



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** August 16, 2012 **REPORT NO. PC-12-185**

**ATTENTION:** Planning Commission, Agenda of August 23, 2012

**SUBJECT:** DIAMOND FAMILY HEALTH CENTER - PROJECT NO. 233732.  
PROCESS 4

**OWNER/** Mr. Brian Tisher, Family Health Centers of San Diego, Property Owner  
and Permittee

**APPLICANT:** Mr. Javier Zepeda, Davy Architecture, Consultant and Architect

### SUMMARY

**Issue(s):** Should the Planning Commission approve the construction of a three story medical clinic on a vacant 1.39 acre site located within the Southeastern San Diego Community Planning Area, Encanto Neighborhoods?

### Staff Recommendation:

1. CERTIFY Mitigated Negative Declaration Project No.233732, and ADOPT Mitigation, Monitoring and Reporting Program; and
2. APPROVE Site Development Permit No. 837819 and Planned Development Permit No. 837820; and
3. APPROVE Map Waiver No. 1021058.

**Community Planning Group Recommendation:** The Encanto Neighborhood Community Planning Group voted to recommend approval of the project in concept as presented at their regularly scheduled and noticed meeting on June 18, 2012, by a vote of 8-2-0.

**Environmental Review:** Mitigated Negative Declaration No. 24001598 has been prepared for the project in accordance with Section 15164 of the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which would reduce to a level



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below significance, the potential impacts identified in the environmental review process.

**Fiscal Impact Statement:** All costs associated with this project are paid from a deposit account maintained by the applicant.

**Code Enforcement Impact:** None with this action; there is no active Neighborhood Code Compliance case.

**Housing Impact Statement:** None with this action.

## **BACKGROUND**

The proposed project is located at 505 47th Street, in the CSF-1 Zone of the Southeastern San Diego Planned District within the Southeastern San Diego Community Planning Area Encanto Neighborhoods and Airport Influence Area (San Diego International Airport). The Southeastern San Diego Community Plan designates the project site for Neighborhood Commercial use. The parcel is situated at the intersection of Market Street and 47<sup>th</sup> Street in an urban community and a neighborhood setting of similar uses (commercial with some residential).

The project site is identified in the Fifth Amendment to the Central Imperial Redevelopment Plan (CIRP) Final Environmental Impact Report (EIR) dated March 2009 as a site within the Village Center at Euclid and Market. The CIRP Final EIR was certified by the City of San Diego in March 2009 and it provides a program level of analysis of the environmental impacts associated with the redevelopment activities proposed in the CIRP area. The MND that was prepared for the proposed project is consistent with the impact analysis and mitigation measures identified in the CIRP Final EIR.

## **DISCUSSION**

### **Project Description:**

The proposed project would construct a three-story, 22,942-square foot outpatient medical and dental office building with landscaping, paved parking and drive areas and other associated improvements on a vacant 1.39-acre site. The project proposes deviations to allow for increased height, reduced parking, and a reduced front yard setback.

The building would be constructed of steel frame, with stucco, aluminum clad door and entry canopy, natural stone veneer on the ground level facade, slate tile, and a standing seam metal roof. The building would be painted in four muted earth tones, including brick red, to blend into the surrounding neighborhood.

The project would provide pedestrian oriented design elements with 8-foot wide non-contiguous perimeter sidewalks, a 7-foot wide landscape parkway, decorative wrought iron fencing around the property, with an arbor trellis structure as a gateway from Market Street, an entry plaza, patio area with enhanced paving, tree planting, and seating benches. Additionally there will be tapered stone pilasters at entry points to the building. The proposed Floor Area Ratio (FAR) is 0.4 where the maximum permitted FAR allowed in the CSF-1 zone is 0.5. The building would reach an approximate height of 60 feet from existing grade and to approximately 188 feet above mean sea

level (AMSL). Project implementation would require grading of approximately 3,310 cubic yards of cut at a minimum depth of 15 feet. The on-site cut soils are suitable and would be used on-site as compacted fill to create a subgraded pad for the recommended, 7-inch concrete pad. The existing grade in the area of the proposed building is approximate at elevation 127 and the proposed first floor elevation is at 127.4. A 6-foot high and approximately 300 feet long retaining wall would be constructed along the southern boundary of the project site. The wall will be reduced as the grade difference between the project site and the property to the south meets.

The project proposed the following deviations: 1) to allow a maximum structure height of 60 feet where 30 feet is allowed; 2) to allow the provision of 80 parking spaces where 92 are required; and, 3) to allow a front yard setback of 10 feet where 20 feet is required.

Surrounding land uses consist of commercial uses to the north, a large vacant industrially zoned parcel to the east, an American Legion post is located immediately adjacent to the southwest and single-family residential uses are located adjacent to the southeast.

Development of the project requires the approval of a Process 4 Planned Development Permit for deviations from the development regulations for maximum building height, front yard setback, and parking, per San Diego Municipal Code (SDMC) Section 126.0602, and a Process 3 Southeastern San Diego Development Permit (in the form of a Site Development Permit) for commercial development in the Southeastern San Diego Planned District, per SDMC Sections 1510.0202 and 126.0502. As SDMC Section 112.0103 requires the consolidation of processing for multiple approvals within a single development application, the Planning Commission is the decision maker on this project (Process 4). The decision is appealable to the City Council.

### **Community Plan Analysis:**

The subject site is located at 505 47<sup>th</sup> Street (APN 547-090-06-00) in the Southeastern San Diego Community Plan, Chollas View Neighborhood. The 1.39 acre site is designated Neighborhood Commercial land use.

The proposed project would be consistent with the Social and Economic Element. The community has historically been underserved for medical services. The construction of a 22,943 square foot outpatient medical, dental facility and mental health services will expand on services offered to the community. Further the addition of health care facilities and services meets the General Plan, Healthcare Services and Facilities Policy PF-O.1, "Encourage the provision of diverse, adequate, and easily accessible healthcare facilities and services to meet the needs of all residents."

The proposed project would meet the goal in the Commercial Element by providing an attractive community and neighborhood facility that will provide new or expanded services to the community. Additionally, the location of the project is adjacent to the urban village on the east and very near to the 47<sup>th</sup> Street trolley station at the south west. The employees and clients will have ready multi-modal access to the project by foot, bicycle, mass transit or automobile. The project will be fully landscaped and include plaza-type elements along the frontage of 47<sup>th</sup> Street, Market Street, and the internal entrance off of the parking area.

The project would follow guidelines in the Urban Design Element by promoting infill development that is designed to respect the street wall of the existing development in the community. The project is positioned on the site towards the corner of 47<sup>th</sup> street and Market Street, a developing gateway to the Village at Market Creek. Facility entryways will be on the north and the south elevations. Landscaping and trellis structures will create enhanced frontages, as well as provide community landmarks and gathering areas for clients, staff, community residents, and transit users. The surface parking lot visible from 47<sup>th</sup> Street and Market Street will be screened with trees, shrubs and low ground cover. Additionally, the parking area will include planted medians throughout.

The architectural design of the building is similar to the design features, color pallet, and materials of the built and planned structures in the Village at Market Creek. The Jacobs Center for Neighborhood Innovation controls approximately 80 acres in the project vicinity (and were the previous owners of the Diamond Family Health Center site) and has developed a concept of mixed use village development that will span from 47<sup>th</sup> Street to 54<sup>th</sup> Street. This project site is considered a gateway into the village. Further, the plan is consistent with General Plan Urban Design Policy UD-A.5, "Design buildings that contribute to a positive neighborhood character and relate to the neighborhood and community context."

The proposed project would meet the goal in the Transportation Element by providing multi-modal site access. The site is served by the Metropolitan Transit System (MTS) bus lines 5 and 13 along 47<sup>th</sup> Street and bus routes 3, 4, 5, 13, 916, 917, 955, and 960 at the Euclid Avenue station. The site is served by light rail stations at 47<sup>th</sup> street and Euclid Avenue.

The project is proposed with deviations for building height, setback, and parking ratio. The deviations would not adversely impact the overall goals and objectives of the General Plan or the Southeastern San Diego Community Plan and as proposed, would meet various objectives contained in the Social and Economic, Commercial, Urban Design, and Transportation elements of the Southeastern San Diego Community plan.

### **Environmental Analysis:**

A Mitigated Negative Declaration and Environmental Initial Study (Project No. 233732) were prepared for this project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. Based upon a review of the project, it was determined that the project could have significant environmental effects in the following areas: Paleontological Resources and Transportation/Traffic (Cumulative). However, mitigations measures (MM-1 through MM-6) were identified in the Mitigated Negative Declaration, under Section V (Mitigation Monitoring Reporting Program), that mitigates the impacts to below a level of significance. The project as revised now avoids or mitigates the potentially significant environmental effects identified in the Environmental Initial Study, and the preparation of an Environmental Impact Report is not required.

### **Project-Related Issues:**

Deviations from the SDMC: The SDMC Section 126.0602 allows projects to request deviations

from the applicable development regulations pursuant to a Planned Development Permit (PDP) decided in accordance with Process Four. Deviations requested by the project include the following:

Maximum Height: *Deviation to SDMC Table 1519-03K to allow construction of a 60 foot building, where a 30 foot building would be allowed.* The maximum structure height deviation for the 3-story building is necessary to support the required program of services to address the need for healthcare in the community. A 2-story alternative was explored; however the site area is not large enough to provide the required parking spaces. The project design incorporates architectural elements that help diminish bulk and blend into the surrounding community

Front Yard Setback: *Deviation to SDMC Table 1519-03I to allow a 10 foot front yard setback where a 20 foot front yard setback is required.* The reduced front yard setback from 20 feet to 10 feet along 47th Street allows the project to front Market Street and to take advantage of access to the existing transit stops on that street. In addition, the project is providing a 20-foot setback on the longer frontage of Market Street, resulting in 12,600 square feet of landscaped area, which adds an immediate green buffer and landscaping to that street.

Parking Requirements: *Deviation to SDMC Table 142 05F to allow approximately 80 parking spaces where 92 is required.* The project is providing 80 parking spaces, the number allowed in the Transit Area Overlay Zone, where 92 are required. The application of the Transit Area Overlay Zone parking space reduction is appropriate for the project because the project is located on two bus routes (Routes 5 & 13) and within 1500 feet of an Orange Line Trolley station. In addition, based on the parking study of applicant's existing health centers (Appendix D of the Traffic Impact Analysis), a substantial percentage of the patients use public transportation, ride bicycles or walk to FHCS D facilities.

The Encanto Community Neighborhood Community Planning Group voted to recommend approval of the project in concept as presented at their regularly scheduled and noticed meeting on June 18, 2012, by a vote of 8-2-0, with the following requests for the applicant to: 1. Provide updates on construction performance to the ENCPG; 2. Increase their involvement with Council District 4 Neighborhood Town Councils; 3. Make contact and solicit input from Dentist currently providing service within Council District 4; 4. Participate in Community Benefit Agreements (\*CBA's); and 5. Consider District 4 qualified applicants for future employment.

### **Conclusion:**

A Planned Development Permit and Site Development Permit (Southeastern San Diego Planned District) are a Process Four, Planning Commission decision pursuant to San Diego Municipal Code Section 143.0110(b). A Map Waiver to create a legal building site may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed medical center and found it to be in conformance with the applicable sections of the San Diego Municipal Code regulating Map Waivers and land use policies. The project conforms to the Encanto Neighborhoods Community Plan with respect to maintaining the required commercial character and design features established in the plan for commercial development. Staff has determined that the required findings can be made as the project meets the applicable San Diego Municipal Code

regulations and requirements. Staff recommends approval of the project as proposed.

