



THE CITY OF SAN DIEGO

## Report to the Planning Commission

DATE ISSUED: November 29, 2018 REPORT NO. PC-18-077

HEARING DATE: December 6, 2018

SUBJECT: JAMACHA ROAD 7/11 -CUP/NUP/PDP. Process Four Decision

PROJECT NUMBER: [559510](#)

OWNER/APPLICANT: Megdal Jamacha, LLC/7-11, Inc

### SUMMARY

Issue: Should the Planning Commission approve an automobile service station with convenience store located on Jamacha Road, east of Cardiff Street, west of Carlsbad Street, and south of Carlisle Drive, within the Skyline-Paradise Hills Community Plan area?

#### Staff Recommendations:

1. Approve Planned Development Permit (PDP) No. 2209780; and
2. Approve Conditional Use Permit (CUP) No. 1982789; and
3. Approve Neighborhood Development Permit (NDP) No. 1982703.

Community Planning Group Recommendation: On July 11, 2017, the Skyline-Paradise Hills Planning Committee Community voted 10-1-0 to recommend approval of the project with no conditions (Attachment 2).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New construction or Conversion of Small Structures) and Section 15332 (In-Fill Development Projects). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 22, 2018, and the opportunity to appeal that determination ended November 5, 2018.

Fiscal Impact Statement: No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact: None

Housing Impact Statement: The unimproved site is designated Community Commercial within the Skyline and Lomita Neighborhoods of the Skyline-Paradise Hills Community Plan and is subject to development regulations of the CC-2-3 zone. The project proposes to construct an automobile service station with convenience store, and therefore, there are no housing impacts associated with the project.

## BACKGROUND

The 0.57-acre vacant site is located on the south side of Jamacha Road, east of Cardiff Street and west of Carlsbad Street, in the CC-2-3 zone within the Skyline-Paradise Hills community plan (Attachment 1). The community plan designates the site as Community Commercial (Attachment 2). The site is flat with elevations ranging from 435 to 436 feet. Surrounding the site are commercial retail developments to the south, west, and north of the site; to the east are residential developments. The site is not located within the 100-year floodplain or any Special Flood Hazard area. The project site is not located within or adjacent to the Multiple Habitat Planning Area and does not contain Environmentally Sensitive Lands as defined in San Diego Municipal Code (SDMC) [Section 113.0103](#).

## DISCUSSION

### Project Description:

The project proposes the construction of a 3,040 square-foot automobile service station, consisting of eight fuel pumps with canopy, and a convenience store incorporating an alcoholic beverage outlet for the sale of beer and wine. The project would also construct associated improvements to include but not limited to new curb, gutter, sidewalks, and landscaping. Development of the project includes a request for a Planned Development Permit (PDP) to allow a deviation for 24-hour operation of the automobile service station adjacent to residentially zoned property and a church in accordance with San Diego Municipal Code (SDMC) section [126.0602](#), a Conditional Use Permit (CUP) for the sales of beer and wine in accordance with SDMC Section [126.0303](#), and a Neighborhood Use Permit (NUP) for development of an automobile service station in accordance with SDMC Section [126.0203](#).

### Alcohol Sales

This project proposes a Conditional Use Permit for a Type 20 (beer and wine) alcohol license in Census Tract No. 31.07 to allow beer and wine to be sold from the convenience store. A Type 20 license is an "off-sales" license, which prohibits the alcohol sold at the store from being consumed on the premises. The CC-2-3 zone is created to accommodate community-serving commercial services, retail uses, and limited industrial uses of moderate intensity and small to medium scale.

The San Diego Municipal Code (SDMC) defines Type 20 licenses as "alcoholic beverage outlets", which are allowed in the CC-2-3 Zone as a Limited Use subject to the requirements of SDMC [141.0502\(b\)](#). An alcoholic beverage outlet that does not comply with these requirements, including the location criteria per SDMC [141.0502\(b\)\(1\)](#), may still be permitted with a Process Three, CUP pursuant to SDMC [141.0502\(c\)](#), and requires a recommendation from the San Diego Police

Department (SDPD). The proposed alcoholic beverage outlet at this location requires a CUP because the project site does not meet location criteria set forth in SDMC [141.0502\(b\)\(1\)](#), due to the proximity to residential zoning and church, as explained below:

**1. Within a census tract, or within 600 feet of a census tract, where the general crime rate exceeds the citywide average general crime rate by more than 20 percent.**

A Census Tract is considered to have “high crime” if the crime rate exceeds 120 percent of the city-wide average. The subject property is in Census Tract No. 31.07. This Census Tract reported a crime rate of 52.9 percent of the city-wide average based on statistics provided by the SDPD. The project site is located within 600 feet of two other census tracts, Census Tract 31.05 and 141.02. Census Tract 141.02 has a crime rate of 49.4 percent and Census Tract 31.05 has a crime rate of 62.6 percent. Because all three Census Tracts are below 120 percent of the city-average, the project site is not located within a “high crime” Census Tract and a CUP is not required for this reason.

**2. Within a Census Tract, or within 600 feet of a Census Tract, where the ratio of alcoholic beverage outlets exceeds the standards established by the California Business and Professional Code Section 23958.4.**

The subject property is in Census Tract No. 31.07 which permits a total of three off-sale alcoholic beverage outlets based on California Business and Professional Code Section 23958.4. There are currently two existing off-sale alcoholic beverage outlet within Census Tract 35.07. This project would increase the number of licenses to three, but the established standard for this Census Tract still would not be exceeded.

Adjacent census tracts within 600 feet of the site include Census Tracts 31.05 and 141.02. Census Tract 31.05 has two off-sales licenses in an area where the ABC recommends two. Census Tract 141.02 has one off-sales licenses in an area where the ABC recommends two. Because all three Census Tracts do not exceed the ratio of alcoholic beverage outlets allowed in accordance to the California Business and Professional Code Section 23958.4, a CUP is not required for this reason.

**3. Within 600 feet of a public or private accredited school, a public park, playground or recreational area, church, hospital or a San Diego County Welfare District Office.**

Currently existing across Jamacha Road and within 600 feet of the site, is the Lighthouse Baptist Church. Because the project site is located within 600 feet of a public or private accredited school, a public park, playground or recreational area, church, hospital or a San Diego County Welfare District Office, a CUP is required per SDMC [141.0502\(b\)](#).

**4. Within 100 feet of residentially Zoned property.**

Currently next door and within 100 feet of the site are existing residential dwelling units within the RS-1-7 residential zone. Because the project site is located within 100 feet of residentially zoned property, a CUP is required per SDMC [141.0502\(b\)](#).

The proposed alcoholic beverage outlet at this location requires a CUP because the project site does

not meet certain location criteria of SDMC Section [141.0502\(b\)\(1\)](#). With the approval of this application, the sale of alcohol, limited to beer and wine, would be conditioned so that the alcohol sales would not have a negative impact on the surrounding neighborhood.

The project has been reviewed by City staff, for conformance to the applicable development regulations and land use policies. City staff support of the proposed alcoholic beverage outlet at this location is based on the commercial nature of the site and its location within a new commercial building within a neighborhood commercial area. The operation of an alcoholic beverage outlet within the new convenience store to provide the sale of beer and wine for consumption off premises is consistent with the Community Commercial use designated by the Community Plan and permitted by the CC-2-3 Zone. City staff, including the SDPD, have concluded that if the development permit and ABC license are appropriately conditioned, the proposed alcohol sales would not have an adverse impact on the surrounding neighborhood. SDPD has provided conditions for the permit (Attachment 7). City staff is recommending approval of the project as conditioned. The CUP includes conditions that limit the hours of sales, limited advertising, limited beverage volume to be sold, and required to maintain the premises, adjacent public sidewalks, and areas under the control of the owner or operator, free of litter and graffiti at all times.

#### Community Plan Analysis:

The project proposes a CUP for the operation of an Automobile Service Station/Convenience Store, within a 3,040 -square-foot, 7-Eleven convenience store, specifically for a Type 20 license allowing for the sale of beer and wine for off-site consumption, and a deviation to allow the convenience store to remain open for 24-hours a day, 365 days of the year. The Skyline-Paradise Hills Community Plan designates the site for Community Commercial Use. The proposed commercial land use is consistent with the permitted uses allowed in the underlying CU-2-3 Zone and does not conflict with applicable policies in the Skyline-Paradise Hills Community Plan. The sale of alcoholic beverages is not specifically addressed in the Community Plan; however, the proposed project will support the community plan goal " ....to provide a full range of commercial goods and services to the Skyline-Paradise Hills." The sale of alcohol products is defined as a commercial retail use in the Land Development Code and can be permitted with the approval of a CUP. The Skyline-Paradise Hills Community plan recommends the site can be used for commercial development; therefore, the CUP to allow the sale of alcohol and a NUP to allow a service station would not adversely affect the applicable land use plan.

#### Project-Related Issues:

##### 24-hour service

The proposed development is requesting a Planned Development Permit for a deviation to Separately Regulated Use Regulations Section [141.0801\(g\)](#), which limits the operation of automobile service stations and associated signage at locations abutting residentially zoned property to between the hours of 6:00 a.m. and 12:00 midnight. The site is located on a vacant parcel on the southeast corner of the intersection of Jamacha Road and Cardiff Street. Jamacha Road is designated as a two-lane collector road, projected to carry 10,000 Average Daily Trips (ADT). Cardiff Street is designated as a four-lane collector road, with 12,000 ADT. The proposed primary use of the property, a convenience store, is permitted by right within the CC-2-3 zone. The site plan design



for the project would place the convenience store building between the fueling area and the two residential parcels, providing a buffer for any noise and light created by the fueling operations and customers entering the convenience store. The fueling area will not include any pneumatically operated bells or other notification devices, or any amplified sound that would disturb any residences. Additionally, the Jamacha Road 7-Eleven and Gas Station Noise Assessment Study (Helix Environmental Consulting, June 2018) concluded operational noise sources from the project's parking areas and air-compressor would not exceed allowable limits specified by the City's noise ordinance for operational sources at the nearest property lines and no mitigation would be required.

Staff analyzed the requested deviation to determine consistency with the goals and recommendations of the Skyline-Paradise Hills Community Plan, and the purpose and intent of the CC-2-3 zone. The proposed project faces other commercial developments to the north and west of the site including another automobile service station across Cardiff Street. Based on the lighting requirements located in the permit, the noise study, the design of the project facing other commercial services, and that residential dwelling units are located in the rear of the site divided by a wood fence, the proposed deviation will not adversely affect the community plan and is appropriate for the site. The deviation is allowed by a Planned Development Permit for deviations pursuant to Section [126.0602\(b\)\(1\)](#) that are appropriate for this location

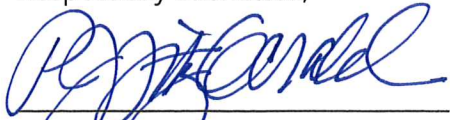
Conclusion:

With the approval of the deviation, the project meets all applicable regulations and policy documents, and staff finds the project consistent with the recommended land use plan, and development standards in effect for this site per the San Diego Municipal Code, the Skyline-Paradise Hills Community Plan and the General Plan. Thus, staff recommends approval of the project.


ALTERNATIVES

1. Approve of Planned Development Permit No. 2209780, Conditional Use Permit No. 1982789, and Neighborhood Development Permit No. 1982703, with modifications.
2. Deny Planned Development Permit No. 2209780, Conditional Use Permit No. 1982789, and Neighborhood Development Permit No. 1982703, with modifications if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



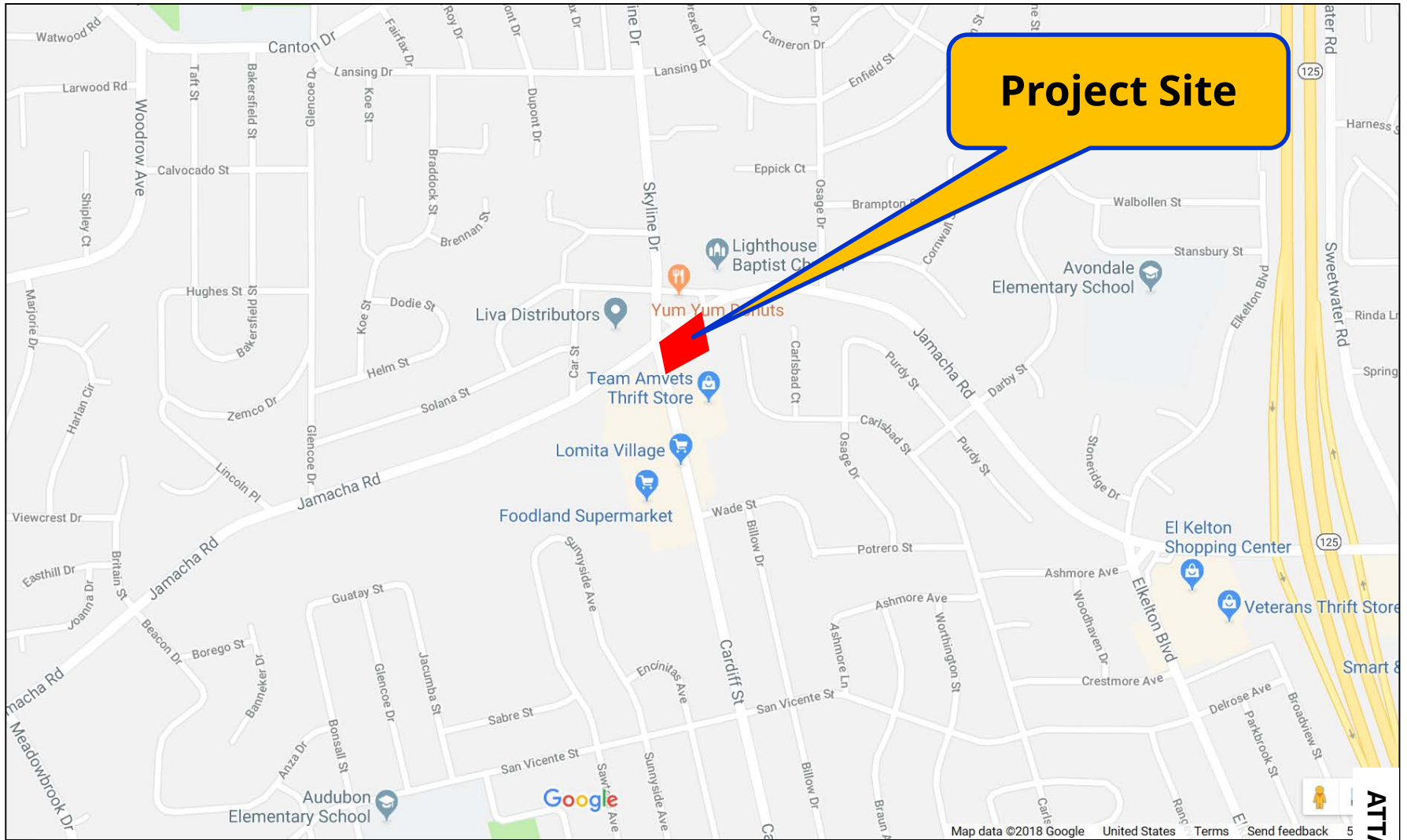
Patricia J. FitzGerald  
Assistant Deputy Director  
Development Services Department



