

Report to the Hearing Officer

DATE ISSUED: April 12, 2023 REPORT NO. HO-23-017

HEARING DATE: April 19, 2023

SUBJECT: 2621 LOGAN AVENUE, Process Three Decision

PROJECT NUMBER: <u>697954</u>

OWNER/APPLICANT: CATHERINE M. HERBST and TODD E. RINEHART, Owners/Applicants

SUMMARY

<u>Issue</u>: Should the Hearing Officer approve a Coastal Development Permit and Site Development Permit for the demolition and removal of asphalt paving and chain link fencing from the project site and the construction of a new two-story eight-unit office building and mezzanines located at 2621 Logan Avenue within the Barrio Logan/Harbor 101 Community Plan area?

Proposed Actions:

- 1. **Approve** Coastal Development Permit No. 2584650;
- 2. **Approve** Site Development Permit No. 2584651

<u>Fiscal Considerations</u>: There are no City expenditures being approved with this action. All costs associated with processing this Project are paid through a deposit account by the applicant.

Community Planning Group Recommendation: On September 21, 2022, the Barrio Logan Planning Group voted 9-0-0 to recommend approval of the proposed project with the condition that they be provided with any associated environmental documents. This request was fulfilled on January 27, 2023 when the Community Planning Group was sent the Notice of Right to Appeal as discussed in "Environmental Impact" section below.

Environmental Impact: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA sections 15332 (In-Fill Development) and 15303 (New Construction or Conversion of Small Structures). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on January 27, 2023, and the opportunity to appeal that determination ended February 10, 2023.

BACKGROUND

The 0.16-acre project site is located at 2621 Logan Avenue (Attachments 1 and 2) in the Barrio Logan Planned District Redevelopment Subdistrict (BLPD-REDEVLP-SUBD) and the Coastal Zone (Non Appealable Area 2) within the Barrio Logan/Harbor 101 Community Plan area. The lot is located mid-block, east of South 26th Street and west of Interstate 5. The site has one existing lot with frontage on Logan Avenue and an unnamed alley to the south. The lot is currently developed with one 470-square-foot office unit constructed in 1948 that will remain, and asphalt paving and perimeter fencing that will be demolished. Being older than 45 years, the existing structure was evaluated for historic significance in accordance with San Diego Municipal Code (SDMC) Section 143.0212. Staff determined that the existing building does not meet the local designation criteria as an individually significant resource under any adopted Historical Resources Board Criteria.

The site is approximately 0.45 miles north of the San Diego Bay shoreline, and it is not located between the sea and the nearest public roadway paralleling the sea (Harbor Drive). The site has no existing physical coastal access used legally or otherwise by the public and is not located within or adjacent to a scenic view corridor or a scenic coastal area identified by the Local Coastal Program.

The site does not contain any Environmentally Sensitive lands as defined in SDMC Section <u>113.0103</u> and is not within, or adjacent to, the Multiple Species Conservation Program/Multi-Habitat Planning Area (MSCP).

DISCUSSION

Project Description:

The proposed project includes the demolition and removal of existing asphalt paving and chain link fencing from the project site and the construction of a new two-story, eight-unit, 4,849-square-foot office building. The existing 470-square-foot office building will remain.

SDMC <u>Chapter 15 Article 2</u> and divisions pertaining to the Barrio Logan Planned District were repealed January 27, 2022 by <u>O-21412 N.S.</u> (Attachment 6.a), effective February 26, 2022. However, the project site is within the Coastal Zone and these changes have not yet been certified by the Coastal Commission. Therefore, the project is subject to the regulations in effect at the time the project application was deemed complete on May 17, 2022, including SDMC Sections 152.0202, 152.0317(d), and 152.0319(g) described below.

The existing and proposed use is commercial/professional office which conforms to the Commercial land use designation of the applicable Barrio Logan Redevelopment Subdistrict San Diego Municipal Code (SDMC) Section 152.0317(d) and is permitted by right per Table 152-03A (Attachments 6.b and 6.c).

The project provides four vehicular parking spaces and two motorcycle parking spaces as required by SDMC section <u>142.0540</u>, SDMC <u>Table 142-05H</u>, and SDMC section <u>142.0530(g)</u>. Staff determined that the project complies with required setbacks and floor area ratio (0.69 where 1.0 is allowed), and the proposed building height is 34 feet where a max building height of 35 feet is allowed per SMDC

Section 152.0319(g), Figure 4 (Attachment 6.d) of the Barrio Logan Redevelopment Subdistrict regulations.

The project's conditions of approval include the replacement of the existing curb along the project's Logan Avenue frontage with curb/gutter to meet current City standards, replacement of the existing sidewalk to meet current City standards, re-pavement of the rear/south alley, installation of new planting, irrigation and landscape related improvements, implementation of a Water Pollution Control Plan, storm water construction best management practices, and new water service(s) (Attachment 5).

Required Approvals:

The project consists of two discretionary actions which are required to be consolidated and considered as a Process 3 decision by the Hearing Officer in accordance with SDMC <u>112.0103</u>, and which may be approved when appropriate findings are made to support the project (Attachment 4).

A Process 2 Coastal Development Permit (CDP) is required pursuant to SDMC section <u>126.0707</u> due to the project's location within the Coastal Overlay Zone (Non-appealable Area 2).

A Process 3 Barrio Logan Planned District Permit (in the form of a Site Development Permit/SDP) is required pursuant to applicable SDMC section 152.0202 for all proposed development within the Redevelopment Subdistrict of the Barrio Logan Planned District. As mentioned above, SDMC Chapter 15 Article 2 and divisions pertaining to the Barrio Logan Planned District were repealed January 27, 2022 by O-21412 N.S. (Attachment 6.a), effective February 26, 2022. However, the project site is within the Coastal Zone and these changes have not yet been certified by the Coastal Commission. Therefore, the project is subject to the regulations in effect at the time the project application was deemed complete on May 17, 2022.

Conclusion:

Staff has reviewed the proposed Coastal Development Permit and Site Development Permit application and has determined the project conforms with the applicable sections of the SDMC and no deviations are required. Staff recommends the Hearing Officer APPROVE Coastal Development Permit No. 2584650 and Site Development Permit No. 2584651.

ALTERNATIVES

- 1. Approve Coastal Development Permit No. 2584650 and Site Development Permit No. 2584651, with modifications.
- 2. Deny Coastal Development Permit No. 2584650 and Site Development Permit No. 2584651, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Carrie Lindsay

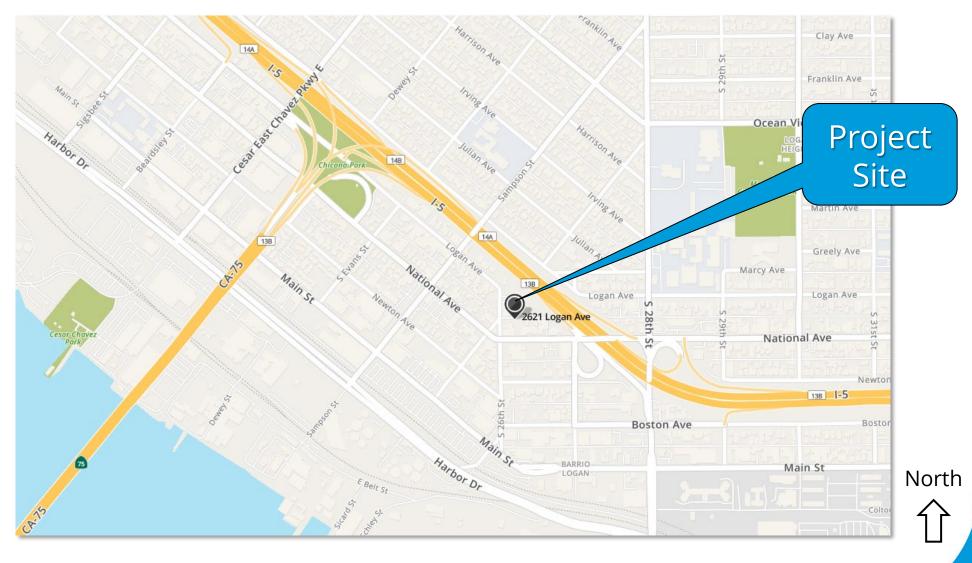
Development Project Manager Development Services Department

Attachments:

- 1. Project Location Map
- 2. Aerial Photograph
- 3. Community Plan Land Use Map
- 4. Draft Resolution with Findings
- 5. Draft Permit with Conditions
- 6. SDMC Chapter 15, Article 2, Barrio Logan Planned District
- 7. Environmental Exemption
- 8. Community Planning Group Recommendation
- 9. Ownership Disclosure Statement
- 10. Project Plans

