



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: October 6, 2016 REPORT NO. PC-16-004

ATTENTION: Planning Commission, Agenda of October 13, 2016

SUBJECT: Arco Murphy Canyon Road PDP CUP amendments, Process Four

PROJECT NUMBER: [204295](#)

OWNER/APPLICANT: ACAA, LP - Crossroads Petroleum /
Jeanette Verdugo – AGC Design Concepts

SUMMARY

Issue: Should the Planning Commission approve additional fuel pumps, an existing canopy expanded into the setback, and a new automated carwash to an existing automobile service station located at 3770 Murphy Canyon Road within the Kearny Mesa Community Planning Area?

Staff Recommendations:

1. Adopt Mitigated Negative Declaration No. 204295;
Adopt the Mitigation Monitoring and Reporting Program;
2. Approve Planned Development Permit No. 724731 (amending PID 89-0949); and
3. Approve Conditional Use Permit No. 724693 (amending CUP No. 89-1234).

Community Planning Group Recommendation: On January 19, 2011, the Kearny Mesa Community Planning Group voted 10-0-0 to recommend approval of the project without conditions.

Environmental Review: A Mitigated Negative Declaration No. 204295 has been prepared for the project in accordance with State of California Environmental Quality Act Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to below a level of significance, any potential impacts identified in the environmental review process.

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

BACKGROUND

The 4.84-acre site is located at 3770 Murphy Canyon Road at the northwest corner of Aero Drive and Murphy Canyon Road, immediately west of the Interstate 15 freeway (Attachment 1). The site is designated as Open Space and Industrial Business Park within the Kearny Mesa Community Planning area and zoned IL-2-1, a city-wide light industrial zone (Attachment 2). A portion of the site contains environmentally sensitive lands in the form of the Multi-Habitat Planning Area (MHPA) and steep slopes, however, no development will occur in these areas. Project implementation included an MHPA Boundary Line correction to remove approximately 0.12 acres of the developed site out of the MHPA.

The project site is part of a larger 100-acre parcel entitled under Planned Industrial Development (PID No. 85-0737) approved by the Planning Director in 1985 as "Murphy Canyon Gateway" (Attachment 3). This development was amended in 1989 (PID 89-0949) to allow flexibility for development of the subject parcel to include an automobile service station with the processing of a Conditional Use Permit (CUP). CUP No. 89-1234, approved by the Planning Director in 1989, allowed the existing service station and convenience store. The proposed project requires an amendment to PID No. 89-0949 and CUP No. 89-1234 for the proposed expansion to the automobile service station. Surrounding developments include the MHPA area to the northwest and west and commercial retail development to the east and south.

DISCUSSION

Project Description:

The project proposes to expand an existing service station with two additional fuel dispensers (4 additional fueling stations), a 1,819-square-foot expansion of the existing canopy structure, and a 968-square-foot automated car wash. As allowed with a Planned Development Permit (PDP), one deviation is proposed to allow a portion of the canopy to encroach into the street side yard setback along Murphy Canyon Road. Improvements to the site include reconstructing existing driveways with minor surface changes, landscaping, and lighting. Existing parking at the convenience store would be retained (eight spaces) and four additional parking spaces are proposed adjacent to the car wash. The project proposes the installation of permeable pavers and other storm water and drainage system improvements to meet the requirements of the Stormwater Regulations.

The proposed project has been designed to comply with all other applicable regulations of the San Diego Municipal Code (SDMC), including parking, grading, landscaping and all other requirements of the IL-2-1 zone, as well as the Automobile Service Station separately regulated use regulations SDMC Section 141.0801.

Deviation:

The existing canopy encroaches into the required 15'-0" street side yard setback on Murphy Canyon Road, observing a 7'-8" setback as approved under CUP No. 89-1234. The proposed canopy expansion will be aligned with the existing canopy. Deviations from the applicable base zone development regulations may be requested in order to provide flexibility in achieving project design where strict application of the base zone development regulations would restrict design options and result in a less desirable project. The intent of the Planned Development Permit regulations are to

accommodate, to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements, and community and City benefits. The site is constrained by the existing improvements, including an approximate 1,850-square-foot underground-tank storage area. The remaining developable area of the property is reduced by the on-site environmentally sensitive lands, which include 2.62 acres of MHPA and 4.17 acres of steep slopes. Additionally, the northwestern portion of the site, adjacent to the off-site MHPA lands, is encumbered with a covenant of easement which will ensure no development will occur within this area. The remaining developable area totals approximately 1.01 acres.

The existing canopy was designed to comply with existing site constraints and to align with the existing structure. The project proposes to expand the service station with two additional fuel dispensers (four fueling stations) which will also serve to alleviate excessive queuing at the pumps. Adherence to the setback regulations would preclude an expansion of the canopy structure, given the existing improvements, on site circulation, and the aforementioned site constraints, which include the presence of environmental resources.

The purpose and intent of the Environmentally Sensitive Lands regulations is to protect Environmentally Sensitive Lands and the public health, safety, and welfare while employing regulations that are consistent with sound resource conservation principles and the rights of private property owners. The project will expand an existing use providing a public benefit to the community through increased services. The proposed deviation is appropriate at this location.

Community Plan Analysis:

The site is designated as Open Space and Industrial Business Park within the Kearny Mesa Community Planning area. The undeveloped, northwestern portion of the site is within the Multiple Habitat Planning Area (MHPA) which aligns in the approximate location with the Open Space designation boundary line. This portion of the site also contains steep slopes.

The developed portion of the site is designated as Industrial Business Park. The Industrial Element of the Community Plan describes the developments within the Business Park as a combination of industrial, warehousing and distribution, office and limited local-servicing retail uses. The existing service station, convenience store and proposed car wash uses are consistent with this provision.

The Urban Design Section of the Community Plan acknowledges that prior to adoption of the landscape ordinance, minimal landscaping was required consisting only of a landscape strip adjacent to public rights-of-way. The development will comply with the current landscape standards which include additional street trees, landscaping, permeable paving, and additional parking to meet the requirements of the expanded service station and automated car wash. The Urban Design Element also states that projects should be reviewed for consistency with the adopted airport policies. The project obtained a consistency determination for the expanded use by the San Diego Airport Land Use Commission (ALUC) for Montgomery Field Air Station under resolution 2010-0030 ALUC. The project is consistent with the ALUC policies.

The Open Space Element of the Community Plan states that open space and environmentally sensitive areas must be preserved. The undeveloped portion of the site is within the MHPA and contains steep slopes. There will be no encroachment into site environmentally sensitive lands. Project implementation includes a MHPA Boundary Line Correction to adjust the developed portion

of the site (approximately 0.12 acres) out of the MHPA. No development will occur within the MHPA nor steep slopes. An existing open space easement located to the north and west of the site, granted to the City on October 14, 1986, will remain in effect.

Murphy Canyon is identified in the Community Plan as one of the major scenic features in the community with high freeway visibility. While Murphy Canyon is largely developed, its steep hillsides remain in a natural state. Slopes of Murphy Canyon are located west and north of the project site. Public views of the vegetated slopes at the higher elevations of the site include views from roadways to the east from Interstate 15, Aero Drive, and Murphy Canyon Drive. Views of the developed portion of the project site, including the location of proposed improvements, would generally be limited to the area immediately east of the project site and adjacent to the roadways due to topography and intervening structures. The project would not have a substantial effect on a scenic vista because the scenic value of the vegetated slopes at the higher elevations of the project site would remain in their current condition and would not result in a substantial change to the visual features of the project site. In summary, the proposed project is consistent with the community plan.

CONCLUSION

Staff has reviewed the proposed project and all issues identified through that review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the project (Attachment 6) and draft conditions of approval (Attachment 7). Staff recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. Approve Planned Development Permit No. 724731 and Approve Conditional Use Permit No. 724693, with modifications.
2. Deny Planned Development Permit No. 724731 and Deny Conditional Use Permit No. 724693, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Elyse Lowe
Deputy Director
Development Services Department

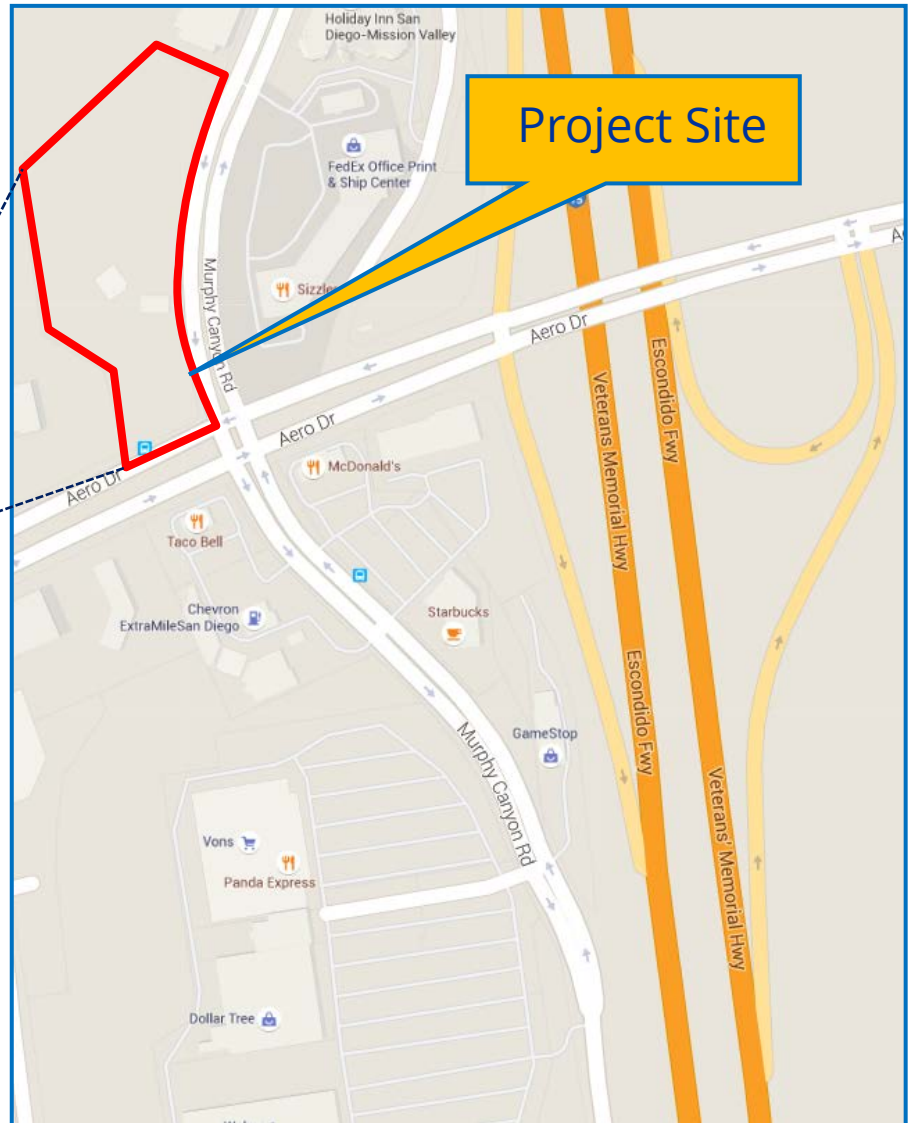
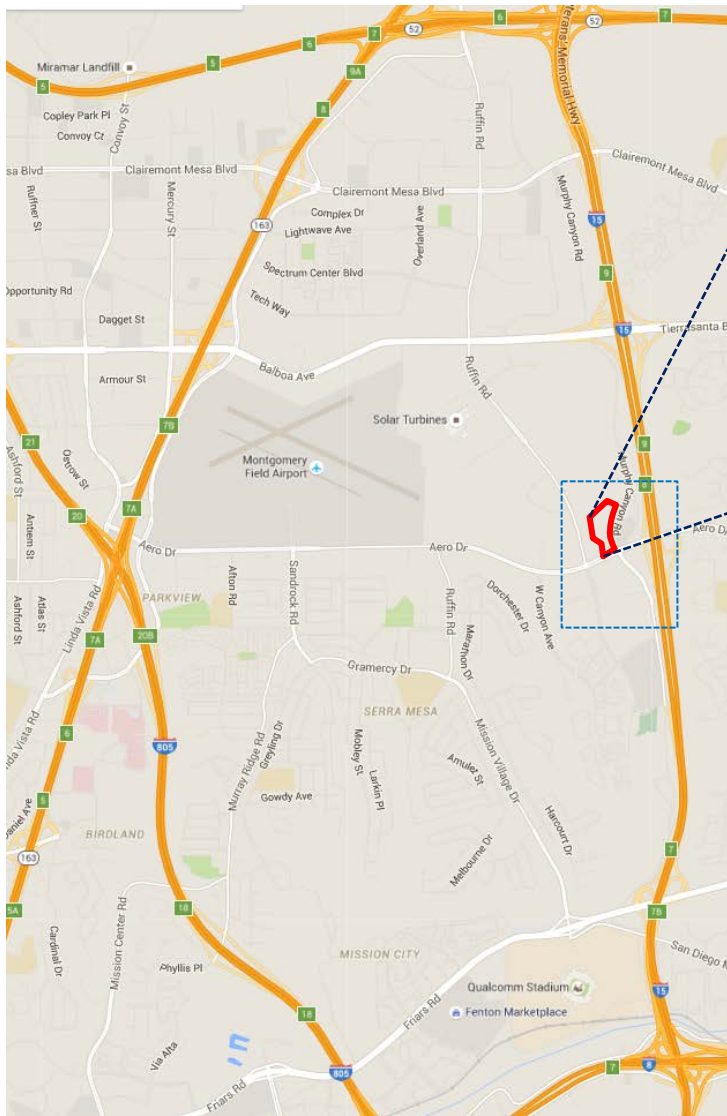
LOWE/FM



Francisco Mendoza
Development Project Manager
Development Services Department

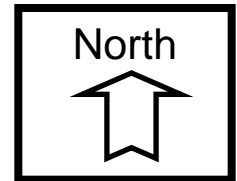
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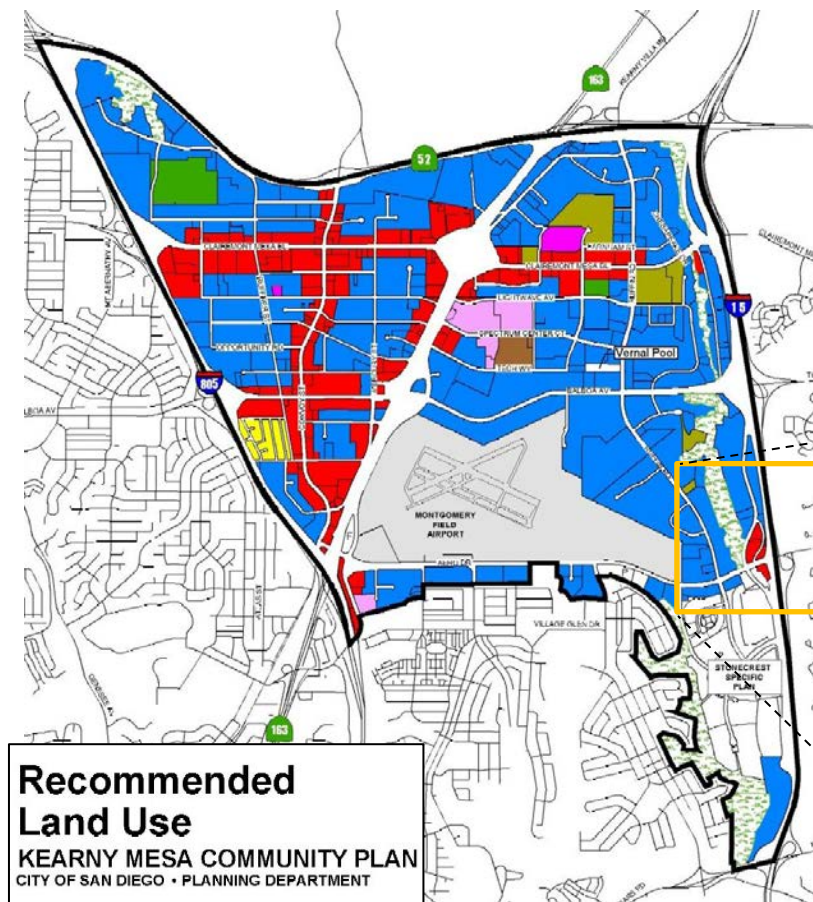
1. Project Location Map
2. Community Plan Land Use Map
3. Planned Industrial Development No. 85-0737 Site Exhibit
4. Aerial Photograph
5. Project Data Sheet
6. Draft Permit Resolution with Findings
7. Draft Permit with Conditions
8. Draft Environmental Resolution with MMRP (MND)
9. Copy of Recorded CUP No. 89-1234 and PID No. 89-0949
10. SDCRAA Consistency Determination
11. Community Planning Group Recommendation
12. Ownership Disclosure Statement
13. Project Plans



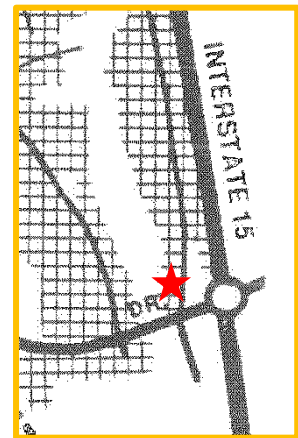
Project Location Map

Arco Murphy Canyon Rd Pdp Cup Amendments / 3770 Murphy Canyon Rd
PROJECT NO. 204295





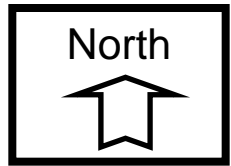
Project Site:
 *Designated both Open Space and Industrial/Business Park