Hugo Castaneda  
Development Project Manager  
Development Services Department

Attachments:

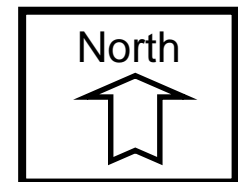
1. Project Location Map
2. Aerial Photograph
3. Zoning Map
4. Community Plan Land Use Map
5. Surrounding Area
6. Data Sheet
7. Draft Permit Resolution with Findings
8. Draft Permit with Conditions
9. Ownership Disclosure Statement
10. SDPC Conditional Use Permit Recommendations
11. Community Plan Recommendation
12. Notice of Exemption
13. Project Plans



## Project Location Map

Jamacha Road 7/11 -CUP/NUP/PDP - Project No. 559510

Located between Cardiff Street and Carlsbad Street, on the south side of Jamacha Road



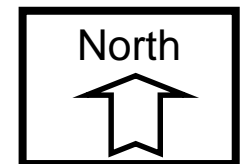


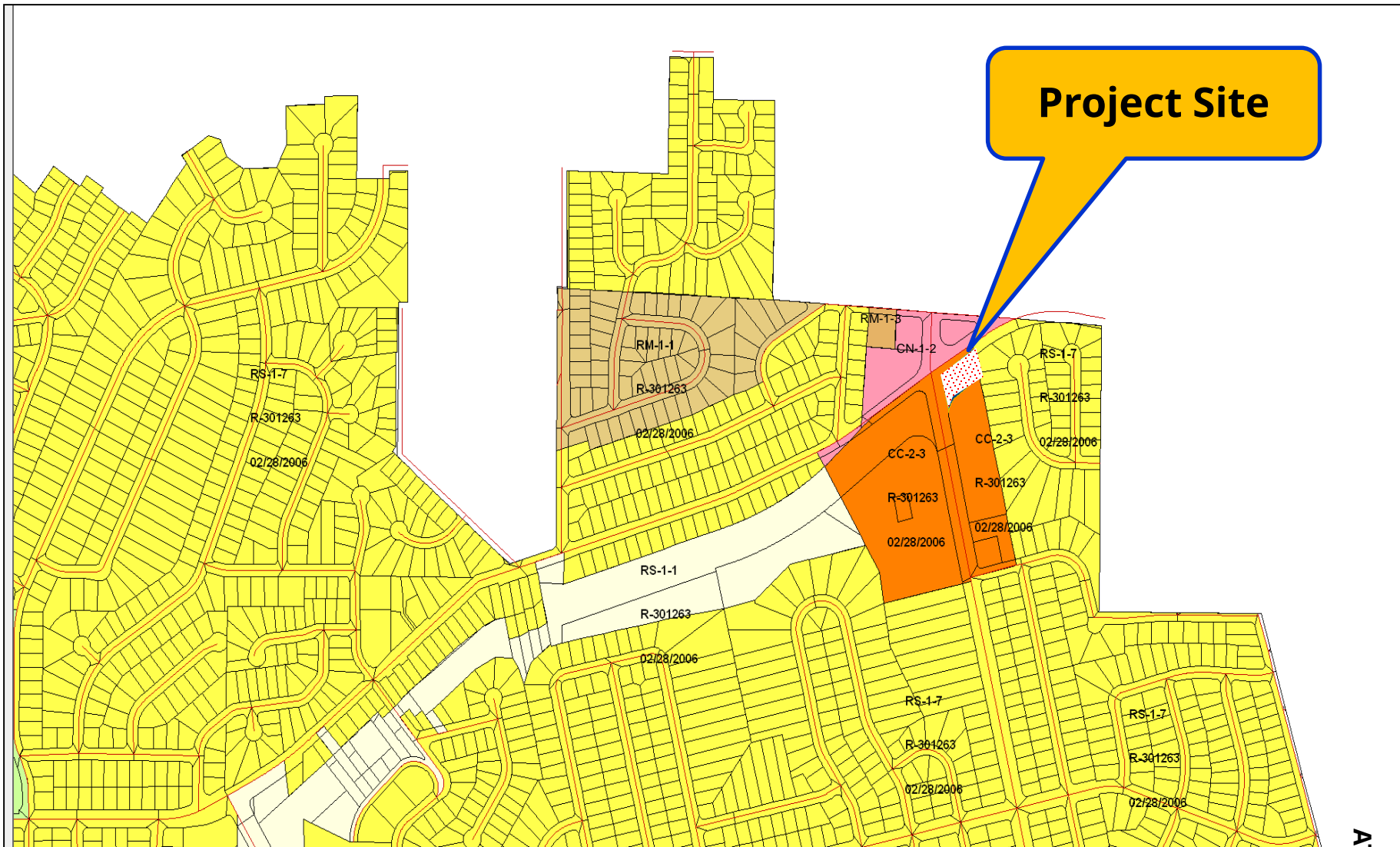


## Aerial Photograph

Jamacha Road 7/11 -CUP/NUP/PDP - Project No. 559510

Located between Cardiff Street and Carlsbad Street, on the south side of Jamacha Road

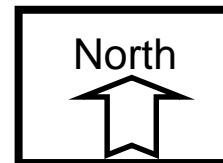




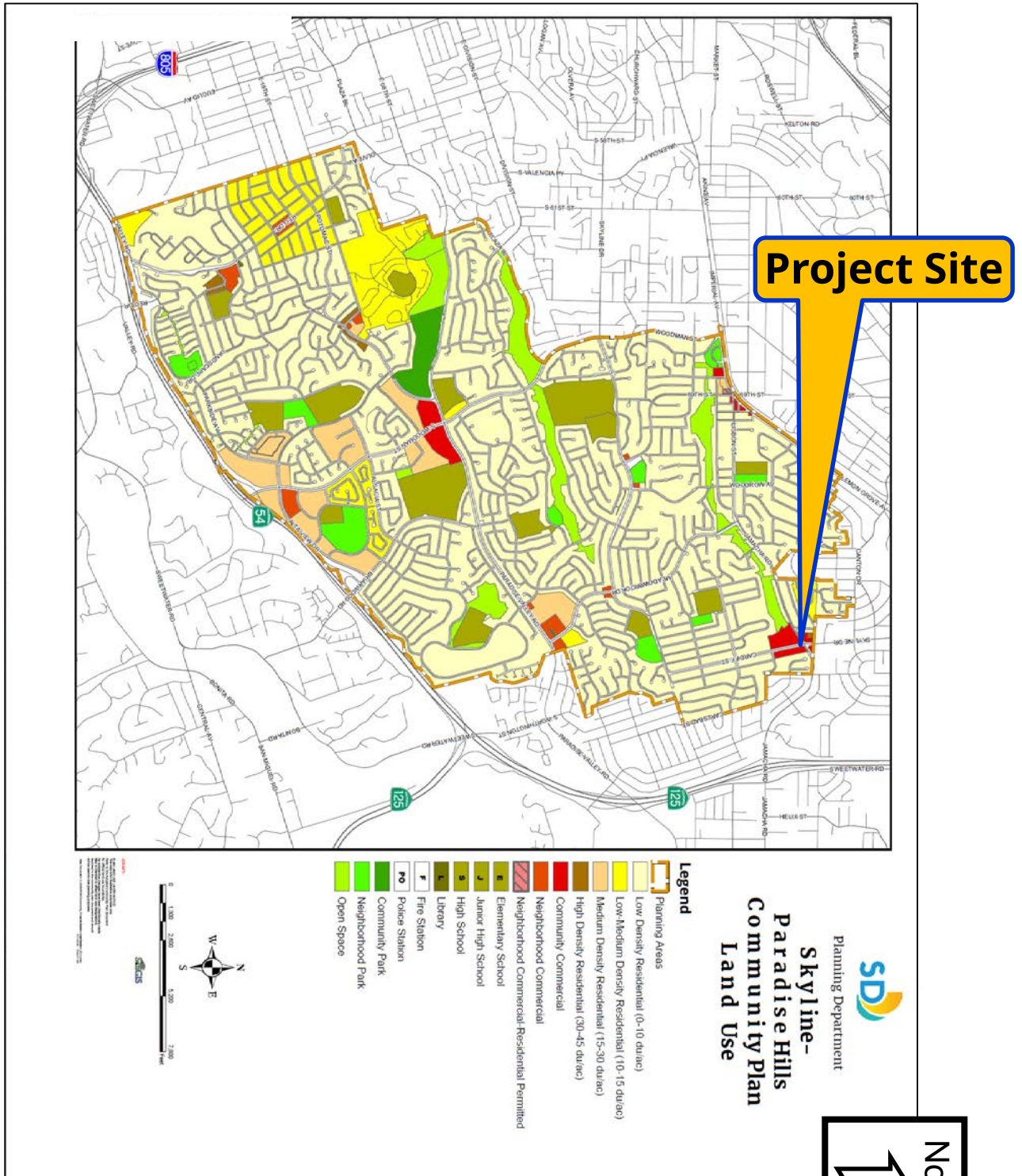
## Zoning Map

Jamacha Road 7/11 -CUP/NUP/PDP - Project No. 559510

Located between Cardiff Street and Carlsbad Street, on the south side of Jamacha Road







## Skyline-Paradise Hills Land Use Plan

Jamacha Road 7/11 -CUP/NUP/PDP - Project No. 550510

Located between Cardiff Street and Carlsbad Street, on the south side of Jamacha Road



## **Project Site (Site view looking north from south property line)**

Jamacha Road 7/11 -CUP/NUP/PDP - Project No. 559510

Located between Cardiff Street and Carlsbad Street, on the south side of Jamacha Road





## **Project Site (Site view looking east from across Cardiff St.)**

Jamacha Road 7/11 -CUP/NUP/PDP - Project No. 559510

Located between Cardiff Street and Carlsbad Street, on the south side of Jamacha Road



## Surround Area (looking west from site (Jamacha Rd. and Cardiff St.))

Jamacha Road 7/11 -CUP/NUP/PDP - Project No. 559510

Located between Cardiff Street and Carlsbad Street, on the south side of Jamacha Road





## **Surrounding Area (View to the south from site)**

Jamacha Road 7/11 -CUP/NUP/PDP - Project No. 559510

Located between Cardiff Street and Carlsbad Street, on the south side of Jamacha Road



## **Surrounding Area (View to the north)**

Jamacha Road 7/11 -CUP/NUP/PDP - Project No. 559510

Located between Cardiff Street and Carlsbad Street, on the south side of Jamacha Road





## **Surrounding Area (housing to the east of site)**

Jamacha Road 7/11 -CUP/NUP/PDP - Project No. 559510

Located between Cardiff Street and Carlsbad Street, on the south side of Jamacha Road

PROJECT DATA SHEET		
<b>PROJECT NAME:</b>	Jamacha Road 7/11 -CUP/NUP/PDP	
<b>PROJECT DESCRIPTION:</b>	The project proposes the construction of a 3,040 square-foot automobile service station consisting of eight fuel pumps with canopy and convenience store to accommodate an alcoholic beverage outlet for the sale of beer and wine.	
<b>COMMUNITY PLAN AREA:</b>	Skyline-Paradise Hills	
<b>DISCRETIONARY ACTIONS:</b>	PDP/CUP/NUP	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Community Commercial	
<p align="center"><b><u>ZONING INFORMATION:</u></b></p> <p align="center"><b>ZONE:</b> CC-2-3</p> <p align="center"><b>HEIGHT LIMIT:</b> 45 feet</p> <p align="center"><b>LOT SIZE:</b> 0.57-acres</p> <p align="center"><b>FLOOR AREA RATIO:</b> 0.75 maximum</p> <p align="center"><b>FRONT SETBACK:</b> None</p> <p align="center"><b>SIDE SETBACK:</b> 10/0</p> <p align="center"><b>STREETSIDE SETBACK:</b> None</p> <p align="center"><b>REAR SETBACK:</b> 10/0 feet</p> <p align="center"><b>PARKING:</b> 13 provided</p>		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Community Commercial; CN-1-2	Retail/Church
<b>SOUTH:</b>	Community Commercial; CC-2-3	Retail
<b>EAST:</b>	Residential; RS-1-7	Residential dwelling units
<b>WEST:</b>	Community Commercial; CC-2-3	Retail
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	To allow 24-hour operations of the service station and convenience store. This does not apply to the sales of beer and wine.	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On July 11, 2017, the Skyline-Paradise Hills Planning Committee Community voted 10-1-0 to recommend approval of the project with no condition	

PLANNING COMMISSION RESOLUTION NO. \_\_\_\_\_  
CONDITIONAL USE PERMIT No. 1982789  
NEIGHBORHOOD USE PERMIT No. 1982703  
PLANNED DEVELOPMENT PERMIT No. 2209780  
**JAMACHA ROAD 7/11 -CUP/NUP/PDP - PROJECT NO. 559510**

WHEREAS, MEGDAL JAMACHA, LLC a California Limited Liability Corporation, Owner and 7-ELEVEN INC., Permittee, filed an application with the City of San Diego for a permit to construct a 3,040 square foot automobile service station, operate an alcoholic beverage outlet conditioned upon the issuance of a license (Type 20 Beer and Wine License for the sale of alcoholic beverages for off-site consumption) from the State Department of Alcoholic Beverage Control (ABC), and a deviation to allow 24-hours of operation (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1982703, 1982789 and 2209780), on portions of a 0.57-acre site; and

WHEREAS, the project site is located at the southeast corner or the intersection of Jamacha Road and Cardiff Street in the CC-2-3 zone of the Skyline-Paradise Hills Community Plan are;

WHEREAS, the project site is legally described as Lot B of Lomita Village Unit No. 5 in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 2998, filed in the Office of the County recorder of San Diego County, June 4, 1954; and

WHEREAS, on October 22, 2018, 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 15303 (New Construction or Conversion of Small Structures) and Section 15332 (In-Fill Development Projects); and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; and



WHEREAS, on December 6, 2018, the PLANNING COMMISSION of the City of San Diego considered Conditional Use Permit No. 1982789, Neighborhood Use Permit No. 1982703 and Planned Development Permit No. 2209780 pursuant to the Land Development Code of the City of San Diego; NOW THEREFORE

BE IT RESOLVED by the PLANNING COMMISSION of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 1982789, Neighborhood Use Permit No. 1982703 and Planned Development Permit No. 2209780:

**A. CONDITIONAL USE PERMIT (CUP) FINDINGS - SECTION 126.0305:**

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

The project proposes the operation of an Automobile Service Station/Convenience Store, within a 3,040 -square-foot structure, including a Type 20 license allowing for the sale of beer and wine for off-site consumption, and a deviation to allow the operation of the automobile service station and associated lighted signage, located on property abutting residentially zoned property, to operate 24-hours a day, 365 days of the year. The Skyline-Paradise Hills Community Plan designates the site for Community Commercial Use, the proposed commercial land use is consistent with the permitted uses allowed in the underlying CU-2-3 Zone and does not conflict with applicable policies in the Skyline-Paradise Hills Community Plan. The sale of alcoholic beverages is not addressed in the Community Plan; however, one goal is, " ...to provide a full range of commercial goods and services to the Skyline-Paradise Hills." The Skyline-Paradise Hills Community Plan does not specifically address alcoholic beverage outlets; however, the sale of alcohol products is defined as a commercial retail use in the Land Development Code and permitted with the approval of a CUP. The Skyline-Paradise Hills Community Plan recommends the site can be used for commercial development; therefore, the CUP to allow the sale of alcohol would not adversely affect the applicable land use plan.