ATTACHMENT 1

Project Location Map



2621 Logan Ave - Project Number 697954



Aerial Photo

ATTACHMENT 2

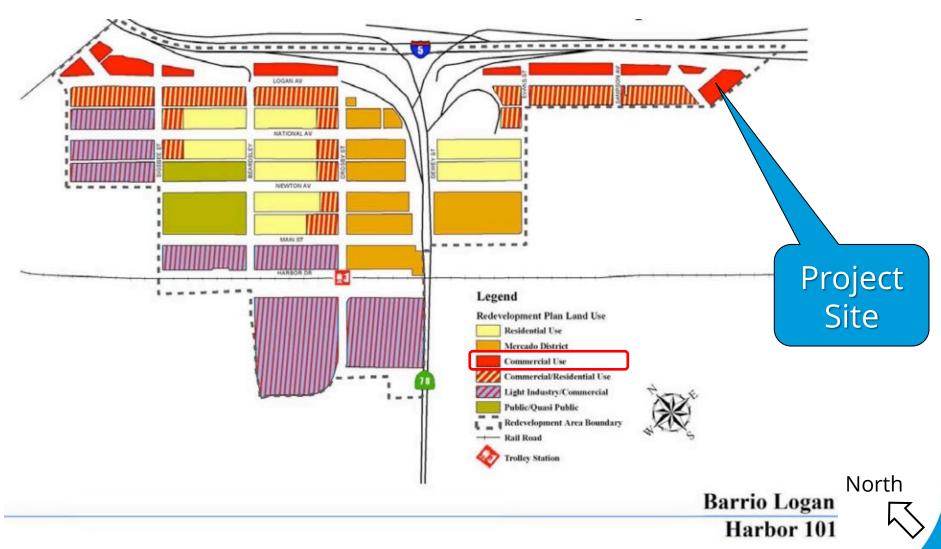


2621 Logan Ave - Project Number 697954



Barrio Logan Redevelopment Plan

ATTACHMENT 3



2621 Logan Ave - Project Number 697954

HEARING OFFICER RESOLUTION NO. ______
COASTAL DEVELOPMENT PERMIT NO. 2584650
SITE DEVELOPMENT PERMIT NO. 2584651
2621 LOGAN AVENUE - PROJECT NO. 697954

WHEREAS, CATHERINE M. HERBST AND TODD E. RINEHART, Owners/Permittee, filed an application with the City of San Diego for a permit for the demolition and removal of asphalt paving and chain link fencing from the project site and the construction of a new two-story, eight-unit office building and mezzanines totaling 4,849 square-feet adjacent to an existing 470-square-foot office unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 2584650 and Site Development Permit No. 2584651), on portions of a 0.16-acre site;

WHEREAS, the project site is located at 2621 Logan Avenue, also known as Assessor's Parcel Number 538-610-0900, in the Barrio Logan Redevelopment Subdistrict (BLPD-REDEVLP-SUBD), and the Coastal Zone (Non Appealable Area 2) within the Barrio Logan/Harbor 101 Community Plan area;

WHEREAS, the project site is legally described as LOTS 19 AND 20 IN BLOCK 5 OF REED HUBBELL'S ADDITON, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEROF NO. 327, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, JUNE 30 1886;

WHEREAS, on January 27, 2023, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Sections 15332 (In-Fill Development) and 15303 (New Construction or Conversion of Small Structures). and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code (SDMC) Section 112.0520;

WHEREAS, on April 19, 2023, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 2584650 and Site Development Permit No. 2584651 pursuant to the Land Development Code of the City of San Diego; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 2584650 and Site Development Permit No. 2584651:

A. <u>COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]</u>

- 1. <u>Findings for all Coastal Development Permits:</u>
 - a. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program (LCP) land use plan.

The 2621 Logan Avenue project (project) proposes the demolition and removal of existing asphalt paving and chain link fencing from the project site and the construction of a new two-story, eight-unit, 4,849-square-foot office building adjacent to an existing 470-square-foot office building to remain.

The 0.16-acre project site is located at 2621 Logan Avenue in the Barrio Logan Redevelopment Subdistrict (BLPD-REDEVLP-SUBD), Airport Land Use Compatibility Area (NAS North Island and San Diego International Airport) the Part 77 Notification Area (NAS North Island and San Diego International Airport), the Parking Impact Overlay Zone (Coastal), the Transit Area Overlay Zone, the Parking Standards Transit Priority Area, the Transit Priority Area, Promise Zone, and the Coastal (Non Appealable Area 2) Overlay Zone within the Barrio Logan/Harbor 101 Community Plan area. The site is designated Commercial per the Barrio Logan/Harbor 101 Community Plan.

The proposed project is approximately 0.45 miles north of the San Diego Bay shoreline, and not located between the sea and the nearest public roadway paralleling the sea (Harbor Drive). The proposed development will occur on private property and the site has no existing physical coastal access used legally or otherwise by the public, nor does it have any public access identified in the Local Coastal Program (LCP). The site is not located within or adjacent to a scenic view corridor or a scenic coastal area identified by the LCP. Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in the LCP;

and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the LCP.

b. The proposed coastal development will not adversely affect environmentally sensitive lands.

The project site is located mid-block in an urban developed area. The previously graded lot is currently developed with a 470-square-foot building, perimeter chain link fencing, and asphalt paving. The site does not contain any Environmentally Sensitive lands as defined in Land Development Code Section 113.0103. The site does not contain any sensitive riparian habitat or other identified habitat community or sensitive biological resources. The site is not within, or adjacent to, the Multiple Species Conservation Program/Multi-Habitat Planning Area (MSCP). Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

c. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The 0.16-acre project site is located at 2621 Logan Avenue in the Barrio Logan Redevelopment Subdistrict (BLPD-REDEVLP-SUBD). A Process 3 Barrio Logan Planned District Permit (in the form of a Site Development Permit/SDP) is required pursuant to applicable SDMC section 152.0202 for all proposed development within the BLPD-REDEVLP-SUBD. SDMC Chapter 15 Article 2 and divisions pertaining to the Barrio Logan Planned District were repealed January 27, 2022 by O-21412 N.S., effective February 26, 2022. However, the project site is within the Coastal Zone and these changes have not yet been certified by the Coastal Commission. Therefore, the project is subject to the regulations in effect at the time the project application was deemed complete on May 17, 2022.

The project proposes the demolition and removal of existing asphalt paving and chain link fencing from the project site and the construction of a new two-story, eight-unit, 4,849-square-foot office building adjacent to an existing 470-square-foot office building to remain. The existing and proposed use is Commercial Professional Office which conforms to the Commercial Land Use Classification defined by the applicable Barrio Logan Redevelopment Subdistrict SDMC Section 152.0317(d) and is permitted by right per Table 152-03A.

The project is consistent with the Community Plan and the Barrio Logan Redevelopment Plan goals and policies, including allowing for the upgrading and expansion of existing commercial uses to promote a commercial environment which better serves community needs and supporting in-fill development in the existing community to strengthen the area's housing, commercial and industrial assets.

The project provides four vehicular parking spaces, including one van-accessible parking space, and two motorcycle parking spaces as required by SDMC section 142.0540, SDMC Table 142-05H, and SDMC section 142.0530(g). Four vehicular

parking spaces, including one van-accessible parking space, and two motorcycle parking spaces are provided. The project also complies with required setbacks and floor area ratio (0.69 where 1.0 is allowed), and the proposed building height is 34 feet where a max building height of 35 feet is allowed per SMDC Section 152.0319(g), Figure 4 of the applicable Barrio Logan Redevelopment Subdistrict regulations.

The project does not propose any deviations or variances from the applicable regulations and is consistent with the recommended land use designation, and development standards in effect for this site. Therefore, the development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

d. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The proposed project is approximately 0.45 miles north of the San Diego Bay shoreline. It is not located between the sea and the nearest public roadway paralleling the sea (Harbor Drive). The U.S. Navy and the San Diego Unified Port District have primary jurisdiction along San Diego Bay south of the project site. Given the project's location and proposed development, the project will not interfere with the public's right of access to the sea. Therefore, the proposed coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

B. <u>SITE DEVELOPMENT PERMIT [SDMC Section 126.0505]</u>

- 1. Findings for all Site Development Permits:
 - a. The proposed development will not adversely affect the applicable land use plan.

See Finding A.1.c above, which is hereby incorporated by reference. The proposed development will not adversely affect the applicable land use plan.

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

The project is located in a developed urban neighborhood, is served by existing utilities, and will gain access from a developed public right-of-way on both Logan Avenue and the rear/south alley. The permit controlling the development and use of the proposed project for this site contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require the review and approval of all construction plans by staff prior to construction to confirm

the construction of the project will comply with all applicable regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all applicable regulations.