**ALTERNATIVE**

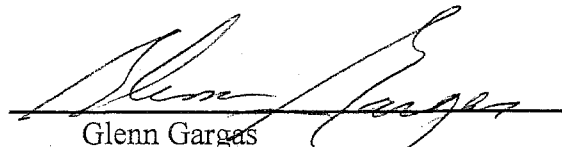
1. **Approve Site Development Permit No. 837819, Planned Development Permit No. 837820 and Map Waiver No. 1021058, with modifications.**
2. **Deny Site Development Permit No. 837819, Planned Development Permit No. 837820 and Map Waiver No. 1021058, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



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Mike Westlake  
Program Manager  
Development Services Department



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Glenn Gargas  
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Draft SDP/PDP Permit Resolution with Findings
6. Draft SDP/PDP Permit with Conditions
7. Draft Map Waiver Resolution with Findings
8. Draft Map Waiver Conditions
9. Draft Environmental Resolution with MMRP
10. Project Site Plan
11. Map Exhibit-Map Waiver
12. Project Plans – Building Elevations
13. Project Landscape Plan
14. Community Planning Group Recommendation
15. Ownership Disclosure Statement
16. Project Chronology



## Aerial Photo

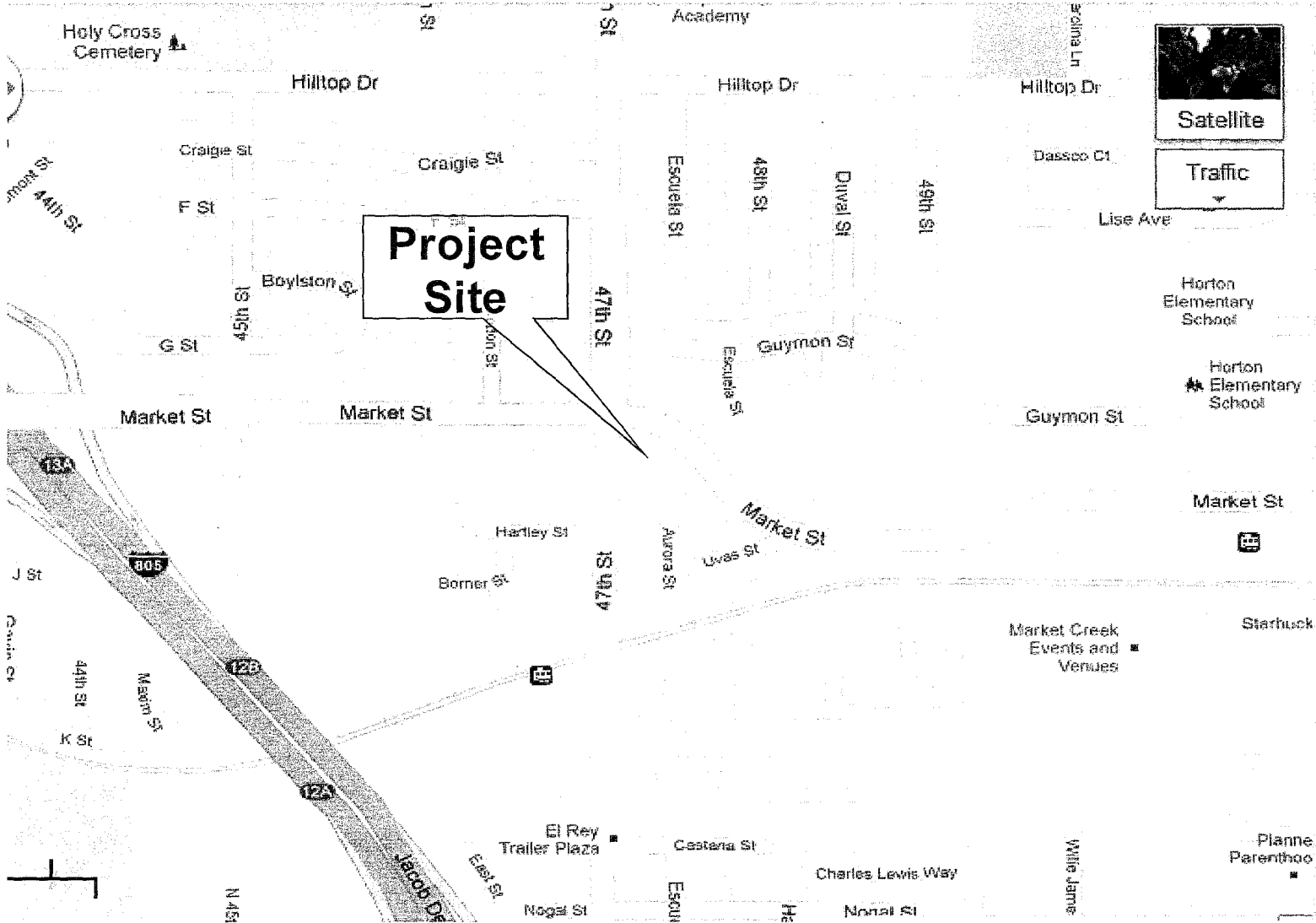
505 47th STREET – DIAMOND FAMILY HEALTH CENTER

PROJECT NUMBER 233732









## Project Location Map

**505 47<sup>th</sup> STREET – DIAMOND FAMILY HEALTH CENTER**

**PROJECT NUMBER 233732**



## PROJECT DATA SHEET

<b>PROJECT NAME:</b>	Diamond Family Health Center
<b>PROJECT DESCRIPTION:</b>	A proposed three-story, approximately 22,942 sq. ft., medical office building on a 1.39-acre property.
<b>COMMUNITY PLAN AREA:</b>	Encanto Neighborhoods
<b>DISCRETIONARY ACTIONS:</b>	Site Development Permit (Southeastern Planned District), Planned Development Permit and Map Waiver
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Commercial

### ZONING INFORMATION:

**ZONE:** CSF-1 Zone Southeastern San Diego PDO

**HEIGHT LIMIT:** 30-Foot maximum height limit.

**LOT SIZE:** 5,000 sq. ft. minimum.

**FLOOR AREA RATIO:** 0.50 maximum.

**FRONT SETBACK:** 20 feet.

**SIDE SETBACK:** 0 feet.

**STREETSIDE SETBACK:** 10 feet.

**REAR SETBACK:** 0 feet.

**PARKING:** 92 required, 80 proposed.

<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
<b>NORTH:</b>	Commercial; CSF-1.	Commercial
<b>SOUTH:</b>	Low Medium Residential; MF-3000.	Multi-Family Residential
<b>EAST:</b>	Industrial Park; I-1.	Vacant
<b>WEST:</b>	Commercial/ Low Medium Residential; CSF-1 & MF-3000.	Commercial & Multi-Family Residential

ATTACHMENT 4

<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	To increased building height to allow maximum structure height of 60 feet where 30 feet is allowed, reduced off-street parking to allow for the application of the Transit Area Overlay Zone to provide 80 parking spaces where 92 are required and a reduced front yard setback to allow for a 10 foot setback along 47 <sup>th</sup> Street where a 20 foot setback is required.
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	The Encanto Neighborhood Community Planning Group voted to recommend approval of the project in concept as presented at their regularly scheduled and noticed meeting on June 18, 2012, by a vote of 8-2-0.

**PLANNING COMMISSION  
RESOLUTION NO. \_\_\_\_\_**

**SITE DEVELOPMENT PERMIT (SOUTHEASTERN SAN DIEGO PLANNED DISTRICT)  
NO. 837819 AND PLANNED DEVELOPMENT PERMIT NO. 837820  
DIAMOND FAMILY HEALTH CENTER - PROJECT NO. 233732 (MMRP)**

WHEREAS, Family Health Centers of San Diego, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a three-story medical office building on a vacant lot (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 837819 & 837820), on portions of a 1.39-acre property;

WHEREAS, the project site is located at 505 47<sup>th</sup> Street, in the CSF-1 Zone of the Southeastern San Diego Planned District, Airport Influence Area, and within the Encanto Neighborhood Community Plan area;

WHEREAS, the project site is legally described as a portion of Lot 40, Horton's Purchase, Map No. 283;

WHEREAS, on August 23, 2012, the Planning Commission of the City of San Diego considered Site Development Permit No. 837819 and Planned Development Permit No. 837820, pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated August 23, 2012.

FINDINGS:

**Site Development Permit - Section 126.0504**

**1. The proposed development will not adversely affect the applicable land use plan.**

The proposed development is for the construction of a three-story, 22,942 square foot, outpatient medical and dental office building on portions of a 1.39-acre site. The project site is located on a vacant, 1.39 acre site at 505 47th Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project includes street improvements along 47th and Market Street frontages, landscaping improvements to the frontage of 47th and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services. The project is designed to be consistent with the neighborhood character of the surrounding area. The Diamond Neighborhoods Family Health Center is consistent with the land use plan for the following reasons:

1. Diamond Neighborhoods Family Health Center is an outpatient medical and dental office building that would provide, high quality medical services to all income levels, thereby implementing the Social and Economic Element objective of the SESDCP to provide adequate health care for all residents of the community, while reducing the impacts of social service facilities intended to serve the population at large as well as, the General Plan Public Facilities, Services and Safety Element Policy PF-O.1 to encourage the provision of diverse, adequate, and easily accessible healthcare facilities and services to meet the needs of all residents.
2. The project implements the SESDCP Commercial Element objective to improve vehicular and pedestrian access to commercial sites, and ensure adequate and aesthetically pleasing parking facilities. The project is designed to provide vehicular access from both 47th Street and Market Street, and the parking area will be abundantly landscaped with 36" box trees and planting areas greater than twice what is required. The project is providing 80 parking spaces, the number allowed in the Transit Area Overlay Zone, where 92 are required, a deviation that is allowed through the Planned Development Permit process. The application of the Transit Area Overlay Zone parking space reduction is appropriate for the project because the project is located on two bus routes (Routes 5 & 13) and within 1500 feet of the Orange Trolley line. In addition, based on the parking study of applicant's existing health centers (Appendix D of the Traffic Impact Analysis), a substantial percentage of their patients use public transportation, ride bicycles or walk to Family Health Center facilities.
3. With the provision of pedestrian amenities that include a stone clad, arbor-covered entry gateway element to welcome visitors from the public sidewalk and bus stop on Market Street to the north lobby door, an entry plaza with enhanced paving, formal tree planting and seating benches. The project further enhances the pedestrian experience with eight-foot public sidewalks with evergreen street trees to provide shade, decorative wrought iron fencing with tapered stone pilasters at entry points, a large densely vegetated area at the northeast corner of the project site and soil mounding in key areas to provide visual interest. Thus, the project implements the Pedestrian Activity General Guidelines of the Urban Design Element of the SESDCP and the General Plan Mobility Element Connectivity and Walkability policies ME-A.6 and ME-A.7.
4. With project design features that emulate existing conditions along 47th and Market Streets, the project implements the SESDCP Urban Design Element objective to encourage compatibility between new structures and existing neighborhoods and the General Plan Urban Design Element policy UD-A.5 to design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context. The project includes the following design features:
  - The project exterior color pallet is of muted earth tones that include a dark reddish brown color and natural stone accents that emulate the colors and textures of the nearby bluffs and surrounding development. In addition, the project is designed with a sloped or hip roof, similar to the hip roof buildings in the neighborhood, which also reduces the scale of the building and provides for a harmonious neighborhood transition between the proposed and existing development.

- The project has been designed to mitigate the proposed building height with the building situated near the intersection of 47th and Market Streets, providing a 120-foot setback from the southern property line and residential development to the south. In addition, a dense planting of native trees on a slope at the south side of the project site provides a buffer of solid visual screening for the residential area to the south.
- The ingress/egress at 47th Street would be anchored by stone clad pilasters of the same building materials and colors as the pedestrian entrance at Market Street, and would pick up these architectural elements on the west side of the project.

#### Developing Urban Character of Neighborhood

Furthermore, the project is designed to address the developing urban character of the neighborhood. The project site at 47th & Market Streets and the 60-80 acres centering at Euclid and Market Streets are increasingly important as a focused urban village development. The Jacobs Center for Neighborhood Innovation/Diamond Management (private planning), Southeastern Economic Development Corporation (Redevelopment Agency and current Successor Agency) and the City of San Diego, Euclid + Market Land Use and Mobility Plan (EMLUMP) and Southeastern San Diego Community Plan Update (CPU) have each focused urban village planning studies in the corridor. Through a series of public meetings coordinated by the organizers of The Village at Market Creek, the project has capitalized on a high level of community engagement and input to deliver a facility that is on par with the community's vision for the future. The project incorporates the following elements to recognize the importance of the Market Street corridor in enhancing connectivity to the Euclid and Market Pilot Village area:

- An easement at the corner of 47th and Market Streets for construction of a future neighborhood identity monument sign.
- Fronting the project along Market Street with a 20-foot setback from that street, providing approximately 12,600 square feet of landscaped area, which is twice the size of the setback required at that location, and which adds an immediate green buffer to that street.
- As the western gateway to the Euclid and Market Village center, the scale of the building introduces the arrival to the urban village from the west and provides the final connectivity to the village when departing from the east.

