



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: September 22, 2021 REPORT NO. HO-21-043

HEARING DATE: September 29, 2021

SUBJECT: Hollister NUP/CUP, Process Three Decision

PROJECT NUMBER: [635346](#)

OWNER/APPLICANT: California Finest Oil

SUMMARY

Issue: Should the Hearing Officer approve a Neighborhood Use Permit (NUP) for an existing service station and a Conditional Use Permit (CUP) to allow the sale of alcoholic beverages for off-site consumption, located at 1102 Hollister Street in the CC-2-3 Zone within the Otay Mesa-Nestor Community Plan area?

Staff Recommendation:

Approve Neighborhood Use Permit 2576648 and Conditional Use Permit No. 2291031.

Community Planning Group Recommendation: On March 11, 2020, the Otay Mesa-Nestor Community Planning Group voted 13-2 to recommend approval of the project, with no conditions.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA section 15301, Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on May 7, 2021, and the opportunity to appeal that determination ended May 21, 2021.

BACKGROUND

The project is an application for a Neighborhood Use Permit (NUP) to continue operation of an existing service station and a Conditional Use Permit (CUP) for an alcoholic beverage outlet to allow the sale of beer and wine in accordance with a Type 20 Alcohol Beverage Control (ABC) license in an existing 1,322-square-foot service station with convenience store and gas pumps. The station was first permitted in 1995 by Conditional Use Permit 94-0777. This permit expired in 2015, but the station has remained operational and the site is currently subject to the current Municipal Code. The applicant is currently in the process of acquiring the necessary ABC license.

The site is located at [1102 Hollister Street](#) in the CC-2-3 zone and the "Visitor Commercial" designation within the [Otay Mesa-Nestor Community Plan](#). The [Coastal Height Limitation Overlay Zone](#), also applies to the site, which is located in a Parking Standards Transit Priority Area and a [Transit Priority Area](#). Existing commercial uses within the same zone and designation are located to the immediate north, east, and south. To the west is Fire Station 30, which is also zoned CC-2-3. The larger neighborhood contains a mix of commercial and residential uses at a variety of densities, intensities, and zoning designations, including a motel, a Denny's, another service station, a church, single-dwelling and multiple-dwelling units, and a mobile home park.

The proposed alcoholic beverage outlet requires a Process Three CUP per [SDMC 141.0502\(c\)](#), with the Hearing Officer as the decision maker, and the service station use requires a Process Two NUP per [SDMC 141.0801](#) and [SDMC 131.0522](#), with staff as the decision maker. These permits are consolidated for processing per [SDMC 112.0103](#), with the Hearing Officer as the decision maker.

DISCUSSION

The project requests approval of a CUP to allow operation of a Type 20 alcoholic beverage outlet (beer and wine only, for consumption off-premises) within an existing convenience store and service station, as well as approval of an NUP to allow the service station to continue operation. The applicant is currently in the process of obtaining the required Type 20 license from the state.

Conditional Use Permit (CUP):

Alcoholic Beverage Outlets are permitted with a CUP and subject to regulations set forth in San Diego Municipal Code (SDMC) Section [141.0502](#). An Alcoholic Beverage Outlet that does not comply with the limited use requirements of SDMC Section 141.0502(b), including certain location criteria per SDMC section 141.0502(b)(1), may still be permitted with a CUP decided in accordance with Process Three subject to the regulations in SDMC section 141.0502(c). SDMC section 141.0502(c) also requires a recommendation from the San Diego Police Department (SDPD).

Staff and the San Diego Police Department (SDPD) reviewed the project for conformance to applicable development regulations and land use policies and determined the proposed Alcoholic Beverage Outlet at this location requires a CUP because the project site does not meet certain location criteria set forth in SDMC section 141.0502(b)(1). Staff and the SDPD have made the following determinations:

1. [SDMC 141.0502\(b\)\(1\)\(A\)](#): Crime in the census tract is 63% of the city-wide average, and alcohol-related crime is 47.7% of the city-wide average.
2. [SDMC 141.0502\(b\)\(1\)\(B\)](#): The standard set by California [Business and Professions Code section 23958.4\(a\)\(2\)](#) for this census tract (101.10) is four alcoholic beverage outlets. There are currently three active off-sale licenses within this census tract, and this project, if approved, would represent the fourth.
3. [SDMC 141.0502\(b\)\(1\)\(C\)](#): The project is not located within a Redevelopment Project Area.

4. SDMC 141.0502(b)(1)(D): The project is not within 600 feet of a public or private accredited school, a public park, a playground or recreational area, a hospital, or a San Diego County welfare district office. This is within the 300-foot public notice area for the convenience store and the church did not have any comments during the review process. The entrance to the convenience store is located as far away from the church as is feasible.
5. SDMC 141.0502(b)(1)(E): The project is not located within 100 feet of residentially zoned property.
6. The business will not be detrimental to the public health, safety, and welfare if conditions limiting container size, sale hours, package quantities loitering, trash, lighting, and advertising are implemented to ensure that the project will not impact the surrounding area. Such conditions have been included in the permit.

Staff and Community Planning Group review did not identify the need to limit the area or hours of alcoholic beverage sales beyond any limitations already imposed by state law.

Neighborhood Use Permit (NUP)

Automobile Service Stations are allowed in the CC-2-3 zone with the approval of an NUP to address site-specific characteristics per [SDMC 141.0801](#).

The project meets the setback, frontage, and driveway requirements of SDMC 141.0801, and will observe all operational requirements. It will close one driveway on Hollister Street, and replace it with curb, gutter, sidewalk, and landscaping. Curb ramps and all other driveways will be upgraded to current City standards. The project does not propose additional changes to the site or to the exterior of the building. With the proposed changes, the project will meet the development standards of the CC-2-3 zone.

Community Plan Analysis

The project site is located within the Otay Mesa-Nestor Community Plan. Figure 2 of the Community Plan identifies the project's land use designation as Visitor Commercial, which specifically provides for automobile service stations as an allowed use, and which states that properties should provide opportunities for visitor and locally oriented recreation, entertainment, and shopping activities. A service station containing an alcoholic beverage outlet is consistent with this land use, and renewing the use is consistent with the Community Plan.

Conclusion

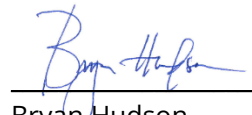
Both City Staff and SDPD have reviewed the request to operate an automobile service station with an alcoholic beverage outlet as an accessory use and concluded that if the permit were appropriately conditioned, the proposed alcohol sales would not have an adverse impact on the surrounding neighborhood. Such conditions have been placed in the permit. All SDPD conditions have been included in the permit. Staff has determined the business will not be detrimental to the public health, safety and welfare if the proposed conditions are implemented to ensure the project will not impact the surrounding area. Additionally, the NUP for the automobile service station

complies with SDMC section 141.0801. As such, the project conforms to all applicable sections of the SDMC. Staff recommends the Hearing Officer approve Neighborhood Use Permit 2576648 and Conditional Use Permit No. 2291031.

ALTERNATIVES

1. Approve Neighborhood Use Permit 2576648 and Conditional Use Permit No. 2291031, with modifications.
2. Deny Neighborhood Use Permit 2576648 and Conditional Use Permit No. 2291031, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Bryan Hudson", is written over a horizontal line.