The project includes conditions and corresponding exhibits of approval that will enhance the area include installation of public improvements in order to achieve compliance with the regulations of the SDMC including replacement of the existing curb along the project's Logan Avenue frontage with curb/gutter to meet current City standards, replacement of the existing sidewalk to meet current City standards, repavement of the rear/south alley, installation of new planting, irrigation and landscape related improvements, implementation of a Water Pollution Control Plan, storm water construction best management practices, and new water service(s). Therefore, the design of the subdivision or the types of improvements will not be detrimental to public health, safety, and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

See Finding A.1.c above, which is hereby incorporated by reference.

In addition, the project includes conditions and corresponding exhibits of approval that will enhance the area, including installation of public improvements in order to achieve compliance with the regulations of the SDMC, as described in finding B.1.b above which is incorporated here by reference.

The project does not propose deviations or variances from the applicable regulations and is consistent with the recommended land use designation, and development standards in effect for this site. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on these findings adopted by the Hearing Officer, Coastal Development Permit No. 2584650 and Site Development Permit No. 2584651 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 2584650 and Site Development Permit No. 2584651, a copy of which is attached hereto and made a part hereof.

ATTACHMENT 4

Carrie Lindsay Development Project Manager Development Services

Adopted on: April 19, 2023

IO#: 24009190



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

INTERNAL ORDER NUMBER: 24009190

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2584650 SITE DEVELOPMENT PERMIT NO. 2584651 **2621 LOGAN AVENUE - PROJECT NO. 697954** HEARING OFFICER

This Coastal Development Permit No. 2584650 and Site Development Permit No. 2584651 is granted by the Hearing Officer of the City of San Diego to CATHERINE M. HERBST AND TODD E. RINEHART, Owners/Permittees, pursuant to San Diego Municipal Code (SDMC) Section 126.0702 and Section 152.202(b). The 0.16-acre site is located at 2621 Logan Ave, also known as Assessors Parcel Number 538-610-0900, in the Barrio Logan Redevelopment Subdistrict (BLPD-REDEVLP-SUBD), Airport Land Use Compatibility Area (NAS North Island and San Diego International Airport) the Part 77 Notification Area (NAS North Island and San Diego International Airport), the Parking Impact Overlay Zone (Coastal), the Transit Area Overlay Zone, the Parking Standards Transit Priority Area, the Transit Priority Area, Promise Zone, and the Coastal (Non-Appealable Area 2) Overlay Zone within the Barrio Logan/Harbor 101 Community Plan area. The project site is legally described as: LOTS 19 AND 20 IN BLOCK 5 OF REED HUBBELL'S ADDITON, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEROF NO. 327, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, JUNE 30 1886.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish and remove paving and fencing from the project site and the construction of a new two-story, eight-unit office building and mezzanines described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 19, 2023, on file in the Development Services Department.

The project shall include:

- a. Demolition and removal of asphalt paving & chain link fencing;
- b. Construction of a two-story, eight-unit office building and mezzanines totaling 4,849 square feet;
- b. Landscaping (planting, irrigation, and landscape related improvements);

- c. Off-street parking;
- d. 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 May 3, 2026.
- 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.

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

CLIMATE ACTION PLAN REQUIREMENTS:

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

ENGINEERING REQUIREMENTS:

- 12. Prior to the issuance of any building permit the Owner/Permittee shall assure by permit and bond the replacement of existing curb with curb/gutter per current City Standards along Logan Avenue frontage to satisfaction of the City Engineer.
- 13. Prior to the issuance of any building permit the Owner/Permittee shall assure by permit and bond the replacement of existing sidewalk with current City Standard sidewalk, maintaining the existing sidewalk scoring pattern and preserving the contractor's stamp, adjacent to the site on Logan Avenue.
- 14. Prior to the issuance of any building permit the Owner/Permittee shall assure by permit and bond the re pavement of the alley (full width, P.L. to P.L.) with current City Standard, adjacent to the site to satisfaction of The City Engineer.
- 15. Prior to the issuance of any building permit the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for private walk and landscaping/irrigation within Logan Avenue public right of way.
- 16. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

- 17. Prior to issuance of any construction permit for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.
- 18. Prior to issuance of any construction permit for public improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water, and sewer laterals shall be designed so as not to prohibit the placement of street trees.
- 19. Prior to issuance of any construction permit for building (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)6.

- 20. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'
- 21. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.
- 22. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

PLANNING/DESIGN REQUIREMENTS:

- 23. 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.
- 24. 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:

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

GEOLOGY REQUIREMENTS:

26. Prior to the issuance of any construction permits (either grading or building permit), the Owner/Permittee shall submit a geotechnical investigation report prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addressed the proposed construction plans. The geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

- 27. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.
- 28. 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 Public Utilities Department and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
- 29. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.
- 30. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

INFORMATION ONLY:

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

ADDDOVED L. J. LI	. 0	C 1 C 1 C C	D: 4 '1.	40 2022 10	1 4 1
APPROVED by the He	aring Office	r of the City of San	Diego on April	19. 2023 and Reso	lution No.
J	0		-0 1-	-,	

ATTACHMENT 5

Coastal Development Permit No. 2584650 Site Development Permit No. 2584651 Date of Approval: April 19, 2023

AUTHENTICATED BY THE	CITY OF SAN DIEGO DEVELOPMENT	SERVICES DEPARTMENT
	CITTOL STANDIEGO DEVELOT MILIVI	JEINVICES DEL / INTIVIENT

Carrie Lindsay
Development Project Manager

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

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

By ______
CATHERINE M. HERBST
Owner/Permittee

By _____
TODD E. RINEHART

Owner/Permittee

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

Article 2: Barrio Logan Planned District

("Barrio Logan Planned District" added 3-27-2007 by O-19592 N.S.)

Division 2: Permits and Procedures

("Permits and Procedures" added 3-27-2007 by O-19592 N.S.)

§152.0201 Administrative Regulations

- (a) General Provisions
 - (1) Any use, except for those uses permitted in the Barrio Logan Planned District which existed on March 2, 1992, shall be considered a previously conforming use. Land Development Code Chapter 12, Article 7, Division 1 (General Review Procedures for Previously Conforming Premises and Uses) shall apply except that expansion or enlargement of previously conforming uses is not permitted.
 - (2) If an applicant proposes to move a building from one location to another, the applicant shall first obtain a Neighborhood Development Permit pursuant to Land Development Code Section 143.0302.
 - (3) All City projects, government subsidized projects, public facilities, structures and improvements, and redevelopment projects, shall conform to the purpose and intent of the Barrio Logan Planned District and shall be subject to the same regulations, conditions and standards established in the Barrio Logan Planned District.

(b) Exceptions

- (1) The amendments herein shall not apply to any project for which a building permit has been obtained or for which a complete application has been received and accepted by the City prior to March 2, 1992. Amendments to approved permits shall be subject to the provisions of the Barrio Logan Planned District.
- (2) Unless the work would expand a previously conforming use, approval by the City Manager is not required for interior modifications, repairs or alterations for which a building permit is not required as of March 2, 1992.

- (3) A Hearing Officer may approve, conditionally approve or deny, in accordance with Process Three, any or all of the following exceptions listed in Section 152.0201(b)(3)(A) through (b)(4) to certain Redevelopment Subdistrict regulations provided such exception(s) would serve to carry out the purpose and intent of the Redevelopment Subdistrict. These exceptions shall be limited to the area within the Redevelopment Subdistrict bounded by Harbor Drive, the Coronado Bay Bridge rights-of-way and the Barrio Logan Redevelopment Project Area boundaries, and shall apply only if this portion of the Redevelopment Subdistrict continues to be used for marine oriented industries, and port related transportation uses. The exceptions are:
 - (A) Section 152.0405 (Outdoor Display, Operation and Storage) shall only apply to the portion of the property lying within 50 feet of the Harbor Drive property line. All other property included within the exception area described in Section 152.0201(b)(3), is exempt from the regulations of Section 152.0405.
 - (B) Enclosure requirements shall not apply to equipment and installations which are integral parts of the manufacturing or industrial process on the premises.
 - (C) Merchandise, material or equipment may be stored at a height greater than the wall or fence which screens it from Harbor Drive as allowed in Section 152.0201(b)(3)(A) above, provided the merchandise, material, or equipment is located at least 50 feet from the Harbor Drive property line.
 - (D) Except for office buildings, the height of structures may exceed the maximum building height of 35 feet or 2 stories established in Section 152.0319 (Figure 4). However, this exception shall apply only to structures which are an integral part of the exclusive use and directly related to the existing industrial operations on the property.
 - (E) Should a property span 2 or more Barrio Logan Subdistricts or spans the Barrio Logan Planned District and the Centre City Planned District, that property shall be subject to consistent regulations to be determined by the Hearing Officer at the time of review.