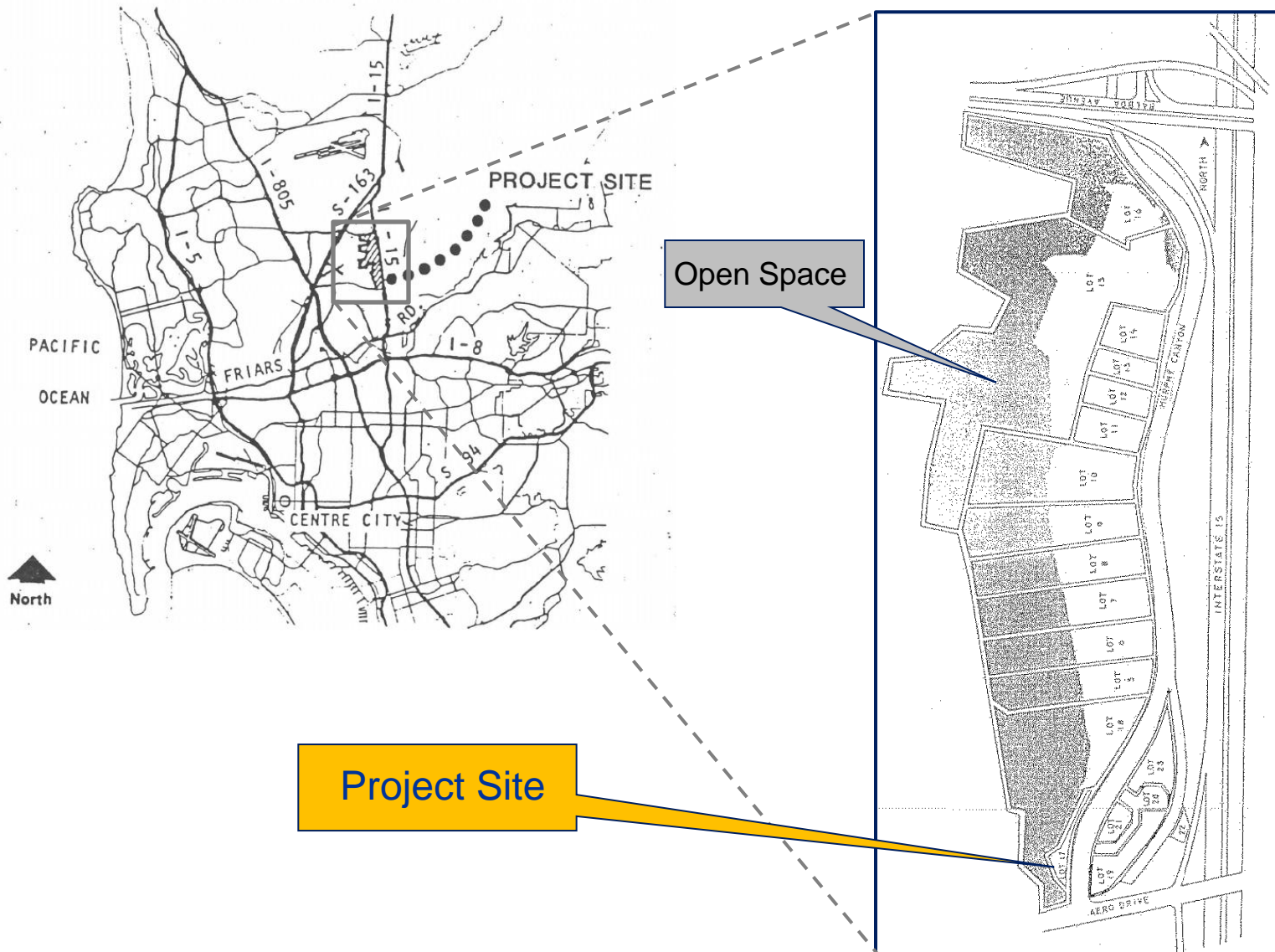


- LEGEND**
- Industrial and Business Parks
 - General Commercial
 - Low Density Residential (5-9 DU/AC)
 - Low Medium Residential (20-29 DU/AC)
 - Mixed Use Commercial
 - Residential
 - General Aviation Airport
 - Fire/Police Stations
 - County Facilities
 - Community Parks
 - Open space
 - Utility
 - INDUSTRIAL AND BUSINESS PARK



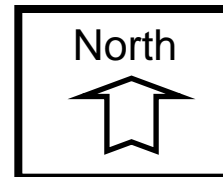
Land Use Map
 Arco Murphy Canyon Rd Pdp Cup Amendments / 3770 Murphy Canyon Rd
 PROJECT NO. 204295





PID No. 85-0737 (89-0949) Site Exhibit

Arco Murphy Canyon Rd Pdp Cup Amendments / 3770 Murphy Canyon Rd
PROJECT NO. 204295





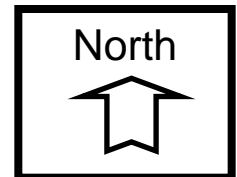
Project Site

Deviation:
Canopy 8-feet into
setback



Aerial Photographs

Arco Murphy Canyon Rd Pdp Cup Amendments / 3770 Murphy Canyon Rd
PROJECT NO. 204295



PROJECT DATA SHEET

PROJECT NAME:	ARCO MURPHY CANYON ROAD PDP CUP Amendments	
PROJECT DESCRIPTION:	968-sq-ft automated car wash and 1,819-sq-ft canopy addition (4 new fueling stations) to an existing gas station (8 existing fueling stations) and existing convenience store and related improvements	
COMMUNITY PLAN AREA:	Kearny Mesa Community Plan	
DISCRETIONARY ACTIONS:	Planned Development Permit and Conditional Use Permit Amendments	
COMMUNITY PLAN LAND USE DESIGNATION:	Open Space and Industrial/Business Park	
<p align="center">ZONING INFORMATION</p> <p>ZONE: IL-2-1 (A light industrial zone that allows a mix of light industrial and office uses with limited commercial uses.)</p> <p>HEIGHT LIMIT: None – Except as limited by Overlay Zones</p> <p>LOT SIZE: 40,000 square-foot minimum lot size (in Kearny Mesa)</p> <p>FLOOR AREA RATIO: 0.50 maximum (in Kearny Mesa)</p> <p>FRONT SETBACK: 15/20 feet (minimum if less than 50% of frontage / standard)</p> <p>SIDE SETBACK: 10 feet</p> <p>STREETSIDE SETBACK: 15/20 feet (min/std)</p> <p>REAR SETBACK: 0/15 feet (min/std)</p> <p>PARKING: 12 spaces (3 / 1000 square feet)</p>		
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Open Space; IL-2-1	Business Office; Office Building
SOUTH:	Community Commercial (Stonecrest Specific Plan); CC-1-3	Commercial Retail; Auto Service
EAST:	Industrial; IL-3-1	Commercial Retail; Shopping Center
WEST:	Industrial; IL-2-1	Office Park; Ruffin Business Center
DEVIATION REQUESTED:	Deviation to allow a 7'-8" setback at the canopy (along Murphy Canyon Road), where 15-feet is required.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On January 19, 2011, the KMCPG voted 10-0-0 to recommend approval of the project without conditions.	

ATTACHMENT 6
Draft Resolution and Findings

PLANNING COMMISSION RESOLUTION NO. PC-XXXX
CONDITIONAL USE PERMIT NO. 724693 AND
PLANNED DEVELOPMENT PERMIT NO. 724731
ARCO MURPHY CANYON ROAD - PROJECT NO. 204295
(AMENDMENT TO CONDITIONAL USE PERMIT NO. 89-1234 AND
PLANNED INDUSTRIAL DEVELOPMENT NO. 89-0949)
[MMRP]

WHEREAS, ACAA LIMITED PARTNERSHIP, a California Limited Partnership, Owner, and Crossroads Petroleum, a California Corporation, Permittee, filed an application with the City of San Diego for a permit to expand an existing service station with two additional fuel dispensers (4 fueling stations), a 1,819-square-foot expansion of an existing canopy structure, and a 985-square-foot automated car wash. The 4.84-acre site is developed with an existing automobile service station and convenience store. The project is described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 724731;

WHEREAS, the project site is located at 3770 Murphy Canyon Road in the IL-2-1 of the Kearny Mesa Community Plan area;

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 15359, File No. 88-443827 of Official Records;

WHEREAS, on October 13, 2016, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 724693 and Planned Development Permit No. 724731 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 October 13, 2016.

FINDINGS:

Conditional Use Permit Section 126.0305

1. The proposed development will not adversely affect the applicable land use plan. The project proposes an expansion of an existing service station to include two additional fuel pumps (four fueling stations), a 1,819-square-foot canopy addition, and a 968-square-foot, automated car wash located at located at 3770 Murphy Canyon Road. The existing service station and an accessory convenience store were entitled under Conditional Use Permit No. 89-1234 and Planned Industrial Development No. 89-0949. The site is zoned IL-2-1 and designated as Open Space and Industrial Business Park within the Kearny Mesa Community Planning area. The undeveloped, rear portion of the site is within the Multiple Habitat Planning Area which aligns in the approximate location of the Open Space designation boundary line. This portion of the site also contains steep slopes.

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Draft Resolution and Findings

The developed portion of the site is designated as Industrial Business Park. The Industrial Element describes the existing developments within the Business Park as a combination of industrial, warehousing and distribution, office and limited local-servicing retail uses. The existing service station and accessory convenience store and proposed car wash uses are consistent with this provision.

The Urban Design Element of the Community Plan acknowledges that prior to adopting of the landscape ordinance, minimal landscaping was required in the previous M1-A and M1-B zones consisting only of a landscape strip adjacent to the rights of way. Enhanced landscape will significantly improve the individual projects that redevelop. This section further states that new developments should be located in well-designed projects with adequate provisions for off-street parking and service areas. The site will comply with the current landscape standards which includes additional street trees and permeable paving. Additional lighting and parking spaces are proposed.

This Element states that the predominant building type in Kearny Mesa is one- to two-story, low-scale profile and that new developments should be sensitively designed to orient to the surrounding developments including similar building setback. The project proposes a one story car wash building at the rear of the site and a 24-foot high canopy structure expansion. Adjacent developments include a one story commercial retail stores and a two-story parking structure, which observe similar setbacks along the street frontage.

The "Special Permits" section of the Industrial Element states that modifications to previously approved PIDs may be approved provided they meet the goals of the community plan and provide benefits to the community. The proposed expansion to the facility is consistent with the community plan's goals and objectives as described above and will result in a benefit to the community through increased services.

The Open Space Element of the Community Plan states that open space and environmentally sensitive areas must be preserved. The rear, undeveloped portion of the site is within the MHPA and contains steep slopes. There will be no encroachment into on site environmentally sensitive lands. Project implementation includes a MHPA Boundary Line Correction to adjust the developed portion of the site (approximately .12 acres) out of the MHPA. No development will occur within the MHPA nor steep slopes and an existing open space easement located to the north and west portions of the site, granted to the City on October 14, 1986, will remain in effect in perpetuity.

Murphy Canyon is identified in the Community Plan as one of the major scenic features in the community with high freeway visibility. While Murphy Canyon is largely developed, its steep hillsides remain in a natural state. Slopes of Murphy Canyon are located west and north of the project site. Public views of the vegetated slopes at the higher elevations of the site include views from roadways to the east from Interstate 15, Aero Drive, and Murphy Canyon Drive. Views of the developed portion of the project site, including the location of proposed improvements, would generally be limited to the area immediately east of the project site and adjacent to the roadways due to topography and intervening structures. The project would not have a substantial effect on a scenic vista because the scenic value of the vegetated slopes at the higher elevations of the project site would remain in their current condition. The addition of the car wash, fuel pumps and canopy area on the existing developed site would not result in a substantial change to the visual features of the project site and would not detract from existing views of Murphy Canyon because they would add features consistent with the existing use of the site. Thus, the project would not result in a significant adverse impacts on a scenic vista. Therefore, the development will not adversely affect the applicable land use plan.

ATTACHMENT 6

Draft Resolution and Findings

2. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed development will not be detrimental to the public's health, safety and welfare because the discretionary permit controlling the development and continued use of this site contain specific regulatory conditions ensuring compliance with all local, regional, state and federal codes, rules and policies. These regulations, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate and/or prevent all adverse impacts to the public and community at large. Conditions of approval include a broad spectrum of requirements from a variety of disciplines including planning, engineering, structural, environmental, geologic, fire, traffic, and landscaping to assure the project's compliance with adopted codes and policies. Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. Additionally, design measures including a noise reduction package, roll-up doors (during operation), and restrictions on the hours of operation, have been incorporated into the automated car wash to reduce noise levels. As a result of these requirements and project features, the project will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code. The proposed project has been designed to comply with the regulations of the San Diego Municipal Code including, parking, grading, landscaping and all applicable requirements of the IL-2-1 zone, as well as the Automobile Service Station separately regulated use regulations. One minor deviation is incorporated into the project design as allowed with a Planned Development Permit to allow a portion of the expanded canopy structure to observe a 7'-8" street side yard setback along Murphy Canyon Road where 15'-0" is currently required. The separately regulated use requirements include provisions for allowable accessory uses, driveway restrictions, adequate lighting and hours of operation. The existing canopy observes the reduced 7'-8" street side yard setback as permitted under Conditional Use Permit No. 89-1234. The project proposes to align the addition with the existing structure. Reference Planned Development Permit Finding Number 3. Therefore, the proposed development will comply with the regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

4. The proposed use is appropriate at the proposed location. The existing service station and convenience store have existed at this location for 29 years as allowed under Planned Development Permit No. 89-0949 and Conditional Use Permit No. 89-1234. The project proposes to expand the facility by adding additional fuel pumps and a car wash as allowed with a Conditional Use Permit. The proposed expansion will provide increased services to the community. The proposed expanded use is consistent with several provisions of the Kearny Mesa Community plan which designates the site for Industrial Business Park/Open Space. Reference Conditional Use Finding Number 1. Therefore, the proposed use, an expansion of the existing facility, is appropriate at this location.

Planned Development Permit Section 143.0401

1. The proposed development will not adversely affect the applicable land use plan; The project proposes an expansion of an existing service station to include two additional fuel pumps (four fueling stations), a 1,819-square-foot canopy addition, and a 968-square-foot, automated car wash located at located at 3770 Murphy Canyon Road. The existing service station and an accessory convenience store were entitled under Conditional Use Permit No. 89-1234 and Planned Industrial Development No. 89-0949. The site is zoned IL-2-1 and designated as Industrial Business Park and Open Space within the Kearny Mesa

ATTACHMENT 6

Draft Resolution and Findings

Community Planning area. The undeveloped, rear portion of the site is within the Multiple Habitat Planning Area which aligns in the approximate location of the Open Space designation boundary line. This portion of the site also contains steep slopes.

The developed portion of the site is designated as Industrial Business Park. The Industrial Element describes the existing developments within the Business Park as a combination of industrial, warehousing and distribution, office and limited local-servicing retail uses. The existing service station and accessory convenience store and proposed car wash uses are consistent with this provision.

The Urban Design Element of the Community Plan acknowledges that prior to adopting of the landscape ordinance, minimal landscaping was required in the previous M1-A and M1-B zones consisting only of a landscape strip adjacent to the rights of way. Enhanced landscape will significantly improve the individual projects that redevelop. This section further states that new developments should be located in well-designed projects with adequate provisions for off-street parking and service areas. The site will comply with the current landscape standards which includes additional street trees and permeable paving. Additional lighting and parking spaces are proposed.

This Element states that the predominant building type in Kearny Mesa is one- to two-story, low-scale profile and that new developments should be sensitively designed to orient to the surrounding developments including similar building setback. The project proposes a one story car wash building at the rear of the site and a 24-foot high canopy structure expansion. Adjacent developments include a one story commercial retail stores and a two-story parking structure, which observe similar setbacks along the street frontage.

The "Special Permits" section of the Industrial Element states that modifications to previously approved PIDs may be approved provided they meet the goals of the community plan and provide benefits to the community. The proposed expansion to the facility is consistent with the community plan's goals and objectives as described above and will result in a benefit to the community through increased services.

The Open Space Element of the Community Plan states that open space and environmentally sensitive areas must be preserved. The rear, undeveloped portion of the site is within the MHPA and contains steep slopes. There will be no encroachment into on site environmentally sensitive lands. Project implementation includes a MHPA Boundary Line Correction to adjust the developed portion of the site (approximately .12 acres) out of the MHPA. No development will occur within the MHPA nor steep slopes and an existing open space easement located to the north and west portions of the site, granted to the City on October 14, 1986, will remain in effect in perpetuity.

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Draft Resolution and Findings

The addition of the car wash, fuel pumps and canopy area on the existing developed site would not result in a substantial change to the visual features of the project site and would not detract from existing views of Murphy Canyon because they would add features consistent with the existing use of the site. Thus, the project would not result in a significant adverse impacts on a scenic vista. Therefore, the development 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 proposed development will not be detrimental to the public's health, safety and welfare because the discretionary permit controlling the development and continued use of this site contain specific regulatory conditions ensuring compliance with all local, regional, state and federal codes, rules and policies. These regulations, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate and/or prevent all adverse impacts to the public and community at large. Conditions of approval include a broad spectrum of requirements from a variety of disciplines including planning, engineering, structural, environmental, geologic, fire, traffic, and landscaping to assure the project's compliance with adopted codes and policies. Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. Additionally, design measures including a noise reduction package, roll-up doors (during operation), and restrictions on the hours of operation, have been incorporated into the automated car wash to reduce noise levels. As a result of these requirements and project features, the project will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code. The existing canopy encroaches into the required 15'-0" street side yard setback on Murphy Canyon Road, observing a 7'-8" setback as approved under CUP 89-1234. The proposed canopy expansion will be aligned with the existing canopy. Deviations from the applicable base zone development regulations may be requested in order to provide flexibility in achieving project design where strict application of the base zone development regulations would restrict design options and result in a less desirable. The intent of the PDP Permit regulations is to accommodate, to the greatest extent possible, an equitable balance of development types, intensities, styles, site constraints, project amenities, public improvements, and community and City benefits. The 4.84-acre site is constrained by the existing improvements including an approximate 1,850-square-foot underground-tank storage area. The remaining developable area of the property is reduced by the on-site environmentally sensitive lands which include 2.62 acres of MHPA and 4.17 acres of steep slopes. Additionally, the rear portion of the site, adjacent to the off-site MHPA lands, is encumbered within a covenant of easement which will ensure no development will occur within environmentally sensitive areas. The remaining developable area totals approximately 1.01 acres.

The existing canopy was designed to comply with existing site constraints and to align with the existing structure. The project proposes to expand the service station with two additional fuel dispensers (4 fueling stations) which will also serve to alleviate excessive queuing at the pumps. Adherence to the setback regulations would preclude an expansion of the canopy structure given the existing improvements, on site circulation, and the aforementioned site constraints which include the presence of environmental resources.

ATTACHMENT 6

Draft Resolution and Findings

The purpose and intent of the environmentally sensitive lands regulations is to protect environmentally sensitive lands and the public health, safety, and welfare while employing regulations that are consistent with sound resource conservation principles and the rights of private property owners. The project will expand an existing use providing a public benefit to the community through increased services. Therefore, this deviation at this location will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 724693 and Planned Development Permit No. 724731 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. 724693 and 724731, a copy of which is attached hereto and made a part hereof.

Francisco Mendoza
Development Project Manager
Development Services

Adopted on: October 13, 2016

Internal Order Number: 24000665

ATTACHMENT 7
Draft Permit with Conditions

RECORDING REQUESTED BY

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

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24000665

CONDITIONAL USE PERMIT NO. 724693
PLANNED DEVELOPMENT PERMIT NO. 724731
ARCO MURPHY CANYON RD - PROJECT NO. 204295
(AMENDMENT TO CONDITIONAL USE PERMIT 89-1234 AND
AMENDMENT TO PLANNED INDUSTRIAL DEVELOPMENT NO. 89-0949)
PLANNING COMMISSION
[MMRP]

This Conditional Use Permit No. 724693 and Planned Development Permit No. 724731 (Permit), amendment to Conditional Use Permit No. 89-1234 and Planned Industrial Development No. 89-0949, is granted by the Planning Commission of the City of San Diego to ACAA, LP, a California Limited Partnership, Owner, and Crossroad Petroleum Inc., a California Corporation, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0113 and 126.0602. The 4.84-acre site is located at 3770 Murphy Canyon Road in the IL-2-1 zone within the Kearny Mesa Community Plan. The project site is legally described as: Parcel 1 of Parcel Map No. 15359, File No. 88-443827 of Official Records;

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to construct additions to an existing Automobile Service Station described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated October 13, 2016, on file in the Development Services Department.

The project shall include:

- a. Two additional fuel dispensers (4 new fueling stations);
- b. A 968-square-foot automated car wash with a noise-reduction package (including a roll-up door on the exit-side of the car wash);
- c. A deviation allowing a 1,816-square-foot expansion of the existing canopy observing an approximate 7'-8" street-yard-side setback from Murphy Canyon Road, where 15'-0" is required;

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

STANDARD REQUIREMENTS:

1. This Permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by October 27, 2019.
2. This Conditional Use Permit No. 724693 and Planned Development Permit No. 724731 (Permit) amends Conditional Use Permit No. 89-1234 and Planned Industrial Development No. 89-9049, all conditions of which remain in effect except where amended by this Permit.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but

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not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

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

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

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

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

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

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ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

13. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 204295, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 204295, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Biological
Noise
Land Use

ENGINEERING REQUIREMENTS:

15. 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.

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

17. 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 current City Storm Water Standards.