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

The project proposes the operation of an Automobile Service Station/Convenience Store, within a 3,040 -square-foot structure, including a Type 20 license allowing for the sale of beer and wine for off-site consumption, and a deviation to allow the operation of the automobile service station and associated lighted signage, located on property abutting residentially zoned property, to operate 24-hours a day, 365 days of the year.

Separate from the Alcoholic Beverage Control (ABC), the CUP places restrictions on the 7-Eleven convenience store which relate to the sale of alcohol. Approval of this application would condition the sale of alcohol so that the sales would not have a negative impact on the surrounding neighborhood. The project will comply with all the regulations listed in SDMC

[141.0502\(b\)](#) related to alcohol sales, and the CUP contains conditions which limit the hours of alcohol sales, the square footage of area dedicated for alcohol sales, type and placement of advertising, the need to provide adequate lighting, and the prohibition of specific on-site activities with the objective of reducing the likelihood of loitering and other criminal activity on the property. Advertising will be limited and “No Loitering” signs would be required to be prominently displayed on the premises.

The proposed Automobile Service Station/Convenience Store project will be consistent with the recommended commercial land use, therefore there will be no conflict with the current development pattern in the neighborhood. On October 22, 2018, the project was determined to be exempt pursuant to California Environmental Quality Act CEQA Guidelines Sections 15303 (New Construction or Conversion of Small Structures) and 15332 (In-fill Development Projects), and no appeal of the CEQA determination was filed.

Ministerial building permits will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code, seismic requirements and all adopted referenced standards, which also establish standards to safeguard public health, safety, and welfare. A Fire Access Plan for the proposed development has been prepared which demonstrates compliance with fire protection and life safety requirements regarding adequacy of hydrants, hose pull length, and emergency access.

Therefore, with the proposed conditions, including those regulating the sale of alcoholic beverages, the proposed development will not be detrimental to the public's health, safety or welfare.

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

The CU-2-3 Zone is intended to accommodate development with pedestrian orientation and medium-high density residential use. These zones are applied to accommodate existing development patterns or encourage patterns that are deemed to be appropriate for the community. The focus is on pedestrian-oriented establishments where the primary commercial function is geared to a single stop activity. Alcohol sales are an allowed use with a Conditional Use Permit pursuant to San Diego Municipal Code Section 141.0502 and the project complies with the applicable regulations of the Land Development Code including parking, floor area ratio. As allowed through a Planned Development Permit, the proposed development is requesting a deviation to SDMC Section [141.0801\(g\)](#), to allow the operation of the automobile service station and associated signage, located on property abutting residentially zoned property, to operate 24-hours a day, 365 days of the year. The hours of alcohol sales are limited to between 6 am and 12 am. The project, as conditioned, will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

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

The project proposes a CUP for a Type 20 license allowing for the sale of beer and wine for off-site consumption within a 3,040-square-foot Automobile Service Station/Convenience Store, and

a deviation to allow the service station and associated lighted signage to operate for 24-hours a day, 365 days of the year. The project is within a commercial zone surrounded by commercial, retail services, educational institutions and residential uses.

Separate from the Alcoholic Beverage Control (ABC), this CUP places restrictions on the 7-Eleven convenience store which relate to the potential land use impacts from the sale of alcohol. Approval of the CUP as conditioned would not have a negative impact on the surrounding neighborhood. The CUP includes a number of conditions that would limit the hours of sales, regulate the square footage of area for alcohol to be sold, regulate advertising, provide for a well-lighted, clean site and prohibit specific on-site activities with the objective of reducing the likelihood of loitering and other criminal activity on the property. The project will have to comply with all the regulations listed in SDMC and is limited to a maximum of 15 percent of the floor area for alcohol sales.

The CUP as conditioned will not have a negative impact on the surrounding neighborhood, and the proposed use is appropriate at the proposed location.

**B. PLANNED DEVELOPMENT PERMIT (PDP FINDINGS) SECTION 126.0605:**

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

The project proposes the operation of an Automobile Service Station/Convenience Store, within a 3,040 -square-foot, 7-Eleven convenience store, specifically for a Type 20 license allowing for the sale of beer and wine for off-site consumption, and a deviation to allow the store to remain open for 24-hours a day, 365 days of the year. As explained in detail in Finding A(1) above, the proposed commercial development will not adversely affect the Skyline-Paradise Hills Community Plan which designates the site for Community Commercial Use.

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

The project proposes the operation of an Automobile Service Station/Convenience Store, within a 3,040 -square-foot, 7-Eleven convenience store, specifically for a Type 20 license allowing for the sale of beer and wine for off-site consumption, and a deviation to allow the store to remain open for 24-hours a day, 365 days of the year. As explained in detail in Finding A(2) above, the proposed development as designed and conditioned in the Permit, including conditions regulating the sale of alcoholic beverages, will not be detrimental to the public's health, safety or welfare.

**3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.**

The project proposes the operation of an Automobile Service Station/Convenience Store, within a 3,040 -square-foot structure, including a Type 20 license allowing for the sale of beer and wine for off-site consumption, and a deviation to allow the operation of the automobile service station and associated lighted signage, located on property abutting residentially zoned property, to operate 24-hours a day, 365 days of the year. Alcohol sales are an allowed use with a CUP pursuant to SDMC Section 141.0502 and the project complies with the applicable regulations of the Land Development Code including parking, floor area ratio. As allowed through a Planned Development Permit, the proposed development is requesting a deviation to SDMC Section [141.0801\(g\)](#), to allow the operation of the automobile service station and associated signage, located on property abutting residentially zoned property, to operate 24-hours a day, 365 days of the year. The hours of alcohol sales are limited to between 6 am and 12 am. The project, as conditioned, will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The site is located on a vacant parcel in the Skyline-Paradise Hills Community Plan, on the southeast corner of the intersection of Jamacha Road and Cardiff Street, in the CC-2-3 Zone. The project site is surrounded by commercial use on three of four sides with similar uses along Cardiff Street and residential use to the east of the project site. The proposed primary use of the property is a convenience store and is permitted by right. The proposed project is requesting a deviation to operate 24-hours, which will be beneficial to the neighborhood and will meet the primary commercial goal of the Skyline-Paradise Hills Community Plan as the proposed project will offer 24-hour availability of automobile fueling services and a convenience store with a variety of goods to meet the needs of the existing and future residents.

The proposed project complies with all the applicable development regulations of the CC-2-3 Zone, except for the one proposed deviation, which is allowed through the Planned Development Permit (PDP) process. The 24-hour operation of the fueling station meets the purpose and intent of the regulations because the proposed site is located within a commercial center and will therefore provide a variety of goods and services to the surrounding neighborhood. Also, project is surrounded by two Collector streets, Jamacha Road is designated as a 2-Lane Collector road, projected to carry 10,000 ADT and Cardiff Street is designated as a 4-Lane Collector road, with 12,000 ADT. The 24-hour operation of the fueling station will be beneficial as Jamacha Road and Cardiff Street function as a feeder of traffic to major street systems. Therefore the proposed deviation is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulation of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

**C. NEIGHBORHOOD USE PERMIT (NUP FINDINGS) SECTION 126.0205:**

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

The project proposes the operation of an Automobile Service Station/Convenience Store, within a 3,040 -square-foot, 7-Eleven convenience store, specifically for a Type 20 license allowing for the sale of beer and wine for off-site consumption, and a deviation to allow the store to remain open for 24-hours a day, 365 days of the year. As explained in detail in Finding A(1) above, the

proposed commercial development will not adversely affect the Skyline-Paradise Hills Community Plan which designates the site for Community Commercial Use.

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

The project proposes the operation of an Automobile Service Station/Convenience Store, within a 3,040 -square-foot, 7-Eleven convenience store, specifically for a Type 20 license allowing for the sale of beer and wine for off-site consumption, and a deviation to allow the store to remain open for 24-hours a day, 365 days of the year. As explained in detail in Finding A(2) above, the proposed development as designed and conditioned in the Permit, including conditions regulating the sale of alcoholic beverages, will not be detrimental to the public's health, safety or welfare.

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

As explained in detail in Finding A(3) above, the proposed commercial 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 PLANNING COMMISSION, Conditional Use Permit No. 1982789, Neighborhood Use Permit No. 1982703 and Planned Development Permit No. 2209780 is hereby GRANTED by the PLANNING COMMISSION to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1982789, 1982703 and 2209780, a copy of which is attached hereto and made a part hereof.

---

Hugo Castaneda  
Development Project Manager  
Development Services

Adopted on: December 6, 2018

IO#: 24007364

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

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

INTERNAL ORDER NUMBER: 24007364

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT No. 1982789  
NEIGHBORHOOD USE PERMIT No. 1982703  
PLANNED DEVELOPMENT PERMIT No. 2209780  
**JAMACHA ROAD 7/11 -CUP/NUP/PDP PROJECT NO. 559510**  
PLANNING COMMISSION

This Conditional Use Permit No. 1982789, Neighborhood Use Permit No. 1982703 and Planned Development Permit No. 2209780 is granted by the Planning Commission of the City of San Diego to Megdal Jamacha, LLC, a California Limited Liability Corporation, Owner, and 7-Eleven, Inc., Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0305, 126.0605 and 126.0205. The 0.57-acre site is located at the southeast corner of the intersection of Jamacha Road and Cardiff Street in the CC-2-3 zone(s) of the Skyline-Paradise Hills Community Plan area. The project site is legally described as: Lot B of Lomita Village Unit No. 5 in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 2998, filed in the Office of the County recorder of San Diego County, June 4, 1954.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to construct an automobile service station/convenience store facility 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 December 6, 2018, on file in the Development Services Department.

The project shall include:

- a. The construction and operation of a 3,040-square-foot Automobile Service Station/Convenience Store, including a Type 20 license allowing for the sale of beer and wine for off-site consumption;
- b. Deviation to SDMC Section [141.0801\(g\)](#), to allow the Automobile Service Station and associated lighted signage to operate for 24-hours a day, 365 days of the year;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking; and

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

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by December 21, 2021.
2. The Conditional Use Permit [CUP] and corresponding alcohol sales use of this site shall expire on December 21, 2028. 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 No. 1982789 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" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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. The project proposes to export 800 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

15. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

16. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

17. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the sidewalk underdrain/curb outlet in the Cardiff Street Right-of-Way.

18. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the sidewalk underdrain/curb outlet in the Jamacha Road Right-of-Way.

19. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 30-foot driveway per current City Standards, adjacent to the site on Cardiff Street.

20. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 30-foot driveway per current City Standards, adjacent to the site on Jamacha Road.

21. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of the sidewalk with current City Standard sidewalk, adjacent to the site on Cardiff Street and Jamacha Road per Exhibit "A", satisfactory to the City Engineer.

22. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the two existing curb ramps, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with Detectable/Tactile Warning Tile, adjacent to the site on Cardiff Street and Jamacha Road, per Exhibit "A", satisfactory to the City Engineer.
23. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of curb and gutter per current City Standards, adjacent to the site on Cardiff Street and Jamacha Road per Exhibit "A", satisfactory to the City Engineer.
24. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
25. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
26. Prior to the issuance of any construction permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
27. 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.

**LANDSCAPE REQUIREMENTS:**

28. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
29. Prior to issuance of any building permit (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)(5).

30. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

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

**PLANNING/DESIGN REQUIREMENTS:**

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

33. 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.

34. When the service station is abandoned or the use changed, the property owner shall remove the underground tanks in accordance with the procedures of the City of San Diego Fire Department and the County of San Diego Health Services Department.

35. The sale of alcoholic beverages shall be accessory and limited to a maximum of 15 percent of the floor area of the market as shown on Exhibit "A".

36. 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 with an alcoholic beverage outlet.

37. 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 or operator.

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



39. The sign area pertaining to or referencing alcoholic sales or beverages shall not exceed 630 square inches.
40. A maximum of 33 percent of the square footage of the windows and doors of the premises may bear advertising or signs of any sort, and all advertising and signs shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the outlet.
41. The owner or operator of the alcoholic beverage outlet shall post a prominent, permanent sign or signs stating, "No loitering, consumption of alcoholic beverages, or open alcoholic beverage containers are allowed inside the premises, in the parking area, or on the public sidewalks adjacent to the premises."
42. The owner or operator shall list a business address and telephone number in the Pacific Bell/San Diego telephone directory or other similarly distributed directory.
43. The owner or operator shall provide trash receptacles, conveniently located for use by patrons, inside and outside the alcoholic beverage outlet, including adjacent public sidewalks and areas under the control of the owner or operator. At least one 13-gallon trash receptacle shall be located inside the premises. At least one 32-gallon trash receptacle shall be located outside the alcoholic beverage outlet, and at least one additional 32-gallon trash receptacle shall be located in the parking areas under the control of the owner or operator.
44. The owner or operator shall maintain the premises, adjacent public sidewalks, and areas under the control of the owner or operator, free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter, and debris. The owner or operator shall eliminate graffiti within 48 hours of application.
45. The owner or operator shall post a copy of the Conditional Use Permit conditions in the licensed premises in a place where they may be readily viewed by any member of the general public or any member of a government agency.
46. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
47. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

**TRANSPORTATION REQUIREMENTS:**

48. All 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.

49. Prior to the issuance of the first construction permit, the Owner/Permittee shall assure by permit and bond construction of all required signal modifications at the intersection of Cardiff Street and Jamacha Road, to the satisfaction of the City Engineer. Owner/Permittee shall also restripe the intersection based on the required signal modifications. These improvements shall be completed and accepted by the City Engineer prior to first occupancy.

**GEOLOGY REQUIRMENTS**

50. Prior to the issuance of any construction permits (either grading or building), the Owner/Permittee shall submit a geotechnical investigation report or update letter prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

51. Prior to the issuance of any construction permit, the subdivider shall assure, by permit and bond the design and construction of an 8" public sewer main within Jamacha Road right-of-way as shown on the approved Exhibit "A", in a manner satisfactory to the Public Utilities Director and the City Engineer.

52. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the public right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

53. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the public right-of-way.

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

55. All proposed public water and sewer facilities, must be designed and constructed in accordance with established criteria in the most current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

56. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

**POLICE DEPARTMENT REQUIREMENTS:**

57. The sales of alcoholic beverage shall be permitted between the hours of 6:00 a.m. and 12:00 a.m.

58. Exterior advertising of alcoholic beverages, or interior advertising of alcoholic beverages that is visible from the exterior of the premises shall be prohibited.

**POLICE DEPARTMENT RECOMMENDATIONS FOR ABC LICENSE:**

- Wine shall not be sold in containers of less than 750 milliliters.
- The sales of beer or malt beverages in quantities of quarts, 40 oz., or similar sized containers is prohibited.
- Wine shall not be sold with an alcoholic content greater than 15 percent by volume except for "Dinner Wines".
- The petitioner(s) shall post and maintain a professional quality sign facing on the front of the premises that reads as follows: NO LOITERING, NO LITTERING, NO DRINKING OF ALCOHOLIC BEVERAGES. VIOLATORS ARE SUBJECT TO ARREST. The sign should be at least two square feet with two inch block lettering. The sign shall be in English and Spanish

**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 Planning Commission of the City of San Diego on December 6, 2018, and  
[Approved Resolution Number].

