THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: September 9, 2026, REPORT NO. HO-26-052

HEARING DATE: September 23, 2026

SUBJECT: 11095 Carmel Mountain Road, Process Three Decision

PROJECT NUMBER: PRJ-1150122

OWNER/APPLICANT: Chevron U.S.A, Inc, Robert Stoltz.

SUMMARY

Issue: Should the Hearing Officer approve a Conditional Use Permit (CUP) to allow the sale of beer, wine, and distilled spirits for off-site consumption (ABC Type 21) within an existing 2,921-square-foot convenience store located at 11095 Carmel Mountain Road in the Rancho Peñasquitos Community Plan Area?

Proposed Actions:

1. APPROVE Conditional Use Permit No. PMT-3402733

Fiscal Considerations: None. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact: None. There are no pending code enforcement actions for this site.

Housing Impact Statement: None. There are no residential dwelling units on-site.

Community Planning Group Recommendation: On July 1, 2026, the Rancho de los Peñasquitos Planning Board voted 9-3-0 to recommend approval of the proposed project without conditions (Attachment 7).

Environmental Impact: The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption). The environmental determination was made on July 13, 2026, and the opportunity to appeal the environmental determination ended on July 27, 2026, in accordance with San Diego Municipal Code Section 112.0520. There were no appeals of the environmental determination.

BACKGROUND

The approximately 0.06-acre project site is located at 11095 Carmel Mountain Road, near the intersection of Carmel Mountain Road and Peñasquitos Drive and west of Interstate 15, within the Rancho Peñasquitos Community Plan area. The site is designated Neighborhood Commercial by the Rancho Peñasquitos Community Plan and is zoned Commercial–Community (CC-1-3) Zone, Airport Land Use Compatibility Overlay Zone, and the Airport Influence Area (MCAS Miramar – Review Area 2). Surrounding development includes commercial and retail uses along Carmel Mountain Road and Peñasquitos Drive, with residential development in the surrounding community.

The site is developed with an existing 2,921-square-foot Chevron Extra Mile convenience store that provides neighborhood-serving retail goods and services. The current application requests a Process Three Conditional Use Permit to allow an Alcoholic Beverage Outlet with a Type 21 Alcoholic Beverage Control license for the sale of beer, wine, and distilled spirits for off-site consumption. The alcohol sales would occur entirely within the existing convenience store and would be ancillary to the established retail use. No building expansion, exterior improvements, changes to the existing site layout, or modifications to the existing parking configuration are proposed.

DISCUSSION

Project Description:

The project proposes a Conditional Use Permit to allow the sale of beer, wine, and distilled spirits for off-site consumption (ABC Type 21) at an existing convenience store. No new development, building expansion, exterior modifications or changes to the existing parking configuration are proposed with this permit. All operations associated with the Alcoholic Beverage Outlet would occur entirely within the existing tenant space.

Pursuant to San Diego Municipal Code (SDMC) Chapter 14, Article 1, Division 5, off-sale Alcoholic Beverage Outlets that do not satisfy all Limited Use regulations may be authorized through approval of a Conditional Use Permit (CUP) in accordance with SDMC Section 141.0502(c).

The proposed project requires a CUP because the project site is located within Census Tract 170.18, which is overconcentrated with off-sale alcoholic beverage licenses pursuant to SDMC Section 141.0502(b). A census tract is considered overconcentrated when the number of existing alcoholic beverage outlets exceeds the number authorized under the standards established by California Business and Professions Code Section 23958.4. Within Census Tract 170.18, two off-sale alcoholic beverage licenses are authorized, and five currently exist. Therefore, the census tract contains three more off-sale licenses than authorized and is 150 percent above the applicable threshold. As part of the CUP review process, the San Diego Police Department (SDPD) reviewed the proposed Alcoholic Beverage Outlet and recommended approval, provided that the recommended operational conditions are incorporated into the permit. SDPD also determined that the general crime rate within Census Tract 170.18 is 77.6 percent of the citywide average and does not exceed the high-crime threshold, which is more than 120 percent of the citywide average.

SDPD recommended the following conditions, which have been incorporated into the permit:

- Alcohol sales are limited to 6:00 a.m. to midnight daily.

- Video surveillance shall be recorded and cover the interior and public access points of the premises. Recordings shall be maintained for a minimum of 30 days.

- Prompt removal of litter and unauthorized graffiti.

- Employee training in Alcoholic Beverage Control (ABC) regulations, theft deterrence, and policies prohibiting the sale of alcoholic beverages to persons under 21 years of age or visibly intoxicated individuals.

Compliance with these conditions ensures that the proposed Alcoholic Beverage Outlet operates responsibly and remains compatible with surrounding commercial and residential uses.

The proposed Type 21 ABC License expands the retail offerings of the existing convenience store without requiring new development, building expansion, exterior modifications, or changes to the existing site configuration. The project represents an appropriate and limited modification to the existing commercial use and, with incorporation of the CUP conditions, will remain compatible with the surrounding community.

Community Plan Analysis:

The project site is located within the Rancho Peñasquitos Community Plan Area. The Rancho Peñasquitos Community Plan (Community Plan) designates the site as Commercial–Community. This use is intended to provide retail goods and services, and employment opportunities that meet the daily needs of residents and the surrounding community. The proposed Conditional Use Permit (CUP) to allow the sale of beer, wine, and distilled spirits for off-site consumption within an existing convenience store is consistent with the Community Plan's goals for maintaining neighborhood-serving commercial uses.

The proposed project represents a minor operational change within the existing 2,921-square-foot convenience store. The project will continue to operate within the existing commercial tenant space and maintain the site's established commercial character. The surrounding area consists of a mix of commercial and residential development, and the proposed use will remain compatible with adjacent land uses through the operational conditions incorporated into the Conditional Use Permit.