- (4) In granting any exception, the Hearing Officer shall make the following findings:
 - (A) The proposed exception shall not result in any substantial reduction of public views toward San Diego Bay or Centre City.
 - (B) The proposed exception is consistent with the goals, objectives and intent of the Barrio Logan Redevelopment Plan and the Redevelopment Subdistrict of the Barrio Logan Planned District.

("Administrative Regulations" added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.)
(Amended 3-22-2018 by O-20917 N.S.; effective 4-21-2018.)

§152.0202 Permit Application, Review and Issuance

- (a) General Permit Procedures
 - (1) No permit shall be issued for the installation of fixtures or equipment, or for the erection, construction, conversion, establishment, alteration, rehabilitation, demolition, move on, addition or enlargement of any building, structure or improvement, or for the occupancy of any building, structure or premises, or for the grading, subdivision or street closure, nor shall any site be used in any portion of the Barrio Logan Planned District until the application has been approved pursuant to Section 152.0202(b)(1) through (b)(5). Each applicant shall state the purpose for which the proposed building, structure or improvement is intended to be used. Applications for grading permits and demolition of structures shall not be accepted unless application is made concurrently for a building permit.

(2) The City Manager shall review projects which affect historic sites designated pursuant to all applicable Municipal Code sections. All applications for the demolition or removal of any building shall be submitted to the City Manager for review. The City Manager may approve, in accordance with Process One, an application for a demolition permit if it is determined that the site in question is not a potential historic site.

The City Manager shall make that determination within 10 working days of the receipt of the application. If the City Manager does not make the determination within the specified period, the site shall be deemed not to be a potential historic structure. If the site is a potential historic structure, the demolition or removal permit application may be approved, conditionally approved or denied by the Planning Commission, in accordance with Process Four. The application shall not be approved for 90 calendar days or until the Historical Resources Board has evaluated and acted on the site's historical significance, whichever occurs first. The provisions of Section 152.0202(a)(2) do not apply to the following:

- (A) Any building or structure found by the Building Official of the City of San Diego to present a hazard to public health or safety and for which an emergency permit for demolition must be issued; or
- (B) Any permit approved as part of a development project submitted, reviewed and approved in accordance with the Barrio Logan Planned District, and provided that the development application includes an environmental document prepared in accordance with the California Environmental Quality Act which describes and addresses the historic/architectural significance of the property. The environmental document shall be reviewed by the Historical Resources Board for the purpose of recommending to the City Manager whether the proposed project should be approved, modified or denied based on the importance of the existing building(s) or structure(s).

- (3) If any structure or building is intentionally demolished or substantially damaged without obtaining a demolition permit, a building permit for that site will not be issued for a period of one year, or a previously issued permit may be revoked for a period of one year from the date the City is made aware of the demolition. If the demolished or damaged structure was a designated historic site, a building permit will not be issued for 2 years, or a previously issued building permit may be revoked for a period of 2 years from the date the City is made aware of the demolition.
- (4) The City Manager or designee shall review all development proposals located within the Redevelopment Subdistrict of the Barrio Logan Planned District, and make recommendations to the Hearing Officer.
- (b) Barrio Logan Planned District Permit
 - **(1)** A Barrio Logan Planned District Permit (Process Three) is required for all proposed development within the Redevelopment Subdistrict of the Barrio Logan Planned District. Additions to existing developments within the Redevelopment Subdistrict which meet all development regulations and do not exceed 20 percent of the existing floor area shall be reviewed as a Process One. All proposed development outside the redevelopment subdistrict which meets the relevant development regulations shall be reviewed as a Process One. The City Manager may conduct further review and approve or deny an application for an exception from the provisions of the Barrio Logan Planned District in accordance with Process Two, when the application is for limited relief in the case of new construction or remodeling which would result in a finished product (all structures on the premises) deviating 20 percent or less from applicable development regulation pertaining to: required yards or setbacks, coverage, or special character design criteria included in Section 152.0310(h). However, the City Manager shall require additional landscaping that may be feasibly placed on the site or parkway according to City-wide landscape standards, and/or other architectural features or improvements.
 - (2) The City Manager shall in no case provide Administrative Review or approve an application for an exception from floor area ratio, height, density, amount of parking, or use.

- (3) The decision of the City Manager shall be based upon substantial conformance with the regulations and the Purpose and Intent of the Barrio Logan Planned District. The granting of a deviation shall be for the purpose of providing design flexibility resulting in a project which benefits surrounding properties and the community.
- (4) The City Manager's decision may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0504. Prior to the filing of the application, the applicant shall pay to the City a deposit equal to the estimated cost of processing the application. The deposit shall be adjusted periodically by the City Manager to ensure full cost recovery. A current list of all deposits is kept in the office of the City Clerk.
- (5) The permit application shall be filed in accordance with Land Development Code Section 112.0102. An application for a Barrio Logan Planned District Permit may be approved, conditionally approved or denied by a Hearing Officer, in accordance with Process Three. The Hearing Officer's decision may be appealed to the Planning Commission in accordance with Section 112.0506.
- (c) Coastal Development Permit

A Coastal Development Permit is required for all proposed development within the Barrio Logan Planned District except for development specifically exempted under Land Development Code Section 126.0704 or categorically excluded pursuant to Categorical Exclusion Order No. (Editor's note: a number will be inserted if and when a Categorical Exclusion Order is issued by the California Coastal Commission.)

- (d) Variances and Conditional Use Permits.
 - (1) Variances and conditional use permits may be granted where variances or permits would serve to carry out the purpose and intent of the Barrio Logan Planned District, provided findings are made in accordance with Land Development Code Section 126.0305 or Section 126.0805 as applicable.
 - (2) Applications for zone variances or conditional use permits shall be processed concurrently with any other required discretionary actions relating to the subject property, in accordance with Land Development Code Section 112.0103.

(3) The procedure for application for Variance, Conditional Use Permit and Subdivision, as well as the procedures for taking action on such matters, shall be the same as set forth in Land Development Code Chapter 11 (Land Development Procedures) and Chapter 12 (Land Development Reviews).

("Permit Application, Review and Issuance" added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.) (Amended 5-7-2012 by O-20156 N.S.; effective 6-6-2012.)

§152.0317 Redevelopment Subdistrict - Land Use Classifications

Permitted land uses within the Barrio Logan Redevelopment Subdistrict are grouped into Land Use Classifications. Land use classifications describe one or more uses having similar characteristics but do not list every use or activity that may be appropriate within the use classification. If a classification of use is necessary, the Planning Commission shall make that determination, in accordance with Process Four, taking into consideration the purpose and intent of the Redevelopment Subdistrict. The Planning Commission shall adopt a resolution embodying their determination. Certain land uses, as indicated in Section 152.0317, shall be examined on a case by case basis by the City Manager to determine whether and under which conditions those uses may be approved at a given site in accordance with Municipal Code Section 151.0401.

(a) Residential

- (1) Single Family Residential
- (2) Multifamily Residential
- (3) Live/Work Quarters (Lofts): live/work quarters (lofts) shall be permitted within the Redevelopment Subdistrict of the Barrio Logan Planned District.
- (4) Senior Citizens Housing
- (5) Limited Residential
- (6) Mercado District Residential: This classification applies to the block bounded by Newton Avenue, Evans Street, Dewey Street and Main Street. Convenience commercial uses may include uses listed in Section 152.0317(c). Accessory uses may include, but not be limited to, recreation centers, health/fitness clubs and child care centers. Combined convenience commercial services and accessory uses shall not have a total square footage greater than 25 percent of the gross square footage of the lot area.
- (7) Shopkeeper units

- (b) Commercial Retail
 - (1) Food/Grocery Sales
 - (2) Retail Sales
 - (3) Liquor Sales: A Conditional Use Permit
 - (4) Limited Commercial: This classification applies only to the Residential Use designation shown in Table 152-03A, and includes establishments listed in Sections 152.0317(b)(1), (b)(2), (c)(1), (c)(4), (c)(5), (c) (7), (c)(9), (c)(10) and (d)(1) provided such establishments front a public street, are directly accessible from the sidewalk, and do not have a total square footage greater than 20 percent of the total gross square footage of the lot area. This classification excludes home occupations described in Land Development Code Section 141.0308.
- (c) Commercial Services
 - (1) Artists' Studios
 - (2) Banks, Credit Unions, and Savings and Loan Associations: This classification applies only to those institutions engaged in the on-site circulation of cash. Drive-through banking facilities are not permitted.
 - (3) Building Materials and Services: This classification includes but is not limited to tool and small equipment sales or rentals (no ridden equipment) and building contractors' showrooms, but excludes activities classified under vehicle/equipment sales and services, as set out in Section 152.0317(f).
 - (4) Business, Communication and Home Services: This classification excludes activities specified under vehicle/ equipment sales and services in Section 152.0317(f).
 - (5) Catering Services
 - (6) Commercial Recreation and Entertainment: Typical uses include bowling alleys, miniature golf courses, tennis and racquet ball courts, gymnasiums and movie theaters. Video and pinball machine establishments and billiard and card parlors are prohibited.

