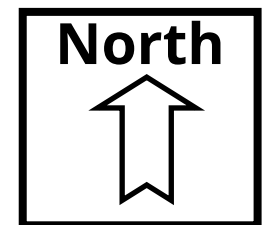


## Location Map

2001 Newton Avenue  
Project No. PRJ-0696585





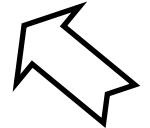
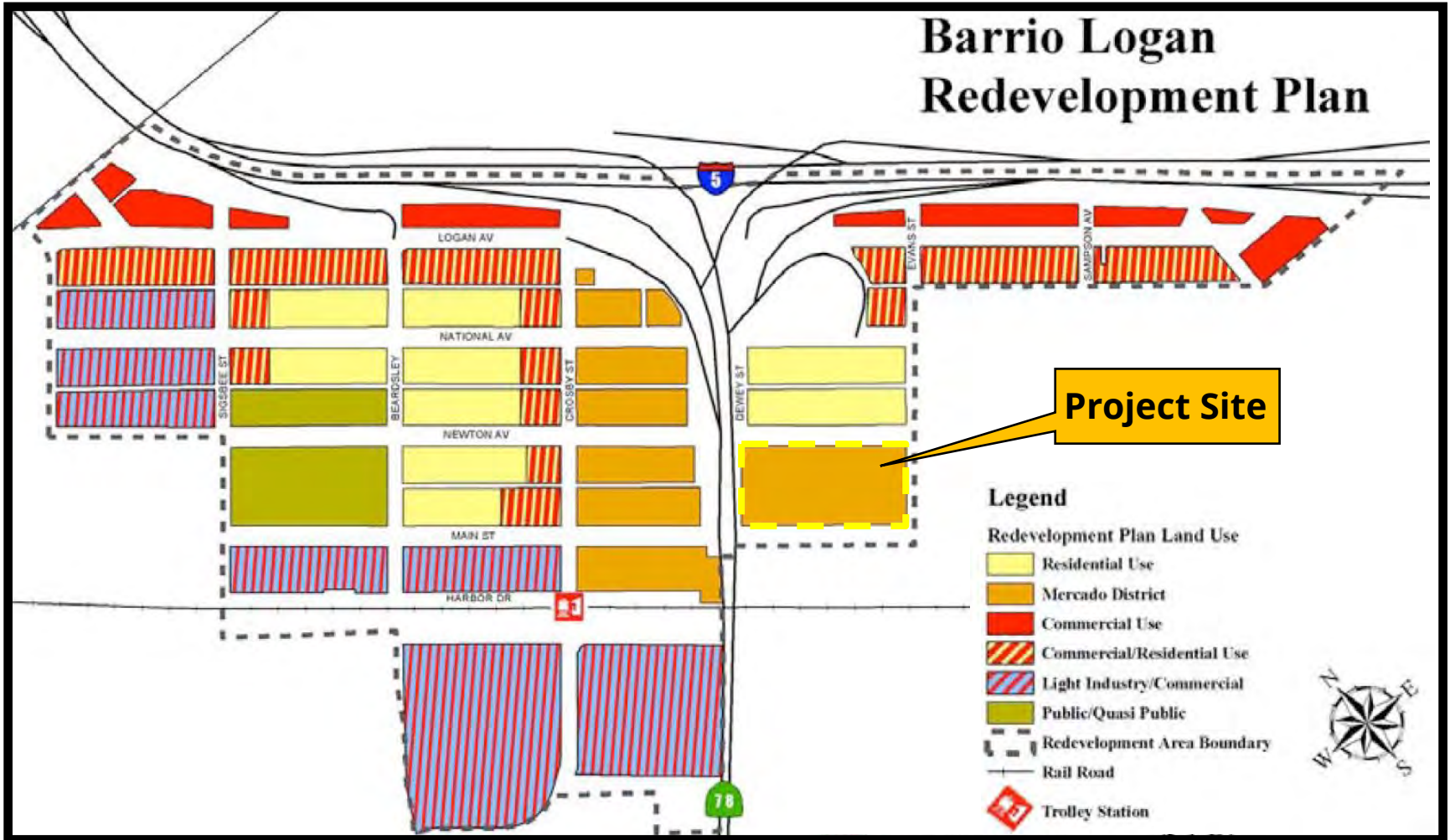


**2001 Newton Avenue**  
**Project No. PRJ-0696585**





# Barrio Logan Redevelopment Plan



**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: 24009026

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-2580639

SITE DEVELOPMENT PERMIT NO. PMT-2592302

**MERCADO APARTMENTS - PROJECT NO. PRJ-0696585**

(AMENDMENT TO BARRIO LOGAN/COASTAL DEVELOPMENT PERMIT NO. 92-0490)

HEARING OFFICER

This Coastal Development Permit No. PMT-2580639 and Site Development Permit No. PMT-2592302 amendment to Barrio Logan/Coastal Development Permit No. 92-0490 is granted by the Hearing Officer of the City of San Diego to Mercado 2019 LP, a California Limited Partnership, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0702 and 152.0202(b)(1) for development within the Coastal Overlay Zone and for development within the Redevelopment Subdistrict of the Barrio Logan Planned District. The proposed project site is a 0.98-acre portion of a 4.34-acre parcel located at 2001 Newton Street in the Barrio Logan Planned District Redevelopment-Subdistrict Zone, Coastal (Non-Appealable) Overlay Zone, Airport Land Use Compatibility Overlay Zone (ALUCOZ) for Naval Air Station (NAS) North Island and San Diego International Airport (SDIA), Airport Influence Area (Review Area 2) for NAS North Island and SDIA, Federal Aviation Administration (FAA) Part 77 Notification Area for NAS North Island and SDIA, San Diego Promise Zone, Transit Area Overlay Zone, Parking Standards Transit Priority Area, and Transit Priority Area within the Barrio Logan Community Planning area. Development of the site is governed by Barrio Logan/Coastal Development Permit No. 92-0490 and the Barrio Logan Planned Development Ordinance (SDMC Chapter 15, Article 2, Division 1). The project site is legally described as: PARCEL 1 OF PARCEL MAP NO. 17172, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JUNE 29, 1993, AS FILE NO. 1993-0414075 OF OFFICIAL RECORDS. ASSESSOR'S PARCEL NUMBER (APN): 538-672-04-00.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the demolition of (two) two-story apartment buildings, a parking lot and a trash enclosure; and the construction of a four-story residential apartment building with outdoor courtyard and plaza space, accessory common areas, administrative offices, and associated site improvements subject to the City's land use regulations described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 7, 2025, on file in the Development Services Department.

The project shall include:

- a. The demolition of two (2) two-story apartment buildings (with 12 dwelling units) totaling approximately 12,000 square feet (SF), a parking lot and a trash enclosure;
- b. The construction of a four-story, 92 dwelling unit, residential apartment building totaling 100,169 SF with 5,886-square-foot outdoor courtyard and plaza space, accessory common areas, and administrative offices. The overall 4.34-acre site with the proposed 92 dwelling units will include an overall total of 224 dwelling units;
- c. The project is requesting deviations in the form of waivers from the following requirements:
  - i. SDMC Section 152.0319(e)(1)(A) to allow for a seven-foot window height instead of a 12-foot window height extending from the top of the sidewalk surface;
  - ii. Deviation from SDMC Section 152.0319(e)(1)(B) to remove the requirement of every dwelling unit to have direct pedestrian access from both the abutting street and rear parking areas, whereas the project will provide direct access from the abutting streets (Main Street and South Evans Street) for the proposed four-story building, access from rear parking areas will not be provided; and
  - iii. SDMC Section 152.0319(f)(1) to remove the requirement for façade building setbacks for buildings having three or more stories.
- d. A reduction of the required parking spaces for Barrio Logan/Coastal Development Permit No. 92-0490 from 212 off-street parking spaces to 94 off-street parking spaces for the overall site;
- e. Landscaping (planting, irrigation and landscape-related improvements); 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 May 21, 2028.

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.

11. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase per the approved Exhibit "A."

12. Upon recordation and utilization of this permit the following conditions from Barrio Logan/Coastal Development Permit No. 92-0490 are hereby amended:

- a) Condition No. 3 is revised to reduce the number of required off-street parking spaces from 212 parking spaces to 149 parking spaces in accordance with the approved Exhibit "A" made part of this permit.
- b) Condition No. 28 for the final design of a previously proposed urban park is hereby removed from requirements for Barrio Logan/Coastal Development Permit No. 92-0490.

All other permit conditions from Barrio Logan/Coastal Development Permit No. 92-0490 shall remain as approved by the City Council of the City of San Diego.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

13. 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.

14. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. PRJ-0696585, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 0696585/SCH no. 2025020359 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:

- Noise

**CLIMATE ACTION PLAN REQUIREMENTS:**

16. 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.

