

RESOLUTION NUMBER R- 286263  
ADOPTED ON AUG 15 1995

WHEREAS, on October 31, 1994, David Kiepler, Owner, and Southeast Economic Development Corporation, Applicant, submitted an application to the Development Services Department for a community plan amendment, rezone, Southeast Development Permit and conditional use permit; and

WHEREAS, the permit was set for a public hearing to be conducted by the Council of The City of San Diego; and

WHEREAS, the issue was heard by the Council on August 15, 1995; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Mitigated Negative Declaration No. 94-0618; NOW, THEREFORE,

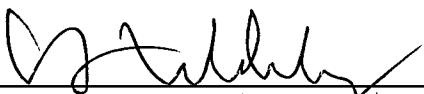
BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that Mitigated Negative Declaration No. 94-0618, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations 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 the report, together with any comments received during the public review process, has been reviewed and considered by this Council.

BE IT FURTHER RESOLVED, that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that said Mitigated Negative Declaration, on file in the office of the City Clerk and incorporated herein by reference, is hereby approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: JOHN W. WITT, City Attorney

By

  
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Harold O. Valderhaug  
Chief Deputy City Attorney

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EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

SOUTHEAST DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT

DEP NO. 94-0618

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. All mitigation measures contained in the Mitigated Negative Declaration (Dep No. 94-0618) shall be made conditions of Southeast Development Permit and Conditional Use Permit as may be further described below.

The applicant shall be required to bring the decibel level at the property lines to the north and east of the proposed site into compliance with the City's Noise Ordinance (Section 59.5.0401). The decibel level at the property line to the north shall not exceed 60 dB(A), Community Noise Equivalent Level (CNEL), between 7:00 a.m. and 7:00 p.m. The decibel level at the property line to the east shall not exceed 65 dB(A), CNEL, between 7:00 a.m. and 7:00 p.m.

The mitigation can be achieved by enclosing the car wash, and by placing pneumatic metal doors at the entrance and exit. These doors must close and open automatically when the car wash is in operation. The applicant has indicated that "Ryko Bi-Fold Doors" manufactured by Ryko Car Wash Systems will be used as mitigation for the noise. The applicant shall use the type of door as shown in Attachment 2 of the Initial Study.

The applicant shall also construct a 6 foot high, 8 inch thick cement block wall along the eastern property line, and along the northern property line for 100 feet, starting at the intersection of the eastern and northern property lines, as shown on the approved Plot Plan.

The applicant shall also provide a noise study of the car wash after it has been constructed but prior to the time Building Inspection certifies the car wash for occupancy. The noise study must conclude that the mitigation measures as outlined above, have lowered the noise level to no more than 60 dB(A), CNEL, at the property line to the north, and 65 dB(A), CNEL, at the property line to the east. The report must be submitted to the Noise Abatement Officer of the Development Services Department for approval. Upon approval by the Noise Abatement Officer the car wash can be certified for occupancy.

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.

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