- (7) Eating and Drinking Establishments: The sale of alcoholic beverages in the Barrio Logan Planned District must comply with the provisions of Land Development Code Section 141.0502.
- (8) Laboratories
- (9) Personal Improvement Services
- (10) Personal and Convenience Services
- (11) Wholesale and Warehouse: This classification excludes auto storage.
- (12) Visitor Accommodations:
 - (A) Bed and Breakfast Inns
 - (B) Hotels and Motels: This classification includes eating, drinking and banquet service.
 - (C) Single-Room-Occupancy ("SRO"): Within the Barrio Logan Redevelopment Subdistrict, each SRO unit shall have a minimum of 200 square feet, and the project shall not exceed 1.0 FAR. A Conditional Use Permit (CUP), decided by Process Three is required. SRO's shall be separated by a straight line (measured from property line to property line) of no less than one-quarter mile to another SRO within the Barrio Logan Planned District.
- (d) Commercial/Professional Office
 - (1) Professional and Business Offices
 - (2) Government Offices
- (e) Public and Quasi Public
 - (1) College and Universities
 - (2) Schools, Public or Private
 - (3) Cultural Institutions

§152.0316 Redevelopment Subdistrict Permitted Land Use Categories

Six major land use categories, described in Figure 2 of the Barrio Logan Planned Districts, are permitted within the Redevelopment Subdistrict: Commercial Use, Mercado District, Commercial/Residential Mixed Use, Residential Use, Public/Quasi-Public Use, and Light Industry/Commercial Use. The permitted land use classifications within each of these six land use categories are described in Section 152.0317 (Redevelopment Subdistrict - Land Use Classifications) and in Table 152-03A.

Legend for Table 152-03A

P Permitted

CUP Conditional Use Permit

- Not Permitted

Table 152-03A Permitted Land Use Categories

Land Use Classifications	Land Use Categories						
	Commercial Use	Mercado District	Comm/Res. Mixed Use	Residential Use	Public/ Quasi - Public Use	Light Industrial/ Comm. Use	
Residential							
Single Family	-	-	P	P	-	-	
Multi-Family	-	P	P	P	-	-	
Live/Work (Loft)	P	-	P	P	-	P	
Senior Citizen Housing	P	P	P	P	-	-	
Mercado District Residential	-	See Section 152.0317 (a)(6)	-	-	-	-	
Shopkeeper Units [See Section 113.0103]	P	Р	Р	-	-	-	
Commercial Retail							
Food/Grocery Sales	P	Р	Р	-	-	Р	
Retail Sales	P	Р	P	-	-	Р	

Land Use Classifications	Land Use Categories						
	Commercial Use	Mercado District	Comm/Res. Mixed Use	Residential Use	Public/ Quasi - Public Use	Light Industrial/ Comm. Use	
Liquor Sales	CUP	CUP	CUP	-	-	CUP	
Limited Commercial	-	-	-	See Section 152.0317 (b)(4)	-	-	
Commercial Services							
Artist's Studios	P	P	P	P	P	P	
Banks/Credit Unions/Savings & Loans	P	P	P	-	-	P	
Building Materials/Services	P	-	Р	-	-	P	
Business/Communication/ Home Services	P	P	P	-	-	P	
Catering Services	P	P	P	-	-	P	
Commercial Recreation/Entertainment	P	P	P	-	-	P	
Eating/Drinking Establishment	P	Р	P	-	-	P	
Laboratories	P	-	P	-	-	P	
Personal Improvement Services	P	Р	P	-	-	P	
Personal/Convenience Services	P	P	P	-	-	P	
Wholesale/Warehouse	P	-	P	-	-	P	
Visitor Accommodations							
Hotels/Motels	P	P	P	-	-	-	
Single Room Occupancy	CUP	-	CUP	-	-	-	
Commercial Professional	Office						
Professional/business Office	P	P	P	P	-	P	

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Light Industrial

Land Use Classifications	Land Use Categories							
	Commercial Use	Mercado District	Comm/Res. Mixed Use	Residential Use	Public/ Quasi - Public Use	Light Industrial/ Comm. Use		
Government Offices	P	-	P	-	P	P		
Public/Quasi Public								
Colleges/Universities	P	P	P	P	P	P		
Schools, Public or Private	P	P	P	P	P	P		
Cultural Institutions	Р	P	P	Р	Р	P		
Performing Arts/Theatres	P	P	P	P	P	P		
Religious Assembly	P	P	P	P	P	P		
Park & Recreation Facilities	P	P	P	P	P	P		
Child Care Facilities	P	P	P	P	P	P		
Clubs/Lodges/Fraternal Organizations	P	P	P	P	P	P		
Nonprofit Charitable Institutions	CUP	CUP	CUP	-	CUP	CUP		
Limited Human Care Facility Community/								
Primary Health Care	CUP	CUP	CUP	-	CUP	CUP		
Residential Care	CUP	CUP	CUP	-	CUP	CUP		
Utilities	CUP	-	CUP	-	CUP	CUP		
Vehicle/ Equipment Sales & Servi	ces							
Vehicle/Equipment Sales/Rentals	-	-	-	-	-	P		
Vehicle/Equipment Repair	-	-	_	-	-	P		
Auto Paint/Washing/Detailing	-	-	-	-	-	P		
Auto Service Stations	-	-	-	-	-	P		

Land Use Classifications	Land Use Categories						
	Commercial Use	Mercado District	Comm/Res. Mixed Use	Residential Use	Public/ Quasi - Public Use	Light Industrial/ Comm. Use	
Limited Manufacturing	-	-	-	-	-	P	
Maintenance/Repair/ Service Facilities	-	-	-	-	-	P	
Marine Oriented/Waterfront Dependent	-	-	-	-	-	Р	
Wholesale, Storage Distribution	-	-	-	-	-	P	
Research and Development Facilities	-	-	-	-	-	P	
Transportation Facilities & Related Storage	-	-	-	-	-	P	
Limited Industrial	-	See Section 152.0317 (g)(7)	-	-	-	-	
Parking							
Surface Parking	P	P	P	P	P	P	
Parking Structure	P	P	P	P	P	P	
Accessory Uses	P	P	P	P	Р	Р	

("Redevelopment Subdistrict Permitted Land Use Categories" added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.) (Amended 7-10-2015 by O-20512 N.S.; effective 8-9-2015.)

(Amended 4-14-2021 by O-21305 N.S.; effective 5-29-2021.)

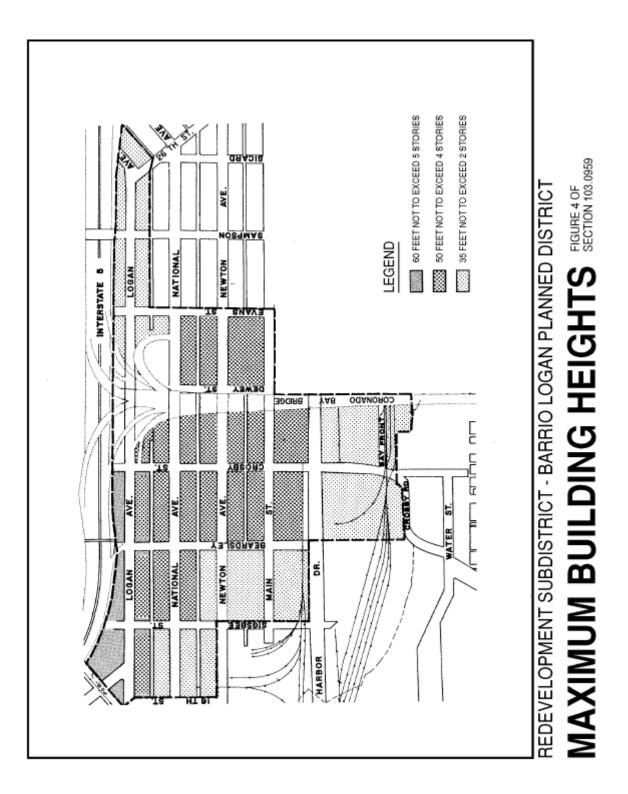
[Editors Note: Amendments as adopted by O-21305 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode strikeout ord/O-21305-SO.pdf

(g) Maximum Building Height

- (1) The maximum building heights and number of stories permitted within the Redevelopment Subdistrict shall be as shown in Figure 4. Height shall be measured in accordance with Land Development Code Section 113.0270.
- (2) Chimneys, vents, elevator enclosures, solar systems, vertical decorative roof features, and similar roof appurtenances shall be excluded from maximum building height. Such appurtenances, however, shall be limited to 10 percent of the total roof plan area, and their height shall not exceed 20 percent or 6 feet, whichever is less, of the permitted maximum building height.

