any member of a government agency.

44. The Conditional Use Permit for the sale of alcoholic beverages shall expire and become void 10 years from the approval date unless an application to extend the expiration date has been filed before the expiration of the approved Conditional Use Permit.

45. An application for an extension of the expiration date of the Conditional Use Permit for alcohol sales shall be considered in accordance with Process Two if there is no record in the City of San Diego Police Department or other department or with any other governmental agency of any violations of the State of California Department of Alcoholic Beverage Control rules, regulations, and orders or of any violation of city, county, state or federal law, code, regulation or policy related to prostitution, drug activity or other criminal activity on the premises. An application for an extension of the expiration date of the Conditional Use Permit for the sale of alcoholic beverages shall be considered in accordance with Process Three if there is a record of violations as described above. Prior violations of any conditions contained in an approved Conditional Use Permit shall constitute grounds for denying an application for an extension.

46. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

47. 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.

TRANSPORTATION REQUIREMENTS

48. This project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

WASTEWATER REQUIREMENTS:

49. The Owner/Permittee shall grant adequate sewer, and/or access easements, including vehicular access to each manhole, for all public sewer facilities that are not located within public rights of way, satisfactory to the City of San Diego Director of Public Utilities. Vehicular access roadbeds shall be surfaced with suitable approved material, satisfactory to the City of San Diego Director of Public Utilities.

50. No structures or landscaping shall be located in or over any sewer easement that would inhibit vehicular access to replace a section of main or provide access to any manhole or isolated section of main.

51. No approved improvements or landscaping, including private sewer facilities, grading, enhanced paving, and drainage facilities shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.

52. No trees shall be installed within ten feet of any sewer facilities or in any sewer access easement. No shrubs exceeding three feet in height at maturity shall be installed within 10 feet of any public sewer main or within access easements.

53. No other utilities, including gas, electric, telephone and fiber optic cable, shall be located within 10 feet of any public sewer main when these utilities are installed parallel to the sewer main. General Utility Easements in private roads and driveways shall be sized with sufficient width to provide for other agencies facilities. In side yards or other non street areas, a GUE must be dedicated for the exclusive use of the City of San Diego or the Metropolitan Wastewater Department. Other agencies shall require separate easements.

54. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Plumbing Code and shall be reviewed as part of the building permit plan check.

55. The Owner/Permittee shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

WATER REQUIREMENTS:

56. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.

57. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational in a manner the Director of Public Utilities and the City Engineer.

58. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities, and associated easements, as shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

POLICE DEPARTMENT RECOMMENDATIONS:

The following are recommendations from the San Diego Police Department, Vice-Operations Officer to the California Department of Alcoholic Beverage Control (ABC). It is the intent of the City of San Diego that these recommendations be made conditions of the alcohol license issued by the ABC for this location.

- The inclusion of a digital security system.
- No more than 15% of floor space for alcohol sales.
- The sale of alcoholic beverages shall be permitted between the hours of 7:00 am and 11:00 pm daily.
- No fortified wines.
- No advertisements in the window for alcohol sales.
- Wine shall not be sold in containers of less than 750 milliliters, and wine coolers, beer coolers must be sold in manufacturer pre-packaged multi-unit quantities with the exception of wine coolers sold in four-pack containers or more per sale.
- No sales of individual beers.

INFORMATION ONLY:

- 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 Planning Commission of the City of San Diego on March 11, 2010,
Resolution No. XXXX

PLANNING COMMISSION
RESOLUTION NO. XXXX (A)
PLANNED DEVELOPMENT PERMIT NO. 648351
CONDITIONAL USE PERMIT (CUP) NO. 560268
AMENDMENT TO CUP NO. 87-1006
CHEVRON UNIVERSITY AVENUE - PROJECT NO. 157243
DRAFT

WHEREAS, CHEVRON USA INC., Owner/Permittee, filed an application with the City of San Diego for a permit to amend CUP 87-1006 to allow for the demolition of an existing convenience store, the construction of a new convenience store and to allow for the sale of alcoholic beverages (beer and wine only) located at an existing service station as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Planned Development Permit No. 648351 and Conditional Use Permit No. 560268, on portions of a 0.95-acre site;

WHEREAS, the project site is located at 3359 University Avenue in the CC-5-4 and RM-2-5 Zones of the Central Urbanized Planned District within the City Heights Redevelopment Project Area, in the City Heights Neighborhood of the Mid-City Communities Plan area;

WHEREAS, the project site is legally described as Lots 1 and 2 of Basset Subdivison, Map No. 6780;

WHEREAS, on March 11, 2010, the Planning Commission of the City of San Diego considered Planned Development Permit No. 648351/Conditional Use Permit No. 560268 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated March 11, 2010.