**AFFORDABLE HOUSING REQUIREMENTS:**

17. Prior to the issuance of any building permits, the Owner/Permittee shall enter into an affordable housing agreement with the San Diego Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

18. Prior to issuance of any building permit associated with this Project, the Owner/Permittee shall demonstrate compliance with the provisions of the Affordable Housing Density Bonus Regulations of Chapter 14, Article 3, Division 7 of the SDMC; Inclusionary Affordable Housing Regulations of SDMC Chapter 14, Article 2, Division 13; and the Coastal Overlay Zone Affordable Housing Replacement Regulations of Chapter 14, Article 3, Division 8. The Owner/Permittee shall enter into a written Agreement with the San Diego Housing Commission which shall be drafted and approved by the San Diego Housing Commission, executed by the Owner/Permittee, and secured by a deed of trust which incorporates applicable affordability conditions consistent with the SDMC. The Agreement will specify that in exchange for the City's approval of the Project, Which includes the demolition of protected dwelling units and contains 34 bonus units in addition to the 190 units permitted by the underlying zoning regulations, alone or in conjunction with any incentives or concessions granted as part of Project approval, the Owner/Permittee shall provide two dwelling units affordable to Very Low-Income households with rents of no more than 30-percent of 50-percent of AMI, and 32 dwelling units affordable to Low-Income households with rents of no more than 30-percent of 60-percent AMI, for no fewer than 55 years.

19. Prior to issuance of any building or demolition permit associated with this Project, the Owner/Permittee shall demonstrate compliance with the provisions of the Dwelling Unit Protections Regulations of Chapter 14, Article 3, Division 12 of the SDMC and the Coastal Overlay Zone Affordable Housing Replacement Regulations of Chapter 14, Article 3, Division 8 of the SDMC.

20. Prior to issuance of any building or demolition permit, the project must obtain approval from the San Diego Housing Commission (SDHC) Board of Commissioners and, if deemed necessary, Housing Authority as well as any other lenders' governing bodies.



**AIRPORT REQUIREMENTS:**

21. Prior to the issuance of any building permits, the Owner/Permittee shall provide a copy of the signed agreement [DS-503] and show certification on the building plans verifying that the structures do not require Federal Aviation Administration [FAA] notice for Determination of No Hazard to Air Navigation, or provide an FAA Determination of No Hazard to Air Navigation as specified in Information Bulletin 520.

**ENGINEERING REQUIREMENTS:**

22. Development of this project shall comply with all stormwater construction requirements of the State Construction General Permit Order No. 2022-0057-DWQ. In accordance with Order No. 2022-0057-DWQ or subsequent order, a Risk Level Determination shall be calculated for the site and a Stormwater Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

23. Development of this project shall comply with all permanent stormwater requirements of Municipal Stormwater Permit No. 2013-0001, or subsequent order, and the current version of the City of San Diego's Stormwater Standards Manual.

24. 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.

25. Prior to the issuance of any building permit the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement (EMRA), from the City Engineer, for the landscape/irrigation and outlets in Main Street Right-of-Way.

26. Prior to the issuance of any building permit the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement (EMRA), from the City Engineer, for the landscape/irrigation in Evans Street Right-of-Way.

27. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the closure of the existing driveway with current City Standard curb, gutter, and sidewalk adjacent to the site on Evans Street satisfactory to City Engineer.

28. Prior to the issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2022-0057-DWQ and a copy shall be submitted to the City.

**LANDSCAPE REQUIREMENTS:**

29. 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.

30. 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.

31. 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 SDMC §142.0403(b)(6).

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.'

32. 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 landscaping shall be maintained consistent with the Landscape Standards in a disease, weed, and litter-free condition at all times. Severe pruning or "topping" of trees is not permitted.

33. 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:**

34. 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.

35. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

36. 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**

37. All 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 by the appropriate City decision maker in accordance with the SDMC.

38. Prior to first occupancy, the Owner/Permittee shall provide and maintain the following Transportation Amenities, as shown on Exhibit A:

39.

- a. An On-site Transit and Rideshare Information Kiosk; and
- b. An on-site bicycle repair station installed, properly maintained, and in a well-lit area, near the street frontage and must include, at a minimum, a bike pump, English and Metric Allen wrenches, pedal wrench, headset wrench, tire levers and screwdrivers;
- c. A private outdoor fitness circuit.

All improvements shall be completed and operational prior to first occupancy.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

40. Prior to the issuance of any building permits, if it is determined during the building permit review process the existing water and sewer service will not be adequate to serve the proposed project, the Owner/Permittee shall, assure by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

41. Prior to the issuance of any building permit, the Owner/Permittee shall install appropriate private backflow prevention device(s) (BFPDs), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

42. 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.



43. 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.

**WASTE MANAGEMENT PLAN REQUIREMENTS:**

44. The Owner/Permittee shall comply with the Waste Management Plan prepared by Helix Environmental Planning, Inc., dated April 2023, and shall be enforced and implemented to the satisfaction of the City of San Diego Environmental Services Department.

**INFORMATION ONLY:**

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

APPROVED by the Hearing Officer of the City of San Diego on May 7, 2025, and [Approved Resolution Number].

**ATTACHMENT 4**

Coastal Development Permit No. PMT-2580639  
Site Development Permit No. PMT-2592302  
Date of Approval: May 7, 2025

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Martin R. Mendez  
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.

Mercado 2019 LP,  
a California Limited Partnership  
Owner/Permittee

By \_\_\_\_\_  
NAME  
TITLE

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

HEARING OFFICER  
RESOLUTION NO. [REDACTED]  
COASTAL DEVELOPMENT PERMIT NO. PMT-2580639  
SITE DEVELOPMENT PERMIT NO. PMT-2592302  
**MERCADO APARTMENTS - PROJECT NO. PRJ-0696585**  
**MITIGATION MONITORING AND REPORTING PROGRAM [MMRP]**  
(AMENDMENT TO BARRIO LOGAN/COASTAL DEVELOPMENT PERMIT NO. 92-0490)

WHEREAS, MERCADO 2019, LP, a California Limited Partnership, Owner/Permittee, filed an application with the City of San Diego for a permit to redevelop an existing affordable housing apartment complex to include the demolition of two (2) two-story apartment buildings (with 12 dwelling units), an existing parking lot and a trash enclosure and the construction of a four-story, 92 dwelling unit, residential apartment building with outdoor courtyard and plaza space, accessory common areas and administrative offices (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Coastal Development Permit No. PMT-2580639, Site Development Permit No. PMT-2592302) and amendment to Barrio Logan/Coastal Development Permit No. 92-0490, on a 0.98-acre portion of a 4.34-acre parcel;

WHEREAS, the project site is located at 2001 Newton Street in the Barrio Logan Planned District Redevelopment-Subdistrict Zone, Coastal (Non-Appealable) Overlay Zone, Airport Land Use Compatibility Overlay Zone (ALUCOZ) for Naval Air Station (NAS) North Island and San Diego International Airport (SDIA), Airport Influence Area (Review Area 2) for NAS North Island and SDIA, Federal Aviation Administration (FAA) Part 77 Notification Area for NAS North Island and SDIA, San Diego Promise Zone, Transit Area Overlay Zone, Parking Standards Transit Priority Area, and Transit Priority Area within the Barrio Logan Community Planning area;

WHEREAS, the project site is legally described as PARCEL 1 OF PARCEL MAP NO. 17172, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE



COUNTY RECORDER OF SAN DIEGO COUNTY JUNE 29, 1993, AS FILE NO. 1993-0414075 OF OFFICIAL RECORDS. ASSESSOR'S PARCEL NUMBER (APN): 538-672-04-00;

WHEREAS, on May 7, 2025, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. PMT-2580639, Site Development Permit No. PMT-2592302 and amendment to Barrio Logan/Coastal Development Permit No. 92-0490 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. PMT-2580639 and Site Development Permit No. PMT-2592302:

**A. COASTAL DEVELOPMENT PERMIT [SAN DIEGO MUNICIPAL CODE (SDMC) Section 126.0708]**

**1. Findings for all Coastal Development Permits:**

- 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 land use plan.**

The project proposes the redevelopment of a 0.98-acre portion of a previously developed 4.34-acre parcel with an existing 100-percent affordable housing development containing 144 apartment dwelling units within 24 residential garden-style apartment buildings, a building for offices and classrooms, and associated on-site parking and site improvements. The project proposes the demolition of two (2) two-story apartment buildings containing 12 dwelling units totaling approximately 12,000 square feet (SF), a surface parking lot and a trash enclosure and the construction of a 92-dwelling unit four-story apartment building totaling 100,169 SF with a 5,886-square-foot outdoor courtyard and plaza space, accessory common areas, administrative offices, and associated site improvements. The overall 4.34-acre site with the proposed 92 dwelling units will increase the number of dwelling units to 224 dwelling units where the project site was previously entitled under Barrio Logan/Coastal Development Permit No. 92-0490 for the development of 144 dwelling units. The proposed 92-dwelling-unit multi-family apartment building will provide 100 percent of the proposed dwelling units as affordable housing, to include the following:

- 30 one-bedroom units (550 SF each)

- 38 two-bedroom units (750 SF each)
- 24 three-bedroom units (930 SF each)

All units are income-restricted at or below: 60-percent (60%) Area Median Income (AMI). Additionally, the proposed project includes an amendment to Barrio Logan/Coastal Development Permit No. 92-0490 to reduce the number of parking spaces for the development from 212 off-street parking spaces to 94 off-street parking spaces and to remove the requirement for the Urban Park (extension to Chicano Park) on the adjacent 1.28-acre area located under the Coronado Bridge (California State Route 75 right-of-way) that is owned and managed by the California Department of Transportation (Caltrans).