("Redevelopment Subdistrict Property Development Regulations" added 3-27-2007 by O-19592 N.S.; effective 4-26-2007.)



NOTICE OF EXEMPTION

(Che	ck one or b	ooth)		
TO		Recorder/County Clerk	From:	City of San Diego
		P.O. Box 1750, MS A-33		Development Services Department
		1600 Pacific Hwy, Room 260		1222 First Avenue, MS 501
		San Diego, CA 92101-2400		San Diego, CA 92101
		Office of Planning and Research		
		1400 Tenth Street, Room 121		
		Sacramento, CA 95814		
Pro	ject Nar	ne/Number: 2621 Logan Avenue / 69795	4	
SCH	No.: N	ot Applicable		
Proj	ject Loca	ation-Specific: 2621 Logan Avenue, San [Diego, California 9	92113 (Parcel No. 538-610-0900)
Proj	ect Loc	ation-City/County: San Diego/San Diego		
foot 0.16 with zone Influ (San 2), Poor Addi the C	two-stor -acre pro- in the Ba ed Barrio ence Are Diego Ir arking In lay Zone tion, in t	of nature and purpose of the Project: NT PERMIT to demolish existing asphalt pry 8-unit commercial building. The existing oject site is located at 2621 Logan Avenue arrio Logan Community Plan area and is do Logan Planned District-Redevelopment Sea (San Diego International Airport – Review ternational Airport and North Island Navanpact Overlay Zone (Coastal), Parking Stare, and Transit Priority Area. (LEGAL DESCRIPLE) he City of San Diego, County of San Diego ecorder of San Diego County, June 30, 188	aving and fencing 470-square-foot and consists of Pesignated Commubdistrict. The pew Area 2), Federal Air Station), Condards Transit Pri IPTION: Lots 19 and according to Ma 36.)	g for the construction of a 4,849-square t single-story building would remain. The larcel Number 538-610-0900. The site is ercial/Industrial/Residential. The site is roject site is also within the Airport al Aviation Authority Part 77 Noticing Area astal Overlay Zone (Non-Appealable Area ority Area, Promise Zone, Transit Area and 20 in Block 5 of Paged 8. Hubballo
Nam 9210	e of Per 3, 619-9:	son or Agency Carrying Out Project: Ca 33-4822	therine M. Herbs	t / 209 East Upas Street, San Diego, CA
Exen	npt Stat	us: (CHECK ONE)		
	Ministe	rial (Sec. 21080(b)(1); 15268)		
	Declare	d Emergency (Sec. 21080(b)(3); 15269(a))		
	Emerge	ency Project (Sec. 21080(b)(4); 15269 (b)(c))	
\boxtimes	Conver	rical Exemption: Section 15332 (In-fill Devision of Small Structures).	elopment Project	s) and 15303 (New Construction or
		ry Exemptions:		
Ħ	Other:	3		

Reasons why project is exempt: The City of San Diego conducted an environmental review which determined the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the community plan and the applicable zone. The project would not result in any significant environmental impacts. The project meets the criteria set forth in CEQA Section CEQA Section 15332 that consists of projects characterized as in-fill development meeting the following conditions: (a) The project is

Revised May 2018

ATTACHMENT 7

consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project has no value as habitat for endangered, rare, or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services. The project meets the criteria set forth in CEQA Section CEQA Section 15303 (New Construction or Conversion of Small Structures) as well considering the project involves the one small building not exceeding 10,000 square feet and is consistent with the zone, does not involve significant amounts of hazardous substances, includes all necessary public services and facilities, and the surrounding area is not environmentally sensitive. Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; nor is the project identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code; and the site is not a historical resource.

Lead Agency Contact Person: Dawna Marshall	Telephone: 619-687-5904		
If filed by applicant:			
1. Attach certified document of exemption finding.	•		
2. Has a notice of exemption been filed by the public ager	ncy approving the project?		
It is hereby certified that the City of San Diego has determine	d the above activity to be exempt from CEQA		
Among March	2-12-2023		
Signature/Title Senior Planner			
Signature/Title	Date		
Check One:			
Signed By Lead Agency	Date Received for Filing with County Clerk or OPR:		
☐ Signed by Applicant	and the state of t		



PUBLIC MEETING AGENDA VIRTUALLY VIA ZOOM September 21, 2022 6:00 PM - 8:00 PM

This meeting will be fully virtual, conducted online via Zoom due to concerns for public health and the potential spread of the Covid-19 virus. Spanish interpretation available.

- 1. Call to Order 6:03
- 2. Roll Call
- 3. Review/Adoption of the Agenda
 - a. Agenda has been shifted to lead with action items and time caps have been placed to help facilitate meeting. Should the conversation call for it, we will allow more time. Standing reports will be at the end.
- 4. Approval of the Minutes
 - a. David moves to approve the minutes. Philomena Seconds. Motion passed unanimously.
- 5. Non-agenda Communications from the Public (2 min per speaker)
 - a. YHuang: Planning liaison for Naval Base San Diego. Festival this Saturday 10am-2. Ship tours and booths. Main St Gate 9 is entrance. Base has not been opened since 9/11/2001. Harbor Dr Cleanup will begin on 8th St. Registration 9:15am. Port of San Diego signed agreement to lower Carbon footprint.
 - b. Nicholas Paul: Works with EHC. Corner of Sicard St there is a business New Leaf Bio Fuel. They create Biodiesel which in turn makes an awful order. Community members feel nauseated from the smell. Hearing will be held on abatement order October 13th 9am.
- 6. Action Item: Reinhart Herbst 2621 Logan Ave (10 min presentation / 10 min Q&A)
 - a. Want to expand office space. Will stay 14ft away from apartments next to their office. Will install showers kitchenettes, porches, decks and offices. Occupied space since 2008. Will use block on groundfloor, Metal roofing, and plaster will be reused. Want to remove asphalt around facility and add landscaping.
 - b. Subcommittee asked regarding parking. They have the amount required by City. The units will be commercial. Environmental review is not ready yet. Will reserve the right to review once they come in. Subcommittee requests to look at adding additional parking if possible.
 - c. Catherine: Once we are approved for environmental conditions will be set.
 - d. Philomena motions to approve with condition to review environmental docs. Matt seconded Motion approved
 - e. Unanimous vote: Marissa, Julie, Matt, David Duea, Philomena, Katie, Claudia, Areli, Kenny.
- 7. Action Item: Hosting CPG meetings @ Logan Heights Library, potentially different day (15 min discussion)
 - a. Outside of planning area. May need to change day. Monday or Tuesday would be new Day still third week.

PLANNING GROUP MEMBERS:

Joseph Allen Absent

Matt Carr

Marissa Cassani

Julie Corrales

Lucas Cruz

David Duea

Klaus Gohlke Absent

Philomena Marino

David Ortiz Absent

Katie Pipes

Claudia Rodriquez-Biezunski

Areli Santillan

Kenny Soreano

Capt. Ted Carlson – US Navy Absent

Rafael Castellanos - Port of S.D.