For the reasons listed above, the Diamond Neighborhoods Family Health Center is consistent with the land use plan.

## **2. The proposed development will not be detrimental to the public health, safety, and welfare.**

The proposed development is for the construction of a three-story, 22,942 square foot, outpatient medical and dental office building on portions of a 1.39-acre site. A Mitigated Negative Declaration (MND) has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines. The environmental issues for Air Quality, Greenhouse Gas Emissions and Hazards & Hazardous Materials were considered in depth during the environmental review of the project and determined not to be potentially significant.

With the approval of the requested deviations for maximum structure height, front yard setback, and parking, the proposed development meets all applicable regulations and policy documents, and the project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted SESDCP, the LDC including the SESDPD, and the General Plan.

The permit for the proposed development will include various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the LDC in effect for this project. Such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in PDP No. 837820, and other regulations and guidelines pertaining to the subject property per the LDC.

For the reasons listed above the Diamond Neighborhoods Family Health Center project, will not be detrimental to the public health, safety, and welfare.

**3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.**

The project site is located on a vacant, 1.39 acre site at 505 47th Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47th and Market Street frontages, landscaping improvements to the frontage of 47th and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services.

The commercial elements in the SESDPD are contained in three distinct design zones, which are further regulated by use categories. The CSF-1 Zone designation is a commercial strip area zone with parking in the front or side of the building and accommodates existing development patterns or encourages development patterns that are deemed to be appropriate because of the urban design features anticipated for the area. The use category for the site is Neighborhood-Commercial Category-1, which allows for medical and dental office use. Therefore, the uses are consistent with the Land Development Code and the project design will conform to the purpose and intent of the development regulations, with deviations allowed through the PDP process.

Height Deviation

The maximum structure height deviation for the 3-story building is necessary to support the required program of services to address the need for healthcare in the community. A 2-story alternative was explored; however the site area is not large enough to provide the required parking spaces and most of the site would have been covered by the 2-story buildings. The project

design incorporates the following architectural elements that help diminish bulk and blend into the surrounding community:

- The project has been designed to respond to the local topography to offset the scale of the building. The project site is located on a sloping grade with higher elevations on three sides, west, north and east. The building is situated near the commercial activity of the intersection of 47th and Market streets at the northwest corner of the site. Sitting the building at that location provides 120-foot setback of the building from the southern property line and residential development to the south. In addition, a dense planting of native trees on a slope at the south side of the project site will provide a buffer of solid visual screening for the residential area to the south.
- The project exterior color pallet is of muted earth tones that include a dark reddish brown color and natural stone accents that emulates the colors and textures of the nearby bluffs and surrounding development. The exterior of the building is further enhanced with built-out decorative stucco elements to accentuate vertical lines. In addition, the project is designed with a sloped or hip roof, similar to the hip roof development on the northwest corner of the intersection of 47th and Market Streets, which reduces the scale of the building and provides for a harmonious neighborhood transition between the proposed and existing development.
- In order to soften the scale of the building, a densely vegetated landscape design provides landscaped area of approximately 21,219 square feet, almost twice what is required by the Land Development Code.

#### Yards

1. Street Yard: Planting Area is greater than twice the required number of SF. (Required = approximately 10,325SF; Proposed = is approximately 19,785 SF).
2. Vehicular Area Inside Street Yard: Planting Area is greater than twice the area required (Required = approximately 1,005 SF; Proposed = is over 3,000 SF).
3. Vehicular Area Outside Street Yard: Planting Area is greater than twice the area required (Required = approximately 288 SF; Proposed = is approximately 584 SF).
4. Remaining Yard: Planting Area is greater than twice the area required (Required = approximately 294 SF; Proposed = is approximately 874 SF).

#### Trees:

1. Trees on the project will be 36" Box rather than 24" Box to add immediate green buffer to building facades.
2. Street trees in the public right-of-way along 47<sup>th</sup> Street will be taller, with a projected grow height of 40 feet.

In addition, the landscape design provides a gradual tiered effect, with the tall trees at key locations on the 47<sup>th</sup> Street side of the building, stepping down from the building to the public right-of-way, which creates a transition from the existing development and reduces the appearance of the scale of the building. Moreover, taller street trees with a projected grow height of 40 feet would be provided along the 47th Street frontage within the public right-of-way to further diminish the bulk and scale of the building and blend with the surrounding community.



Front Yard Setback Deviation

The reduced front yard setback from 20 feet to 10 feet along 47th Street allows the project to front Market Street and to take advantage of access to the existing transit stops on that street. In addition, the project is providing the 20-foot front yard setback on the longer frontage of Market Street, where a 10-foot setback would be required for a street side yard. This 20-foot setback along Market Street would provide approximately 12,600 square feet of landscaped area, which adds an immediate green buffer and landscaped area to that street.

Parking Deviation

The project is providing 80 parking spaces, the number allowed in the Transit Area Overlay Zone, where 92 are required. The application of the Transit Area Overlay Zone parking space reduction is appropriate for the project because the project is located on two bus routes (Routes 5 & 13) and within 1500 feet of an Orange Line Trolley station. In addition, based on the parking study of applicant's existing health centers (Appendix D of the Traffic Impact Analysis), a substantial percentage of their patients use public transportation, ride bicycles or walk to FHCSO facilities.

For the reasons listed above, the proposed deviations are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

Southeastern San Diego Development Permit – Section 1519.0202

1. **The proposed use and project design meet the purpose and intent of the Southeastern San Diego Planned District Ordinance, comply with the recommendations of the Southeastern San Diego Community Plan, and will not adversely affect the General Plan or other applicable plans adopted by the City Council.**

The project site is located on a vacant, 1.39 acre site at 505 47th Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDDP) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47th and Market Street frontages, landscaping improvements to the frontage of 47th and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services. The purpose and intent of the Southeastern San Diego Planned District regulations is to provide reasonable development criteria for the construction or alteration of quality residential, commercial and industrial development throughout Southeastern San Diego Community. The project is designed to be consistent with the neighborhood character of the surrounding area. The Diamond Neighborhoods Family Health Center meets the purpose and intent of the Southeastern San Diego Planned District and is consistent with the land use plan for the following reasons:

1. Diamond Neighborhoods Family Health Center is an outpatient medical and dental office building that would provide, high quality medical services to all income levels, thereby implementing the Social and Economic Element objective of the SESDCP to provide adequate health care for all residents of the community, while reducing the impacts of social service facilities intended to serve the population at large as well as, the General Plan Public Facilities, Services and Safety Element Policy PF-O.1 to encourage the provision of diverse, adequate, and easily accessible healthcare facilities and services to meet the needs of all residents.
2. The project implements the SESDCP Commercial Element objective to improve vehicular and pedestrian access to commercial sites, and ensure adequate and aesthetically pleasing parking facilities. The project is designed to provide vehicular access from both 47th Street and Market Street, and the parking area will be abundantly landscaped with 36" box trees and planting areas greater than twice what is required. The project is providing 80 parking spaces, the number allowed in the Transit Area Overlay Zone, where 92 are required, a deviation that is allowed through the Planned Development Permit process. The application of the Transit Area Overlay Zone parking space reduction is appropriate for the project because the project is located on two bus routes (Routes 5 & 13) and within 1500 feet of the Orange Trolley line. In addition, based on the parking study of applicant's existing health centers (Appendix D of the Traffic Impact Analysis), a substantial percentage of their patients use public transportation, ride bicycles or walk to FHCS facilities.
3. With the provision of pedestrian amenities that include a stone clad, arbor-covered entry gateway element to welcome visitors from the public sidewalk and bus stop on Market Street to the north lobby door, an entry plaza with enhanced paving, formal tree planting and seating benches. The project further enhances the pedestrian experience with eight-foot public sidewalks with evergreen street trees to provide shade, decorative wrought iron fencing with tapered stone pilasters at entry points, a large densely vegetated area at the northeast corner of the project site, and soil mounding in key areas to provide visual interest. Thus, the project implements the Pedestrian Activity General Guidelines of the Urban Design Element of the SESDCP and the General Plan Mobility Element Connectivity and Walkability policies ME-A.6 and ME-A.7.
4. With project design features that emulate existing conditions along 47th and Market Streets, the project implements the SESDCP Urban Design Element objective to encourage compatibility between new structures and existing neighborhoods and the General Plan Urban Design Element policy UD-A.5 to design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context. The project includes the following design features:
  - The project exterior color pallet is of muted earth tones that include a dark reddish brown color and natural stone accents that emulate the colors and textures of the nearby bluffs and surrounding development. In addition, the project is designed with a sloped or hip roof, similar to the hip roof buildings in the neighborhood, which also reduces the scale of the building and provides for a harmonious neighborhood transition between the proposed and existing development.

- The project has been designed with the building situated near the intersection of 47th and Market Streets, providing a 120-foot setback from the southern property line and residential development to the south. In addition, a dense planting of native trees on a slope at the south side of the project site provides a buffer of solid visual screening for the residential area to the south.
- The ingress/egress at 47th Street would be anchored by stone clad pilasters of the same building materials and colors as the pedestrian entrance at Market Street, and would pick up these architectural elements on the west side of the project.

#### Developing Urban Character of Neighborhood

Furthermore, the project is designed to address the developing urban character of the neighborhood. The project site at 47th & Market Streets and the 60-80 acres centering at Euclid and Market Streets are increasingly important as a focused urban village development. The Jacobs Center for Neighborhood Innovation/Diamond Management (private planning), Southeastern Economic Development Inc (Redevelopment Agency and current Successor Agency) and the City of San Diego, Euclid + Market Land Use and Mobility Plan (EMLUMP) and Southeastern San Diego Community Plan Update (CPU) have each focused urban village planning studies in the corridor. Through a series of public meetings coordinated by the organizers of The Village at Market Creek, the project has capitalized on a high level of community engagement and input to deliver a facility that is on par with the community's vision for the future. The project incorporates the following elements to recognize the importance of the Market Street corridor in enhancing connectivity to the Euclid and Market Pilot Village area:

- An easement at the corner of 47th and Market Streets for construction of a future neighborhood identity monument sign.
- Fronting the project along Market Street with a 20-foot setback from that street, providing approximately 12,600 square feet of landscaped area, which is twice the size of the setback required at that location, and which adds an immediate green buffer to that street.
- As the western gateway to the Euclid and Market Village center, the scale of the building introduces the arrival to the urban village from the west and provides the final connectivity to the village when departing from the east.

For the reasons listed above, the Diamond Neighborhoods Family Health Center is consistent with the Southeastern San Diego Planned District Ordinance and the land use plan.

2. **The proposed development shall be compatible with existing and planned land use on adjoining properties and shall not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community shall be achieved as far as practicable.**

With project design features that mirror existing conditions along 47th and Market streets, the project implements the SESDCP Urban Design Element objective to encourage compatibility between new structures and existing neighborhoods and the General Plan Urban Design Element

policy UD-A.5 to design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context. The project includes the following design features:

- The project exterior color pallet is of muted earth tones which includes a dark reddish brown color and natural stone accents and that emulates the colors and textures of the nearby bluffs and surrounding development. In addition, the project is designed with a sloped or hip roof, similar to the hip roof buildings in the neighborhood, which also reduces the scale of the building and provides for a harmonious neighborhood transition between the proposed and existing development.
- The project has been designed with the building situated near the intersection of 47th and Market Streets, providing a 120-foot setback from the southern property line and residential development to the south. In addition, a dense planting of native trees on a slope at the south side of the project site provides a buffer of solid visual screening for the residential area to the south.
- The ingress/egress at 47th Street would be anchored by stone clad pilasters of the same building materials and colors as the pedestrian entrance at Market Street, and would pick up these architectural elements on the west side of the project.