The proposed Type 21 Alcoholic Beverage Control (ABC) License supports the continued viability of the existing convenience store by expanding the range of products available to customers while maintaining the property's primary commercial function. The proposed use does not increase development intensity, alter the physical character of the site, or introduce a new standalone alcoholic beverage outlet.

Additionally, the Community Plan encourages commercial areas to provide services that meet the needs of nearby residents while remaining compatible with surrounding development. The proposed Alcoholic Beverage Outlet will operate within an existing commercial establishment and

be subject to conditions governing alcohol sales hours, security measures, employee training, and property maintenance. These conditions ensure that the use remains consistent with the Community Plan's objectives for safe and compatible commercial development.

Therefore, the proposed project is consistent with the Rancho Peñasquitos Community Plan and supports its goals of providing neighborhood-serving commercial services, maintaining viable commercial areas, and ensuring compatibility between commercial uses and surrounding development.

Conclusion:

City staff has reviewed the request for a Conditional Use Permit to allow the sale of beer, wine, and distilled spirits for off-site consumption under a Type 21 Alcoholic Beverage Control license at 11095 Carmel Mountain Road. The project complies with the applicable requirements of the San Diego Municipal Code, including the Conditional Use Permit findings required under SDMC Section 126.0305 and the Alcoholic Beverage Outlet regulations under SDMC Section 141.0502. The proposed use is consistent with the Rancho Peñasquitos Community Plan, and the CC-1-3 zone. With the incorporation of the recommended operational conditions, the project represents an appropriate and limited modification to the existing commercial use.

ALTERNATIVES

1. Approve Conditional Use Permit No. PMT-3402733, with modifications.

2. Deny Conditional Use Permit No. PMT-3402733, if the findings required to approve the project cannot be affirmed.

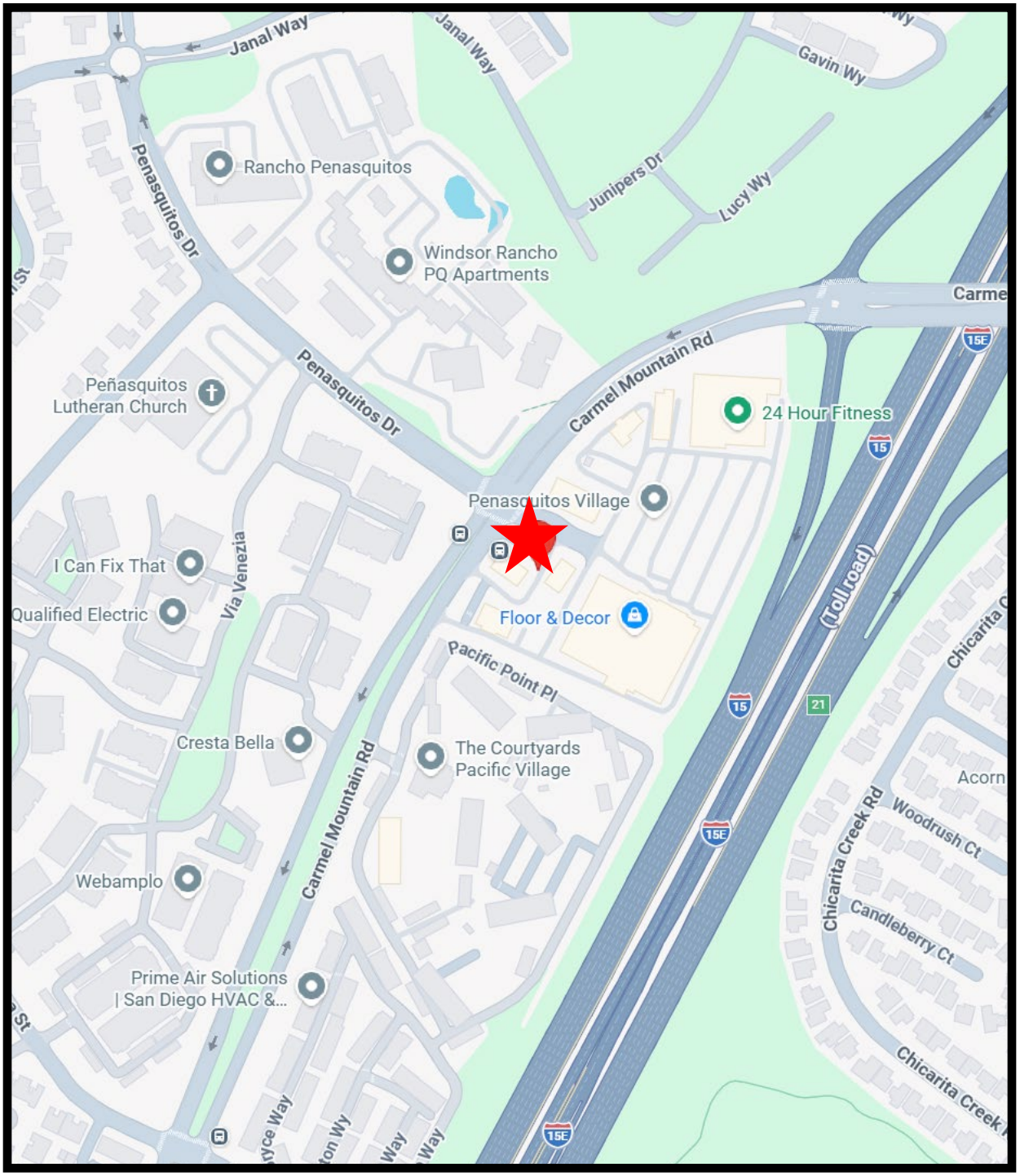
Respectfully submitted,

May Rollin
Development Project Manager
Development Services Department

Attachments:

1. Project Location Map
2. Aerial Photograph
3. Land Use Map
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Environmental Notice of Right to Appeal (NORA) & (Exemption)
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. San Diego Police Department Conditional Use Permit Recommendation
10. Project Plan

ATTACHMENT 1



The City of SAN DIEGO

Project Location

11095 Carmel Mountain Road
Project No. PRJ-1150122

North



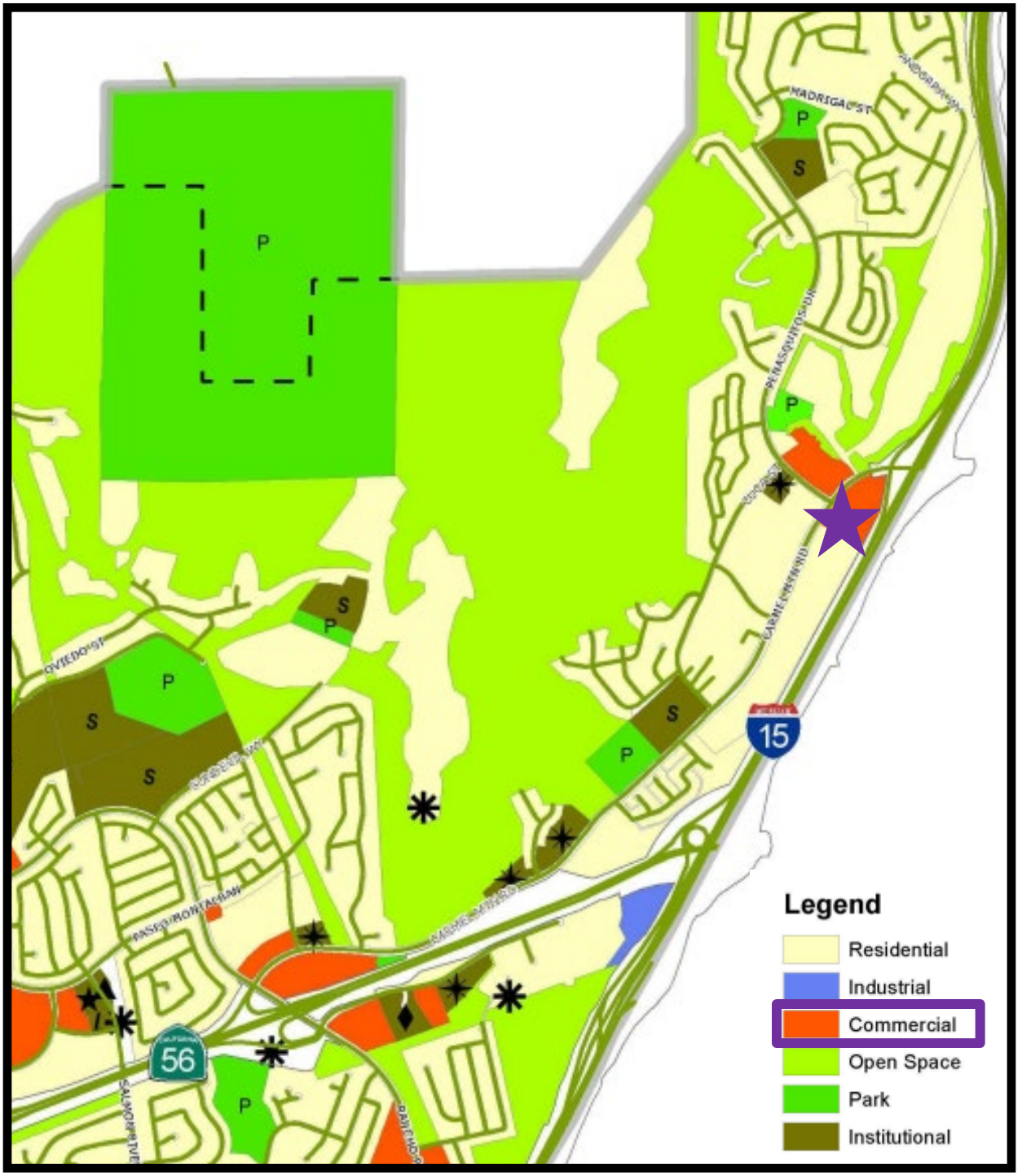
The City of SAN DIEGO

Aerial Photo

11095 Carmel Mountain Road
Project No. PRJ-1150122

North

ATTACHMENT 3



The City of SAN DIEGO

Land Use Plan

11095 Carmel Mountain Road
Project No. PRJ-1150122

North

HEARING OFFICER
RESOLUTION NUMBER _____
DATE OF FINAL PASSAGE SEPTEMBER 23, 2026

CONDITIONAL USE PERMIT NO. PMT-3402733
11095 CARMEL MOUNTAIN ROAD - PROJECT NO. PRJ-1150122

RECITALS

The Hearing Officer of the City of San Diego adopts this Resolution based on the following:

A. Chevron U.S.A, Inc, Owner/Permittee, submitted an application to the City of San Diego for a Conditional Use Permit to allow the sale of beer, wine, and distilled spirits for off-site consumption (ABC Type 21) at an existing convenience store use. The 0.06-acre site is developed with an existing 2,921 square-foot commercial convenience store building. (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval), for the 11095 Carmel Mountain Road project (Project).

B. The 0.06-acre site is located in the Commercial–Community (CC-1-3) Zone, Airport Land Use Compatibility Overlay Zone, and the Airport Influence Area (MCAS Miramar – Review Area 2), and within the Rancho Peñasquitos Community Plan area. The project site is legally described as LOT 2 PENASQUITOS UNIT NO. 1, MAP 5567 APRIL 29,1965.

C. On July 13, 2026, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15061(b)(3), Common Sense Exemption, and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

D. On September 23, 2026, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. PMT-3402733 pursuant to the Land Development Code of the City of San Diego.