FINDINGS:

Planned Development Permit - Section 126.0604

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

The proposed project is to allow the demolition of an existing convenience store, the construction of a new convenience store and to allow the sale of alcoholic beverages (beer and wine only). The Mid-City Communities Plan designates the subject site for commercial and mixed use development. The Plan does not specifically address applications for alcohol sales. The Commercial Element of the Plan recommends the provision of a wide range of commercial goods and services in the City Heights community as well as the provision of convenience shopping facilities within or adjacent to higher density residential neighborhoods. The proposed use provides for a gas and service station as well as a convenience store to serve the surrounding community. Therefore the proposed project would be consistent with the community plan.

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

The proposed project is to allow the demolition of an existing convenience store, the construction of a new convenience store and to allow the sale of alcoholic beverages (beer and wine only). A Mitigated Negative Declaration was prepared for this project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. The proposed project includes mitigation measures to offset potential impacts to the environment in the area of Transportation/Circulation. Implementation of the Mitigation, Monitoring and Reporting Program would reduce potential impacts to below a level of significance.

All Uniform Building, Fire, Plumbing, Electrical and Mechanical Code regulations and permitting requirements governing the construction and continued operation of the development apply to this project. Therefore, the project as proposed would not be detrimental to the public health, safety and welfare.

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

The proposed project is to allow the demolition of an existing convenience store, the construction of a new convenience store and to allow the sale of alcoholic beverages (beer and wine only). The applicant has applied for a Planned Development Permit per section 126.0602(b), of the San Diego Municipal Code (SDMC) to allow for the three deviations listed below, all of which are supported by staff. The deviations are summarized as follows:

- a. A deviation to allow a front yard setback of 22 feet along the frontage where a maximum front yard setback of 10 feet is required;
- b. A deviation to allow a side yard setback of 5 feet where a setback of either 0 feet or 10 feet is the minimum required;
- c. A deviation to allow 116 square feet of transparency in the street wall where a minimum of 149 square feet of transparency is required.

Front Setback Deviation

The project proposes a deviation to allow a front yard setback of 22 feet along the frontage where a maximum front yard setback of 10 feet is required along at least 70% of the street frontage. Staff supports this deviation to ensure the proposed convenience store is as close to University Avenue and the addition of the patio area was placed in front of the building for use by pedestrians. Staff determined this building orientation and site design enhances and promotes pedestrian interaction along University Avenue which is the purpose and intent of the regulation.

Street Side Setback Deviation

The project proposes a deviation to allow a side yard setback of 5 feet where a setback of either 0 feet or 10 feet is the minimum required. The east property line is bounded by the north on-ramp

to Interstate 805. The building location is constrained by the unique shape of the property, especially the east property line which is configured in a radius shape. In addition, a new 35-foot access easement for the Wastewater Department will be required and all buildings must be a minimum of 10 feet from the sewer easement, which further constrains the project site. Staff supports the deviation as it allows the building to be moved closer to University Avenue in order to promote pedestrian interaction along University Avenue and for the project to maintain the required 10-foot setback required from the sewer easement.

Transparency Deviation

The project proposes a deviation to allow 116 square feet of transparency in the street wall where 149 square feet of transparency is the minimum required. Staff supports this deviation, as this is where the proposed patio is located for use by pedestrians. The orientation of the structure as well as the patio creates a pedestrian friendly environment and interest for the pedestrians along University Avenue which is the purpose and intent of the regulation.

When considering the project as a whole these deviations are minor in scope and the proposed modifications provide for a more attractive design than would be achieved through the strict application of the development regulations.

4. The proposed development, when considered as a whole, will be beneficial to the community.

The proposed project is to allow the demolition of an existing convenience store, the construction of a new convenience store and to allow the sale of alcoholic beverages (beer and wine only). The project includes the redevelopment of the existing services station which was built in 1987. The proposed project will promote pedestrian interaction along University Avenue and provides a needed service to the existing community. Therefore, the development, when considered as a whole, will be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The proposed project is to allow the demolition of an existing convenience store, the construction of a new convenience store and to allow the sale of alcoholic beverages (beer and wine only). The applicant has applied for a Planned Development Permit per section 126.0602(b), of the San Diego Municipal Code (SDMC) to allow for the three deviations listed below, all of which are supported by staff. The deviations are summarized as follows:

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When considering the project as a whole these deviations are minor in scope and the proposed modifications provide for a more attractive design than would be achieved through the strict application of the development regulations. Therefore the deviations are appropriate for this location and will result in a more desirable project based on the improvements and enhancements that would promote pedestrian interaction along University Avenue.