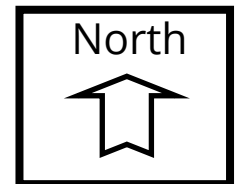
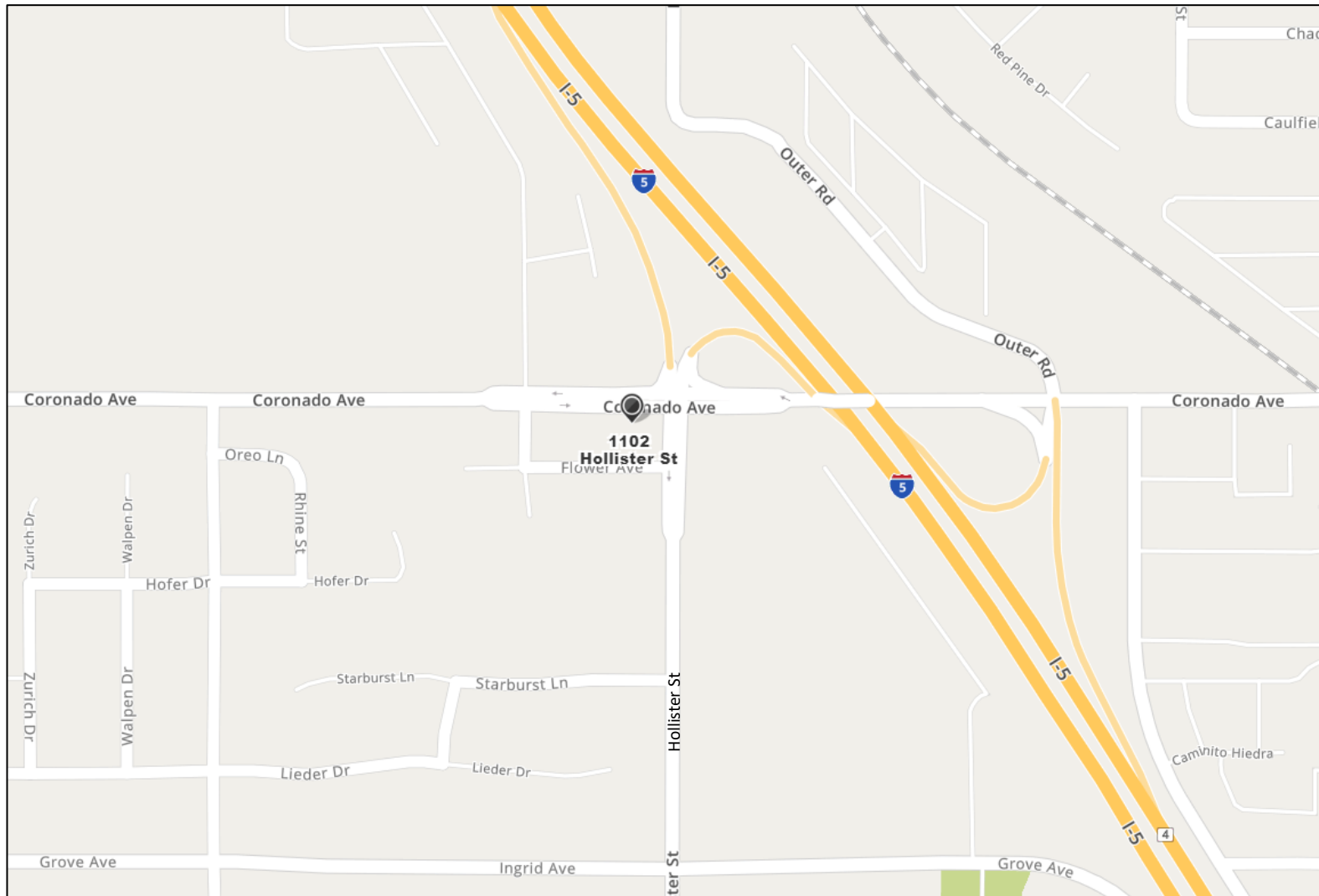
Bryan Hudson
Development Project Manager

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. SDPD CUP Recommendation
9. Map of Existing Licenses
10. Project Plans
11. Notice of Exemption

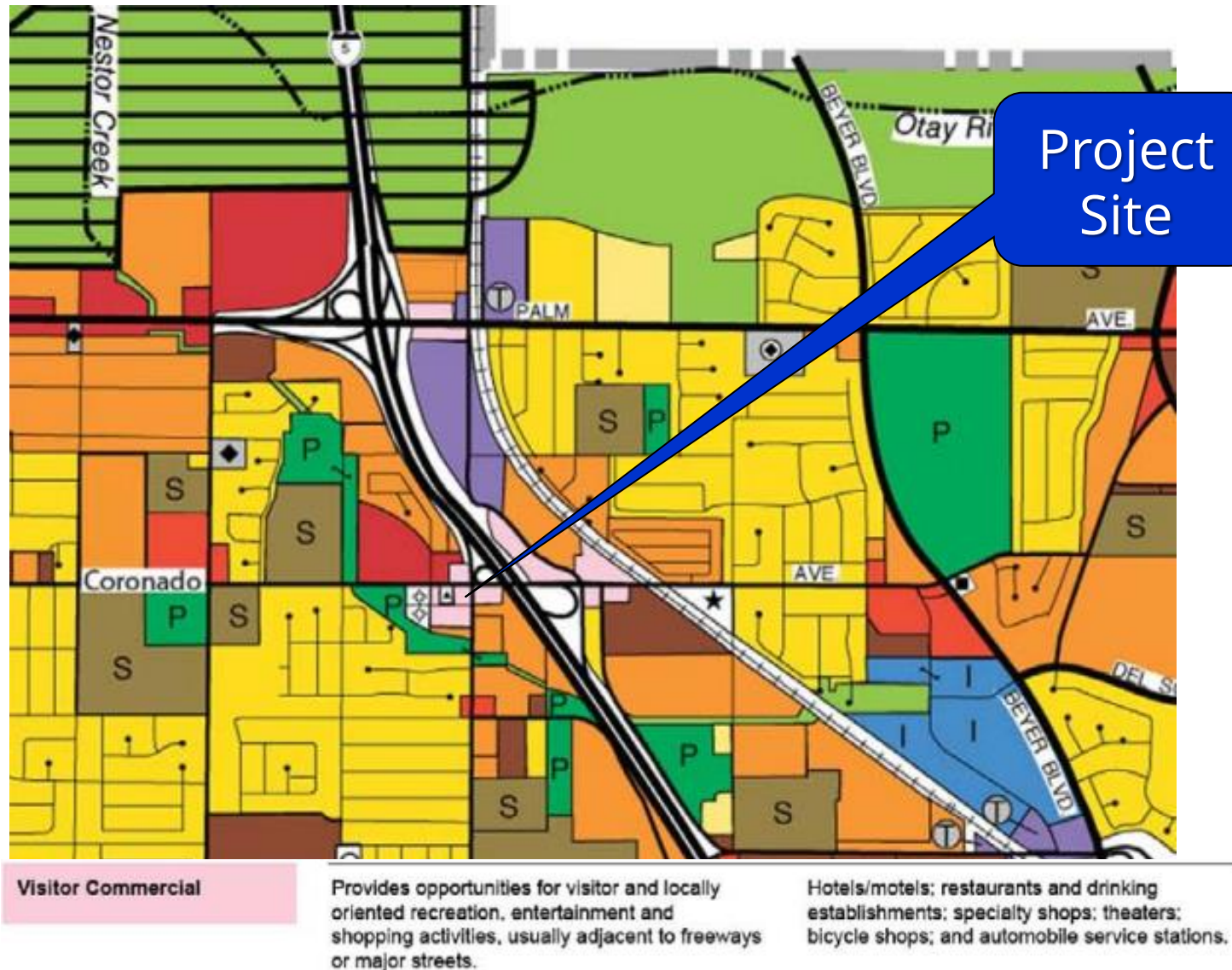


Project Location Map

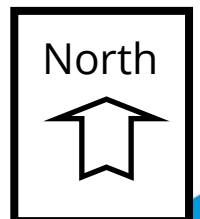


Hollister NUP/CUP, Project Number 635346
1102 Hollister Street

Community Plan



Hollister NUP/CUP, Project Number 635346
1102 Hollister Street

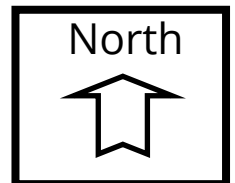




Aerial Photo



Hollister NUP/CUP, Project Number 635346
1102 Hollister Street



HEARING OFFICER RESOLUTION NO. [REDACTED]
CONDITIONAL USE PERMIT NO. 2291031
NEIGHBORHOOD USE PERMIT 2576648
HOLLISTER PROJECT NO. 635346

WHEREAS, California Finest Oil, Owner/Permittee, filed an application with the City of San Diego for a permit to operate a service station and an alcoholic beverage outlet conditioned upon the issuance of a license from the State Department of Alcoholic Beverage Control in a future convenience store (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 2291031 and 2576648), on a portion of a 0.48-acre property;

WHEREAS, the 0.48-acre project site is located at 1102 Hollister Street in the CC-2-3 zone, the Airport Land Use Compatibility Overlay Zone, the Airport Influence Area (Brown Field- Review Area 2), the Federal Aviation Administration (FAA) Part 77 Noticing Area for Naval Outlying Landing Field-Imperial Beach, the Coastal Height Limitation Overlay Zone, the Parking Standards Transit Priority Area, and the Transit Priority Area, within the Otay Mesa-Nestor Community Plan Area.;

WHEREAS, the project site is legally described as: Lot 1 of Gibson's Corner, in the City of San Diego, according to Map thereof No. 5755;

WHEREAS, on May 7, 2021, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guidelines Section 15301 (Existing Facilities) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on September 29, 2021, the Hearing Officer of the City of San Diego considered Neighborhood Use Permit 2576648 and Conditional Use Permit No. 2291031 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Neighborhood Use Permit 2576648 and Conditional Use Permit No. 2291031:

A. CONDITIONAL USE PERMIT [SDMC Section 126.0305]

1. Findings for all Conditional Use Permits:

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

The project proposes an alcoholic beverage outlet within an existing convenience store at an existing automobile service station at 1102 Hollister Street, in the CC-2-3 zone and the "Visitor Commercial" designation within the Otay Mesa-Nestor Community Plan. The proposed alcohol sales will be for beer and wine, to be consumed off-premises only. The service station is existing but requires a new permit because its previous permit, CUP 94-0777, has expired. No changes are proposed to the existing service station use.