18. The drainage system for this project shall be private and will be subject to approval by the City Engineer.

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

20. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing curb ramp with City standard curb ramp with truncated domes, at the northwest corner of Aero Drive and Murphy Canyon Road, per Standard Drawing SDG-133, satisfactory to the City Engineer.

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21. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruct of the existing driveways with maximum 30-foot wide City standard driveways, on Aero Drive and Murphy Canyon Road, to provide adequate sidewalk transitions as consistent with Standard Drawings SDG-159, satisfactory to the City Engineer.

LANDSCAPE / BRUSH MANAGEMENT REQUIREMENTS:

22. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.

23. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40-square-foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

24. Prior to issuance of 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.

25. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit. The trees shall be maintained in a site manner to allow each tree to grow to its mature height and spread.

26. The Owner/Permittee shall be responsible for the installation and maintenance of all landscape improvements consistent with the Land Development Code: Landscape Regulations and the Land Development Manual: Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course, wet land or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self-propagate by airborne seeds or trailing as noted in section 1.3 of the Landscape Standards.

27. If any required landscape (including but not limited to existing or new plantings, hardscape, landscape features) 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 per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

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28. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall provide for additional street trees in the right-of-way to meet the Code requirement of one 24-in box canopy tree per 30 linear feet of street frontage, excluding required curb cuts. Improvement plans shall show, label, and dimension a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

29. Prior to issuance of any Construction Permits, a complete set of Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall comply with the Brush Management Regulations and Landscape Standards as set forth in Land Development Code, Section 142.0412.

30. The Brush Management Program shall consist of a modified Zone One ranging from approximately 5-ft to 10-ft feet in width as measured from the existing convenience store to the base of existing retaining wall with a balance of Zone Two ranging from 85-ft to 90-ft in width, extending out from the structure towards the native/naturalized vegetation, consistent with the Brush Management Regulations of the Land Development Code, section 142.0412(h)(7).

31. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted. Accessory structures of non-combustible, one-hour fire-rated, and/or heavy timber construction may be approved within the designated Zone One area subject to Fire Marshal's approval.

32. The following note shall be provided on the Brush Management Construction Documents: 'It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program.'

33. Prior to final inspection and issuance of any Certificate of Occupancy, the approved Brush Management Program shall be implemented.

34. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

35. All outdoor lighting shall be shaded and adjusted to fall on the developed portion of the premises where such lights are located and in accordance with the applicable regulations of the SDMC and the MHPA Adjacency Guidelines.

36. 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.

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37. All signs shall comply with the approved Exhibit "A" or the SDMC.

TRANSPORTATION REQUIREMENTS

38. No fewer than twelve (12) off-street parking spaces (12 off-street parking spaces are provided, including one disabled accessible space) shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

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 October 13, 2016 and **Approved Resolution Number.**

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PDP No. 724731 and CUP No. 724693
Date of Approval: October 13, 2016

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Francisco Mendoza
Development Project Manager

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

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

ACAA, Limited Partnership

Owner

By Crossroad Petroleum, Inc – its general partner

Permittee

By _____
Ahd Haddad
President

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

PLANNING COMMISSION
RESOLUTION NO. _____
ARCO MURPHY CANYON RD - PROJECT NO. 204295 [MMRP]
MITIGATED NEGATIVE DECLARATION NO. 204295
ADOPTED ON OCTOBER 13, 2016

WHEREAS, on March 3, 2010, Crossroad Petroleum Inc., a California Corporation, submitted an application to Development Services Department for a Planned Development Permit (PDP) and Conditional Use Permit (CUP) for the Arco Murphy Canyon (Project); and

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

WHEREAS, the issue was heard by the Planning Commission on October 13, 2016; and

WHEREAS, the Planning Commission considered the issues discussed in Mitigated Negative Declaration No. 204295 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Planning Commission finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

ATTACHMENT 8

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Planning Commission in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101

BE IT FURTHER RESOLVED, that Development Services Department is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

By: _____
Francisco Mendoza
Development Project Manager

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Conditional Use Permit and Planned Development Permit

PROJECT NO. 204295

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 204295 shall be made conditions of the Planned Development Permit and Conditional Use Permit as may be further described below.

A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), plans, specification, details, etc. to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS."**
3. These notes must be shown within the first three sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The DSD Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRE CONSTRUCTION MEETING IS REQUIRED 10 WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

Qualified Biologist
Qualified Noise Monitor

Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
 - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 204295 and/or Environmental Document Number 204295, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e., to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc).

Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

Not Applicable

4. **MONITORING EXHIBITS**
All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that work will be

performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE: Surety and Cost Recovery – When deemed necessary by the DSD Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long-term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. OTHER SUBMITTALS AND INSPECTIONS:

The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Biological Resources	Letter of Qualification (Biologist & Acoustician)	Prior to issuance of grading permit
	Results of Pre-grading and Gnatcatcher Surveys	Prior to the start of construction
	Results of Noise Analysis	Prior to the start of construction
Geology	Final Geotechnical Report	Prior to permit issuance

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

BIOLOGICAL RESOURCES MITIGATION

BIO-1 In order to avoid or reduce potential indirect and construction impacts to nesting raptors and migratory birds, the project shall be conditioned to implement the following mitigation measure:

Prior to the issuance of any grading permit, the ADD ED shall verify that the following project requirements regarding the raptors are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur between February 1 and September 15, the breeding season for raptors, until the following requirements have been met to the satisfaction of the ADD ED:

I. PRE-CONSTRUCTION

A. Pre-Grading Survey

1. If project grading is proposed during the raptor breeding season (February 1- September 15), the project biologist shall conduct a pre-grading survey for active raptor nests within 300 feet of the development area and submit a letter report to Mitigation, Monitoring, and Coordination (MMC) prior to the preconstruction meeting.
 - a. If active raptor nests are detected, the report shall include mitigation in conformance with the City's Biology Guidelines (i.e., appropriate buffers, monitoring schedules, etc.) to the satisfaction of the ADD ED. Mitigation requirements determined by the project biologist and the ADD ED shall be incorporated into the project's Biological Construction Monitoring Exhibit and monitoring results incorporated in to the final biological construction monitoring report.
 - b. If no nesting raptors are detected during the pre-grading survey, no mitigation is required. To remain in compliance with the MBTA, no direct impacts shall occur to nesting birds, their eggs, chicks, or nests during the breeding season. If construction activities are to occur during the bird breeding season, then pre-construction surveys will be necessary to confirm the presence or absence of breeding birds. If nests or breeding activities are located on the site, then an appropriate buffer area around the nesting site shall be maintained until the young have fledged.

NOISE MITIGATION

NOS-1 The following measures shall be incorporated into the self-serve car wash design to ensure the car wash/dryer noise levels will meet the City's property line noise standards and MHPA noise standards at the westerly project lines.

- A. Incorporate the Noise Reduction Package (NRP) on the dryer unit into the car wash design to attenuate noise levels to the City standard of 60 db(A) Leq (average hourly sound level) or less.
- B. Car wash hours of operation shall be limited to 7:00 A.M. to 10:00 P.M..
- C. Install a roll-up door on the exit side of the car wash to attenuate noise levels to the City standard of 60 dB(A) Leq (average hourly sound level) or less. Thero-clear Lexan roll-up doors are recommended; however, an equivalent roll-up door is acceptable

provided it attenuates noise levels to the City standard of 60 dB(A) L_{eq} or less. The roll-up door shall close after a car enters the car wash tunnel and begins operation.

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

LAND USE MITIGATION

LU-1 MULTI-SPECIES CONSERVATION PROGRAM (MSCP) SUBAREA PLAN – LAND USE ADJACENCY GUIDELINES

- I. Prior to issuance of any construction permit or notice to proceed, DSD/ Land Development Review (LDR), and/or MSCP staff shall verify that the applicant has accurately represented the project's design in or on the Construction Documents (CDs consist of Construction Plan Sets for Private Projects and Contract Specifications for Public Projects), which are in conformance with the associated discretionary permit conditions and Exhibit "A", and also the City's MSCP MHPA Land Use Adjacency Guidelines. The applicant shall provide an implementing plan and include references on/in CDs of the following:
 - A. **Grading/Land Development/MHPA Boundaries** – MHPA boundaries on-site and adjacent properties shall be delineated on the CDs. DSD Planning and/or MSCP staff shall ensure that all grading is included within the development footprint, specifically manufactured slopes, disturbance, and development within or adjacent to the MHPA. For projects within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
 - B. **Drainage** – All new and proposed parking lots and developed areas in and adjacent to the MHPA shall be designed so that they do not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, and exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
 - C. **Toxics/Project Staging Areas/Equipment Storage** – Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Where applicable, this requirement shall be incorporated into leases on publicly owned property when applications for renewal occur. Provide a note in/on the CDs that states: *"All construction-related*

activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owner's Representative or Resident Engineer to ensure there is no impact to the MHPA."

- D. **Lighting** – Lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA and be subject to City Outdoor Lighting Regulations per Land Development Code Section 142.0740.
- E. **Barriers** – New development within or adjacent to the MHPA shall be required to provide barriers (e.g., non-invasive vegetation; rocks/boulders; 6-foot-high vinyl-coated chain link or equivalent fences/walls; and/or signage) along the MHPA boundaries to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- F. **Invasives** – No invasive non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- G. **Brush Management** – New development adjacent to the MHPA shall be set back from the MHPA to provide required Brush Management Zone 1 area on the building pad outside the MHPA. Zone 2 may be located within the MHPA provided that the Zone 2 management will be the responsibility of a Homeowners Association or other private entity except where narrow wildlife corridors require it to be located outside the MHPA. Brush management zones will not be greater in size than currently required by the City's regulations, the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done, and vegetation clearing shall be prohibited within native coastal sage scrub and chaparral habitats from March 1 to August 15 except where the City Assistant Deputy Director (ADD)/MMC has documented that the thinning would be consistent with the City's MSCP Subarea Plan. Existing and approved projects are subject to current requirements of the Municipal Code Section 142.0412.
- H. **Noise** – Due to the site's location adjacent to or within the MHPA where the Qualified Biologist has identified potential nesting habitat for listed avian species, construction noise that exceeds the maximum levels allowed shall be avoided during the breeding seasons for the following: California gnatcatcher (3/1–8/15). If construction is proposed during the breeding season for the species, U.S. Fish and Wildlife Service protocol surveys shall be required in order to determine species' presence/absence. If protocol surveys are not conducted in suitable habitat during the breeding season for the aforementioned listed species, presence shall be assumed with implementation of noise attenuation and biological monitoring.

When applicable (i.e., habitat is occupied or if presence of the covered species is assumed), adequate noise reduction measures shall be incorporated as follows:

Coastal California Gnatcatcher (Federally Threatened)

1. Prior to the issuance of any grading permit (for public utility projects: prior to the preconstruction meeting), the City Manager (or appointed designee) shall verify that the MHPA boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the City Manager:

- a. A Qualified Biologist (possessing a valid Endangered Species Act Section 10(a)(1)(a) Recovery Permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [db(A)] hourly average for the presence of the coastal California gnatcatcher. Surveys for the coastal California gnatcatcher shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of any construction. If gnatcatchers are present, then the following conditions must be met:
 - I. Between March 1 and August 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; and
 - II. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 db(A) hourly average at the edge of occupied gnatcatcher habitat. An analysis showing that noise generated by construction activities would not exceed 60 db(A) hourly average at the edge of occupied habitat must be completed by a Qualified Acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Manager at least two weeks prior to the commencement of construction activities. Prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a Qualified Biologist; or

- III. At least two weeks prior to the commencement of construction activities, under the direction of a Qualified Acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 db(A) hourly average at the edge of habitat occupied by the coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 db(A) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the Qualified Acoustician or Biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16).

*Construction noise monitoring shall continue at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- B. If coastal California gnatcatchers are not detected during the protocol survey, the Qualified Biologist shall submit substantial evidence to the City Manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 1 and August 15 as follows:
 - I. If this evidence indicates the potential is high for coastal California gnatcatcher to be present based on historical records or site conditions, then condition A.III shall be adhered to as specified above.
 - ii. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

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

Recording requested by
and mail to:
City of San Diego
Planning Department
202 C Street, M.S. 4A
San Diego, CA 92101-3864

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NOTE: COUNTY RECORDER, PLEASE RECORD AS
RESTRICTION MUST BE ATTACHMENT OF
REAL PROPERTY AFFECTING THE TITLE TO
OR POSSESSION THEREOF.

PLANNING DIRECTOR RESOLUTION NO. 8497
GRANTING PLANNED INDUSTRIAL DEVELOPMENT PERMIT NO. 89-0949
AMENDMENT TO PID PERMIT NO. 85-0737, 84-0902

WHEREAS, DALEY CORPORATE CENTER, a general partnership, Owner/Permittee, filed an application to construct and operate offices, research/development facilities, commercial retail uses, and self-service gasoline retail facility and 24-hour convenience store subject to a CUP, amend a Planned Industrial Development, Daley Corporate Center, described as Portion of Lots 3 through 7, inclusive, in Block 27 and a Portion of Lots 6, 7 and 8 in Block 28 of Rosedale, Map No. 825; Portion of Hill Street and Portion of unnamed road as shown on Map 825 and Map No. 826 together with portions of Olive Avenue, Main Street and the west half of an unnamed street adjoining Lots 4 and 5, located north of Aero Drive, south of Clairemont Drive, west of Interstate 15 and east of Ruffin Road, in the Serra Mesa Community Plan area, in the M1-A Zone; and

WHEREAS, on May 9, 1990, the Planning Director of the City of San Diego considered and amendment to Planned Industrial Development Permit No. 85-0737 and 84-0902 pursuant to Section 101.0920 of the Municipal Code of the City of San Diego and; NOW, THEREFORE,

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

1. That the Planning Director adopts as the findings of the Planning Director those written findings dated May 9, 1990:
 - a. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the community plan. The project is consistent with the land use designation and plan goals stated in the Serra Mesa Community Plan. It will provide sites for a mixture of research and development, office park and retail uses.
 - b. 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 conditions of the Planned Industrial Development Permit will ensure that the development is environmentally attractive and compatible with adjacent developments.
 - c. The proposed use will comply with the relevant regulations in the Municipal Code. The project is consistent with the requirements of the Planned Industrial Development Ordinance regulations in the Municipal Code.

2. That said findings are supported by maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Director, Planned Industrial Development permit No. 89-0949, Amendment to PID Permit No. 89-0737 and 84-0902 is hereby GRANTED to Owner/Permittee in the form and with the terms and conditions as set forth in Planned Industrial Development Permit No. 89-0949, a copy of which is attached hereto and made a part hereof.



THEODORE R. L. SHAW
ACTING SENIOR PLANNER



PLANNED INDUSTRIAL DEVELOPMENT PERMIT NO. 89-0949
PLANNING DIRECTOR
AMENDMENT TO PID PERMIT NO. 85-0737, 84-0902

This Planned Industrial Development Permit Amendment is granted by the Planning Director of the City of San Diego to DALEY CORPORATE CENTER, a general partnership, Owner/Permittee, pursuant to Section 101.0920 of the Municipal Code of the City of San Diego.

1. Permission is hereby granted to Owner/Permittee to amend Planned Industrial Development No. 85-0737 and 84-0902 to permit Lot 17 to be developed with a self-service gasoline retail facility and 24-hour convenience store subject to a Conditional Use Permit, located north of Aero Drive, south of Clairemont Mesa Boulevard, west of Interstate 15 and east of Ruffin Road, described as Parcels 3 through 6 of Parcel Map No. 14509, Parcels 1 and 2 of Parcel Map No. 15359 and Lot 5 through 16 of Murphy Canyon Gateway Unit No. 1 of Map No. 11502, in the Serra Mesa Community Plan area and in the M-1A Zone.

2. The facility shall consist of the following:

- a. A total gross site area of approximately 100 acres, 18 lots individually graded resulting in approximately 48.80 acres of net buildable area and approximately 54.5 acres in existing vegetation, landscaped open space and manufactured slopes;
- b. Permitted uses for Lots 5 through 16 and Lot 18 are those uses listed in the M-1B Zone with the exception of Section 101.0435.2-B5 and 101.0435.2-B10; development on Lot 17 and Lots 19 through 22 will consist of the following: 1) Lot 17 - self-service gasoline retail facility and a 2,760-square-foot 24-hour convenience store subject to a Conditional Use Permit, 2) Lot 19 - 30,000 square feet of retail space, 3) Lot 20 - an 8,000-square-foot restaurant, 4) Lot 21 - a maximum 5,000-square-foot financial institution, 5) Lot 22 - overflow parking area;
- c. A total of 970,628 square feet of gross floor area shall be the maximum permitted for the entire development;
- d. Landscaping;
- e. Off-street Parking; and
- f. Incidental accessory uses as may be determined incidental and approved by the Planning Director.

3. Off-street parking spaces shall be provided at a ratio of one space for every 330 square feet on Lots 5 through 16 and Lot 18. A total of 10 off-street parking spaces shall be provided on Lot 17. A total of 207 off-street parking spaces shall be provided on Lots 19 and 20. Off-street parking for the financial institution on Lot 21 shall be provided at a ratio satisfactory to the Planning Director and City Engineer. The parking plan shall be subject to the review of the Planning Director at the time that the development plan package is submitted for Lot 21. A total of 22 "overflow" off-street parking spaces shall be provided on Lot 22. Parking spaces shall be consistent with Division 8 of the Zoning Regulations of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be clearly marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.

4. Landscaping for graded slope areas shall include native and naturalized species.

5. Prior to the issuance of any building permits, a development plan package for each lot or group of lots shall be submitted to the Planning Director for approval. This development plan package shall include the following:

- a. A completed Planned Industrial Department Permit Supplemental Application Form for each lot or group of lots proposed for development;
- b. One (1) plot plan drawn in accordance with instructions contained in Planned Industrial Development Permit Supplemental Application Form;
- c. One (1) copy of drawing showing exterior elevations and building materials of all sides of all buildings, including signs;
- d. One (1) set of floor plans depicting general use of the building (s);
- e. One (1) copy of a landscape/irrigation plan. These required drawings shall be reduces in size to 8½ x 11 inches, for inclusion in the file; and
- f. One (1) copy of roof plan.

6. Each development plan package shall become a part of Exhibit "A," on file in the office of the Planning Department. The cumulative total floor area and proposed parking spaces for

each phase shall be monitored in a manner approved by the Planning Director, to ensure that all conditions of the Planned Industrial Development Permit are met.

7. The applicant shall implement all improvements to the circulation system as requested by the City's Engineering and Development Department.

8. Traffic generation for the aggregate uses approved under the Planned Industrial Development shall not exceed 17,000 average daily trips. The trip generation factors used for calculating vehicle trips for the proposed land uses shall be those determined by the City Engineer. The maximum assigned building square footage and FAR per lot shall not exceed the amounts indicated in Table I inclusive of footnotes, contained in the document "Murphy Canyon Gateway Planned Industrial Development," page 16.

9. The applicant shall develop approximately 1.23 acres of land on the northern boundary of the project site as a Woodland Enhancement Area. The area shall be landscaped in conformance with the Planned Industrial Development woodland enhancement Area Plan shown in Figure 10 and further described on pages 10 and 14 of the document entitled "Murphy Canyon Gateway Planned Industrial Development".

10. The applicant shall develop approximately 2.44 acres of land at the northeastern end of the project as a Riparian Habitat Mitigation Area. This area shall be landscaped in conformance with Figure 10A, 10B and 10C and with the plant material list found on page 14 of the document entitled "Murphy Canyon Gateway Planned Industrial Development".