For the reasons listed above, the Diamond Neighborhoods Family Health Center project shall be compatible with existing and planned land use on adjoining properties.

3. **The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.**

The proposed development is for the construction of a three-story, 22,942 square foot, outpatient medical and dental office building on portions of a 1.39-acre site. A Mitigated Negative Declaration (MND) has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines. The environmental issues for Air Quality, Greenhouse Gas Emissions and Hazards & Hazardous Materials were considered in depth during the environmental review of the project and determined not to be potentially significant.

With the approval of the requested deviations for maximum structure height, front yard setback, and parking, the proposed development meets all applicable regulations and policy documents, and the project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted SESDCP, the LDC including the SESDPD, and the General Plan.

The permit for the proposed development will include various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the LDC in effect for this project. Such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in PDP No. 837820, and other regulations and guidelines pertaining to the subject property per the LDC.

For the reasons listed above the Diamond Neighborhoods Family Health Center project, will not be detrimental to the public health, safety, and welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.

**4. The proposed use will comply with the relevant regulations of the Municipal Code.**

The project site is located on a vacant, 1.39 acre site at 505 47th Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47th and Market Street frontages, landscaping improvements to the frontage of 47th and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services.

The commercial elements in the SESDPD are contained in three distinct design zones, which are further regulated by use categories. The CSF-1 Zone designation is a commercial strip area zone with parking in the front or side of the building and accommodates existing development patterns or encourages development patterns that are deemed to be appropriate because of the urban design features anticipated for the area. The use category for the site is Neighborhood-Commercial Category-1, which allows for medical and dental office use. Therefore, the uses are consistent with the Land Development Code and the project design will conform to the purpose and intent of the development regulations, with deviations allowed through the PDP process.

Height Deviation

The maximum structure height deviation for the 3-story building is necessary to support the required program of services to address the need for healthcare in the community. A 2-story alternative was explored; however the site area is not large enough to provide the required parking spaces and most of the site would have been covered by 2-story buildings. The project design incorporates the following architectural elements that help diminish bulk and blend into the surrounding community:

- The project has been designed to respond to the local topography to offset the scale of the building. The project site is located on a sloping grade with higher elevations on three sides, west, north and east. The building is situated near the commercial activity of the intersection of 47th and Market streets at the northwest corner of the site. Sitting the building at that location provides 120-foot setback of the building from the southern property line and residential development to the south. In addition, a dense planting of native trees on a slope at the south side of the project site will provide a buffer of solid visual screening for the residential area to the south.
- The project exterior color pallet is of muted earth tones that include a dark reddish brown color and natural stone accents that emulates the colors and textures of the nearby bluffs and surrounding developments. The exterior of the building is further enhanced with built-out

decorative stucco element to accentuate vertical lines. In addition, the project is designed with a sloped or hip roof, similar to the hip roof development on the northwest corner of the intersection of 47th and Market Streets, which reduces the scale of the building and provides for a harmonious neighborhood transition between the proposed and existing development.

- The ingress/egress at 47th Street would be anchored by stone clad pilasters of the same building materials and colors as the pedestrian entrance at Market Street, and would pick up these architectural elements on the west side of the project.
- In order to soften the scale of the building, a densely vegetated landscape design provides landscaped area of approximately 21,219 square feet, almost twice the planting area required by the Land Development Code.

#### Yards

1. Street Yard: Planting Area is greater than twice the required number of SF. (Required = approximately 10,325SF; Proposed = is approximately 19,785 SF).
2. Vehicular Area Inside Street Yard: Planting Area is greater than twice the area required (Required = approximately 1,005 SF; Proposed = is over 3,000 SF).
3. Vehicular Area Outside Street Yard: Planting Area is greater than twice the area required (Required = approximately 288 SF; Proposed = is approximately 584 SF).
4. Remaining Yard: Planting Area is greater than twice the area required (Required = approximately 294 SF; Proposed = is approximately 874 SF).

#### Trees:

1. Trees on the project will be 36" Box rather than 24" Box to add immediate green buffer to building facades.
2. Street trees in the public right-of-way along 47<sup>th</sup> Street will be taller, with a projected grow height of 40 feet.

In addition, the landscape design provides a gradual tiered effect, with the tall trees at key locations on the 47<sup>th</sup> Street side of the building, stepping down from the building to the public right-of-way, which creates a transition from the existing development and reduces the appearance of the scale of the building. Moreover, taller street trees with a projected grow height of 40 feet would be provided along the 47th Street frontage within the public right-of-way to further diminish the bulk and scale of the building and blend with the surrounding community.

#### Front Yard Setback Deviation

The reduced front yard setback from 20 feet to 10 feet along 47th Street allows the project to front Market Street and to take advantage of access to the existing transit stops on that street. In addition, the project is providing the 20-foot front yard setback on the longer frontage of Market Street, where a 10-foot setback would be required for a street side yard. This 20-foot setback along Market Street would provide approximately 12,600 square feet of landscaped area, which adds an immediate green buffer and landscaped area to that street.

#### Parking Deviation

The project is providing 80 parking spaces, the number allowed in the Transit Area Overlay Zone, where 92 are required. The application of the Transit Area Overlay Zone parking space reduction

is appropriate for the project because the project is located on two bus routes (Routes 5 & 13) and within 1500 feet of the Orange Trolley line. In addition, based on the parking study of applicant's existing health centers (Appendix D of the Traffic Impact Analysis), a substantial percentage of their patients use public transportation, ride bicycles or walk to FHCSO facilities.

For the reasons stated above, the proposed development will comply with the relevant regulations of the Municipal Code.

### **Planned Development Permit - Section 126.0604**

#### **1. The proposed development will not adversely affect the applicable land use plan.**

The project site is located on a vacant, 1.39 acre site at 505 47th Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47th and Market Street frontages, landscaping improvements to the frontage of 47th and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services. The project is designed to be consistent with the neighborhood character of the surrounding area. The Diamond Neighborhoods Family Health Center is consistent with the land use plan for the following reasons:

1. Diamond Neighborhoods Family Health Center is an outpatient medical and dental office building that would provide, high quality medical services to all income levels, thereby implementing the Social and Economic Element objective of the SESDCP provide adequate health care for all residents of the community, while reducing the impacts of social service facilities intended to serve the population at large as well as, the General Plan Public Facilities, Services and Safety Element Policy PF-O.1 to encourage the provision of diverse, adequate, and easily accessible healthcare facilities and services to meet the needs of all residents.
2. The project implements the SESDCP Commercial Element objective to improve vehicular and pedestrian access to commercial sites, and ensure adequate and aesthetically pleasing parking facilities. The project is designed to provide vehicular access from both 47th Street and Market Street, and the parking area will be abundantly landscaped with 36" box trees and planting areas greater than twice what is required. The project is providing 80 parking spaces, the number allowed in the Transit Area Overlay Zone, where 92 are required, a deviation that is allowed through the Planned Development Permit process. The application of the Transit Area Overlay Zone parking space reduction is appropriate for the project because the project is located on two bus routes (Routes 5 & 13) and within 1500 feet of the Orange Trolley line. In addition, based on the parking study of applicant's existing health centers (Appendix D of the Traffic Impact Analysis), a substantial percentage of their patients use public transportation, ride bicycles or walk to FHCSO facilities.

3. With the provision of pedestrian amenities that include a stone clad, arbor-covered entry gateway element to welcome visitors from the public sidewalk and bus stop on Market Street to the north lobby door, an entry plaza with enhanced paving, formal tree planting and seating benches, eight-foot public sidewalks with evergreen street trees to provide shade, decorative wrought iron fencing with tapered stone pilasters at entry points, a large densely vegetated area at the northeast corner of the project site and soil mounding in key areas to provide visual interest, the project implements the Pedestrian Activity General Guidelines of the Urban Design Element of the SESDCP and the General Plan Mobility Element Connectivity and Walkability policies ME-A.6 and ME-A.7.
4. With project design features that mirror existing conditions along 47th and Market Streets, the project implements the SESDCP Urban Design Element objective to encourage compatibility between new structures and existing neighborhoods and the General Plan Urban Design Element policy UD-A.5 to design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context. The project includes the following design features:
  - The project exterior color pallet is of muted earth tones that include a dark reddish brown color and natural stone accents that emulate the colors and textures of the nearby bluffs and surrounding development. In addition, the project is designed with a sloped or hip roof, similar to the shipped roof buildings in the neighborhood, which also reduces the scale of the building and provides for a harmonious neighborhood transition between the proposed and existing development.
  - The project has been designed with the building situated near the intersection of 47th and Market Streets, providing a 120-foot setback from the southern property line and residential development to the south. In addition, a dense planting of native trees on a slope at the south side of the project site provides a buffer of solid visual screening for the residential area to the south.
  - The ingress/egress at 47th Street would be anchored by stone clad pilasters of the same building materials and colors as the pedestrian entrance at Market Street, and would pick up these architectural elements on the west side of the project.

#### Developing Urban Character of Neighborhood

Furthermore, the project is designed to address the developing urban character of the neighborhood. The project site at 47th & Market Streets and the 60-80 acres centering at Euclid and Market Streets are increasingly important as a focused urban village development. The Jacobs Center for Neighborhood Innovation/Diamond Management (private planning), Southeastern Economic Development Inc (Redevelopment Agency and current Successor Agency) and the City of San Diego, Euclid + Market Land Use and Mobility Plan (EMLUMP) and Southeastern San Diego Community Plan Update (CPU) have each focused urban village planning studies in the corridor. Through a series of public meetings coordinated by the organizers of The Village at Market Creek, the project has capitalized on a high level of community engagement and input to deliver a facility that is on par with the community's vision for the future. The project incorporates the following elements to recognize the importance of the Market Street corridor in enhancing connectivity to the Euclid and Market Pilot Village area:



- An easement at the corner of 47th and Market Streets for construction of a future neighborhood monument sign.
- Fronting the project along Market Street with the 20-foot setback to that street, providing 12,600 square feet of landscaped area, which adds an immediate green buffer to that street.
- As the western gateway to the Euclid and Market Village center, the scale of the building introduces the arrival to the urban village from the west and provides the final connectivity to the village when departing from the east.

For the reasons listed above, the Diamond Neighborhoods Family Health Center would not negatively affect the applicable land use plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.**

The proposed development is for the construction of a three-story, 22,942 square foot, outpatient medical and dental office building on portions of a 1.39-acre site. A Mitigated Negative Declaration (MND), has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines. The environmental issues for Air Quality, Greenhouse Gas Emissions, and Hazards & Hazardous Materials, were considered in depth during the environmental review of the project and determined not to be potentially significant.

With the approval of the requested deviations for maximum structure height, front yard setback and parking, the proposed development meets all applicable regulations and policy documents, and the project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted SESDCP, the LDC including the SESDPD, and the General Plan.

The permit for the proposed development will include various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the LDC in effect for this project. Such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in PDP No. 837820, and other regulations and guidelines pertaining to the subject property per the LDC.

For the reasons listed above, the Diamond Neighborhoods Family Health Center project will not be detrimental to the public health, safety, and welfare.

**3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b) (1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.**

The project site is located on a vacant, 1.39 acre site at 505 47th Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47th and Market Street frontages, landscaping improvements to the frontage of 47th and Market Streets, as well as landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services.

The commercial elements in the SESDPD are contained in three distinct design zones, which are further regulated by use categories. The CSF-1 Zone designation is a commercial strip area zone with parking in the front or side of the building and accommodates existing development patterns or encourages development patterns that are deemed to be appropriate because of the urban design features anticipated for the area. The use category for the site is Neighborhood-Commercial Category-1, which allows for medical and dental office use. Therefore, the uses are consistent with the Land Development Code and the project design will conform with the purpose and intent of the development regulations, with deviations allowed through the PDP process.