Figure 2 of the Community Plan identifies the project's land use designation as Visitor Commercial, which specifically provides for automobile service stations as an allowed use, and which states that properties should provide opportunities for visitor and locally oriented recreation, entertainment, and shopping activities. A service station containing an alcoholic beverage outlet is consistent with this land use. There are no specific goals or policies in the Community Plan that relate directly to either the existing service station or the proposed alcoholic beverage outlet.

The existing service station has served the community for approximately 25 years as a use specifically allowed by the Visitor Commercial land use designation. Renewing the use is consistent with the Community Plan. The project will remove and/or replace driveways and curb ramps to City standards. Allowing alcohol sales within a 1,322-square-foot convenience store does not propose any physical changes to the exterior of the building and does not change the underlying use of the existing tenant space.

Alcoholic beverage outlets that do not meet all the locational criteria for alcohol sales as a limited use (see finding b. below) under San Diego Municipal Code Section 141.0502 may be approved with a Conditional Use Permit. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The CC-2-3 zone allows an automobile service station at this location with a Neighborhood Use Permit. The driveway and curb ramp improvements associated with this project will ensure that the existing service station continues to provide access in accordance with applicable regulations, and it will be subject to all local, state, and federal regulation pertaining to gasoline dispensing.

The CC-2-3 zone allows an alcoholic beverage outlet at this location with a Conditional Use Permit. To provide for the public health, safety, and welfare, SDMC Section 141.0502(b)(1) outlines locational requirements for Alcoholic Beverage Outlets. Such outlets are allowed as a Limited Use without a Conditional Use Permit provided they are not in any of the locations outlined in SDMC Section 141.0502(b)(1)(A)-(E). As such, projects may request a Conditional Use Permit pursuant to SDMC Section 141.0502(c) if they do not meet the following criteria:

(A) 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;

San Diego Police Department (SDPD) research indicates that crime in the census tract is 63% of the city-wide average, and alcohol-related crime is 47.7% of the city-wide average. The SDPD determined that the proposed alcoholic beverage outlet would not be detrimental to the public health, safety, and welfare provided several conditions are implemented, including (but not limited to) limitations on container size, sale hours, package quantities, loitering, trash, lighting, and advertising. All SDPD conditions are included in the permit.

(B) Within a census tract, or within 600 feet of a census tract, where the ratio of alcohol beverage outlets exceeds the standards established by California Business and Professional Code section 23958.4;

The standard set by California Business and Professional Code section 23958.4 for this census tract is four alcoholic beverage outlets. There are currently three active off-sale licenses within this census tract, and this project, if approved, would represent the fourth. The project meets this requirement.

(C) In an adopted Redevelopment Project Area;

The project is not in a Redevelopment Project Area so meets this requirement.

(D) Within 600 feet of a public or private accredited school, a public park, a playground or recreational area, a church, a hospital, or a San Diego County welfare district office;

There is a church within approximately 250 feet. This is within the 300-foot public notice area for the convenience store and the church did not have any

comments during the review process. The project is not within 600 feet of any of the other uses listed. SDPD determined that the proposed alcoholic beverage outlet would not be detrimental to the public health, safety, and welfare as mentioned above. The entrance to the convenience store is located as far away from the church as is feasible.

(E) Within 100 feet of a residentially zoned property.

The project is not within 100 feet of a residentially zoned property

Pursuant to SDMC Section 141.0502(c), SDPD recommended the proposed use for approval with conditions limiting container size and quantity, which have been included in the permit. Additional conditions regulating amusement devices, lighting, loitering, and advertising signage are also included in the permit. These permit conditions eliminate the possibility of the convenient purchase of small quantities of alcohol for immediate consumption, encourage alcohol patrons to leave the premises, ensure high visibility of people entering and exiting the premises, prohibit alcohol signage that can be seen outside the store, and ensure that any litter and graffiti are cleaned promptly. This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities. Therefore, the proposed project to operate a service station with an alcoholic beverage outlet will not be detrimental to public health, safety, and welfare.

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

The proposed alcoholic beverage outlet within a convenience store at an automotive service station complies with all applicable regulations, including those of the CC-2-3 zone and the criteria for alcohol sales under SDMC Section 141.0502, in that it is allowed as a conditional use. No deviations are proposed. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

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

Per finding b. above, the project will not be detrimental to the public health, safety, or welfare.

The subject property is a commercial node that serves the surrounding community. The site is located at a highly visible and highly trafficked street corner. This is an appropriate location for an automobile service station. The project will be subject to street improvements (driveways and curb returns) which will provide a public

benefit, and which will bring the street frontages up to current zoning and street design standards.

The proposed alcohol sales use is allowed in the CC-2-3 zone with the approval of a Conditional Use Permit, and will be accessory to an existing convenience store/service station use that is allowed in the CC-2-3 zone with a Neighborhood Use Permit. Conditions limiting container size and quantity have been included in the permit. Additional conditions regulating amusement devices, lighting, loitering, and advertising signage are also included in the permit.

Figure 2 of the Community Plan identifies the project's land use designation as Visitor Commercial, which specifically provides for automobile service stations as an allowed use, and which states that properties should provide opportunities for visitor and locally oriented recreation, entertainment, and shopping activities. A service station containing an alcoholic beverage outlet is consistent with this land use. There are no specific goals or policies in the Community Plan that relate directly to either the existing service station or the proposed alcoholic beverage outlet.

The project does not propose any physical changes to the exterior of the building and does not change the underlying use of the existing tenant space.

SDPD recommended the proposed use for approval with conditions limiting container size and quantity, which have been included in the permit. Additional conditions regulating amusement devices, lighting, loitering, and advertising signage are also included in the permit to ensure that the project does not impact the surrounding area. Therefore, an alcoholic beverage outlet within a convenience store is appropriate at its proposed location.

B. NEIGHBORHOOD USE PERMIT [SDMC Section 126.0305]

1. Findings for all Neighborhood Use Permits:

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

As set out in finding A.1.a above, incorporated herein by this reference, the proposed development will not adversely affect the applicable land use plan.

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

As set out in finding A.1.b above, incorporated herein by this reference, the proposed development will not be detrimental to the public health, safety and welfare.

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

As set out in finding A.1.C above, incorporated herein by this reference, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Neighborhood Use Permit 2576648 and Conditional Use Permit No. 2291031 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Neighborhood Use Permit 2576648 and Conditional Use Permit No. 2291031, a copy of which is attached hereto and made a part hereof.

Bryan Hudson
Development Project Manager
Development Services

Adopted on: September 29, 2021

IO#: 24008247

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

Or

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24008247

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2291031

NEIGHBORHOOD USE PERMIT 2576648

HOLLISTER PROJECT NO. 635346

HEARING OFFICER

This Conditional Use Permit No. 2291031 and Neighborhood Use Permit 2576648 is granted by the Hearing Officer of the City of San Diego to California Finest Oil, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 0.48-acre site is located at 1102 Hollister Street in the CC-2-3 zone, the project site is within the Airport Land Use Compatibility Overlay Zone, the Airport Influence Area (Brown Field- Review Area 2), the Federal Aviation Administration (FAA) Part 77 Noticing Area for Naval Outlying Landing Field-Imperial Beach, the Coastal Height Limitation Overlay Zone, the Parking Standards Transit Priority Area, and the Transit Priority Area, within the Otay Mesa-Nestor Community Plan Area. The project site is legally described as: Lot 1 of Gibson's Corner, in the City of San Diego, according to Map thereof Map No. 5755.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to operate an alcoholic beverage outlet and service station conditioned upon the issuance of a Type 20 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 29, 2021, on file in the Development Services Department.

The project shall include:

- a. Operation of an alcoholic beverage outlet with an existing 1,322 square feet automobile service station, conditioned upon issuance of a Type 20 License from the Department of Alcoholic Beverage Control for off-site consumption: and
- b. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by October 13, 2024.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on September 29, 2031. The Owner/Permittee may request that the expiration date be extended in accordance with SDMC section 141.0502(c)(7).
3. The utilization of this CUP is contingent upon the approval of a license to sell alcohol at this location by the California Department of Alcoholic Beverage Control [ABC]. The issuance of this CUP does not guarantee that the ABC will grant an alcoholic beverage license for this location.
4. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
5. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
6. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
8. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
9. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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

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

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" 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.