The project site is located at 2001 Newton Street in the Barrio Logan Planned District Redevelopment-Subdistrict Zone, Coastal (Non-Appealable) Overlay Zone, Airport Land Use Compatibility Overlay Zone (ALUCOZ) for Naval Air Station (NAS) North Island and San Diego International Airport (SDIA), Airport Influence Area (Review Area 2) for NAS North Island and SDIA, Federal Aviation Administration (FAA) Part 77 Notification Area for NAS North Island and SDIA, San Diego Promise Zone, Transit Area Overlay Zone, Parking Standards Transit Priority Area, and Transit Priority Area within the Barrio Logan Community Planning area. The project is subject to the regulations outlined in Barrio Logan/Coastal Development Permit No. 92-0490 and the 1978 Barrio Logan Harbor 101 Community Plan (Community Plan) and the Barrio Logan Planned District Ordinance, SDMC Chapter 15, Division 2, Articles 1 through 4, since the project was deemed complete on October 25, 2022, prior to the December 14, 2023, California Coastal Commission's certification of the Barrio Logan Community Plan Update and Local Coastal Program.

The project site is located less than a half mile (approximately 1,630 feet) north-easterly from the shoreline of San Diego Bay and approximately 2.3 miles north-easterly from the shoreline of the Pacific Ocean. The Community Plan does not identify any physical accessways that are legally used by the public and the project is not proposing physical accessways. The Community Plan under the Coastal Zone Element has a plan recommendation that calls for physical development controls that assure a balanced co-existence, as well as the maintenance, rehabilitation and development of low- and moderate-income housing, the reinforcement of the unique ethnic character and social strengths in the community, and the provisions for access to the bayfront to experience the unique qualities of waterfront industrial activity and visually participate in it. The Community Plan further proposes landscaping, beautification, buffers and qualitative urban design development controls to enhance the community.

Although the project site does not have, nor does it propose a physical direct accessway to coastal areas, the project site is bound by public streets (Main Street, Newton Avenue and S. Evans Street) that have public sidewalks that connect to Cesar E Chavez Parkway which is a public street that connects to Cesar Chavez Park and Public Pier 19 located less than a half-mile north-westerly of the project site. Additionally, the project site is adjacent to Chicano Park, which is a unique cultural

heritage amenity for the community and within 600 feet of community-serving commercial and retail facilities, including the Mercado complex, located at the intersection of Cesar E. Chavez and Newton Avenue. The Community Plan considers these community amenities as recreation and visitor-serving facilities. As such, connection to these amenities and to the coastal access located at Cesar Chavez Park and Public Pier 19 assists in meeting the plan recommendation of providing access to San Diego Bay and developing a circulation/transportation network to commercial development and unique cultural spaces such as Chicano Park.

The proposed project will protect public views by conforming to the applicable 50-foot building height limit (not to exceed four stories) by proposing a project that is 40 feet-eight inches in height (four stories). The project preserves the existing circulation framework of Barrio Logan, reinforcing a compact, walkable, and mixed-use village character at various scales. The project incorporates courtyard-oriented site planning, regionally inspired building colors, and architectural detailing that reflects the area's cultural heritage. The main entry along South Evans Street will lead into the courtyard through a three-story volume, accentuated by a red triangular arch, creating a strong visual identity. On Main Street, the building façade will be highlighted by a projecting fourth-floor balcony, offering expansive views of San Diego Bay, further reinforcing a connection to the surrounding urban environment. While San Diego Bay serves as the area's dominant visual feature, industrial development located west of the project site largely obstructs views from the ground level.

As described above the proposed development has been designed to visually integrate with the surrounding urban environment, maintaining the area's established character and enhancing public views within the Barrio Logan Community by proposing a design that is consistent with the goals and policies of the Community Plan with exception of allowed deviations in the form of waivers for the required window heights, direct access from the abutting street and the requirement for façade building stepbacks for buildings that have three or more stories (See Finding B.1.c. incorporated here by reference). 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 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 land use plan.

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

The project site is developed and consists of residential buildings, asphalt concrete parking areas, and ornamental landscaping. It does not contain environmentally sensitive lands (ESL) where sensitive species may be present and is not adjacent to Multi-Habitat Planning Area (MHPA). The project site does not possess native vegetation that would serve as habitat area for species identified as candidate, sensitive, or special status species. Therefore, no direct or indirect impacts to sensitive species would occur.



The proposed project will be conditioned to ensure conformance with the City's Stormwater regulations, ensuring all drainage from unimproved areas is appropriately collected and discharged to reduce, control, or mitigate erosion and for pollution prevention. 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 project is described in Findings A.1.a. and A.1.b. above and incorporated here by reference. As previously identified, the project is subject to the regulations of the 1978 Barrio Logan Harbor 101 Community Plan (Community Plan) and the Barrio Logan Planned District Ordinance since the project was deemed complete on October 25, 2022, prior to the California Coastal Commission's certification of the Barrio Logan Community Plan Update and Local Coastal Program. Barrio Logan is within the Coastal Overlay Zone. Therefore, the Community Plan includes a Local Coastal Plan and a certified implementation program. The Community Plan addresses issues related to Public Access and Recreation, Development and Design Standards, Environmental protection, Scenic and Visual Resources, Hazard Mitigation, Cultural and Historic Resources. The Local Coastal Program and certified Implementation Program help ensure sustainable and responsible development within the Coastal Zone. The project site is zoned Barrio Logan Planned District (BLPD)-Redevelopment Subdistrict, the intent of the BLPD is to provide development criteria and urban design standards for the erection, construction, establishment, addition, enlargement, conversion, demolition, alteration or rehabilitation of quality residential, commercial, industrial, public and quasi-public developments related to the small lot configuration and the urbanization pattern of the Barrio Logan community. The Barrio Logan Redevelopment Plan (page 219) identifies the project site within the Mercado District. The Mercado District Area land use recommendations include the facilitation of the development of commercial uses mixed with residential and public-serving uses to serve the Barrio Logan Community, as well as the greater regional area and tourists. The Urban Design land use recommendation includes achieving an environment that reflects a high level of concern for architecture, landscape, urban design and land use principles.

The proposed project will promote walkability as the fronting right-of-ways along Newton Avenue, Main Street and South Evans Street will be enhanced with landscaping (e.g., trees and shrubbery) per the City Landscape Guidelines for Barrio Logan. Furthermore, fronting sidewalks, lighting and streetscapes will conform to applicable City standards and regulations.

The project site was previously developed under Barrio Logan/Coastal Development Permit No. 92-0490 for the construction of a 144-dwelling unit multi-family residential development with a community meeting room, daycare facility and an extension to Chicano Park with 212 off-street parking spaces and associated site improvements on

a 5.62-acre site, consisting of a residential site area of 4.34-acres and an Urban Park site area of 1.28-acres. This project proposes to amend the previously issued permit, Barrio Logan/Coastal Development Permit No. 92-0490, to reduce the number of required parking spaces for the development from 212 off-street parking spaces to 94 off-street parking spaces and to remove the requirement for the Urban Park (extension to Chicano Park) on the adjacent 1.28-acre area located under the Coronado Bridge (California State Route 75 right-of-way) that is owned and managed by the California Department of Transportation (Caltrans).

The proposed project would redevelop a 0.98-acre portion of the overall 4.34-acre residential site area by demolishing two (2) two-story apartment buildings containing 12 dwelling units totaling approximately 12,000 square feet (SF), a surface parking lot and a trash enclosure; and constructing a 92-dwelling unit four-story apartment building totaling 100,169 SF with a 5,886-square-foot outdoor courtyard and plaza space, accessory common areas, administrative offices, and associated site improvements. The apartment complex with the proposed redevelopment would total 224 dwelling units with 222 affordable apartments.

The Community Plan designates the project site within the existing M-2 Industrial/Commercial/Residential zone as shown on the Existing Zones map, page 118. The Redevelopment Subdistrict designates land uses and development standards intended to create a compact, small-scale, pedestrian-oriented environment and encourage compatible mixed-use land patterns. The intent of the Redevelopment Subdistrict is to encourage new development, as well as retaining, rehabilitating, and adaptively reusing existing structures. It is further the intent of the Redevelopment Subdistrict to foster quality architecture, landscaping and urban design principles consistent with the objectives of the Redevelopment Plan, and to create an identifiable urban character and community image. The Community Plan identifies several overriding goals and major recommendations, including the goal to “conserve and reinforce the existing living and working community through residential/industrial coexistence and rehabilitation. Rather than totally renew the community, the approach should be to infill the existing community and strengthen its housing, commercial, and industrial assets, as well as recreational, transportation, and open space opportunities. Residential/industrial coexistence is the major goal of the Plan.” The proposed project achieves this goal by providing an infill project on an existing site that includes affordable housing. Complementing a compatible mix of land uses, the project’s site will contain two-story garden apartments (previous development) as well as a four-story building (proposed redevelopment).