11. Properties shall be developed in conformance with guidelines contained in the document entitled "Murphy Canyon Gateway Planned Industrial Development" marked Exhibit "A," dated March 17, 1986 and modified as indicated.

12. All uses shall be conducted within an enclosed building, except for outdoor storage. Outdoor storage of materials is permitted, provided the storage area is completely enclosed by walls, fences, buildings, landscape screening or a combination thereof. Walls of fences shall be solid and not less than six feet in height; no merchandise, material or equipment shall be stored to a height greater than any screening. Landscape screening proposals shall require approval of the Planning Director or, on appeal, the Planning Commission.

13. If visible from an adjacent street, no mechanical equipment, tank, duct, elevator enclosure, cooling tower or mechanical ventilator or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any

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building, unless all such equipment and appurtenances are contained within a completely enclosed structure whose top and sides may include grillwork, louvers and latticework or suitable landscape screening.

14. Merchandise, supplies or equipment shall not be stored on the roof of any building.

15. At the discretion of the Planning Director, screening walls of solid materials or landscape screening may be required for boundaries of the Planned Industrial Development not immediately adjoining dedicated and improved public streets and highways. The height and design of such walls or landscape screening and the materials utilized shall be determined by the Planning Director.

16. Public utility distribution and similar systems and service facilities shall be located underground within the boundaries of the development as provided for in SEC. 102.0221 of The City of San Diego Municipal Code.

17. Only television and radio antennas which are located indoors, or are screened to the satisfaction of the Planning Director and which are designed to serve occupants of the development shall be permitted.

18. All streets, alleys walkways and public areas within the development which are not dedicated to public use shall be improved in accordance with standards established by the City Engineer and Section 101.0800 of the Municipal Code. Provisions acceptable to the City shall be made for the preservation and maintenance of all streets, alleys, walkways, and parking areas.

19. The development shall encourage:

- a. Outdoor eating areas to be developed as attractive functional parks;
- b. Secured bicycle parking; and
- c. Locker and shower areas for employees.

20. Any eating facilities permitted as an accessory use on Lots 5 through 18 within this Planned Industrial Development shall be oriented to or located in the interior of each lot. Signing for these food facilities shall be minimal and off-site signage shall be prohibited.

21. Prior to the use or occupancy of any lot, all of the lot not devoted to buildings, structures, driveways, sidewalks, parking, outdoor storage, or loading areas shall be suitably landscaped.

22. Before issuance of any building permits for a phase or unit or portion thereof, complete grading and building plans for that phase or unit or portion thereof, shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated March 17, 1986, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted. Grading plans shall be revised to show reduction in slope height along a portion of the graded slope located on Lots 5, 6, 7 and 18, and to show increased undulation of this slope area.

23. Before issuance of any grading or building permits for any phase or unit or portion thereof, a complete landscape plan, including a permanent irrigation system, for that phase or unit or portion thereof, shall be submitted to the Planning Director for approval. The Plans shall be in substantial conformity to Exhibit "A," dated March 17, 1986, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended.

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

25. This Planned Industrial Development Permit must be used within 36 months after the date of City approval or the permit shall be void. An extension of time may be granted as set forth in Section 101.0920 of the Municipal Code. Any such extension shall be subject to all standards and criteria in effect at the time the extension is applied for.

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

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

- a. Authorized by the Planning Director; or
- b. The permit has been revoked by the City.

28. This Planned Industrial Development Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

29. No permit for grading and construction of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

- a. The Permittee signs and returns the permit to the Planning Department.
- b. The Planned Industrial Development Permit is recorded in the office of the County Recorder.

30. This project shall comply with the standards, policies and requirements in effect at the time of approval of this project, including any successor or new policies, financing mechanisms, phasing schedules, plans and ordinances adopted by the City of San Diego after January 11, 1990.

31. This Planned Industrial Development Permit is subject to appeal within 10 days to the Planning Commission as provided for in Section 101.0920 of the Municipal Code.

32. Pedestrian crossing on the east leg of both intersections of Aero Drive with Ruffin Road and Murphy Canyon Road shall be prohibited.

33. This Planned Industrial Development is a covenant running with the lands 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.

Passed and adopted by the Planning Director of the City of San Diego on May 9, 1990.

AUTHENTICATED BY:

1030

TYPE J. OF ATTACHMENT 9 890949
NUMBER OF PAGES 9
DATE OF DOCUMENT 5-9-90

Theodore R. Shaw

THEODORE R. L. SHAW
ACTING SENIOR PLANNER

LS

On this 12th day of June in the year 1990,
before me, CATHERINE L. MEYER, A Notary Public in and for said county and
state, personally appeared THEODORE R. L. SHAW, personally known to me to be
the person who executed this instrument as ACTING SENIOR PLANNER
of the City Planning Department, and acknowledged to me that the City of
San Diego executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, in the
County of San Diego, State of California, and the day and year in this
certificate first above written.

NOTARY NAME

CATHERINE L. MEYER

SIGNATURE

Catherine L. Meyer

NOTARY STAMP



PID PERMIT NO. 89-0949

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ACKNOWLEDGED:

THE UNDERSIGNED "OWNER/PERMITTEE" BY EXECUTION HEREOF AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF PERMITTEE HEREUNDER.

DALEY CORPORATE CENTER, a PARTNERSHIP, "Owner/Permittee",

BY



STATE OF CALIFORNIA,)
COUNTY OF SAN DIEGO.) SS

ON THIS 29th DAY OF May, IN THE
YEAR 1990, BEFORE ME, Suzanne Osborne A NOTARY

PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED

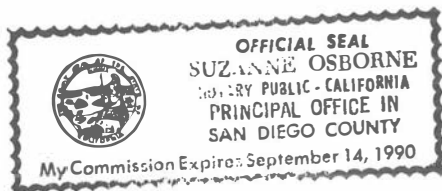
Steven W Coon, PERSONALLY KNOWN TO
ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON
THAT EXECUTED THIS INSTRUMENT, ON BEHALF OF THE PARTNERSHIP AND ACKNOWLEDGED
TO ME THAT THE PARTNERSHIP EXECUTED IT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL, IN THE
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, THE DAY AND YEAR IN THIS
CERTIFICATE FIRST ABOVE WRITTEN.

NAME OF NOTARY

Suzanne Osborne
(TYPED OR PRINTED)

SIGNATURE OF NOTARY

NOTARY SEAL

(PARTNERSHIP)

NOT COUNTY RECORDER, PLEASE RECORD AS
RESTRICTION ON USE OR DEVELOPMENT OF
REAL PROPERTY AFFECTING THE TITLE TO
OR POSSESSION THEREOF. 764

ATTACHMENT 9

Recording requested by
Mail to:
City of San Diego
Planning Department
102 C Street, M.S. 4A
San Diego, CA 92101-3864

PLANNING DIRECTOR RESOLUTION NO. 8498
GRANTING CONDITIONAL USE PERMIT NO. 89-1234

WHEREAS, on May 9, 1990, ATLANTIC RICHFIELD COMPANY, a California corporation, Owner/Permittee, filed an application a Conditional Use Permit to construct and operate self service gasoline retail facility and 24-hour convenience store located north of Aero Drive, south of Clairemont Drive, west of Interstate 15 and east of Ruffin Road, described as Parcel 1 of Parcel Map No. 15359, in the Serra Mesa Community Plan area in the M1-A Zone; and

WHEREAS, on May 9, 1990, the Planning Director of the City of San Diego considered Conditional Use Permit No. 89-1234, pursuant to Section 101.0510 of the Municipal Code of the City of San Diego; and NOW, THEREFORE,

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

1. That the Planning Director adopted the following written Findings, dated May 9, 1990:

- a. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the community plan. Serra Mesa is comprised of a variety of industrial uses and serves an employment base for the City of San Diego. The self service gasoline retail facility and 24-hour convenience store will fulfill an area-wide need which is currently not being met along the I-15 corridor. The 24-hour convenience store will serve employees of Kearny Mesa's industrial/business parks as well as freeway users. The self service gasoline retail facility will benefit the area and freeway corridor by providing a service which is currently lacking. In summary, it will provide an important accessory use for the area.
- b. 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. Landscaping is used extensively throughout the site to minimize the amount of paved surface. On-site sidewalks provide pedestrian access from the public right-of-way to the convenience store. The sign program that is included will reduces the amount of visual cluster in the neighborhood. The design of this facility is similar in style, material and architecture to the adjacent commercial development.

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- c. The proposed use will comply with the relevant regulations in the Municipal Code, Section 101.0510, as they applied to the property under this Conditional Use Permit. The permit is consistent with the established City-wide Service Station Guidelines and the Planned Industrial Development regulations.
2. That said Findings are supported by maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Planning Director, Conditional Use Permit No. 89-1234 is hereby GRANTED to Owner/Permittee in the form and with the terms and conditions set forth in Conditional Use Permit No. 89-1234, a copy of which is attached hereto and made a part hereof.


Robert Korch
Senior Planner

766CONDITIONAL USE PERMIT NO. 89-1234
PLANNING DIRECTOR

This Conditional Use Permit is granted by the Planning Director of the City of San Diego to ATLANTIC RICHFIELD COMPANY, a California corporation, Owner/Permittee, pursuant to Section 101.0510 of the Municipal Code of the City of San Diego.

1. Permission is granted to Owner/Permittee to construct and operate a self service gasoline retail facility and 24-hour convenience store, located north of Aero Drive, south of Clairemont Drive, west of Interstate 15 and east of Ruffin Road, described as Parcel 1 of Parcel Map No. 15359, commonly known as Lot 17, in the Serra Mesa Community Plan area in the M1-A Zone.
2. The facility shall consist of the following:
 - a. A four-island, eight-pump gasoline dispensing facility;
 - b. A 2,760-square-foot 24-hour convenience store;
 - c. Off-street parking; and
 - d. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No fewer than ten off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated May 9, 1990, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Zoning Regulations of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.
4. No permit for operation, of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
 - a. The Permittee signs and returns the permit to the Planning Department;
 - b. The Conditional Use Permit is recorded in the office of the County Recorder.

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5. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated May 9, 1990, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications, findings of substantial conformance or amendment of this permit shall have been granted.

6. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated May 9, 1990, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended and is to be maintained in a disease-, weed- and litter-free condition at all times.

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

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

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

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

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

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

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12. This Conditional Use Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.

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

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

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

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

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

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

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

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

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

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

23. Activities specifically prohibited on-site include:

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

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

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

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

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

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26. In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by court of competent jurisdiction to be invalid, unenforceable or unreasonable, this Permit shall be void.

Passed and adopted by the Planning Director on May 9, 1990.

Date of Document May 9, 1990

AUTHENTICATE BY:

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Robert KorchROBERT KORCH, SENIOR PLANNER, CITY OF SAN DIEGO PLANNING DEPARTMENT
STAT OF CALIFORNIA) SS.
COUNTY OF SAN DIEGO)

LS

On this 11th day of October, in the year 1990, before me, Catherine L. Meyer, a Notary Public in and for said County and State, personally appeared Robert Korch personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person who executed this instrument as Senior Planner of the Planning Department of the City of San Diego and acknowledged to me that the Municipal Corporation executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

Catherine L. Meyer

Catherine L. Meyer

Notary Public in and for the County of San Diego, State of California



PERMITTEE(S) SI NATURE/NOTARIZATION:

The undersigned Permittee(s), by execution thereof, agrees to each and every condition of this permit and promises to perform each and every obligation of Permittee(s) thereunder.

BY: C.H. Schwab **C.H. SCHWAB**
Asst. Vice PresidentAttest: Anne G. Stengell

Atlantic Richfield Company
Corporation
Owner/Permittee

Anne G. Stengell
Assistant Secretary

TO 1945 CA (8-74)

(Corporation)



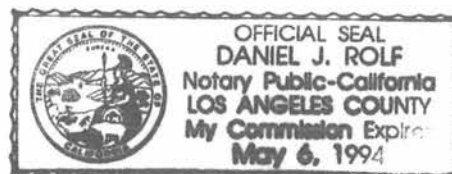
STATE OF CALIFORNIA }
COUNTY OF Los Angeles } SS.

On November 29, 1990 before me, the undersigned, a Notary Public in and for saidState, personally appeared C. H. Schwabknown to me to be the Assistant Vice President, and Anne G. Stengellknown to me to be Assistant Secretary

of the corporation that executed the within Instrument,
known to me to be the persons who executed the within
Instrument on behalf of the corporation therein named, and
acknowledged to me that such corporation executed the
within instrument pursuant to its by-laws or a resolution of
its board of directors.

WITNESS my hand and official seal.

Signature

Daniel J. Rolf

L CORPORATION

(This area for official notarial seal)

STAPLE HERE

SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITYP.O. BOX 82776, SAN DIEGO, CA 92138-2776
619.400.2400 WWW.SAN.ORG

June 16, 2010

Mr. William Zounes
City of San Diego
Development Services Department
1222 First Avenue, MS 401
San Diego, CA 92101

Re: *Airport Land Use Commission Consistency Determination -- 3770 Murphy Canyon Road, City of San Diego; Construction of fuel pump canopy and car wash building; APN 421-333-15; Montgomery Field - Airport Land Use Compatibility Plan -- MON-10-091; Resolution No. 2010-0031 ALUC*

Dear Mr. Zounes:

This letter is to notify the City of San Diego ("City") of the June 3, 2010, consistency determination that was made by the San Diego County Regional Airport Authority ("Authority" or "SDCRAA"), acting in its capacity as the San Diego County Airport Land Use Commission ("ALUC"), for the referenced project. The ALUC has determined that the proposed project is **consistent** with the Montgomery Field Airport Land Use Compatibility Plan ("ALUCP"). A copy of Resolution 2010-0031 ALUC, approved by the ALUC on June 3, 2010, and memorializing the consistency determination, is enclosed for your information.

The ALUC's determination that the 3770 Murphy Canyon Road project is **consistent** with the Montgomery Field ALUCP was made consistent with the ALUC Policies and the State Aeronautics Act provisions (Cal. Pub. Util. Code §21670-21679.5), and was based on numerous facts and findings, including those summarized below:

- 1) The proposed project involves the construction of a canopy over gasoline pumps and a car wash building.
- 2) The proposed project is located outside the 60 dB CNEL noise contour. The ALUCP identifies commercial uses located outside the 60 dB CNEL noise contour as compatible with airport uses.
- 3) The proposed project is in compliance with the ALUCP airspace protection standards because it does not exceed an airspace threshold which would require an obstruction evaluation from the FAA.
- 4) The proposed is located within Safety Zone 4. The ALUCP identifies gas stations located within Safety Zone 4 as compatible with airport uses.



SAN DIEGO
INTERNATIONAL
AIRPORT

Mr. Zounes

Page 2

- 5) The proposed project is located within the overflight notification area. The ALUCP requires only new residential land uses to record an overflight notification.
- 6) Therefore, the proposed project is consistent with the adopted Montgomery Field ALUCP.
- 7) This Board action is not a "project" as defined by the California Environmental Quality Act (CEQA) Pub. Res. Code Section 21065; and is not a "development" as defined by the California Coastal Act Pub. Res. Code Section 30106.

Please contact Mr. Ed Gowens at (619) 400-2244 if you have any questions regarding the issues addressed in this letter.

Very truly yours,



Thella F. Bowens
President/CEO

TFB/SS

Enclosures: Resolution 2010-0031 ALUC

cc: Amy Gonzalez, SDCRAA – General Counsel
Terry Barrie, Caltrans – Division of Aeronautics
Chris Schmidt, Caltrans - Division 11
Tait Galloway, City of San Diego - City Planning & Community Development

RESOLUTION NO. 2010-0031 ALUC

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY MAKING A DETERMINATION THAT THE PROPOSED PROJECT: CONSTRUCTION OF FUEL PUMP CANOPY AND CAR WASH BUILDING AT 3770 MURPHY CANYON ROAD, CITY OF SAN DIEGO, IS CONSISTENT WITH THE MONTGOMERY FIELD AIRPORT LAND USE COMPATIBILITY PLAN.

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, was requested by the City of San Diego to determine the consistency of a proposed development project: Construction of Fuel Pump Canopy and Car Wash Building at 3770 Murphy Canyon Road, City of San Diego, which is located within the Airport Influence Area (AIA) for the Montgomery Field Airport Land Use Compatibility Plan (ALUCP), adopted in 2010; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve the construction of a canopy over gasoline pumps and a car wash building; and

WHEREAS, the proposed project would be located outside the 60 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies commercial uses located outside the 60 dB CNEL noise contour as compatible with airport uses; and

WHEREAS, the proposed project is in compliance with the ALUCP airspace protection surfaces because it does not exceed an airspace threshold which would require an obstruction evaluation from the Federal Aviation Administration (FAA); and

WHEREAS, the proposed project is located within Safety Zone 4, and the ALUCP identifies gas stations located within Safety Zone 4 as compatible with airport uses; and

WHEREAS, the proposed project is located within the overflight notification area, but only new residential land uses require recordation of an overflight notification; and

Resolution No. 2010-0031 ALUC
Page 2 of 3

WHEREAS, the Board has considered the information provided by staff, including information in the staff report and other relevant material regarding the project; and

WHEREAS, the Board has provided an opportunity for the City of San Diego and interested members of the public to present information regarding this matter;

NOW, THEREFORE, BE IT RESOLVED that the Board, acting as the ALUC for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, determines that the proposed project: Construction of Fuel Pump Canopy and Car Wash Building at 3770 Murphy Canyon Road, City of San Diego, is consistent with the Montgomery Field ALUCP, which was adopted in 2010, based upon the following facts and findings:

- (1) The proposed project involves the construction of a canopy over gasoline pumps and a car wash building.
- (2) The proposed project is located outside the 60 dB CNEL noise contour. The ALUCP identifies commercial uses located outside the 60 dB CNEL noise contour as compatible with airport uses.
- (3) The proposed project is in compliance with the ALUCP airspace protection surfaces because it does not exceed an airspace threshold which would require an obstruction evaluation from the FAA.
- (4) The proposed project is located within Safety Zone 4. The ALUCP identifies gas stations located within Safety Zone 4 as compatible with airport uses.
- (5) The proposed project is located within the overflight notification area. The ALUCP requires only new residential land uses to record an overflight notification.
- (6) Therefore, the proposed project is consistent with the adopted Montgomery Field ALUCP.

BE IT FUTHER RESOLVED that this Board action is not a "project" as defined by the California Environmental Quality Act (CEQA), Pub. Res. Code Section 21065, and is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.

Resolution No. 2010-0031 ALUC
Page 3 of 3

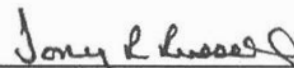
PASSED, ADOPTED AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 3rd day of June, 2010, by the following vote:

AYES: Board Members: Boland, Finnila, Gleason, Panknin, Robinson

NOES: Board Members: None

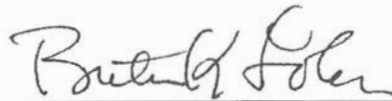
ABSENT: Board Members: Cox, Desmond, Smisek, Young

ATTEST:



TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:



BRETON K. LOBNER
GENERAL COUNSEL



THE CITY OF SAN DIEGO

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

Community Planning Committee Distribution Form Part 2

Project Name: Arco Murphy Canyon Road		Project Number: 204295	Distribution Date:
Project Scope/Location: KEARNY MESA (PROCESS 4) IO#24000665 Conditional Use Permit (CUP) and Planned Development Permit to amend CUP 89-1234 and PID 89-0949 to construct an additional 1,839 sq ft canopy and 968 sq ft car wash for an existing convenience store and gas station on a 4.84 acre site at 3770 Murphy Canyon Rd in the IL-2-1 Zone within the Kearny Mesa Community Plan, Airport Influence Area, FAA Part 77. Council District 6. Notice Cards=3.			
Applicant Name: Jeanette Verdugo		Applicant Phone Number: 661-295-1111	
Project Manager: Francisco Mendoza	Phone Number: (619) 446-5433	Fax Number: (619) 321-3200	E-mail Address: fmendoza@sandiego.gov
Committee Recommendations (To be completed for Initial Review):			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes 10	Members No 0	Members Abstain 0
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS:			
NAME: <u>JEFFREY SAILER</u>		TITLE: <u>KMPG CHAIR</u>	
SIGNATURE: <u>[Signature]</u>		DATE: <u>2-8-16</u>	
Attach Additional Pages If Necessary.		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.			