CLIMATE ACTION PLAN REQUIREMENTS:

13. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the landscapes and irrigation located within the City's right-of-way, satisfactory to the City Engineer.
15. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the closure of all non-utilized driveway with City standard curb, gutter and sidewalk, on Hollister Street, satisfactory to the City Engineer.
16. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing curb ramp at the southwest corner of Coronado Avenue and Hollister Street, with City Standards curb ramp, satisfactory to the City Engineer.
17. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing curb ramp at the northwest corner of Flower Avenue and Hollister Street, with City Standards curb ramp, satisfactory to the City Engineer.
18. 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.
19. Prior to the issuance of any building permits, the Owner/Permittee shall assure by permit and bond the reconstruction of the existing driveway per Exhibit A, along Hollister Avenue, satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

20. 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 authorized by the appropriate City decision maker in accordance with the SDMC.
21. 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.
22. When a 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 the County of San Diego Health Services Department.
23. 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.

24. Devices to alert station attendants to entering vehicles shall be located and adjusted so that they do not cause noise disturbance to adjoining properties.
25. 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.
26. 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.
27. 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.
28. 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.
29. 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.
30. 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.
31. The Owner/Permittee shall list a business address and telephone number in the Pacific Bell/San Diego telephone directory or other similarly distributed directory.
32. 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.
33. The Owner/Permittee shall maintain the premises, adjacent public sidewalks, and areas under the control of the Owner/Permittee, free of litter and graffiti at all times. The Owner/Permittee shall provide for daily removal of trash, litter, and debris. The Owner/Permittee shall eliminate graffiti within 48 hours of application.

POLICE DEPARTMENT REQUIREMENTS:

34. Exterior advertising of alcoholic beverages, or interior advertising of alcoholic beverages that is visible from the exterior of the premises shall be prohibited.
35. No wine or distilled spirits shall be sold in containers of less than 375 milliliters
36. Beer, malt beverage products or wine cooler products, regardless of container size, must be sold in manufacturer pre-packaged multi-unit quantities. No singles.
37. The sale of beer or malt beverage in kegs is prohibited.

WATER AND SEWER REQUIREMENTS:

38. Prior to any Certificate of Occupancy being issued, any existing sewer lateral to be reused must be inspected by a California licensed plumbing contractor using closed-circuit television to verify and attest to (via a signed statement on company letterhead) all of the following: The lateral has an appropriate cleanout, is in good condition, is free of all debris, is properly connected to a public sewer main, and is in all other ways suitable for reuse. If the lateral is not suitable for reuse, it must be repaired, removed and replaced, or abandoned and capped.
39. No trees or shrubs exceeding three feet in height at maturity shall be installed, or allowed to remain, within ten feet of any public sewer facilities or within five feet of any public water facilities.
40. Prior to any Certificate of Occupancy being issued, any private improvements within the public ROW (including but not limited to: landscaping, enhanced paving, private non-irrigation utilities, or structures of any kind) that could inhibit the City's right to access, maintain, repair, or replace its public water and sewer utilities must be removed unless the Owner/Permittee has a City approved County recorded Encroachment and Maintenance Removal Agreement (EMRA) which authorizes that specific private improvement to be placed in that specific location.
41. Prior to any Certificate of Occupancy being issued, all domestic, irrigation, and fire water lines serving this development must pass through a permitted, private, above ground, backflow prevention device (BFPD).

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

ATTACHMENT 5

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 29, 2021 and [Approved Resolution Number].

DRAFT

ATTACHMENT 5

Conditional Use Permit No. 2291031
Neighborhood Use Permit 2576648
Date of Approval: September 29, 2021

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Bryan Hudson
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.

California Finest Oil
Owner/Permittee

By _____
NAME
TITLE

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

**OTAY MESA-NESTOR COMMUNITY PLANNING GROUP
MEETING MINUTES**

Otay Mesa Nestor Branch Library,
3003 Coronado Ave, San Diego, CA 92154

February 12, 2020

Members Present:

District 1 John C. Swanson
District 3 Armond Moore
District 4 Patty Swanson
District 6 Edgar Garfias
District 7 Robert Broomfield
District 9 Jacki Farrington
District 10 Bob Mikloski
District 11 Albert Velasquez
District 12 Carlos Sanchez
District 13 Brian McGonagill
District 15 Walt Zumstein
District 16 Bobby Hicks

Members Absent:

District 2 Johnny E. Swanson
District 14 Sam Baltazar

Vacant District Seats:

District 5
District 8

Guests Present: Please see the
OMNCPG Secretary for the
sign-in sheet.

1. **Call to Order/Introduction of Members:** Bobby Hicks, Vice Chair of the Otay Mesa Nestor Community Planning Group (OMNCPG), called the meeting to order at 6:37 p.m. He welcomed all Board members and members of the community to the meeting.
2. **Approval of the Minutes:** The minutes of the February 12th 2020 OMNCPG meetings were unanimously approved with a correction to San Diego Police Department Report.
3. **Non-Agenda Public Comments:** (2-minute limit per speaker).
 - a. Bob Mikloski brought attention to the broken library door that has been broken since December 4th.
 - b. Brian McGonagill identified broken streetlights around Southwest Middle school.
 - c. Edgar Garfias brought attention to the project review subcommittee meetings needing volunteers.
4. **San Diego Police Department Report:** SDPD Officer Carlos Eddington, ceddington@pd.sandiego.gov (619) 424-0412.
 - a. Looking for locations suggestions to detect speeding.
 - b. Still searching for senior volunteers for RSVP officers.
5. **California State Assembly, 80th District report:** Lucero Chavez, Field Representative, 619-338-8090 lucero.chavez@asm.gov. No report.
6. **Council District 8 Report:** Gerardo Ramirez, Council Representative, 619-236-6688 gramirezborj@sandiego.gov
 - a. Gerardo provided handouts from Councilmember Moreno's office.
 - b. ESD will be picking up recyclables on March 18th at 8am.
 - c. Otay Mesa Regional Park looking for one more member.
 - d. The Bird Institute is giving away free fire alarms to seniors 62+.
7. **Office of the San Diego City Attorney Report:** Mark Robertson, Deputy City Attorney,

- mrobertson@saniego.gov 619-553-5500. No report.
8. **City of San Diego Urban Forestry Program:** Brian Widener, City Forester, BWidener@saniego.gov 619-527-8050
- a. Planting in about 300 trees in the Otay Mesa-Nestor area. Possible locations have been identified in planters and it will take about a month for planning before planting. The Get It Done App can be used if there are any problems. Handouts of the species types were handed out.
 - b. Announced Arbor Day event on April 25th from 8am to 2:30pm at Southcrest Recreation Center.
9. **Sub-Committee Reports:**
- a. Volunteer Code Compliance, Project Review, By-Laws, and Parks and Recreation subcommittees.
 - b. Election Sub-Committee: The chair will appoint an Election Sub-Committee at this meeting. The subcommittee will then prepare a ballot and conduct an election in accordance with the OMNCPG Bylaws.
 1. Two district seats, District 5 and 8 are vacant and available for election of candidates for a four year term on the OMNCPG.
 - a. Two candidates, Karlo Garcia and Maria Gpe Bojorquez-Gomez, have submitted applications for election to these two district seats.
 2. The Election Committee will hand out ballots to the planning group members for voting, collect and count these ballots, and then will announce the results of the election.
 3. Both candidates were unanimously elected. Karlo Garcia will represent District 5 and Maria Gpe Bojorquez Gomez will represent District 8.
10. **Action Item:** Project Number 635346 Conditional Use Permit at 1102 Hollister Ave.
 They have converted the existing Shell station from a gas dispensing and auto repair facility to a gas dispensing and convenience store facility (Circle K) at 1102 Hollister Ave. They are requesting to sell beer and wine in the store and are required to file for a Conditional Use Permit (CUP) for this objective.
Contact: Allen Theweny, Esq. Atheweny@hotmail.com
 Robert Broomsfield made a motion to pass, Bob Miklowski seconded. The motion passed with a 13-2-0 vote.
11. **Discussion Item:** OMNCPG Secretarial Supplies Purchase. Postponed
12. **Vice Chair's Report:** Bobby Hicks, OMNCPG Vice Chair
 Robert Broomsfield, Karlo Garcia, and Bobby Hicks volunteered to be part of the Project Review Subcommittee.
13. **City Planner Report:** Michael Prinz, Senior Planner, 619-236-6301, mprinz@saniego.gov
 No Report.
14. **Meeting was adjournment at 7:07pm**