ACTION ITEMS

Be it resolved by the Hearing Officer of the City of San Diego:

1. The Hearing Officer adopts the following findings with respect to Conditional Use Permit No. PMT-3402733:

A. CONDITIONAL USE PERMIT SAN DIEGO MUNICIPAL CODE (SDMC) Section 126.0305

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

The project proposes a Conditional Use Permit (CUP) to authorize an Alcoholic Beverage Outlet (Type 21 ABC License) allowing the sale of beer, wine, and distilled spirits for off-site consumption within an existing 2,921-square-foot convenience store located at 11095 Carmel Mountain Road. The project site consists of approximately 0.06 acres and is fully developed with an existing commercial convenience store. No building expansions, exterior modifications, or changes to the existing site layout are proposed.

The project is designated Commercial in the Rancho Peñasquitos Community Plan (Community Plan). This land use designation is intended to provide a range of retail, commercial, office, service, and employment uses that serve the daily needs of neighborhood residents while also accommodating the shopping and service needs of the surrounding community. The proposed Alcoholic Beverage Outlet is an accessory use to the existing convenience store and remains consistent with the site's Commercial land use designation, as it continues an existing retail commercial use and does not alter the site's overall commercial function.

The Community Plan encourages the retention and enhancement of neighborhood-serving commercial uses that provide convenient access to retail goods and services (Community Plan, Commercial Land Use Element, pp. 43–44). The proposed Type 21 ABC License expands the variety of products available within an existing convenience store, allowing customers to purchase beer, wine, distilled spirits, and other everyday household items in a single location. The project improves customer convenience without altering the primary commercial use or requiring any physical expansion of the site.

The Community Plan promotes maintaining vibrant commercial centers that support the daily needs of residents while strengthening the local economy (Community Plan, Commercial Land Use Element, pp. 43–44). The project supports this goal by allowing the existing business to remain competitive with other neighborhood-serving retail establishments, encouraging continued investment in the commercial center, supporting local employment opportunities, and contributing to the economic vitality of the Rancho Peñasquitos Community Plan area.

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The Community Plan emphasizes compatibility between commercial development and surrounding land uses through responsible site design and operational practices (Community Plan, Commercial Land Use Element, pp. 43–44). The proposed Alcoholic Beverage Outlet will operate entirely within an existing building that was originally designed and approved for commercial retail use. Furthermore, the Conditional Use Permit includes operational conditions requiring compliance with California Department of Alcoholic Beverage Control regulations, employee training, security measures, and ongoing operational requirements intended to minimize potential impacts on surrounding businesses and nearby residential uses. These conditions ensure the continued compatibility of the project with adjacent development.

Therefore, the proposed development will not adversely affect the applicable land use plan.

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

A Conditional Use Permit (CUP) is required because the project site does not meet certain locational criteria set forth in San Diego Municipal Code (SDMC) Section 141.0502(b). Specifically, the project site is located within an overconcentrated census tract for alcoholic beverage outlets. Therefore, the request has been evaluated pursuant to SDMC Section 141.0502(c) to determine whether the proposed Alcoholic Beverage Outlet, as conditioned, will protect the public health, safety, and welfare.

San Diego Police Department (SDPD) determined that Census Tract 170.18 is overconcentrated with off-sale alcoholic beverage licenses pursuant to California Business and Professions Code Section 23958.4. The census tract permits two off-sale licenses but currently contains five existing licenses. As a result, the project requires a Conditional Use Permit pursuant to SDMC Section 141.0502(b). Although the census tract is overconcentrated, SDPD reviewed the proposed Alcoholic Beverage Outlet and concluded that approval of the CUP would not be detrimental to the public health, safety, or welfare, provided the recommended operational conditions are incorporated into the permit.

The project site is not located within 600 feet of a public or private accredited school, public park, playground or recreational area, church, hospital, San Diego County welfare district office or an adopted Redevelopment Project Area. Therefore, the project complies with the remaining locational criteria of SDMC Section 141.0502(b), subject to approval of the Conditional Use Permit.

The CUP incorporates operational conditions recommended by the SDPD that are specifically intended to protect the public health, safety, and welfare. These conditions include limiting the sale of alcoholic beverages to the hours of 6:00 a.m. to midnight each day of the week; requiring continuous video surveillance of the interior of the premises and all public access points, with recordings maintained for a minimum of 30 days; requiring the prompt removal of litter and unauthorized

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graffiti; and requiring employees responsible for alcohol sales to complete Alcoholic Beverage Control Licensee Education on Alcohol and Drugs (LEAD) training, theft deterrence training, and training regarding the prohibition of alcohol sales to persons under 21 years of age or intoxicated individuals (Conditional Use Permit No. PMT-3402733, Conditions of Approval Nos. 28, 29, 30, and 31).

In addition to the operational conditions of approval, the project remains subject to all applicable federal, state, and local laws governing the sale of alcoholic beverages, including the California Business and Professions Code, regulations of the California Department of Alcoholic Beverage Control, and the San Diego Municipal Code.

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

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

The project site is located within the Commercial–Community (CC-1-3) Zone, which is intended to accommodate community-serving commercial uses, including retail and convenience services. The proposed project consists of a Type 21 Alcoholic Beverage Control (ABC) License to allow the sale of beer, wine, and distilled spirits for off-site consumption within an existing 2,921-square-foot convenience store located at 11095 Carmel Mountain Road. The project does not include any building expansion, exterior modifications, changes to the existing site layout, or intensification of the existing commercial use. The Alcoholic Beverage Outlet will operate entirely within the existing building and will remain accessory to the existing convenience store.