THE CITY OF SAN DIEGO

City of San Diego
Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

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

Project Title**Project No. For City Use Only**

ARCO PM IPM Car Wash Addition

204295

Project Address:

3770 Murphy Canyon Rd.

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

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

Additional pages attached ☐ Yes ☐ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Project Title: <div style="font-size: 1.2em; font-family: cursive;">ARCO AM/PM Car Wash Addition</div>	Project No. (For City Use Only) <div style="font-size: 1.2em; font-family: cursive;">204295</div>
--	---

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

Legal Status (please check):

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

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

Corporate/Partnership Name (type or print):

ACAA LP

☒ Owner ☐ Tenant/Lessee

Street Address:

422 Wier Rd - Front Office

City/State/Zip:

San Bernardino, CA 92408

Phone No:

909-754-8038

 Fax No:

909-478-0852

Name of Corporate Officer/Partner (type or print):

Ed Haddad

Title (type or print):

Owner

Signature :

[Signature]

 Date:

2-22-2010

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Project Title: <u>ARCO AMIPM. Car Wash Addition</u>	Project No. (For City Use Only)
--	--

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

Legal Status (please check):

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

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<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Corporate/Partnership Name (type or print):</div> <u>Crossroad Petroleum.</u> <div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Street Address:</div> <u>3770 Murphy Canyon Rd</u> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">City/State/Zip:</div> <u>San Diego CA.</u> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Phone No:</div> <u>909-754-8038</u> </div> <div style="width: 45%;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Fax No:</div> <u>909-478-0852</u> </div> </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Name of Corporate Officer/Partner (type or print):</div> <u>Ed Haddad.</u> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Title (type or print):</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature:</div> </div> <div style="width: 45%;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Date:</div> </div> </div>	<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Corporate/Partnership Name (type or print):</div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Street Address:</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">City/State/Zip:</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Phone No:</div> </div> <div style="width: 45%;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Fax No:</div> </div> </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Name of Corporate Officer/Partner (type or print):</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Title (type or print):</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature :</div> </div> <div style="width: 45%;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Date:</div> </div> </div>
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THE CITY OF SAN DIEGO

City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

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

Project Title

Project No. For City Use Only

ARCO AM/PM Car Wash Addition 204295

Project Address:

3770 Murphy Canyon Rd.

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

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

Additional pages attached ☐ Yes ☒ No

Name of Individual (type or print):

AGC DESIGN CONCEPT

☐ Owner ☐ Tenant/Lessee ☒ Redevelopment Agency

Street Address:

204 N FIRST AVE.

City/State/Zip:

ARLINGTON, VA

91006

Phone No:

626-445-0000

Fax No:

626-445-0005

Signature:

[Signature]

Date:

2/23/10

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature:

Date:

NOTES:

1. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT, THE OWNER/PERMITEE SHALL ASSURE BY PERMIT AND BOND THE RECONSTRUCT OF THE EXISTING DRIVEWAYS WITH CITY STANDARD DRIVEWAYS, ON AERO DRIVE & MURPHY CANYON ROAD, TO PROVIDE ADEQUATE SIDEWALK TRANSITIONS AS CONSISTENT WITH STANDARD DRAWINGS G-14A, SATISFACTORY TO THE CITY ENGINEER.

2. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT, THE OWNER/PERMITEE SHALL ASSURE BY PERMIT AND BOND THE REPLACEMENT OF THE EXISTING PEDESTRIAN RAMP WITH CITY STANDARD PEDESTRIAN RAMP WITH TRUNCATED DOMES, AT THE NORTHWEST CORNER OF AERO DRIVE & MURPHY CANYON ROAD, PER STANDARD DRAWING SDG-133, SATISFACTORY TO THE CITY ENGINEER.

3. PRIOR TO ISSUANCE OF ANT CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE ONGOING PERMANENT BEST MANAGEMENT PRACTICES (BMP) MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.

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

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

6. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS.

7. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE AND SHOW THE TYPE AND LOCATION OF ALL POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP'S) ON THE FINAL CONSTRUCTION DRAWINGS, CONSISTANT WITH THE APPROVED WATER QUALITY TECHNICAL REPORT.

7. THE DRAINAGE SYSTEM FOR THIS PROJECT SHALL BE PRIVATE AND WILL BE SUBJECT TO APPROVAL BY THE CITY ENGINEER.

8. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, OWNER/PERMITEE 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.

10. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT, OWNER/PERMITEE SHALL ASSURE BY PERMIT AND BOND THE REPLACEMENT OF THE EXISTING CURB RAMP WITH CITY STANDARD CURB RAMP WITH TRUNCATED DOMES, AT THE NORTHWEST CORNER OF AERO DRIVE & MURPHY CANYON ROAD, PER STANDARD DRAWING SDG-132, SATISFACTORY TO THE CITY ENGINEER.

11. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT, OWNER/PERMITEE SHALL ASSURE BY PERMIT AND BOND THE RECONSTRUCT OF THE EXISTING DRIVEWAYS WITH MAXIMUM 30'-0" WIDE CITY STANDARD DRIVEWAYS, ON AERO DRIVE & MURPHY CANYON ROAD, TO PROVIDE ADEQUATE SIDEWALK TRANSITIONS AS CONSISTENT WITH STANDARD DRAWINGS SDG-159, SATISFACTORY TO THE CITY ENGINEER.

12. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT, THE OWNER/PERMITEE SHALL INCORPORATE AND SHOW THE TYPE OF ALL POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP'S) ON THE FINAL CONSTRUCTION DRAWINGS, CONSISTENT WITH THE WATER QUALITY TECHNICAL REPORT.

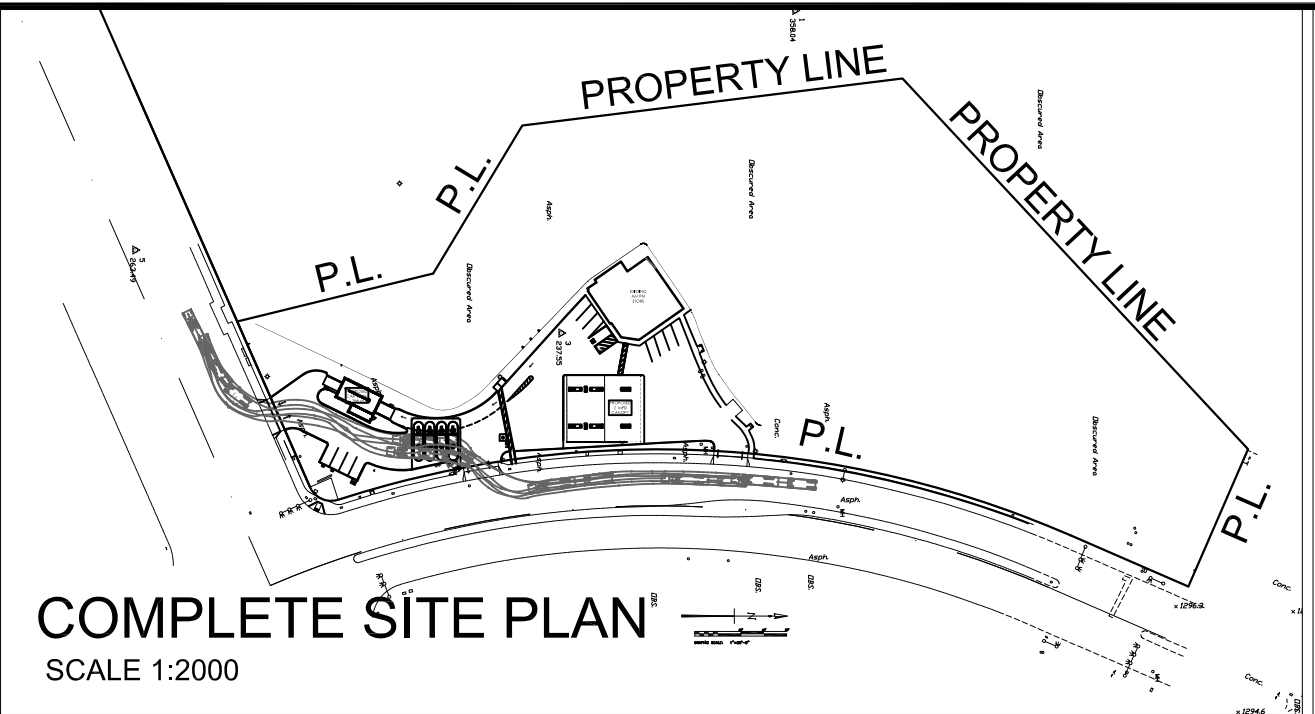
13. *PROVIDE BUILDING ADDRESS NUMBER, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-00-6(UFC 901.4.4)(NEW ISSUE)

LEGAL DESCRIPTION:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1 OF PARCEL MAP No. 15359, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 2, 1988 AS FILE No. 88-443927 OF OFFICIAL RECORDS.

ASSESSOR'S PARCEL NUMBER: 421-333-15-00



PROJECT SUMMARY

PRELIMINARY REVIEW

SCOPE OF WORK:
-ADDITION OF NEW 1815 S.F. CANOPY
-ADDITION OF NEW 788 S.F. CARWASH
-ADD PARKING AND LANDSCAPING AREAS.

CONTACTS:
OWNER:
AHD HADDAD
AERO/MURPHY,
3770 MURPHY CANYON RD.
SAN DIEGO, CA.

APPLICANT AND DESIGNER:
AGC DESIGN CONCEPT
ALEX CUEVAS
204 N. FIRST AVE.
ARCADIA, CA 91008
PH: 626-445-0000

PROJECT ADDRESS: 3770 MURPHY CANYON RD.
APN: SAN DIEGO, CA
ZONE: 0283-011-53
YEAR CONSTRUCTED: 1990

EXISTING USE: GAS STATION
PROPOSED USE: GAS STATION W/ CARWASH

SITE AREA: 211,249 S.F.
C-STORE ALLOWED AREA: 3,460 S.F.
EXISTING AREA: 1,880 S.F.
ADDITION AREA: 1 STORY
TOTAL NEW AREA: 20'
STORIES: II-N
HEIGHT: 24 H.
CONSTRUCTION TYPE: II-N
OCCUPANCY: 24 H.
HOURS OF OPERATION: 24 H.

GASOLINE ALLOWED AREA: 8,000 S.F.
EXISTING CANOPIES (4): 1,880 S.F.
STORIES: 1 STORY
HEIGHT: 20'
CONSTRUCTION TYPE: II-N
OCCUPANCY: 24 H.
HOURS OF OPERATION: 24 H.

PROPOSED CARWASH ALLOWED AREA: 4,500 S.F.
NEW AREA: 968 S.F.
STORIES: 1 STORY
HEIGHT: 15'
CONSTRUCTION TYPE: V-N
OCCUPANCY: B
HOURS OF OPERATION: 7 AM TO 10 PM

PARKING STORE 3 X 1000: 8 SPACES
CARWASH: 4 SPACES
REQ'D PARKING: 12 SPACES TOTAL

PROVIDED PARKING: 1 STALLS
H.C. PARKING STALL: 11 STALLS
PARKING STD. STALL: 12 STALLS
TOTAL PARKING STALL: 12 STALLS

LANDSCAPE AREA: TBD S.F. REQ'D
LANDSCAPE REQ'D: 84.01 % PROVIDE
LANDSCAPE PROVIDE: 9,725 SQ. FT.

PROJECT DESCRIPTION:
THE EXISTING 3,460 S.F. GAS STATION W/CONVENIENCE STORE BLDG. TO BE UPDATED. THE EXISTING CANOPY W/ 4-MPD DISPENSERS IS TO BE UPDATED BY EXTENDING THE CANOPY 31'-5" AND ADDING 1,819 S.F. TO THE CANOPY, AND BY THE ADDITION OF (2) NEW MPD'S. UNDER THE NEW CANOPY ADDITION, ALSO, THE ADDITION OF A NEW 968 S.F. AUTOMATIC SELF SERVE CAR WASH.

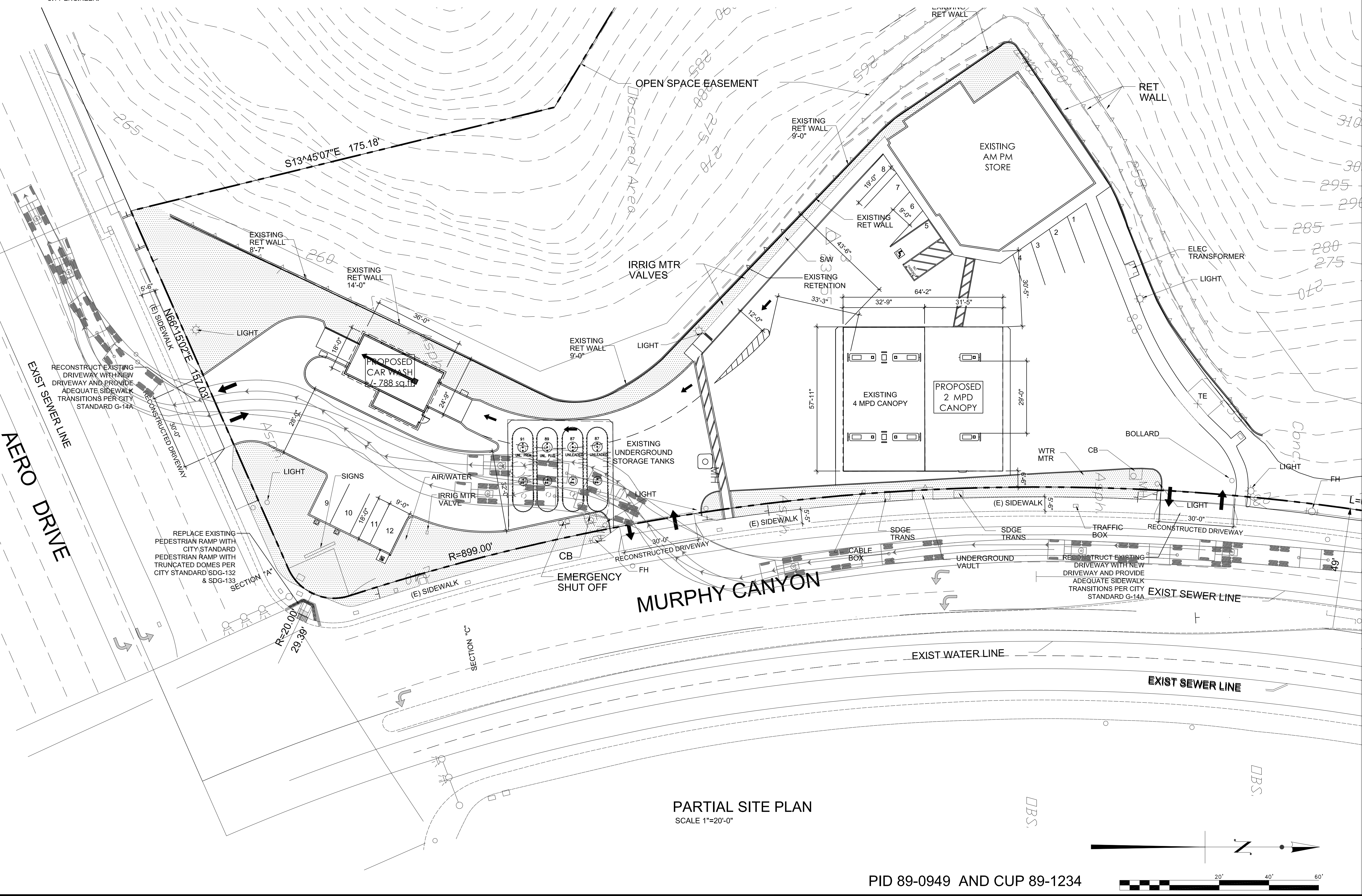
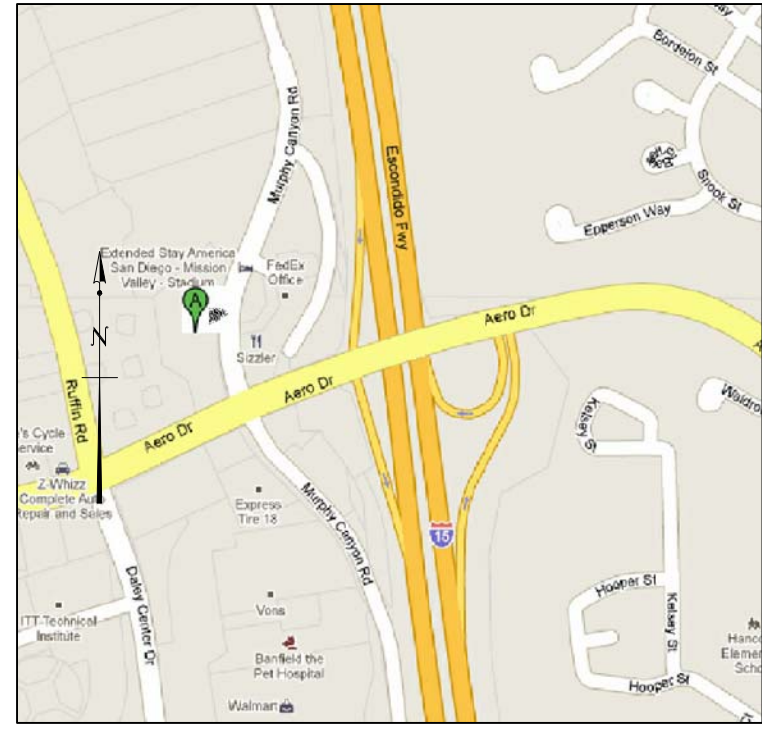
FIRE HYDRANTS: 2 FIRE HYDRANTS FOUND ON SITE.
BUS STOPS: NO BUS STOPS FOUND ON SITE

EASEMENT / SETBACKS:

LEGEND:

	INDICATES LANDSCAPED AREAS		TRAFFIC SIGN
	YARD LIGHT		SIGN
	POWER POLE		VACUUM
	FIRE HYDRANT		AIR AND WATER

VICINITY MAP



AGC DESIGN CONCEPT, INC.