The Land Use section of the Community Plan identifies recommendations for residential uses to include the following:

- Retain and enhance the residential environment of the community.
- Establish a housing rehabilitation program in the community.
- Provided expanded housing development opportunities in the community.

The Housing Element of the General Plan also echo the recommendation of the Community Plan and the proposed project supports these recommendations by proposing an infill project that includes rehabilitation of the existing two-story garden style dwelling units and proposing an increase in the number of dwelling units for the overall project site.

The Community Plan has plan recommendations that include the expansion of the Barrio population by encouraging the development of new housing in the area for low- and moderate-income families, both through private rehabilitation and through various housing assistance programs. An increase in the residential population is needed to increase the economic viability of the community in terms of its ability to support a minimum level of commercial services. The proposed project supports this recommendation by providing an increase in affordable housing dwelling units on a site that is part of an existing housing assistance program with dwelling units available for various income levels.

The Community Plan includes an Urban Design Element that was designed to give some indication of visual development, environmental, and general urban design character designations in the community. The recommendations are designed to give an indication of unique community characteristics of urban design and thus become the foundation for the development of overlay zones, as proposed in the Land Use Element of the Plan. The unique community conditions and location in the Coastal Zone further require that a careful assessment be made of urban design considerations to develop appropriate land use controls for plan implementation. The Urban Design Element has plan recommendations that include the rehabilitation of existing residential and the development of new residential dwelling units that maintain a compatible scale with the existing developments within the community. In addition, roofs should be pitched, and if flat roofs are developed, they should form useable terraces on the roof; building colors should be warm and bright to match existing development; and parking requirements should be flexible, considering the great portion of the residential population which is transit dependent. The proposed project design is consistent with the Community Plan recommendations by proposing a building height of 40-feet-eight inches in conformance with the 50-foot maximum building height limit and consistent with existing multi-story developments located north of the project site along Cesar E. Chavez Parkway.

As identified in Finding A.1.a above incorporated here by reference, the project proposes common balconies on the west elevation of the building facing Main Street at each floor with the balcony on the 4<sup>th</sup> floor providing expansive views of San Diego Bay, further reinforcing a connection to the surrounding urban environment. The project proposes a color palette that is consistent with the existing development and complementary to adjacent existing developments. The project will also provide the following transportation amenities:

- An on-site Transit and Rideshare Information Kiosk;
- An on-site bicycle repair station installed, properly maintained, and in a well-lit area, near the street frontage and must include, at a minimum, a bike pump,

- English and Metric Allen wrenches, pedal wrench, headset wrench, tire levers and screwdrivers; and
- A private outdoor fitness circuit.

The project will include amendments to the existing Barrio Logan/Coastal Development Permit (Permit No. 92-0490) which would reduce the number of required parking spaces for the development from 212 off-street parking spaces to 94 off-street parking spaces and remove the requirement for the previously proposed Urban Park (extension to Chicano Park) on the adjacent 1.28-acre area located under the Coronado Bridge (State Highway 75 right-of-way) that is owned and managed by the California Department of Transportation (Caltrans). Reducing the parking spaces serving the overall development would be supported due to the project site being located within a quarter-mile radius of several Metropolitan Transit System (MTS) transportation services, including:

- Bus route 929, which runs along Main Street and serves Downtown San Diego, National City, Chula Vista down to the Iris Avenue Transit Station near San Ysidro, with a transit stop located at the intersection of Main Street and Evans Street; and
- Bus route 901, serving downtown San Diego and Coronado with a bus stop located at the intersection of Cesar E. Chavez Parkway and National Avenue, within a quarter mile, northeast of the project site; and
- The Blue Line Trolley (Barrio Logan Station) located near the intersection of Harbor Drive and Cesar E. Chavez Parkway, within a quarter mile, northwest of the project site. The Blue Line runs from University Towne Centre area to the United States/Mexico Border and connects to the San Diego Trolley Orange and Green Lines which serve the regional area.

The reduction in parking is supported due to the project site being located within a Transit Priority Area, with established regional transit options located within a quarter-mile radius of the project site identified above. Furthermore, removal of the requirement to improve the adjacent 1.28-acre area located under the Coronado Bridge is supported because the property owner for the residential development does not own or have development rights for the adjacent area. Therefore, 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.

- 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 project site is situated in a densely urbanized area of Barrio Logan, located at 2001 Newton Avenue, and bound by Main Street and South Evans Street. The project site is approximately 350 feet northeast of Harbor Drive, which is the Coastal Overlay Zone First Public Roadway, just under a 1/2 mile southeast of Cesar Chavez Park and Public

Pier 19 along the waterfront, and approximately 1-1/2 miles southeast of Embarcadero Marina Park South. The project site is not located between the first public road paralleling the Pacific Ocean (Harbor Drive) or the shoreline. Therefore, it will not interfere with the public's right of access to the sea or coastal resources.

The proposed project will promote walkability as the fronting rights-of-way along Newton Avenue, Main Street and South Evans Street will be enhanced with landscaping (e.g., trees and shrubbery) per applicable City standards and regulations. Furthermore, fronting sidewalks, lighting and streetscapes will be conditioned to conform to applicable City standards and regulations. The proposed project would be consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act through a secondary supporting access system. While not directly adjacent to the shoreline, the public access corridor along Main Street to Cesar E. Chavez Parkway provides a pedestrian connection to Cesar Chavez Park. Additionally, the project site is adjacent to Chicano Park, which is a unique cultural heritage amenity for the community and within 600 feet of community-serving commercial and retail facilities, including the Mercado complex, located at the intersection of Cesar E. Chavez and Newton Avenue. The Community Plan considers these community amenities as recreation and visitor-serving facilities. As such, connection to these amenities and to the coastal access located at Cesar Chavez Park and Public Pier 19 assists in meeting the Coastal Act public access and public recreation policies and plan recommendation of providing access to San Diego Bay and developing a circulation/transportation network to commercial development and unique cultural spaces such as Chicano Park.

**B. SITE DEVELOPMENT PERMIT [SDMC Section 126.0505]**

**1. Findings for all Site Development Permits:**

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

The project is described in the CDP Findings above, incorporated here by reference. As previously identified, the project is subject to the regulations of the 1978 Barrio Logan Harbor 101 Community Plan (Community Plan) since the project was deemed complete on October 25, 2022, prior to the California Coastal Commission's certification of the Barrio Logan Community Plan Update and Local Coastal Program. Barrio Logan is within the Coastal Overlay Zone. Therefore, the 1978 Community Plan for Barrio Logan includes a Local Coastal Plan and a Certified Implementation Program. As described in Finding A.1.c., the proposed project would be in conformance with the applicable regulations of the Community Plan and the Land Development Code, including the Barrio Logan Planned District Ordinance, with the exception of the allowed deviations in the form of waivers in exchange for the provision of affordable housing dwelling units in accordance with the Affordable Housing Density Bonus Regulations of Chapter 14, Article 3, Division 7 of the SDMC for the following regulations:

1. Deviation from SDMC Section 152.0319(e)(1)(A) to allow for a seven-foot window height instead of a 12-foot window height extending from the top of the sidewalk surface;
2. Deviation from SDMC Section 152.0319(e)(1)(B) to remove the requirement of every dwelling unit to have direct pedestrian access from both the abutting street and rear parking areas, whereas the project will provide direct access from the abutting streets (Main Street and South Evans Street) for the proposed four-story building, access from rear parking areas will not be provided; and
3. Deviation from SDMC Section 152.0319(f)(1) to remove the requirement for façade building setbacks for buildings having three or more stories.

Additionally, the project includes two amendments to the previously issued development permit, Barrio Logan/Coastal Development Permit No. 92-0490, to reduce the number of required parking spaces for the development from 212 off-street parking spaces to 94 off-street parking spaces and to remove the requirement for the previously proposed Urban Park (extension to Chicano Park) on the adjacent 1.28-acre area located under the Coronado Bridge (California State Route 75 right-of-way) owned and managed by the California Department of Transportation (Caltrans). The reduction in parking is supported due to the project site being located within a Transit Priority Area, with established regional transit options located within a quarter-mile radius of the project site identified above. The removal of the park requirement is supported because the property owner for the residential development does not own or have development rights for the adjacent area. The project as detailed in Finding A.1.c. above, would be in conformance with the applicable regulations of the Community Plan, and as reviewed by staff, the project as proposed would be in conformance with the applicable regulations of the Land Development Code, specifically the regulations associated with the Barrio Logan Planned District, with the exception of the allowed deviations identified above.

This project aligns with local and regional affordable housing goals, providing long-term, income-restricted housing options to support economic diversity and housing equity within the Barrio Logan community. The project site has a General Plan land use designation of Multiple Use and a Community Plan land use designation of Mercado District land use (Community Plan, page 219), 1991 Barrio Logan Redevelopment project area (Community Plan, page 16) with an existing zone designation of M-2 Residential/Commercial/Industrial (Community Plan, page 118) with development regulations per SDMC Chapter 15, Article 2, Division 3, Barrio Logan Planned District, Redevelopment Subdistrict, SDMC Section 152.0315.