Conditional Use Permit - Section 126.0305**1. The proposed development will not adversely affect the applicable land use plan.**

The proposed project is to allow the demolition of an existing convenience store, the construction of a new convenience store and to allow the sale of alcoholic beverages (beer and wine only). The Mid-City Communities Plan designates the subject site for commercial and mixed use development. The Plan does not specifically address applications for alcohol sales. The Commercial Element of the Plan recommends the provision of a wide range of commercial goods and services in the City Heights community as well as the provision of convenience shopping facilities within or adjacent to higher density residential neighborhoods. The proposed use provides for a gas and service station as well as a convenience store to serve the surrounding community. Therefore the proposed project would be consistent with the community plan.

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

The proposed project is to allow the demolition of an existing convenience store, the construction of a new convenience store and to allow the sale of alcoholic beverages (beer and wine only). A Mitigated Negative Declaration was prepared for this project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. The proposed project includes mitigation measures to offset potential impacts to the environment in the area of Transportation/Circulation. Implementation of the Mitigation, Monitoring and Reporting Program would reduce potential impacts to below a level of significance.

All Uniform Building, Fire, Plumbing, Electrical and Mechanical Code regulations and permitting requirements governing the construction and continued operation of the development apply to this project. Therefore, the project as proposed would not be detrimental to the public health, safety and welfare.

3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code.

The proposed project is to allow the demolition of an existing convenience store, the construction of a new convenience store and to allow the sale of alcoholic beverages (beer and wine only). The applicant has applied for a Planned Development Permit per section 126.0602(b), of the San Diego Municipal Code (SDMC) to allow for the three deviations listed below, all of which are supported by staff. The deviations are summarized as follows:

- a. A deviation to allow a front yard setback of 22 feet along the frontage where a maximum front yard setback of 10 feet is required;
- b. A deviation to allow a side yard setback of 5 feet where a setback of either 0 feet or 10 feet is the minimum required;

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The project proposes a deviation to allow 116 square feet of transparency in the street wall where 149 square feet of transparency is the minimum required. Staff supports this deviation, as this is where the proposed patio is located for use by pedestrians. The orientation of the structure as well as the patio creates a pedestrian friendly environment and interest for the pedestrians along University Avenue which is the purpose and intent of the regulation.

When considering the project as a whole these deviations are minor in scope and the proposed modifications provide for a more attractive design than would be achieved through the strict application of the development regulations.

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

The proposed project is to allow the demolition of an existing convenience store, the construction of a new convenience store and to allow the sale of alcoholic beverages (beer and wine only). This use is consistent with the recommended land use of the Mid-City Communities Plan. The project location is within Federal Census Tract 24.01 in which the crime rate is 152.1% percent of the city average which is considered a high crime rate as it exceeds the City wide average of 120%. Although, three existing off sale licenses have been permitted in Census Tract 24.01, the area is not considered to be overly saturated at this time because Census Tract 24.01 is permitted to have four off-sale licenses. The alcohol sales would be regulated by the Alcohol Beverage

Control and enforced by the San Diego Police Department. Therefore, the proposed use would be appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 648351 and Conditional Use Permit No. 560268 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in the permit a copy of which is attached hereto and made a part hereof.

Renee Mezo
Development Project Manager
Development Services

Adopted on: March 11, 2010

Job Order No. 2343-1459

cc: Legislative Recorder, Development Services Department

RESOLUTION NUMBER PC-XXXX (B)

ADOPTED ON MARCH 11, 2010

WHEREAS, on June 6, 2008, Chevron USA, Inc. submitted an application to the Development Services Department for a Planned Development Permit and Conditional Use Permit to amend CUP Number 87-1006.

WHEREAS, the permit was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on March 11, 2010; and

WHEREAS, the Planning Commission of the City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 157243 NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 157243 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State guidelines thereto (California Administration Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, a copy of which is attached hereto and incorporated by reference, is hereby approved.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code, Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

By: _____
Renee Mezo, Development Project Manager

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

**Planned Development Permit and Conditional Use Permit to amend CUP Numbers 87-1006 for
Chevron University Avenue****PROJECT NO. 157243**

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (Project No. 157243) shall be made conditions of Planned Development Permit and Conditional Use Permit to amend CUP Number 87-1006 as may be further described below.

