

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE,
MAIL STATION 501

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24009030

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-2579784
SITE DEVELOPMENT PERMIT NO. PMT-2579785
CONDITIONAL USE PERMIT NO. PMT-3312218
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3314405
FAMILY HEALTH CENTER OF SAN DIEGO (FHCS) CLINIC - PROJECT NO. PRJ-0692722
PLANNING COMMISSION

This Coastal Development Permit No. PMT-2579784, Site Development Permit No. PMT-2579785, Conditional Use Permit No. PMT-3312218 and Neighborhood Development Permit No. PMT-3314405 is granted by the Planning Commission of the City of San Diego to Logan Heights Family Health Center, Inc., a Nonprofit Corporation, Owners/Permittees, pursuant to San Diego Municipal Code (SDMC) Sections 126.0303, 126.0402, 126.0504, and 126.0707. The 1.12-acre site is located at 1825-1873 National Avenue in the Barrio Logan Planned District Redevelopment Subdistrict and the Coastal Overlay Zone (Non-Appealable Area) within the Barrio Logan Community Plan. The project site is legally described as: LOTS 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42 IN BLOCK 130 OF MANNASSE AND SCHILLER'S SUBDIVISION OF PUEBLO LOT 1157, ACCORDING TO THE MAP THEREOF NO. 209 FILED IN THE OFFICE OF THE RECORDER: OF SAN DIEGO COUNTY, JULY 11, 1870.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners/Permittees for the construction of a four-story clinic and administrative office building with a four-story parking garage at 1825-1873 National Avenue as described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] November 7, 2024, on file in the Development Services Department.

The project shall include:

- a. Demolition of existing site improvements, including parking lots and buildings.
- b. Construction of a 73,592-square-foot office building including a Wellness Clinic, Research and Development Offices and Administrative Business offices
- c. Construction of a 75,880-square foot, four-story parking garage to provide approximately 174 parking spaces; and

- d. A deviation from San Diego Municipal Code (SDMC) 152.0319(a) and (b) to allow the consolidation of fourteen lots for a total area of 49,061 square feet where no more than 14,000 square feet are allowed and a street frontage of approximately 350 feet where no more than 100 feet are allowed per the applicable SDMC Section 152.0319(b);
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Off-street parking;
- g. A roof-mounted photovoltaic system consisting of solar panels sufficient to generate a percentage of the project's projected energy consumption in accordance with requirements of the California Green Building Code; and
- h. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision-maker. This permit must be utilized by November 21, 2027.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision-maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State, or City laws, ordinances, regulations, or policies including, but not limited to, the Endangered Species Act of 1973 (ESA) and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.
10. If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.
11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the

Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

CLIMATE ACTION PLAN REQUIREMENTS:

12. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

13. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement (EMRA) for curb outlets, landscape and irrigation located within the public right-of-way, satisfactory to the City Engineer.

14. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of 24-foot-wide City Standard driveway, adjacent to the site on National Avenue, satisfactory to the City Engineer.

15. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the closure of non-utilized driveway and installation of current City Standards, curb & gutter, and sidewalk, adjacent to the site on National Avenue, satisfactory to the City Engineer.

16. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing curb and sidewalk, with current City Standards, curb & gutter, and sidewalk, adjacent to the site on National Avenue, satisfactory to the City Engineer.

17. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruction of the alley pavement with current City Standard full width concrete alley, adjacent to the site, satisfactory to the City Engineer.

18. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of City Standard streetlight, adjacent to the site on National Avenue, satisfactory to the City Engineer.

19. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

20. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

21. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMPs) maintenance, satisfactory to the City Engineer.
22. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction BMPs necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
23. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
24. Development of this project shall comply with all stormwater construction requirements of the State Construction General Permit Order No. ~~2009-0009-DWQ~~ 2022-0057-DWQ. In accordance with Order No. ~~R9-2013-0004~~ 2022-0057-DWQ or subsequent order, a Risk Level Determination shall be calculated for the site and a Stormwater Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
25. Development of this project shall comply with all permanent stormwater requirements of Municipal Stormwater Permit No. 2013-0001, or subsequent order, and the current version of the City of San Diego's Stormwater Standards Manual.
26. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. ~~2009-0009-DWQ~~ 2022-0057-DWQ and a copy shall be submitted to the City.

WATER AND SEWER REQUIREMENTS:

27. If a three inch (3") or larger meter is required for this project, the owner/permittee shall construct the new meter and private back flow device on site, above ground, within an adequately sized water easement, in a manner satisfactory to the Public Utilities Director and the City Engineer.
28. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.
29. Prior to the issuance of any building permit Owner/Permittee shall install appropriate private back flow prevention device(s) (BFPD), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located

above ground on private property, in line with the service and immediately adjacent to the right-of-way. Prior to the issuance of any building permits, the Owner/Permittee shall assure construction of the proposed water meters, within public right-of-way, for all proposed water services.

30. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

31. Prior to issuance of the first building permit, the Owner/Permittee shall implement a Class II bicycle lane along the project frontage of National Avenue, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy.

32. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

TRANSPORTATION REQUIREMENTS:

33. Prior to issuance of the first building permit, the Owner/Permittee shall implement a Class II bicycle lane along the project frontage of National Avenue, satisfactory to the City Engineer. All improvements shall be completed and operational prior to first occupancy.

34. Prior to first occupancy, the Owner/Permittee shall appoint a Transportation Coordinator (TC) and provide a Commute Trip Reduction Program (CTR) that provides incentives for alternative modes such as ridesharing, subsidized transit, bicycling, vanpool, and guaranteed ride home and provide information, coordination, and marketing for these services.

35. Prior to first occupancy, the Owner/Permittee shall provide information on alternative mode choices through the consistent distribution of an informational brochure or recurrent emails that explain alternative modes of transportation available to employees of the office and medical buildings including nearby bus routes, bicycle and pedestrian paths near the site, available transit subsidy, and the benefits on health and environment of active transportation.

36. Prior to first occupancy, the Owner/Permittee shall provide a 50 percent subsidy (current monthly pass of seventy-two dollars [\$72]) for a period of three (3) years towards transit passes for Metropolitan Transit System (MTS) Bus, Trolley or COASTER trains for all employees to promote transit usage.

PLANNING/DESIGN REQUIREMENTS:

37. The automobile parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose unless otherwise authorized in writing authorized by the appropriate City decision-maker in accordance with the SDMC.

38. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

39. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

LANDSCAPE/ DESIGN REQUIREMENTS:

40. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Stormwater Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

41. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

42. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall provide a 40 square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per LDC 142.0403(b)5.

43. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping shall be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained in a disease, weed and litter free condition at all times consistent with the City of San Diego Landscape Regulations and Standards.

44. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

45. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent

size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy [Final Inspection for Single-Dwelling Unit development].

46. All required landscaping shall be maintained consistent with the Landscape Standards in a disease, weed, and litter-free condition at all times. Severe pruning or "topping" of trees is not permitted. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on November 7, 2024, and Resolution Number _____-PC

Coastal Development Permit No. PMT- 2579784
Site Development Permit No. PMT - 2579785
Conditional Use Permit No. PMT 33122184
Neighborhood Development Permit No PMT-3314405

Date of Approval: November 7, 2024

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Will Rogers
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

Logan Heights Family
Health Center Inc,
Owners/Permittees,

By _____
Otto A Hirr, President
Owner/Permittee

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**