The 1991 Redevelopment Plan for the Barrio Logan Redevelopment Area contains specific land use recommendations to implement the goals and objectives of the Community Plan. For residential and mixed-use development, the recommendations include the following:



1. Create a balanced mix of new housing stock of varied types, including low- and moderate-income housing.

The proposed project will conform to this recommendation by adding a four-story building with three different types of apartment dwelling units. The proposed dwelling units will be affordable to households with income levels at or below 60 percent AMI. The four-story building will complement the existing two-story garden-style apartments currently available to low-income households.

2. Promote neighborhood identity through the rehabilitation of existing residential dwelling units and the addition of new units.

The proposed project will conform to this recommendation by redeveloping a 0.98-acre portion of the overall 4.34-acre residential site area (Affordable apartment housing development), demolishing two (2) two-story apartment buildings (existing garden-style apartment buildings), containing 12 dwelling units, totaling approximately 12,000 square feet (SF), a surface parking lot and a trash enclosure; and constructing a 92-dwelling unit four-story apartment building totaling 100,169 SF with a 5,886-square-foot outdoor courtyard and plaza space, accessory common areas, administrative offices, and associated site improvements. The apartment complex with the proposed redevelopment would increase the total affordable apartment dwelling units for the overall development to 222 dwelling units. Additionally, the project would include the rehabilitation of the existing garden-style apartments.

3. Develop convenient access to commercial services by interspersing residential units with commercial buildings and thus promote the viability of the local business community.

The proposed project will conform to this recommendation by being located within the Mercado District of the Barrio Logan Redevelopment Plan area less than a quarter mile from commercial, retail and mixed-use developments located along Cesar E. Chavez Parkway. Local services located within the Cesar E. Chavez Parkway currently include a San Diego Community College Campus (Cesar E. Chavez Campus), and the Mercado Del Barrio center that includes a full-service grocery store, a four-story mixed-use building with ground level commercial spaces for retail, restaurants and commercial community services. Additionally, the Barrio Logan Fire-Rescue Station No. 7 is also located along this corridor along with other established commercial retail establishments and services. The project site is also within a half-mile radius of other community-serving businesses, including the two corridors along Logan Avenue and National Avenue east of the project site. Services along these two corridors include retail, restaurants, a community center and a health center located northeast of the project site along National Avenue at the intersection of Beardsley Street and National Avenue. By adding additional

dwelling units at the project location, the project will assist in ensuring the viability of local businesses within walking distance from the project site.

4. Achieve an environment that reflects a high level of concern for architecture, landscape, urban design and land use principles.

The proposed project, which consists of the redevelopment of a 0.98-acre portion of the existing 4.34-acre affordable housing apartment development, will conform to this recommendation by providing a project design that complements the existing overall development. The proposed four-story building proposes an architectural design and a color palette that is consistent with the existing garden-style apartments that will remain within the existing overall 4.34-acre site. Additionally, the project will incorporate a landscape design that is in conformance with the Community Plan and the City of San Diego Landscape Regulations, SDMC Section 152.0401, by proposing enhanced paving for their pedestrian entry and courtyard, and utilizing low water use plant material that is complementary to the existing planting scheme along Main Street and South Evans Street that is vibrant in color and embraces the culture and vitality of the Mercado District. The project proposes to maintain existing street trees along both frontage streets and provide additional trees to maintain and improve the tree canopy along the public sidewalks that front the project site. By complementing the established architecture of the area and enhancing landscaping along the frontage streets, the project is assisting in meeting the urban design goal of enhancing landscaping along public streets and providing a development that rehabilitates existing residential and provides new residential opportunities with a scale that is consistent with existing development. The project would be consistent with the scale of existing developments by proposing a building that is four-stories tall with a height of 40-feet-eight inches in conformance with the 50-foot maximum building height limit (not to exceed four stories) as shown in Figure 4, SDMC Section 152.0319 and consistent with existing multi-story developments located north of the project site along Cesar E. Chavez Parkway.

The proposed development utilizes density bonus regulations available in accordance with SDMC Chapter 14, Article 3, Division 7, which allow for greater density (an additional 34 bonus units). With the density bonus provisions, the proposed 92-unit multi-family affordable housing development falls within the allowable development intensity for the site. Therefore, the project would be in conformance with the General Plan, the Barrio Logan Community Plan, and applicable zoning regulations.

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

The project is described in CDP Findings above, incorporated herein by reference. The project site is within the Airport Influence Area (AIA) Review Area 2 and the Federal Aviation Administration (FAA) Part 77 Height Notification Area of the San Diego International Airport (SDIA) Airport Land Use Compatibility Plan (ALUCP) (San Diego

County Regional Airport Authority 2014), in addition, the project site is located within the AIA Review Area 2 and the FAA Part 77 Height Notification Area of the Naval Air Station North Island ALUCP (San Diego County Regional Airport Authority 2020). However, the site is not within a Safety Zone mapped in the San Diego International ALUCP or the Naval Air Station North Island ALUCP. In addition, the proposed structures that would be constructed would not reach heights requiring FAA notification, as indicated by the San Diego International ALUCP or the Naval Air Station North Island ALUCP. Therefore, the project would not result in a safety hazard for people residing or working at the project site.

The project site is situated within an established urban neighborhood. The project site is a previously developed site with existing multi-family residential buildings, asphalt concrete parking areas, ornamental landscaping, and associated site improvements. It does not contain environmentally sensitive land (ESL) where sensitive species may be present and is not adjacent to Multi-Habitat Planning Area (MHPA). The proposed development will adhere to the California Fire Code and has been conditioned to undergo further review for conformance with current applicable life safety codes and regulations as part of the ministerial building permitting process. The project site is within an established urbanized neighborhood served by existing fire safety services, San Diego Fire-Rescue Department Station 7, located within a quarter mile of the project site at the intersection of Cesar E. Chavez Parkway and National Avenue. Given these factors, the project is not expected to expose people or structures to significant risks associated with wildland fires. Therefore, the redevelopment of the existing will not result in a significant impact on life safety service response times.

A Phase I Environmental Site Assessment (ESA) was conducted for the project by Partner Engineering and Science, Inc. (Partner 2019). The ESA identified a Historical Recognized Environmental Condition (HREC) on the project site. The Site History and Environmental Findings are as follows:

- From the mid-1940s to the late 1980s, San Diego Gas & Electric (SDG&E) operated on portions of the project parcel, storing various chemicals, including chlorinated and non-chlorinated solvents, polychlorinated biphenyls (PCBs) in transformers, paints, vehicle maintenance supplies, pesticides, and herbicides.
- In the 1930s, Glasson Lumber Mill occupied the site and maintained a 280-gallon underground storage tank (UST) at the northern corner of the parcel.
- In 1989, prior to the construction of the existing residential development, environmental investigations detected hydrocarbon contamination, low levels of PCBs, and a corroded 280-gallon UST.
- In 1993, remedial excavation was performed, removing total petroleum hydrocarbon (TPH) contamination to non-detectable levels.

- Additional soil and groundwater testing (April-May 1993) confirmed no detectable concentrations of contaminants beyond a single discrete soil sample, a composite soil sample, and a sample from a blind sump.

Based on the findings, the ESA did not identify any Recognized Environmental Conditions (RECs) associated with the project site.

The project includes a Mitigated Negative Declaration (MND); PRJ-0696585, for consideration by the hearing body. The MND evaluated potential environmental effects of the proposed project. The MND determined that the project could have a significant environmental impact related to Noise. However, with adoption of the mitigation measures identified in Section V of the MND, impacts would be mitigated to below a level of significance.

The CAP Consistency Checklist is a tool used to evaluate whether a project aligns with the 2022 Climate Action Plan (CAP) and supports the City's Greenhouse Gases (GHG) emission reduction targets. The checklist follows a three-step process:

1. Assesses the project's consistency with the General Plan, Community Plan, and zoning designations for the site.
2. Evaluate whether the project's design features align with CAP strategies, such as energy-efficient buildings, water conservation, and enhanced pedestrian, cycling, and transit accessibility.
3. Applies only if a project does not conform to land use or zoning but is in a transit priority area, allowing for more intensive development than initially considered in the CAP.

The project is considered consistent with CAP strategies for GHG reduction, incorporating energy efficiency, water conservation, and transit-oriented development measures. Similarly, the project incorporates several sustainability measures to align with the California Green Building Code (CALGreen) Regulations and the City's CAP:

- Energy Efficiency: Roofing materials will meet minimum 3-year aged solar reflection and thermal emittance standards and include solar panel systems.
- Water Conservation: Plumbing fixtures will have restricted maximum flow rates to reduce water consumption.
- Sustainable Transportation: The project includes 45 bicycle spaces and 10 motorcycle stalls, promoting alternative transportation options.
- Transit-Oriented Development: As the site is within a transit priority area near the Barrio Logan Trolley Station and bus stops, no additional parking is required or proposed with the redevelopment of the project site, encouraging public transit use. The previously issued Barrio Logan/Coastal Development Permit No. 92-0490 would be amended to reduce the number of required off-

street parking spaces for the previous project from 212 off-street parking spaces to 94 off-street parking spaces.