GENERAL MEASURES MUST BE COMPLETED PRIOR TO ANY AUTHORIZATION TO PROCEED:**GENERAL REQUIREMENTS**

1. Prior to issuance of any construction permit, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plan/Permits, the Assistant Deputy Director (ADD) Environmental Designee of the Entitlements Division shall verify that the appropriate Mitigation Measures regarding Transportation/Circulation have been included verbatim on the submitted construction documents and contract specifications, and included under the heading, "Environmental Mitigation Requirements." In addition, the requirements for a Preconstruction Meeting shall be noted on all construction documents.
2. Prior to the commencement of work, a Preconstruction Meeting (Pre-con) shall be conducted and include the City of San Diego's Mitigation Monitoring Coordination (MMC) Section, Resident Engineer, Building Inspector, Applicant, and other parties of interest.

ENVIRONMENTAL REQUIREMENTS

Transportation/Circulation:

1. Prior to the issuance of any building permit, the applicant shall assure by permit and bond re-striping the existing two-lanes Boundary Street between University Avenue and North Park Way to include three lanes on most of this segment by adding an exclusive (approximately 180 feet long) northbound right turn lane. Applicant shall also provide any required signal modifications, at the intersection of University Avenue and Boundary Street as a result of this lane addition satisfactory to the City Engineer.

2. Prior to the issuance of any building permit, the applicant shall assure by permit and bond re-striping the existing southbound lane at the intersection of Boundary Street and North Park Way, to add an exclusive southbound left turn lane, satisfactory to the City Engineer.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

Revised 02/09 - abj

CONDITIONAL USE PERMIT NO. 87-1006
PLANNING DIRECTOR

This Conditional Use Permit is granted by the Planning Director of the City of San Diego to CHEVRON, USA, INC., a Pennsylvania corporation, Owner/Permittee, pursuant to Section 101.0510 of the Municipal Code of the City of San Diego.

1. Permission is granted to Owner/Permittee to renovate an existing 24-hour gasoline station and add to said facility a convenience store and add a 646-square-foot car wash facility, located at 3359 University Avenue, described as Lot 2 of Bassett Subdivision, Map No. 6780, in the CN-2 Zone.
2. The facility shall consist of the following:
 - a. a 1,971-square-foot convenience store;
 - b. a 646 square-foot car wash facility;
 - c. Off-street parking; and
 - d. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No fewer than 12 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated March 25, 1988, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Zoning Regulations of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.
4. No permit for construction, of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
 - a. The Permittee signs and returns the permit to the Planning Department;
 - b. The Conditional Use Permit is recorded in the office of the County Recorder.
5. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated March 25, 1988, on file in the office of the

Planning Department. No change, modifications or alterations shall be made unless appropriate applications, findings of substantial conformance or amendment of this permit shall have been granted.

6. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.

7. This Conditional Use Permit must be used within 36 months after the date of City approval or the permit shall be void. An Extension of Time may be granted as set forth in Section 101.0510.k. of the Municipal Code. Any extension of time shall be subject to all standards and criteria in effect at the time of extension is applied for.

8. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

9. After establishment of the project, the property shall not be used for any other purposes unless:

- a. Authorized by the Planning Commission; or
- b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
- c. The permit has been revoked by the City.

10. This Conditional Use Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

11. This Conditional Use 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.

12. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.

13. Pennants, portable signs or banners shall not be permitted on the premises.

14. Signaling devices to alert station attendants to entering vehicles shall be located and adjusted so as to cause no noise disturbances to adjoining properties.

15. The requirements of the County Health Department and the City of San Diego Fire Department for storage of all hazardous materials, including underground chemical storage, shall be met at all times.

16. All vehicles shall be repaired and serviced entirely within service bays, except gasoline or motor oil may be dispensed outdoors. No merchandise or supplies shall be stored or displayed outdoors except lubricants, supplies and accessories on suitable racks on pump islands.

17. All trash shall be stored in suitable containers and the containers shall be placed within the building or within enclosed solid walls or fences at least six feet in height. Refuse shall not be visible from outside the enclosed area.

18. A letter from the lessee stating that they have read, understand and agree to comply with the conditions imposed on the service station shall be written, signed and sent to the parent oil company and a copy sent to the City of San Diego Planning Department.

19. A copy of this Conditional Use Permit shall be posted on the premises of the service station at all times and be available for viewing by any person or persons who may desire to see the document.

20. No loitering signs shall be placed in and around the mini-market facility and no loitering enforced by the permittee, any lessee or subsequent owner.

21. Plantings, planter boxes and/or vines shall be placed around the mini-market building in a manner satisfactory to the Planning Director.

22. Performance of minor automotive maintenance and repair, including all government-mandated automobile diagnostic evaluations are not permitted. Major automotive repair and engine rebuilding is specifically prohibited.