#### Height Deviation

The maximum structure height deviation for the 3-story building is necessary to support the required program of services to address the need for healthcare in the community. A 2-story alternative was explored, however the site area is not large enough to provide the required parking spaces, and most of the site would have been covered by the 2-story buildings. The project design incorporates the following architectural elements that help diminish bulk and blend into the surrounding community:

- The project has been designed to respond to the local topography to offset the scale of the building. The project site is located on a sloping grade with higher elevations on three sides, west, north and east. The building is situated near the commercial activity of the intersection of 47th and Market streets at the northwest corner of the site. Siting the building at that location provides 120-foot setback of the building from the southern property line and residential development to the south. In addition, a dense planting of native trees on a slope at the south side of the project site will provide a buffer of solid visual screening for the residential area to the south.
- The project exterior color palette is of muted earth tones that includes a dark reddish brown color and natural stone accents that emulate the colors and textures of the nearby bluffs and surrounding development. The exterior of the building is further enhanced with built-out decorative stucco elements to accentuate vertical lines. In addition, the project is designed with a sloped or hip roof, similar to the hip roof development on the northwest corner of the intersection of 47th and Market Streets, which reduces the scale of the building and provides for a harmonious neighborhood transition between the proposed and existing development.

- The ingress/egress at 47th Street would be anchored by stone clad pilasters of the same building materials and colors as the pedestrian entrance at Market Street, and would pick up these architectural elements on the west side of the project
- In order to soften the scale of the building, a densely vegetated landscape design provides landscaped area of approximately 21,219 square feet, almost twice the planting area required by the Land Development Code.

#### Yards

1. Street Yard: Planting Area is greater than twice the required number of SF. (Required = approximately 10,325SF; Proposed = is approximately 19,785 SF).
2. Vehicular Area Inside Street Yard: Planting Area is greater than twice the area required (Required = approximately 1,005 SF; Proposed = is over 3,000 SF).
3. Vehicular Area Outside Street Yard: Planting Area is greater than twice the area required (Required = approximately 288 SF; Proposed = is approximately 584 SF).
4. Remaining Yard: Planting Area is greater than twice the area required (Required = approximately 294 SF; Proposed = is approximately 874 SF).

#### Trees:

1. Trees on the project will be 36" Box rather than 24" Box to add immediate green buffer to building facades.
2. Street trees in the public right-of-way along 47<sup>th</sup> Street will be taller, with a projected grow height of 40 feet.

In addition, the landscape design provides a gradual tiered effect, with the tall trees at key locations on the 47<sup>th</sup> Street side of the building, stepping down from the building to the public right-of-way, which creates a transition from the existing development and reduces the appearance of the scale of the building. Moreover, taller street trees with a projected grow height of 40 feet would be provided along the 47th Street frontage within the public right-of-way to further diminish the bulk and scale of the building and blend with the surrounding community

#### Front Yard Setback Deviation

The reduced front yard setback from 20 feet to 10 feet along 47th Street allows the project to front Market Street and to take advantage of access to the existing transit stops on that street. In addition, the project is providing the 20-foot front yard setback on the longer frontage of Market Street, where a 10-foot setback would be required for a street side yard. This 20-foot setback along Market Street would provide approximately 12,600 square feet of landscaped area, which adds an immediate green buffer and landscaped area to that street.

#### Parking Deviation

The project is providing 80 parking spaces, the number allowed in the Transit Area Overlay Zone, where 92 are required. The application of the Transit Area Overlay Zone parking space reduction is appropriate for the project because the project is located on two bus routes (Routes 5 & 13) and within 1500 feet of an Orange Line Trolley station. In addition, based on the parking study of applicant's existing health centers (Appendix D of the Traffic Impact Analysis), a substantial percentage of their patients use public transportation, ride bicycles or walk to FHCS D facilities.

For the reasons listed above, the proposed deviations are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 837819 and Planned Development Permit No. 837820 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 837819 and 837820, a copy of which is attached hereto and made a part hereof.

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Glenn R. Gargas, AICP  
Development Project Manager  
Development Services

Adopted on: August 23, 2012

Job Order No. 24001598

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

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24001598

**SITE DEVELOPMENT PERMIT(SOUTHEASTERN SAN DIEGO PLANNED DISTRICT) NO. 837819 AND PLANNED DEVELOPMENT PERMIT NO. 837820  
DIAMOND FAMILY HEALTH CENTER - PROJECT NO. 233732  
PLANNING COMMISSION**

This Site Development Permit No. 837819 and Planned Development Permit No. 837820 are granted by the Planning Commission of the City of San Diego to Family Health Centers of San Diego, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0502 and 126.0602. The 1.39-acre site is located at 505 47<sup>th</sup> Street, in the CSF-1 Zone of the Southeastern San Diego Planned District, Airport Influence Area, and within the Encanto Neighborhood Community Plan area. The project site is legally described as: a portion of Lot 40, Horton's Purchase, Map No. 283.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a three-story outpatient medical and dental office building on a vacant lot described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated August 23, 2012, on file in the Development Services Department.

The project shall include:

- a. Construction of a three-story, approximately 22,942 square foot, outpatient medical and dental office building on a 57,934 square-foot property;
- b. 1) The project proposes a building height of 60 feet where a maximum building height of 30 feet is allowed. 2) The project proposes a 10 foot front yard setback along 47th Street where a minimum front setback of 20 feet is required. 3) To allow Transit Overlay Zone Parking rates to be applied to this project site which would provide 80 parking spaces, where 92 are required;

- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking – a minimum of 80 off-street parking spaces;
- e. Fences/walls, signs, parking lot and security lighting, pedestrian walkways and pedestrian amenities; and
- f. 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 September \_\_\_\_, 2015.
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.

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.

10. 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.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

11. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

12. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration, No. 233732, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration, No. 233732, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: **Paleontological Resources and Transportation**

#### **ENGINEERING REQUIREMENTS:**

14. The project proposes to export 3310 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

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

16. 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.

17. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private storm drain connection in the 47th Street Right-of-Way.

18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard 24 ft wide driveway, adjacent to the site on 47th Street and Market Street, satisfactory to the City Engineer.

19. Prior to the issuance of any building permit, per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Owner/Permittee shall assure, by permit and bond to install 2 new street lights adjacent to the site on 47th Street and 3 new street lights adjacent to the site on Market Street.

20. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.



21. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
22. Prior to the issuance of any construction permit the Owner/Permittee shall provide evidence of coverage under the General Industrial National Pollutant Discharge Elimination System, in the form of a Notice of Intent (NOI) filed with the State Water Resources Control Board.
23. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 2009-0009 DWQ and the San Diego Regional Water Quality Control Board (SDRWQCB) Order No. R9-2007-001, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 2009-0009-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 2009-0009-DWQ.
24. Prior to the issuance of any construction permit the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.
25. Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.
26. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard curb ramp, adjacent to the site on 47th Street and Market Street, satisfactory to the City Engineer.

**LANDSCAPE REQUIREMENTS:**

27. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents shall be submitted to the Development Services Department for approval. Improvement plans shall provide a minimum root zone of 40 square feet unencumbered by utilities for all trees. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees

28. Prior to issuance of any construction permits, complete landscape and irrigation plans consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A' (Landscape Development Plan).

29. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

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

**PLANNING/DESIGN REQUIREMENTS:**

31. 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 a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

32. All signs associated with this development shall be consistent with sign criteria established by the City-wide sign regulations.

33. 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.

**TRANSPORTATION REQUIREMENTS :**

34. Owner/Permittee shall maintain a minimum of 80 automobile spaces (including 9 carpool spaces, 3 standard accessible spaces and 1 van accessible space), 2 motorcycle spaces, and 2 bicycle spaces with rack(s) on the property at all times in the locations shown on the approved project's Exhibit "A" as required by the Land Development Code. 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 by the Development Services Director.

35. Prior to final inspection, the Owner/Permittee shall dedicate approximately 31.7 feet of right-of-way and shall widen 47<sup>th</sup> Street by approximately 20 feet along the entire project frontage to provide one northbound left turn lane, two northbound through lanes and one exclusive northbound right turn lane, satisfactory to the City Engineer. This improvement shall also include a 6-foot wide bike lane and a 4-foot wide raised median along the project frontage, satisfactory to the City Engineer.

36. Prior to final inspection, the Owner/Permittee shall dedicate from 12 to zero feet of right-of-way and shall widen Market Street by eight feet along the entire project frontage to provide for a standard 4-Lane Major roadway, satisfactory to the City Engineer. This improvement shall also include a 6-foot wide bike lane and a 4 to 14-foot wide raised median and appropriate transition to a 300 foot long westbound left turn lane along the project frontage, satisfactory to the City Engineer.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

37. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.

38. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public water facilities, including services and meters, in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto.

39. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public sewer facilities are to be in accordance with established criteria in the most current City of San Diego sewer design guide.

40. All proposed private water and sewer facilities located within a single lot 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.

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

42. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to cap (abandon) at the property line any existing unused sewer lateral and install new sewer lateral(s) which must be located outside of any driveway or vehicular use area.

43. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to remove (kill) at the main any existing unused water service.

44. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to relocate the existing 12 inch water in Market Street in a manner satisfactory to the Public Utilities Department.

**GEOLOGY REQUIREMENTS:**

45. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or

update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

46. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

**INFORMATION ONLY:**

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use 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.
- If the Transportation portion of the Mitigation Monitoring and Reporting Program improvements are included in the Southeastern San Diego Community Public Facilities Financing Plan this project may be eligible for reimbursement.
- 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 August 23, 2012, by Resolution No. \_\_\_\_\_.

RESOLUTION NO. \_\_\_\_\_  
DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION  
ADOPTING THE FINDINGS AND APPROVING MAP  
WAIVER NO. 1021058 FOR DIAMOND FAMILY  
HEALTH CENTER – PROJECT NO. 233732 MMRP

WHEREAS, Family Health Centers of San Diego, Subdivider, and Michael D. Schweitzer, SWS Engineering Inc., submitted an application with the City of San Diego for Map Waiver No. 1021058, to waive the requirement for a Tentative Parcel Map to create a legal lot. The project site is located at 505 47<sup>th</sup> Street, a vacant lot on the southeast corner of 47<sup>th</sup> Street and Market Street. The property is legally described as a portion of Lot 40, Horton's Purchase, Map No. 283; and

WHEREAS, the Map proposes the subdivision of a 1.39-acre site into one lot; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, on August 23, 2012, the Planning Commission of the City of San Diego considered Map Waiver No. 1021058, and pursuant to sections 125.0122 (map waiver), 125.0440 (tentative map) of the San Diego Municipal Code and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Map Waiver No.1021058:

**1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Act §§ 66473.5, 66474(a), and 66474(b)).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services.

The Diamond Family Health Center is consistent with the policies, goals and objectives of the applicable land use plan for the following reasons:

a. Diamond Family Health Center is an outpatient medical and dental office building that would provide, medical services to all income levels, thereby implementing the Social and Economic Element objective of the SESDCP provide adequate health care for all residents of the community, while reducing the impacts of social service facilities intended to serve the population at large as well as, the General Plan Public Facilities, Services and Safety Element Policy PF-O.1 to encourage the provision of diverse, adequate, and easily accessible healthcare facilities and services to meet the needs of all residents.

b. The project implements the SESDCP Commercial Element objective to improve vehicular and pedestrian access to commercial sites, and ensure adequate and aesthetically pleasing parking facilities. The project is designed to provide vehicular access from both 47<sup>th</sup> Street and Market Street, and the parking area will be abundantly landscaped with 36" box trees and planting areas greater than twice what is required. The project is providing 80 parking spaces, the number allowed in the Transit Area Overlay Zone, where 92 are required, a deviation that is allowed through the Planned Development Permit process. The application of the

Transit Area Overlay Zone parking space reduction is appropriate for the project because the project is located on two bus routes (Routes 5 & 13) and within 1500 feet of the Orange Trolley line. In addition, based on the parking study of applicant's existing health centers (Appendix D of the Traffic Impact Analysis), a substantial percentage of their patients use public transportation, ride bicycles or walk to FHCSO facilities.

c. With the provision of pedestrian amenities that include a stone clad, arbor-covered entry gateway element to welcome visitors from the public sidewalk and bus stop on Market Street to the north lobby door, an entry plaza with enhanced paving, formal tree planting and seating benches, eight-foot public sidewalks with evergreen street trees to provide shade, decorative wrought iron fencing with tapered stone pilasters at entry points, a large densely vegetated area at the northeast corner of the project site and soil mounding in key areas to provide visual interest, the project implements the Pedestrian Activity General Guidelines of the Urban Design Element of the SESDCP and the General Plan Mobility Element Connectivity and Walkability policies ME-A.6 and ME-A.7.

d. With project design features that emulate existing conditions along 47<sup>th</sup> and Market Streets, the project implements the SESDCP Urban Design Element objective to encourage compatibility between new structures and existing neighborhoods and the General Plan Urban Design Element policy UD-A.5 to design buildings that contribute to a positive neighborhood character and relate to neighborhood and community context. The project includes the following design features:

- The project exterior color pallet is of muted earth tones that includes a dark reddish brown color and natural stone accents that emulate the colors and textures of the nearby bluffs and surrounding development. In addition, the project is designed with a sloped or hip roof, similar to the hip roof buildings in the neighborhood, which also reduces the scale of the building and provides for a harmonious neighborhood transition between the proposed and existing development.
- The project has been designed with the building situated near the intersection of 47<sup>th</sup> and Market Streets, providing a 120-foot setback from the southern property line and residential development to the south. In addition, a dense planting of native trees on a slope at the south side of the project site provides a buffer of solid visual screening for the residential area to the south.
- The ingress/egress at 47<sup>th</sup> Street would be anchored by stone clad pilasters of the same building materials and colors as the pedestrian entrance at Market Street, and would pick up these architectural elements on the west side of the project.

