



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: June 12, 2002

File No.: USE2002-00001

Design Development Group
8100 Balboa Place
Van Nuys, California 91406

Application For: Conditional use permit to construct a gas station with a canopy and a retail kiosk.

Legal Description: Carrs Tr B-1A

Parcel Code No.: 5-B16-0-143-002-2

Hearing Date: June 11, 2002

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated May 22, 2001 (date printed on staff report is in error, the staff report was completed in 2002) and approved the proposed fuel station (with canopy and retail kiosk) to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. "Spill buckets" located on underground fuel tank fill pipes shall be cleaned at least once a month. All oily waste collected must be disposed of in accordance with applicable regulations.
2. The oil/water separator unit shall be maintained at least once a month or if rainfall exceeds 1" in a 24-hour period. During maintenance inspections, all oily waste and sediment collected shall be removed and disposed of in accordance with applicable regulations.
3. Prior to issuance of a Certificate of Occupancy (or Temporary Certificate of Occupancy) for the fuel station facility, striping and directional arrows in the vicinity of the fuel station shall be repainted in order to clarify traffic lanes.
4. Directional signage, striping and painted directional arrows shall be maintained in good condition for the fuel station's operational life.

5. Prior to issuance of a building permit, the applicant shall submit a lighting plan, to be evaluated by Community Development staff, which demonstrates that lighting will be shielded and directed away from surrounding properties and rights-of-way.
6. Prior to issuance of a Certificate of Occupancy (or Temporary Certificate of Occupancy) signage shall be posted on site, on either side of the kiosk facing the fuel pumps and on the canopy's support columns, with the following message:

Fish Habitat Warning

DO NOT POUR
OIL, FUEL OR CHEMICALS
INTO STORM DRAINS
OR ONTO
PARKING LOT.

This area drains into
critical fisheries habitat.

7. A vapor recovery system shall be incorporated into the project design and must be operational prior to issuance of a Certificate of Occupancy (or Temporary Certificate of Occupancy).
8. Prior to issuance of a Certificate of Occupancy (or Temporary Certificate of Occupancy), a deed restriction or easement shall be recorded on Lot 4A which establishes that 76 parking spaces must remain available for uses on Lot 1A. This will provide for a minimum total of 336 spaces on both lots combined. The restriction/easement could be released in the future if Title 49's parking requirements are reduced or if the use of the property changes and parking can be provided on Lot 1A.

Attachments: May 22, 2001 (should read 2002) memorandum from Greg Chaney, Community Development to the CBJ Planning Commission regarding USE2002-00001.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c).

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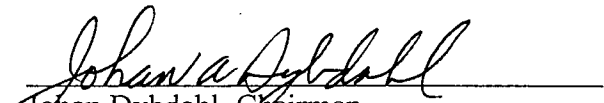
Effective Date: The permit is effective upon approval by the Commission,
June 11, 2002.


Expiration Date: The permit will expire 18 months after the effective date, or December 11
2003, if no Building Permit has been issued and substantial construction

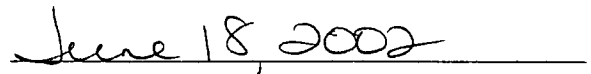
progress has not been made in accordance with the plans for which the
development permit was authorized. Application for permit extension
must be submitted thirty days prior to the expiration date.

Project Planner:


Greg Chaney, Planner


Johan Dybdahl, Chairman
Planning Commission

Deputy
Filed With City Clerk




cc: Plan Review
Barbara Richardson, Safeway Inc.

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center 1 (800) 949-4232, or fax (360) 438-3208.