A Conditional Use Permit (CUP) is required because the project site does not meet certain locational criteria set forth in San Diego Municipal Code (SDMC) Section 141.0502(b). Specifically, the project site is located within Census Tract 170.18, where two off-sale alcoholic beverage licenses are authorized and five off-sale licenses currently exist. Therefore, the census tract contains three more off-sale licenses than authorized and is 150 percent above the applicable threshold. Accordingly, the request has been evaluated pursuant to SDMC Section 141.0502(c) to determine whether the proposed Alcoholic Beverage Outlet, as conditioned, will protect the public health, safety, and welfare.

Alcoholic Beverage Outlets are permitted as a Limited Use under the Land Development Code, subject to the regulations set forth in SDMC Section 141.0502.

The project is also consistent with the San Diego Municipal Code because it complies with the applicable development regulations of the CC-1-3 Zone and will operate in accordance with the conditions of approval established through the Conditional Use Permit process. The proposed Alcoholic Beverage Outlet will operate within an existing convenience store and does not involve any increase in development intensity, building expansion, or modification to the approved commercial site.

The Conditional Use Permit allows the City to impose operational conditions necessary to ensure the proposed Alcoholic Beverage Outlet is compatible with the surrounding area. These conditions include limiting alcohol sales to the hours of 6:00 a.m. to midnight, requiring continuous video surveillance of the interior and public access points with recordings maintained for a minimum of 30 days, requiring the prompt removal of litter and unauthorized graffiti, and requiring employee training in Alcoholic Beverage Control regulations, theft deterrence, and responsible alcohol sales practices (Conditional Use Permit No. PMT-3402733, Conditions of Approval Nos. 28, 29, 30, and 31). These operational requirements are intended to minimize potential impacts associated with the sale of alcoholic beverages and ensure compliance with SDMC Section 141.0502(c).

Therefore, the proposed development will comply with the regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

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

The proposed alcohol sales are ancillary to the existing convenience store use and will occur entirely within the established commercial tenant space. No exterior building expansion, site modifications, or changes to the existing parking configuration are proposed as part of this request.

The project site is designated Commercial in the Rancho Peñasquitos Community Plan, which encourages the development and retention of neighborhood-serving commercial uses that provide convenient access to retail goods, services, and employment opportunities for surrounding residents. The Community Plan supports commercial areas that serve the daily needs of the community while maintaining compatibility with adjacent land uses (Rancho Peñasquitos Community Plan, Commercial Land Use Element, Commercial Land Use Goals and Policies).

The project site is located within the Commercial–Community (CC-1-3) Zone, which is intended to accommodate community-serving commercial uses, including retail sales and services that provide goods and services to surrounding neighborhoods. Alcoholic Beverage Outlets are permitted subject to applicable regulations and approval requirements pursuant to the San Diego Municipal Code, including the requirement for a Conditional Use Permit when certain locational criteria are present. The proposed Type 21 Alcoholic Beverage Outlet is consistent with the CC-1-3 Zone and the Rancho Peñasquitos Community Plan because it allows the existing convenience store to provide an expanded range of retail goods, including beer, wine, and distilled spirits, while maintaining the site's established commercial character and neighborhood-serving function.

The proposed use will not require any building expansion, exterior modifications, changes to the existing site layout, or modifications to the existing parking configuration. The Alcoholic Beverage Outlet will remain ancillary to the existing

convenience store use and will continue to operate within an established commercial tenant space. Therefore, the proposed use is appropriate at the proposed location.

Therefore, the proposed use is appropriate at the proposed location.

2. The above findings are supported by the minutes, maps, and exhibits, all of which are incorporated by this reference.

3. Based on these findings, adopted by the Conditional Use Permit No. PMT-3402733 granted by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms, and conditions as set forth in Conditional Use Permit No. PMT-3402733, a copy of which is attached to and made a part of this Resolution by this reference.

May Rollin
Development Project Manager
Development Services

Adopted on: September 23, 2026

IO#: 24010506

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RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
DSD-1A

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION DSD-1A

INTERNAL ORDER NUMBER: 24010506 SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. PMT-3402733
11095 CARMEL MOUNTAIN ROAD – PRJ-1150122
HEARING OFFICER

This Conditional Use Permit No. PMT- 3402733 is granted by the Hearing Officer of the City of San Diego to Chevron U.S.A, Inc, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 0.06-acre site is located in the Commercial–Community (CC-1-3) Zone, Airport Land Use Compatibility Overlay Zone, and the Airport Influence Area (MCAS Miramar – Review Area 2), and within the Rancho Peñasquitos Community Plan area. The project site is legally described as: LOT 2 PENASQUITOS UNIT NO. 1, MAP 5567 APRIL 29,1965.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate an alcoholic beverage outlet conditioned upon the issuance of a license from the State Department of Alcoholic Beverage Control and subject to the City's land use regulations described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 23, 2026, on file in the Development Services Department. The project shall include:

a. A Conditional Use Permit to allow the sale of beer, wine, and distilled spirits for off-site consumption (ABC Type 21) at an existing convenience store use.

b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable

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guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by October 8, 2029.

2. This Conditional Use Permit (CUP) and corresponding use of this site shall expire on October 8, 2036. The Owner/Permittee may request that the expiration date be extended in accordance with SDMC Section 141.0502(c) (7).

3. The utilization of this CUP is contingent upon the approval of a license to sell alcohol at this location by the California Department of Alcoholic Beverage Control [ABC]. The issuance of this CUP does not guarantee that ABC will grant an alcoholic beverage license for this location.

4. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and

b. The Permit is recorded in the Office of the San Diego County Recorder.

5. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

6. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

8. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies, including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

9. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

10. Construction plans shall be in substantial conformity to Exhibit “A.” Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

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11. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

12. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation-related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

13. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the existing sidewalk underdrains located within the right-of-way, satisfactory to the City Engineer.

14. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of damaged sidewalk panels with current City Standard sidewalk, adjacent to the site on Carmel Mountain Road and Penasquitos Drive, as shown on Exhibit A, satisfactory to the City Engineer.

15. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruction of two driveways to current City Standards, adjacent to the site on Carmel Mountain Road and Penasquitos Drive, as shown on Exhibit A, satisfactory to the City Engineer.

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16. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

PLANNING/DESIGN REQUIREMENTS:

17. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. 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 appropriate City decision maker in accordance with the SDMC.

18. 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.

19. 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.

20. 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.

21. Exterior public pay phones that permit incoming calls are not permitted on the premises, adjacent public sidewalks, or areas under the control of the Owner/Permittee.

22. The Owner/Permittee shall provide illumination, at a minimum level of 0.4 foot candles per square foot, on the exterior of the alcoholic beverage outlet, including adjacent public sidewalks and areas under the control of the Owner/Permittee. The illumination shall be in operation during all hours of darkness while the outlet is open for business so that persons standing on or near the premises at night are identifiable by law enforcement personnel. The required illumination shall be shielded and directed so that it does not shine on adjacent properties.

23. A maximum of 33 percent of the square footage of the windows and doors of the premises may bear advertising or signs of any sort, except for any advertising prohibited by law. All advertising and signs shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the outlet. The sign area pertaining to or referencing alcoholic sales or beverages shall not exceed 630 square inches.

24. The Owner/Permittee of the alcoholic beverage outlet shall post a prominent, permanent sign or signs stating, "No loitering, consumption of alcoholic beverages, or open alcoholic beverage containers are allowed inside the premises, in the parking area, or on the public sidewalks adjacent to the premises, violators are subject to arrest." The sign shall be at least two square feet with two-inch block lettering. The sign shall be in English and Spanish.

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

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

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

POLICE DEPARTMENT REQUIREMENTS:

28. The sale of alcoholic beverages shall be permitted only between the hours of 6 AM and midnight each day of the week.

29. Video surveillance shall be recording and cover the interior and public access points of the premises. Recordings shall be maintained for a minimum of 30 days.

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

31. Employees responsible for alcohol sales are trained in ABC regulations (LEAD), theft deterrence and policies against the sales of alcoholic beverages to those under 21 years of age, and/or intoxicated.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on September 23, 2026, and Resolution No. HO-xxxx.

DRAFT

Conditional Use Permit No. PMT-3402733
Date of Approval: September 23, 2026

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

_____
May Rollin
Development Project Manager

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

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

Chevron U.S.A, Inc
Owner/Permittee

By _____
Robert Stoltz
An officer

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

DRAFT

NOTICE OF EXEMPTION

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

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

From: City of San Diego
Development Services Department
7650 Mission Valley Road, MS DSD-1A
San Diego, CA 92108

Project Title / Number: 11095 Carmel Mountain Rd / PRJ-1150122

State Clearinghouse No.: N/A

Project Location-Specific: 11095 Carmel Mountain Rd, San Diego, CA 92129

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

Description of nature and purpose of the Project: The project proposes a Conditional Use Permit (CUP) to allow an Alcoholic Beverage Outlet (ABO) to operate within an existing convenience store located at 11095 Carmel Mountain Road. The request would allow the sale of beer, wine, and distilled spirits for off-site consumption in conjunction with the existing retail use. The 0.06-acre site is developed with an existing 2,921 square-foot commercial convenience store building and is located in the Commercial–Community (CC-1-3) Zone, Airport Land Use Compatibility Overlay Zone (ALUCOZ) for MCAS Miramar, ALUCP Airport Influence Area (AIA) Review Area 2 and is designated Neighborhood Commercial within the Rancho Peñasquitos Community Plan area. LEGAL DESCRIPTION: Lot No. 1 of Parcel Map 3913.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Steve Rawlings, 26023 Jefferson Ave, Ste D, Murrieta, CA 92562, (951) 667-5152

Exempt Status: (Check one)

☐ Ministerial (Sec. 21080(b)(1); 15268)
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a))
☐ Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
☐ Categorical Exemption:
☒ Statutory Exemptions: Section 15061(b)(3), Common Sense Exemption
☐ Other:

Reasons why project is exempt: The project meets the criteria set forth in CEQA Section 15061(b)(3) (Common Sense Exemption), which states that CEQA only applies to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The alcohol permit would not cause a significant

impact on the environment because the proposed alcohol permit only consists of a license within an existing retail space. The only physical improvements proposed consist of required public improvements (driveway reconstruction to meet current City standards and reconstruction of damaged sidewalk). Therefore, this exemption was deemed appropriate. The site is included on any list compiled pursuant to Government Code Section 65962.5 for hazardous waste sites.

If filed by applicant:

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

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

Analyst: Marlene Watanabe / (619) 446-5129

Filed by:

May Rollin / (619) 446-5432
Name/Phone Number

_____
Signature

Development Project Manager
Title

_____
Date

Check One:

☒ Signed by Lead Agency
☐ Signed by Applicant

Date Received for Filing with County Clerk or LCI:

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

Community Planning Committee Distribution Form

Project Name:	Project Number:
Chevron 11095 Carmel Mountain Road Lic 21	PRJ-1150122

Community: Rancho Penasquitos

For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.

Select "Search for Project Status" and input the Project Number to access project information.

- ● Vote to Approve
- ❒ Vote to Approve with Conditions Listed Below
- ❒ Vote to Approve with Non-Binding Recommendations Listed Below
- ❒ Vote to Deny

Date of Vote: July 01, 2026

# of Members Yes	# of Members No	# of Members Abstain
9	3	

Conditions or Recommendations:
Project approved for the CUP with the sq ft limits as presented.