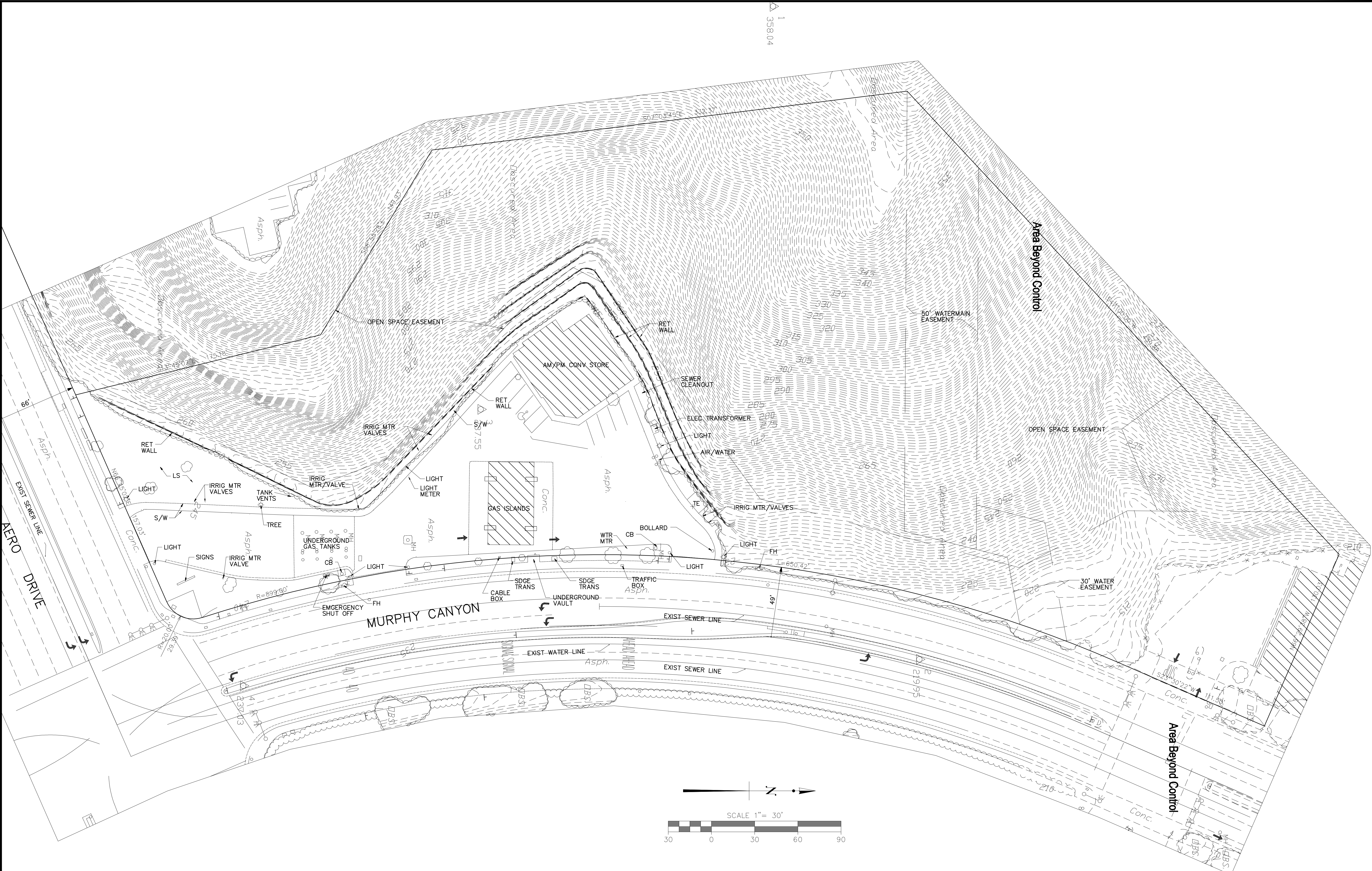
28824 CONSTELLATION RD
VALENCIA, CA 91355
Phone: 661.295.1111
Fax: 661.294.9423

NO.	DATE	REVISIONS	BY
1	09/26/13	REVISED PER PLANNING	EJB

NEW CAR WASH ADDITION TO
EXISTING ARCO FACILITY
3770 MURPHY CANYON RD @ AERO DR
SAN DIEGO, CA
PROPOSED SITE PLAN

consultant job#	AGC-0074
master release date	
project exe date	master drawn by ER
Filename	AGC0074-CUP-1
Facility/Project	5737
sheet name	CUP-1
	sheet 1 of 2

PID 89-0949 AND CUP 89-1234



PID 89-0949 AND CUP 89-1234

DIGALERT

DIAL BEFORE YOU DIG

TWO WORKING DAYS BEFORE YOU DIG

1-800-227-2600

A PUBLIC SERVICE BY UNDERGROUND SERVICE ALERT

REV.	REVISION DESCRIPTION	DATE	ENGR.	CITY	DATE



Goodman

ASSOCIATES

2877 SKYVIEW DRIVE

COLTON, CA 92324

(909) 824-2775

DOUGLAS L. GOODMAN

RCE 28500, 3-31-2010

CITY OF SAN BERNARDINO

BOUNDARY AND TOPOGRAPHIC SURVEY

APN: 0283-011-53

AM/PM ARCO STATION

SE CORNER OF WATERMAN AND REDLANDS BLVD.

SCALE: AS SHOWN

DATE: AUG 2009

DRAWING NO.: 1

NEW CAR WASH ADDITION TO EXISTING ARCO FACILITY

3770 MURPHY CANYON RD @ AERO DR

SAN DIEGO, CA

SURVEY

consultant job# AGC-0074

master release date

project exe date

master drawn by ER

Filename AGC0074-CUP-2

Facility/Project 5737

sheet name CUP-2

sheet 2 of 2

AGC DESIGN CONCEPT, INC.

28824 CONSTELLATION RD

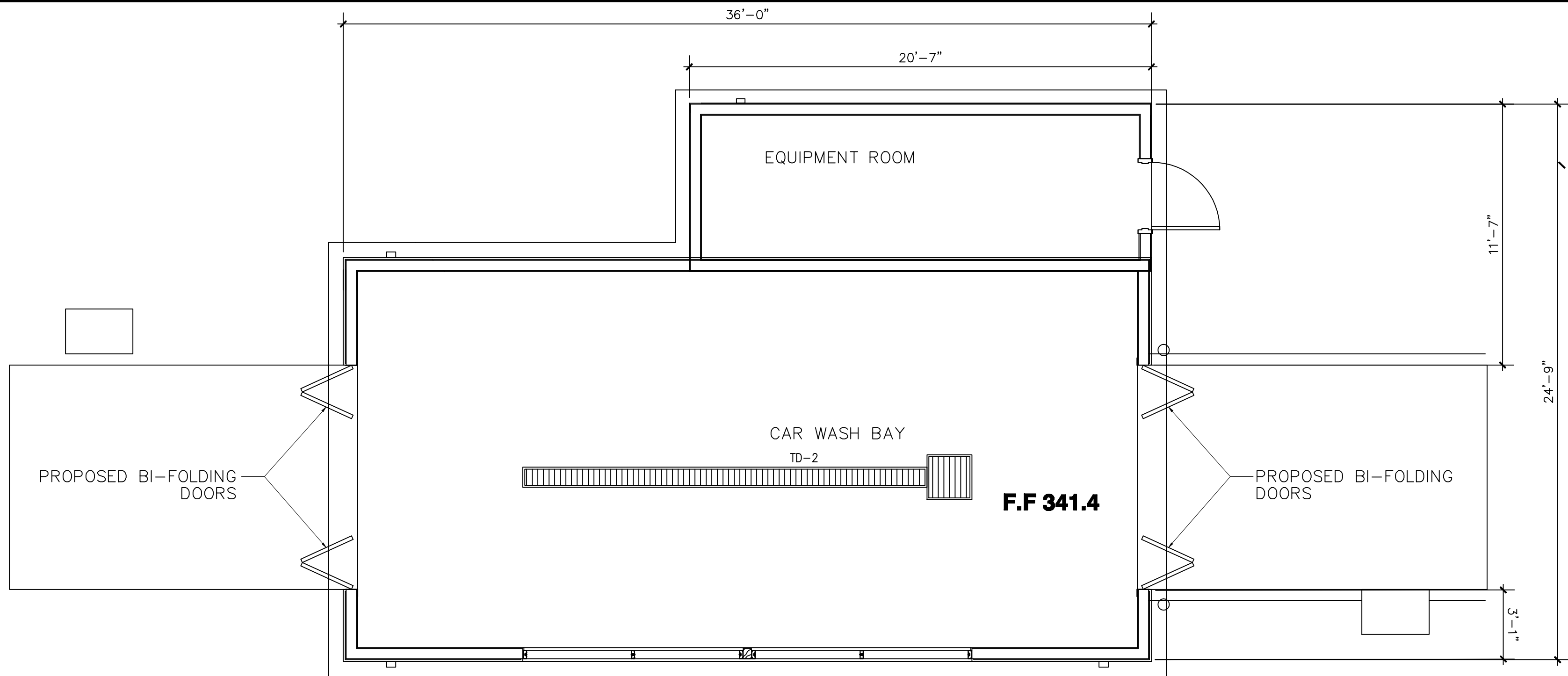
VALENCIA, CA 91355

Phone: 861.285.1111

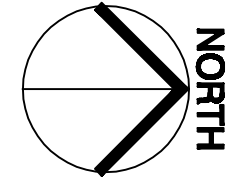
Fax: 861.284.9423

AGC

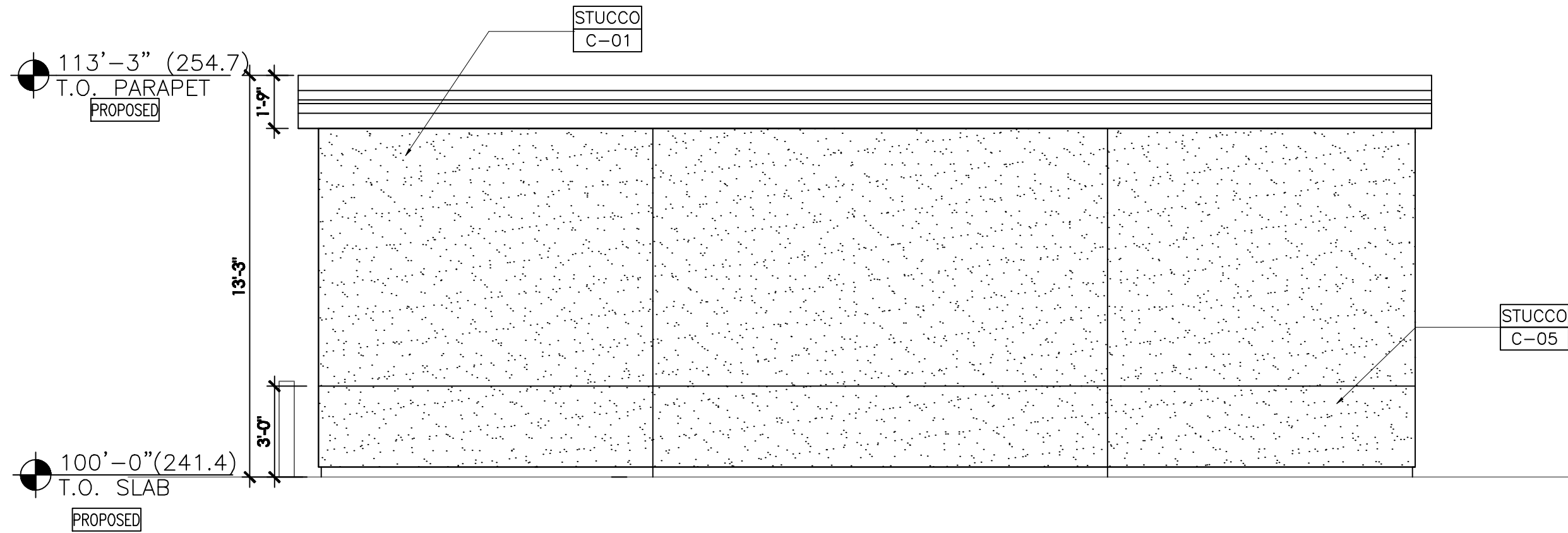
NO.	DATE	BY	REVISIONS



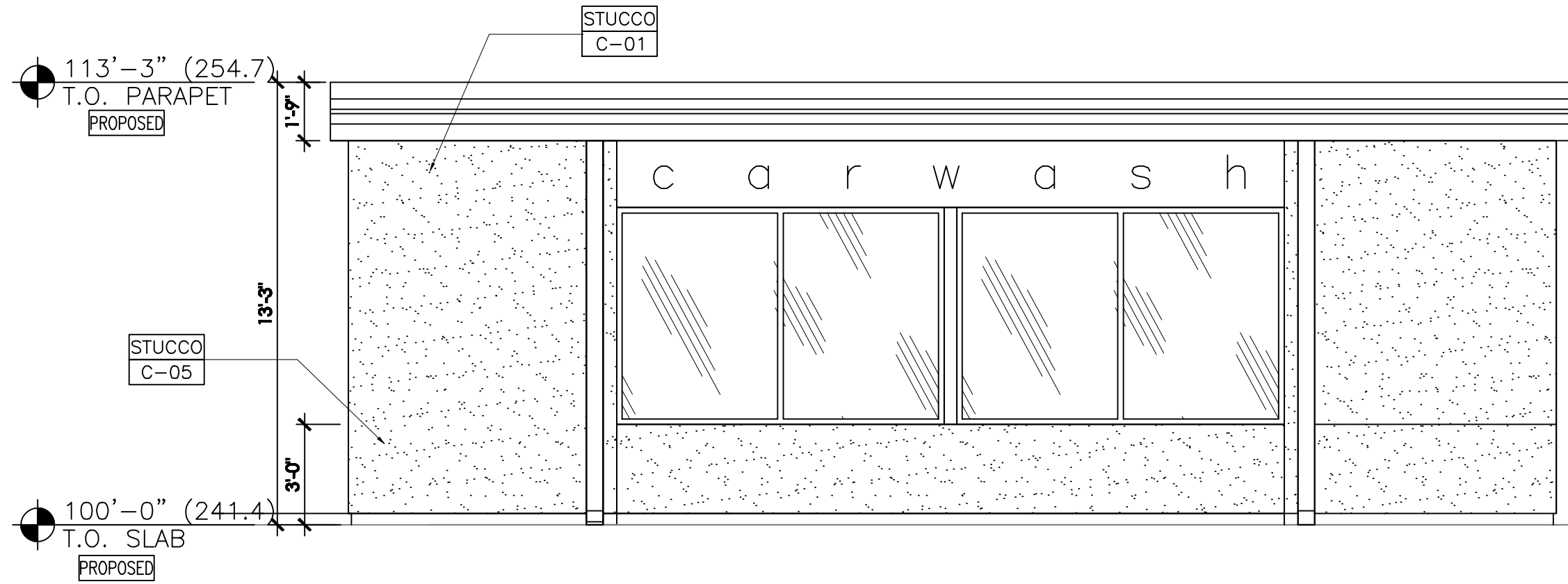
01 **SELF SERVICE CAR WASH FLOOR PLAN**
SCALE: 1/4"=1'-0"



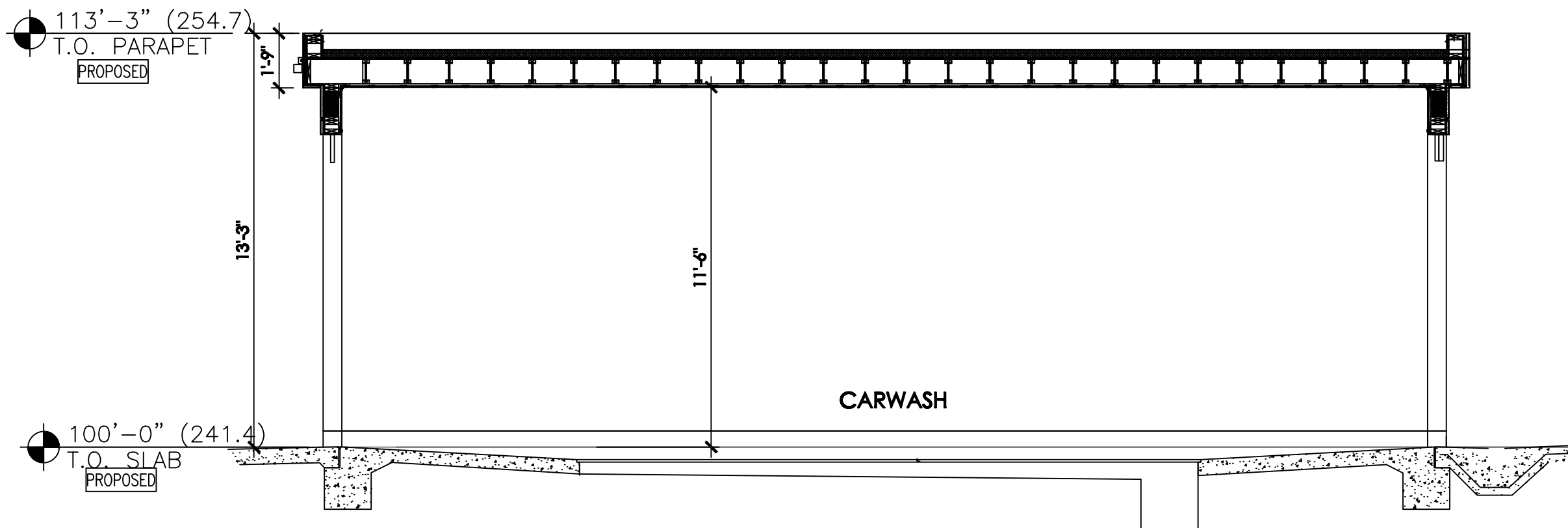
04 **SELF SERVICE CAR WASH "LEFT SIDE ELEVATION" (NORTH)**
SCALE: 1/4"=1'-0"



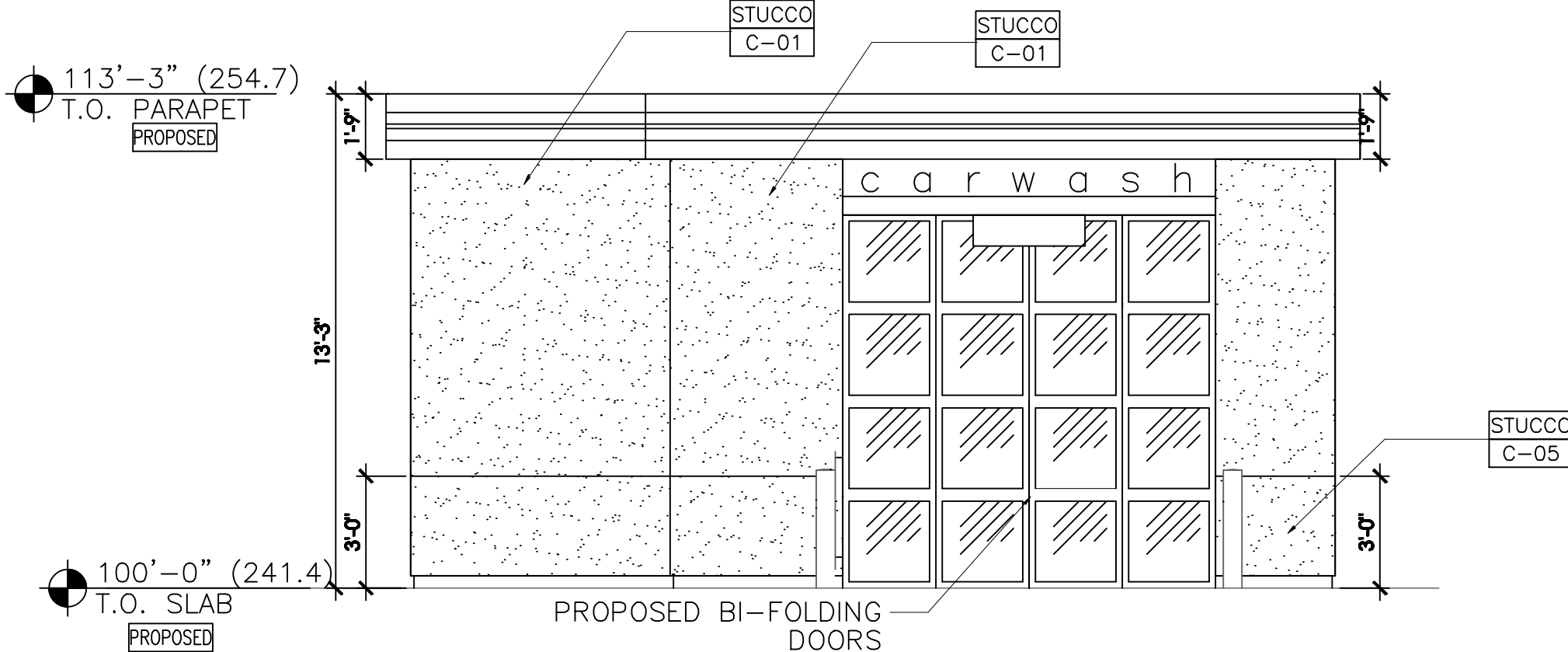
02 **SELF SERVICE CAR WASH "REAR ELEVATION" (EAST)**
SCALE: 1/4"=1'-0"