## ATTACHMENT 5

Conditional Use Permit, Approval No.: 1982789  
Neighborhood Use Permit, Approval No.: 1982703  
Planned Development Permit, Approval No.: 2209780  
Date of Approval: December 6, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

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Hugo Castaneda  
Development Project Manager

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

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**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.

**Megdal Jamacha, LLC, a California Limited  
Liability Corporation**  
Owner

By \_\_\_\_\_  
NAME  
TITLE

**7-Eleven, Inc.**  
Permittee

By \_\_\_\_\_  
NAME  
TITLE

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





## Ownership Disclosure Statement

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

Project Title

Project No. For City Use Only

7-Eleven Jamacha-Cardiff CUP

Project Address:

S/E corner of Jamacha Rd. and Cardiff St San Diego CA 92114

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

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:


Project Title:	Project No. (For City Use Only)
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**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

☒ Corporation   
 ☒ Limited Liability -or-   
 ☐ General)   
 What State? CA   
 Corporate Identification No. \_\_\_\_\_  
☐ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached**    ☐ Yes    ☒ No

Corporate/Partnership Name (type or print): <u>Megdal Jamacha LLC</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <u>252 S. Beverly Dr. Suite C</u> City/State/Zip: <u>Beverly Hills, CA 92012</u> Phone No: <u>310-277-0456</u> Fax No: _____ Name of Corporate Officer/Partner (type or print): <u>Blake Megdal</u> Title (type or print): <u>Managing Member</u> Signature:  Date: <u>6/9/2017</u>	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant/Lessee Street Address: <u>7-Eleven, Inc</u> City/State/Zip: <u>330 E. Lambert St., Brea CA 92821</u> Phone No: <u>858-760-6529</u> Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature: _____    Date: _____
Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____    Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature: _____    Date: _____	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____    Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature: _____    Date: _____
Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____    Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature: _____    Date: _____	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____    Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature: _____    Date: _____



**SAN DIEGO POLICE DEPARTMENT**  
**CONDITIONAL USE PERMIT RECOMMENDATION**

PREMISE ADDRESS: Jamacha and Cardiff, San Diego

TYPE OF BUSINESS: 7-11 Store (Type-20 Off Sales Beer and Wine License)

FEDERAL CENSUS TRACT: 31.07

NUMBER OF ALCOHOL LICENSES ALLOWED: 3

NUMBER OF ALCOHOL LICENSES EXISTING: 2

CRIME RATE IN THIS CENSUS TRACT: 52.9%  
(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: The crime rate for census tract 31.07 is 52.9% in 2016. A crime rate above 120% is considered high. The alcohol related crime rate is 18.1%. The concentration level for off-sale licenses is two (2) in a census tract that allows three (3). This shows the area is not over concentrated with off-sale licenses. There are apartments/single family home in the surrounding area in addition to several churches.

The addition of this off-sale license will bring the census tract to maximum concentration level. It is noted the area is considered low crime as indicated by the 2016 statistics. It is the highest priority of the San Diego Police Department to maintain and reduce this low crime rate for the community and surrounding areas. Therefore, the San Diego Police Department recommends the following restrictive conditions for this off-sale license in an effort to maintain the peaceful living of community members.

SUGGESTED CONDITIONS:

1. Sales and service of alcoholic beverages shall be permitted only between the hours of 6:00 AM and 12:00 AM each day of the week.
2. Wine shall not be sold in bottles or containers smaller than 750 ml.
3. The sales of beer or malt beverages in quantities of quarts, 40 oz., or similar size containers are prohibited.

4. No wine shall be sold with an alcohol content of greater than 15% by volume except for "Dinner Wines".
5. The petitioner(s) shall post and maintain a professional quality sign facing on the front of the premises that reads as the follows: NO LOITERING, NO LITTERING, NO DRINKING OF ALCOHOLIC BEVERAGES. VIOLATORS ARE SUBJECT TO ARREST. The sign shall be at least two feet square with two inch block lettering. The sign shall be in English and Spanish.
6. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 48 hours of being applied.
7. There shall be no amusement machines or video game devices on the premises at any time.

**SAN DIEGO POLICE DEPARTMENT RECOMMENDATION:**

APPROVE X

DENY \_\_\_\_\_

Linda Griffin

Name of SDPD Vice Sergeant (Print)

531 2563

Telephone Number

[Signature]

Signature of SDPD Vice Sergeant

082517

Date of Review

**SAN DIEGO POLICE DEPARTMENT  
CONDITIONAL USE PERMIT RECOMMENDATION**

PREMISE ADDRESS: Jamacha and Cardiff, San Diego

TYPE OF BUSINESS: 7-11 Store (Type-20 Off Sales Beer and Wine License)

FEDERAL CENSUS TRACT: 31.07

NUMBER OF ALCOHOL LICENSES ALLOWED: 3

NUMBER OF ALCOHOL LICENSES EXISTING: 2

CRIME RATE IN THIS CENSUS TRACT: 52.9%  
(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: The crime rate for census tract 31.07 is 52.9% in 2016. A crime rate above 120% is considered high. The alcohol related crime rate is 18.1%. The concentration level for off-sale licenses is two (2) in a census tract that allows three (3). This shows the area is not over concentrated with off-sale licenses. There are apartments/single family home in the surrounding area in addition to several churches.

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7. There shall be no amusement machines or video game devices on the premises at any time.

SAN DIEGO POLICE DEPARTMENT RECOMMENDATION:

APPROVE X

DENY \_\_\_\_\_

Linda Griffin  
Name of SDPD Vice Sergeant (Print)

531 2563  
Telephone Number

L. Griffin  
Signature of SDPD Vice Sergeant

082517  
Date of Review



Minutes of July 11, 2017

**Attendees**

Wayne English  
Tim Robinson  
John Mooney  
Guy Preuss  
Elizabeth Madrid  
Adrian Chestang

William Glover  
Frank Von Roenn  
Harry Bennett  
Eric Henson  
Senta Delgado  
Muriel King

**Absent**

Cathy Ramsey  
Cynthia Suero-Gabler  
Logan Beltz

7:00 p.m. Call to order & Pledge of Allegiance, introductions. W. Glover reviewed voting procedures.

7:02 Announcements & Non-agenda Public Comment

7:05 Motion to accept agenda - W. Glover, 2nd – G. Preuss; approved, 11-0.

7:06 Motion to approve June, 2017 minutes - G. Preuss, 2<sup>nd</sup> – H. Bennett; approved 9-0.

7:07 Treasurer's Report: \$253.01 on account.

7:08 p.m. Reports

1. SDCP Officer Akaan Thomas presented recent crime statistics and discussed community policing. Deputy City Attorney Caroline Song discussed city efforts to assist homeless residents.
2. Louis Natividad provided a report from the Council Member's office.
3. Denise Greene provided an update from Assembly Member Ashley Weber's office.
4. Community Planners Committee report.

7:35 p.m. Action items

1. PTS 559510 CUP/NUP for 7-11 at Jamacha Rd and Cardiff St. Motion to recommend approval of the project by G. Preuss, 2nd - W. English; motion carries 10-1 with E.

**Madrid opposed.**

8:55 p.m. Meeting adjourned.

Minutes submitted by John Mooney.

## 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

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

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

**Project Name/Number:** Jamacha Road 7/11 PDP/CUP/NUP/ 559510

**SCH No.:** N.A.

**Project Location-Specific:** Southeast corner of the intersection of Jamacha Road and Cardiff Street, San Diego, CA 92114

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

**Description of nature and purpose of the Project:** PLANNED DEVELOPMENT PERMIT (PDP), CONDITIONAL USE PERMIT (CUP) and NEIGHBORHOOD USE PERMIT (NUP) to construct a 3,040 square-foot automobile service station consisting of 8 fuel pumps with canopy and a convenience store to accommodate an alcoholic beverage outlet for the sale of beer and wine. The project would also construct associated improvements (i.e. curb, gutter, sidewalks, and landscaping). A deviation from applicable development regulations to allow 24-hour operational hours limitation/prohibition is also being requested. The 0.57-acre site is within the CC-2-3 zone of the Skyline-Paradise Hills Community Plan. The site is designated community commercial use in the Skyline-Paradise Hills Community Plan. Additionally, the site is within the Transit Priority Area, and the Brush Management and Very High Fire Hazard Severity Zone. (Legal Description: Lot B of Lomita Village Unit #5, Map #2998, APN 577-370-20.)

**Name of Public Agency Approving Project:** City of San Diego

**Name of Person or Agency Carrying Out Project:** Terry Montello, Permits in Motion (Firm), 4715 60<sup>th</sup> Street, San Diego, California, 92115, (619) 994-5557

**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: Categorically exempt from CEQA pursuant to CEQA State Guidelines, 15303 (New Construction or Conversion of Small Structures) and Section 15332 (In-Fill Development Projects)

**Reasons why project is exempt:** The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15303 (c) which consists of construction and location of limited numbers of new, small facilities, or structures, including a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square-feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. The project also meets the criteria set forth in CEQA Section 15332. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations. The proposed development occurs within city limits on a project site of no more than 5 acres and is substantially

surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. The project would not result in any significant effects related to air quality, noise, traffic or water quality. The site can be adequately serviced by all required utilities and public services. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

Lead Agency Contact Person: Rhonda Benally

Telephone: (619) 446-5468

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

  
\_\_\_\_\_  
Signature/Title

Senior Planner

\_\_\_\_\_  
November 6, 2018

Date

Check One:

(X) Signed By Lead Agency

( ) Signed by Applicant

Date Received for Filing with County Clerk or OPR:





PROJECT DATA  
CITY OF SAN DIEGO PTS # 559510

BUILDING ADDRESS: SOUTH-EAST CORNER OF THE INTERSECTION OF JAMACHA ROAD AND CARDIFF STREET SAN DIEGO, CA. 92114

A.P.N.: 577-370-20

LEGAL DESCRIPTION: LOT B OF LOMITA VILLAGE UNIT #5, MAP #2998

SITE AREA: 24,645 S.F. (0.566 AC.)

ZONE: CC-2-3

OVERLAY ZONES: FIRE BRUSH MANAGEMENT VERY HIGH FIRE SEVERITY ZONES TPA, TRANSIT PRIORITY AREA ZONE

COMMUNITY PLAN: SKYLINE-PARADISE HILLS COMMUNITY PLAN

EXISTING USE: VACANT PARCEL

PROPOSED USE: AUTOMOBILE SERVICE STATION WITH CONVENIENCE STORE

BUILDING AREA: 3,040 S.F.

LANDSCAPE AREA: 4,330 S.F.

CONSTRUCTION TYPE: V - B / NO FIRE SPRINKLERS

OCCUPANCY: B / M

STORIES: ONE STORY BUILDING

PARKING:

AUTOMOBILE SERVICE STATION (WITHOUT MAINTENANCE) 2 PER STATION	2 SPACES
RETAIL SALES (3.0 PER 1,000 SF)	9 SPACES
TOTAL REQUIRED:	11 SPACES
TOTAL PROVIDED:	10 STANDARD SPACES 2 FUEL EFFICIENT / CARPOOL SPACES 1 ACCESSIBLE SPACE 13 PARKING SPACES
BICYCLE MOTORCYCLE	5 SPACES 2 SPACES

SETBACKS

	REQUIRED	PROVIDED
FRONT	0'-0"	136'-1"
STREET SIDE	0'-0"	18'-3"
SIDE	10'-0"	10'-0"
REAR	15'-0"	15'-0"
STRUCTURE HEIGHT	45' MAX.	21'-0"
COVERAGE	NA	
FLOOR AREA RATIO	.75	.12

REQUIRED DISCRETIONARY PERMITS / APPROVALS

- A CONDITIONAL USE PERMIT FOR AN ALCOHOLIC BEVERAGE OUTLET IN ACCORDANCE WITH SDMC 141.0502 FOR THE SALE OF BEER AND WINE  
\*\*REQUESTING 30 YEAR CUP EXPIRATION FROM DATE ISSUED\*\*
- A NEIGHBORHOOD USE PERMIT FOR AN AUTOMOBILE SERVICE STATION IN ACCORDANCE WITH SDMC 141.0801 FOR AND 8-PUMP GASOLINE STATION
- A PLANNED DEVELOPMENT PERMIT FOR 24-HOUR OPERATIONAL HOURS IN ACCORDANCE WITH SDMC 126.0602(b)(1)

PROJECT NARRATIVE

- EXISTING VACANT LOT
- CONSTRUCTION OF OFF-SITE IMPROVEMENTS SUCH AS CURB AND GUTTER, SIDEWALK AND CURB CUTS.
- CONSTRUCTION OF ON-SITE IMPROVEMENTS AND LANDSCAPING
- CONSTRUCTION OF 3,040 SQ.FT. ONE-STORY 7-ELEVEN CONVENIENCE STORE WITH ALCOHOL SALES, GAS PUMP CANOPY AND TRASH ENCLOSURE

CONSULTANT DIRECTORY

DEVELOPER: MEGDAL JAMACHA, LLC  
252 S. BEVERLY DR., SUITE 'C'  
BEVERLY HILLS, CA 90212  
PHONE: (310) 277-0456  
CONTACT: Mr. Blake Megdal  
Email: bmegdal@elliottmegdal.com

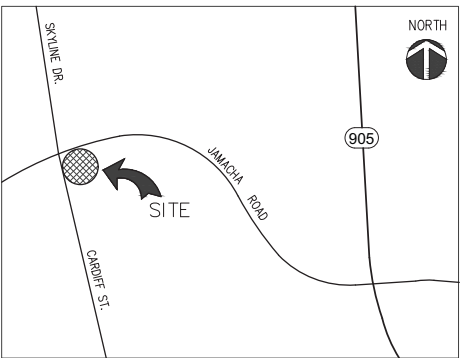
ARCHITECT: ZAAP, INC.  
2900 FOURTH AVENUE #204  
SAN DIEGO, CA 92103  
(619) 233-6450 (T)  
(619) 233-6449 (F)  
CONTACT: LUIS DELGADO

CIVIL: OMEGA ENGINEERING CONSULTANTS, INC.  
4340 VIEWRIDGE AVENUE, SUITE B  
SAN DIEGO, CALIFORNIA 92123  
PHONE: (858) 634-2085  
CONTACT: ANDREW J. KANN, P.E.  
EMAIL: andrew@omega-consultants.com

LANDSCAPE: TESHIMA DESIGN GROUP  
9903 BUSINESSPARK AVE., SUITE 100  
SAN DIEGO, CALIFORNIA 92131  
PHONE: (858) 693-8824  
CONTACT: Mark Stempniak

