



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

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OWNER OF ILLEGALLY DEVELOPED COMMERCIAL PARKING LOT SETTLES A CIVIL COMPLAINT WITH THE CITY

City Attorney's Office settles case involving numerous code violations

San Diego, CA: The owner of a large commercial parking lot business located in Otay Mesa will pay significant civil penalties and investigative costs as part of a civil settlement that was filed by the San Diego City Attorney's Office. Plaza Siempre, LLC purchased the property in early 2008 and constructed and operated a commercial parking lot, modular office building and ramp without first obtaining the proper building and grading permits.

Under the settlement, Plaza Siempre, LLC, while not admitting liability, agreed to pay a total of \$80,000 as civil penalties to the City of San Diego for violations of the San Diego Municipal Code, with a total of \$60,000 of that amount stayed pending full compliance with the terms of the settlement and \$1,187.20 for investigative costs incurred by the City. The owner is enjoined and restrained from operating or allowing the operation of a commercial parking lot at the property without obtaining all the necessary permits and from violating any building, zoning, municipal code regulations or nuisance laws at the property or in the City of San Diego. Finally, the owner must either restore the property to its previous condition or develop the property with all required permits under an agreed timeline.

"It is not acceptable to develop a property without first complying with the City's land use regulations," said Deputy City Attorney Nicole Pedone of the City Attorney's Code Enforcement Unit. "When we have evidence of that occurring, we will enforce the law, recover our costs and penalties and obtain an injunction. It's a lot better for someone to get the permits up front."

The City Attorney's Code Enforcement Unit works in partnership with the City Attorney's Neighborhood Prosecution Unit, the City's Neighborhood Code Compliance Department, the San Diego Police Department, and the community to identify and address code violations and nuisance properties.

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