- CAP Compliance: The project follows CAP Checklist strategies, ensuring consistency with the Conservation Element of the General Plan, further supporting the City's environmental and sustainability goals.

Overall, these features enhance the project's environmental performance, promoting energy efficiency, water conservation, and reduced car dependency while integrating with San Diego's broader climate action efforts.

Per the Air Quality Technical Report prepared by Helix Environmental Planning, inc. (HELIX 2023), the project site falls within the San Diego Air Basin (SDAB), which operates under the jurisdiction of the San Diego County Air Pollution Control District (SDAPCD). The SDAPCD is responsible for formulating and enforcing local air quality regulations for stationary emission sources within the SDAB, as well as developing strategic plans and programs to achieve compliance with federal and state ambient air quality standards—namely, the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). The project is expected to generate air pollutant emissions during both the construction and operational phases. Construction Best Management Practices (BMPs), will be implemented, incorporating measures to control fugitive dust emissions. These measures include watering active grading areas twice daily and stabilizing stockpiled materials to minimize particulate matter dispersion. By incorporating these BMPs, the project will align with SDAPCD's 2020 Plan for Attaining the National Ambient Air Quality Standards for Ozone in San Diego County and the Regional Air Quality Strategy. Additionally, the project is not expected to generate cumulatively considerable emissions of non-attainment air pollutants that would surpass the established screening-level thresholds.

Furthermore, the project is not anticipated to generate increased traffic levels that could lead to the formation of a carbon monoxide (CO) hotspot. The construction and operational phases of the project would not expose sensitive receptors to substantial concentrations of toxic air contaminants (TACs). The Project could produce odors during proposed construction activities from construction equipment exhaust, application of asphalt, and/or the application of architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. Accordingly, the proposed project would not create objectionable odors affecting a substantial number of people during construction, and short-term impacts would be less than significant. During project operation, the temporary storage of refuse could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's Municipal Code solid waste regulations, thereby precluding significant odor impacts. Furthermore, the proposed project would be required to comply with SDAPCD Rule 51, which prohibits the discharge of odorous emissions that would create a public nuisance. As such, long-

term operation of the proposed project would not create objectionable odors affecting a substantial number of people. Impacts would be less than significant.

A Waste Management Plan (WMP) was developed for the project to assess solid waste generation during demolition, construction, and operational phases and establish strategies for minimizing overall waste impacts (HELIX 2023). Based on the waste generation estimates and diversion rates outlined in the report, the WMP includes mandatory measures such as waste reduction, recycling, diversion programs, an organic waste collection service, and green waste diversion, among other sustainability initiatives.

To promote a clean and sustainable project, the project will conform to CALGreen requirements and additional mandatory regulations some of which have been addressed above. Therefore, the proposed development will not be detrimental to public health, safety, and welfare.

**c. 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 is described in the CDP Findings above, incorporated herein by reference. The project as detailed in Finding A.1.c. above would be in conformance with the applicable regulations of the Community Plan, and as reviewed by staff, the project as proposed would be in conformance with the applicable regulations of the Land Development Code, specifically the regulations associated with the Barrio Logan Planned District, with the exception of the allowed deviations described below.

The proposed project, as previously stated, is an amendment to Barrio Logan/Coastal Development Permit No. 92-0490, and the project is in conformance with the established setbacks and permit conditions of the prior approval, with the exception of the amendments to the development permit identified below. The project will provide a 12-foot-six-inch setback from Evans Street and a 10-foot setback from Main Street, as shown in Exhibit "A." The project conforms to the Redevelopment Subdistrict Property Development Regulations, SDMC Section 152.0319:

Minimum lot area and dimensions:

1. Lot area equals 4.34-acres (189,113 square feet) site where the minimum required lot area is 3,500 square feet.
2. Street frontage equals approximately 600 feet along Newton Avenue and Main Street and approximately 300 feet along Evans Street where the required street frontage is 25 feet.
3. Corner lots require a 25-foot width where the project currently has a lot width of approximately 600 feet fronting Newton Avenue and Main Street.



4. The regulations require a 100-foot lot depth where the project site has a lot depth of approximately 300 feet (fronting Evans Street).

The proposed project is requesting allowed deviations in the form of waivers in exchange for the provision of affordable housing dwelling units, in accordance with the Affordable Housing Density Bonus Regulations of Chapter 14, Article 3, Division 7 of the SDMC, to include the following:

1. Deviation from SDMC Section 152.0319(e)(1)(A) to allow for a seven-foot window height instead of a 12-foot window height extending from the top of the sidewalk surface for the proposed four-story building;
2. Deviation from SDMC Section 152.0319(e)(1)(B) to remove the requirement of every dwelling unit to have direct pedestrian access from both the abutting street and rear parking areas, whereas the project will provide direct access from the abutting streets (Main Street and South Evans Street) for the proposed four-story building, access from rear parking areas will not be provided; and
3. Deviation from SDMC Section 152.0319(f)(1) to remove the requirement for façade building stepbacks for buildings having three or more stories which shall be applicable to the proposed four-story building.

Additionally, the project includes two amendments to the previously issued development permit, CDP/Barrio Logan Permit No. 92-0490, to reduce the number of required parking spaces for the development from 212 off-street parking spaces to 94 off-street parking spaces and to remove the requirement for the previously proposed Urban Park (extension to Chicano Park) on the adjacent 1.28-acre area located under the Coronado Bridge (State Highway 75 right-of-way) owned and managed by the California Department of Transportation (Caltrans). The reduction in parking is supported due to the project site being located within a Transit Priority Area, with established regional transit options located within a quarter-mile radius of the project site identified above. The removal of the park requirement is supported because the property owner for the residential development does not own or have development rights for the adjacent area.

Therefore, 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 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 the findings hereinbefore adopted by the Hearing Officer, Coastal Development Permit No. PMT-2580639, Site Development Permit No. PMT-2592302, and amendment to Barrio Logan/Coastal Development

## ATTACHMENT 5

Permit No. 92-0490 are hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. PMT-2580639 and Permit No. PMT-2592302, a copy of which is attached hereto and made a part hereof.

---

Martin R. Mendez  
Development Project Manager  
Development Services

Adopted on: May 7, 2025

IO#: 24009026

RESOLUTION NUMBER HO-\_\_\_\_\_

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

**A RESOLUTION OF THE HEARING OFFICER OF THE  
CITY OF SAN DIEGO ADOPTING  
MITIGATED NEGATIVE DECLARATION NO. 0696585/SCH NO.  
2025020359 AND ADOPTING THE MITIGATION, MONITORING,  
AND REPORTING PROGRAM FOR  
THE MERCADO APARTMENTS – PROJECT NO. PRJ-0696585**

WHEREAS, on July 19, 2019, MERCADO 2019, LP, a California Limited Partnership, Owner/Permittee, submitted an application to the Development Services Department for amendments to Barrio Logan/Coastal Development Permit No. 92-0490, a Coastal Development Permit and a Site Development Permit for the Mercado Apartments project, Project No. PRJ-0696585 (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the Hearing Officer of the City of San Diego; and

WHEREAS, the issue was heard by the Hearing Officer on May 7, 2025; and

WHEREAS, the Hearing Officer considered the issues discussed in Mitigated Negative Declaration No. 0696585/SCH No. 2025020359 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Hearing Officer that it is certified that the 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 Hearing Officer in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Hearing Officer 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, the Hearing Officer of the city of San Diego adopts Mitigated Negative Declaration No. 0696585/SCH No. 2025020359.

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

## ATTACHMENT 6

BE IT FURTHER RESOLVED, that the 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 the Development Services Department staff, or designee, is directed to file a Notice of Determination in accordance with CEQA with the Clerk of the Board of Supervisors for the County of San Diego and the State Clearinghouse in the Office of Land Use and Climate Innovation regarding the project.

By: \_\_\_\_\_  
Martin R. Mendez  
Development Project Manager  
Development Services Department

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

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

**AMENDMENTS TO BARRIO LOGAN/COASTAL DEVELOPMENT PERMIT NO. 92-0490, COASTAL DEVELOPMENT PERMIT NO. PMT-2580639, SITE DEVELOPMENT PERMIT NO. PMT-2592302;**

**MERCADO APARTMENTS**

PROJECT NO. 0696585/SCH NO. 2025020359

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during the 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 0696585/SCH) No. 2025020359 shall be made conditions of the amendments to Barrio Logan/Coastal Development Permit 92-0490, Coastal Development Permit No. PMT-2580639, and Site Development Permit No. PMT-2592302; and of the Mercado Apartments project (Project) as may be further described below.

**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 Mitigation, Monitoring and Reporting Program (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:  
  
<https://www.sandiego.gov/development-services/forms-publications/design-guidelines-templates>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The DSD 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) and Job Site Superintendent.

**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, PRJ-0631240, 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 the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.