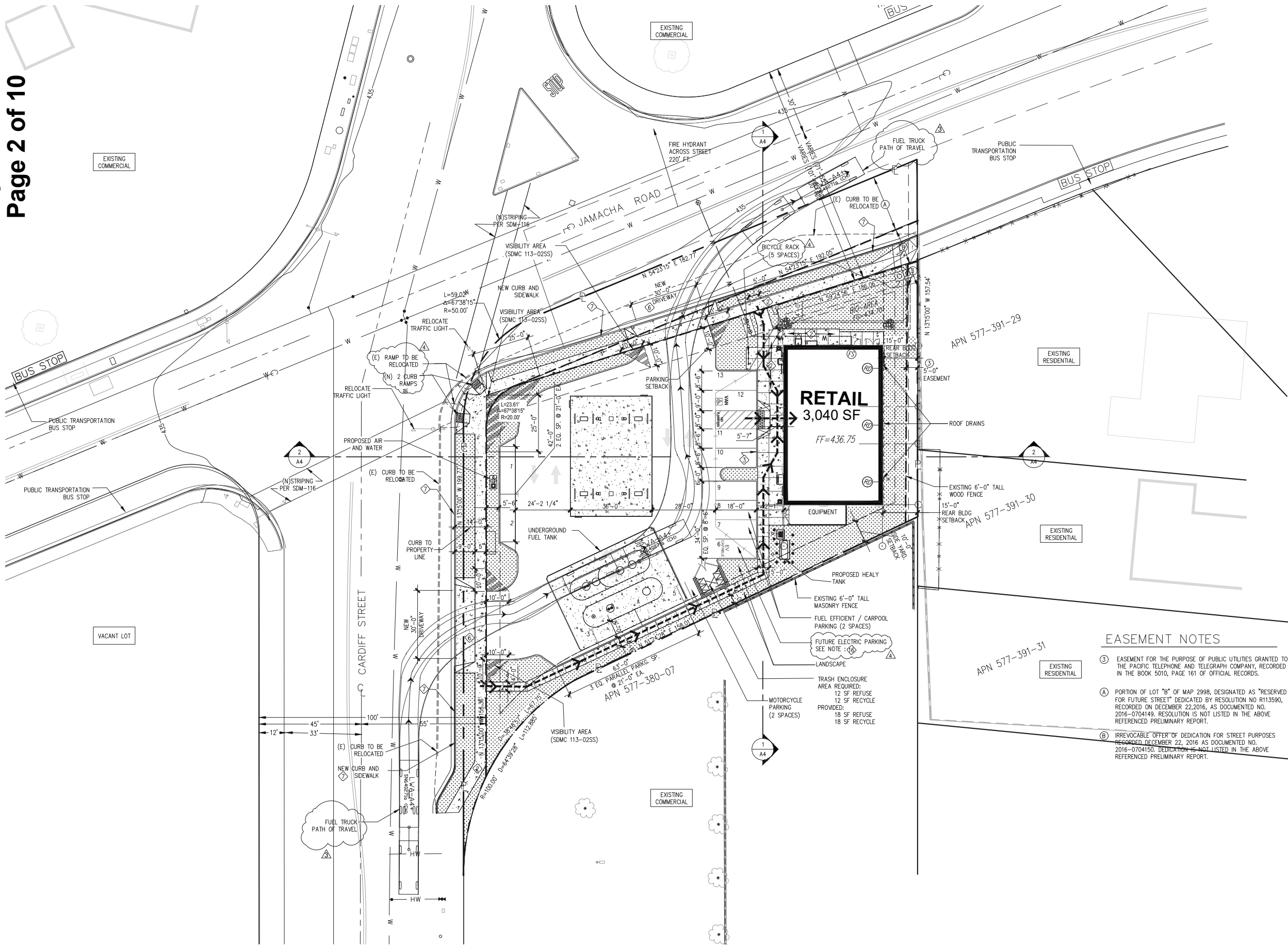
PERSPECTIVE

VICINITY MAP

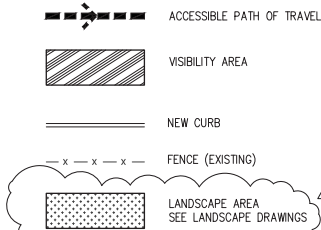


SHEET INDEX

TS	TITLE SHEET / PROJECT INFORMATION
A1	PROPOSED SITE PLAN
A.2	FLOOR PLANS / ROOF PLAN
A.3	EXTERIOR ELEVATIONS
A4	SITE SECTIONS
C.1	GRADING CONCEPT PLAN
C.2	CONSTRAINTS MAP
C.3	DRAINAGE MANAGEMENT AREA PLAN
L.1	LANDSCAPE CONCEPT PLAN
L.2	LEGEND NOTES AND CALCULATIONS



LEGEND



NOTES

- 1 PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY, P-00-6 (UFC 901.4.4)
- 2 EACH COMMERCE TENANT SHALL BE ACCESSABLE FROM ABUTTING PUBLIC STREET BY A PEDESTRIAN PATH THAT IS AT LEAST 4' WIDE.
- 3 PEDESTRIAN PATHS SHALL BE SEPARATED FROM VEHICULAR ACCESS AREAS BY WHEEL STOPS, CURBS, LANDSCAPING, OR OTHER PHYSICAL BARRIERS. EXCEPT WHEN CROSSING DRIVEWAYS OR AISLES. SEE CIVIL DRAWING FOR RAISED CURB INFO. 6' CURB PROPOSED
- 4 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 .
- 5 NOT USED
- 6 DRIVEWAYS SHALL BE RECONSTRUCTED TO CITY STANDARDS WITH SDG-114 COMMERCIAL CONCRETE DRIVEWAYS.
- 7 CURB TO BE CONSTRUCTED TO CITY STANDARD CURB AND GUTTER ALONG ENTIRE LOT FRONTAGE.
- 8 APPLICANT SHALL RECONSTRUCT EXISTING CURB RAMP.
- 9 APPLICANT SHALL CONSTRUCT CURB OUTLETS AND SIDEWALKS TO CURRENT CITY STANDARD CURB OUTLET
- 10 ALL IMPROVEMENTS TO CURRENT CITY STANDARDS
- 11 NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FT IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN THE PUBLIC RIGHT OF WAY THAT IS LOCATED WITHIN THE VISIBILITY AREAS SHALL NOT EXCEED 24 INCHES IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB.
- 12 PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
- 13 PRIOR TO THE ISSUANCE OF ANY OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.
- 14 AN ENCROACHMENT MAINTENANCE REMOVAL AGREEMENT WILL BE REQUIRED FOR CURB OUTLET.
- 15 ADDITIONAL ENVIRONMENTAL ISSUES MAY ARISE AS THE REVIEW PROGRESSES. SHOULD THERE BE A CHANGE IN THE SCOPE OF WORK OR IF THE PROJECT IS REDESIGNED THEN EAS-NEDS TO REVIEW THE PROJECT.
- 16 FUTURE ELECTRIC VEHICLE CHARGING PARKING STALL PER CGBCS 5.106.5.3.5. MIN 40 AMP-SERVICE WITH RACEWAY TERMINAL IS PERMANENTLY AND VISIBLY MARKED "EV CAPABLE"

EASEMENT NOTES

- 3 EASEMENT FOR THE PURPOSE OF PUBLIC UTILITIES GRANTED TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, RECORDED IN THE BOOK 5010, PAGE 161 OF OFFICIAL RECORDS.
- A PORTION OF LOT "B" OF MAP 2998, DESIGNATED AS "RESERVED FOR FUTURE STREET" DEDICATED BY RESOLUTION NO R113590, RECORDED ON DECEMBER 22,2016, AS DOCUMENTED NO. 2016-0704149. RESOLUTION IS NOT LISTED IN THE ABOVE REFERENCED PRELIMINARY REPORT.
- B IRREVOCABLE "OFFER" OF DEDICATION FOR STREET PURPOSES RECORDED DECEMBER 22, 2016 AS DOCUMENTED NO. 2016-0704150. DEDICATION IS NOT LISTED IN THE ABOVE REFERENCED PRELIMINARY REPORT.



2900 Fourth Avenue #204  
San Diego, CA 92103  
Phone: 619.233.6450  
Fax: 619.233.6449  
Web: www.zaap.biz

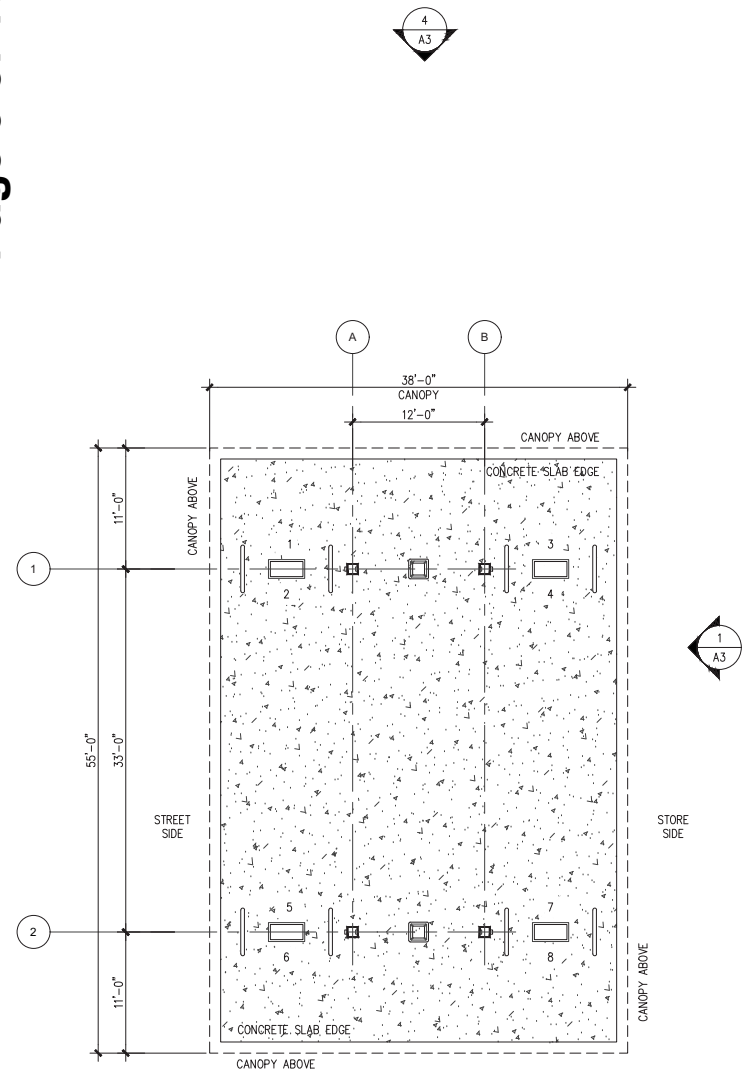
JAMACHA ROAD 7-ELEVEN  
SAN DIEGO, CA 92114



PROJECT NAME:  
**JAMACHA ROAD 7-ELEVEN**  
PROJECT ADDRESS:  
SOUTH-EAST CORNER OF THE INTERSECTION OF JAMACHA ROAD AND CARDIFF STREET  
SAN DIEGO, CA. 92114  
PREPARED BY:  
ZAAP, INC.  
2900 FOURTH AVENUE #204  
SAN DIEGO, CA 92103  
619-233-6450 (PHONE)  
619-233-6449 (FAX)

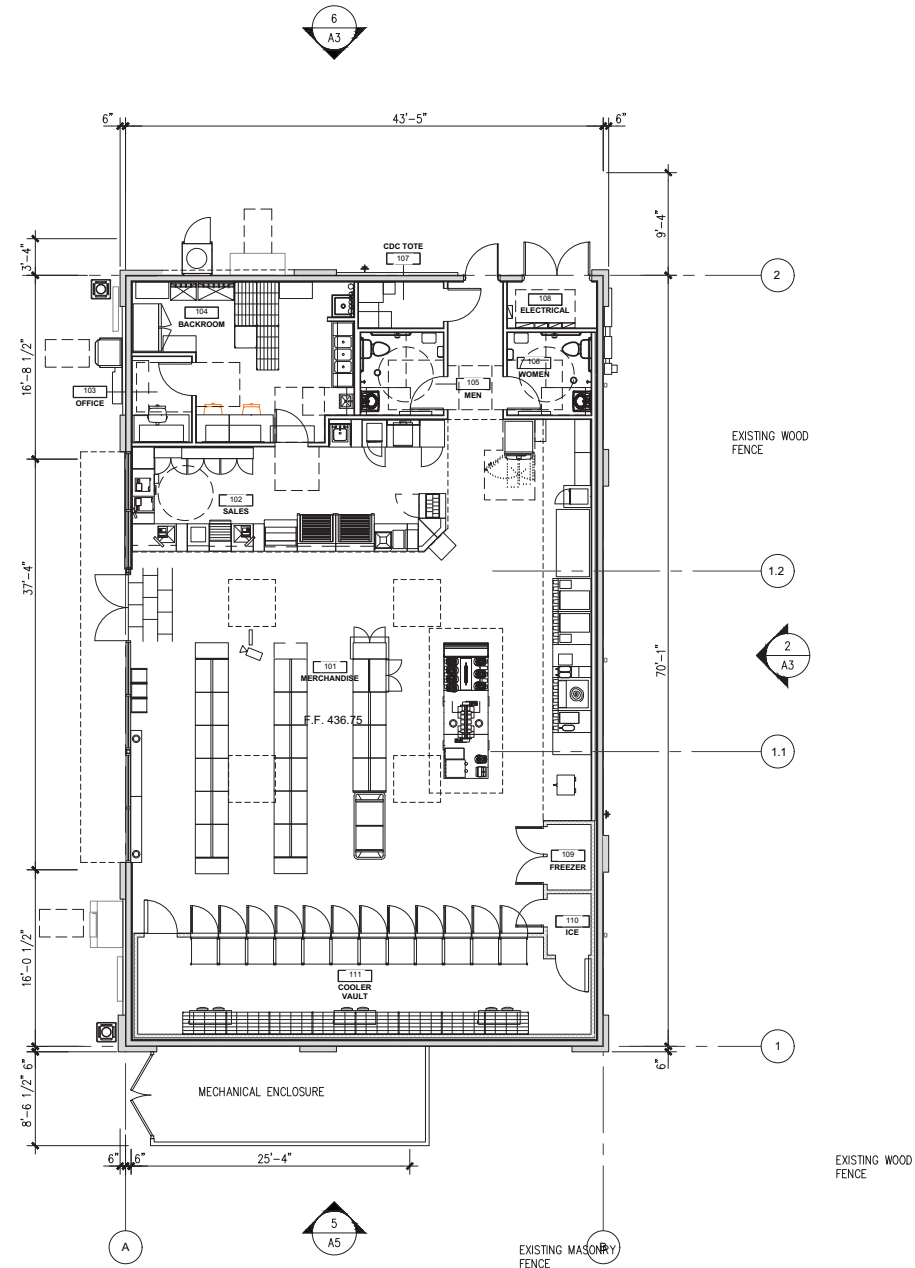
PROJECT NO:	18050	PTS #	559510
DATE:	08/28/2018		
REVISION #:	DATE:	REVISION #:	DATE:
1	06/20/2018	2	08/28/2018
SHEET TITLE: PROPOSED SITE PLAN			
A1			2 of 10 SHT #