❒ No Action
(Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)

NAME: Brian P Reschke

TITLE: Chair

DATE: July 02, 2026

Development Services

FORM
DS-318
July 2024

Ownership Disclosure Statement

Permit/Approval Type: *Check the appropriate box for permit/approval and type(s) requested (See Project Submittal Manual):*

■ **Development Permit:** CUP

❑ **Subdivision Approval:** _____

❑ **Policy Approval:** _____

Project Title: Chevron Store #1855 **Project No. *For City Use Only*:** _____

Project Location/Address/Accessor's Parcel Number:
11095 Carmel Mountain Road

Specify Form of Ownership/Legal Status (please check):

❑ Individual ❑ Partnership ■ Corporation ❑ Limited Liability -or- ❑ General – What State? Delaware

Corporate Identification No.: C1298441 ❑ Trust - Date of Trust: _____

❑ City of San Diego/Asset Management Department: _____

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. On the second page of this form, please list the owner(s), the applicant(s), and other financially interested persons of the above-referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application, or:

Important Instructions

1. If the applicant includes a corporation or partnership, include the names, titles, and addresses of all individuals owning more than 10% of the shares.
2. If it's a publicly owned corporation, include the names, titles, and addresses of the corporate officers.
3. If any person is a nonprofit organization or a trust, list the names and addresses of *ANY* person serving as an officer, director, trustee or beneficiary of the nonprofit organization.
4. 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 30 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.
5. A signature is required of at least one of the property owners.
6. Attach additional pages if needed.

Property Owner/Authorized Agent
(Per SDMC §112.0102)

■ Owner ❑ Authorized Agent ❑ ■ Member ❑ Trustee ❑ Tenant/Lessee ❑ Successor Agency
❑ City of San Diego/Asset Management Department*

Name of Individual: Kent Cowan

On behalf of: Chevron USA

Street Address: 5001 Executive Parkway, Suite 200

City: San Ramon State: Delaware Zip: 94583

Phone Number: 952-842-9002 Email: PermitDesk@Chevron.com

Signature: Kent Cowan Date: 11/4/2025

Additional pages attached: ❑ Yes ■ No

(Signature within this section not required for City of San Diego/Asset Management Department)

Applicant ❑ Check if Same as Property Owner/Authorized Agent
(Per SDMC §112.0102)

❑ Owner ❑ Authorized Agent ❑ Member ❑ Trustee ■ Tenant/Lessee ❑ Successor Agency

Name of Individual: Barbara Nelson

On behalf of: Chevron Stations Inc c/o Rawlings Consulting, Attn: Steve Rawling

Street Address: 26023 Jefferson Ave, Ste D

City: Murrieta State: Delaware Zip: 92562

Phone Number: 951-667-5152 Email: ser@rawlingspm.com

Signature: Barbara Nelson Date: 11/4/2025

Additional pages attached: ❑ Yes ■ No

Other Financially Interested Persons ■ Check if N/A

❑ Owner ❑ Authorized Agent ❑ Member ❑ Trustee ❑ Tenant/Lessee ❑ Successor Agency

Name of Individual:

On behalf of:

Street Address:

City: State: Delaware Zip:

Phone Number: Email:

Signature: Date:

Additional pages attached: ❑ Yes ❑ No

SAN DIEGO POLICE DEPARTMENT
CONDITIONAL USE PERMIT RECOMMENDATION

PREMISE ADDRESS:	11095 Carmel Mountain Road, San Diego, CA 92129
TYPE OF BUSINESS:	Gas Station/Market/Type 21 Off-Sale
FEDERAL CENSUS TRACT:	170.18
NUMBER OF ALCOHOL LICENSES ALLOWED:	2
NUMBER OF ALCOHOL LICENSES EXISTING:	5 (Over-Concentrated)
CRIME RATE IN THIS CENSUS TRACT: (Note: Considered High Crime If Exceeds 120% of City-wide Average)	77.6%

THREE OR MORE REPORTED CRIMES AT THIS PREMISE WITHIN PAST YEAR	☐ YES ☒ NO
IS THE PREMISE WITHIN 600 FEET OF INCOMPATIBLE FACILITY	☐ YES ☒ NO
IS THE PREMISE WITHIN 100 FEET OF RESIDENTIALLY ZONED PROPERTY	☐ YES ☒ NO
ABC LICENSE REVOKED AT THIS PREMISE WITHIN PAST YEAR	☐ YES ☒ NO
HAS APPLICANT BEEN CONVICTED OF ANY FELONY	☐ YES ☒ NO
WILL THIS BUSINESS BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND CITY	☐ YES ☒ NO

COMMENTS/OTHER FACTORS CONSIDERED:

The premises is located within census tract 170.18. The reported crime rate for 2025 within Census Tract 170.18 was 77.6% and the alcohol crime rate was 45.79%.

The San Diego Police Department agrees with the issuance of a CUP for the Off-Sale of alcohol, Type 21 alcohol license, at this location.

SUGGESTED CONDITIONS:
The San Diego Police Department agrees with the issuance of a Conditional Use Permit so long as the following conditions are incorporated:

1. The sale of alcoholic beverages shall be permitted only between the hours of 6AM to Midnight each day of the week.
2. Video surveillance shall be recording and cover the interior and public access points of the premises. Recordings shall be maintained for a minimum of 30 days.
3. Litter and any unauthorized graffiti will be removed promptly.
4. Employees responsible for alcohol sales are trained in ABC regulations (LEAD), theft deterrence and policies against the sales of alcoholic beverages to those under 21 years of age, and/or intoxicated.