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 DSD 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		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Noise	Construction Noise Management Plan	Inspection to verify noise measures during demolition and construction
Noise	Verification Letter – Vibration Monitoring and Control Plan	Inspection to verify noise measures during demolition and construction

## C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

### NOISE

**Construction Noise.** Heavy construction equipment operation could expose sensitive receptors to 12-hour equivalent continuous sound levels of 75 A-weighted decibels or higher.

**NOI-1a Construction Noise Management Plan:** Prior to construction document submittal for any construction permits, such as Demolition, Grading or Building, or beginning any construction-related activity on-site, the Owner/Permittee shall submit a Construction Noise Management Plan prepared by a qualified acoustician to the DSD (LDR Planning and EAS) for review and approval. The Construction Noise Management Plan shall identify measures to be added to the

construction documents to ensure the Mitigation Monitoring and Reporting Program (MMRP) requirements are incorporated into the design.

**NOI-1b Construction Noise Management Plan:** Prior to the issuance of a demolition permit, the Owner/Permittee shall submit to the DSD and the MMC the reviewed and accepted Construction Noise Management Plan prepared by a Qualified Acoustician. The construction documents shall identify the construction noise reduction measures to be implemented, consistent with the accepted Construction Noise Management Plan to ensure compliance with the 75 dBA  $L_{EQ}$  (12-hour) limits specified by the City's Noise Ordinance, when measured at occupied residences where noise is being received. These measures may include, but are not limited to, the following:

- Construction equipment shall be properly outfitted and maintained with manufacturer-recommended noise-reduction devices.
- Diesel equipment shall be operated with closed engine doors and equipped with factory-recommended mufflers.
- Mobile or fixed "package" equipment (e.g., arc-welders and air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.
- Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.
- Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) shall be prohibited.
- The use of noise-producing signals, including horns, whistles, alarms, public address systems, and bells, shall be for safety warning purposes only.
- A reduction of the hours per day when heavy construction equipment would be in operation.
- A solid barrier shall be erected along the northeast and northwest boundaries of the project site prior to the start of demolition. The barrier shall be constructed with a material achieving a transmission loss of 10 dBA, or an STC 10 rating, to adequately reduce noise levels. The barrier shall be at a height of at least 12 feet to block the line-of-sight between construction equipment and first-floor receptors, or up to the height of the nearest window. These barriers would mitigate noise levels to within acceptable levels. To effectively reduce noise levels, the sound barrier should be constructed prior to the start of demolition and remain in place until the conclusion of construction grading activities.

- The existing second-story units in the Mercado Apartment complex buildings with a direct line-of-sight facing the project area shall be vacated throughout the demolition and grading phases of construction. If agreed to by existing residents, the temporary vacancies shall be demonstrated via written signed documentation from the Owner/Permittee and applicable residents to the MMC. The second-story units that would be exposed to elevated construction noise levels are listed as follows:

- 2061 Newton Avenue, Unit 224
- 2079 Newton Avenue, Unit 228
- 2079 Newton Avenue, Unit 229
- 2079 Newton Avenue, Unit 230
- 2097 Newton Avenue, Unit 234
- 2097 Newton Avenue, Unit 235
- 2097 Newton Avenue, Unit 236
- 2058 Main Street, Unit 257
- 2058 Main Street, Unit 260
- 2086 Main Street, Unit 264
- 2086 Main Street, Unit 265
- 2086 Main Street, Unit 266

**NOI-2**     **Vibration Monitoring and Control Plan.** Implementation of the project could result in the exposure of sensitive receptors to significant temporary vibration from the operation of vibrating construction equipment and other construction equipment.

**Vibration Monitoring and Control Plan.** Vibration from construction equipment shall not exceed the 0.04 PPV in/sec level for nearby residential receptors. Prior to grading permit issuance, the DSD and MMC shall verify that the following requirements are identified on the grading plans. The Owner/Permittee shall provide written signed documentation that demonstrates the following construction limitations shall be implemented:

- When grading occurs within 52 feet of an occupied residence, the Grading Contractor shall use a small bulldozer or temporarily relocate the resident(s).
- When soil compaction occurs within 75 feet of an occupied residence, the Grading Contractor shall use a hand-operated tamper or walk-behind compactor, or temporarily relocate the resident(s) during vibration-generating activity.
- Hand-operated tampers shall not be used within 11 feet of an occupied residence, or temporarily relocate the resident(s) during vibration-generating activity.

If temporary relocations of residents are requested, residents shall return to their residences upon completion of vibration-inducing construction activities as described above.



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

# Ownership Disclosure Statement

**FORM  
DS-318**

**October 2017**

**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:** Mercado Apartments **Project No. For City Use Only:** \_\_\_\_\_

**Project Address:** 2001 Newton Avenue, San Diego, CA 92113

**Specify Form of Ownership/Legal Status (please check):**

☐ Corporation ☐ Limited Liability -or- ☐ General - What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_

☒ Partnership ☐ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. 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.

**Property Owner**

Name of Individual: Arnulfo Manriquez, President and CEO of Mercado 2019 LP ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 1355 Third Ave, Chula Vista, CA 91911

City: Chula Vista State: CA Zip: 91911

Phone No.: 619-426-3595 ext.1555 Fax No.: \_\_\_\_\_ Email: jsuarez@maacproject.org

Signature:  Date: 8/25/21

Additional pages Attached: ☒ Yes ☐ No

**Applicant**

Name of Individual: Arnulfo Manriquez, President and CEO of Mercado 2019 LP ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: 1355 Third Ave, Chula Vista, CA 91911

City: Chula Vista State: CA Zip: 91911

Phone No.: 619-426-3595 ext.1555 Fax No.: \_\_\_\_\_ Email: jsuarez@maacproject.org

Signature:  Date: 8/25/21

Additional pages Attached: ☐ Yes ☐ No

**Other Financially Interested Persons**

Name of Individual: N/A ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Additional pages Attached: ☐ Yes ☐ No

**Mercado 2019 LP, a California Limited Partnership**

Mercado 2019 LP, a California Limited Partnership

By: Mercado MGP 2019 LLC, a California limited liability company, it's managing general partner

By: Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc, a California non-profit public benefit company, its managing member

By: Arnulfo Manriquez, President and CEO

Address: 1355 Third Avenue, Chula Vista, CA 91911



Secretary of State  
Certificate of Limited Partnership  
(LP)

LP-1

201924200013

FILED

Secretary of State  
State of California

AUG 30 2019

lcc

Above Space For Office Use Only

**IMPORTANT** — Read Instructions before completing this form.

**Filing Fee** — \$70.00

**Copy Fees** — First page \$1.00; each attachment page \$0.50;  
Certification Fee - \$5.00

**Note:** LPs may have to pay minimum \$800 tax to the California Franchise Tax Board each year. For more information, go to <https://www.ftb.ca.gov>.

**1. Limited Partnership Name** (See Instructions – Must contain an LP ending such as LP or L.P. "LP" will be added, if not included.)

Mercado 2019 LP

**2. Business Addresses**

a. Initial Street Address of LP's Designated Office in California - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
1355 Third Avenue	Chula Vista	CA	91911
b. Initial Mailing Address of LP, if different than item 2a	City (no abbreviations)	State	Zip Code

**3. Service of Process** (Must provide either Individual OR Corporation.)

**INDIVIDUAL** — Complete Items 3a and 3b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
Arnulfo		Manriquez	
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
1355 Third Avenue	Chula Vista	CA	91911

**CORPORATION** — Complete Item 3c. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 3a or 3b

**4. General Partners** (List the name and address of each general partner. Attach additional pages, if necessary.)

a. General Partner's Name			
SEE ATTACHMENT			
General Partner's Address	City (no abbreviations)	State	Zip Code
b. General Partner's Name			
General Partner's Address	City (no abbreviations)	State	Zip Code

The information contained herein, including in any attachments, is true and correct.

