



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: February 18, 2015 **REPORT NO.** PC-15-019

ATTENTION: Planning Commission, Agenda of February 26, 2015

SUBJECT: JACK-IN-THE BOX SOUTHEASTERN - PROJECT NO. 366524
PROCESS FOUR

OWNER: National II LLC, a California Limited Liability Company

APPLICANT: DMSD Foods Incorporated

SUMMARY

Issue: Should the Planning Commission approve the development of a drive-thru restaurant located at 2890 National Avenue within the Southeastern San Diego Community Planning area?

Staff Recommendations: APPROVE Site Development Permit No. 1294027 (amendment to Site Development Permit No. 9200/Planned Development Permit No. 9201).

Community Planning Group Recommendation: The project was approved at the February 9, 2015, Southeastern San Diego Planning Group meeting with no recommendations. The official minutes were not available at the time of this hearing and the agenda has been provided (Attachment 9).

Environmental Review: Mitigated Negative Declaration (MND) No. 1531, LDR No. 99-0517 (Attachment 6) was prepared and certified for the original project on December 12, 2002. The proposed project was reviewed by staff and it was determined that, in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162(a): (1) no substantial changes are proposed to the project which would require major revisions of the previous MND; (2) no substantial changes occur with respect to the circumstances under which the project is undertaken that would require any revisions to the previous MND; and (3) there is no new information of substantial importance that was not known and could not have been known at the time the previous MND was certified. Therefore, no subsequent MND or other environmental document is needed for this amendment, as all of the previously identified impacts were adequately addressed and disclosed in MND No. 1531 (LDR No. 99-0517).

Fiscal Impact Statement: None with this action; the costs of processing this project have been paid by the applicant through a deposit account.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

BACKGROUND

The 1.93-acre site is located at 2890 National Avenue (Attachment 1) in the CSR-2 Zone of the Southeastern San Diego Planned District, within the Southeastern San Diego Community Plan area (Attachment 2). The site is bounded by single-and multi-family residential development to the north, east and west and commercial development to the south. The frontage of the project that runs along the north side of National Avenue includes a 5-foot landscaped parkway and a 5-foot sidewalk. The site is within an existing shopping center developed with two commercial/retail buildings and a vacant pad, as described in more detail below.

In 2002, the Planning Commission approved Site Development Permit (SDP) No. 9200 and Planned Development Permit (PDP) No. 9201 for the development of three, single-story, commercial buildings:

Building A- a 2,874-square-foot drive-thru restaurant.

Building B- a 14,704-square-foot building with a drive-thru restaurant and eight retail suites.

Building C- a 9,252-square-foot building with four retail suites and a sit-down restaurant.

In 2007, Buildings A and B were constructed. The pad for Building C was graded (with all utilities in place) but the building itself was never constructed.

In 2007, the Planning Commission approved an amendment to the previously approved SDP/PDP to modify Building C to a one-story, over basement 2,707-square-foot automobile lubrication service station and three, one-story retail/restaurant spaces for a total of 6,330 square-feet. This development was never constructed and no extension of time was granted, therefore the permit expired in 2010.

The CSR Zone is intended to allow for commercial strip development with parking to the rear or side of the building. This zone is intended to accommodate a wide variety of community shopping and business needs and services.

DISCUSSION

Project Description:

The project requires an amendment to the previously approved SDP and PDP for the reduction of parking and square footage. The project proposes to construct a 2,588-square-foot Jack-in-the-Box drive-thru restaurant on the vacant pad. The project as proposed would require a Process Four, Planning Commission decision with appeal rights to the City Council.

The proposed building is separated from the residential uses to the north by a 20-foot alley and to the east by 29th Street. The building has been placed as far as possible from the residential uses to minimize impacts to nearby residents. The entrance to the drive-thru is accessed towards the middle of the site with the exit along 29th Street. The drive-thru speaker and window are orientated away from the residential use parallel to National Avenue. The outdoor speaker for the drive-thru is equipped with an automatic noise reduction feature that registers ambient noise and automatically reduces the volume of the speaker at night. Lighting will be shielded from the residences to the north and to the east.

Minor grading is proposed along with the reconfiguring of the existing parking spaces and a new trash enclosure. The project provides outdoor seating as well as a small nature-themed path with additional seating along with decorative bike racks accessed from National Avenue. The building provides articulation with the use of offsetting planes, lighting, color and materials including spandrel glass and art panels. The project complies with the floor area ratio, lot coverage, building height, setbacks, design standards and all other applicable regulations of the San Diego Municipal Code and no deviations are requested.

A condition of the previously approved permits required a total 108 off-street parking spaces for the entire site. The reduction in square footage from the previously approved 9,252 square-foot building to the proposed 2,588 square-foot building reduces the parking count to 84 parking spaces and the applicant is providing 96 parking spaces for the entire site.

Community Plan Analysis:

The project site is located within the Memorial Neighborhood of the Southeastern San Diego Community Plan area and the General Plan Commercial land use designation. The commercial objectives of the community plan include the rehabilitation of existing commercial centers; improvement of both vehicular and pedestrian access; street trees and building transparencies. For projects oriented to vehicular access, pedestrian access should be provided through clearly identified walkways. In areas where pedestrian activity is desired, development regulations should require that buildings be located along or near the street property line and parking should not be permitted between the building and the street.

The Memorial Neighborhood section recommends commercial uses on both sides of National Avenue be developed with parking in the rear to reflect and continue the existing pattern of development and encourage pedestrian use.

The proposed project will rehabilitate the existing commercial center by providing an active commercial use where an existing vacant lot is today. The site, as developed previously, has established parking towards the center of the complex with commercial uses at the northern edge. The proposed building is sited along National Avenue at the eastern corner. The project provides outdoor seating as well as a small nature-themed path with additional seating along with decorative bike racks to encourage pedestrian activity.

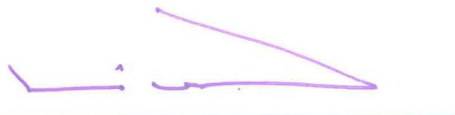
Conclusion:

Staff has reviewed the request for the development of a drive-thru restaurant. Staff has found the project to be in conformance with the applicable sections of the San Diego Municipal Code and believes the required findings can be approved. Therefore, staff recommends the Planning Commission approve Site Development Permit No. 1294027 (Attachments 3 and 4).

ALTERNATIVES

1. **Approve** Site Development Permit No. 1294027, **with modifications.**
2. **Deny** Site Development Permit No. 1294027, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Assistant Deputy Director
Development Services Department



Renee Mezo
Project Manager
Development Services Department

WESTLAKE/RM

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Draft Permit Resolution with Findings
4. Draft Permit with Conditions
5. Environmental Memo
6. Copy of Recorded (existing) Permits
7. Mitigated Negative Declaration (MND) No. 1531 (LDR No. 99-0517)
8. Project Plans
9. Agenda for the February 9, 2015 Community Planning Group meeting
10. Ownership Disclosure Statement
11. Photos of the site

Rev 01-06/11 hmd



Aerial Photo

JACK IN THE BOX - 2890 NATIONAL AVENUE
PROJECT NO. 366524

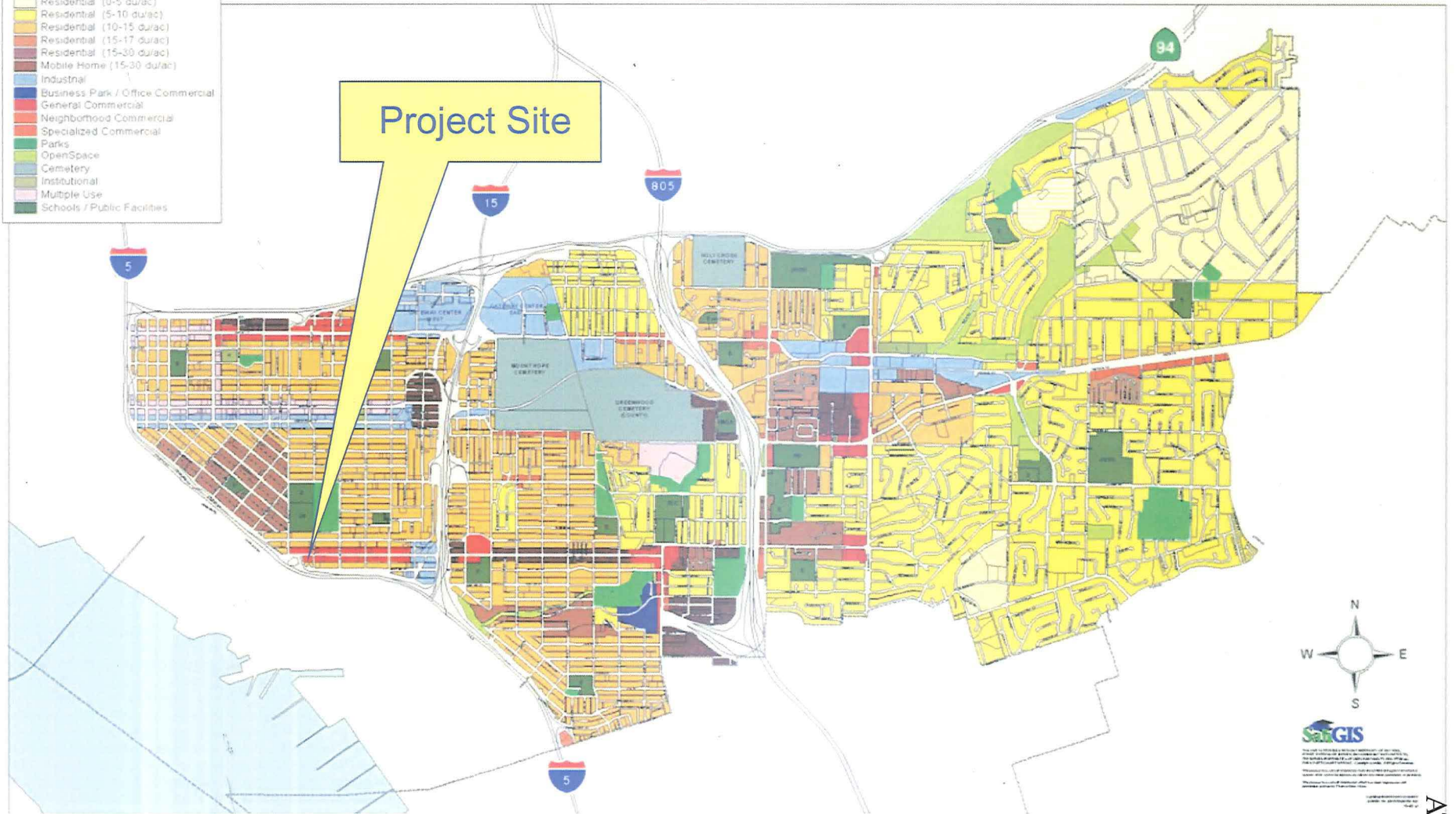


Southeastern San Diego Community Plan Land Use

LEGEND

Residential (0-2 du/ac)
Residential (0-5 du/ac)
Residential (5-10 du/ac)
Residential (10-15 du/ac)
Residential (15-17 du/ac)
Residential (15-30 du/ac)
Mobile Home (15-30 du/ac)
Industrial
Business Park / Office Commercial
General Commercial
Neighborhood Commercial
Specialized Commercial
Parks
OpenSpace
Cemetery
Institutional
Multiple Use
Schools / Public Facilities

Project Site



Land Use Map

JACK IN THE BOX AMENDMENT – 2828 NATIONAL AVENUE

PROJECT NO. 366524



ATTACHMENT 2

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

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24004591

SITE DEVELOPMENT PERMIT NO. 1294027
JACK IN THE BOX SOUTHEASTERN - PROJECT NO. 366524
Amending Site Development Permit No. 9200 and Planned Development Permit No. 9201
PLANNING COMMISSION
DRAFT

This Site Development Permit No. 1294027, amendment to Site Development Permit No. 9200/Planned Development Permit No. 9201, is granted by the Planning Commission of the City of San Diego to National II LLC, a California Limited Liability Company, Owner, and DMSD Foods Incorporated, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0601 and 1519.0201. The 1.93-acre site is located at 2890 National Avenue in the CSR-2 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Plan. The project site is legally described as: Lots 25 thru 48 inclusive, Block 7, Reid and Hubbell's Addition, Map No. 327.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to modify the previously approved Building "C" to construct a 2,588-square-foot drive-thru restaurant described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 26, 2015, on file in the Development Services Department.

The project shall include:

- a. The construction of a 2,588-square-foot drive-thru restaurant;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;

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

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 12, 2015.
2. 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.
3. 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.
4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
5. 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.).
6. 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.
7. 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.
8. 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.

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

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

10. Mitigated Negative Declaration (MND) No. 1531, LDR No. 99-0517 was prepared for the original project and any remaining Mitigation requirements (as described in the Mitigation, Monitoring, and Reporting Program [MMRP]) shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement for the curb outlets located within 29th Street and National Avenue rights-of-way, satisfactory to the City Engineer.

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

13. 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.
14. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
15. Prior to the issuance of any construction permit, the Water Quality Technical Report will be subject to final review and approval by the City Engineer.
16. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

PLANNING/DESIGN REQUIREMENTS:

17. 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.
18. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
19. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

20. No fewer than 84 parking spaces including 4 accessible space (96 spaces, including 7 accessible spaces are provided), plus 5 motorcycle spaces, and 5 bicycle racks shall be maintained on the property at all times in the approximate locations shown on Exhibit "A". All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

INFORMATION ONLY:

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

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

APPROVED by the Planning Commission of the City of San Diego on February 26, 2015 and Resolution No. XXXX.

PLANNING COMMISSION RESOLUTION NO. XXXX
SITE DEVELOPMENT PERMIT NO. 1294027
JACK IN THE BOX SOUTHEASTERN - PROJECT NO. 366524
Amending Site Development Permit No. 9200 and Planned Development Permit No. 9201
DRAFT

WHEREAS, National II LLC, a California Limited Liability Company, Owner, and DMSD Foods Incorporated, Permittee, filed an application with the City of San Diego for a permit to construct a 2,588-square-foot, drive-thru restaurant on a vacant pad within an existing shopping center (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval) for the associated Site Development Permit No. 1294027, on portions of a 1.93-acre site;

WHEREAS, the project site is located at 2890 National Avenue in the CSR-2 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Plan area;

WHEREAS, the project site is legally described as Lots 25 thru 48 inclusive, Block 7, Reid and Hubbell's Addition, Map No. 327;

WHEREAS, on February 26, 2015, the Planning Commission of the City of San Diego considered Site Development Permit No. 1294027 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, a Mitigated Negative Declaration (MND) No. 1531 (LDR No. 99-0517) was prepared and certified for the original project on December 12, 2002. The proposed project was reviewed by staff and it was determined that, in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162(a): (1) no substantial changes are proposed to the project which would require major revisions of the previous MND; (2) no substantial changes occur with respect to the circumstances under which the project is undertaken that would require any revisions to the previous MND; and (3) there is no new information of substantial importance that was not known and could not have been known at the time the previous MND was certified. Therefore, no subsequent MND or other environmental document is needed for this amendment, as all of the impacts were adequately addressed and disclosed in MND No. 1531 (LDR No. 99-0517).

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

That the Planning Commission adopts the following written Findings, dated February 26, 2015.

FINDINGS:

Site Development Permit - Section 126.0504:

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

The 1.93-acre site is located at 2890 National Avenue in the CSR-2 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Plan area.

The project proposes to amend previously approved permits in order to develop a 2,588-square-foot drive-thru restaurant.

The project site is located within the Memorial Neighborhood of the Southeastern San Diego Community Plan area and the General Plan Commercial land use designation. The commercial objectives of the community plan include the rehabilitation of existing commercial centers; improvement of both vehicular and pedestrian access; street trees and building transparencies. For projects oriented to vehicular access, pedestrian access should be provided through clearly identified walkways. In areas where pedestrian activity is desired, development regulations should require that buildings be located along or near the street property line and parking should not be permitted between the building and the street.

The Memorial Neighborhood section recommends commercial uses on both sides of National Avenue be developed with parking in the rear to reflect and continue the existing pattern of development and encourage pedestrian use.

The proposed project will rehabilitate the existing commercial center by providing an active commercial use where an existing vacant lot is today. The site, as developed previously, has established parking towards the center of the complex with commercial uses at the northern edge. The proposed building is sited along National Avenue at the eastern corner. The project provides outdoor seating as well as a small nature-themed path with additional seating along with decorative bike racks to encourage pedestrian activity. The building provides articulation with the use of offsetting planes, lighting, color and materials including spandrel glass and art panels. Therefore, the proposed project will not adversely affect the applicable land use plan.

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

The 1.93-acre site is located at 2890 National Avenue in the CSR-2 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Plan area. The project proposes to amend previously approved permits in order to develop a 2,588-square-foot drive-thru restaurant.

