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VIA EMAIL

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Matthew Boomhower, Vice-Chair
Ted Miyahara, Commissioner
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Will Rogers, Development Project Manager
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**Re: Comment on Family Health Center San Diego Clinic (PRJ-0692722) -
November 7, 2024, Planning Commission Agenda Item 1**

Dear Chair Moden, Vice-Chair Boomhower, Honorable Commissioners and Mr. Rogers:

This comment is submitted on behalf of Supporters Alliance for Environmental Responsibility (“SAFER”), regarding the project known as Family Health Center San Diego Clinic (PRJ-0692722), which proposes the construction of a 4-story, 73,592-square foot office building with a 4-story parking garage, located at 1825-1873 National Avenue in the City of San Diego (“Project”), which is scheduled to be heard by the Planning Commission on November 7, 2024 as Agenda Item 1.

While the Planning Commission is considering various entitlements required for the Project, the City improperly segregated environmental review from project approval. (*Bakersfield Citizens for Loc. Control v. City of Bakersfield* (2004) 124 Cal. App. 4th 1184, 1200–01.) The finalization of the CEQA exemption determination on August 8, 2024, before the Planning Commission holds a hearing on the Project, violates CEQA Guidelines Section 15202(b) which provides:

If an agency provides a public hearing on its decision to carry out or approve a project, the agency should include environmental review as one of the subjects for the hearing.

(14 CCR 15202(b).)

SAFER, and all members of the public are entitled to object to the CEQA exemption determination at the Planning Commission's hearing. "[I]f a public hearing is conducted on project approval, then new environmental objections c[an] be made until close of th[e] hearing." (*Bakersfield Citizens for Loc. Control, supra*, 124 Cal. App. 4th at 1201.)

Accordingly, SAFER objects to the City's decision to exempt the Project from environmental review under the California Environmental Quality Act ("CEQA") based on a Class 32 Categorical Exemption (Infill Exemption). Exempting the Project from CEQA based on the Infill Exemption violates CEQA because terms of the Class 32 exemption do not apply.

The Project is inconsistent with Section 152.0319(b) of the Barrio Logan Planned District Ordinance, meaning it is not "consistent with applicable zoning designation and regulations" as required to qualify for the Infill Exemption. In addition, the Project will also likely have significant effects related to noise and air quality, also precluding reliance on the infill exemption. SAFER requests that an initial study be conducted and a CEQA document prepared to analyze and mitigate the Project's environmental impacts. The Planning Commission should decline to approve the Project until proper CEQA review is completed.

Sincerely,



Rebecca Davis
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