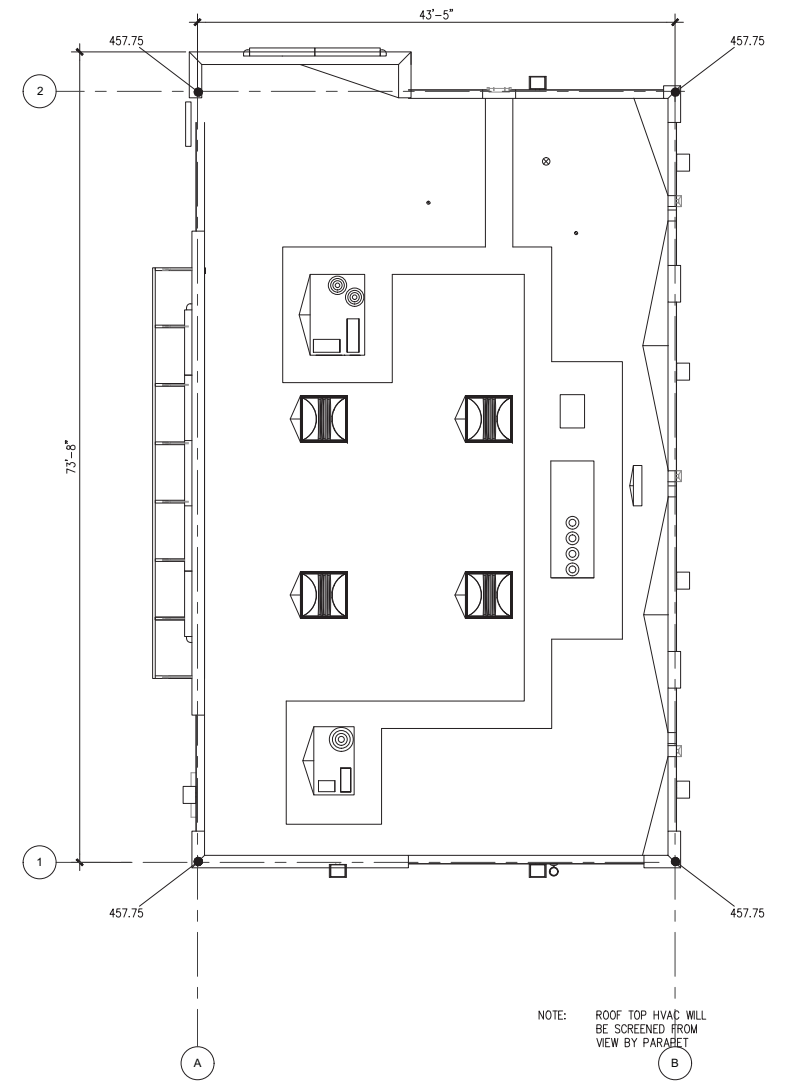
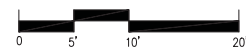
GAS CANOPY

SCALE = 1/8" = 1'-0"



FLOOR PLAN

SCALE = 1/8" = 1'-0"

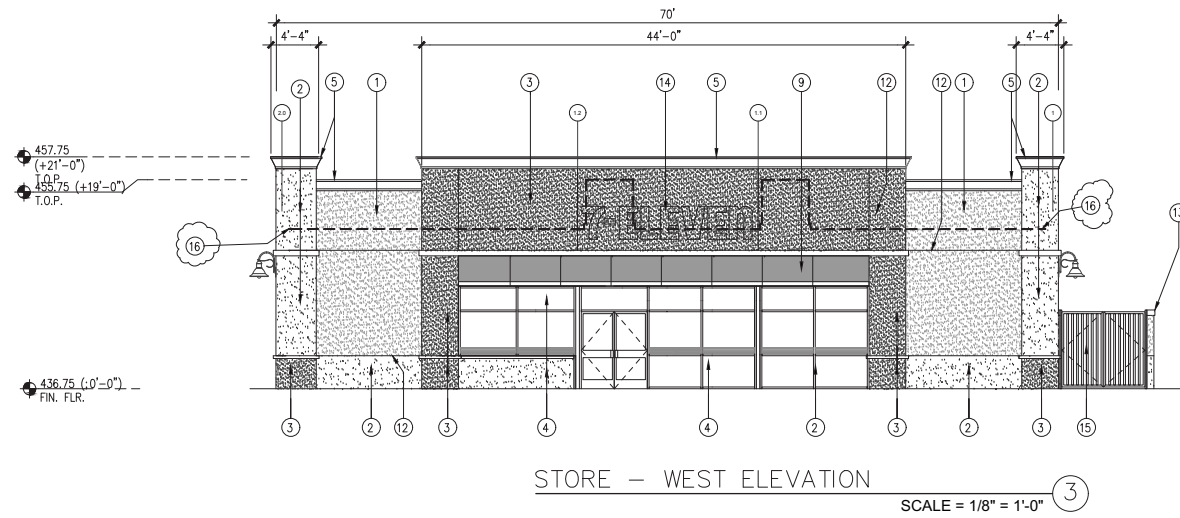



ROOF PLAN

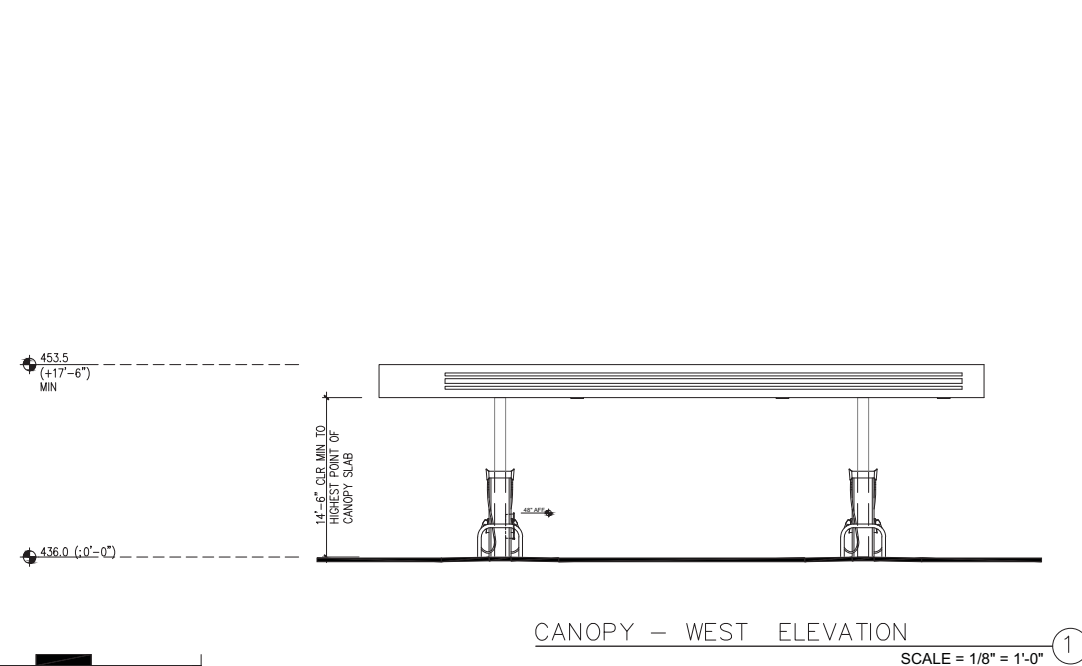
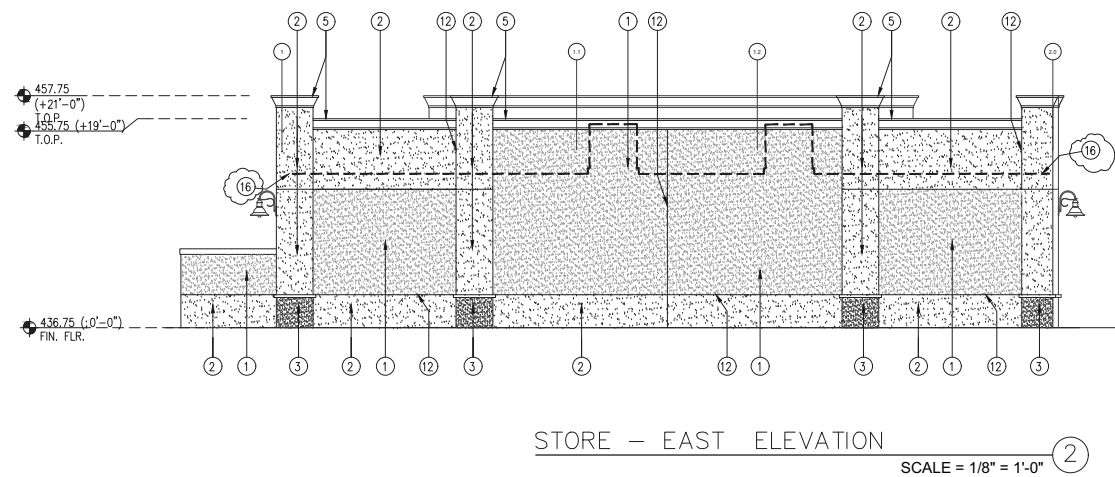
SCALE = 1/8" = 1'-0"



NOTE: ROOF TOP HVAC WILL BE SCREENED FROM VIEW BY PARAPET



- 
- STUCCO - 1
- STUCCO - 2
- STUCCO - 3



REQUIRES 2 PLANES WITH A MIN 3" SEPARATION

- MAIN ENTRY PLANE PROVIDED +6"
- LOWER WAINSCOT PROVIDED +3"

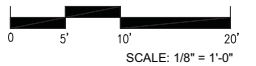
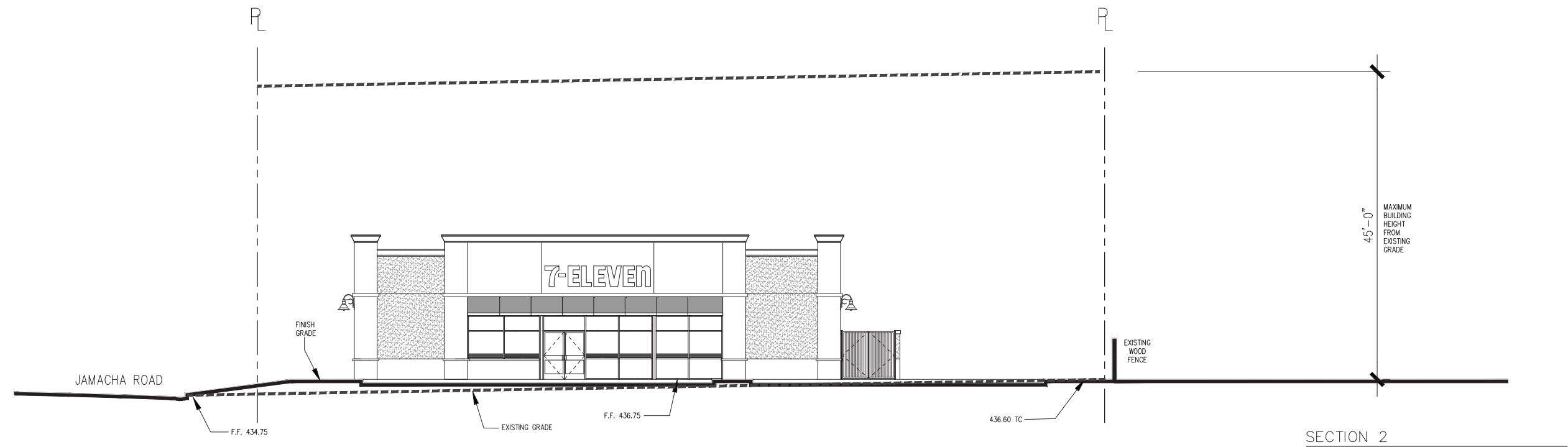
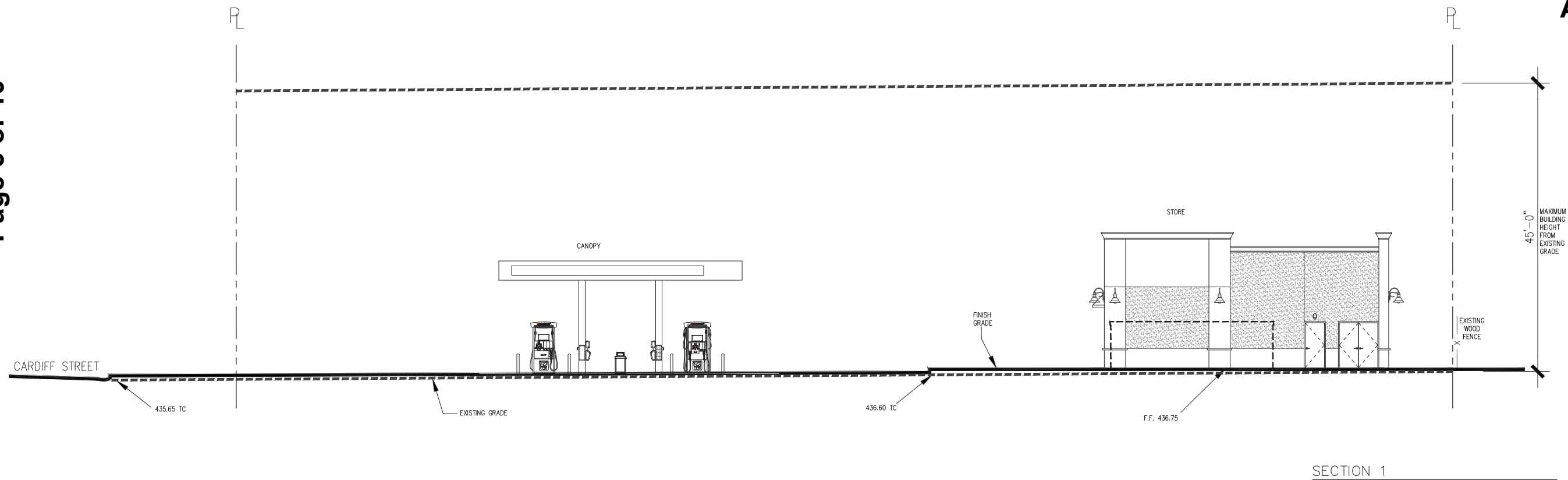
REQUIRES 2 PLANES WITH MIN 8" SEPARATION