Mitigated Negative Declaration (MND) No. 1531 (LDR No. 99-0517) was prepared and certified for the original project on December 12, 2002. The proposed project was reviewed by staff and it was determined that, in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162(a): (1) no substantial changes are proposed to the project which would require major revisions of the previous MND; (2) no substantial changes occur with respect to the circumstances under which the project is undertaken that would require any revisions to the previous MND; and (3) there is no new information of substantial importance that was not known and could not have been known at the time the previous MND was certified. Therefore, no subsequent MND or other environmental document is needed for this amendment, as all of the impacts were adequately addressed and disclosed in MND No. 1531 (LDR No. 99-0517).

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

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

The 1.93-acre site is located at 2890 National Avenue in the CSR-2 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Plan area. The project proposes to amend previously approved permits in order to develop a 2,588-square-foot drive-thru restaurant and was determined to be consistent with the development regulations of the underlying zones and complies with setbacks, floor area ratio, landscaping and architectural design and no deviations are requested with this action. Therefore, the site complies with the applicable zoning and development regulations of the Land Development Code.

Southeastern San Diego Development Permit- Section 1519.0202:

- 1. The proposed use and project design meet the purpose and intent of the Southeastern San Diego Planned District Ordinance, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council.**

The 1.93-acre site is located at 2890 National Avenue in the CSR-2 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Plan area. The project proposes to amend previously approved permits in order to develop a 2,588-square-foot drive-thru restaurant.

The CSR Zone is intended to allow for commercial strip development with parking to the rear or side of the building. This zone is intended to accommodate a wide variety of community shopping and business needs and services. The placement of the parking within the interior of the site complies with the purpose and intent of the zone. The project complies with all development regulations of the Southeastern San Diego Planned District and the San Diego Municipal Code including lot coverage, floor area ratio, building height, setbacks and design standards.

The project site is located within the Memorial Neighborhood of the Southeastern San Diego Community Plan area and the General Plan Commercial land use designation. The commercial objectives of the community plan include the rehabilitation of existing commercial centers; improvement of both vehicular and pedestrian access; street trees and building transparencies. For projects oriented to vehicular access, pedestrian access should be provided through clearly identified walkways. In areas where pedestrian activity is desired, development regulations should require that buildings be located along or near the street property line and parking should not be permitted between the building and the street.

The Memorial Neighborhood section recommends commercial uses on both sides of National Avenue be developed with parking in the rear to reflect and continue the existing pattern of development and encourage pedestrian use.

The proposed project will rehabilitate the existing commercial center by providing an active commercial use where an existing vacant lot is today. The site, as developed previously, has established parking towards the center of the complex with commercial uses at the northern edge. The proposed building is sited along National Avenue at the eastern corner. The project provides outdoor seating as well as a small nature-themed path with additional seating along with decorative bike racks to encourage pedestrian activity.

Therefore the proposed project meets the purpose and intent of the Southeastern San Diego Planned District Ordinance, complies with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan.

2. **The proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable.**

The 1.93-acre site is located at 2890 National Avenue in the CSR-2 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Plan area. The previous entitlements allowed for a 9,252-square-foot building with four retail suites and a sit-down restaurant. The project proposes to amend previously approved permits in order to construct a 2,588-square-foot drive-thru restaurant.

The proposed building is separated from the residential uses to the north by a 20-foot alley and to the east by 29th Street. The building has been placed as far as possible from the residential uses to minimize impacts to nearby residents. The entrance to the drive-thru is accessed towards the middle of the site with the exit along 29th Street. The drive-thru speaker and window are orientated away from the residential use parallel to National Avenue. The outdoor speaker for the drive-thru is equipped with an automatic noise reduction feature that registers ambient noise and automatically reduces the volume of the speaker at night. Lighting will be shielded from the residences to the north and to the east.

The building provides articulation with the use of offsetting planes, lighting, color and materials including spandrel glass and art panels. The project complies with the floor area ratio, lot coverage, building height, setbacks, design standards and all other applicable regulations of the San Diego Municipal Code and no deviations are requested.

Therefore, the proposed development is compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community.

3. **The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.**

The 1.93-acre site is located at 2890 National Avenue in the CSR-2 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Plan area. The project proposes to amend previously approved permits in order to develop a 2,588-square-foot drive-thru restaurant.

Mitigated Negative Declaration (MND) No. 1531 (LDR No. 99-0517) was prepared and certified for the original project on December 12, 2002. The proposed project was reviewed by staff and it was determined that, in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162(a): (1) no substantial changes are proposed to the project which would require major revisions of the previous MND; (2) no substantial changes occur with respect to the circumstances under which the project is undertaken that would require any revisions to the

previous MND; and (3) there is no new information of substantial importance that was not known and could not have been known at the time the previous MND was certified. Therefore, no subsequent MND or other environmental document is needed for this amendment, as all of the impacts were adequately addressed and disclosed in MND No. 1531 (LDR No. 99-0517).

All Uniform Building, Fire, Plumbing, Electrical and Mechanical Code regulations and permitting requirements governing the construction and continued operation of the development apply to this project.

The proposed building is separated from the residential uses to the north by a 20-foot alley and to the east by 29th Street. The building has been placed as far as possible from the residential uses to minimize impacts to nearby residents. The entrance to the drive-thru is accessed towards the middle of the site with the exit along 29th Street. The drive-thru speaker and window are orientated away from the residential use parallel to National Avenue. The outdoor speaker for the drive-thru is equipped with an automatic noise reduction feature that registers ambient noise and automatically reduces the volume of the speaker at night. Lighting will be shielded from the residences to the north and to the east.

Therefore, as proposed, the project because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.

4. The proposed use will comply with the relevant regulations of the Municipal Code.

The 1.93-acre site is located at 2890 National Avenue in the CSR-2 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Plan area. The project proposes to amend previously approved permits in order to develop a 2,588-square-foot drive-thru restaurant and was determined to be consistent with the development regulations of the underlying zones and complies with setbacks, floor area ratio, landscaping and architectural design and no deviations are requested with this action. Therefore, the site complies with the relevant regulations of the Municipal Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 1294027 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. 1294027 and 1294028, a copy of which is attached hereto and made a part hereof.

Renee Mezo
Development Project Manager
Development Services

Adopted on: February 26, 2015

Job Order No. 24004591



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: February 6, 2015,

TO: Renee Mezo, Development Project Manager, Project Management Division,
Development Services Department

FROM: Rhonda Benally, Associate Planner, Land Development Review, Development
Services Department

SUBJECT: Jack In The Box Amendment, California Environmental Quality Act 15162
Evaluation

The Development Services Department has completed a California Environmental Quality Act 15162 evaluation for the Jack In The Box Amendment project, an amendment to the Site Development Permit (SDP) No. 9200, and Planned Development Permit (PDP) No. 9201 to allow for the construction of a 2,588 square-foot commercial/retail restaurant facility with a drive-through on a vacant building pad on a 1.93 acre site. The proposed project is in compliance with the previously approved SDP and PDP. It is the determination of the Development Services Department that this project is consistent with the previously adopted Mitigated Negative Declaration No. 1531 (LDR 99-0517) which was certified by the City of San Diego Planning Commission on December 2, 2002. A Mitigation Monitoring and Reporting Program (MMRP) was adopted for the project to reduce potentially significant impacts to Noise and Water Quality.

EAS determined that the redesign and the reduction of square footage is not a significant or substantial change to the previously approved project. Project analysis and review included technical studies related to: transportation/circulation/parking, greenhouse gas emissions (GHG), and water quality. It was determined that the project traffic would operate at acceptable levels of service (LOS) and the project would not result in significant impacts and/or require mitigation. The GHG emissions report concluded the project would not exceed the 900 MTCO₂E screening thresholds, and as such the level of impacts would be less than significant. The Water Quality Technical Report confirmed that the project would comply with the City's Storm Water Standards. Additionally, EAS confirmed that the project would not meet the thresholds for impacts to paleontological resources.

Page 2
Renee Mezo
February 6, 2015

All of which also confirmed that the proposed changes to the project would not result in any additional impacts than those identified in the previously certified Mitigated Negative Declaration.

Section 15162 of the California Environmental Quality Act Guidelines states that when an Environmental Impact Report has been certified or a Negative Declaration adopted for a project, no subsequent or supplemental Environmental Impact Report or Negative Declaration shall be prepared for that project unless one or more of the following events occur:

1. Substantial changes are proposed to the project
2. Substantial changes occur with respect to circumstances under which the project is being undertaken
3. New information, which was not known or could not have been known at the time the Environmental Impact Report or Negative Declaration was certified as complete, becomes available.

The amendment to allow construction of 2,588 square-foot restaurant facility with a drive through on a previously approved vacant building pad would not result in a substantially changed project. Further, no new information has emerged subsequent to the certification of MND No. 1531 (LDR-No. 99-0517) that would require the preparation of a new environmental document.

Therefore, Development Services Department staff concludes that all environmental issues and mitigation for significant impacts for this project have been adequately addressed pursuant to the California Environmental Quality Act.



Rhonda Benally
Associate Planner

DOC # 7214 2003-0486726

APR 28 2003 9:39 AM

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
DEPARTMENT

WHEN RECORDED MAIL TO
PERMIT INTAKE
MAIL STATION 501

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 46.00

7214



2003-0486726

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 99-0517

SITE DEVELOPMENT PERMIT NO. 9200/PLANNED DEVELOPMENT PERMIT NO. 9201
NATIONAL LLC PROJECT NO. 1531
Planning Commission
(MMRP)

This Permit is granted by the Planning Commission of the City of San Diego to National, LLC., Owner and Permittee pursuant to Sections 126.0504 and 126.0604 of the Municipal Code of the City of San Diego. The 1.93 acre site is located at 2828 National Avenue in the CSR-2 Zone within the Southeastern San Diego Community Plan. The project site is legally described as Lots Nos. 25 through 48; Block 7, Reid & Hubbell's Addition; Map No. 327.

Subject to the terms and conditions set forth in this permit, permission is granted to Owner/ Permittee to construct three single-story, retail buildings described as, and identified by size, dimension, quantity, type and location on the approved Exhibits "A," dated December 12, 2002, on file in the Office of the Development Services Department. The facility shall include:

- a. Building "A" - Fast food restaurant with a drive-thru area, resulting in 2,874 sq. ft;
- b. Building "B" - A drive-thru area, and eight retail suites, resulting in 14,704 sq. ft;
- c. Building "C" - Four retail suites and a sit-down restaurant, resulting in 9,252 sq. ft;
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking facilities;
- f. A 6'-0" high wrought iron fence;
- g. Trellis and outdoor seating areas;
- h. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted Community Plan, California Environmental Quality Act guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this permit, and any other applicable regulations of the Municipal Code in effect for this site.

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7215

1. Construction, grading or demolition must commence and be pursued in a diligent manner within 36 months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within 36 months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the Municipal Code requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this permit be conducted on the premises until:
 - a. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this permit has been revoked by the City of San Diego the property included by reference within this permit shall be used only for the purposes and under the terms and conditions set forth in this permit unless otherwise authorized by the City Manager.
4. This permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.
5. The utilization and continued use of this permit shall be subject to the regulations of this and any other applicable governmental agencies.
6. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and/or site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
7. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A," dated December 12, 2002 on file in the Office of the Development Services Department. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.
8. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this discretionary permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded special rights which the holder of the Permit is obtaining as a result of this Permit. It is the intent of the City that the Owner of the property which is the subject of this Permit either utilize the property for any use allowed under the zoning and other restrictions which apply to the property or, in the alternative, that the Owner of the property be allowed the special and extraordinary rights conveyed by this Permit, but only if the Owner complies with all the conditions of the Permit.

ORIGINAL

7216

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

9. The applicant shall comply with the Mitigation, Monitoring and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No. 99-0517 satisfactory to the City Manager and the City Engineer. Prior to issuance of any grading permits and/or building permit, all mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas: Noise and Water Quality.

PLANNING/DESIGN REQUIREMENTS:

10. No fewer than 108 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibits "A," dated December 12, 2002, on file in the Office of Development Services Department. Parking spaces shall comply at all times with requirements of the Municipal Code and shall not be converted for any other use unless otherwise authorized by the City Manager.

11. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

12. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this permit.

13. A topographical survey conforming to the provisions of the Municipal Code 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 regulations of the underlying zone. The cost of any such survey shall be borne by the permittee.

14. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

15. All signage associated with this development shall be consistent with sign criteria established by Citywide sign regulations.

ORIGINAL

7217

16. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

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

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

18. All uses, except storage and loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material and equipment is permitted in any required interior side or rear yard, provided the storage area is completely enclosed by walls, fences or a combination thereof. Walls or fences shall be solid and not less than six feet in height and, provided further, that no merchandise, material or equipment stored not higher than any adjacent wall.

19. No merchandise, material or equipment shall be stored on the roof of any building.

20. No mechanical equipment shall be erected, constructed, or enlarged on the roof of any building on this site, unless all such equipment is contained within a completely enclosed architecturally integrated structure.

21. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Refuse and Recyclable Materials Storage Regulations (Municipal Code Section 142.0801) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A."

LANDSCAPE REQUIREMENTS:

22. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit shall have been granted by the City. All plan specifications and notes mentioned in the conditions below shall be consistent with MC 142.0400 City-Wide Landscape Regulations, the Land Development Manual Landscape

ORIGINAL

7218

Standards, and Exhibit 'A' Landscape Concept Plan on file in the Office of the Development Services Department.

23. In the event that a foundation only permit is requested by the Permittee or subsequent Owner, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit 'A' Landscape concept Plan on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

24. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards (including planting and irrigation plans, details and specifications) shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit 'A', Landscape Concept Plan, on file in the Office of the Development Services Department.

25. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall include a Street Tree Location Plan, in substantial conformance with Exhibit 'A' which identifies a station point for each street tree location that takes into account 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.

26. Prior to issuance of any engineering permits for grading, construction documents for revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance to this South East San Diego Permit (including Environmental conditions) and Exhibit 'A', on file in the Development Services Department.

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

28. The Permittee or subsequent Owner shall be responsible for the maintenance of all street trees and landscape improvements in the right-of-way consistent with the Landscape Standards unless long-term maintenance of street trees and right-of-way landscaping will be the responsibility of a Landscape maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be entered between Permittee or subsequent Owner and the City of San Diego until such time as the Maintenance District or other approved entity assumes responsibility of said landscaping.

29. All required landscape shall be maintained in a disease, weed and litter free conditions at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

30. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size

ORIGINAL

7219

per the approved documents to the satisfaction of the City Manager within 30 days of damage or Certificate of Occupancy.

ENGINEERING REQUIREMENTS:

31. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the replacement of the existing curb, along the project frontage on 28th Street, 29th Street and the replacement of all damaged curb and gutter on National Avenue with City standard curb and gutter, per Standard Drawings G-2 and SDG-1-, satisfactory to the City Engineer.
32. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the closure of all no-utilized driveways with City standard curb, gutter and sidewalk, on 28th Street, 29th Street, and National Avenue, per Standard Drawings G-2, G-7, G-9 and SDG-100, satisfactory to the City Engineer.
33. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the installation of two 20 foot wide driveways with a 4' separation between driveway curb openings, on National Avenue, per Standard Drawings G-14A, G-16 and ASD-100, satisfactory to the City Engineer.
34. Prior to the issuance of any building permit, the applicant shall assure by permit and bond the installation of one City standard 25 foot wide driveway, on 28th Street, and one 25 foot wide driveway on 29th Street, per Standard Drawings G-14A, G-16 and ADG-100, satisfactory to the City Engineer.
35. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the replacement of all sidewalk with a 5-foot wide City standard sidewalk, along the project frontage on 28th Street, 29th Street and National Avenue, per Standard Drawings G-7 and G-9, satisfactory to the City Engineer.
36. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the installation of a City standard pedestrian ramp on the northwest corner of 29th Street and National Avenue, per Standard Drawings G-27 and G-32, satisfactory to the City Engineer.
37. Prior to the issuance of any building permits, the applicant shall obtain an encroachment removal agreement from the City Engineer for landscaping, irrigation and appurtenances in the City right-of-way.
38. The drainage system proposed for this development is subject to approval by the City Engineer.
39. Prior to the issuance of any building permits, the applicant shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal code in a manner satisfactory to the City Engineer.
40. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit issuing authority.

ORIGINAL

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

TRANSPORTATION REQUIREMENTS:

42. Prior to the issuance of any building permits, the applicant shall assure by permit and bond installation of raised median on National Avenue in front of the project main driveway and to the east of it, and to re-stripe National Avenue between 28th Street and 29th Street as shown on the Exhibit "A" to allow northbound movements into the site while restricting exiting traffic to right turn only movements, satisfactory to the City Engineer.

43. On the southeast corner of 29th Street/Boston Avenue, prior to the issuance of any building permits the applicant shall assure painting of approximately 40 feet of the east curb of 29th Street from curb return at Boston Avenue to approximately 20 feet north of the first driveway on 29th Street, satisfactory to the City Engineer.

44. Prior to the issuance of any building permits, this project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 769830, filed January 30, 1997) and the amendment to Council Policy 200-18 approved by City Council on January 10., 2000, satisfactory to the City Engineer.