23. Activities specifically prohibited on-site include:

- a. Painting, body and fender work;
- b. Sales or rentals of any new or used vehicle, boat or trailer;
- c. Sales or rental of power tools;
- d. Outdoor storage and display of any product for sale, other than automotive fuels, lubricants, supplies and accessories;
- e. Stand-alone kiosks providing services and sales of products.

24. When operations are discontinued at an automobile service station for a period approaching 12 months, the permittee of the Conditional Use Permit has the following options:

- a. Apprise the City Planning Department that the Conditional Use Permit should be rescinded pursuant to Municipal Code Section 101.0510.0 ("Rescission of Permit by Applicant"). In the underlying zone or planned district, including underground tanks, shall be removed.
- b. Redevelop the property as a service station through an amended Conditional Use Permit, as set forth in Municipal Code Section 101.0510.I. ("Amendment to Permit").
- c. Resume use as a service station under the existing Conditional Use Permit.

If none of the above options is taken by the permittee, and operations remain discontinued beyond the twelfth month, the City may initiate proceedings to rescind the permit and abate the nonconforming structures, as set forth in Municipal Code Section 101.0508. ("Failure to Conform or Comply with Conditions").

25. In the event that the gasoline sales service facility is abandoned or vacated for a continuous period of one year (12 months), the property owner shall cause to have all structures, buildings, signs, and accessory uses related to the gasoline service station and other potentially hazardous conditions removed from the premises. Underground fuel storage tanks shall also be removed from the premises. Underground fuel storage tanks shall also be removed or capped satisfactory to the Fire Department.

26. Prior to the issuance of building permits submit for approval of the Planning Director, a complete and detailed set of landscape and irrigation plans indicating the following:

- a. Expansion of the landscape planter, adjacent to University Avenue, an additional six feet.
- b. Berming within the front landscape planter a minimum of 24 inches taking into consideration site distance visibility conditions.
- c. Shrubs of varying heights within the perimeter landscape planter.
- d. Six (6) 24-inch-box street trees within the front setback. Species to be approved by the City Parks and Recreation Department.

- e. Extended landscape planters at the entrance and exit of the car wash facility in order to direct traffic flow.

27. Prior to the issuance of any building permits, the applicant shall assure by permit and bond:

- a. The construction of the pedestrian ramp at the corner of University Avenue in the northbound 805 onramp.
- b. An Encroachment Removal Agreement permit for landscaping and the trash enclosure within the existing drainage and sewer easement.

28. Prior to the issuance of building permits, submit for approval of the Planning Director, a revised site plan indicating an expanded landscape planter adjacent to University Avenue a minimum of six feet in width.

29. Prior to the issuance of building permits, submit for approval of the Planning Director, revised elevations that indicate an alternative building material for those areas of the building with exposed metal or plexiglass.

30. Prior to the final building inspection the freeway sign shall be lowered to 50 feet.

31. 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 court of competent jurisdiction to be invalid, unenforceable or unreasonable, this Permit shall be void.

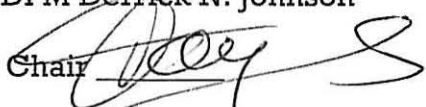
Passed and Adopted by the Planning Director on March 25, 1988.

City Heights Area Planning Committee

Postoffice Box 5859
San Diego CA 92165
(619) 280-3910

August 7, 2008 *2009*

MEMORANDUM FOR: DPM Derrick N. Johnson

From: Jim Varnadore, Chair 

Subj: 3359 University Avenue (PTN157243)

1. At its July 2009 meeting, the Committee heard a request to reconsider its action of October 8, 2008 in the matter of the subject application for amendments to existing Conditional Use Permits to authorize the construction of a convenience store at the premises and enable the issuance of a new Alcoholic Beverage Control license. After discussion, a member who had voted with the prevailing side in October 2008 moved and another member seconded to instruct the chair to place reconsideration on the August agenda.
2. The Committee re-heard the subject application at its August 2009 meeting. After discussion, it was moved and seconded to recommend issuance of a conditional use permit to enable a new ABC license at the premises, and to recommend conditioning the permit as has been recommended in the City's declaration of Public Convenience or Necessity, and to recommend further conditioning the permit by inclusions of sufficient additional cameras in the security system to allow surveillance of the entire premises. The Committee voted 13/2/0 (chair not voting) and the motion passed. The applicant seemed amenable to the suggested increase in surveillance.
3. It is the chairman's observation from the discussion that the applicant has given the Committee assurances that the applicant's past and future plan is to retain ownership of the premises for the long term rather than to sell the premises soon after completion of the permitted work.