- TWO PLANES ON SIDES PROVIDED OFFSET 8" FROM O

REQUIRES 2 PLANES WITH 3' SEPARATION

- FASCIA PROVIDING 3"
- 70% MIN CORNICE PROVIDED +12" PER SDMC 131.0554

ELEVS.dwg



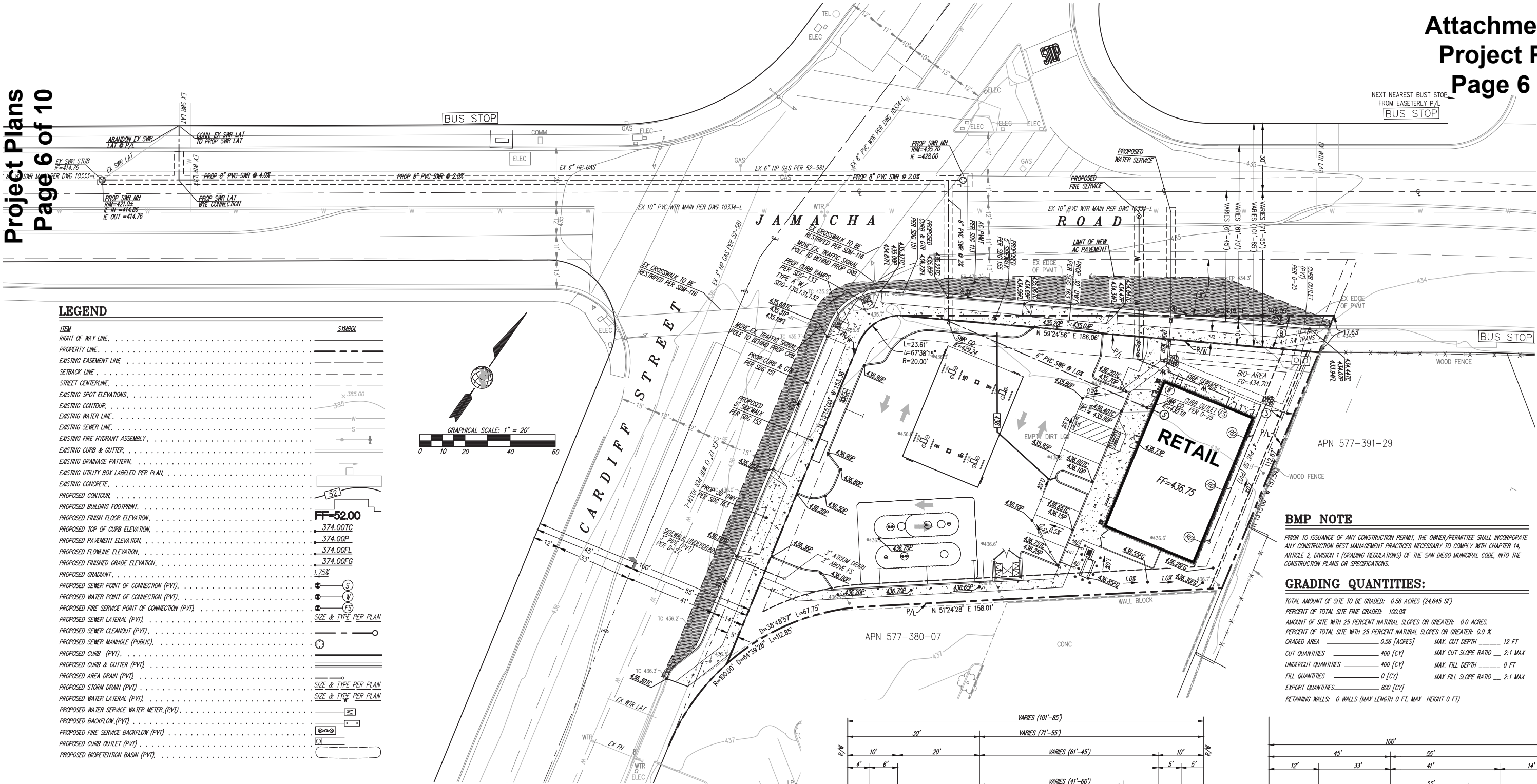
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Web: www.zaap.biz

## JAMACHA ROAD 7-ELEVEN

SAN DIEGO, CA 92114

PROJECT NAME: <b>JAMACHA ROAD 7-ELEVEN</b>		PROJECT NO: 18050 PTS # 559510	
PROJECT ADDRESS: SOUTH-EAST CORNER OF THE INTERSECTION OF JAMACHA ROAD AND CARDIFF STREET SAN DIEGO, CA 92114		DATE: 08/23/2018	
PREPARED BY: ZAAP, INC. 2900 FOURTH AVENUE #204 SAN DIEGO, CA 92103 619-233-6450 (PHONE) 619-233-6449 (FAX)		REVISION #:	DATE:
		1	06/20/2018
		2	08/23/2018
SHEET TITLE: SITE SECTIONS		A4 5 of 10 SHT #	





ITEM	SYMBOL
RIGHT OF WAY LINE	---
PROPERTY LINE	---
EXISTING EASEMENT LINE	---
SETBACK LINE	---
STREET CENTERLINE	---
EXISTING SPOT ELEVATIONS	---
EXISTING CONTOUR	---
EXISTING WATER LINE	---
EXISTING SEWER LINE	---
EXISTING FIRE HYDRANT ASSEMBLY	---
EXISTING CURB & GUTTER	---
EXISTING DRAINAGE PATTERN	---
EXISTING UTILITY BOX LABELED PER PLAN	---
EXISTING CONCRETE	---
PROPOSED CONTOUR	---
PROPOSED BUILDING FOOTPRINT	---
PROPOSED FINISH FLOOR ELEVATION	---
PROPOSED TOP OF CURB ELEVATION	---
PROPOSED PAVEMENT ELEVATION	---
PROPOSED FLOWLINE ELEVATION	---
PROPOSED FINISHED GRADE ELEVATION	---
PROPOSED GRADIENT	---
PROPOSED SEWER POINT OF CONNECTION (P.V.T.)	---
PROPOSED WATER POINT OF CONNECTION (P.V.T.)	---
PROPOSED FIRE SERVICE POINT OF CONNECTION (P.V.T.)	---
PROPOSED SEWER LATERAL (P.V.T.)	---
PROPOSED SEWER CLEANOUT (P.V.T.)	---
PROPOSED SEWER MANHOLE (PUBLIC)	---
PROPOSED CURB (P.V.T.)	---
PROPOSED CURB & GUTTER (P.V.T.)	---
PROPOSED AREA DRAIN (P.V.T.)	---
PROPOSED STORM DRAIN (P.V.T.)	---
PROPOSED WATER LATERAL (P.V.T.)	---
PROPOSED WATER SERVICE WATER METER (P.V.T.)	---
PROPOSED BACKFLOW (P.V.T.)	---
PROPOSED FIRE SERVICE BACKFLOW (P.V.T.)	---
PROPOSED CURB OUTLET (P.V.T.)	---
PROPOSED BIORETENTION BASIN (P.V.T.)	---

EASEMENT NOTES:

- THE FOLLOWING IS A LIST OF EASEMENTS AS LISTED IN THE ABOVE REFERENCED PRELIMINARY REPORT. SURVEY ITEMS THAT CAN BE PLOTTED ARE SHOWN HEREON.
- 2 THE POSSIBLE EXISTENCE OF SEWERS, STORM DRAINS & WATER MAINS, QUITCLAIMED TO THE CITY OF SAN DIEGO BY QUITCLAIM DEEDS RECORDED AUGUST 28, 1953 IN BOOK 4969, PAGE 324, APRIL 7, 1954, IN BOOK 5197, PAGE 567, AND JUNE 3, 1954, IN BOOK 5256, PAGE 500, ALL OF OFFICIAL RECORDS. THE EXACT LOCATION CANNOT BE DETERMINED OF RECORD AND IS NOT PLOTTED HEREON.
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- A PORTION OF LOT "B" OF MAP 2998, DESIGNATED AS "RESERVED FOR FUTURE STREET" DEDICATED BY RESOLUTION NO. R113590, RECORDED ON DECEMBER 22, 2016, AS DOCUMENT NO. 2016-0704149. RESOLUTION IS NOT LISTED IN THE ABOVE REFERENCED PRELIMINARY REPORT.
- B IRREVOCABLE OFFER OF DEDICATION FOR STREET PURPOSES RECORDED DECEMBER 22, 2016 AS DOCUMENT NO. 2016-0704150. DEDICATION IS NOT LISTED IN THE ABOVE REFERENCED PRELIMINARY REPORT.

VERTICAL BENCHMARK:

DESCRIPTION: BRASS PLUG IN TOP OF CURB

LOCATION: NORTHEAST CORNER AT INTERSECTION OF JAMACHA ROAD AND CARDIFF STREET

ELEVATION: 435.411' (MSL/NGVD29)

SOURCE: CITY OF SAN DIEGO VERTICAL CONTROL BENCHMARK



Andrew J. Kann  
R.C.E. 50940

8/28/2018  
DATE

WPCP NOTE

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.

VISIBILITY TRIANGLE NOTE

NO OBSTRUCTION INCLUDING SOLID WALLS IN THE VISIBILITY AREA SHALL EXCEED 3 FEET IN HEIGHT. PLANT MATERIAL, OTHER THAN TREES, WITHIN THE 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.

BMP MAINTENANCE AGREEMENT

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.

JAMACHA ROAD 7-ELEVEN  
SAN DIEGO, CA 92114

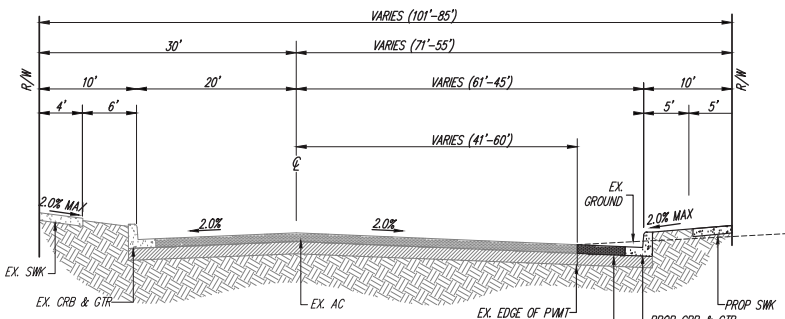
OMEGA  
ENGINEERING CONSULTANTS  
4340 VIEWRIDGE AVE. SUITE B  
SAN DIEGO, CA 92123  
PH: (858) 634-8620 FAX: (858) 634-8627

BMP NOTE

PRIOR TO ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

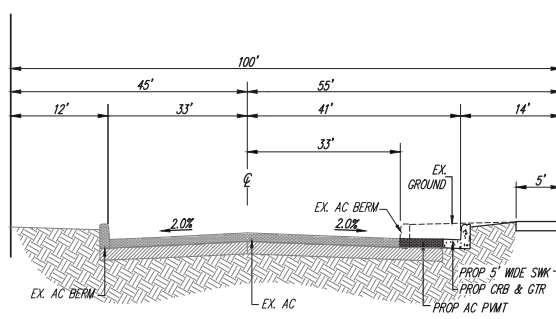
GRADING QUANTITIES:

TOTAL AMOUNT OF SITE TO BE GRADED: 0.56 ACRES (24,645 SF)  
PERCENT OF TOTAL SITE FINE GRADED: 100.0%  
AMOUNT OF SITE WITH 25 PERCENT NATURAL SLOPES OR GREATER: 0.0 ACRES.  
PERCENT OF TOTAL SITE WITH 25 PERCENT NATURAL SLOPES OR GREATER: 0.0 %  
GRADED AREA 0.56 [ACRES] MAX. CUT DEPTH 12 FT  
CUT QUANTITIES 400 [CY] MAX CUT SLOPE RATIO 2:1 MAX  
UNDERCUT QUANTITIES 400 [CY] MAX. FILL DEPTH 0 FT  
FILL QUANTITIES 0 [CY] MAX FILL SLOPE RATIO 2:1 MAX  
EXPORT QUANTITIES 800 [CY]  
RETAINING WALLS: 0 WALLS (MAX LENGTH 0 FT, MAX HEIGHT 0 FT)



TYPICAL SECTION - JAMACHA ROAD

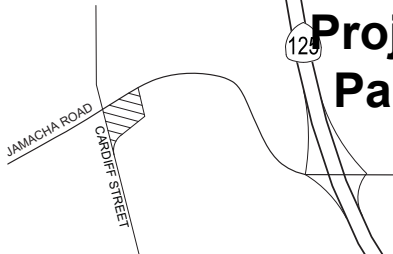
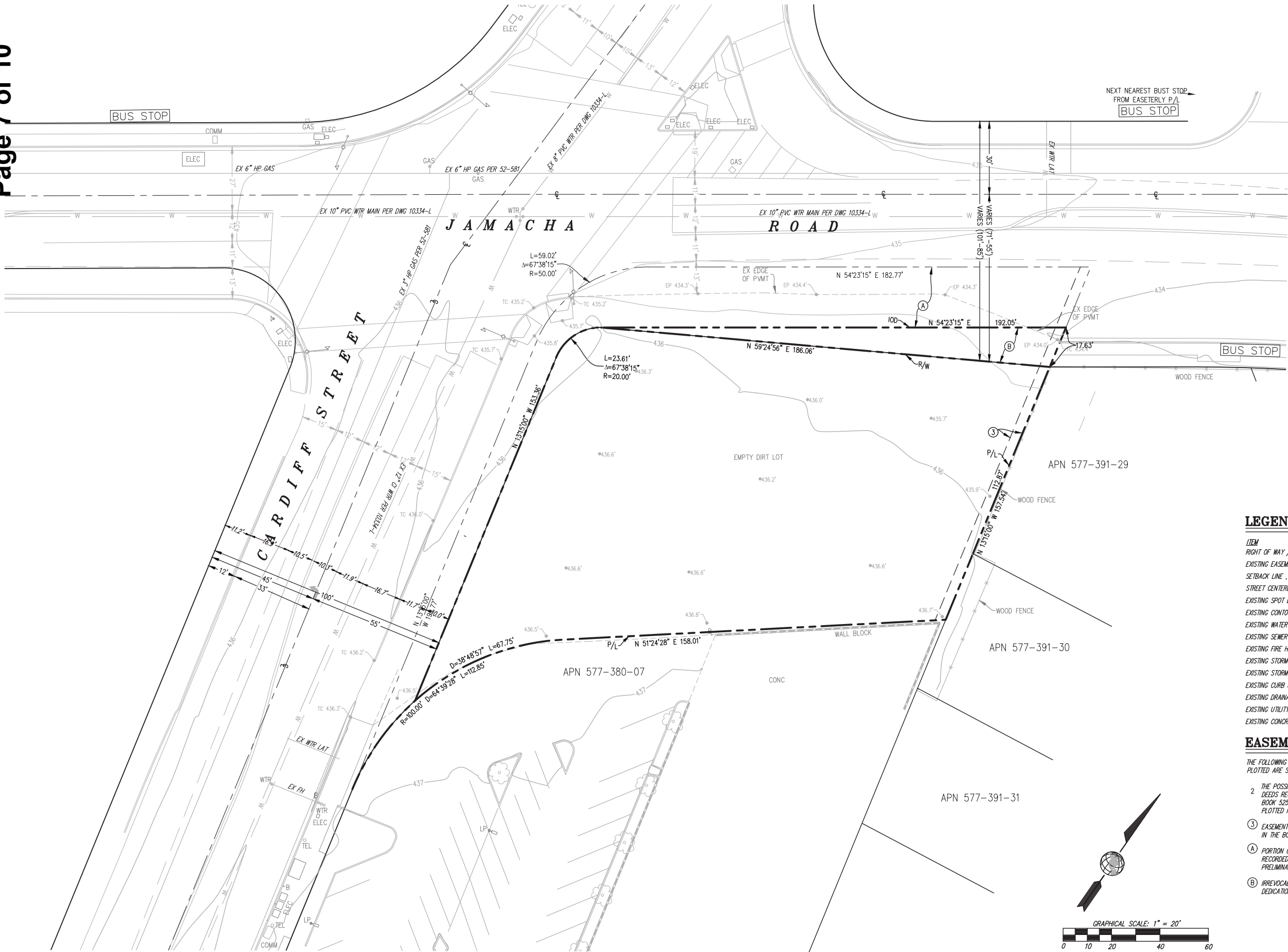
NOT TO SCALE



TYPICAL SECTION - CARDIFF STREET

NOT TO SCALE

PROJECT NAME: <b>JAMACHA ROAD 7-ELEVEN</b>	PROJECT NO: 18050
PROJECT ADDRESS: SOUTH-EAST CORNER OF THE INTERSECTION OF JAMACHA ROAD AND CARDIFF STREET SAN DIEGO, CA. 92114	DATE: 06/13/2018
	REVISION #: DATE: REVISION #: DATE:
	1 2
	3 4
	5 6
	7 8
	9 10
SHEET TITLE: CONCEPTUAL GRADING PLAN	C-1 SHT.#



VICINITY MAP  
NO SCALE

**SITE ADDRESS:**

(VACANT LOT) JAMACHA ROAD  
SAN DIEGO, CA 92114

**ASSESSOR'S PARCEL NUMBER:**

577-370-20-00

**LEGAL DESCRIPTION:**

LOT B OF LOMITA VILLAGE UNIT NO. 5, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 2998, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 4, 1953.