INFORMATION ONLY

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of these development permits, may protest the imposition within 90 days of the approval of these development permits by filing a written protest with the City Clerk pursuant to California Government Code 66020.

APPROVED by the Planning Commission of the City of San Diego on December 12, 2002.

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revised 8/29/02wct

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ALL-PURPOSE CERTIFICATE

Type/PTS Approval Number of Document 1531Date of Approval December 12, 2002STATE OF CALIFORNIA
COUNTY OF SAN DIEGOJudy Johnson
Judy Johnson, Development Project Manager

On 12/23/02 before me, Stacie L. Maxwell, (Notary Public), personally appeared **Judy Johnson**, Development Project Manager of the Development Services Department of the City of San Diego, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

Stacie L. Maxwell
Stacie L. Maxwell

ALL-PURPOSE CERTIFICATE

OWNER(S)/PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED OWNER(S)/PERMITTEE(S), BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF OWNER(S)/PERMITTEE(S) THEREUNDER.

Signed

Typed Name

Alexander Zirpolo
Alexander Zirpolo

Signed

Typed Name

STATE OF

California

COUNTY OF

San Diego

On 1-29-03 before me, Tracey Hassett (Name of Notary Public) personally appeared Alex Zirpolo, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Tracey Hassett

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J.O. 99-0517

PLANNING COMMISSION
RESOLUTION NO. 3340
SITE DEVELOPMENT PERMIT NO. 9200
PLANNED DEVELOPMENT PERMIT NO. 9201, DEVIATIONS
NATIONAL LLC - Project No.1531

WHEREAS, NATIONAL LLC, Owner/Permittee, filed an application with the City of San Diego for a permit to construct three (3) retail buildings (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit approval Nos. 9200 & 9201, on portions of a 1.93 acre site; and

WHEREAS, the project site is located at 2828 National Avenue in the CSR-2 ZONE of the Southeastern San Diego Community Plan;

WHEREAS, the project site is legally described as Lots 25 through 48; Block No. 7, Reid & Hubbell's Addition; Map 327;

WHEREAS, on December 12, 2002, the Planning Commission of the City of San Diego considered Site Development Permit Nos. 9200 & Planned Development Permit No. 9201 with deviations, 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 as follows:

That the Planning Commission adopts the following written Findings, dated December 12, 2002:

FINDINGS:

SITE DEVELOPMENT PERMIT - MUNICIPAL CODE SECTION 126.0504 AND PLANNED DEVELOPMENT PERMIT MUNICIPAL CODE SECTION 126.0604

1. The proposed development will not adversely affect the applicable Land Use Plan

The proposal will construct three (3) retail buildings, totaling approximately 27,000 square feet of retail space in a 1.93 acre site. The subject property is zoned CSR-2, Southeast San Diego Planned District and located in the Memorial Neighborhood of the Southeastern San Diego Community Plan, on the north side of the street at 2828 National Avenue, between 28th Street and 29th Street.

Building "A" will be located at the northeast corner of National avenue and 28th Street and will contain a fast food restaurant with a drive-thru area, that will result in 2,874 square feet. Building "B" will be located along the public alley on the north side of the property, and will include eight retail suites, resulting in 14,704 square feet. Building "C" will be located on the

ORIGINAL

northwest corner of National Avenue and 29th Street and will include four retail suites and a sit-down restaurant, resulting in 9,252 square feet. Additionally, the project will provide 108 surface parking spaces and landscaping throughout the site, in compliance with the development regulations.

The site is governed by the policies and guidelines of the General Plan, the Southeast San Diego Community Plan and the development regulations of the CSR-2 Zone, the Site Development Permit for the Southeastern San Diego Planned District Ordinance and Planned Development Permit. The Planned Development Permit allows for the proposed deviations. The proposed project is in compliance with all applicable policies, guidelines and regulations in effect for the site.

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

The proposed project would develop three (3) detached retail/restaurant buildings resulting in approximately 27,000 square feet. The project includes parking and landscaping. The placement of Building C along the north side of the lot, near the alley, allows good visibility for the public and for passing police units.

The permit prepared for this development includes various conditions and referenced Exhibits of approval relevant to achieving project compliance with the Regulations and applicable Ordinance provisions of the City's Municipal Code in effect for this site; and that such conditions have been determined by the Decision Maker as necessary to avoid adverse impacts upon the health, safety, and general public welfare. These conditions (and referenced Exhibits) include limitations upon the extent and amount of site grading activities, minimum parking and landscaping requirements, and required public improvements.

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

The proposed three (3) buildings will comply with most of the applicable regulations of the CSR-2 Zone, including height, floor area ratio for the entire premises, on-site parking spaces and landscape regulations. The Planned Development Permit is being processed for deviations for the following:

A zero (0) to four (4) foot setback is being requested where a ten foot setback is required for two parking spaces (one parking space on 28th Street, and one parking spaces on 29th Street); for fencing (on 29th Street); for the building that fronts on 29th Street identified as "C", along with post and trellises that will be located within zero to four feet of the street side yard on 29th Street. A deviation for fewer offsetting plans is also being requested. A total of 32 offsetting planes are required for the project and 21 are provided. Along the west side of Building "A", there are three (3) offsetting planes required and two (2) are provided. Along the south side of Building "B" there are eight (8) offsetting planes required and five (5) provided. Along both east and west elevations three (3) offsetting planes each required and two (2) each provided. Along the east side of Building "C", there are four (4) offsetting planes

ORIGINAL

required and two (2) provided. Along the south side of the building, seven (7) offsetting planes are required and five (5) are provided.

All of the requested deviations can be supported based on the quality of the project design and development constraints of the site. The site is long and narrow, causing site planning to be difficult. Two of the proposed three buildings at the northeast and northwest corners will be located close to the street to break up the massing of the building to partially satisfy the Southeast San Diego Community Plan's recommendation to place buildings along pedestrian oriented streets. project complies with the applicable regulations, and with the Southeast San Diego Community Plan.

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

The vacant property invites the dumping of trash on it which makes its appearance even more unsightly. The area is in dire need of development and the proposed project would serve as a catalyst for further development.

When considered as a whole, the proposed commercial use provides leasing space opportunities to people within the community and with adequate water service and improved streets, this project is beneficial to the community within the Southeast San Diego Planning Area.

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

The project proposes deviations to street side yard setbacks for three of the proposed parking spaces: for the east fence; for building yards for front and rear offsetting planes. The encroachment into the required yards is for the purpose of increasing the frontage along National Avenue and 29th Street, and increases the width of the pedestrian ways adjacent to buildings "B" and "C". With the freeway off-ramp immediately across the street, Building "B" is set back on the property to relieve the impact of the traffic on the street scope at this location. Building "C" is consistent with the setbacks found in the Southeast San Diego neighborhood commercial development and is adjacent to the front property line. The project provides no offset plans for the alley elevation for safety reasons.

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BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 9200 and Planned Development Permit 9201 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos 9200 and 9201, a copy of which is attached hereto and made a part hereof.

Judy Johnson
JUDY JOHNSON

Development Project Manager
Development Services

Judy Johnson for
Linda Lugano
LINDA LUGANO
Legislative Recorder to the
Planning Commission

Adopted on: December 12, 2002

PTS Number 1531

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rev 10/02 amb

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GOVERNMENT CODE 27361.7

I CERTIFY UNDER PENALTY OF PERJURY THAT THE NOTARY SEAL ON THE DOCUMENT TO WHICH THIS STATEMENT IS ATTACHED READS AS FOLLOWS:

Name of the Notary: Stacie L Maxwell

Commission Number: 1268390 Date Commission Expires: Jun 24, 04

County Where Bond is Filed: San Diego

Manufacturer or Vendor Number: NNA1
(Located on both sides of the notary seal border)

Signature: [Signature]
Firm Name (if applicable)

Place of Execution: San Diego Date: 4/28/03

723

GOVERNMENT CODE 27361.7

I CERTIFY UNDER PENALTY OF PERJURY THAT THE NOTARY SEAL ON THE DOCUMENT TO WHICH THIS STATEMENT IS ATTACHED READS AS FOLLOWS:

Name of the Notary: Tracey Mail Hausenholder

Commission Number: 1329719 Date Commission Expires: Nov 11, 05

County Where Bond is Filed: San Diego

Manufacturer or Vendor Number: Egw1
(Located on both sides of the notary seal border)

Signature: 
Firm Name (if applicable)

Place of Execution: San Diego Date: 4/28/03



Land Development
Review Division
(619) 446-5460

Mitigated Negative Declaration

Project No. 1531
(LDR No. 99-0517)

SUBJECT: National LLC. SITE DEVELOPMENT PERMIT/PLANNED DEVELOPMENT PERMIT NO. 1531 for the construction of three single-story, wood frame, multi-tenant retail buildings on an existing 84,000 square-foot vacant lot which includes 12 individual retail suites totaling 20,120 square feet, one 2,874 square-foot fast food facility with a drive-thru, a 3,836 square-foot sit-down food restaurant and 108 surface parking spaces at 2828 National Avenue between 28th Street and 29th Street (Lot Nos. 25 through 48; Block No.7; Reid & Hubbell's Addition; Map No. 327; APN 550-012-16 through 25) in the Southeastern San Diego Community Planning Area. Applicant: Elkins- Zirpolo, Inc.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have significant environmental effects in the following areas: Geology, Traffic, Water Quality, Neighborhood Character/Aesthetics, and Human Health/Public Safety. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration. The project as revised now avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

Mitigation, Monitoring and Reporting Program (MMRP) Deposit

After project approval and prior to recordation of any permit(s) or final map(s), the applicant shall submit a deposit of \$450.00 to the Development Project Manager in Development Services Department to cover the City's costs associated with implementation of the Mitigation, Monitoring and Reporting Program (MMRP).

Noise

Prior to final inspection or issuance of the Certificate of Occupancy, the applicant shall provide verification to the Development Services Department that a volume-controlled speaker station has been installed on the northwest corner of the site (adjacent to existing residences) and adjusted for low ambient noise conditions.

Water Quality

1. Prior to the issuance of grading permit, the City Engineer shall verify that comprehensive permanent post-construction water quality Best Management Practices (BMPs), consistent with those shown on Exhibit "A", are incorporated into the construction drawings to reduce the amount of pollutants (e.g., oil, grease, heavy metals) and sediments discharged from the site, satisfactory to the City Engineer. BMPs shall include, but not be limited to collection of on-site water into catch basins and trench drains, treat the surface runoff by means of Fossil Filters and then discharge the treated runoff to the public right of way through Type A Curb Inlets in accordance with SDRSD D-25. Equivalent alternative available technologies may be approved as BMPs by the City Engineer in lieu of, or in addition to, those shown on Exhibit "A". All permanent BMPs shall be maintained in accordance with the applicable manufacturer specifications. Spot checks may be made by the City Engineer to ensure that BMPs are being properly maintained.

VII. PUBLIC REVIEW DISTRIBUTION:

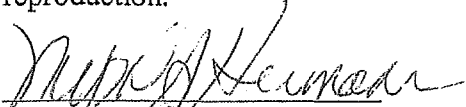
Draft copies or notice of this Mitigated Negative Declaration were distributed to:

City of San Diego
Councilmember Inzunza, District 8
Development Services
Planning Department
Central Community Service Center (451)
Market Street Community Service Center (451A)
Southeastern San Diego Development Committee (449)
Southeast San Diego Organizing Project (447)
Barrio Station (241)
County of San Diego Department of Environmental Health
KMA Architects (Consultant)
Elkins-Zirpolo, Inc. (Applicant)

VIII. RESULTS OF PUBLIC REVIEW:

- ~~(x)~~ No comments were received during the public input period.
- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- () Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration and any Initial Study material are available in the office of the Land Development Review Division for review, or for purchase at the cost of reproduction.


Myra Herrmann, Senior Planner
Development Services Department

November 1, 2002
Date of Draft Report

November 20, 2002
Date of Final Report

Analyst: Modee

City of San Diego
 Development Services Department
 LAND DEVELOPMENT REVIEW DIVISION
 1222 First Avenue, Mail station 501
 San Diego, CA 92101
 (619) 446-5460

INITIAL STUDY
 Project No. 1531
 (LDR No. 99-0517)

SUBJECT: National LLC. SITE DEVELOPMENT PERMIT/PLANNED DEVELOPMENT PERMIT NO. 1531 for the construction of three single-story, wood frame, multi-tenant retail buildings on an existing 84,000 square-foot vacant lot which includes 12 individual retail suites totaling 20,120 square feet, one 2,874 square-foot fast food facility with a drive-thru, a 3,836 square-foot sit-down food restaurant and 108 surface parking spaces at 2828 National Avenue between 28th Street and 29th Street (Lot Nos. 25 through 48; Block No.7; Reid & Hubbell's Addition; Map No. 327; APN 550-012-16 through 25) in the Southeastern San Diego Community Planning Area. Applicant: Elkins- Zirpolo, Inc.

I. PURPOSE AND MAIN FEATURES:

The proposed project includes construction of three single-story, wood frame structures with stucco exterior totaling 20,120 square feet which includes eight retail suites along the public alley on the east side of the property, a multi-tenant retail building facing National Avenue with four retail suites and a 3,836 square-foot sit-down food restaurant, a 2,874 square-foot fast food facility with a drive-thru on the north side of the project site on 28th Street, and 108 surface parking on an existing 84,000 square-foot vacant lot. (See Figure 1 and 2). There are no storm drains on the surrounding streets. The project proposal includes providing on-site drainage and filtration systems to treat all surface water prior to releasing it into the public right-of-way.

In addition to the Site Development Permit (SDP), the applicant is also requesting to process a Planned Development Permit (PDP) for the following deviations: Parking, both buildings A and C, and posts and trellises all located within the street side yard setback. A three-foot setback is requested where ten feet is required. Also, a deviation for fewer offsetting planes is being requested.

Along the west side of building A, there are three offset planes required and two provided. Along the south side of building A, there are four offsetting planes required and three provided. Along building B, there are eight offset planes required and five provided. Along the south elevation and along both the east and west elevations three each are required and two each provided. Along the east side of building C, there are four offsetting planes required and two provided, and along the south side seven are required and five provided. There are a total of 21 offsetting planes for the entire project where 32 are required.

All of the above deviations can be supported through a PDP because of the long and narrow shape of the lot and the proposal is a more desirable project than the previous development.

II. ENVIRONMENTAL SETTING

The relatively flat project site is located northeast of Interstate 5 at 2828 National Avenue in the Memorial neighborhood of the Southeastern San Diego Community Planning Area. Surrounding land uses include single family residences, apartments and a library to the north; single family residences to the west along 28th Street; single family residences and commercial uses to the east along 29th Street. Single family residences, commercial uses and an Interstate 5 freeway off-ramp/on-ramp are located directly to the south of the project site.

Landscaping proposed on the project site includes London Plane Tree, Magnolia, Chinese Tallow Tree, Tipu, Ornamental Pear, Evergreen Pear, True Green elm, Red-iron Bark, Cajeput Tree, Queen Palm, Floss Silk Tree, Jacaranda, Purple Leaf Plum, Windmill Palm, India Hawthorn, Escallonia, Mock Orange, Japanese Privet, Shiny Xylosma, Philodendron species, New Zealand Flax, Bird-of- Paradise, Daylilly, Dwarf Mock Orange, Dwarf Oleander, Lily-of-the-Nile, False Heather, Compact Myrtle, Natal Plum, Bougainvillea, Lavender Start Flower, Trailing Lantana, Myoporum species, ivy Geranium, Start Jasmine.

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study Checklist.

IV. DISCUSSION:

Human Health/Public Safety

Prior to 1991, the site was occupied by the Fornaca Bakery which included two underground storage tanks (UST) as part of the facilities. A Letter Report of Soil Vapor Sampling and Evaluation of Potential Human Health Risk, prepared by Environmental Business Solutions in May 1999, documented that in 1991 the USTs were removed which included excavation and disposal of approximately 750 cubic yards of petroleum hydrocarbon bearing soils. Several monitoring wells were installed to assess the extent of petroleum hydrocarbon-soil, phase-separated hydrocarbons (PSH), and groundwater with dissolved petroleum hydrocarbons. In January 1999, a Corrective Action Plan (CAP) was approved by the San Diego County Department of Health (DEH) under Case #H04887-001. Analysis of soil and groundwater sampling verified that gasoline and diesel were detected in soil beneath the former UTS excavation in two soil borings at depths of 15 and 65 feet below existing grade. In addition, groundwater was reported at depths of 59 to 63 feet below existing grade. Phase-separated hydrocarbons were reported in the groundwater monitoring stations in 1998 and 1999.

On May 5, 1999, a variety of soil samples were taken at depths ranging from 3 to 8 feet below existing grade and tested for the presence of Total Petroleum Hydrocarbons (TPH). TPH is a source of benzene vapors, a known carcinogen. This study concluded that "...No detectable concentrations of benzene or TPH were reported in any of the soil vapor samples collected; therefore, it is unlikely that a complete exposure pathway is present on site. Given the absence of a complete exposure pathway, there is no human health risk associated with vapor phase migration of petroleum hydrocarbons in the area investigated at the site."