7-15-26 / 1825 4th Ave

SAN DIEGO POLICE DEPARTMENT RECOMMENDATION:

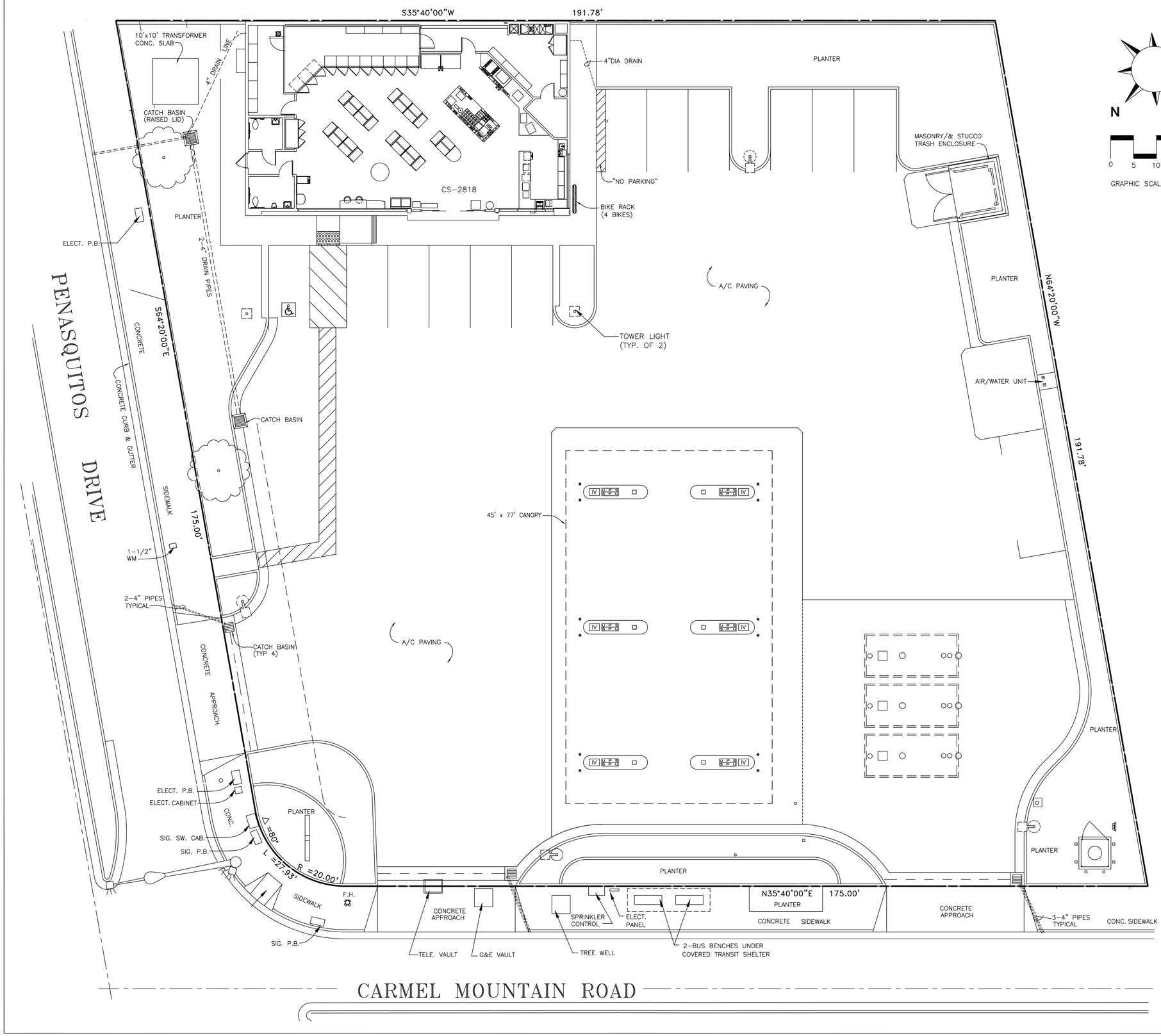
APPROVE ✓ **DENY**_____

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

619-531-2973
Telephone Number

Signature of SDPD Vice Sergeant

6-15-26
Date of Review

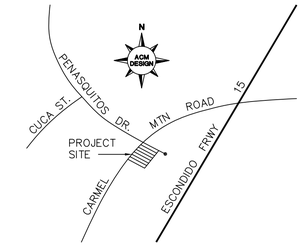


N

0 5 10 20

GRAPHIC SCALE

VICINITY MAP



SITE DATA

SITE SQUARE FOOTAGE:	36,164	
BUILDING SQUARE FOOTAGE:	2,929	
LANDSCAPING SQUARE FOOTAGE:	7,203	
LOT COVERAGE:	BUILDINGS – 8.1% CANOPY – 9.6% LANDSCAPING – 19.9%	
PARKING:	REQUIRED	PROVIDED
HANDICAP (VAN ACCESSIBLE):	1	1
STANDARD:	10	12
TYPE OF BUILDING CONSTRUCTION:	V-N	
BUILDING SPRINKLERS:	N/A	
ZONING DISTRICT:	-	-
BUILDING OCCUPANCY:	S-3/M	
NATURE OF BUSINESS:	GASOLINE / FOOD MART	
ASSESSOR'S PARCEL NO.:	313-050-05	

LEGAL DESCRIPTION

LOT 2 PENASQUITOS UNIT NO.1, MAP 5567 APRIL 29,1965

REVISIONS			
NO.	DATE	DR.	NATURE
1	08/19/99	SAX	RCIP A. B. (ASB TO CS2818) 6/2/99 JNN
2	03/03/08	GRH	EXTRA MILE & IMAGE REFRESH
3	02/17/09	GRH	PHASE II EVR & NEW MPD'S
4	06/20/13	GRH	ADA AS BUILT

SERVICE STATION #96929
11095 CARMEL MOUNTAIN ROAD
SAN DIEGO, CA 92129

Chevron

DATE: 08/27/87
DRAWN BY: GRH
SCALE: 1"=10'-0"
FILENAME: 96929

A