**2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (San Diego Municipal Code § 125.0440(b).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services.

The commercial elements in the SESDPD are contained in three distinct design zones, which are further regulated by use categories. The CSF-1 Zone designation is a commercial strip area zone with parking in the front or side of the building and accommodates existing development patterns or encourages development patterns that are deemed to be appropriate because of the urban design features anticipated for the area. The use category for the site is Neighborhood-Commercial Category-1, which allows for medical and dental office use. Therefore, the uses are consistent with the Land Development Code and the project design will conform with the purpose and intent of the development regulations, with deviations allowed through the PDP process.

Height Deviation

The maximum structure height deviation for the 3-story building is necessary to support the required program of services to address the need for healthcare in the community. A 2-story alternative was explored, however the site area is not large enough to provide the required parking spaces. The project design incorporates the following architectural elements that help diminish bulk and blend into the surrounding community:

- The project has been designed to respond to the local topography to offset the scale of the building. The project site is located on a sloping grade with higher elevations on three sides, west, north and east. The building is situated near the commercial activity of intersection of 47<sup>th</sup> and Market streets at the northwest corner of the site. Siting the building at that location provides 120-foot setback of the building from the southern property line and residential development to the south. In addition, a dense planting of native trees on a slope at the south side of



the project site to provide a buffer of solid visual screening for the residential area to the south.

- The project exterior color pallet is of muted earth tones that includes a dark reddish brown color and natural stone accents that emulates the colors and textures of the nearby bluffs and surrounding development. The exterior of the building is further enhanced with built-out decorative stucco element to accentuate vertical lines. In addition, the project is designed with a sloped or hip roof, similar to the hip roof development on the northwest corner of the intersection of 47<sup>th</sup> and Market Streets, which also reduces the scale of the building and provides for a harmonious neighborhood transition between the proposed and existing development.
- In order to soften the scale of the building, a densely vegetated landscape design provides landscaped area of approximately 21,219 square feet, almost twice the planting area required by the Land Development Code.

#### Yards:

1. Street Yard: Planting Area is greater than twice the required number of SF. (Required = approximately 10,325 SF; Proposed = is approximately 19,785 SF).
2. Vehicular Area Inside Street Yard: Planting Area is greater than twice the area required (Required = approximately 1,005 SF; Proposed = is over 3,000 SF).
3. Vehicular Area Outside Street Yard: Planting Area is greater than twice the area required (Required = approximately 288 SF; Proposed = is approximately 584 SF).
4. Remaining Yard: Planting Area is greater than twice the area required (Required = approximately 294 SF; Proposed = is approximately 874 SF).

#### Trees:

1. Trees on the project will be 36" Box rather than 24" Box to add immediate green buffer to building facades.
2. Street trees in the public right-of-way along 47<sup>th</sup> Street will be taller, with a projected grow height of 40 feet.

In addition, the landscape design provides a gradual tiered effect, with the tall trees at key locations on the 47<sup>th</sup> Street side of the building, stepping down from the building to the public right-of-way, which creates a transition from the existing development and reduces the appearance of the scale of the building. Moreover, taller street trees with a projected grow height of 40 feet would be provided along the 47<sup>th</sup> Street frontage within the public right-of-way to further diminish the bulk and scale of the building and blend with the surrounding community.

#### Front Yard Setback Deviation

The reduced front yard setback from 20 feet to 10 feet along 47<sup>th</sup> Street allows the project to front Market Street and to take advantage of access to the existing

transit stops on that street. In addition, the project is providing the 20-foot front yard setback on the longer frontage of Market Street, where a 10-foot setback would be required for a street side yard. This 20-foot setback along Market Street would provide approximately 12,600 square feet of landscaped area, which adds an immediate green buffer and landscaped area to that street.

#### Parking Deviation

The project is providing 80 parking spaces, the number allowed in the Transit Area Overlay Zone, where 92 are required. The application of the Transit Area Overlay Zone parking space reduction is appropriate for the project because the project is located on two bus routes (Routes 5 & 13) and within 1500 feet of an Orange Line Trolley station. In addition, based on the parking study of applicant's existing health centers (Appendix D of the Traffic Impact Analysis), a substantial percentage of their patients use public transportation, ride bicycles or walk to FHCS facilities.

For the reasons listed above, the proposed deviations are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

### **3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440© and Subdivision Map Act §§ 66474© and 66474(d)).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site.

The project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as landscaping enhancement of the site. The project has been designed to meet the community

need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services. The project is designed to be consistent with the neighborhood character of the surrounding area.

With the approval of the requested deviations for maximum structure height, front yard setback and parking, and approval of the conditions in the Planned Development Permit No. 837820 and Site Development Permit No. 837819, the proposed development meets all applicable regulations and policy documents, and the project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted SESDCP, the LDC including the SESDPD, and the General Plan.

**4. The permit for the proposed development will include various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the LDC in effect for this project. Such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in PDP No. 837820, and other regulations and guidelines pertaining to the subject property per the LDC. Therefore, the project is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440© and Subdivision Map Act §§ 66474© and 66474(d)).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services.

The project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the LDC in effect for this project. Such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in PDP No. 837820, and other regulations and guidelines pertaining to the subject property per the LDC. Therefore, the project is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440© and Subdivision Map Act §§ 66474© and 66474(d)).

**5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services.

A biological letter report was prepared by Rocks Biological Consulting entitled "*Biological Letter Report for the Diamond Family Health Center Project*" dated June 25, 2012 and describes the result of a biological resources survey. This report is available in the offices of Development Services. As discussed in the biological letter report, the project site is entirely surrounded by development and appears to have been graded, likely multiple times, in the past. Current on-site vegetation consists of weedy, non-native, herbaceous plant species and wildlife habitat value is very low. All on-site areas qualify as 'Disturbed Land' under the City' *Biology Guidelines* as they support no native habitats. A single specimen of the native Laurel Sumac occurs in the southeast corner of the site; however, this was the only native shrub on-site and a single specimen does not make up an intact habitat. As such, no sensitive plants or animals (including narrow endemics) were observed on-site, or are expected based on the highly degraded

nature of habit on-site and the site's location within a highly developed area. Therefore, development of the proposed project would not result in an adverse effect to any species.

In addition, the site contains several small ornamental trees along the northern boundary of the site. These trees and shrubs are too small to support nesting raptors, but could support songbird nests that would be protected under the California Fish and Game Code (§3503) under which it is unlawful to "take, possess, or needlessly destroy" avian nests or eggs and the Migratory Bird Treaty Act (MBTA). Thus, the project would be required to comply with these federal and state regulations by avoiding clearing shrubs or trees during the avian breeding season (February 1 through September 15) if nests are present. As such, adherence to this regulation would ensure that the proposed project does not impact migratory birds that may be present on-site. A less than significant impact is identified for this issue area. Therefore the project would not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

**5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services.

The proposed development is for the construction of a three-story, 22,942 square foot, outpatient medical and dental office building on portions of a 1.39-acre site. A Mitigated Negative Declaration (MND), has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines. The environmental issues for Air Quality, Greenhouse Gas Emissions, and Hazards & Hazardous Materials were considered in depth during the environmental review of the project and determined not to be potentially significant.

With the approval of the requested deviations for maximum structure height, front yard setback, and parking, the proposed development meets all applicable regulations and policy documents, and the project is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted SESDCP, the LDC including the SESDPD, and the General Plan.

The permit for the proposed development will include various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the LDC in effect for this project. Such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in PDP No. 837820, and other regulations and guidelines pertaining to the subject property per the LDC.

For the reasons listed above the Diamond Family Health Center project, will not be detrimental to the public health, safety, and welfare.

**6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services. The project will not conflict with easements acquired by the public at large for access through or use of property within the project site.

**7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services. The design and construction of the project will not preclude future passive or natural heating and cooling opportunities.

**8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services. The project will not affect the housing needs of the region and will not affect the ability to balance those needs against the needs for public services and the available fiscal and environmental resources.

**9. The proposed subdivision of land complies with requirements of the Subdivision Map Act and the Land Development Code as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability,**

**environmental protection, and other requirements of the Subdivision Map Act or the Land Development Code enacted pursuant thereto (San Diego Municipal Code § 125.0123 and Subdivision Map Act § 66428(b)).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services.

As conditioned by the Planned Development Permit No. 837820 and the Site Development Permit No. 837819, the project is in compliance with requirements of the Subdivision Map Act and the Land Development Code as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act or the Land Development Code enacted pursuant thereto (San Diego Municipal Code § 125.0123 and Subdivision Map Act § 66428(b)).

**10. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (San Diego Municipal Code § 125.0444(b)).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories,



mental health counseling offices and ample space for health education, prevention and support services. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (San Diego Municipal Code § 125.0444(b)).

**11. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (San Diego Municipal Code § 125.0444©).**

The Diamond Family Health Center project site is located on a vacant, 1.39 acre site at 505 47<sup>th</sup> Street in the CSF-1 Zone of the Southeastern San Diego Planned District (SESDPD) within the Chollas View area of the Encanto neighborhoods within the Southeastern San Diego Community Plan (SESDCP). The project proposes construction of a three-story, 22,942 square foot, outpatient medical and dental office building for the expansion and relocation of an existing 220 Euclid Avenue facility. The project includes street improvements along 47<sup>th</sup> and Market Street frontages, landscaping improvements to the frontage of 47<sup>th</sup> and Market Streets, as well as, landscaping enhancement of the site. The project has been designed to meet the community need for comprehensive healthcare services and will provide comprehensive primary care, pediatrics, women's health, dental care, HIV services, the California Black Infant Health Program, and mental health services in a facility with approximately 30 exam rooms, 5 dental operatories, mental health counseling offices and ample space for health education, prevention and support services. The project does not provide housing for the elderly, disabled or provide low income housing,

That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Map Waiver No. 1021058; is hereby granted to Family Health Centers of San Diego, subject to the attached conditions which are made a part of this resolution by this reference.