A letter dated October 5, 1999 from the DEH formally closed Case File #H04887-001, and stated that "Based on information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, no further action related to the underground storage tanks is required." Based on the information provided by the applicant, and supported by the DEH, there are no impacts or human health risks from the UST's known to have been present on the project site.

Noise

To facilitate drive-thru operations, the use of a speaker menu board is proposed. The speaker menu board would be located on the north side of the drive-thru lane approximately 60 feet south of the single family residences located along 28th Street. Proposed landscaping along 28th Street is primarily low growing shrubs no higher than 3-4 feet. Required street and parking lot trees would not provide an adequate buffer for sound from the speaker at this location. However, the volume control for the proposed speaker menu board would automatically adjust for low ambient noise conditions, thereby avoiding excessive volume during low noise periods.

The proposal would be subject to the provisions of the Noise Abatement and Control Ordinance of the San Diego Municipal Code, which establishes one-hour average sound level limits at or beyond property lines; sound level limits are based on the zoning of the noise generating and noise receiving properties and vary by time of day. Although the proposal is not anticipated to generate noise levels beyond the limits of the subject property in excess of the maximum allowable sound level limits, in the event the proposed speaker menu board is found to be generating noise levels in violation of the applicable limits, appropriate measures would be required in order to achieve compliance with the Municipal Code. These measures would reduce the potential noise impact of the project to below a level of significance.

Water Quality

Runoff from proposed surface parking lot has the potential to adversely affect downstream water bodies. Typical parking lot runoff contains oil, grease, and gasoline.

Due to the relatively flat surface conditions and the lack of a subsurface drainage system on-site or immediately off-site, Best Management Practice (BMP) options are limited and have resulted in the requirement for operational BMPs rather than structural BMPs. Structural BMPs include, but are not be limited to, collection of on-site water into catch basins and trench drains, treating the surface runoff by means of Fossil Filters and then discharging the treated runoff to the public right of way through Type A Curb Inlets in accordance with SDRSD D-25. Implementation of the measures outlined in Section V., Mitigation, Monitoring and Reporting Program, of the Mitigated Negative Declaration; would reduce the potential water quality impact of the project to below a level of significance.

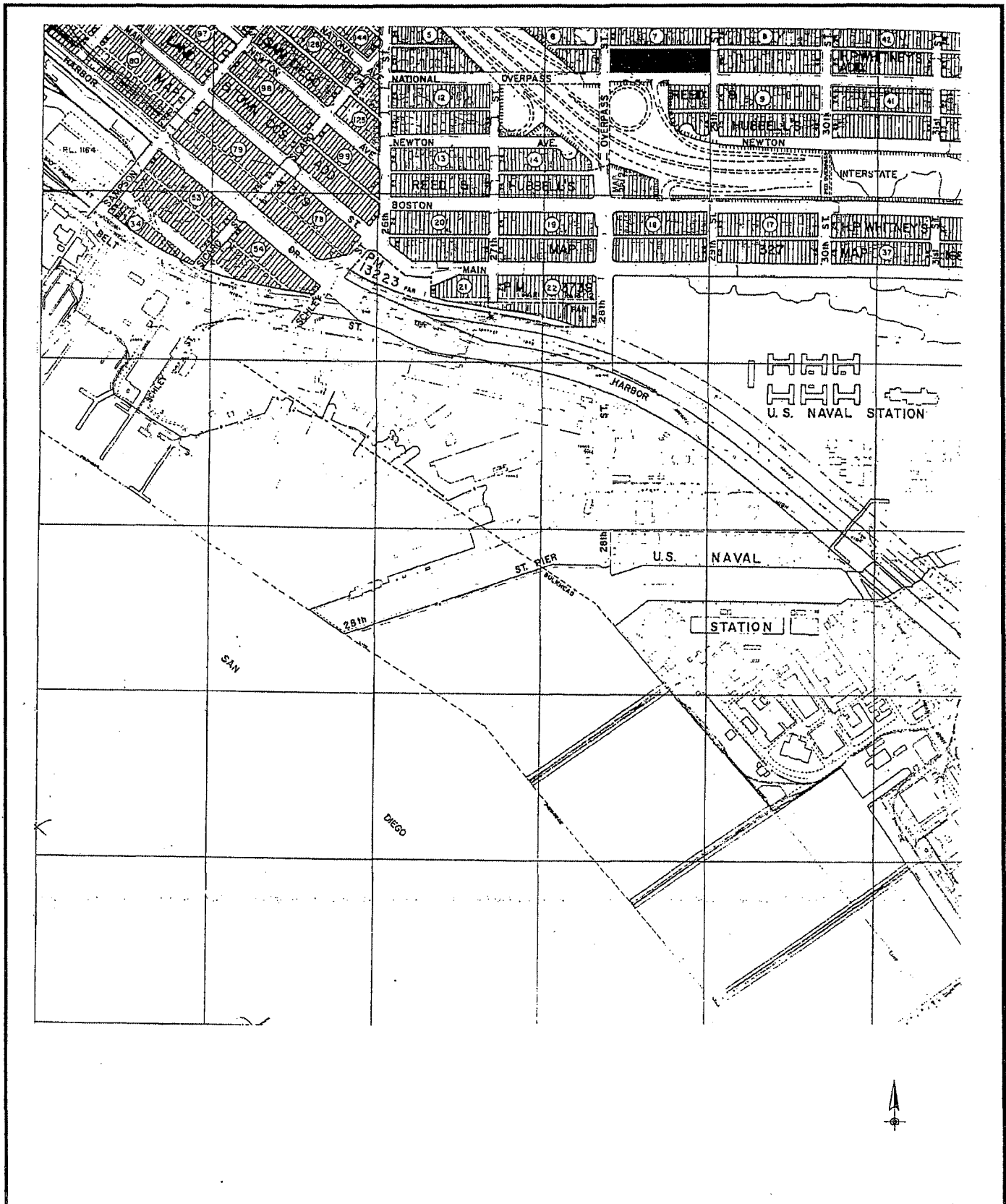
V. RECOMMENDATION:

On the basis of this initial evaluation:

- ☐ The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be significant effect in this case because mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
- ☐ The proposed project MAY have a significant impact on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

Project Analyst: Modee

Attachments: Figure 1 - Location Map
Figure 2 - Site Plan
Initial Study Checklist



186-1725

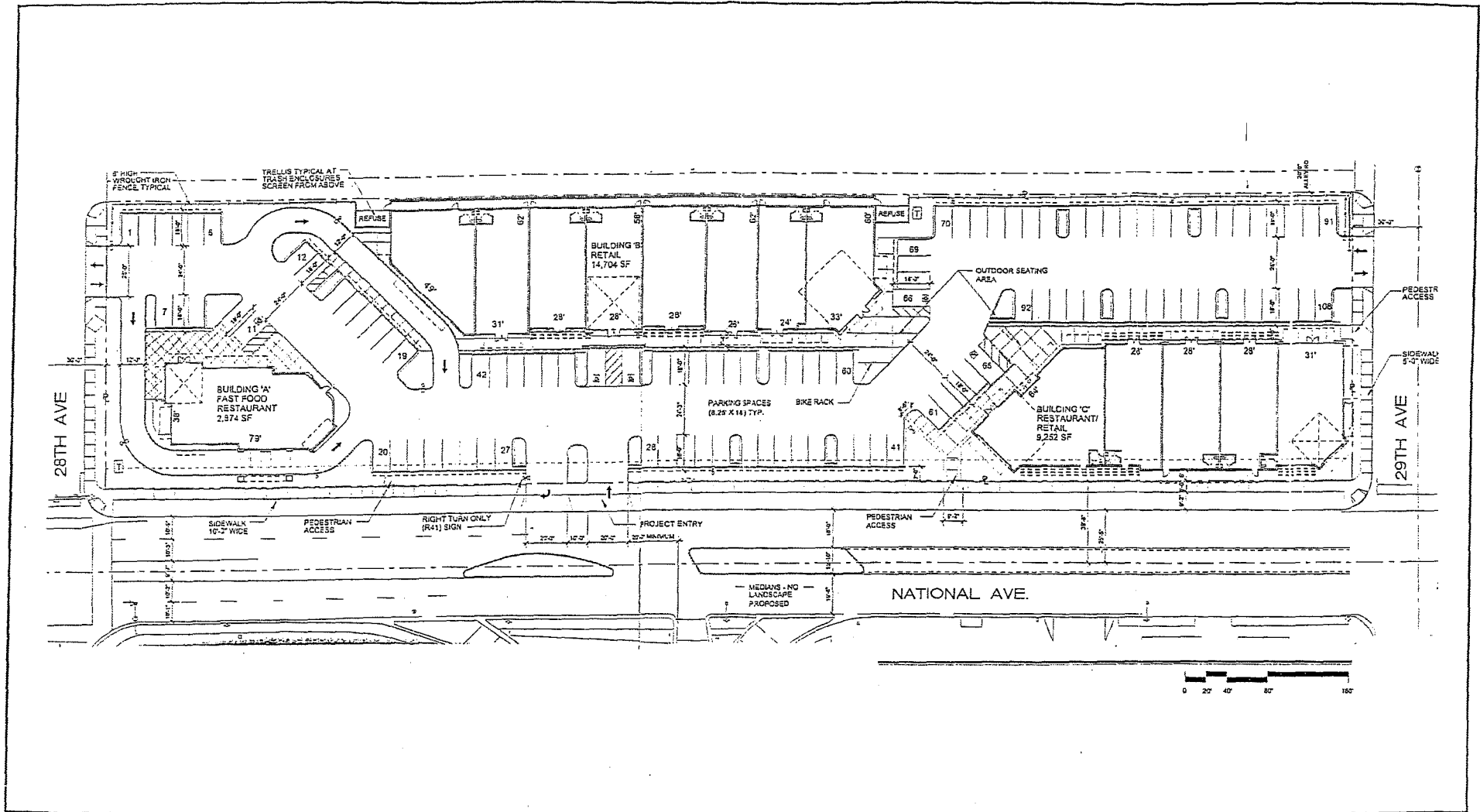
**LOCATION MAP**

NATIONAL, LLC • PTS No. 1531 (LDR NO. 99-0517)

CITY OF SAN DIEGO • DEVELOPMENT SERVICES

FIGURE

1



(LDR # 186-1725)



SITE PLAN
NATIONAL, LLC
 CITY OF SAN DIEGO • DEVELOPMENT SERVICES DEPARTMENT

FIGURE
2

Initial Study Checklist
 Date: April 23, 2001
 Project No. 1531
 (LDR No. 99-0517)

III. ENVIRONMENTAL ANALYSIS:

The purpose of the Initial Study is to identify the potential for significant environmental impacts which could be associated with a project pursuant to Section 15063 of the State CEQA Guidelines. In addition, the Initial Study provides the lead agency with information which forms the basis for deciding whether to prepare an Environmental Impact Report, Negative Declaration or Mitigated Negative Declaration. This Checklist provides a means to facilitate early environmental assessment. However, subsequent to this preliminary review, modifications to the project may mitigate adverse impacts. All answers of "yes" and "maybe" indicate that there is a potential for significant environmental impacts and these determinations are explained in Section IV of the Initial Study.

Yes Maybe No

I. AESTHETICS / NEIGHBORHOOD CHARACTER – Will the proposal result in:

- | | | | |
|--|---|---|----------|
| A. The obstruction of any vista or scenic view from a public viewing area?
<u>No public vistas or scenic views have been identified in the vicinity.</u> | — | — | <u>X</u> |
| B. The creation of a negative aesthetic site or project?
<u>See Initial Study Discussion.</u> | — | — | <u>X</u> |
| C. Project bulk, scale, materials, or style which would be incompatible with surrounding development?
<u>See Initial Study Discussion.</u> | — | — | <u>X</u> |
| D. Substantial alteration to the existing character of the area?
<u>See Initial Study Discussion.</u> | — | — | <u>X</u> |
| E. The loss of any distinctive or landmark tree(s), or a stand of mature trees?
<u>No such resources are present on-site.</u> | — | — | <u>X</u> |
| F. Substantial change in topography or ground surface relief features?
<u>No significant changes to natural topographic or ground surface relief features would result.</u> | — | — | <u>X</u> |

Yes Maybe No

- G. The loss, covering or modification of any unique geologic or physical features such as a natural canyon, sandstone bluff, rock outcrop, or hillside with a slope in excess of 25 percent?

— — X

No such resources are present on-site.

- H. Substantial light or glare?

— — X

No such impacts would result.

- I. Substantial shading of other properties?

— — X

No such impacts would result.

II. AGRICULTURE RESOURCES / NATURAL RESOURCES / MINERAL RESOURCES – Would the proposal result in:

- A. The loss of availability of a known mineral resource (e.g., sand or gravel) that would be of value to the region and the residents of the state?

— — X

No known mineral resources are present on-site.

- B. The conversion of agricultural land to nonagricultural use or impairment of the agricultural productivity of agricultural land?

— — X

The project site is not presently in agricultural use and is not suitable for such use.

III. AIR QUALITY – Would the proposal:

- A. Conflict with or obstruct implementation of the applicable air quality plan?

— — X

No such conflicts would result.

- B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

— — X

No such violations would result.

- C. Expose sensitive receptors to substantial pollutant concentrations?

— — X

No such exposure would result.

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
D. Create objectionable odors affecting a substantial number of people? <u>No objectionable odors are anticipated to be created.</u>	—	—	<u>X</u>
E. Exceed 100 pounds per day of Particulate Matter 10 (dust)? <u>No such impacts would result.</u>	—	—	<u>X</u>
F. Alter air movement in the area of the project? <u>No such impacts would result.</u>	—	—	<u>X</u>
G. Cause a substantial alteration in moisture, or temperature, or any change in climate, either locally or regionally? <u>No such impacts would result.</u>	—	—	<u>X</u>
IV. BIOLOGY – Would the proposal result in:			
A. A reduction in the number of any unique, rare, endangered, sensitive, or fully protected species of plants or animals? <u>No sensitive biological resources are present on-site or adjacent to the site; therefore, no impacts to biological resources would result.</u>	—	—	<u>X</u>
B. A substantial change in the diversity of any species of animals or plants? <u>See IV.A.</u>	—	—	<u>X</u>
C. Introduction of invasive species of plants into the area? <u>See IV.A.</u>	—	—	<u>X</u>
D. Interference with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors? <u>See IV.A.</u>	—	—	<u>X</u>
E. An impact to a sensitive habitat, including, but not limited to streamside vegetation, aquatic, riparian, oak woodland, coastal sage scrub or chaparral? <u>See IV.A.</u>	—	—	<u>X</u>

Yes Maybe No

F. An impact on City, State, or federally regulated wetlands (including, but not limited to, coastal salt marsh, vernal pool, lagoon, coastal, etc.) through direct removal, filling, hydrological interruption or other means?
See IV.A. — — X

G. Conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan?
See IV.A. — — X

V. ENERGY – Would the proposal:

A. Result in the use of excessive amounts of fuel or energy (e.g. natural gas)?
No such impact would result. — — X

B. Result in the use of excessive amounts of power?
No such impact would result. — — X

VI. GEOLOGY/SOILS – Would the proposal:

A. Expose people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?
No such exposure would be present. — — X

B. Result in a substantial increase in wind or water erosion of soils, either on or off the site?
No increase in soil erosion would result. — — X

C. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
No such condition exists. — — X

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
VII. HISTORICAL RESOURCES – Would the proposal result in:			
A. Alteration of or the destruction of a prehistoric or historic archaeological site? <u>NO such resources exist on-site.</u>	—	—	<u>X</u>
B. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, object, or site? <u>No such resources exist on-site.</u>	—	—	<u>X</u>
C. Adverse physical or aesthetic effects to an architecturally significant building, structure, or object? <u>No such resources exist on-site.</u>	—	—	<u>X</u>
D. Any impact to existing religious or sacred uses within the potential impact area? <u>No such uses exist in the vicinity.</u>	—	—	<u>X</u>
E. The disturbance of any human remains, including those interred outside of formal cemeteries? <u>No such resources are anticipated to be present on-site.</u>	—	—	<u>X</u>
VIII. HUMAN HEALTH / PUBLIC SAFETY / HAZARDOUS MATERIALS : Would the proposal:			
A. Create any known health hazard (excluding mental health)? <u>See Initial Study Discussion.</u>	—	—	<u>X</u>
B. Expose people or the environment to a significant hazard through the routine transport, use or disposal of hazardous materials? <u>No such activities are proposed.</u>	—	—	<u>X</u>
C. Create a future risk of an explosion or the release of hazardous substances (including but not limited to gas, oil, pesticides, chemicals, radiation, or explosives)? <u>See Initial Study Discussion.</u>	—	<u>X</u>	—