03 **SELF SERVICE CAR WASH "FRONT ELEVATION" (WEST)**
SCALE: 1/4"=1'-0"



05 **SELF SERVICE CAR WASH "SECTION"**
SCALE: 1/4"=1'-0"



05 **SELF SERVICE CAR WASH "RIGHT SIDE ELEVATION" (SOUTH)**
SCALE: 1/4"=1'-0"

EXTERIOR FINISHES

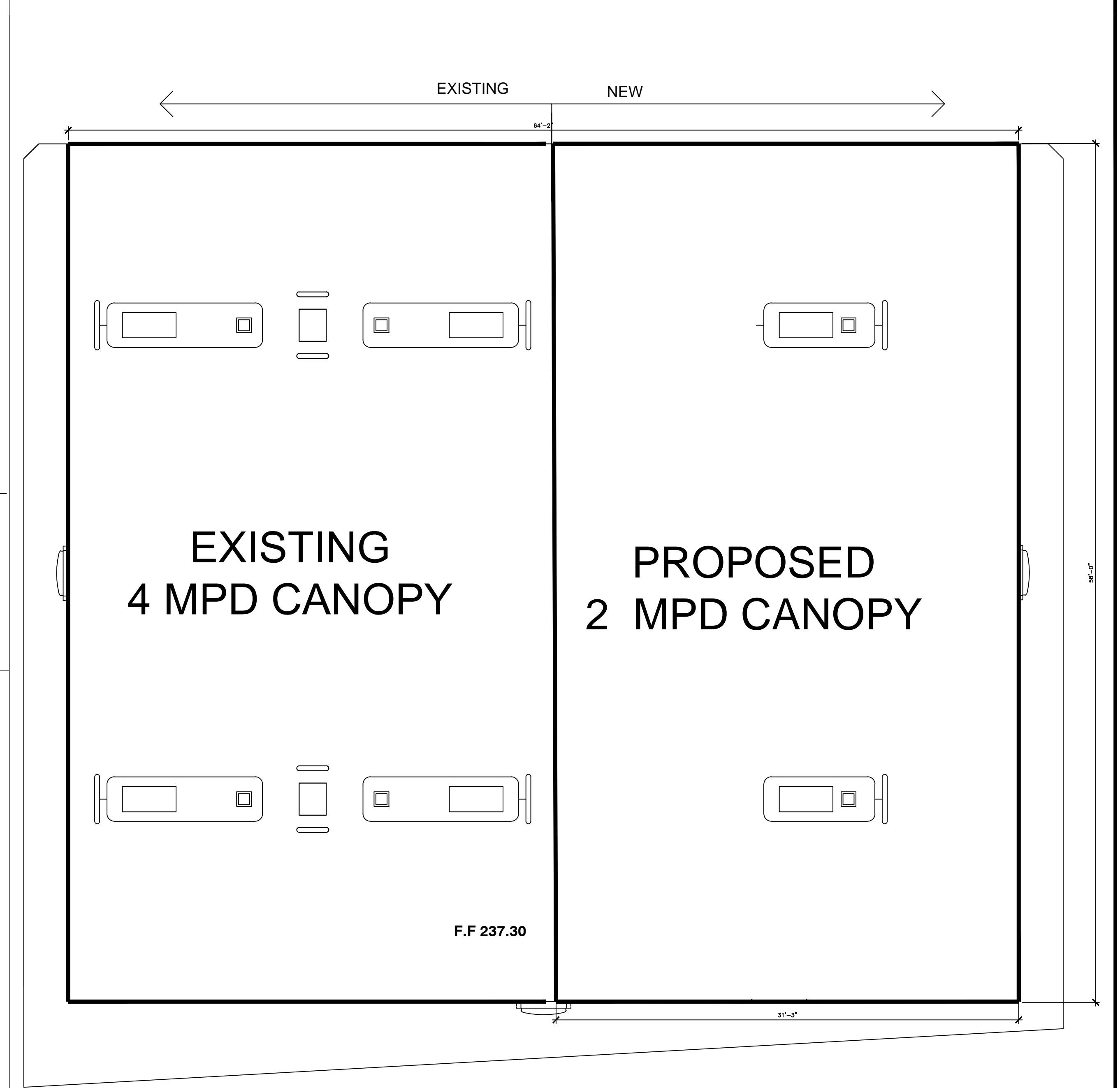
STUCCO 8" EXTERIOR STUCCO

EXTERIOR PAINTS

- C-01 COLOR: BP PEARL - RAL 1013
ICI # A0083, INDIAN LEGEND
- C-02 COLOR: BP DARK PEARL
ICI #A0767, "DESERT VALLEY"
- C-05 COLOR: DARK TAN
ICI # A1761, ONIOSKIN TAN
- C-06 COLOR: AMPM YELLOW
PMS 116C
- C-09 COLOR: TAN
ICI # A0717, INDIAN CORN
- C-12 COLOR: AMPM YELLOW
PMS 116C
- C-13 COLOR: BLUE
- C-14 COLOR: RED
- C-15 COLOR: ORANGE

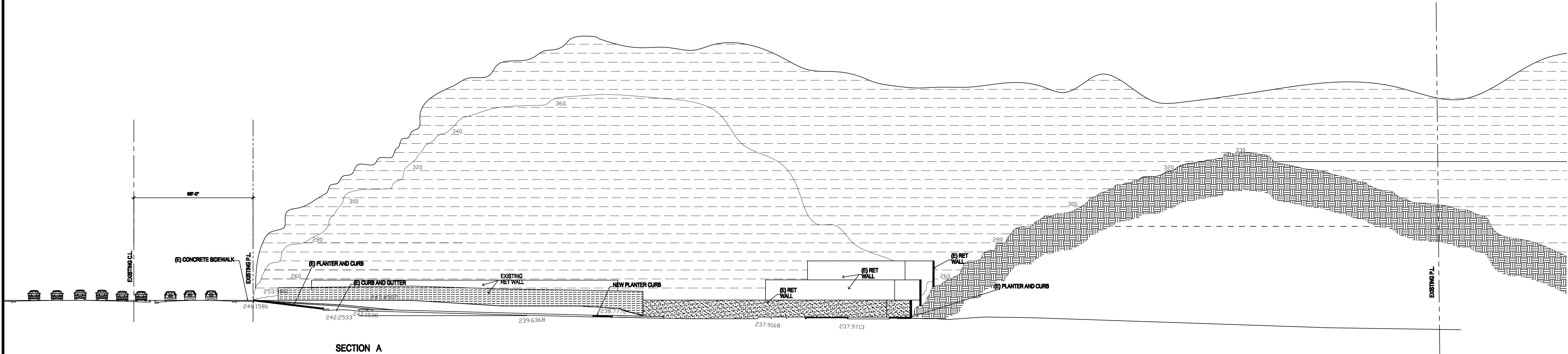
NEW CAR WASH ADDITION TO
EXISTING ARCO FACILITY
3770 MURPHY CANYON RD @ AERO DR
SAN DIEGO, CA
PROPOSED CARWASH

consultant job#	AGC-0074
master release date	
project exe date	master drawn by ER
Filename	AGC0074-CUP-3
Facility/Project	5737
sheet name	CUP-3
sheet 3 of 7	

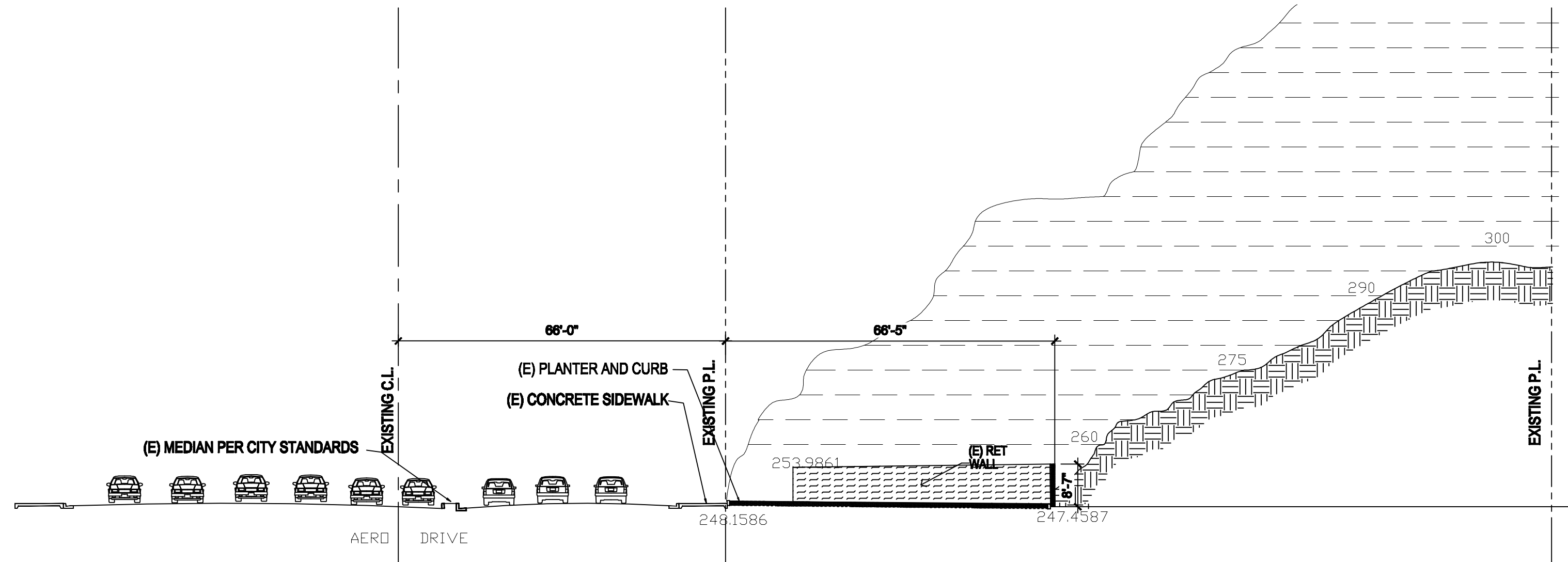


C-01	BACKING PREFINISHED "PEARLESCENT WHITE"
C-02	"ARCO BLUE" w/ ILLUMINATED REVEAL "POWDER BLUE"
C-03	PAINTED "PEARL WHITE"
C-04	PAINTED BLACK (TYP.)

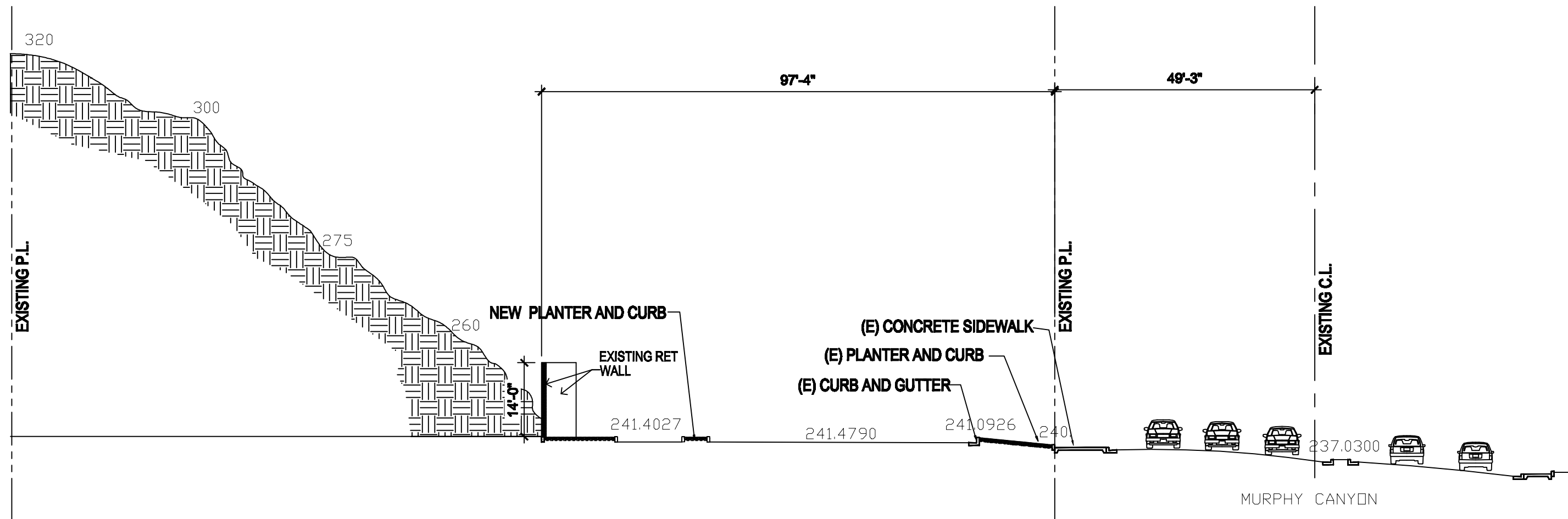
NEW CAR WASH ADDITION TO
EXISTING ARCO FACILITY
3770 MURPHY CANYON RD @ AERO DR
SAN DIEGO, CA
PROPOSED CANOPY



1 SECTION "A"
SCALE: 1" = 30'-0"



2 SECTION "B"
SCALE: 1" = 20'-0"



3 SECTION "C"
SCALE: 1" = 20'-0"

AGC DESIGN CONCEPT, INC.
350 N. GLENDALES BLVD.
SUITE 307
BURBANK, CA 91502
Phone: 818.588.4000
Fax: 818.588.4080

NO.	DATE	REVISIONS	BY

--

NEW CAR WASH ADDITION TO
EXISTING ARCO FACILITY
3770 MURPHY CANYON RD @ AERO DR
SAN DIEGO, CA
SECTIONS SITE PLAN

consultant job#	AGC-0074
master release date	
project exe date	master drawn by ER
Filename	AGC0074-CUP-5
Facility/Project	5737
sheet name	CUP-5
	sheet 5 of 7

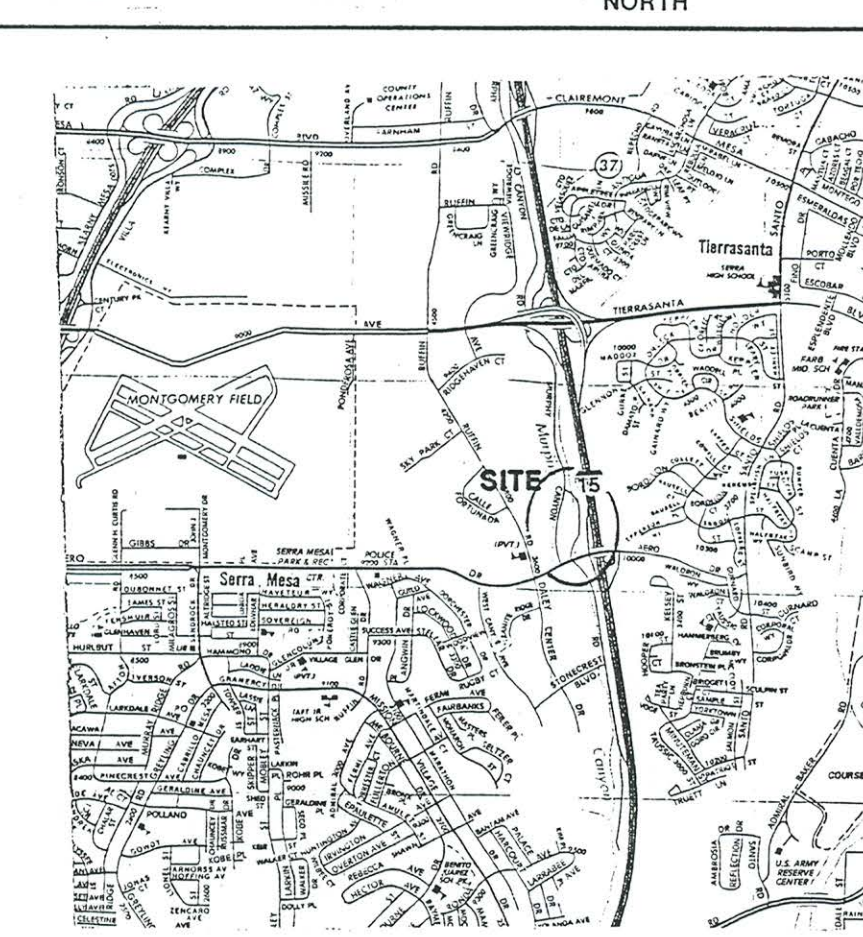
NOTE:

THIS IS A PRELIMINARY LANDSCAPE DESIGN PLAN AND IS SUBJECT TO A CITY PLAN CHECK REVIEW. THIS PRELIMINARY PLAN INCLUDES ONLY TREES, SHRUBS AND GROUND COVER. THE NEXT STEP SHALL BE FINAL WORKING DRAWINGS WHICH WILL INCLUDE AN IRRIGATION PLAN INCLUDING DETAILS AND GENERAL NOTES.

NOTE:

THE SITE HAS SOME EXISTING TREES, A FEW EXISTING SHRUBS AND EXISTING GAZANIA GROUND COVER.

THE LANDSCAPE ARCHITECT WOULD LIKE TO REMOVE ALL OF THE EXISTING TREES AND REMOVE ALL OF THE EXISTING GROUND COVER AND THE FEW SHRUBS, TO BE REDESIGNED FOR A BETTER STREET APPEAL AND BETTER MAINTENANCE.

VICINITY MAP

MINIMUM TREE SEPARATION DISTANCE
Traffic signals (stop sign) - 20 feet
Underground utility lines - 5 feet
Above ground utility structures - 10 feet
Driveway (entries) - 10 feet
Intersections (intersecting curb lines of two streets) - 25 feet

All landscape and irrigation shall conform to the standards of the City-Wide Landscape Regulations and the City of San Diego Land development manual Landscape Standards and all other landscape related City and Regional Standards.

MAINTENANCE SCHEDULE:

The property owner shall provide all personnel, equipment and materials necessary to perform the following work in order to maintain the landscaping and irrigation systems:

WORK INCLUDED:

- Weekly inspection, pickup and disposal of litter, weeds and miscellaneous dead plant debris for all areas and raking and removal of dead plant debris and fallen leaves from shrub and ground cover areas.
- Monthly pruning and shaping of shrubs and plants as to insure a neat appearance.
- Fertilization of grass, groundcover, shrubs and trees four (4) times a year.
- Pruning of all trees to be done on a yearly schedule.
- Grass mowing shall be accomplished on a weekly basis using the approved mowing equipment.
- All weed eaters, edger and backpack blowers shall be kept in a safe place and in good running condition (not smoking).
- The contractor is responsible for preventing grass from encroaching into all shrub and groundcover planting areas.
- The landscaping shall be maintained to insure water efficiency.
- The owner shall be responsible for resetting the irrigation controller, 4 times a year.
- A regular maintenance schedule shall include, but not be limited to, checking, adjusting and repairing all irrigation equipment.
- Aerating and dethatching all grass areas to be done once a year.
- Replenishing two inches of mulch in all planting areas, except grass areas, to be done once a year.