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

Approval Type: Check appropriate box for type of approval(s) requested: ☐ Neighborhood Use Permit ☐ Coastal Development Permit
☐ Neighborhood Development Permit ☐ Site Development Permit ☐ Planned Development Permit ☐ Conditional Use Permit ☐ Variance
☐ Tentative Map ☐ Vesting Tentative Map ☐ Map Walver ☐ Land Use Plan Amendment • ☐ Other _____

Project Title: 1102 Hollister Street **Project No. For City Use Only:** _____

Project Address: 1102 Hollister Street, San Diego
 California, 92154

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

☒ Corporation ☐ Limited Liability -or- ☐ General - What State? California Corporate Identification No. _____
☐ Partnership ☐ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of ANY person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of individual: California Finest Oil ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 1102 Hollister Street
 City: San Diego State: CA Zip: 92154
 Phone No.: (619) 575-1599 Fax No.: N/A Email: ASTheweny@law.cwsl.edu
 Signature: Road Attisha Date: 1/18/2019
 Additional pages Attached: ☐ Yes ☒ No

Applicant

Name of individual: Road Attisha ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: 1102 Hollister Street
 City: San Diego State: CA Zip: 92154
 Phone No.: 619-995-5263 Fax No.: N/A Email: ASTheweny@law.cwsl.edu
 Signature: Road Attisha Date: 1/18/2019
 Additional pages Attached: ☐ Yes ☒ No

Other Financially Interested Persons

Name of individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Phone No.: _____ Fax No.: _____ Email: _____
 Signature: _____ Date: _____
 Additional pages Attached: ☐ Yes ☒ No

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
 Upon request, this information is available in alternative formats for persons with disabilities.

SAN DIEGO POLICE DEPARTMENT CONDITIONAL USE PERMIT RECOMMENDATION

PREMISE ADDRESS: 1102 Hollister Street

TYPE OF BUSINESS: Hollister Gas/California Finest Oil

FEDERAL CENSUS TRACT: 101.10

NUMBER OF ALCOHOL LICENSES ALLOWED: 4

NUMBER OF ALCOHOL LICENSES EXISTING: 3

CRIME RATE IN THIS CENSUS TRACT: 63.1
(Note: Considered High Crime If Exceeds 120% of City-wide Average)

THREE OR MORE REPORTED CRIMES AT THIS PREMISE WITHIN PAST YEAR ☒ YES ☐ NO

IS THE PREMISE WITHIN 600 FEET OF INCOMPATIBLE FACILITY ☒ YES ☐ NO

IS THE PREMISE WITHIN 100 FEET OF RESIDENTIALLY ZONED PROPERTY ☐ YES ☒ NO

ABC LICENSE REVOKED AT THIS PREMISE WITHIN PAST YEAR ☐ YES ☒ NO

HAS APPLICANT BEEN CONVICTED OF ANY FELONY ☐ YES ☒ NO

WILL THIS BUSINESS BE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY,
AND WELFARE OF THE COMMUNITY AND CITY ☐ YES ☒ NO

COMMENTS/OTHER FACTORS CONSIDERED: Conditional Use Permit Number 94-0477

This premise falls within Census Tract 101.10 and is within the Southern Division's patrolling responsibility. The reported crime rate for 2018 within CT 101.10 was 63.1% and alcohol crime rate of 47.7%. The census tract has 3 active Off-Sale licenses where the ABC authorizes 4 based on residential population ratio.

The premise currently a gas station and convenience store. It is located within 600 feet of a Church, Nestor United Methodist Church.

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. No wine or distilled spirits shall be sold in containers of less than 375 milliliters.
3. Beer, malt beverage products or wine cooler products, regardless of container size, must be sold in manufacturer pre-packaged multi-unit quantities. No singles.
4. The sale of beer or malt beverages in kegs is prohibited.
5. The petitioner(s) shall post and maintain professional quality signs that read as follows: NO LOITERING, NO LITTERING, NO DRINKING OF ALCOHOLIC BEVERAGES. VIOLATORS ARE SUBJECT TO CRIMINAL PROSECUTION AND/OR ARREST. The sign shall be at least two feet square with two inch block lettering. The sign shall be in English and Spanish.

6. Windows will have a minimum of 67% clear view from the exterior to provide interior view for law enforcement.
7. Loitering will be prohibited.
8. No public pay phones will be permitted on the premise or adjacent and under the control of the applicant.
9. No arcade games of any type will be allowed/maintained inside the premise.
10. Video surveillance shall be recording and available to law enforcement upon request covering both interior and exterior of the premises. Upon request of law enforcement video surveillance shall not be deleted, voided or destroyed. Recordings shall be maintained for a minimum of 30 days absent a request of law enforcement.
11. Litter and any unauthorized graffiti will be removed promptly.
12. All retail employees are trained in ABC regulations (LEAD), theft deterrence and policies against the sales of alcoholic beverages to those under 21 years of age, transient and/or intoxicated.
13. There shall be no exterior alcoholic advertising or signage of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of these conditions.

SAN DIEGO POLICE DEPARTMENT RECOMMENDATION:

APPROVE ☒DENY ☐

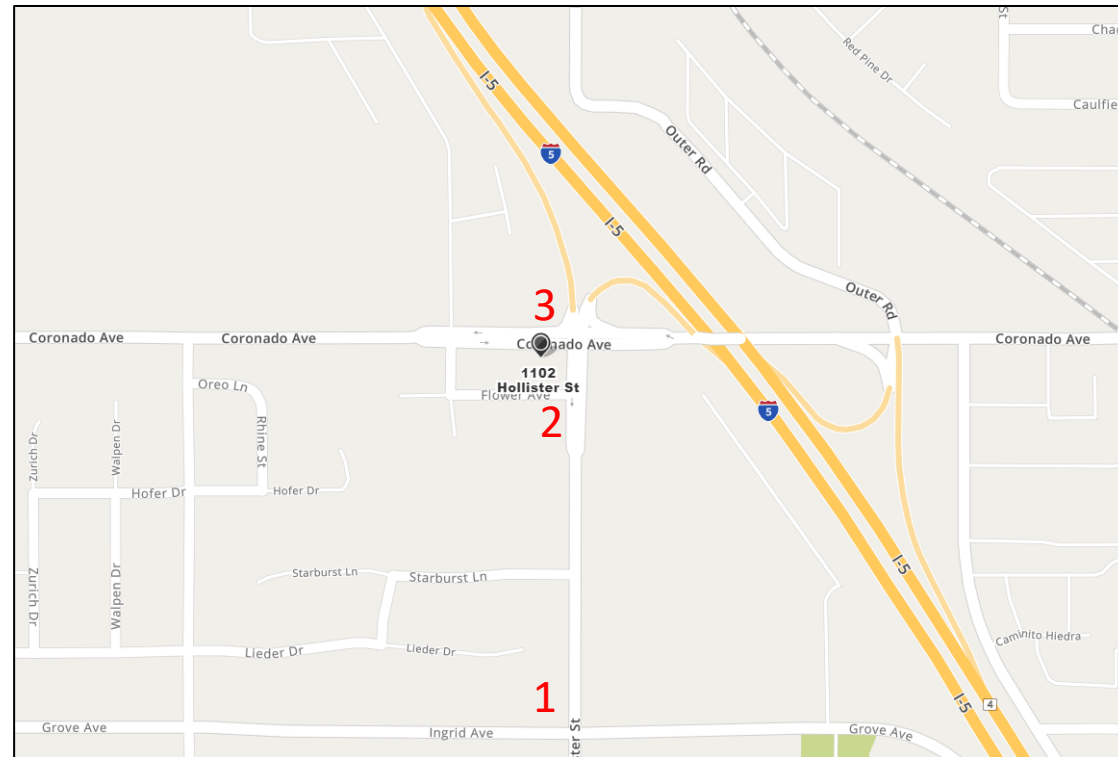
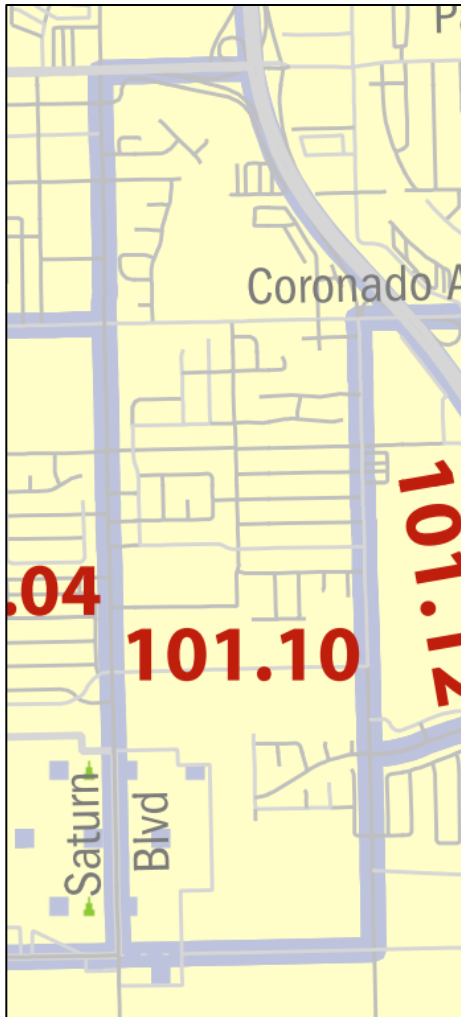
Benjamin McCurry
Name of SDPD Vice Sergeant (Print)