	Yes	Maybe	No
D. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? <u>No such impacts would result.</u>	—	—	<u>X</u>
E. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or environment? <u>No such impacts would result.</u>	—	—	<u>X</u>
F. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? <u>No such hazards would result.</u>	—	—	<u>X</u>
IX. HYDROLOGY/WATER QUALITY – Would the proposal result in:			
A. An increase in pollutant discharges, including down stream sedimentation, to receiving waters during or following construction? Consider water quality parameters such as temperature dissolved oxygen, turbidity and other typical storm water pollutants. <u>See Initial Study Discussion.</u>	—	<u>X</u>	—
B. An increase in impervious surfaces and associated increased runoff? <u>See Initial Study Discussion.</u>	—	<u>X</u>	—
C. Substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes? <u>Alterations to drainage patterns would be minor.</u>	—	—	<u>X</u>
D. Discharge of identified pollutants to an already impaired water body (as listed on the Clean Water Act Section 303(b) list)? <u>See Initial Study Discussion.</u>	—	—	<u>X</u>
E. A potentially significant adverse impact on ground water quality? <u>No such impacts would result.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
F. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? <u>No such impacts are anticipated.</u>	—	—	<u>X</u>
X. LAND USE – Would the proposal result in:			
A. A land use which is inconsistent with the adopted community plan land use designation for the site or conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over a project? <u>No such inconsistencies would result.</u>	—	—	<u>X</u>
B. A conflict with the goals, objectives and recommendations of the community plan in which it is located? <u>No such conflicts would result.</u>	—	—	<u>X</u>
C. A conflict with adopted environmental plans, including applicable habitat conservation plans adopted for the purpose of avoiding or mitigating an environmental effect for the area? <u>No such conflicts would result.</u>	—	—	<u>X</u>
D. Physically divide an established community? <u>No such impacts would result.</u>	—	—	<u>X</u>
E. Land uses which are not compatible with aircraft accident potential as defined by an adopted airport Comprehensive Land Use Plan? <u>No such impacts would result.</u>	—	—	<u>X</u>
XI. NOISE – Would the proposal result in:			
A. A significant increase in the existing ambient noise levels? <u>See Initial Study Discussion</u>	—	<u>X</u>	—
B. Exposure of people to noise levels which exceed the City's adopted noise ordinance? <u>See Initial Study Discussion.</u>	—	<u>X</u>	—

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
C. Exposure of people to current or future transportation noise levels which exceed standards established in the Transportation Element of the General Plan or an adopted airport Comprehensive Land Use Plan? <u>No such exposure would result.</u>	—	—	<u>X</u>
XII. PALEONTOLOGICAL RESOURCES: Would the proposal impact a unique paleontological resource or site or unique geologic feature? <u>The proposal would not exceed the applicable significance threshold.</u>	—	—	<u>X</u>
XIII. POPULATION AND HOUSING – Would the proposal:			
A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <u>No such impacts would result.</u>	—	—	<u>X</u>
B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <u>No such displacement would result.</u>	—	—	<u>X</u>
C. Alter the planned location, distribution, density or growth rate of the population of an area? <u>No such impacts would result.</u>	—	—	<u>X</u>
XIV. PUBLIC SERVICES – Would the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
A. Fire protection? <u>Adequate services are available to serve the proposed development.</u>	—	—	<u>X</u>
B. Police protection? <u>See XIV.A.</u>	—	—	<u>X</u>
C. Schools? <u>The proposal would have no effects on school services.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
D. Parks or other recreational facilities? <u>The proposal would have no effects on park and recreation facilities.</u>	—	—	<u>X</u>
E. Maintenance of public facilities, including roads? <u>See XIV.A.</u>	—	—	<u>X</u>
F. Other governmental services? <u>See XIV.A.</u>	—	—	<u>X</u>
XV. RECREATIONAL RESOURCES – Would the proposal result in:			
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <u>No such impacts would result.</u>	—	—	<u>X</u>
B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? <u>No such impacts would result.</u>	—	—	<u>X</u>
XVI. TRANSPORTATION/CIRCULATION – Would the proposal result in:			
A. Traffic generation in excess of specific/ community plan allocation? <u>See Initial Study Discussion</u>	—	—	<u>X</u>
B. An increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system? <u>See Initial Study Discussion</u>	—	—	<u>X</u>
C. An increased demand for off-site parking? <u>Adequate off-street parking is proposed on-site.</u>	—	—	<u>X</u>
D. Effects on existing parking? <u>Adequate off-street parking is proposed on-site.</u>	—	—	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
E. Substantial impact upon existing or planned transportation systems? <u>No such impacts would result.</u>	—	—	<u>X</u>
F. Alterations to present circulation movements including effects on existing public access to beaches, parks, or other open space areas? <u>No such impacts would result.</u>	—	—	<u>X</u>
G. Increase in traffic hazards for motor vehicles, bicyclists or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)? <u>No such impacts are anticipated.</u>	—	—	<u>X</u>
H. A conflict with adopted policies, plans or programs supporting alternative transportation models (e.g., bus turnouts, bicycle racks)? <u>No such conflicts would result.</u>	—	—	<u>X</u>
XVII. UTILITIES – Would the proposal result in a need for new systems, or require substantial alterations to existing utilities, including:			
A. Natural gas? <u>No substantial impacts would result.</u>	—	—	<u>X</u>
B. Communications systems? <u>No substantial impacts would result.</u>	—	—	<u>X</u>
C. Water? <u>No substantial impacts would result.</u>	—	—	<u>X</u>
D. Sewer? <u>No substantial impacts would result.</u>	—	—	<u>X</u>
E. Storm water drainage? <u>No substantial impacts would result.</u>	—	—	<u>X</u>
F. Solid waste disposal? <u>No substantial impacts would result.</u>	—	—	<u>X</u>

Yes Maybe No

XVIII. WATER CONSERVATION – Would the proposal result in:

- | | | | |
|--|---|---|----------|
| A. Use of excessive amounts of water?
<u>No such impacts would result.</u> | — | — | <u>X</u> |
| B. Landscaping which is predominantly non-drought resistant vegetation?
<u>Not applicable to a development of this type and size.</u> | — | — | <u>X</u> |

XIX. MANDATORY FINDINGS OF SIGNIFICANCE:

- | | | | |
|---|---|---|----------|
| A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
<u>No such impacts would result.</u> | — | — | <u>X</u> |
| B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts would endure well into the future.)
<u>No such impacts would result.</u> | — | — | <u>X</u> |
| C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)
<u>No such impacts would result.</u> | — | — | <u>X</u> |

Yes Maybe No

- D. Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?

See Initial Study Discussion
(Noise and Water Quality)

— X —

INITIAL STUDY CHECKLIST**REFERENCES****I. Aesthetics / Neighborhood Character**

___ City of San Diego Progress Guide and General Plan.

X Community Plan.

___ Local Coastal Plan.

II. Agricultural Resources / Natural Resources / Mineral Resources

___ City of San Diego Progress Guide and General Plan.

___ U.S. Department of Agriculture, Soil Survey - San Diego Area, California, Part I and II, 1973.

___ California Department of Conservation - Division of Mines and Geology, Mineral Land Classification.

___ Division of Mines and Geology, Special Report 153 - Significant Resources Maps.

III. Air

___ California Clean Air Act Guidelines (Indirect Source Control Programs) 1990.

___ Regional Air Quality Strategies (RAQS) - APCD.

___ Site Specific Report: _____

IV. Biology

X City of San Diego, Multiple Species Conservation Program (MSCP), Subarea Plan, 1997

___ City of San Diego, MSCP, "Vegetation Communities with Sensitive Species and Vernal Pools" maps, 1996.

X City of San Diego, MSCP, "Multiple Habitat Planning Area" maps, 1997.

___ Community Plan - Resource Element.

_____ California Department of Fish and Game, California Natural Diversity Database, "State and Federally-listed Endangered, Threatened, and Rare Plants of California," January 2001.

_____ California Department of Fish & Game, California Natural Diversity Database, "State and Federally-listed Endangered and Threatened Animals of California," January 2001.

_____ City of San Diego Land Development Code Biology Guidelines.

_____ Site Specific Report: _____

V. Energy

VI. Geology/Soils

 X City of San Diego Seismic Safety Study.

_____ U.S. Department of Agriculture Soil Survey - San Diego Area, California, Part I and II, December 1973 and Part III, 1975.

_____ Site Specific Reports:

VII. Historical Resources

 X City of San Diego Historical Resources Guidelines.

 X City of San Diego Archaeology Library.

 X Historical Resources Board List.

_____ Community Historical Survey: _____

_____ Site Specific Report: _____

VIII. Human Health / Public Safety / Hazardous Materials

 X San Diego County Hazardous Materials Environmental Assessment Listing

 X San Diego County Hazardous Materials Management Division

_____ FAA Determination

 X State Assessment and Mitigation, Unauthorized Release Listing

___ Airport Comprehensive Land Use Plan.

X Site Specific Information: County of San Diego Department of Environmental Health

X Site Specific Report:

IX. Hydrology/Water Quality

___ Flood Insurance Rate Map (FIRM).

___ Federal Emergency Management Agency (FEMA), National Flood Insurance Program - Flood Boundary and Floodway Map.

___ Clean Water Act Section 303(b) list, dated May 19, 1999, http://www.swrcb.ca.gov/tmdl/303d_lists.html.

X. Land Use

___ City of San Diego Progress Guide and General Plan.

X Community Plan.

___ Airport Comprehensive Land Use Plan

X City of San Diego Zoning Maps

___ FAA Determination

XI. Noise

X Community Plan

___ Site Specific Report: _____.

___ San Diego International Airport - Lindbergh Field CNEL Maps.

___ Brown Field Airport Master Plan CNEL Maps.

___ Montgomery Field CNEL Maps.

___ San Diego Association of Governments - San Diego Regional Average Weekday Traffic Volumes.

___ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

___ City of San Diego Progress Guide and General Plan.

____ Site Specific Report: _____

XII. Paleontological Resources

X City of San Diego Paleontological Guidelines.

____ Thomas A., and Stephen L. Walsh, "Paleontological Resources City of San Diego," Department of Paleontology San Diego Natural History Museum, 1996.

X Kennedy, Michael P., and Gary L. Peterson, "Geology of the San Diego Metropolitan Area, California. Del Mar, La Jolla, Point Loma, La Mesa, Poway, and SW 1/4 Escondido 7 1/2 Minute Quadrangles," California Division of Mines and Geology Bulletin 200, Sacramento, 1975.

____ Kennedy, Michael P., and Siang S. Tan, "Geology of National City, Imperial Beach and Otay Mesa Quadrangles, Southern San Diego Metropolitan Area, California," Map Sheet 29, 1977.

____ Site Specific Report: _____

XIII. Population / Housing

____ City of San Diego Progress Guide and General Plan.

____ Community Plan.

____ Series 8 Population Forecasts, SANDAG.

____ Other: _____

XIV. Public Services

____ City of San Diego Progress Guide and General Plan.

____ Community Plan.

XV. Recreational Resources

____ City of San Diego Progress Guide and General Plan.

____ Community Plan.

____ Department of Park and Recreation

____ City of San Diego - San Diego Regional Bicycling Map

_____ Additional Resources: _____

XVI. Transportation / Circulation

_____ City of San Diego Progress Guide and General Plan.

 X Community Plan.

_____ San Diego Metropolitan Area Average Weekday Traffic Volume Maps, SANDAG.

_____ San Diego Region Weekday Traffic Volumes, SANDAG.

 X Site Specific Report:

XVII. Utilities

XVIII. Water Conservation

_____ Sunset Magazine, New Western Garden Book. Rev. ed. Menlo Park, CA: Sunset Magazine.



DRIVE THROUGH RESTAURANT

2890 NATIONAL AVE

SAN DIEGO CA 92113

MARK 9B S_SM2 FREESTANDING PROTO MARK 9B S KITCHEN

SHEET INDEX

(TOTAL OF 6 SHEETS)

TSC1.0	TITLE SHEET
C1.0	CIVIL
	CONCEPT GRADING PLAN
	SITE
A0.1	DEVELOPMENT SITE PLAN
A0.2	ENLARGED SITE PLAN
	LANDSCAPE
L1.0	CONCEPT LANDSCAPE PLAN
	ARCHITECTURAL
A1.0	FLOOR PLAN
A4.0	EXTERIOR ELEVATIONS
A4.1	EXTERIOR ELEVATIONS

PARKING SUMMARY

LAND AREA: 84,000 SF (1.93 AC.)

USE	SF	RATIO	REQUIRED
RETAIL	6 181	2.5 SPACES/1000 SF	15.45
RESTAURANT INCLUDES 2 588 SF JIB RESTAURANT	13 688	5 SPACES/1000 SF	68.44
TOTAL REQUIRED=			84
TOTAL PROVIDED=			96

PARKING PROVIDED:

89	STANDARD
7	ACCESSIBLE
TOTAL 96 CAR SPACES +	
5	MOTORCYCLE
101 TOTAL SPACES	

GENERAL NOTES

- NO EASEMENTS EXIST ON SITE.
- SEE VICINITY MAP FOR BUS STOP LOCATIONS.
- BUILDING ADDRESS NUMBERS TO BE PROVIDED VISIBLE AND LEGIBLE FROM NATIONAL AVE.

PROJECT

ADDRESS
2890 NATIONAL AVE.
APN: 550-012-33

LEGAL DESCRIPTION

LOTS NO. 25-48, BLOCK 7, REID & HUBBELL'S ADDITION, MAP NO. 327

SOUTHEASTERN SAN DIEGO COMMUNITY PLAN

OWNER

NATIONAL II, LLC
10851 SORRENTO VALLEY RD. STE. 2A
SAN DIEGO, CA 92121
ALEX ZIRPOLO, MANAGING PARTNER
(619) 997-4390

ZONING

SESOPD-CR-2

SETBACKS

FRONT / REAR = 0'
SIDE / STREET = 10'

GEOLOGIC HAZARD CATEGORY

52

DEVELOPMENT SUMMARY

APPLICANT IS REQUESTING AN AMENDMENT TO SDP 9200, PDP 9201

- APPLICANT IS PROPOSING TO CONSTRUCT A 2,588 S.F. RESTAURANT BUILDING WITH DRIVE THRU AT THE PREVIOUSLY APPROVED BLDG. "C" PAD; PDP 9200, 9201 (PREVIOUSLY APPROVED BLDG AREA: 9,252 SF SPEC. RETAIL).
- AREA OF WORK IS CURRENTLY A DIRT PAD, WITH ALL UTILITIES INFRASTRUCTURE IN PLACE.
- PROPOSED PROJECT INCLUDES SITE WORK: MINOR GRADING AT THE BUILDING PAD ONLY, RECONFIGURATION OF 1 ROW OF EXISTING PKG. IN FRONT OF THE PROPOSED JACK IN THE BOX RESULTING IN A LOSS OF 8 EXISTING PKG. SPACES TO ACCOMMODATE DRIVE THRU ENTRY AND EXIT. CONSTRUCTION OF A NEW TRASH ENCLOSURE RESULTING IN A LOSS OF 2 EXISTING PKG. SPACES. INSTALLATION OF LANDSCAPE AND IRRIGATION.

PRIOR PLANNING APPROVALS

SDP 9200, PDP 9201 APPROVAL DATED 4/28/03 -- INCLUDES A 9,252 S.F. SPEC. RETAIL / RESTAURANT BUILDING AT THE JACK IN THE BOX PAD.

CUP 362559, SDP 363517, PDP 363514 APPROVAL
AMENDING SDP 9200, PDP 9201 DATED 11/30/2007
AMENDED TO INCLUDE A 6,339 S.F. MIXED USE JIFFY LUBE SERVICE STATION / RETAIL / RESTAURANT

LEGEND & ABBREVIATIONS

ALSO REFER TO LEGEND & ABBREVIATIONS ON CIVIL, SITE, PLUMBING, MECHANICAL, ELECTRICAL & KITCHEN DRAWINGS.	
	BATT INSULATION
	RIGID INSULATION
	GYPSUM BOARD
	CERAMIC AND QUARRY TILE
	PLYWOOD
	CONCRETE
	MASONRY
	ASPHALTIC CONCRETE PAVING
	EARTH GRADE
	SAND BASE
KITCHEN	ROOM NAME
	ROOM NUMBER
	FINISHES & EQUIPMENT SEE ID DRAWINGS
	EQUIPMENT, SEE KITCHEN DRAWING
	EXTERIOR MATERIAL / FINISH EXTERIOR COLOR
	INTERIOR ELEVATION
	DOOR SYMBOL
	KEY NOTES
	SHEARWALL / ANCHOR BOLT SYMBOL
	FOOTING SYMBOL
	DETAIL NUMBER SHEET NUMBER
	WALL SECTION NUMBER / ELEV. NUMBER SHEET NUMBER
	BUILDING SECTION NUMBER SHEET NUMBER
	REVISION SYMBOL
	ELEVATION/DATUM MARK

GENERAL NOTES

- ALL WORK SHALL CONFORM TO THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE, AND ALL OTHER APPLICABLE CODES, STANDARDS, AND REGULATIONS OF IMPERIAL COUNTY.
- IT IS INTENDED THAT A COMPLETE OCCUPIABLE BUILDING PROJECT IS PROVIDED.
- DRAWINGS ARE BASED ON A SURVEY, PREPARED BY MELCHOR LAND SURVEYING INC. CONSULTING.
- DO NOT SCALE THESE DRAWINGS. VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD. ANY DISCREPANCIES IN THESE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO STARTING WORK.
- ALL PROPOSED SUBSTITUTIONS SHALL BE APPROVED BY THE ARCHITECT, IN WRITING, PRIOR TO INSTALLATION.
- PROVIDE EACH SUBCONTRACTOR WITH A COMPLETE AGENCY-PERMITTED DRAWING SET AT TIME OF CONSTRUCTION.
- ALL ABBREVIATIONS INCLUDED FOLLOW INDUSTRY STANDARDS. CONTACT ARCHITECT IF ANY ABBREVIATIONS ARE NOT CLEAR.
- GC SHALL SUPPLY AND INSTALL ALL ASPECTS OF THE PROJECT DESCRIBED IN THIS DRAWING SET UNLESS OTHERWISE NOTED.
- GRAPHIC AND WRITTEN INFORMATION ON DRAWINGS SHALL BE COORDINATED WITH ALL TRADES PRIOR TO INSTALLATION.
- SUBMITTAL DOCUMENTS FOR DEFERRED SUBMITTAL ITEMS SHALL BE SUBMITTED TO THE REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE, WHO SHALL REVIEW THEM AND FORWARD THEM TO THE BUILDING OFFICIAL WITH A NOTATION INDICATING THAT THE DEFERRED SUBMITTAL DOCUMENTS HAVE BEEN REVIEWED AND THAT THEY HAVE BEEN FOUND TO BE IN GENERAL CONFORMANCE WITH THE DESIGN OF THE BUILDING. THE DEFERRED ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL.