**SOURCE OF TOPOGRAPHY:**

FIELD SURVEY PERFORMED BY OMEGA LAND SURVEYING, INC. ON JANUARY 25-26, 2017.

**AREA SUMMARY:**

GROSS AREA: 33,239 SQUARE FEET (0.763 ACRES)  
NET AREA: 24,645 SQUARE FEET (0.566 ACRES)

**VERTICAL BENCHMARK:**

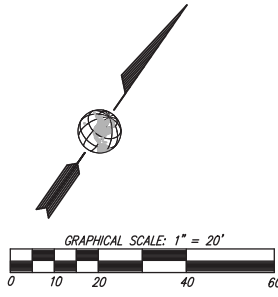
DESCRIPTION: BRASS PLUG IN TOP OF CURB  
LOCATION: NORTHEAST CORNER AT INTERSECTION OF JAMACHA ROAD AND CARDOFF STREET  
ELEVATION: 435.41' (MSL/NGVD29)  
SOURCE: CITY OF SAN DIEGO VERTICAL CONTROL BENCHMARK

**LEGEND**

ITEM	SYMBOL
RIGHT OF WAY / PROPERTY LINE	---
EXISTING EASEMENT LINE	---
SETBACK LINE	---
STREET CENTERLINE	---
EXISTING SPOT ELEVATIONS	x 385.00
EXISTING CONTOUR	385
EXISTING WATER LINE	W
EXISTING SEWER LINE	S
EXISTING FIRE HYDRANT ASSEMBLY	+
EXISTING STORM DRAIN	---
EXISTING STORM DRAIN INLET	+
EXISTING CURB & GUTTER	---
EXISTING DRAINAGE PATTERN	---
EXISTING UTILITY BOX LABELED PER PLAN	+
EXISTING CONCRETE	---

**EASEMENT NOTES:**

- THE FOLLOWING IS A LIST OF EASEMENTS AS LISTED IN THE ABOVE REFERENCED PRELIMINARY REPORT. SURVEY ITEMS THAT CAN BE PLOTTED ARE SHOWN HEREON.
- THE POSSIBLE EXISTENCE OF SEWERS, STORM DRAINS & WATER MAINS, OUTCLAIMED TO THE CITY OF SAN DIEGO BY OUTCLAIM DEEDS RECORDED AUGUST 28, 1953 IN BOOK 4969, PAGE 324, APRIL 7, 1954, IN BOOK 5197, PAGE 567, AND JUNE 3, 1954, IN BOOK 5296, PAGE 500, ALL OF OFFICIAL RECORDS. THE EXACT LOCATION CANNOT BE DETERMINED OF RECORD AND IS NOT PLOTTED HEREON.
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Andrew J. Kann  
ANDREW J. KANN R.C.E. 50940

8/14/2018  
DATE

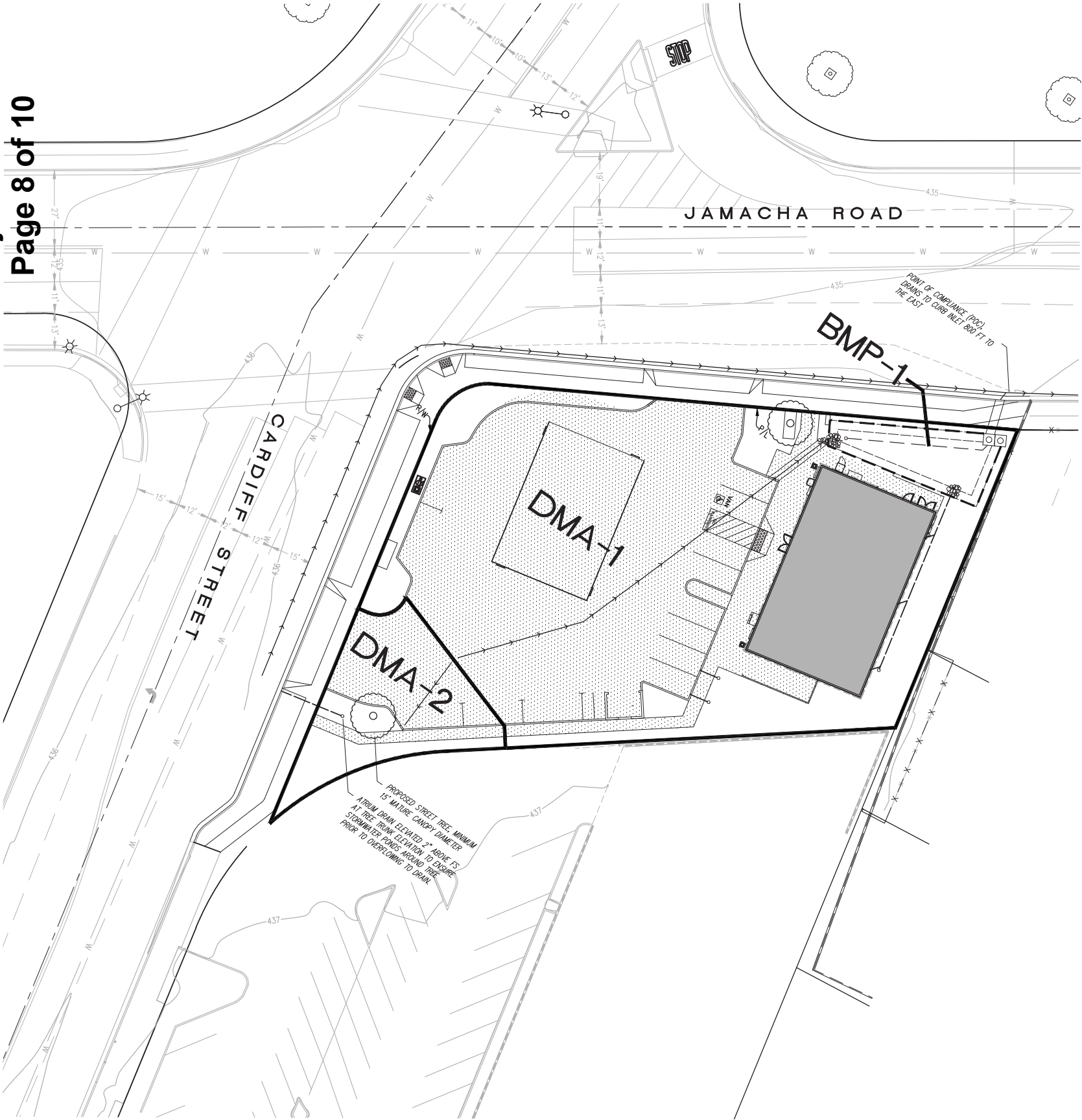
JAMACHA ROAD 7-ELEVEN  
SAN DIEGO, CA 92114

OMEGA  
ENGINEERING CONSULTANTS  
4340 VIEWRIDGE AVE. SUITE B  
SAN DIEGO, CA 92123  
PH: (858) 634-8620 FAX: (858)-634-8627

PROJECT NAME:  
JAMACHA ROAD  
7-ELEVEN  
PROJECT ADDRESS:  
SOUTH-EAST CORNER OF THE  
INTERSECTION OF JAMACHA ROAD AND  
CARDOFF STREET  
SAN DIEGO, CA 92114

PROJECT NO:	18050
DATE:	06/13/2018
REVISION #:	DATE:
1	2
3	4
5	6
SHEET TITLE:	C-2
CONSTRAINTS MAP	SHT #





SOURCE CONTROL BMP NOTES

- ALL APPLICABLE SOURCE CONTROL BMPs SHALL BE UTILIZED
- ALL ONSITE INLETS TO BE MARKED "NO DUMPING" OR SIMILAR AND ALL OPERATIONAL PRECAUTIONS TO AVOID NON STORM WATER DISCHARGE SHALL BE FOLLOWED PER THE CITY'S BMP DESIGN MANUAL.
  - PROPOSED REFUSE AREA WILL REMAIN COVERED AND PROTECTED FROM WIND DISPERSAL. SIGNS SHALL BE PLACED WITH WORDS "DO NOT DUMP HAZARDOUS MATERIALS OR LIQUIDS HERE" OR SIMILAR. OWNER SHALL BE RESPONSIBLE TO KEEP THE AREA CLEAN OF LITTER AND SPILLS.
  - OWNER TO BE RESPONSIBLE FOR SWEEPING PLAZAS, SIDEWALKS, AND PARKING LOTS. THIS IS TO BE DONE REGULARLY AND AS NEEDED TO PREVENT ACCUMULATION OF LITTER AND DEBRIS.
  - FIRE SPRINKLER TEST WATER SHALL BE DRAINED TO THE SANITARY SEWER

NOTES

- UNDERLYING NRCS HYDROLOGIC SOIL GROUP FOR SITE IS TYPE D
- GROUNDWATER DEPTH IS GREATER THAN 20 FEET. GROUNDWATER IS NOT CONSIDERED TO BE PRESENT. PLEASE SEE SOILS REPORT.
- NO EXISTING NATURAL HYDROLOGIC FEATURES
- NO CRITICAL COARSE SEDIMENT YIELD AREAS ON SITE

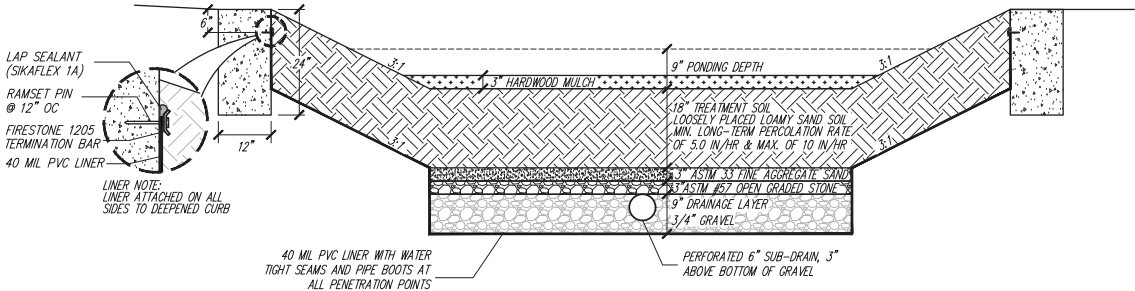
LEGEND:

BASIN BOUNDARY.....	
FLOW PATH.....	
DRAINAGE MANAGEMENT AREA NO.....	A-#
BIOFILTRATION AREA.....	
BUILDING AREA.....	
PAVEMENT AREA.....	
LANDSCAPED AREA.....	

DMA DATA TABLE				
DMA-NO.	TOT. AREA	IMPERVIOUS %	DMA TYPE	DCV
DMA-1	21,839 SF	74%	DRAINS TO BMP-1	746
DMA-2	2,792 SF	65%	DRAINS TO STREET TREE	0

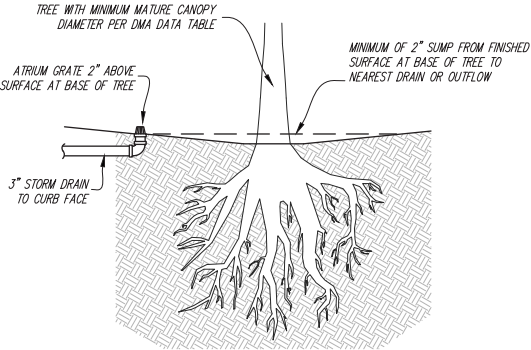
\*STREET TREE TO HAVE 333 CF OF INSTALLED STRUCTURAL SOIL

STRUCTURAL BMP DATA TABLE				
IMP-#	TREATING	IMP TYPE	REQ'D FOOTPRINT	PROPOSED FOOTPRINT
BF-1	DMA-1	BIOFILTRATION	498 SF	800 SF



BIOFILTRATION CROSS SECTION (TYPICAL)

NOT TO SCALE



TREEWELL DETAIL

NOT TO SCALE



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8/14/2018  
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PROJECT NAME: JAMACHA ROAD 7-ELEVEN  
PROJECT ADDRESS: SOUTH-EAST CORNER OF THE INTERSECTION OF JAMACHA ROAD AND CARDIFF STREET SAN DIEGO, CA 92114

PROJECT NO: 18050  
DATE: 06/13/2018  
REVISION #: DATE: REVISION #: DATE:  
SHEET TITLE: DMA & BMP EXHIBIT C-3 SHT #





City of San Diego  
Development Services  
1222 First Ave., MS-501  
San Diego, CA 92101-4154  
(619) 445-5000

# Landscape Calculations Worksheet

## Vehicular Use Areas (VUA)

Provide the following information on the Landscape Plans. The Landscape Calculations determine the planting area and points required by the Landscape Regulations, Chapter 14, Article 2, Division 4 of the Land Development Code.

One tree (minimum 24-inch box size) is required within 30 ft. of each parking space. (If palm trees are used, one palm (minimum 8 ft. trunk height) is required within 15 ft. of each parking space.)

**VEHICULAR USE AREA (<6,900 sq ft) [142.0406 - 142.0407] N/A**

Planting Area Required: provide 40 sq. ft. per tree (with no dimension less than 5')

Plant Points Required			Plant Points Provided			Excess Points Provided		
Total VUA:	N/A	sq. ft. x 0.05 =	N/A	points		N/A	points	
						N/A	points	

Points achieved through trees (at least half): \_\_\_\_\_ points

**VEHICULAR USE AREA (≥6,900 sq ft) [142.0406 - 142.0407]**

Required Planting Area				Planting Area Provided		Excess Area Provided		
VUA inside Street Yard:	15,042	sq. ft. x 0.05 =	752	sq. ft.	1,251	sq. ft.	499	sq. ft.
VUA outside Street Yard:	0	sq. ft. x 0.03 =	0	sq. ft.	0	sq. ft.	0	sq. ft.

Required Plant Points				Plant Points Provided		Points Provided with Trees (at least half)		
VUA inside Street Yard:	15,042	sq. ft. x 0.05 =	752	points	758	points	400	points
VUA outside Street Yard:	0	sq. ft. x 0.03 =	0	points	0	points	0	points

**TEMPORARY VEHICULAR USE AREA [142.0408] N/A**

Required Planting Area			Planting Area Provided	
Length of Public Right-of-Way adjacent to VUA:	N/A	ft. x 3 ft. =	N/A	sq. ft.
			N/A	sq. ft.

- Provide planting area between Public Right-of-Way and VUA.
- Plant with evergreen shrubs.
- Shrubs must achieve a minimum height of 30" within 2 years of installation over at least 50% of the required planting area.

### ADDITIONAL YARD PLANTING AREA AND POINT REQUIREMENTS

If any of the requirements of Landscape Regulations, Section 142.0405 (a) 1, 2, or 3 apply to your project, provide a written summary explaining how requirements are being met.

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Upon request, this information is available in alternative formats for persons with disabilities.