(619) 531-2973
Telephone Number

Ben McCurry
Signature of SDPD Vice Sergeant

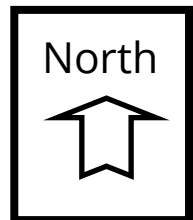
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Date of Review

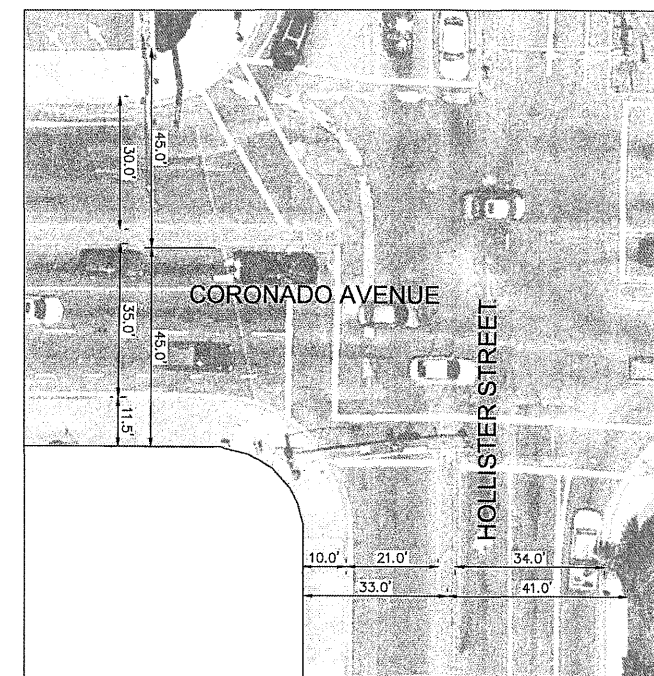
Existing Off-Sale ABC Licenses – Census Tract 101.10



1. Purple Cow Dairy and Produce, 1290 Hollister Street
2. Nestor Liquor, 1134 Hollister Street
3. South Bay ARCO, 2290 Coronado Avenue

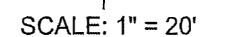
Hollister NUP/CUP, Project Number 635346
1102 Hollister Street





DEVELOPMENT PLANS ARE SOLELY FOR THE APPROVAL OF AN ALCOHOLIC BEVERAGE OUTLET AT EXISTING CONVENIENCE STORE AND FUELING STATION LOCATION.

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITEE 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.



PROJECT NUMBER 635346	SHEET NUMBER 1 OF 4
REV. DATE 3/31/2021	
DATE 9/17/2020	
APPROVAL NUMBER 2291031	

PROJECT SCOPE:

DEVELOPMENT PLANS ARE SOLELY FOR THE APPROVAL OF AN ALCOHOLIC BEVERAGE OUTLET AT EXISTING CONVENIENCE STORE AND FUELING STATION LOCATION.

SITE IMPROVEMENTS INCLUDE:

- REMOVAL AND REPLACEMENT OF EXISTING DRIVEWAYS TO CITY STANDARDS
- REMOVE AND REPLACE CURB RAMP AT INTERSECTION OF FLOWER AVENUE AND HOLLISTER STREET PER CITY STANDARDS
- REMOVAL OF NORTHERN MOST DRIVEWAY ALONG HOLLISTER STREET. CLOSE WITH CITY STANDARD SIDEWALK, CURB AND GUTTER.

NOTE:

PROPOSED IMPROVEMENTS ARE SHOWN FOR REFERENCE ONLY. THIS DOCUMENT IS NOT FOR CONSTRUCTION. AN APPLICABLE PERMIT MUST BE OBTAINED AT THE CITY OF SAN DIEGO FOR WORK IN THE RIGHT OF WAY.

GENERAL NOTES:

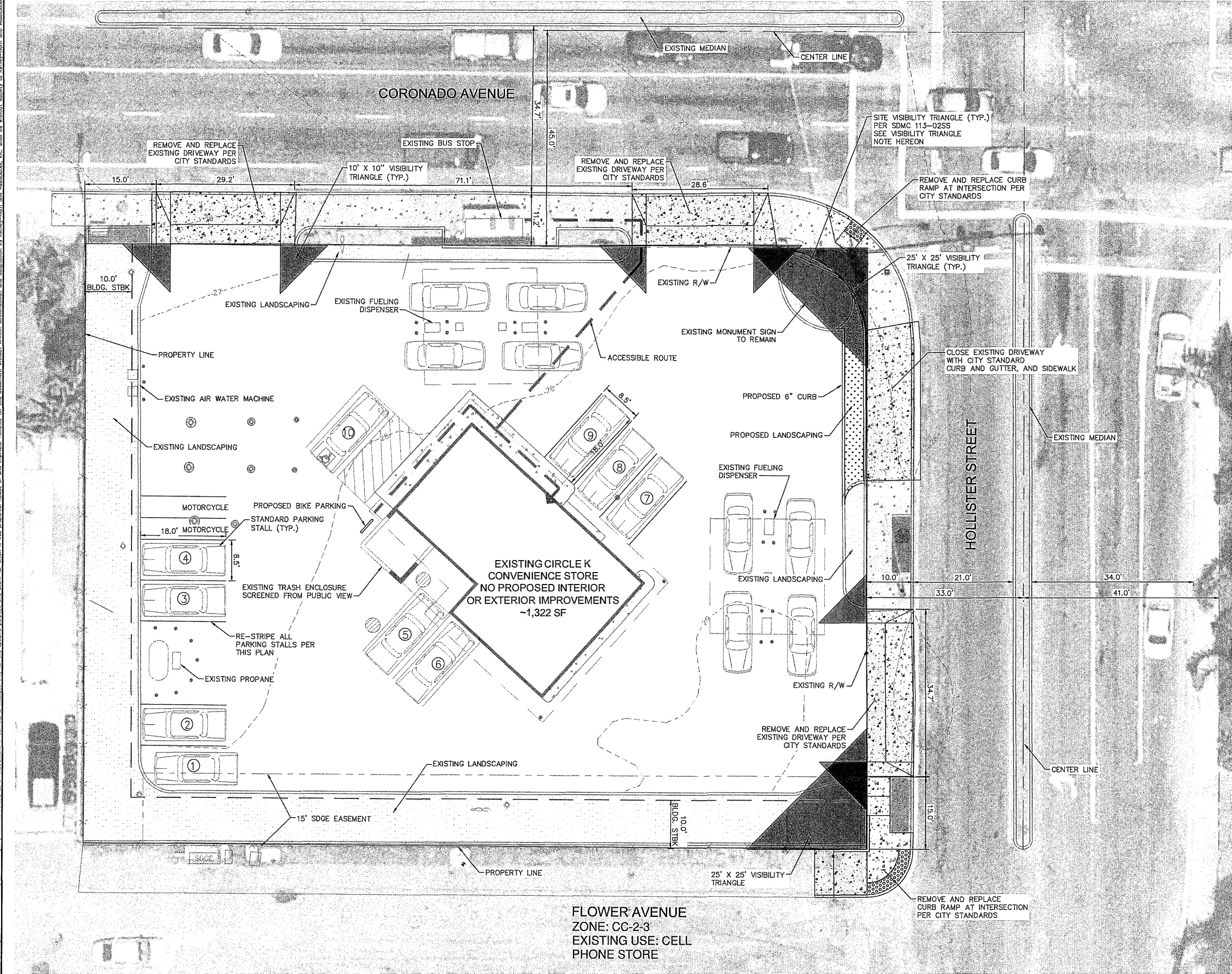
PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN PART 2 CONSTRUCTION BMP STANDARDS CHAPTER 4 OF THE CITY'S STORM WATER STANDARDS.

SITE VISIBILT TRIANGLE NOTES

1. SITE VISIBILITY TRIANGLE DRAWN PER SAN DIEGO MUNICIPAL CODE DIAGRAM 113-02SS. TRIANGLE EXTENDS 10' INWARD ALONG DRIVEWAY AND 10' ALONG PROPERTY LINE. INTERSECTION VISIBILITY TRIANGLE EXTENDS 25' IN BOTH DIRECTIONS OF INTERSECTION OF STREETS.
2. NO PROPOSED IMPROVEMENTS WITHIN VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN PUBLIC RIGHT OF WAY THAT IS LOCATED WITHIN VISIBILITY AREAS SHALL NOT EXCEED 24 INCHES IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB.