THE OWNER, MR. AND MRS. HADDAD, SHALL BE RESPONSIBLE FOR ALL FUTURE MAINTENANCE OCCURING AFTER THE 90 DAY CONTRACTOR'S MAINTENANCE PERIOD.

PROPOSED PLANTING PALETTE:

FUNCTION	FORM	MATURE HEIGHT	MATURE SPREAD	SYMBOL	BOTANICAL NAME: COMMON NAME:	SIZE	COUNT
TREES							
STREET TREE	ROUND HEADED	30'	25'	1	FRAXINUS OXYCARPA 'RAYWOOD' - RAYWOOD	24" BOX	0
COLOR	ROUND HEADED	20'	20'	2	LAGERSTROEMIA INDICA 'GRAPE MYRTLE'	24" BOX	2
STREET TREE	ROUND HEADED	40'	30'	3	KOELREUTERIA DIPINNATA 'CHINESE FLAME TREE'	24" BOX	9
STREET TREE	ROUND HEADED	30'	25'	4	LOPHOSTEMON CONFERTUS 'BRISBANE BOX'	24" BOX	4
COLOR	ROUND HEADED	30'	20'	5	JACARANDA MIMOSIFOLIA 'JACARANDA'	24" BOX	6
SHRUBS							
SCREEN	ROUND	5'	5'	A	PITTOCOPIUM TOB. VARIEGATA - N.C.N.	5 GAL.	
ACCENT	ROUND	18"	2'	B	AGAPANTHUS 'QUEEN ANNE' - LILY-OF-THE-VALLEY	1 GAL.	
FOLIAGE	LOW	2'	4'	C	RHAPIDOLEPS INDICA 'BALLERINA' - N.C.N.	5 GAL.	
SCREEN	ROUND	6'	6'	D	PHOTINIA FRABERI 'PHOTINIA'	5 GAL.	
ACCENT	ROUND	3'	4'	E	PHORMIUM COOKIANUM 'FLAX'	5 GAL.	
FOLIAGE	ROUND	3'	3'	F	PITTOCOPIUM TOBIRA 'WHEELERS DWARF'	5 GAL.	
FOLIAGE	ROUND	4'	4'	G	RHAPIDOLEPS INDICA 'CLARA'	5 GAL.	
COLOR	ROUND	3'	3'	H	ROSA FLOREUNDAS 'ICEBERG'	5 GAL.	
SCREEN	ROUND	6'	4'	I	TECCARIA CAFENSIS 'CAPE HONEYBUCKLE'	5 GAL.	
SCREEN	ROUND	8'	3'	J	XYLOSMA CONGESTUM 'SHINT XYLOSMA'	5 GAL.	
VINES							
				K	THUNBERGIA ALATA 'BLACK-EYED BEAN'	5 GAL.	
				L	DICTYOTA 'RIVERSII' 'ROYAL TRUMPET VINE'	5 GAL.	
				M	FICUS PUMILA 'CREEPING FIG'	5 GAL.	
GROUND COVER							
				N	HEDERA HELIX HAHN 'HAHN'S IVY' - @ 12" C.C.	5 GAL.	
				O	PERARSONIA FELTATA - IVY GERANIUM - 4" FTS @ 9" C.C.	5 GAL.	
				P	VINCA MINOR 'DWARF PERIWINKLE' - @ 9" C.C.	5 GAL.	
				Q	MARATHON GRASS 'MARATHON' - SEED	5 GAL.	

ET EXISTING TREE.

PRELIMINARY GENERAL NOTES:

- All irrigation shall be designed using Rainbird #1800 series, SAM-PRS & MPR spray heads, Febco #825 series reduced pressure backflow preventers, Rainbird #ESP-LS plus series controller, Superior #950 automatic brass globe valves, Rainbird wireless rain sensors, and a Rainbird ET Manager.
- All trees shall be installed with a root barrier, (non-biodegradable) Century CP Series root barrier, polyethylene panels, to be installed per the manufactures recommendations and specifications.
- All ground mounted utility structures, transformers, backflow prevention valves and fire detector check valves shall be screened from the public view using plant material.
- All landscaping shall be maintained in a neat, clean and healthy condition, including proper pruning, mowing of grass, weeding, removal of litter, fertilization, replacement of plants, when necessary, and the regular watering of all plantings.
- All bio-swale areas shall be calculated by the civil engineer and illustrated on the civil engineer's plans.
- All ground cover areas shall receive a 3" layer of mulch, to be installed after all shrubs, trees and ground cover have been planted.
- The landscape contractor shall maintain this project for 90 calendar days, starting from the date of acceptance from the owner or the owner's representative.

NOTE: THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE INSTALLATION WITH MR. DREW POTOCKI, CITY URBAN FORESTER, SAN DIEGO STREET DIVISION. CALL 619-527-5486.

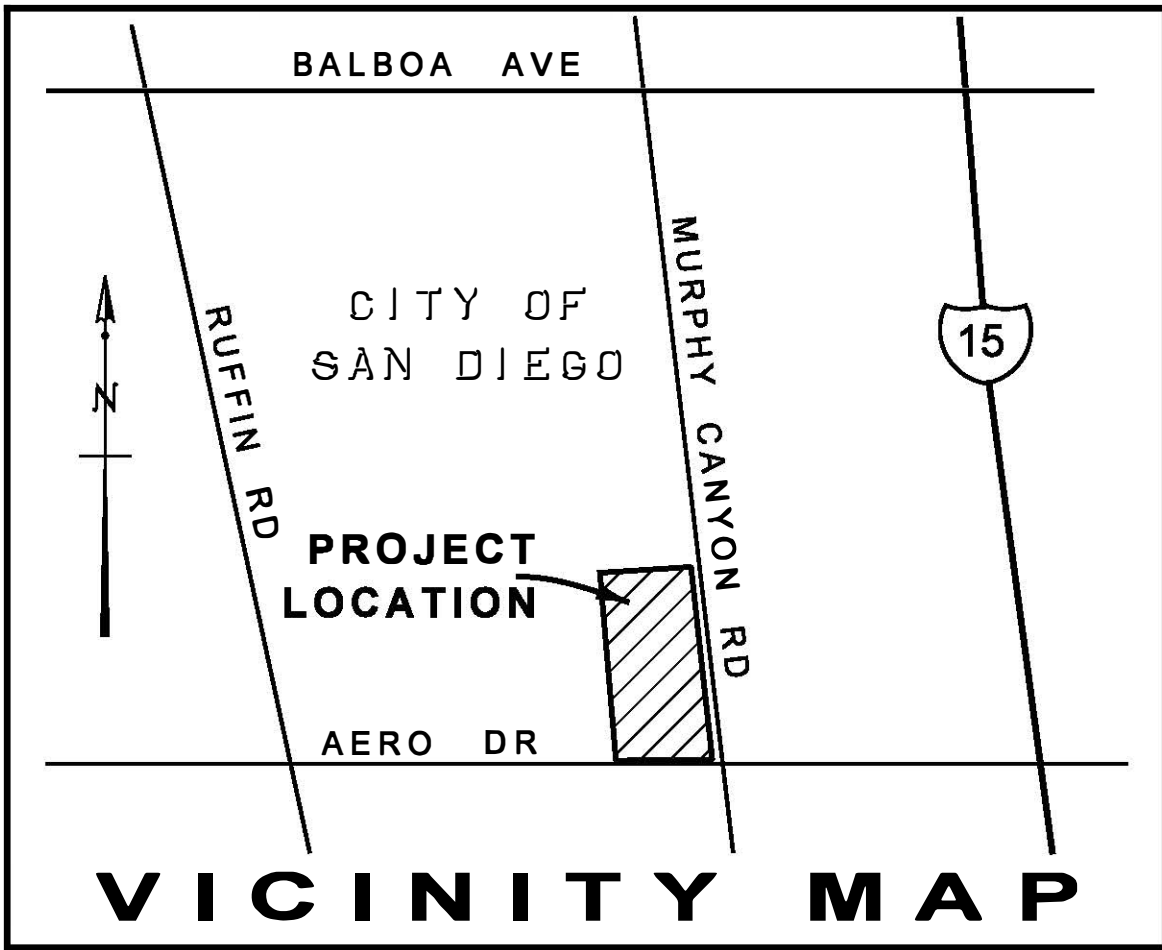
HOLD HARMLESS AND INDEMNIFICATION CLAUSE:

Contractor agrees that he shall assume sole responsibility for job site conditions during the course of construction of this project, including safety of all persons and property; that this requirement shall apply continuously and not be limited to normal working hours, and that the contractor shall defend, indemnify, and hold the owner and the landscape architect harmless from any and all liability, real or alleged, in connection with the performance of work on this project, except for liability arising from the sole negligence of the owner or the landscape architect.

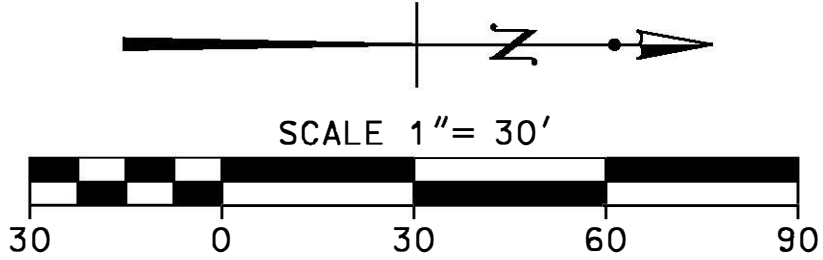
These drawings and specifications are the property and copyright of George Parisi and Associates, landscape architect, and shall not be used on any work except by agreement with George Parisi and Associates. Written dimensions take precedence over scaled dimensions and shall be validated by the contractor on the job site. Any discrepancy shall be brought to the attention of George Parisi and Associates, prior to the commencement of any work.



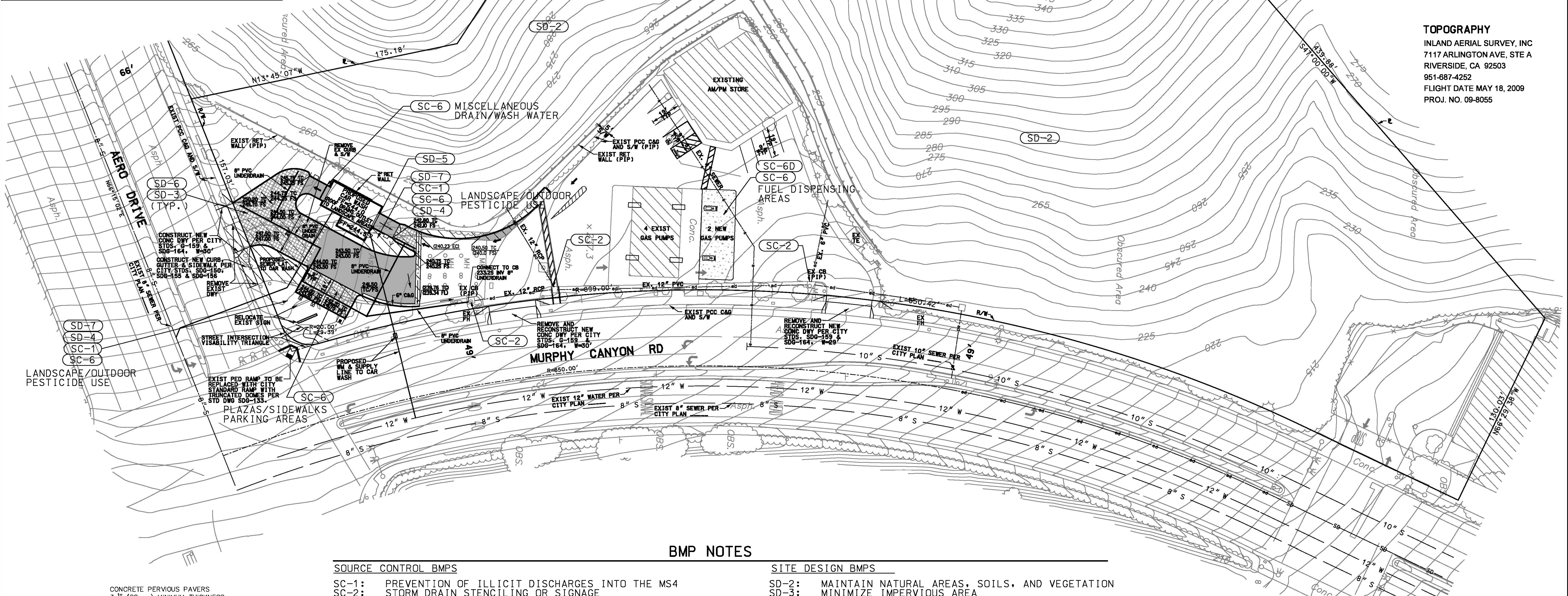
PRELIMINARY GRADING AND DRAINAGE PLAN



- LEGEND**
- DRAINAGE ARROW
 - PIP - PROTECT IN PLACE
 - NEW AC PAVEMENT AREA
2417 SF
 - CURB, SIDEWALK & PAVEMENT
REMOVAL AREA
 - NEW PERVIOUS PAVER AREA
2900 SF
 - NEW PCC PAVEMENT AREA
1272 SF
 - NEW CAR WASH BLDG FOOTPRINT
800 SF
- TOTAL IMPERVIOUS SURFACE CREATED
AND/OR REPLACED = 4489 SF



TOPOGRAPHY
INLAND AERIAL SURVEY, INC
7117 ARLINGTON AVE, STE A
RIVERSIDE, CA 92503
951-687-4252
FLIGHT DATE MAY 18, 2009
PROJ. NO. 09-8055



BMP NOTES

SOURCE CONTROL BMPs

- SC-1: PREVENTION OF ILLICIT DISCHARGES INTO THE MS4
- SC-2: STORM DRAIN STENCILING OR SIGNAGE
- SC-6: BMPs BASED ON POTENTIAL SOURCES OF RUNOFF POLLUTANTS:
 - LANDSCAPE/OUTDOOR PESTICIDE USE
 - FUEL DISPENSING AREAS
 - MISCELLANEOUS DRAIN OR WASH WATER
 - PLAZAS, SIDEWALKS, AND PARKING AREAS
- SC-6D: AUTOMOTIVE RELATED USES

SITE DESIGN BMPs

- SD-2: MAINTAIN NATURAL AREAS, SOILS, AND VEGETATION
- SD-3: MINIMIZE IMPERVIOUS AREA
- SD-4: MINIMIZE SOIL COMPACTION
- SD-5: IMPERVIOUS AREA DISPERSION
- SD-6: RUNOFF COLLECTION
- SD-7: LANDSCAPING WITH NATIVE OR DROUGHT TOLERANT SPECIES

OWNER/APPLICANT:

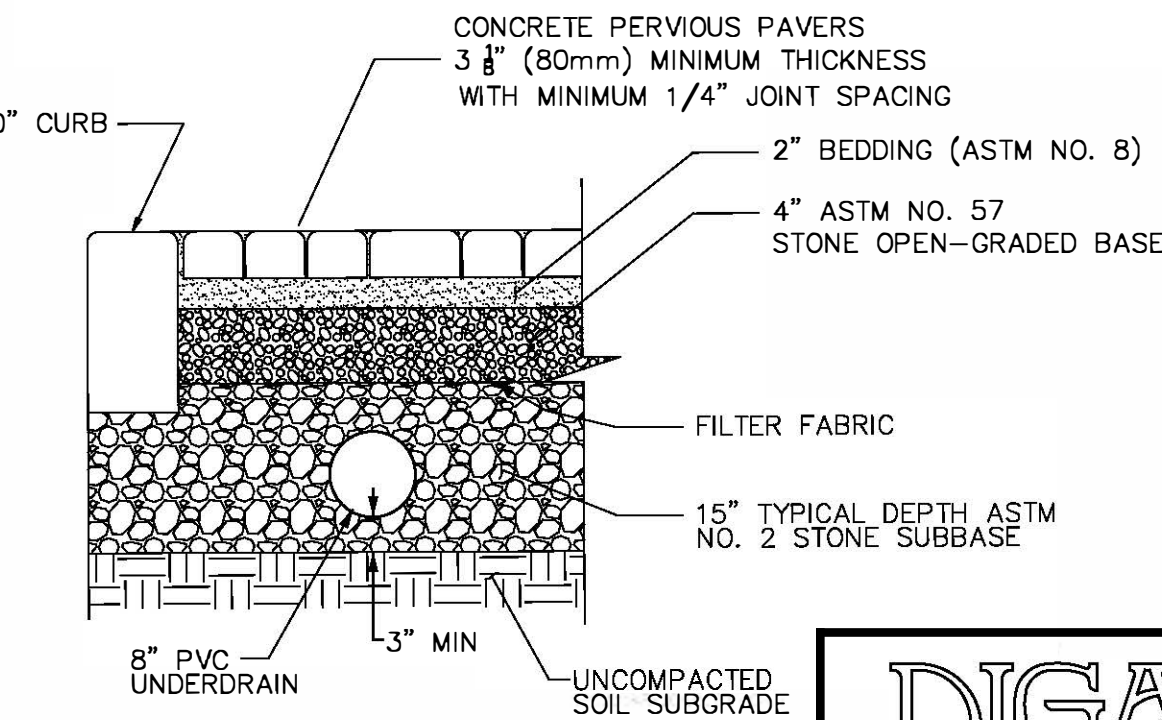
BP WEST COAST PRODUCTS, LLC
CONTACT: ED HADDAD
422 WEIR RD
SAN BERNARDINO, CA 92408
909-809-9658

EARTHWORK QUANTITY

CUT - 300 CY
FILL - 50 CY

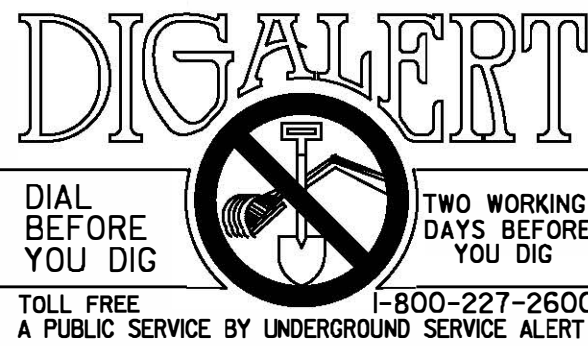
NOTES:

- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE OWNER/PERMITEE SHALL INCORPORATE ANY CONSTRUCTION BMP'S NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
- EXISTING SEWER LATERAL AND WATER SERVICES TO MAIN BUILDING TO REMAIN. NEW SERVICES WILL BE INSTALLED TO SERVICE THE CAR WASH AS SHOWN ON THIS PLAN.



PERVIOUS PAVERS TYPICAL SECTION

N.T.S.



REV.	REVISION DESCRIPTION	DATE	ENGR.	CITY	DATE

BENCHMARK
INDEX NO. 2347 17332
NORTHWEST CORNER AREO DR AND RUFFIN RD
ELEV. 305.262



Goodman & ASSOCIATES
2079 SKY VIEW DRIVE
COLTON, CA 92324
(909) 824-2775
DOUGLAS L. GOODMAN
RCE 28500, 3-31-2018

CITY OF SAN DIEGO	
PRELIMINARY GRADING AND DRAINAGE PLAN	
3770 MURPHY CANYON ROAD AM/PM ARCO STATION APN 421-333-15 NW CORNER OF MURPHY CANYON RD AND AERO DR	
SCALE: AS SHOWN	DRAWING NO.: 1