- b. Kenny wanted to flag that people have been removed from roster due to not being able to join zoom.
- c. Claudia and Arelli will look into locations and report next month.
- d. Kenny brought up monarch as a potential ave.
- 8. Information Item: Port of San Diego MCAS Truck Goals and Objectives (10 min presentation / 10 min Q&A)
 - a. Ron Powell: Both upcoming presentations will help the port meet their MCAS goals.
 - b. Port will meet goals through their tenants also.
 - c. Maggie Weber giving an update on truck goals for Maritime Clean Air Strategy (MCAS).
 - d. Truck Objective will require staff to create concept plan to identify 4 potential public facing charging stations.
 - e. MCAS Community Objective 1 is to coordinate with stakeholders and the public.
 - f. RECOMMENDATION to be made in November Request proposal to develop Truck infrastructure and continue push with Caltrans.
 - g. 5/23-7/25 Port had a survey to understand what businesses would want to see for truck charging stations. Typical charge for trucks is 100 miles.
 - h. 4 sites in mind for tidelands.
 - i. Asking for community feedback on proposed sites. Ports recommendations is not finalized. Turn key infrastructure and subscription based models are preferred concepts.
 - j. Recommending 19th st facilities and will pursue agreements with Caltrans for 2 properties one in Otay and the other up North.
 - k. Philomena asked about opening up boardwalk? Maggie brought up security concerns with Marine Cargo. Will take comments back to board.
 - I. Rafael: It's a cargo terminal and we are a strategic port and it can be utilized in 48hrs to move military equipment. Not feasible from a security perspective.
 - m. Julie: As we are exploring options I hope we keep the small truck owners in mind.
 - n. Diane: Is the recommendation for all 4 sites? Maggie: We are looking at 2 that our Port properties in National City and the other 2 are Caltrans properties. Diane is concerned with the speed that the charging stations are being built. Need to have infrastructure in place to meet goals. Diane: Is there a plan for exclusivity for trucks to utilize charging stations. Maggie: Will incorporate concerns into recommendation.
- 9. Information Item: Crowley Co. Electric Tug Boat (10 min presentation / 10 min Q&A)
 - a. Paul Manzi: Vice President for assets for Crowley. Greg Glover Director of Engineering.
 - b. Crowley is a private company since 1892. Operate in SD LB OAK, AND SF. 170 + vessels. 7000 employees. 2.9 Billion in annual revenue. 5 businesses Shipping, Logistics, Wind services, Fuels and Gov Solutions.
 - c. Crowley has committed to net zero greenhouse gas emissions by 2050.
 - d. eWolf: 100 percent electric and zero emissions. 82 ft vessel. Will be completed by 2023.
 - e. Want to move terminals to zero emission platforms.
 - f. Diane and Julie both thankful for the forward thinking of Crowley.
 - g. John Alvarado: Congratulation on the new tugboat. Wants to know if there is an opportunity to take STEM Students on a tour to see the new innovation. Paul: We will work on it to see the possibility.
 - h. Matt: We do work for Crowley on the East Coast can you share Tom Crowleys Story. Crowley started company 1892 in San Francisco.
 - i. David DeCamp david.decamp@crowley.com
- 10. Update on previous action items: Items not covered in this meeting.
 - A. Community disruptive noise and light issues

- B. Parking congestion and lack of handicap parking
- C. Storm water and storm drain needs
- D. Paper street extension of 26th Street
- E. Traffic signals on Cesar Chavez Blvd Contaminated soil in Barrio Logan
- F. Capital Improvements Project process

11. Staff and Standing Reports (3 min per report):

- City of San Diego Council District 8: Elizabeth Rodriguez
 - a. Thursday 9/22 Logan Heights CDC will have a meeting from 5:30-7 at Logan Heights CDC Office.
 - b. Memorial Park Saturday 9/24 Park in the Dark event.
 - c. Mid Budget is focusing on lighting upgrades.
 - d. John: Can schedule be sent out via email.
- City of San Diego Mayor: Lucero Maganda
 - a. Absent
 - b. Project Homekey award 11.833 million investment.
 - c. Arelli: Brought up concerns of animal companions for houseless. Was brought up last meeting but not addressed. Lizzy: several shelters allow pets and humane society provide services. Arelli: is there a list for people to know where shelters are accessible for pets. Lizzy: When they check in for resources that information is given.
- City of San Diego Planning Department: Marlon Pangilinan
 - a. **ABSENT**
- Port of San Diego: Ron Powell
 - a. Port awarded 2.7 million dollars to upgrade system to power all electric cargo crane.
 - b. Waterfront Arts Festival November 19th and 20th.
- County of San Diego; Supervisor First District: Andrew Harvey
 - a. **ABSENT**
- Alpha Project: Kelly Knight
 - a. **ABSENT**
- Barrio Logan Association: Marissa Cassani
 - a. Revisiting contract with JDS Security.
- San Diego Police Department: Officer Tavares
 - a. **Absent**

12. Reports and discussion from the Planning Group Board

- a. Marissa: Apologized for lapse in interpretation.
- b. David Duea: Will planning group areas have to have a homeless shelter? Lizzy will look into this.
- c. Julie: Josie shared that a press conference was held that SDHC received a grant to help BIPOC REGAIN HOME OWNERSHIP. David Alvarez Office holding townhall at Logan Library 9/22.
- 13. Adjournment: Next meeting October 19, 2022 Adjourned at 8:03

INSTRUCTIONS TO JOIN THE MEETING, MAKE COMMENTS AND ASK QUESTIONS

Please click the link below to join the webinar:

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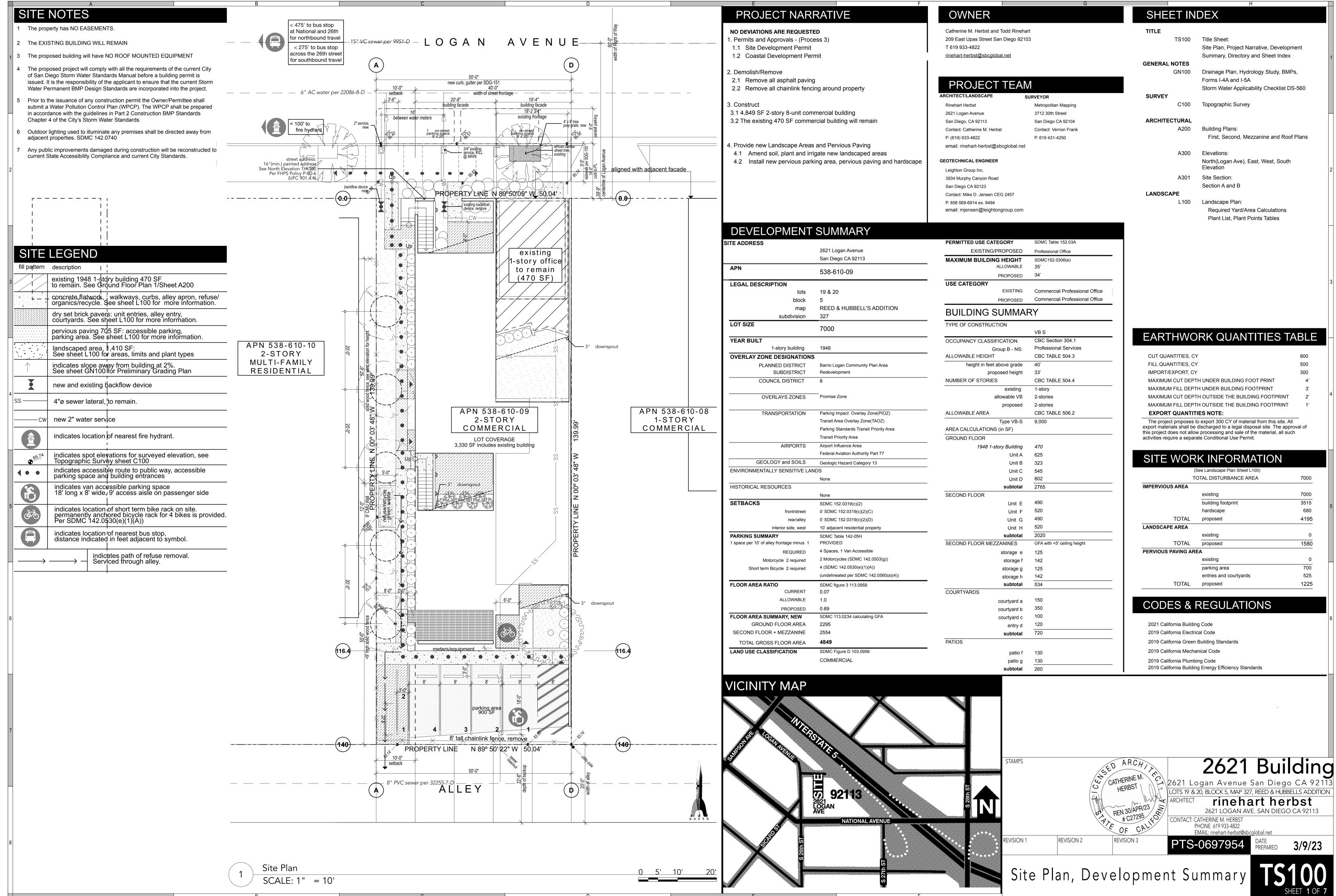
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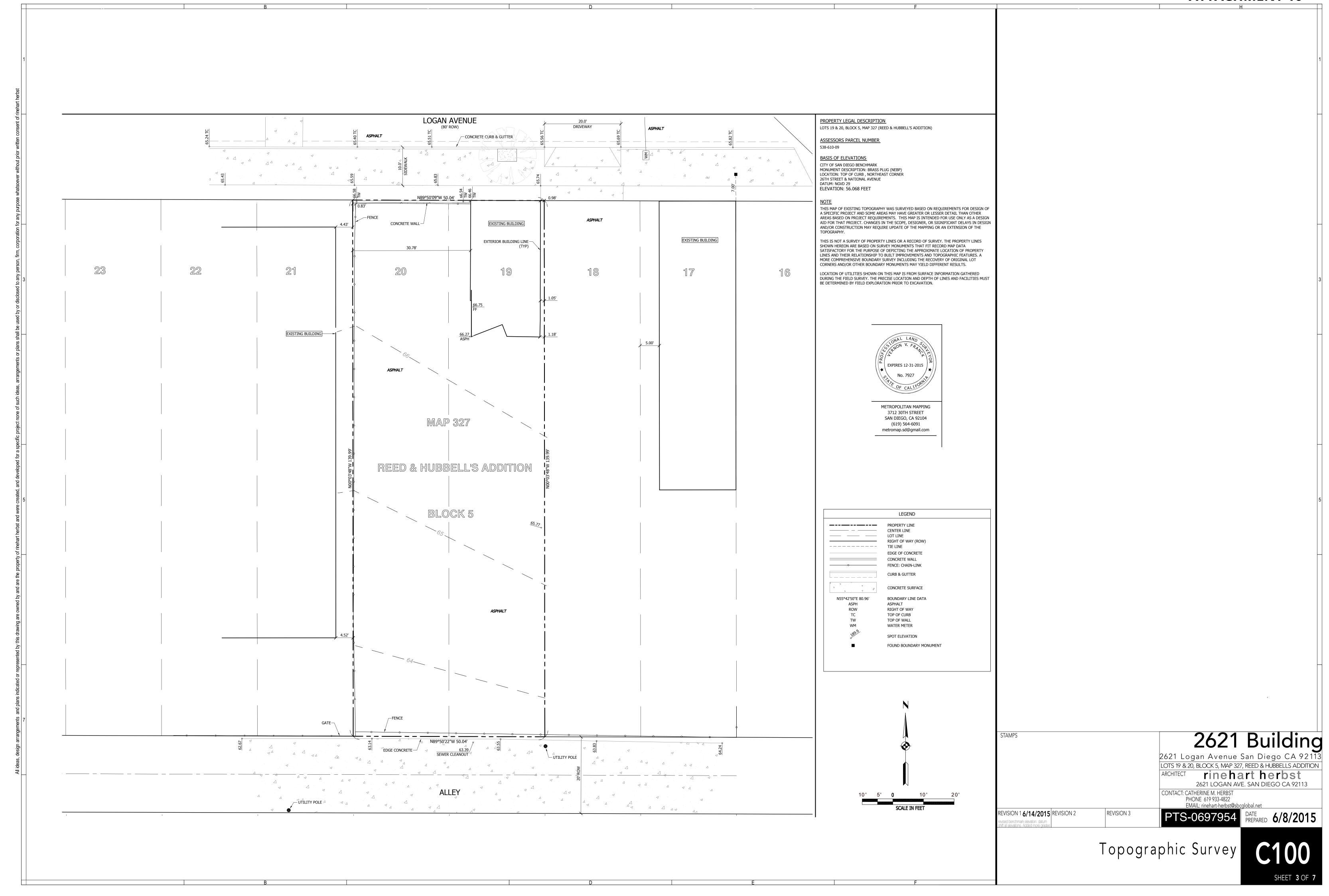
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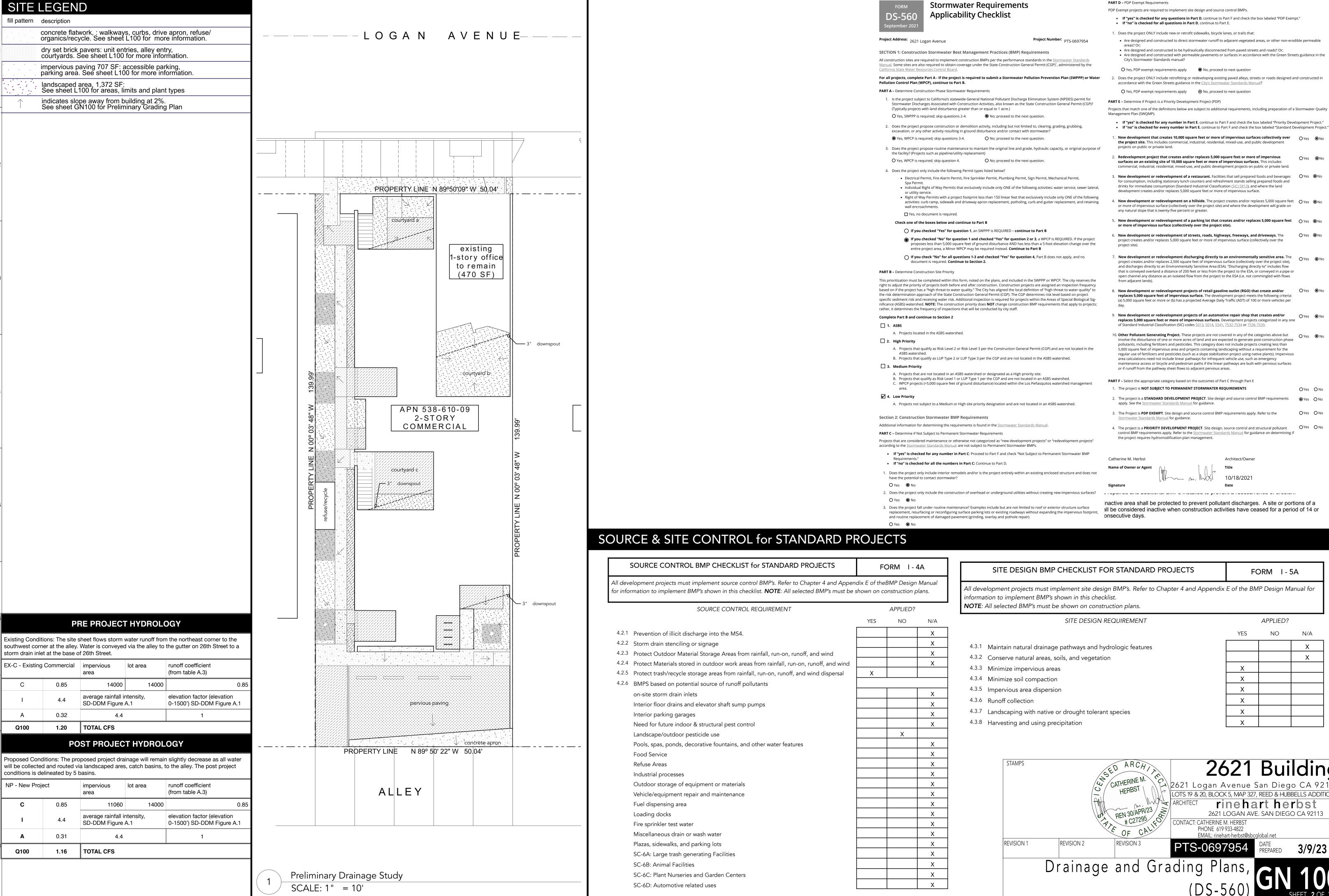
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October 2017

Project Title:	Project No	Project No. For City Use Only:		
Project Address:				
Specify Form of Ownership/Legal Status (please check):				
□ Corporation □ Limited Liability -or- □ General – What State?	Corporate Identification	n No		
□ Partnership □ Individual				
By signing the Ownership Disclosure Statement, the owner(s) acknowledge that with the City of San Diego on the subject property with the intent to record owner(s), applicant(s), and other financially interested persons of the above reindividual, firm, co-partnership, joint venture, association, social club, fraternate with a financial interest in the application. If the applicant includes a corporate individuals owning more than 10% of the shares. If a publicly-owned corporate officers. (A separate page may be attached if necessary.) If any person is a no ANY person serving as an officer or director of the nonprofit organization A signature is required of at least one of the property owners. Attach addite notifying the Project Manager of any changes in ownership during the time to ownership are to be given to the Project Manager at least thirty days prior to accurate and current ownership information could result in a delay in the hear	an encumbrance againeferenced property. A call organization, corporation, include the name of the property or as trustee or beneational pages if needed, the application is being any public hearing on the effectional pages.	nst the property. P financially interested ation, estate, trust, r clude the names, tit s, titles, and address a trust, list the name ficiary of the nonp Note: The applicar g processed or cons	Please list below the digraphy includes any eceiver or syndicate cles, addresses of all ses of the corporate es and addresses of profit organization. It is responsible for idered. Changes in	
Property Owner				
Name of Individual:	□ Owner	☐ Tenant/Lessee	☐ Successor Agency	
Street Address:				
City		State:	Zip:	
	Email:			
Signature: M. MXX				
Additional pages Attached:				
Applicant				
Name of Individual:	Owner	☐ Tenant/Lessee	☐ Successor Agency	
Street Address:				
City:		State:	Zip:	
Phone No.: Fax No.:	Email:			
Signature:				
Additional pages Attached:				
Other Financially Interested Persons				
Name of Individual:	☐ Owner	☐ Tenant/Lessee	☐ Successor Agence	
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PART D - PDP Exempt Requirements