SITE INFORMATION

APN	634-010-70
SITE AREA	20,451 SF
EXISTING BUILDING AREA	1,322 SF
ZONE	CC-2-3
USE	GAS STATION + CONVENIENCE STORE
PARKING	10 SPOTS
SETBACKS	10' REAR SETBACK



1	CYCLE 1 COMMENT RESPONSE	3/4/20	SH
No.	REVISIONS	DATE	BY

Kimley»Horn

401 B STREET, SUITE 600, SAN DIEGO, CA 92101
PHONE: 619-234-9411
WWW.KIMLEY-HORN.COM

LICENSED PROFESSIONAL	KHA PROJECT
	DATE 3/31/2021
	SCALE AS SHOWN
	DESIGNED BY: SRH
	DRAWN BY: SRH
	CHECKED BY: SP
DATE:	

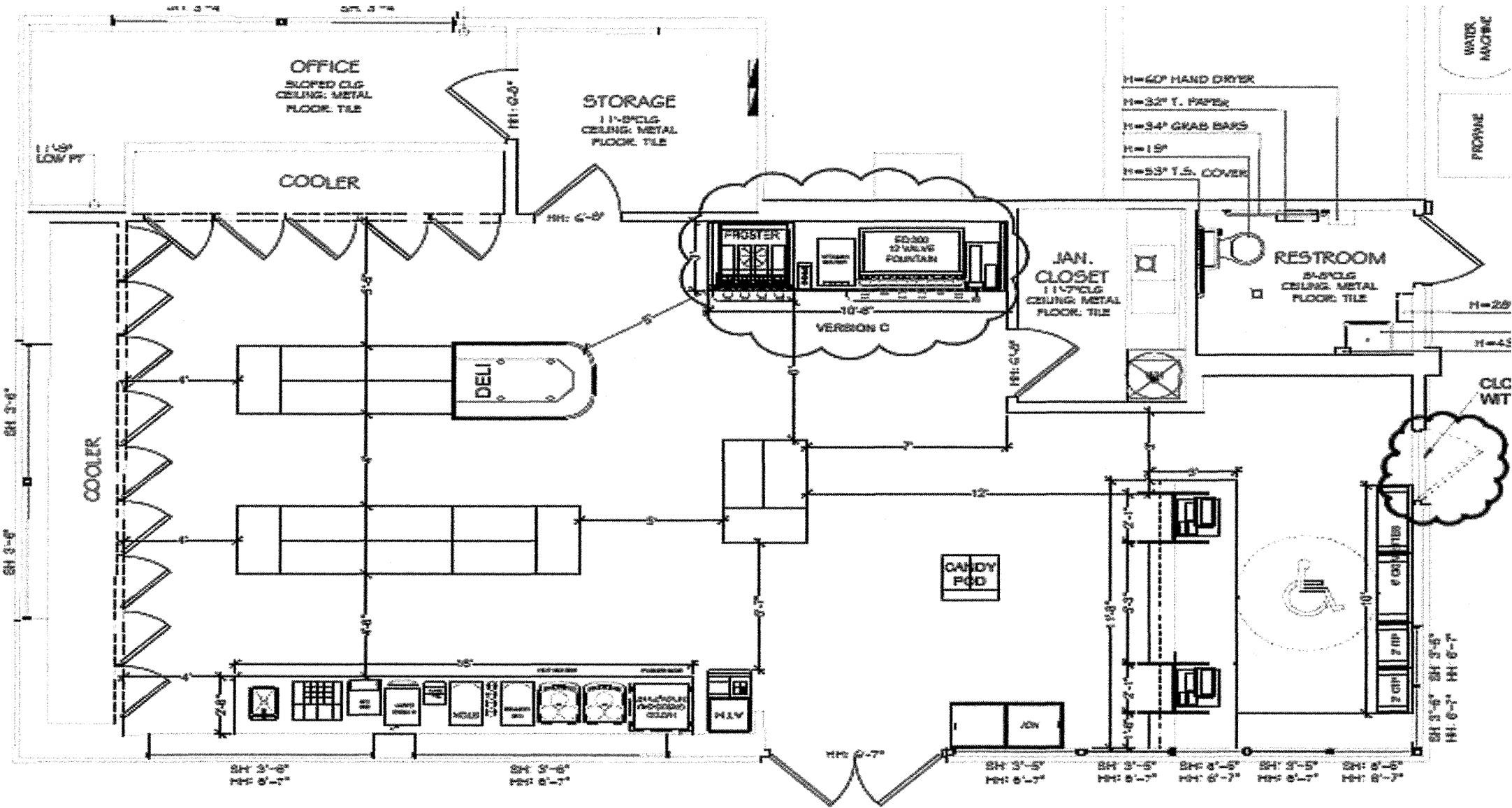
NOT FOR
CONSTRUCTION

1102 HOLLISTER STREET
SAN DIEGO, CA 92154
CUP FOR ALCOHOLIC BEVERAGE OUTLET

PROPOSED
IMPROVEMENTS

PROJECT NUMBER	635346	SHEET NUMBER
REV. DATE	3/31/2021	2
DATE	9/17/2020	OF
APPROVAL NUMBER	2291031	4

PROJECT SCOPE:
DEVELOPMENT PLANS ARE SOLELY FOR THE APPROVAL OF AN ALCOHOLIC BEVERAGE OUTLET AT EXISTING CONVENIENCE STORE AND FUELING STATION LOCATION.
NO SITE OR BUILDING IMPROVEMENTS ARE INCLUDED IN PROJECT SCOPE. NO EXTERIOR OR INTERIOR IMPROVEMENTS TO THE EXISTING BUILDING INCLUDED IN PROJECT SCOPE. NO IMPROVEMENTS IN THE RIGHT OF WAY INCLUDED IN PROJECT SCOPE.



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

1	CYCLE 1 COMMENT RESPONSE	3/4/20	SH
No.	REVISIONS	DATE	BY

Kimley»Horn

401 B STREET, SUITE 600, SAN DIEGO, CA 92101
PHONE: 619-234-9411
WWW.KIMLEY-HORN.COM

LICENSED PROFESSIONAL

DATE:

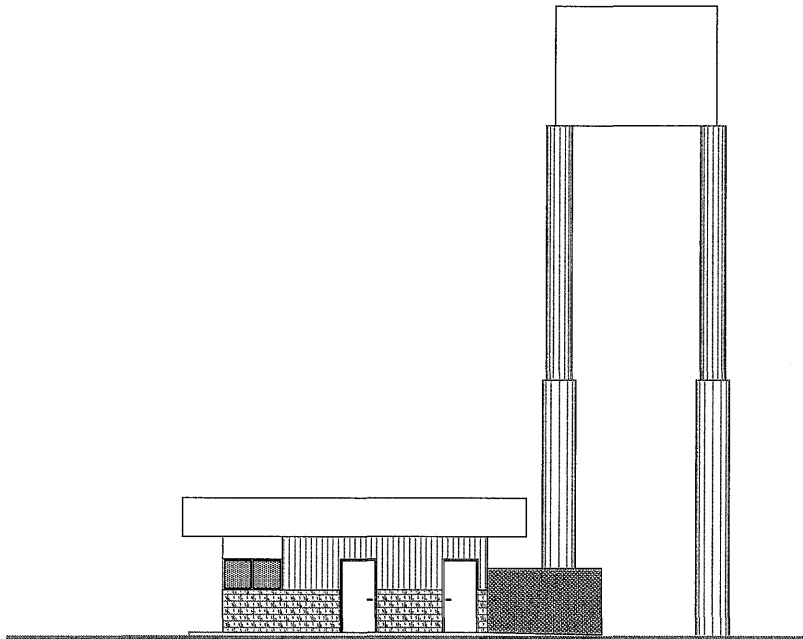
KHA PROJECT
DATE
3/31/2021
SCALE AS SHOWN
DESIGNED BY: SRH
DRAWN BY: SRH
CHECKED BY: SP