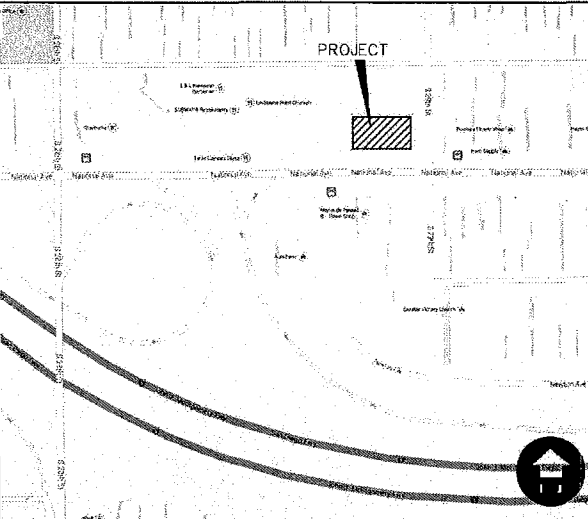
APPLICABLE CODES

2013 CALIFORNIA BUILDING CODE
2013 CALIFORNIA ELECTRICAL CODE
2013 CALIFORNIA PLUMBING CODE
2013 CALIFORNIA MECHANICAL CODE
2013 CALIFORNIA FIRE CODE
TITLE 24 AND APPLICABLE IMPERIAL COUNTY ORDINANCES

DEFERRED SUBMITTALS

PRE-FABRICATED TRUSSES
DRIVE THRU EQUIPMENT
SIGNAGE
FIRE SPRINKLERS
CANOPIES AND AWNINGS

VICINITY MAP



PROJECT DATA

OWNER: BESHAY FOODS INC, DMSD FOODS INC
41856 IVY ST, STE 201, MURRIETA CA 92562
TEL: 951-618-0189

ARCHITECT: MARKS ARCHITECTS
2643 4TH AVE. SAN DIEGO CA 92103
TEL: 619-702-9448
CONTACT: GABRIELA MARKS

JACK IN THE BOX #
BUILDING ADDRESS: 2890 NATIONAL AVE
SAN DIEGO CA 92113

LEGAL JURISDICTION: SAN DIEGO COUNTY

TOTAL SITE AREA: 19,849 sf

SEATING: 52 SEATS

PLANNING ZONE: SOUTHEASTERN SAN DIEGO PLAN DISTRICT

OCCUPANCY: A-2

DESCRIPTION OF USE: FAST FOOD RESTAURANT

TYPE OF CONSTRUCTION: VB

SPRINKLERS: NON SPRINKLERED

STORIES: ONE

BUILDING HEIGHT: 30'-0"

GROSS BUILDING AREA: 2,588 SQ. FT.

ALLOWABLE AREA PER TABLE 503 6,000 S.F. 1 STORY

ACTUAL AREA 2,588 S.F. 1 STORY

OCCUPANT LOAD: 78 OCCUPANTS

SCOPE OF WORK: NEW DRIVE THROUGH RESTAURANT AND
RELATED SITE IMPROVEMENTS

CONSULTANTS

ARCHITECT



MARKS ARCHITECTS INC.
2643 FOURTH AVE
SAN DIEGO, CA 92103
TEL: (619) 702-9448
CONTACT: DANIEL MARKS AND
GABRIELA MARKS
gabrielam@marksarchitects.com

CIVIL ENGINEER



PLSA
535 N HIGHWAY 101, STE A
SOLANA BEACH, CA 92075
CONTACT: GREGORY W. LANG
Phone: (760) 419-6276

LANDSCAPE ARCHITECT



SOTELO LANDSCAPE ARCHITECTS
2643 FOURTH AVE.
SAN DIEGO, CA 92103
CONTACT: ANGELINA SOTELO
PHONE: 619. 719.6756

STRUCTURAL ENGINEER



LOVELACE ENGINEERING
6496 WEATHERS PLACE STE. 200
SAN DIEGO, CA 92121
CONTACT: MILES LOVELACE
PHONE: 858. 535. 9111

MECHANICAL ENGINEER



2143 NEWCASTLE AVE.
CARLISLE, CA 92007
CONTACT: ESTEBAN FLORES
TEL: 760-505-2045

ELECTRICAL ENGINEER



C&G ENGINEERING, INC.
ELECTRICAL CONSULTING ENGINEERS AND
LIGHTING DESIGN
1045 14th ST., SUITE 110
SAN DIEGO, CA 92101
PHONE: (619) 398-3479
FAX (619) 398-3492

marks
architects

architecture
interior design
retail
restaurants
space planning
master planning
lead accredited
cosp

2643 fourth ave.
san diego, ca 92103
619 702 9448
619 fax 702 9442



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ARCHITECTS SHALL REMAIN THE
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AND IS INTENDED FOR USE FOR THIS
SPECIFIC PROJECT ONLY.

PLANNING SUBMITTAL	09.08.14
BUILDINGS SUBMITTAL	12.16.14
△ CORR. LDR-TRANSP.	12.2.14
△	
△	
△	
△	
△	
△	

MK TYPE: MK9BS_SM2


JIB #: 9B PROTOTYPE

ADDRESS: 2890 NATIONAL AVE.
SAN DIEGO CA

9BS_SM2
TITLE
SHEET

TS1.0

PLOT DATE:



marks
architects

architecture
interior design
retail
restaurants
space planning
master planning
lead accredited
casp

2643 fourth ave.
san diego, ca 92103
619 tel 702 9448
619 fax 702 9442




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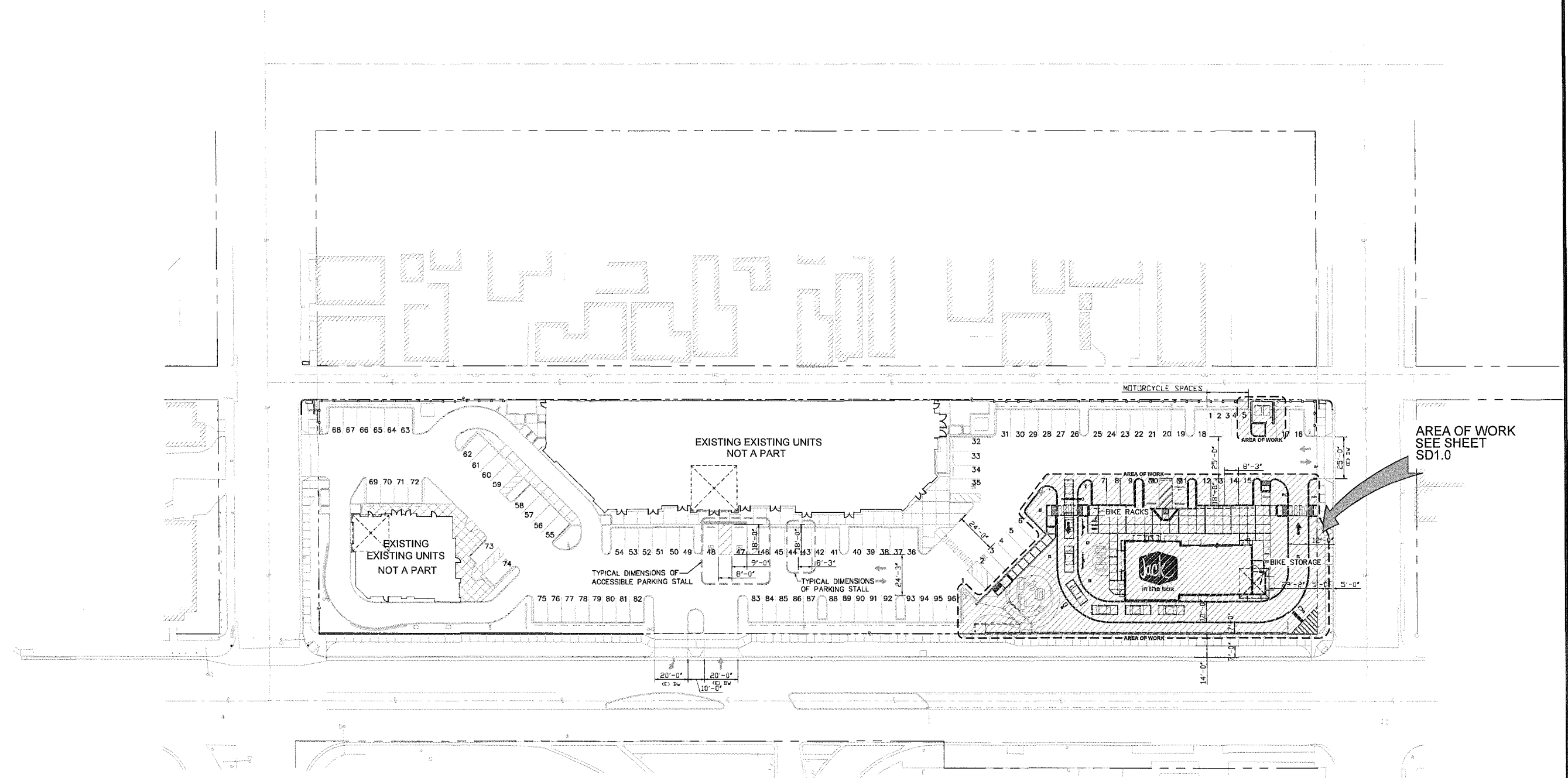
MK TYPE: MK9BS_SM2
JIB #: 9B_PROTOTYPE
ADDRESS: 2890 NATIONAL AVE.
SAN DIEGO CA



Jack
in the box

9BS_SM2
1" = 40'

DEVELOPMENT
SITE PLAN
A0.1
PLOT DATE:



PARKING SUMMARY

LAND AREA: 84,000 SF (1.93 AC.)

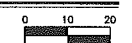
USE	SF	RATIO	REQUIRED
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RESTAURANT INCLUDES 2 588 SF JIB RESTAURANT	13 688	5 SPACES/1000 SF	68.44
TOTAL REQUIRED=			84
TOTAL PROVIDED=			96

PARKING PROVIDED:

89	STANDARD
7	ACCESSIBLE
TOTAL 96 CAR SPACES +	
5	MOTORCYCLE
101 TOTAL SPACES	

SITE PLAN

SCALE: 1" = 30'





PLANT MATERIAL REQUIREMENTS

- (1) PLANTING OF INVASIVE PLANT SPECIES, AS DESCRIBED IN THE LANDSCAPE STANDARDS OF THE LAND DEVELOPMENT MANUAL, IS NOT PERMITTED.
- (2) ALL EXISTING, INVASIVE PLANT SPECIES, INCLUDING VEGETATIVE PARTS AND ROOT SYSTEMS, SHALL BE COMPLETELY REMOVED IMMEDIATELY WHEN THE COMBINATION OF SPECIES TYPE, LOCATION, AND SURROUNDING ENVIRONMENTAL CONDITIONS PROVIDES A MEANS FOR THE SPECIES TO INVADE OTHER AREAS OF NATIVE PLANT MATERIAL THAT ARE OR OFF OF THE PREMISES.
- (3) PLANT MATERIAL SPECIES SHALL BE USED THAT WILL CONTINUE TO MEET THE REQUIREMENTS OF THIS DIVISION AFTER INSTALLATION.
- (4) TREE LOCATIONS SHALL BE MEASURED HORIZONTALLY FROM THE CENTERLINE OF THE TREE TRUNK AT PROPOSED GRADE.
- (5) A MINIMUM ROOT ZONE OF 40 SQUARE FEET IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION FOR THIS AREA SHALL BE 5 FEET. THIS MINIMUM DIMENSION AND ROOT ZONE AREA MAY BE EXCEEDED WITH THE PLANTING OF TREES WITH A TRUNK DETERMINED TO BE NATIVE OR NON-INVASIVE. ROOT ZONE AREA, ADJACENT IMPROVEMENTS, AND SELECTED TREE SPECIES CAN BE DEMONSTRATED TO PROVIDE CONDITIONS FOR HEALTHY TREE GROWTH THAT WILL NOT DAMAGE ADJACENT IMPROVEMENTS.
- (6) PLANT MATERIAL SHALL BE PROVIDED WITH A MINIMUM OF 1 YEAR OF GROWTH BEFORE INSTALLATION AT ALL TIMES.
- (7) ALL PRUNING SHALL COMPLY WITH THE STANDARDS OF THE NATIONAL ARBORIST ASSOCIATION.
- (8) ANY PLANT MATERIAL REQUIRED BY THIS DIVISION THAT DIES WITHIN 5 YEARS OF INSTALLATION SHALL BE REPLACED WITHIN 90 CALENDAR DAYS OF DISCOVERY WITH THE SAME SIZE AND SPECIES OF PLANT MATERIAL. SUCH OR DIE REPLACEMENT MAY BE REQUIRED WITHIN 90 DAYS OF DISCOVERY OR AFTER INSTALLATION SHALL BE REPLACED WITH 1 1/2 GALLON SIZE, AND REQUIRED TREES THAT DIE 5 YEARS OR MORE AFTER INSTALLATION SHALL BE REPLACED WITH 1 1/2 GALLON SIZE. THE CITY MANAGER MAY AUTHORIZE ADJUSTMENT OF THE SIZE AND QUANTITY OF REPLACEMENT MATERIAL OR MATERIAL REPLACEMENT WOULD OCCUR IN AN OCCASIONABLE AREA OR WHERE THE EXISTING PLANT BEING REPLACED IS LARGER THAN A 1 1/2 GALLON BUSH OR 6 INCH CALIBER TREE.
- (9) PLANT MATERIAL DIVISION SHALL BE RESPONSIBLE FOR SUPPORTING, MOODY PLANTS WITH AT LEAST ONE WELL-DEFINED TRUNK AND SHALL NORMALLY ATTAIN A MATURE HEIGHT AND SPREAD OF AT LEAST 15 FEET.
- (10) TREES REQUIRED BY THIS DIVISION SHALL BE MAINTAINED SO THAT ALL BRANCHES OVER PEDESTRIAN TRAVEL ARE 6 FEET ABOVE THE PEDESTRIAN TRAVELWAY AND SO THAT ALL BRANCHES OVER VEHICULAR TRAVEL ARE 16 FEET ABOVE THE TRAVEL WAY.
- (11) TREES REQUIRED BY THIS DIVISION SHALL BE MOODY OR PERENNIAL PLANTS THAT ARE LOW BRANCHING OR HAVE MULTIPLE STEMS.
- (12) TREE ROOT BARRIERS OR STRUCTURAL SOIL SHALL BE INSTALLED WHEN TREES ARE PLACED WITHIN 5 FEET OF IMPROVEMENTS INCLUDING WALKS, CARS, OR STREET PAVEMENT OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. THE CITY MANAGER MAY WAIVE THIS REQUIREMENT WHERE THE COMBINATION OF SOIL CONDITIONS, ROOT ZONE AREA, ADJACENT IMPROVEMENTS, AND EXISTING TREE TRUNKS ARE CONSIDERED TO PROVIDE CONDITIONS FOR HEALTHY TREE GROWTH THAT WILL NOT DAMAGE PUBLIC IMPROVEMENTS.
- (13) NATIVE PLANT MATERIAL SHALL BE LOCALLY INDIGENOUS.
- (14) NATURAL AND PLANT MATERIAL SHALL BE PLANTINGS THAT CAN SURVIVE WITHOUT IRRIGATION AFTER INITIAL PLANT ESTABLISHMENT.
- (15) PLANT MATERIALS SHALL BE GROUPED INTO HYDROZONES THAT CONSIST OF PLANT SPECIES HAVING SIMILAR WATER DEMAND AND BE GROUPED TOGETHER BY SOIL, SUN, AND SHADE REQUIREMENTS.
- (16) PLANT MATERIAL SHALL BE PROVIDED TO THE CITY MANAGER AT NO CHARGE OR ALLOWANCE AS DETERMINED BY THE WATER BUDGET FORMULA AND SPECIFICATIONS IN SECTION 42.04.01(3).

IRRIGATION REQUIREMENTS

IRIGATION SYSTEM REQUIREMENTS:

- (1) ALL REQUIRED IRRIGATION SYSTEMS SHALL BE IRRIGATED WITH A PERMANENT, BELOW-GRADE IRRIGATION SYSTEM UNLESS SPECIFIED OTHERWISE IN THIS DIVISION.
- (2) ALL REQUIRED IRRIGATION SYSTEMS SHALL BE AUTOMATIC, ELECTRICALLY CONTROLLED, AND DESIGNED TO PROVIDE WATER TO ALL REQUIRED PLANTINGS TO MAINTAIN THEM IN A HEALTHY, DISEASE-RESISTANT CONDITION.
- (3) IRRIGATION SYSTEMS SHALL MEET THE FOLLOWING DESIGN REQUIREMENTS:
 - (a) ALL IRRIGATION SYSTEMS SHALL BE SUBSIDIARY TO THE DRAINAGE SYSTEM.
 - (b) THE VELOCITY OF WATER FLOWING IN IRRIGATION SYSTEM PIPING OR SUPPLY PIPES SHALL NOT EXCEED 5 FEET PER SECOND DOWNSTREAM OF THE WATER METER.
 - (c) IRRIGATION SYSTEMS SHALL MEET THE SYSTEM MAINTENANCE REQUIREMENT AFTER INSTALLATION. ABOVE-GROUND IRRIGATION SYSTEM EQUIPMENT THAT IS EXPOSED TO POTENTIAL DAMAGE SHALL BE DESIGNED TO BE DAMAGE-RESISTANT, AND
 - (d) ABOVE-GROUND SENSORS OR SHUT-OFFS SHALL BE REQUIRED FOR ALL SYSTEMS AND A MOISTURE-SENSING DEVICE THAT REGULATES THE IRRIGATION SYSTEM FOR ALL LAWN AREAS IS REQUIRED.

PLANT AREA REQUIREMENTS

PLANTING AREA REQUIREMENTS

(1) PLANTING AREAS REQUIRED BY THIS DIVISION SHALL COMPLY WITH THE FOLLOWING:

- (A) GYROWOOD, INCOTON, OR HEMLOCK.
- (B) UNPAINTED IRON PIPES, COARSE ORGANIC OR INORGANIC MATERIALS, OR HARDCORE, OR
- (C) BUILT IMPROVEMENTS INCLUDING WATER FEATURES, OVERHEAD STRUCTURES (SUCH AS GAZEBO, TRELLIS STRUCTURES, ETC.), OR FIXED SEATING.

(2) PLANTING AREAS MAY BE COUNTED TOWARD THE PLANTING AREA REQUIRED BY THIS DIVISION IF THEY ARE GREATER THAN 50 SQUARE FEET IN SIZE WITH NO DIMENSION LESS THAN 8 FEET.

(3) ALL REQUIRED PLANTING AREAS SHALL BE MAINTAINED FREE OF WEEDS, DEBRIS, AND LITTER.

STREET TREE REQUIREMENTS

(A) STREET TREE REQUIREMENTS

WHEN NEW STRUCTURES, ADDITIONS TO STRUCTURES, CONDOMINIUM CONVERSIONS, OR NEW VEHICULAR USE AREAS ARE SUBJECT TO THIS SECTION IN ACCORDANCE WITH TABLES 402-00A, STREET TREES WITHIN THE PARKWAY SHALL BE REPLACED OR REPLANTED INSTALLED TREES BY 20% OR MORE BY:

(1) STREET TREE QUANTITY STREET TREES SHALL BE PLANTED BETWEEN THE CURB AND ADJUTING PROPERTY LINE. THE NUMBER OF REQUIRED STREET TREES SHALL BE CALCULATED AT THE RATE OF ONE 24-INCH BOX TREE FOR EVERY 20 FEET OF STREET FRONTAGE. THE NUMBER OF TREES CONTING ON NOT BE LESS THAN THE MINIMUM NUMBER OF TREES REQUIRED FOR EACH STREET FRONTAGE ON A LOT BOUNDED BY MORE THAN ONE STREET SHALL BE PLANTED ALONG THE ENTIRE FRONTAGE OF THE LOT. THE NUMBER OF TREES CONTING ON NOT BE LESS THAN THE MINIMUM NUMBER OF TREES REQUIRED BY THIS SECTION IN THE PARKWAY. TREES MAY BE LOCATED ON THE PRIVATE PROPERTY WITHIN 10 FEET OF THE PROPERTY LINE.

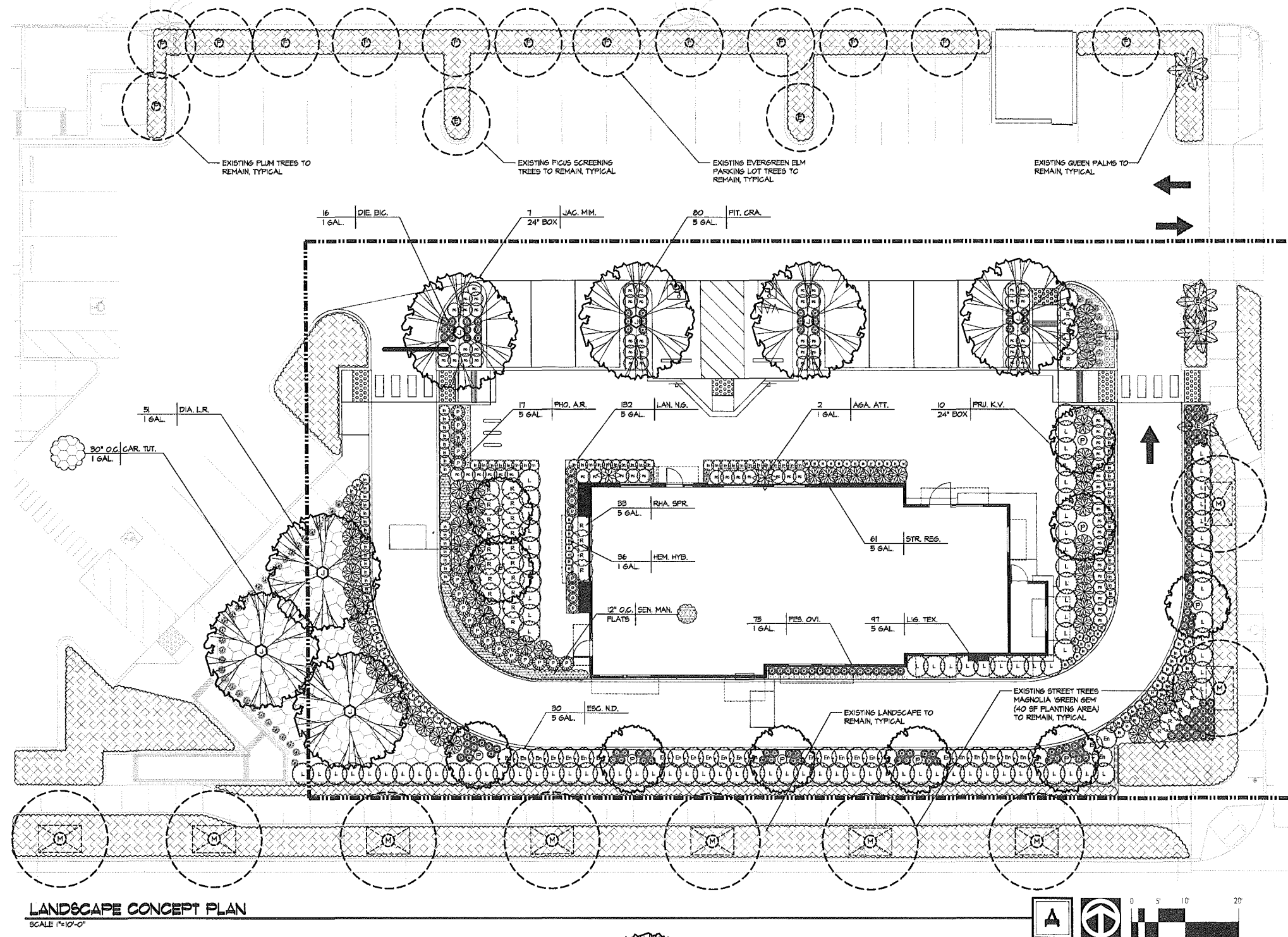
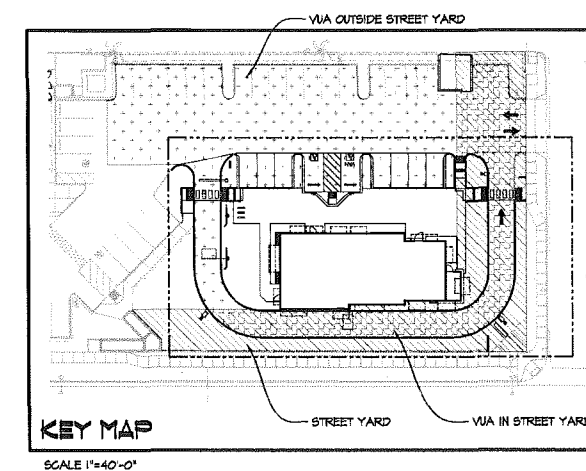
(2) STREET TREE SPECIFICATIONS STREET TREES ARE PROPOSED TO SATISFY THIS REQUIREMENT IN ACCORDANCE WITH SECTION 40.040(A)(3). THEY SHALL BE PLANTED AT A RATE OF ONE 10-FOOT BROWN TRUNK HEIGHT PALM FOR EACH 20 FEET OF STREET FRONTAGE FOR PROJECTS IN THE IL AND H ZONES THAT HAVE A LOT AREA OF 10,000 SQ. FT. OR GREATER. THE RATE OF ONE 24-INCH BOX TREE FOR EVERY 20 FEET OF STREET FRONTAGE SHALL BE INCREASED TO THE RATE OF ONE 24-INCH BOX TREE FOR EVERY 20 FEET OF STREET FRONTAGE OR ONE 10-FOOT BROWN TRUNK HEIGHT PALM FOR EVERY 20 FEET OF STREET FRONTAGE. (2) STREET TREE LOCATIONS

(A) STREET TREES SHALL BE LOCATED 1 FEET FROM THE FACE OF CURB ON STREETS CLASSIFIED IN THE APPLICABLE LAND USE PLAN AS MAJOR STREETS, PRIMARY ARTERIALS, OR EXPRESSWAYS THAT HAVE A MINIMUM OF 20 FEET OF PARKWAY. STREET TREES ON STREETS CLASSIFIED IN THE APPLICABLE LAND USE PLAN AS LOCAL STREETS SHALL BE LOCATED NO CLOSER THAN 30 INCHES TO THE FACE OF CURB OR WITHIN MEDIAN ISLANDS. NO CLOSER THAN FOUR FEET TO THE FACE OF CURB.

(B) STREET TREES SHALL BE SEPARATED FROM IMPROVEMENTS BY THE MINIMUM DISTANCE SHOWN IN TABLE BELOW.

MINIMUM TREE SEPARATION DISTANCE IMPROVEMENT MINIMUM DISTANCE TO STREET TREE TRAFFIC SIGNAL,
STOP SIGN 20 FEET
UNDERGROUND UTILITY LINES (EXCEPT SEWER) 5 FEET
SEWER LINES 10 FEET
ABOVE GROUND UTILITY STRUCTURES (TRANSFORMERS, HYDRANTS, UTILITY POLES, ETC) 10 FEET
DRIVEWAYS 10 FEET INTERSECTIONS (INTERSECTIONS CURB LINES OF TWO STREETS) 25 FEET

- (C) TREES SHALL BE SELECTED AND LOCATED SO THAT AT MATURITY THEY DO NOT CAUSE DAMAGE OR CONFLICT WITH OVERHEAD UTILITY LINES.
- (D) STREET TREE SPECIES SELECTION, TREES SHALL BE SELECTED IN ACCORDANCE WITH THE LANDSCAPE STANDARDS AND SPECIFICATIONS DEVELOPED BY THE MUNICIPALITY. PAUL TREES MAY ONLY BE USED TO SATISFY THE STREET TREE REQUIREMENT HEREIN.
- (E) THERE SHALL BE AN EQUAL MIX OF STREET TREE SPECIES IN AN ADOPTED LAND USE PLAN.
- (F) ADDITIONAL PUBLIC RIGHT-OF-WAY REGULATIONS
- (1) AREAS WITHIN THE PUBLIC RIGHT-OF-WAY THAT ARE NOT PROVIDED FOR REQUIRED PEDESTRIAN WALKS OR VEHICLE ACCESS SHALL BE CONSIDERED AS PUBLIC SPACE AND SHALL FOLLOW LANDSCAPE PAVERS OR OTHER PERMEABLE MATERIAL, ACCEPTABLE TO THE CITY.
- (2) PLANTING AREAS SHALL BE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY THAT IS LOCATED WITHIN THE SIDEWALK.
- (3) PLANTING AREAS SHALL NOT EXCEED 24" IN HEIGHT, MEASURED FROM THE TOP OF THE ADJACENT CURB.



LANDSCAPE CONCEPT PLAN

SCALE: $1^{\circ} = 10^{\circ} - 0$

STREET YARD 29TH STREET AND NATIONAL AVE

TOTAL AREA = 7,524 SQ. FT.
PLANTING AREA REQUIRED = $7,524 \times 25\% = 1,881$ SQ. FT.
PLANTING AREA PROVIDED = 3,120 SQ. FT.
EXCEEDS REQUIREMENT BY 1,239 SQ. FT.

PLANT POINTS REQUIRED = $7524 \times .05 = 366$ POINTS
PLANT POINTS PROVIDED = 400 POINTS
POINTS ACHIEVED BY TREES = 200 POINTS
EXCEEDS REQUIREMENT BY 200 POINTS

REMAINING YARD

TOTAL AREA = 0 SQ. FT.
PLANTING AREA REQUIRED = 0 SQ. FT.
PLANTING AREA PROVIDED = 900 SQ. FT.
EXCEEDS REQUIREMENT BY 900 SQ. FT.

PLANT POINTS REQUIRED = 0
PLANT POINTS PROVIDED = 200 POINTS
EXCEEDS REQUIREMENT BY 200 POINTS

Y.U.A. OUTSIDE THE STREET YARD

TOTAL AREA = 8825 SQ. FT.
PLANTING AREA REQUIRED = $8825 \times 3\% = 265$ SQ. FT.
PLANTING AREA PROVIDED = 400+ SQ. FT.
EXCEEDS REQUIREMENT BY 135 SQ. FT.

PLANT POINTS REQUIRED = $8825 \times 0.03 = 265$ POINTS
PLANT POINTS PROVIDED = 300+ POINTS
EXCEEDS REQUIREMENT BY 35 POINTS

V.U.A. IN THE STREET YARD

TOTAL AREA = 9,655 SQ. FT.
PLANT POINTS REQUIRED = $9,655 \times 0.05 = 189$ POINTS
PLANT POINTS PROVIDED = 250+ POINTS
EXCEEDS REQUIREMENT BY 67 POINTS
40 SF PER TREE = PROVIDED

STREET TREES PROVIDED BY PREVIOUS
DEVELOPMENT OF THIS SITE

PLANT LIST

ABBR	SIZE	QTY	SCIENTIFIC NAME	COMMON NAME
TREES				
JAC. MM.	24" BOX	7	JACARANDA MYOSIFOLIA	JACARANDA
PRU. K.V.	24" BOX	10	FRANCS CERASIFERA 'KNAUER VESUVIUS'	PURPLE LEAF PLUM
SHRUBS				
ASA. ATT.	5 GAL.	2	ASAYE ATTENUATA	FOX TAIL ASAYE
DIA. L.R.	1 GAL.	51	DIANELLA TASHANICA LITTLE REV	FLAX LILY
DIE. BIG.	1 GAL.	161	DIETES BICOLOR	BICOLOR AFRICAN IRIS
ESC. N.D.	5 GAL.	30	ESCALLONIA NEWPORT DWARF	COMPACT RED ESCALLONIA
FEB. OV1.	1 GAL.	75	FESTUCA OVINA	GREEN FESCUE
HEM. HYB.	1 GAL.	56	HEMEROCALLIS HYBRID	DAYLILY HEMEROCALLIS
LAN. N.G.	5 GAL.	192	LANTANA NEW GOLD	YELLOW LANTANA
LIG. TEX.	5 GAL.	47	LIGUSTRUM J. TEXANUM	TEXAS PRIVET
PHO. AR.	5 GAL.	17	PHORMIUM AMAZING RED	'AMAZING RED' NEW ZEALAND FLAX
PII. CAR.	5 GAL.	20	PITTOSPORUM CRASSIFOLIUM	DWARF KARO
RHA. SFR.	5 GAL.	93	RHAPHIOLEPIS INDICA 'SPRINGTIME'	SPRINGTIME INDIAN HANTHORN
STR. RES.	5 GAL.	61	STRELITZIA REGINAE	BIRD OF PARADISE
GROUNDCOVERS				
SEN. MAN.	PLANTS	12' O.C.	SENECIO J. MANDRALISCAE	BLUE ICE PLANT



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ANNING SUBMITTAL 09.08.14

K TYPE: MK9BS_SM2

9B PROTOTYPE

DRESS: 2890 NATIONAL AVE.

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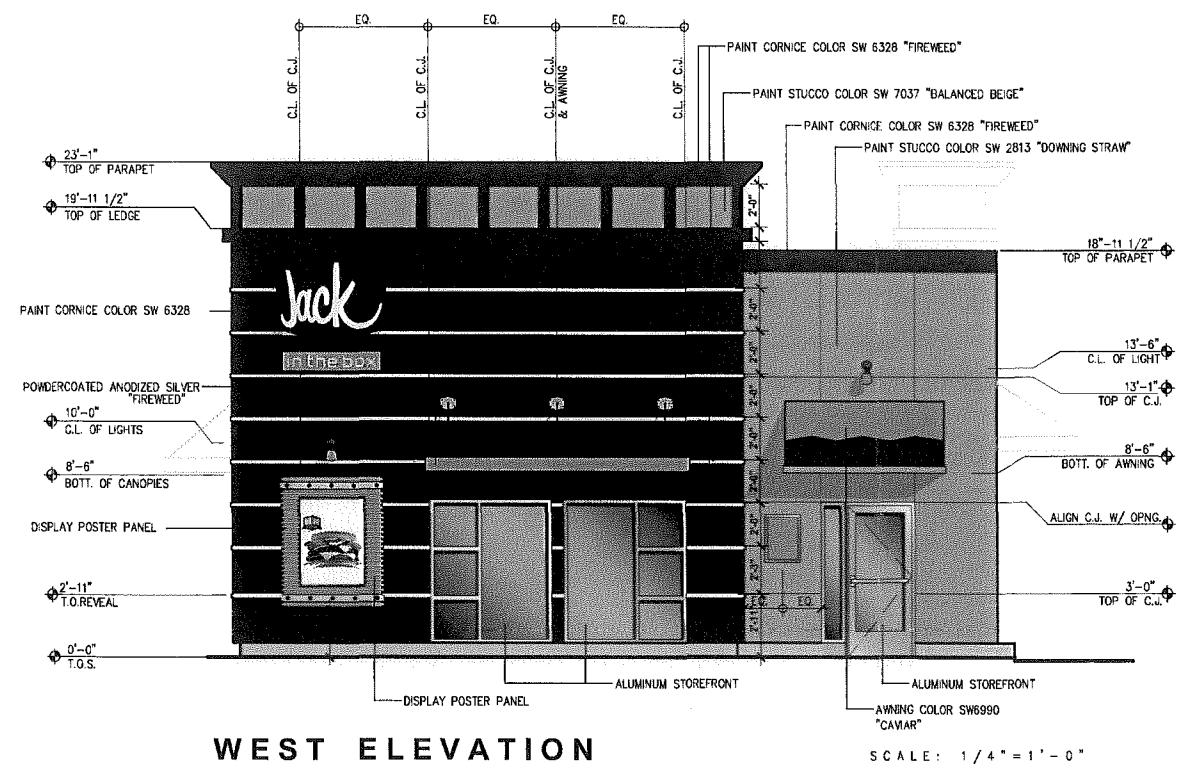
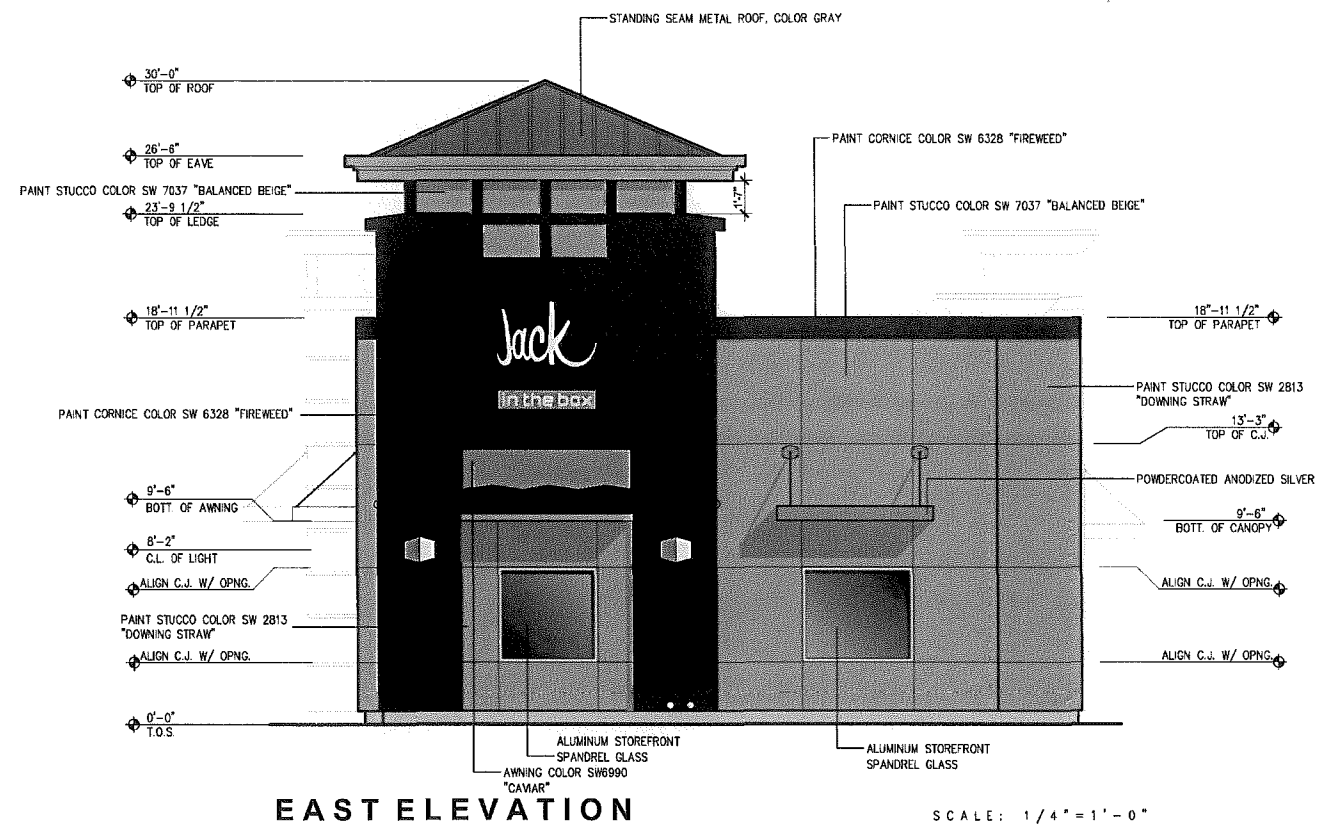
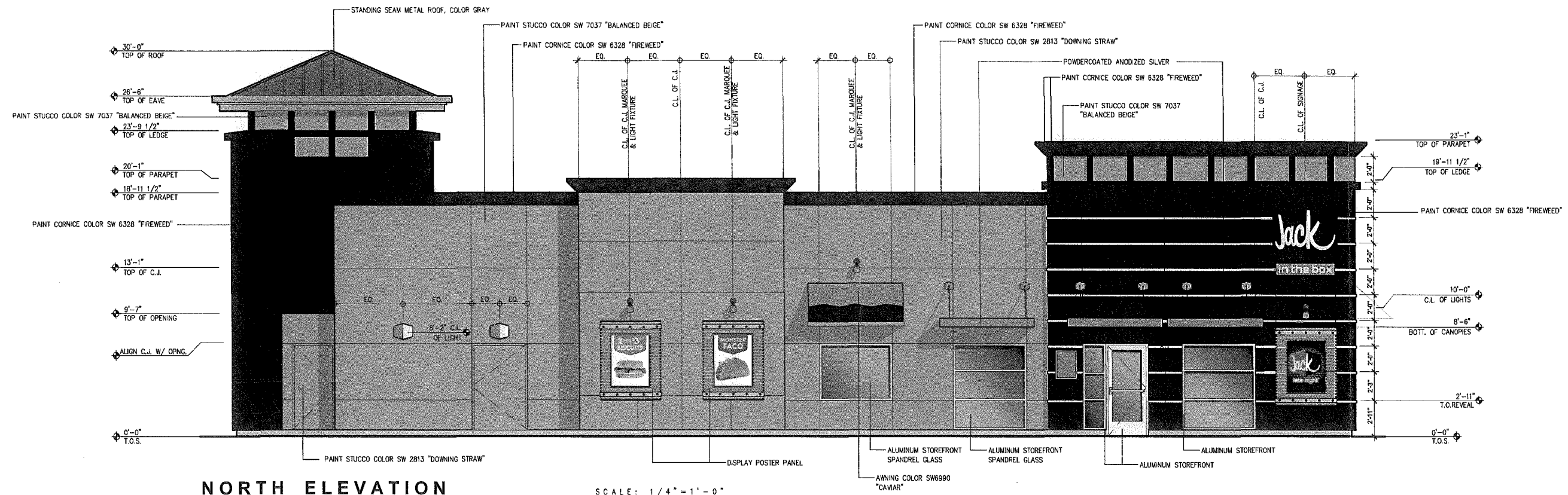
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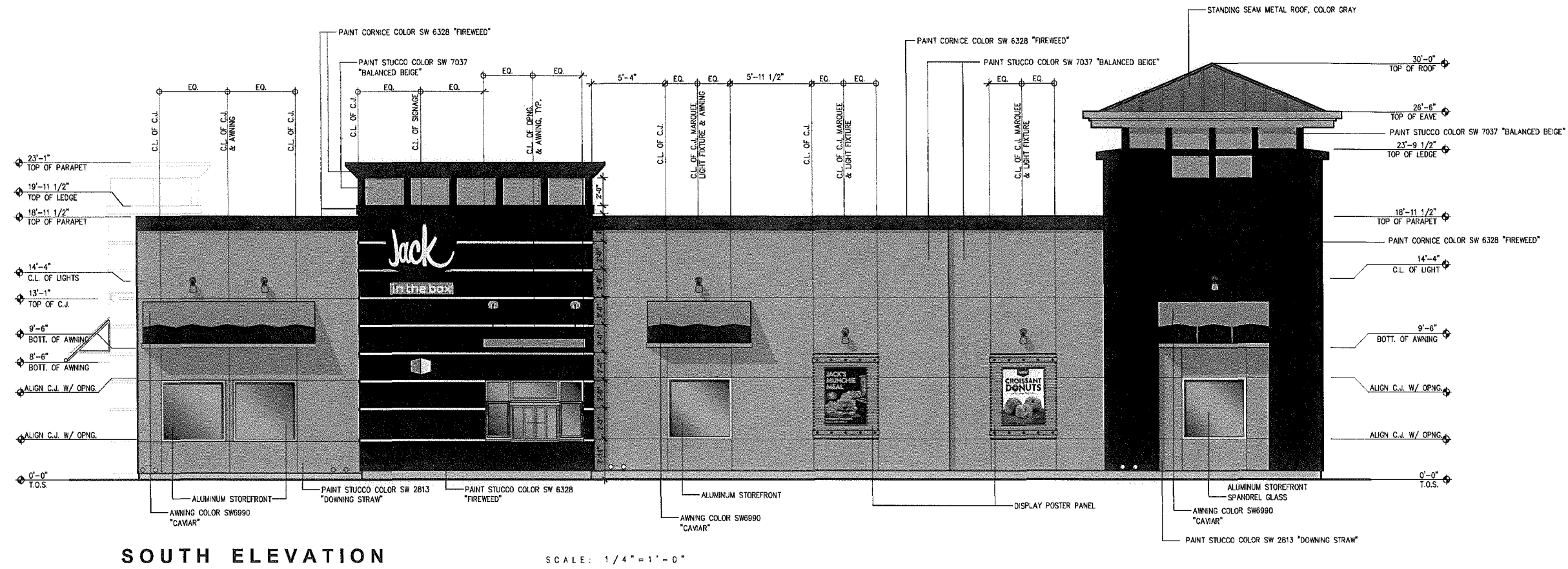
$$1/4'' = 1' - 0''$$

ELEVATIONS

A4.0

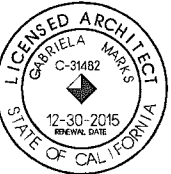
LOT DATE:





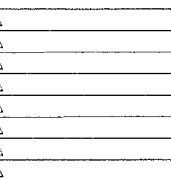
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PLANNING SUBMITTAL 09.08.14



MK TYPE: MK9BS_SM2
JIB #: 9B PROTOTYPE
ADDRESS: 2890 NATIONAL AVE.
SAN DIEGO CA

Jack
in the box
9BS_SM2
1/4" = 1'-0"
ELEVATIONS

A4.1

PLOT DATE

SOUTHEASTERN SAN DIEGO PLANNING GROUP (SSDPG)**Agenda**

Meeting Location: Neighborhood House, 841 S. 41st Street, San Diego, CA 92113

February 9, 2015, 6:00 PM – 7:45 PM

The premises must be vacated prior to 7:55PM – to avoid any charges.

The Southeastern San Diego Planning Group covers the area south of the Dr. Martin Luther King, Jr. Freeway (Highway 94), east of Interstate 5, north of the border of National City, and west of Interstate 805. It includes the communities of Sherman Heights, Logan Heights, Grant Hill, Memorial, Stockton, Mount Hope, Mountain View, Southcrest, and Shelltown. (9 Neighborhoods)

1. **CALL TO ORDER, ROLL CALL, AND INTRODUCTIONS** 6:00PM – 6:03PM
2. **APPROVAL OF THE AGENDA** 6:03PM to 6:05PM
3. **PUBLIC COMMENTS** (non-agenda items only –2 minutes per speaker) – 6:05PM to 6:10PM
4. **STAFF REPORTS:** Fourth District Council (Luis Natividad), Eighth District Council Office, (Martha Zapata), Ninth District Council Office (Julio Rivera), & Civic San Diego (Sherry Brooks)- 6:10PM to 6:25PM

CONSENT AGENDA: 6:25PM to 6:30PM

- A. Costco - Expansion of existing refrigeration system. SE San Diego Addition Project No. 380909; 24004915; An Amendment to PID 94-0616, Process 4, for a 1,481SF addition to an existing 133,708SF Costco building on the 25.549 acre site at 650 Gateway Center Drive in the I-1 Zone in (Gateway Center East) Mt Hope Neighborhood. Pat Gaffney, General Manager.
- B. Jack in the Box, Memorial Neighborhood, Project No. 366524, located at 2890 National Avenue. Applying for a Site Development Permit and a Planned Development Permit in a CSR-2 zone, to build a 2,588SF Drive-Thru on a 1.93 acre vacant lot. Logan Heights Neighborhood Gabriela Marks, Architect and Janay Kruger, Consultant, David Beshay, Franchisee, and Lucy Stanciu, Director of Operations, Bashay Foods.

ACTION ITEMS:

- A. **Approval of the Minutes for January 12, 2015.** 6:30PM to 6:35PM
- B. 3433 Pickwick St Medical Marijuana Consumer Cooperative (MMCC), in Gateway Center West, Stockton Neighborhood, Project No. 368351; Application for Conditional Use Permit (CUP) and Site Development Permit (SDP); 3,500SF existing building in an I-1 zone. NORA was appealed on Oct. 15, 2014. However, the Appeal was rejected. Presenter will be Paul Britvar,
- C. 3385 Sunrise Street, Medical Marijuana Consumer Cooperative (MMCC), in Gateway Center West, Stockton Neighborhood, Project No. 368337; 4,412SF; Application for Conditional Use Permit (CUP) existing building in an I-1 zone use will be commercial. NORA was appealed on Oct.15, 2014. However, the Appeal was rejected Presenter will be Oscar Urteaga, Southwest Strategies, Applicant, representing Medbox.

INFORMATION ITEMS:

1. **Report from the Nominating Committee.** 6:35PM to 6:40PM
2. **Planner's Report:** 6:40PM to 6:50PM
3. **Chair's Report: Declaration of vacancy on the Board due to absences Roger Leszczynski** 6:50PM to 7:00PM

ADJOURNMENT

Maria Riveroll, Chair (619) 264-5373

Ownership Disclosure Statement
Jack In-the-Box Southeastern
Project No. 366524

Owner: National II LLC, a California Limited Liability
Company

Sole Member: Alex Zirpolo

Permittee: DMSD Foods, Incorporated

Members: David Beshay and Sam Fong



Looking west



Looking east



ATTACHMENT 11

Looking north