By \_\_\_\_\_

Glenn R. Gargas, AICP  
Development Project Manager  
Development Services Department

ATTACHMENT: Map Waiver Conditions

Internal Order No. 24001598

**PLANNING COMMISSION  
CONDITIONS FOR MAP WAIVER NO. 1021058  
DIAMOND FAMILY HEALTH CENTER - PROJECT NO.233732 MMRP  
ADOPTED BY RESOLUTION NO. \_\_\_\_\_ ON AUGUST 23, 2012**

**GENERAL**

1. This Map Waiver will expire August 23, 2015.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map unless otherwise noted.
3. Prior to the Map Waiver expiration date, a Parcel Map to consolidate the existing lots into one lot shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The Parcel Map shall conform to the provisions of Site Development Permit No. 837819 and Planned Development Permit No. 837820.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify the Subdivider of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

**ENGINEERING**

7. The Subdivider shall ensure that all onsite utilities serving the project site shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
8. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
9. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
10. The Subdivider shall comply with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980. Only those exceptions to the General Conditions which are shown on the Map Waiver and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

**MAPPING**

11. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
12. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
13. A clear and detailed Procedure of Survey shall be shown on the Parcel Map with enough existing monumentations to hold and/or use for the establishment of the exterior boundary of the proposed subdivision.
14. The Parcel Map shall be based on a field survey in accordance with the LDC 144.0311(d) and SMA 66448, and that all property corners shall be marked with durable survey monuments in accordance with LDC 144.0130.

15. Prior to the recordation of the Parcel Map, all conditions listed in the approved Map Waiver Resolution of Conditions shall be satisfied or assured to the satisfaction of the City Engineer, unless otherwise noted.
16. The establishment of the Basis of Bearings and the CCS '83 ties to be shown on the Parcel Map shall be in accordance with the City of San Diego Mapping & Land Title Document Preparation Manual, Chapter 3, and the CA Public Resources Code Section 8801 et.seq.
17. Every Parcel Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

**GEOLOGY**

18. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical report prepared in accordance with the City of San Diego "Guidelines for Geotechnical Reports" satisfactory to the City Engineer.

**INFORMATION:**

- The approval of this Map Waiver by the Planning Commission of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 *et seq.*).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design

guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.

- Subsequent applications related to this Map Waiver will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Map Waiver, may protest the imposition within 90 days of the approval of this Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code Sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24001598

RESOLUTION NUMBER R- \_\_\_\_\_

ADOPTED ON \_\_\_\_\_

WHEREAS, on July 20, 2012, Brian Tisher of Family Health Centers of San Diego submitted an application to Development Services Department for a Planned Development Permit (PDP), Site Development Permit (SDP), and Map Waiver (MW) for the Diamond Neighborhoods Family Health Center Project; and

WHEREAS, the matter was set for a Public Hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on August 23, 2012; and

WHEREAS, the Planning Commission considered the issues discussed in Mitigation Negative Declaration No. 233732, Declaration prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission that it is certified that the Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, 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 said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Planning Commission finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Planning Commission in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Mitigated Negative Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 FIRST AVENUE, SAN DIEGO, CA 92101.

BE IT FURTHER RESOLVED, that Development Services Staff is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

APPROVED: JAN GOLDSMITH, CITY ATTORNEY

By: \_\_\_\_\_  
DEPUTY CITY ATTORNEY

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

**EXHIBIT A****MITIGATION MONITORING AND REPORTING PROGRAM**

**Planned Development Permit, Site Development Permit, and Map Waiver for Diamond  
Neighborhoods Family Health Center  
PROJECT NO. 233732**

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. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 233732 shall be made conditions of Planned Development Permit, Site Development Permit, and Map Waiver as may be further described below.

**MITIGATION MONITORING REPORTING PROGRAM (MMRP):**

**A. GENERAL REQUIREMENTS – PART I  
Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."
3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:  
  
<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.



**B. GENERAL REQUIREMENTS – PART II****Post Plan Check (After permit issuance/Prior to start of construction)**

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

***Qualified Paleontologist*****Note:**

**Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.**

**CONTACT INFORMATION:**

- a) The PRIMARY POINT OF CONTACT is the RE at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) #233732, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.)

**Note:**

**Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.**

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to occupancy. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

***Federal Aviation Administration – No Hazard Determination  
San Diego County Regional Airport Authority, Airport Land Use Commission –  
Consistency Determination***

4. **MONITORING EXHIBITS**

All consultants are required to submit , to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline’s work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

**NOTE:**

**Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.**

5. **OTHER SUBMITTALS AND INSPECTIONS:**

The Permit Holder/Owner’s representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

**Document Submittal/Inspection Checklist**

<i>Issue Area</i>	<i>Document submittal</i>	<i>Assoc Inspection/Approvals I/Notes</i>
General	Consultant Qualification Letters	Prior to Pre-construction Meeting
General	Consultant Const. Monitoring Exhibits	Prior to or at the Pre-Construction meeting
Paleontology	Paleontology Reports	Paleontology site observation
Traffic	Traffic Reports	Traffic features site observation
Bond Release	Request for Bond Release letter	Final MMRP inspections prior to Bond Release letter

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

**PALEONTOLOGICAL RESOURCES**

In order to avoid potential direct paleontological resources impacts, the following mitigation measures shall be implemented by the project applicant:

**MM-1:**

**I. Prior to Permit Issuance**

- A. Entitlements Plan Check

1. Prior to the issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental Designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
1. The applicant shall submit a letter of verification to the Mitigation Monitoring Coordination Section (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program as defined in the City of San Diego Paleontology Guidelines.
  2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
  3. Prior to the start of work, the applicant must obtain approval from the ADD for any personnel changes associated with the monitoring program.

## II. Prior to Start of Construction

- A. Verification of Records Search
1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
  2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- B. PI Shall Attend Precon Meetings
1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
    - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
  2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriated construction documents (reduced to 11 x 17) to MMC identifying the areas to be monitored, including delineation of grading/excavation limits. The PME shall be based on

the results of a site-specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification of the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase potential for resources to be present.

**III. During Construction**

A. Monitor Shall be Present During Grading/Excavation/Trenching

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.**
2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
3. The monitor shall document field activity via Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
  - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
  - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
  - c. If resource is not significant (e.g. small pieces of broken common shell fragments or other scattered common fossils), the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
  - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

**IV. Night and/or Weekend Work**

- A. If night and/or weekend work is included in the contract
  1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
  2. The following procedures shall be followed.
    - a. No Discoveries  
In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSV and submit to MMC via fax by 8AM of the next business day.
    - b. Discoveries  
All discoveries shall be processed and documented using the existing procedures detailed in Sections III -During Construction.
    - c. Potentially Significant Discoveries  
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III -During Construction shall be followed.
    - d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

- B. If night and/or weekend work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

## V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
  - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring.
    - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
    - b. Recording Sites with the San Diego Natural History Museum.

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
  - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
  - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
  - 4. MMC shall provide written verification to the PI of the approved report.
  - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossils Remains
  - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
  - 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

- C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification
  - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for the proposed project are permanently curated with an appropriate institution.
  - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
  
- D. Final Monitoring Report(s)
  - 1. The PI shall submit one copy of the approved Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
  - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

**TRANSPORTATION/TRAFFIC (CUMULATIVE)**

In order to reduce significant cumulative transportation/traffic impacts to a level less than significant, the following mitigation measures shall be implemented by the project applicant:

- MM-2:** Prior to final inspection, the Owner/Permitee shall dedicate approximately 31.7 feet of right-of-way and shall widen 47<sup>th</sup> Street by approximately 20 feet along the entire project frontage to provide one northbound left turn lane, two northbound through lanes and one exclusive northbound right turn lane, satisfactory to the City Engineer. This improvement shall also include a 6-foot wide bike lane and a 4-foot wide raised median along the project frontage, satisfactory to the City Engineer.
  
- MM-3:** Prior to final inspection, the Owner/Permitee shall pay a fair share contribution of 1.2% toward the widening of 47<sup>th</sup> Street from Market Street to Imperial Avenue to a 4-lane major classification, satisfactory to the City Engineer in accordance with the CIRP FEIR dated March 2009. The actual payment amount shall be based on the 1.2% fair share percentage and the estimated construction costs at the time the payment is made, satisfactory to the City Engineer.
  
- MM-4:** Prior to final inspection, the Owner/Permitee shall assure by permit and bond improvement at the intersection of 47<sup>th</sup> Street/A Street to provide a separate southbound left turn lane, satisfactory to the City Engineer as an improvement that the project triggers in accordance with the CIRP EIR dated March 2009.
  
- MM-5:** Prior to final inspection, the Owner/Permitee shall pay a fair share of street improvement costs toward the remaining nine (9) locations as identified and described in the certified Final EIR for the Fifth Amendment to the Central Imperial Redevelopment Plan dated March 2009 and shown in the following table. The actual payment amounts shall be based on the fair share percentages shown in this table and the estimated construction costs at the time the payments are made, satisfactory to the City Engineer.

Summary Project Fair Share Contributions<sup>(10)</sup>

Mitigation #	Mitigation Location (1)	Estimated Cost (1)	Site #3	Project Data		
				% of	Total	Estimated

			Total %	Site #3	%	Cost
1	Euclid Ave. & SR-94 WB Ramps	\$0 (2)	100.0%	8.2%	8.2%	\$0 (2)
2 <sup>(6)</sup>	47th St. & Market St.	\$527,200	31.6%	8.2%	2.6%	\$13,660
3	Market St. (I-805 to 47th St.)	(3)	(3)	(3)	(3)	(3)
4 <sup>(7)</sup>	47th St. & A St.	\$350,900	23.2%	8.2%	1.9%	\$6,675
5	Euclid Ave. & Market St. (4)	\$623,700	56.5%	8.2%	4.6%	\$28,895
6	Imperial Ave. & 47th St.	\$698,479	15.3%	8.2%	1.3%	\$8,765
7	Market St. (Euclid Ave. to 54th St.)	\$1,488,500	55.5%	8.2%	4.6%	\$67,740
8	Market St. (47th St. to Euclid Ave.) (5)	\$194,100	41.5%	8.2%	3.4%	\$6,605
9	Imperial Ave. & I-805 SB Ramps	\$414,900	10.3%	8.2%	0.8%	\$3,505
10	Euclid Ave. & SR-94 EB Ramps	\$503,300	30.8%	8.2%	2.5%	\$12,710
11	Euclid Ave. (SR-94 to Market St.)	\$730,100	41.8%	8.2%	3.4%	\$25,025
12	Imperial Ave. & 54th St.	(3)	(3)	(3)	(3)	(3)
13	Imperial Ave. (San Jacinto Dr. to Valencia Pkwy)	\$869,800	9.8%	8.2%	0.8%	\$6,990
14	Imperial Ave. (49th St. to Euclid Ave.)	\$444,100	19.7%	8.2%	1.6%	\$7,175
15 <sup>(8)</sup>	47th St. (Market St. to Imperial Ave.)	\$15,900,000	15.0%	8.2%	1.2%	\$195,570
<b>Total:</b>						<b>\$167,410<sup>(9)</sup></b>

- (1) Reference Appendix E of this TIA
  - (2) Data in the Fifth Amendment CIRP-EIR Final TIA indicates 100% funded by Village Center project
  - (3) No mitigation cost or fair share contribution estimates included in the Fifth Amendment CIRP-EIR Final TIA
  - (4) Mitigation measure is proposed to be constructed with NW Village development as referenced in Draft TIA
  - (5) A portion of mitigation measure is proposed to be constructed with NW Village development as referenced in Draft TIA
  - (6) With the implementation of Mitigation Measure MM-2, the Owner/Permitee is not required to pay a fair share contribution towards this improvement. Therefore, this cost is not included in the total cost.
  - (7) With the implementation of Mitigation Measure MM-4, the Owner/Permitee is not required to pay a fair share contribution towards this improvement. Therefore, this cost is not included in the total cost.
  - (8) With the implementation of Mitigation Measure MM-3, the Owner/Permitee is not required to pay a fair share contribution towards this improvement. Therefore, this cost is not included in the total cost.
  - (9) The total cost only includes the fair share costs of street improvements associated with the remaining nine (9) locations, as described in Mitigation Measure MM-5.
  - (10) This table was generated based on the information provided in the CIRP-EIR Final TIA. The edits to this table are based on conclusions of the site specific, project level traffic analysis completed for the proposed project.
- 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.

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.