NOT FOR
CONSTRUCTION

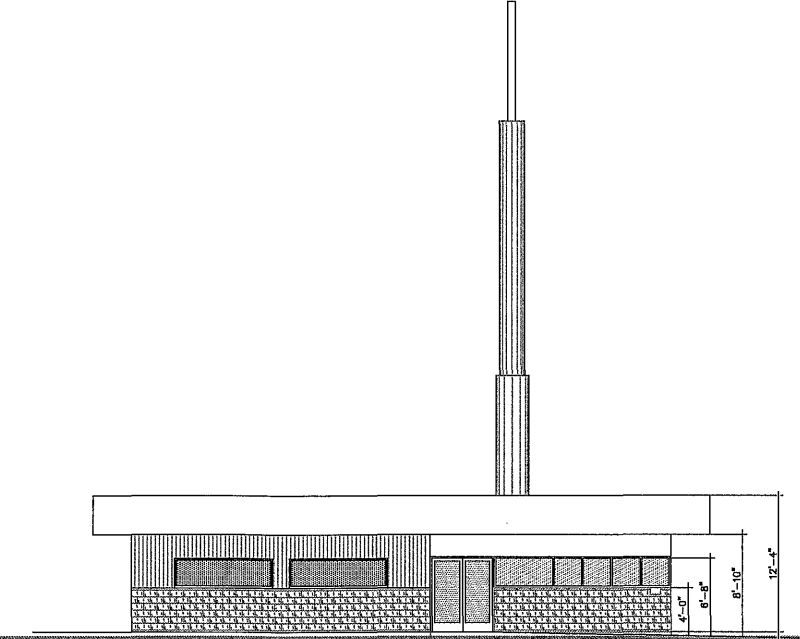
1102 HOLLISTER STREET
SAN DIEGO, CA 92154
CUP FOR ALCOHOLIC BEVERAGE OUTLET

FLOOR PLAN

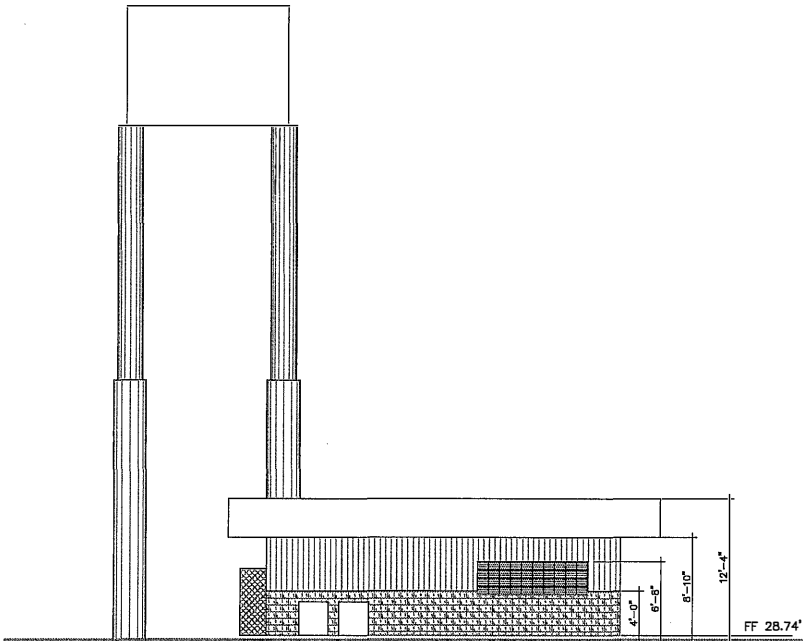
PROJECT NUMBER	635346	SHEET NUMBER
REV. DATE	3/31/2021	3
DATE	9/17/2020	OF
APPROVAL NUMBER	2291031	4



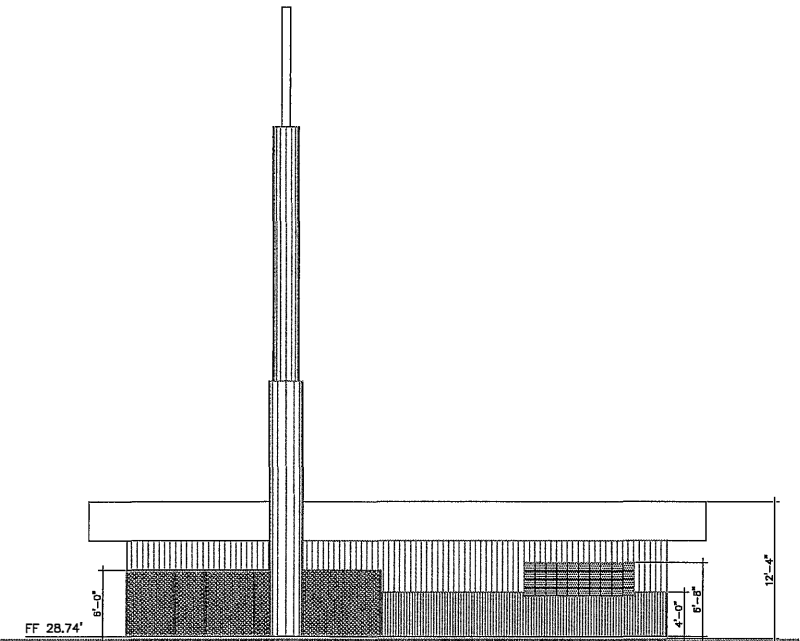
NORTH



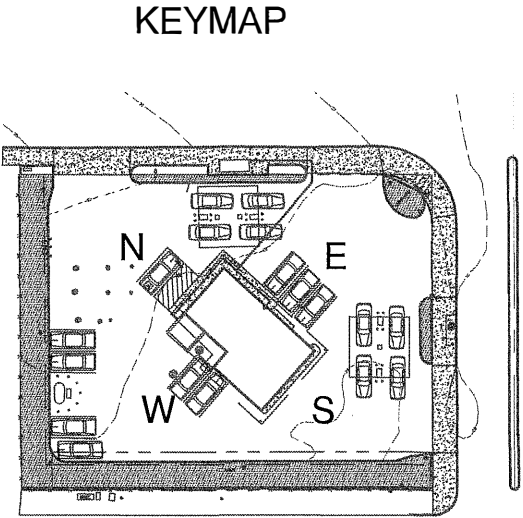
EAST



SOUTH



WEST



NOTES

EXISTING ELEVATIONS ONLY SHOWN FOR REFERENCE. THERE ARE NO PROPOSED IMPROVEMENTS TO THE EXISTING BUILDING EXTERIOR.

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

1	CYCLE 1 COMMENT RESPONSE	3/4/20	SH
No.	REVISIONS	DATE	BY

Kimley»Horn

401 B STREET, SUITE 600, SAN DIEGO, CA 92101
PHONE: 619-234-9411
WWW.KIMLEY-HORN.COM

LICENSED PROFESSIONAL	KHA PROJECT
	DATE 10/6/2020
	SCALE AS SHOWN
	DESIGNED BY: SRH
	DRAWN BY: SRH
	CHECKED BY: SP
DATE:	

NOT FOR
CONSTRUCTION

1102 HOLLISTER STREET
SAN DIEGO, CA 92154
CUP FOR ALCOHOLIC BEVERAGE OUTLET

ELEVATIONS

PROJECT NUMBER 635346
REV. DATE 10/6/2020
DATE 9/17/2020
APPROVAL NUMBER 2291031

SHEET NUMBER
4
OF
4

NOTICE OF EXEMPTION

(Check one or both)

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

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

☐ Office of Planning and Research
 1400 Tenth Street, Room 121
 Sacramento, CA 95814

Project Name/Number: Hollister CUP / 635346

SCH No.: Not Applicable

Project Location-Specific: 1102 Hollister Avenue, San Diego, California 92154

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

Description of nature and purpose of the Project: A request for a CONDITIONAL USE PERMIT to amend the existing Conditional Use Permit to allow the sale of alcoholic beverages at an existing convenience store. No development is proposed with this project. The developed 0.48-acre project site is located at 1102 Hollister Street. The project site is designated Community Commercial and zoned CC-2-3 per the Otay Mesa-Nestor Community Plan. Additionally, the project site is within the Airport Land Use Compatibility Overlay Zone, the Airport Influence Area (Brown Field- Review Area 2), the Federal Aviation Administration (FAA) Part 77 Noticing Area for Naval Outlying Landing Field-Imperial Beach, the Coastal Height Limitation Overlay Zone, the Parking Standards Transit Priority Area, and the Transit Priority Area. (Legal Description: Lot 1 of Gibson's Corner, in the City of San Diego, According to Map thereof No. 5755.)

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Raad Attisha, California Finest Oil, 11906 Campo Road, Spring Valley, 91978, (619) 670-7601

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: 15301 (New Construction)
☐ Statutory Exemptions:
☐ Other:

Reasons why project is exempt: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to CEQA Section 15301 (Existing Facilities) which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environment were identified; the project is not adjacent to a scenic highway; nor is the project identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

Lead Agency Contact Person: M. Dresser**Telephone:** (619) 446-5404**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 CEQA

Senior Planner

Signature/Title

May 24, 2021

Date

Check One:

- ☒ Signed By Lead Agency
☐ Signed by Applicant

Date Received for Filing with County Clerk or OPR: