



CITY OF MURRIETA

February 10, 2009

Ahmad Ghaderi
A& S Engineering
207 W. Alameda #203
Burbank, CA 91502

**Subject: Substantial Conformance No. 2009-2767 to Conditional Use Permit 96-083 (25336
Madison Ave – Shell Gas Station)**

Dear Mr. Ghaderi:

We are pleased to inform you that the upgrades to the existing fueling system with the mounting and installation of a new veeder root vapor polisher has been deemed in substantial conformance with the original Conditional Use Permit for the Shell Gas Station located at 25336 Madison Ave. This determination is subject to the attached conditions of approval dated February 10, 2009.

If you do not agree with the conditions of approval, you may file an appeal to the Planning Commission in accordance with Section 16.78-(Appeals) of the Development Code. An appeal must be filed with the City by February 20, 2009.

If you have any questions concerning this matter please do not hesitate to call your project planner, Leticia Newell at (951) 461-6092.

Sincerely,



Mary K. Lanier
Planning Director

Att: Conditions of Approval

**CONDITIONS OF APPROVAL
FOR
SUBSTANTIAL CONFORMANCE 009-2767
TO
DEVELOPMENT PLAN 96-083
February 10, 2009**

GENERAL:

1. The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Murrieta, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning this approval Substantial Conformance 2009-2767. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
2. Any fees due the City of Murrieta for processing this project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City
3. The substantial conformance is for the installation of a new canister polisher unit to existing vent risers, upgrades to existing dispensers and the installation of a fire extinguisher within 75' of the canister polisher as shown on exhibits approved February 10, 2009.
4. All original conditions of approval for Conditional Use Permit 96-083 shall remain in effect unless modified herein.

PLANNING DEPARTMENT:

5. All elevations, colors, materials, site plan and equipment location must be in substantial conformance with those shown on APPROVED PLANS, dated February 10, 2009.
6. The Planning Department shall be contacted 72 hours in advance for a final inspection at the completion of proposed work.

LANDSCAPE ARCHITECT:

7. All landscaping that is damaged due to improper landscape maintenance or other factors, and that is not currently in accordance with the originally approved landscape plans, shall be replaced at the direction of the City of Murrieta Landscape Architect in conformance with the approved landscape plans.
8. All landscaping that is not in conformance with the originally approved landscape plans shall be replaced in accordance with the approved landscape plans unless otherwise directed by the City of Murrieta Landscape Architect.
9. A 3" layer of bark mulch shall be applied to all shrub planting areas that are disturbed.

10. All existing landscaping on the site shall be in a viable condition of landscape maintenance that is acceptable to the City of Murrieta in accordance with the Development Code.
11. All exposed vent pipes shall be painted an approved bronze neutral color.

Prior to the acceptance from the City of Murrieta Building Division:

12. All existing and newly installed landscaping and irrigation systems shall be installed in conditions acceptable to the City. The City will conduct inspections to ensure that the landscape installation is in compliance with the approved landscape plans.

BUILDING & SAFETY DEPARTMENT:

13. Building permits shall be obtained from the Building & Safety Dept. for the proposed work and shall comply with the current 2007 California Model Codes and related Codes and Ordinances of the City of Murrieta.

POLICE DEPARTMENT:

14. The petitioner (s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he has control.

END OF CONDITIONS