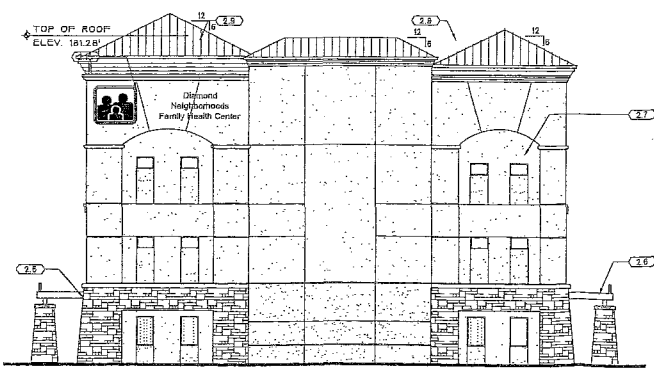






**SOUTH ELEVATION**

SCALE : 1/8" = 1'-0" (NOTE STRUCTURE HEIGHT MEASURED PER SEC. 110.0270, EXISTING GRADE WITHIN FIVE FEET OF THE STRUCTURES PERIMETER IS 127.40')



**WEST ELEVATION**

SCALE : 1/8" = 1'-0"

**LEGEND**

- 2.1 EXTERIOR STUCCO "RAND FINISH"
- 2.2 BATTERED STONE STACKED STONE WALL FINISH MANUFACTURE "EL CORAZO STONE"
- 2.3 EXTERIOR STUCCO REVEAL
- 2.4 STOREFRONT ENTRANCE DOOR
- 2.5 EXTERIOR FINISH TO BE PROVIDED BY "THE BAIN FOREST ART PROJECT"
- 2.6 EXTERIOR ALUMINUM CLAD ENTRY GANTRY WITH RAISED LETTERS
- 2.7 POWDER COATED METAL SUN AWNING
- 2.8 BUILDING ADDRESS SHALL COMPLY WITH PHPS POLICY P-00-6 UPC SOL-4
- 2.9 METAL ROOF "NOOK CLAYTERRY" SERIES, SMALL BATTERY 1/12" COVERAGE
- 2.10 DECORATIVE STUCCO CORNICE
- 2.11 EXTERIOR POWDER COATED WINDOW FRAMES
- 2.12 EXTERIOR BUILDING SIGN
- 2.13 EXTERIOR BUILDING SIGN LOGO BACK LITE WITH LED LIGHTING



811 TENTH AVENUE  
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FAMILY HEALTH CENTERS  
OF SAN DIEGO

DIAMOND NEIGHBORHOODS  
FAMILY HEALTH CENTER

505 47TH STREET  
SAN DIEGO, CALIFORNIA 92114

ISSUE	DATE
□ 30% DESIGN DEVELOPMENT	10-09-2008
✗ DEVELOPMENT REVIEW PER	
○ 100% PERMIT SUBMISSION	
△ PLAN CHECK APPROVAL	

EXTERIOR  
ELEVATIONS

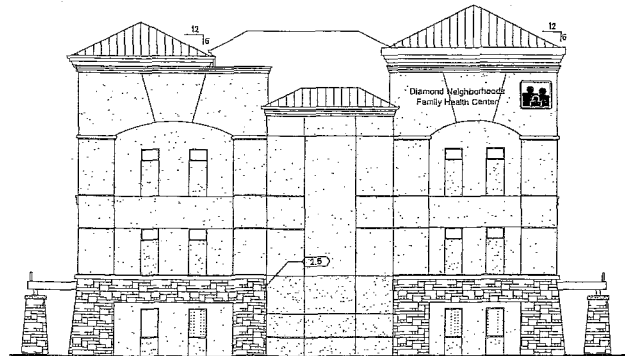
A3.0

SHEET 8 OF 12



**NORTH ELEVATION**

SCALE : 1/8" = 1'-0" (NOTE STRUCTURE HEIGHT MEASURED PER SEC. 113.0270, EXISTING GRADE WITHIN FIVE FEET OF THE STRUCTURES PERIMETER.)



**EAST ELEVATION**

SCALE : 1/8" = 1'-0"

**LEGEND**

- (1) EXTERIOR STUCCO "HAND FINISH"
- (2) BATTERED STONE STACKED STONE WALL FINISH MANUFACTURE MEL DORADO STONE
- (3) EXTERIOR STUCCO REVEAL
- (4) STOREFRONT ENTRANCE DOOR
- (5) EXTERIOR FINISH TO BE PROVIDED BY "THE RAIN FOREST ART PROJECT"
- (6) EXTERIOR ALUMINUM GLAZ ENTRY CANOPY WITH ATTACHED RAISED LETTERS
- (7) POWDER COATED METAL SIGN AWNING
- (8) EXTERIOR WINDOWS WITH POWDER COATED METAL FRAMES
- (9) METAL ROOF "MBCF" CRAFTSMAN SERIES, SMALL BATTEN 18"-2" COVERAGE
- (10) DECORATIVE STUCCO CORNICE
- (11) EXTERIOR BUILDING SIGN
- (12) EXTERIOR BUILDING SIGN LOGO BACK LITE WITH LED LIGHTING



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FAMILY HEALTH CENTERS  
OF SAN DIEGO

DIAMOND NEIGHBORHOODS  
FAMILY HEALTH CENTER  
505 47TH STREET  
SAN DIEGO, CALIFORNIA 92114

ISSUE DATE  
08-20-2012

3RD DESIGN DEVELOPMENT  
 DEVELOPMENT SETTING PER  
 3RD DESIGN DEVELOPMENT  
 PLAN CHECK APPROVAL

EXTERIOR  
ELEVATIONS

**A3.1**  
SHEET 11 OF 13



# ENCANTO NEIGHBORHOODS COMMUNITY PLANNING GROUP

## JUNE ENCPG

### MINUTES OF MEETING

Date: JUNE 18, 2012

**1. CALL TO ORDER/INTRODUCTIONS: At: 6:31 PM** **by Ken Malbrough, Chair**

Seat	Member	Here?	Seat	Member	Here?
Alta Vista	Marry Young	Yes	At-Large	Roman deSalvo	No
Broadway Heights	Maxine Sherard	Yes	At-Large	Alfredo Ybarra	Yes
Chollas View	Ardelle Matthews	Yes	At-Large	Brian Pollard	Yes
Emerald Hills	Justin Francis	No	At-Large	Derryl Williams	Yes
Encanto-North	Ilija Bisinovski	No	At-Large	Steve Ward	Yes
Encanto-South	Kenneth Malbrough	Yes	At-Large	April Flake	Yes
Lincoln Park	Dorothy James	Yes	At-Large	Khalada Salaam-Al	Yes
Valencia Park	Mary Ponder	Yes	At-Large	Vacant	
City Dept.	Name	Here?	Dept	Name	Here?
Dev. Services	Karen Bucey	No	4 <sup>th</sup> District	Bruce Williams	Yes

**Number of Visitors: 13**      **Sign-in sheet on file: Yes**

**2. INTRODUCTIONS:**

Introductions were completed by Board Members and the Public

**3. COMMUNICATIONS FROM THE PUBLIC:**

- A. William Ponder, a resident, representing Ground Works, and a candidate for the Board of Education of District E gave an update on the Earthlab in association with Millennial School of Math and Science adjoining Gompers's Park. Mr. Ponder will meet with the School District, Wednesday to share plans.
- B. Sue Cooke asked, "Is there a Property Manager in this area?" Mr. Charles Davis provided Sue Cooke information on a local residence with property management experience.

6. Mr. Williams answered questions regarding Council Members priorities and funding requests for the 4<sup>th</sup> District. It was reported by ENCPG members that there was no mention of any additional needs for the 4<sup>th</sup> District, examples: the need for sidewalks on Madera, 69th, Market Streets. A letter of concern will be written to Council President Young requesting him to attend the July meeting to discuss the memo.

- B. City Staff Report: Karen Bucey, No Report.  
C. CPC Report: Ken Malbrough, No report will provide information on next month.

8. **INFORMATION ITEMS:** None

9. **NEW BUSINESS: Action Item**

- A. Jennette Lawrence Shay, Director of Government and Community Relations for the Family Health Center gave a Presentation for the proposed Family Health Centers of San Diego Project. This project will be located in the Diamond District at the corner of 47<sup>th</sup> and Market Streets. Information was passed out in the form of a PowerPoint presentation (Hard copy). This project will be primarily funded through federal grants. Their goal is to break ground by August or September of this year.  
Discussion --Questions: What plans have you included for African American contractor? Answer: Have to go out for public bid, no contractor yet.  
Pete Robinson: Clinic saved his life, Clinic is needed, Cared for him when he was in need. Helped him with medication, Clinic is fair to everyone.  
Additional comments: We need more retail businesses. There are many health centers here already in this small area.  
Are there any benefits beside health? Sidewalks etc? Will there be fencing/ wrought iron. Do you have any clientele that is under insured? Is your emphasis on children? Will the clinic have to pay development impact fees? How many permanent jobs will this Project provide? (60) The clinic should reach out to the dentist practicing in this area, to Farmers Market. Is the grant written under HR? Is the project nonprofit?

After discussion:

**MM. Steven Ward                      SEC. Dr. Sherard                      8-2-0**

The project was approved in concept as presented:

1. Approve the height variance as presented (Proposed design max 59'4 1/2).
2. Approve the parking variance as presented (Proposed design – 81spaces)

In addition the Neighborhood Family Health Center Project Team was requested, by the Chair to do the following:

1. Provide updates on construction performance to the ENCPG
2. Increase their involvement with Council District 4 Neighborhood Town Councils
3. Make contact and solicit input from Dentist currently providing service within Council District 4;
4. Participate in Community Benefit Agreements (\*CBA's)
5. Consider District 4 qualified applicants for future employment.

After discussion:

**MM. Steven Ward            SEC. Dr. Sherard            8-2-0**

The project was approved in concept as presented:

1. Approve the height variance as presented (Proposed design max 59'41/2).
2. Approve the parking variance as presented (Proposed design – 81 spaces)

In addition the Neighborhood Family Health Center Project Team was requested, by the Chair to do the following:

1. Provide updates on construction performance to the ENCPG
2. Increase their involvement with Council District 4 Neighborhood Town Councils
3. Make contact and solicit input from Dentist currently providing service within Council District 4;
4. Participate in Community Benefit Agreements (\*CBA's)
5. Consider District 4 qualified applicants for future employment.

**B. Proposed Project Review Standing Committee**

Should we have this Standing Committee? Discussion ensued; there would be a more thorough knowledge of the Projects coming before this Committee

**MM Brian Pollard            Sec Marry Young            8-0-2**

10. **CONTINUING BUSINESS:** None

11. **ADJOURMENT:**8:30 PM





City of San Diego  
 Development Services  
 1222 First Ave., MS-302  
 San Diego, CA 92101  
 (619) 446-5000

# Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  
 Variance  Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment •  Other

Project Title  
 Diamond Neighborhoods Family Health Center

Project No. For City Use Only

233732

Project Address:  
 545 47th Street; San Diego, CA 92102

**Part I - To be completed when property is held by individual(s)**

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached  Yes  No

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
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 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## DIAMOND FAMILY HEALTH CENTER

Project No. 233732

## Project Chronology

Date	Action	Description	City Review Time	Applicant Response
7/20/11	Applicant submits initial plans/Deemed Complete	Project plans distributed for City staff review.	1 day	
9/08/11	First Assessment Letter	First Assessment Letter identifying required approvals and outstanding issues provided to applicant.	1 Months 17 Day	
05/17/12	Applicant submits second full set of plans.	Applicant's revised set of plans submitted in response to first assessment letter from City staff.		8 Months 9 Days
06/18/12	Second Assessment Letter	Second Assessment Letter identifying all remaining/outstanding issues.	1 Month 1 day	
08/10/12	Applicant submits third set of plans.	Applicant's revised set of plans submitted in response to second assessment letter from City staff.		1 Month 22 Days
8/08/12	Environmental Final	Draft MND became Final		
8/15/12	Issues resolved	All minor remaining issues resolved.	5 days	
08/29/12	Planning Commission Hearing	Public Hearing	14 Days	
<b>TOTAL STAFF TIME</b>		Averaged at 30 days per month	<b>3 Months 7 Days</b>	
<b>TOTAL APPLICANT TIME</b>		Averaged at 30 days per month		<b>10 Months 1 Day</b>
<b>TOTAL PROJECT RUNNING TIME</b>			<b>13 Months, 8 Days</b>	