City Heights Area Planning Committee

Postoffice Box 5859
San Diego CA 92165
(619) 280-3910

October 9, 2008

MEMORANDUM FOR: DPM Derrick N. Johnson

From: Jim Varnadore, Chair _____

Subj: 3359 University Avenue (PTN157243)

1. At its October 2008 meeting, the Committee heard the subject application for amendments to existing Conditional Use Permits, that will authorize the construction of a convenience store at the premises and enable the issuance of a new Alcoholic Beverage Control license. After discussion, it was moved and seconded to recommend issuance of appropriate permits to authorize construction of the convenience store. A friendly amendment was accepted to recommend changing the patio at the North end of the new building to a landscaped area. The Committee voted 16/0/0 (chair not voting) and the amended motion passed.

2. After discussion, it was moved and seconded to recommend issuance of permits to enable issuance of a new ABCD license, and to recommend conditioning the permit to prevent sale of single containers of alcoholic beverages and to limit the total floor space allocated to alcoholic beverages to no more than 15% of the interior square footage. After further discussion, a substitute motion was made and seconded to recommend disapproval of permits that enable the issuance of the ABCD license. The Committee voted 8/6/2 (chair not voting) and the substitute motion was adopted as the main motion. There being nothing further offered, the chair closed the discussion. On the substitute motion, the Committee voted 9/4/2 (chair not voting) and the motion to recommend disapproval of the permits passed.

3. It is the chairman's observation from the discussion that the Committee did not agree that the Police Department's statement of public convenience or necessity was proper. They believe the crime rate in the census tract was not properly taken into account. According to statistics for the year 2007, the crime rate in the census tract registered 152% of the city-wide average. For reasons not entirely clear, the ABCD used year 2006 crime data which show the rate in the census tract to be 116% of the citywide average. The police accepted the ABCD crime rate (year 2006) rather than the rate from year 2007, believing they are required to conform to the State determination. The police issued a statement of public convenience or necessity recommending approval of the issuance of the permit. Many on the Committee do not believe that to be proper. They believe the City may and should use year 2007 data in deciding whether to issue permits, no matter what data are used by the State department of Alcholoic Beverage Control.



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

Chevron #94919

157243

Project Address:

3359 University Avenue, San Diego, CA 92104

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:

CHEVRON #94919

Project No. (For City Use Only)

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

Legal Status (please check):

[X] Corporation [] Limited Liability -or- [] General) What State? PA Corporate Identification No. 25-0527925
[] 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 [X] No

Corporate/Partnership Name (type or print): Chevron USA Inc.
[X] Owner [] Tenant/Lessee
Street Address: 145 S. State College Drive
City/State/Zip: Brea, CA 92821
Phone No: (714) 671-3202 Fax No: (714) 671-3438
Name of Corporate Officer/Partner (type or print): Darin O'Kellen
Title (type or print): Property Facilities Development Lead
Signature: [Signature] Date: 5/14/08

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:

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:



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Corporate Officers

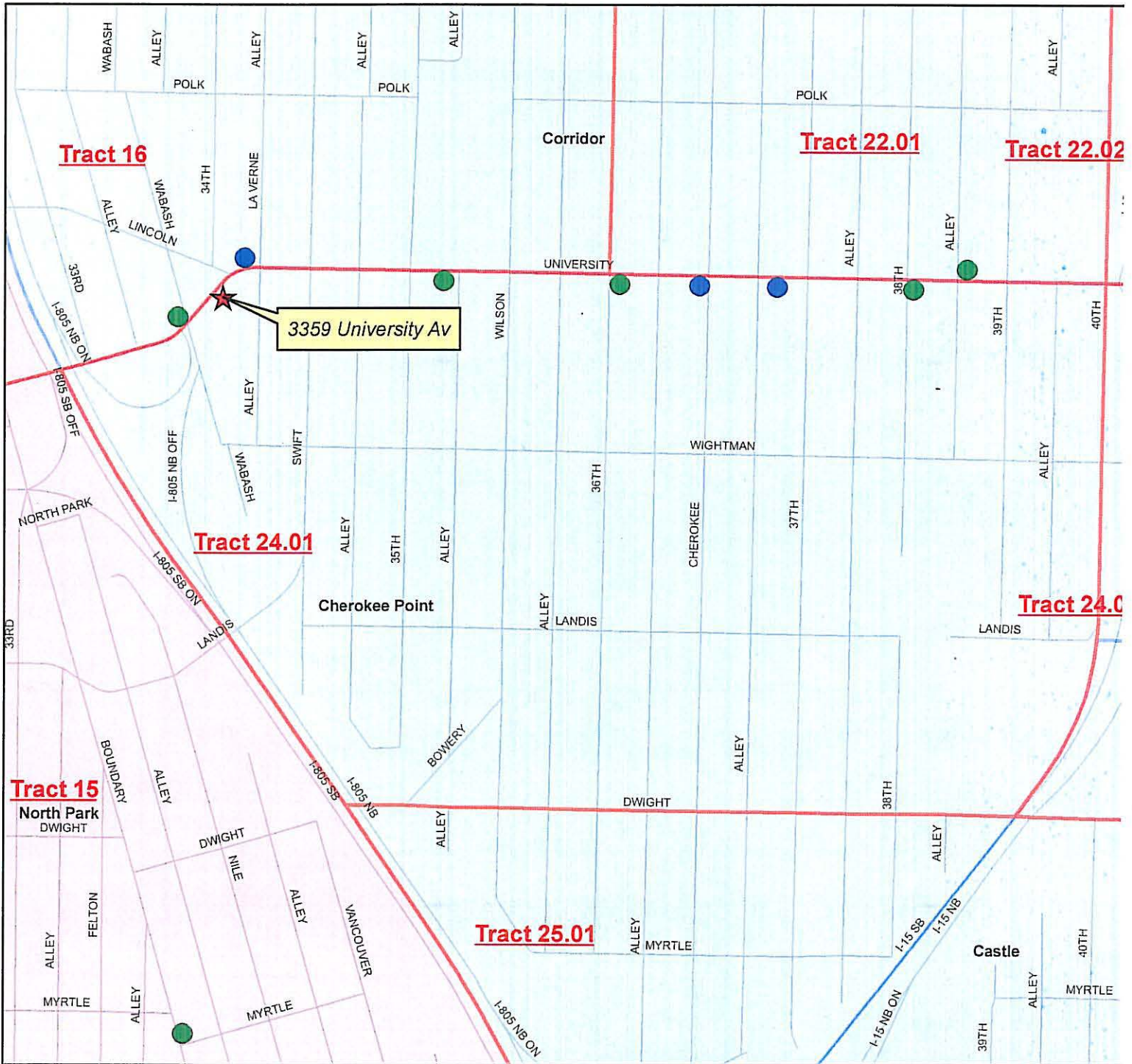
*Executive Committee Member

<u>John S. Watson*</u> Chairman and Chief Executive Officer	<u>George L. Kirkland*</u> Vice Chairman and Executive Vice President of Global Upstream and Gas	
<u>Lydia I. Beebe</u> Corporate Secretary and Chief Governance Officer	<u>John E. Bethancourt*</u> Executive Vice President, Technology and Services	<u>Pierre R. Breber</u> Vice President and Treasurer
<u>John D. Gass</u> Corporate Vice President and President, Chevron Global Gas	<u>Mark A. Humphrey</u> Vice President and Comptroller	<u>Charles A. James*</u> Executive Vice President
<u>Joe W. Laymon</u> Vice President, Human Resources	<u>John W. McDonald</u> Vice President and Chief Technology Officer	
<u>R. Hewitt Pate*</u> Vice President and General Counsel	<u>Jay R. Pryor</u> Vice President, Corporate Business Development	<u>Thomas R. Schuttish</u> General Tax Counsel
<u>Paul K. Siegele</u> Vice President, Strategic Planning	<u>Charles A. Taylor</u> Vice President, Health, Environment and Safety	<u>Michael K. Wirth*</u> Executive Vice President, Global Downstream
<u>Patricia E. Yarrington*</u> Vice President and Chief Financial Officer	<u>Rhonda I. Zygocki</u> Vice President, Policy, Government and Public Affairs	

Updated: December 2009

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Alcohol And Beverage Control Licenses (San Diego) 3359 University Av.



SanGIS San Diego Police Department
Crime Analysis Unit
February 2010

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Note: Hot spot layer is extremely geographically limited in order to show only the very worst overconcentrations of liquor licenses. The intent is to indicate areas where the City Plan permits high concentration, and areas where concentrations have occurred independent of planning action.



- | | |
|---|----------------------------------|
| ■ Winegrower 2 | ▲ On Sale General Plane 46 |
| ● Off Sale Beer & Wine 20 | ▲ On Sale Large Boat 56 |
| ● Off Sale General 21 | ● On Sale Special 57 |
| ● On Sale Beer 40 | ○ Caterer 58 |
| ● On Sale Beer & Wine Eating Place 41 | ▲ On Sale General Dockside 62 |
| ● On Sale Beer & Wine Public Premise 42 | ● On Sale Theater 64 |
| ▲ On Sale Beer Boat 44 | ● Controlled Cabinete 66 |
| ▲ On Sale Beer & Wine Boat 45 | ● Bed & Breakfast 67 |
| ● On Sale General Eating Place 41 | ● Portable Bar 68 |
| ● On Sale General Public Premise 42 | ● On Sale General Restrictive 70 |
| ▲ On Sale General Club 50 | ● On Sale General Brew Pub 75 |
| ▲ Club 51 | ▲ On Sale General Museum 76 |
| ▲ Vets Club 52 | ● Event Permit 77 |
| ▲ On Sale General Boat 45 | |



**California Department of Alcoholic Beverage
Control**
For the County of SAN DIEGO - (Retail Licenses)
and Census Tract = 0024.01

Report as of 2/19/2010

	License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1)	2498	ACT	21	1/1/1978	8/31/2010	ORAM AMIR Z 3515 UNIVERSITY AVE SAN DIEGO, CA 92104 Census Tract: 0024.01	MARKET PLACE THE		3710
2)	428317	ACT	41	9/29/2005	8/31/2010	VILLAGOMEZTOVAR DARIO F 3645 UNIVERSITY AVE SAN DIEGO, CA 92104 Census Tract: 0024.01	LAS MORELIANAS 2		3710
3)	469738	ACT	21	9/18/2008	1/31/2011	MOGZ INC 3605 UNIVERSITY AVE SAN DIEGO, CA 92104-2316 Census Tract: 0024.01	COREYS LIQUOR		3710
4)	474825	ACT	41	3/13/2009	2/28/2010	BETANCOURT MARIA DEJESUS 3683 UNIVERSITY AVE SAN DIEGO, CA 92104-2537 Census Tract: 0024.01	LA COSTA DE NAYARIT		3710
5)	483260	ACT	20	2/4/2010	1/31/2011	HAMANA FLOUNA FAHMI 3805 UNIVERSITY AVE SAN DIEGO, CA 92105-1323 Census Tract: 0024.01	38TH STREET MARKET		3710

--- End of Report ---

For a definition of codes, view our [glossary](#).

AUG-12-2008 11:46

ABC SAN DIEGO

P. 01

3

FORM PER SECTION 23958.4 B&P

CITY OF SAN DIEGO
For On-Sale, On-Sale Beer, and Public Premises Licenses

4

- 1. PREMISE ADDRESS: 3359 University Ave. San Diego 9210
 - 2. LICENSE TYPE: 099 walk
 - 3. TYPE OF BUSINESS: GAS STATION
- CRIME REPORTING DISTRICT 0024.01

NUMBER OF LICENSES ALLOWED 4 NUMBER EXISTING 3

DISTRICT AVERAGE 276.5 X 120% = 328.2 = HIGH CRIME

CRIMES IN THIS REPORTING DISTRICT 410 = 152.1%

If the above premises are located in an area which has an over-concentration of alcoholic beverage licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code:

- 4. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?
(This section to be completed by SDPD Vice Section)

YES NO

Dan R. Plein #2061, Sergeant
Name of SDPD Vice Officer
(Please print name and title)

619 531-2349
Phone Number

Sgt. Dan R. Plein
Signature of SDPD Vice Officer

4/30/09
Date

Under the penalty of perjury, I declare the information in this affidavit is true to the best of my knowledge. I acknowledge that any false or misleading information will constitute grounds for denial of the application for the license or if the license is issued in reliance on information in this affidavit which is false or misleading, then such information will constitute grounds for revocation of the license issued.

APPLICANT'S SIGNATURE: James E. Blum

DATE: 4/16/09
ABC #220.00

(Please Print)
APPLICANT'S NAME:

JAMES E. BLUM - NEQUEN TRAMP FOR CITE

MAILING ADDRESS:

2322 W. TITUS ST. LOS ANGELES, CA 90057

TELEPHONE NUMBER:

(213) 381-7891 K-108 CHECK #220.00

ABC245 (SD)

Stephen Jamieson 4/16/09

AGREED-UPON CONDITIONS FOR:

Chevron, 3359 University Ave, San Diego, CA 9210

1. Better lighting.
2. Digital security system.
3. Be a convenience store not a liquor store (no more than 15% square feet of floor space for alcohol sales).
4. Hours of Operations allowing beer and wine sales: 7:00 am to 11:00 pm daily
5. No fortified wines.
6. No coin operated amusement devices or video games on site.
7. No advertisements in the windows for alcohol sales.
8. No sales of individual beers, i.e., no sales of singles.
9. 750 ml or higher on wine sales.