SEE ATTACHMENT

General Partner Signature

Type or Print Name

General Partner Signature

Type or Print Name



**EXHIBIT A**

**GENERAL PARTNER INFORMATION**

**4a. General Partner:**

**Managing General Partner:**


Mercado MGP 2019 LLC  
1355 Third Avenue  
Chula Vista, CA 91911

SIGNATURE PAGE TO  
CERTIFICATE OF LIMITED PARTNERSHIP (LP-1) OF  
MERCADO 2019 LP

Date: AUGUST 28, 2019

MANAGING GENERAL PARTNER:

By:

  
Arnulfo Manriquez, Chief Executive Officer and  
President of Metropolitan Area Advisory  
Committee on Anti-Poverty of San Diego County,  
Inc., a California nonprofit public benefit  
corporation, sole member and manager of Mercado  
MGP 2019 LLC, a California limited liability  
company

1131

BARRIO LOGAN/  
COASTAL DEVELOPMENT PERMITTHE MERCADO APARTMENTS

## CITY COUNCIL

RECEIVED  
CITY CLERK'S OFFICE

93 OCT 18 PM 2:38

SAN DIEGO, CALIF. *16*

This Barrio Logan/Coastal Development Permit NO. 92-0490 is granted by the Council of The City of San Diego to the METROPOLITAN AREA ADVISORY COMMITTEE, a California Corporation, Owner/Permittee, pursuant to Sections 103.0900 and 105.0202 of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to Owner/Permittee to construct a 144-unit multi-family residential development with a community meeting room, day care facility, and an extension to Chicano Park on a 5.62 acre site located on the block bound by Newton Avenue, Main Street, Evans Street, and Dewey Street in the "Redevelopment Subdistrict" of the Barrio Logan Planned District.
2. The facility shall consist of the following:
  - a. One hundred forty-four multi-family dwelling units totalling 148,455 square-feet;
  - b. A day care facility and community meeting center totalling 5,088 square feet in accordance with Section 101.0580 of the San Diego Municipal Code;
  - c. Landscaping;
  - d. Off-street parking; and
  - e. Incidental accessory uses as may be determined incidental and approved by the Planning Director.
3. Not fewer than 212 off-street parking spaces shall be maintained on the property in the location shown on Exhibit "A," dated March 23, 1993, on file in the office of the Planning Department. Parking spaces shall comply with Chapter X, Article 1, Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking space dimensions shall conform to Zoning Ordinance standards. Parking areas shall be clearly marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.
4. No permit shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
  - a. The Permittee signs and returns the permit to the Planning Department;

ORIGINAL

- b. The Barrio Logan/Coastal Development Permit is recorded in the office of the County Recorder.
5. Before issuance of any building permits, complete grading and working drawings shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated March 23, 1993, on file in the office of the Planning Department. No changes, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.
  6. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated March 23, 1993, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended and is to be maintained in a disease, weed and litter free condition at all times.
  7. The property included within this Barrio Logan/Coastal Development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.
  8. This Barrio Logan/Coastal Development Permit may be canceled or revoked if there is a material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by The City of San Diego or Permittee.
  9. This Barrio Logan/Coastal Development Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.
  10. The use of texture or enhanced paving shall be permitted only with the approval of the City Engineer and Planning Director, and shall meet standards of these departments as to location, noise and friction values, and any other applicable criteria.
  11. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.

ORIGINAL

12. Details of all exterior illumination shall be submitted prior to issuance of building permits. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.
13. All signs requested and proposed for this project shall conform to the City Wide Sign Code and the Coastal Development Ordinance.
14. A colors and materials board (maximum size 8½" x 11") showing all proposed exterior materials shall be submitted for City Planning Department approval prior to issuance of building permits.
15. Final pad elevations shall be within two foot ± of preliminary pad elevations shown on the approved preliminary grading plan, Exhibit "A," dated March 23, 1993.
16. Landscaping materials shall be installed and maintained so as to assure that neither during growing stages nor upon reaching maturity will such materials obstruct views to and along the ocean and other scenic coastal areas from public vantage points.
17. Subsequent modifications to the structure or change in tenant occupancy shall require review by the Planning Director.
18. Trees introduced to the site shall be adequately protected from drowning during heavy rains. Any drainage or runoff system installed for this purpose shall be serviced regularly during the November 15 to March 31 rainy season so as to avoid the accumulation of standing water around the base of such trees to the satisfaction of the City Planning Department.
19. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, or mechanical ventilator shall be erected, constructed, maintained, or altered anywhere on the premises, unless all such equipment and appurtenances are contained within a completely enclosed penthouse or other portion of a building having walls or visual screening with construction and appearance similar to the main building to the satisfaction of the City Planning Department.
20. A minimum of 32 square feet on-site refuse collection area shall be provided on each lot or premises, and shall not be located in any front or street side yard. Said area shall be screened by a solid wall or fence with a minimum height of four feet or the height of the refuse container, whichever is greater; provided that a six-foot solid fence or wall shall be constructed between any such container and any adjoining residentially zoned property to the

**ORIGINAL**

satisfaction of the City Planning Department. In all cases where a lot or premises is served by an alley, all refuse collection areas shall be directly accessible to such alley.

21. As a condition of this permit, the following Environmental Mitigation Measures which are included in the Environmental Secondary Study for the Mercado Apartments (Document No. 1925, filed June 8, 1992 in the Office of the Redevelopment Agency, San Diego, California) are incorporated and required as follows in order to ensure that the proposed project would not have significant impacts to cultural resources, that an archeological monitoring program is instituted during the construction of the proposed project to recover any cultural resources that may be buried beneath the existing structures.
- a. The applicant shall provide verification that a qualified archaeologist has been retained to implement the archeological monitoring program. This verification shall be presented in a letter from the archaeologist to the Redevelopment Agency of the City of San Diego prior to construction activities. (A qualified archaeologist is defined as an individual certified by the Society of Professional Archaeologists.)
  - b. The qualified archaeologist shall attend any pre-construction meetings and shall be present on-site during all remaining grading. The archaeologist's duties shall encompass four elements: monitoring, evaluation, analysis of collected materials, and preparation of a report. The elements are as follows:

Monitoring Program

The qualified archaeologist shall attend any pre-construction meetings to make comments and/or suggestions concerning the monitoring program and discuss grading plans with the construction contractor. The archaeologist shall be on-site to monitor all ground disturbance activities and to inspect for additional in situ archaeological deposits.

Evaluation Program

In the event that additional archaeological deposits are discovered, the archeologist shall have the authority to temporarily halt, direct or divert any ground disturbance operations in the area of discovery to allow evaluation of potentially significant archeological resources. The significance of the discovered resources shall be determined by the archeologist in consultation.

ORIGINAL

with the Redevelopment Agency staff. For significant archaeological resources, a research design and data recovery program shall be prepared and carried out to mitigate impacts. At the time of discovery, the archaeologist shall notify the State Office of Historic Preservation (SHPO) and the Redevelopment Agency staff. SHPO and the Redevelopment Agency must concur with the evaluation procedures to be performed before construction activities are allowed to resume. Any human bone of Native American origin shall be turned over to the appropriate Native American group for reburial.

#### Analysis of Collected Materials

All collected cultural remains shall be cleaned, catalogued and permanently curated with an appropriate scientific institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species. Specialty studies shall be completed as appropriate.

#### Report Preparation

A monitoring report with appropriate graphics shall be prepared and submitted to SHPO and the Redevelopment Agency summarizing the results of the above program within three months following termination of the archaeological monitoring program.

- c. The construction contractor shall notify the Redevelopment Agency of any pre-construction meeting dates and of the start and end of construction. For questions regarding the SOPA-certified archaeologists, the Redevelopment Agency shall be contacted. Selection of the SOPA-certified archaeologist, or equivalent, shall be approved by the Redevelopment Agency.
- 22. As a condition of this permit, easements must be reserved for all public utilities and franchise facilities within the right-of-way, or the facilities must be relocated, in a manner satisfactory to the affected utility companies.
- 23. As a condition of this permit, public improvements, which include curb, gutter, sidewalk, and asphalt paving, must be assured, by permit and bond, across the vacated Dewey Street right-of-way at Main and Newton Streets and across the vacated alley right-of-way at Evans Street, in a manner satisfactory to the City Engineer.

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24. As a condition of this permit, adequate fire access must be retained for the existing structure at 1120 Dewey Street until the structure has been relocated or demolished, in a manner satisfactory to the Fire Department.
25. As a condition of this permit, through access, satisfactory to the City Engineer, must be retained for the alley in Block 95, Map 209. An alternate outlet at the south end of the alley may be provided but must be dedicated to the City and improved in a manner satisfactory to the City Engineer. Any dedication provided as an alternate access shall remain open to public use until such time as the entire alley in Block 95 is vacated by City Council action or another through access is provided in a manner satisfactory to the City Engineer.
26. As a condition of this permit, no building permits may be approved until approval is granted from the City Council for the vacation of Dewey Street between Main and Newton Streets and vacation of the alleys which bisect the project site.
27. As a condition of this permit, the proposed day care facility shall comply with all City regulations for child care facilities according to Section 101.0580 of the San Diego Municipal Code. The application for approval may be submitted as part of the building permit and may be approved administratively. The application shall consist of written documentation and photos to demonstrate compliance with the regulations specified in Section 101.0580(E) of the San Diego Municipal Code.
28. As a condition of this permit, final design of the proposed urban park shall be reviewed by the Park and Recreation Department and may be subject to review by the Park and Recreation Board if it is determined that the site is a public park.
29. This Barrio Logan/Coastal Development Permit shall become effective on the date approved by the City Council. The project is not within the appealable area to the State Coastal Commission.
30. This Barrio Logan/Coastal Development Permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted as set forth in Section 105.0216 of the Municipal Code.
31. This development proposal will require the recordation of a lot-line adjustment/consolidation parcel map encompassing the area to be vacated and the residential development site.
32. Prior to the issuance of any building permits, the applicant shall assure that an on-site loading zone (parking spaces)

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- is provided for the day care facility at a rate of one (1) parking space per twelve (12) students during the peak hours of operation.
33. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation and replacement of curb and sidewalk, adjacent to this site on Newton Avenue, Evans Street and Main Street, satisfactory to the City Engineer.
  34. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of a 20-foot radius curb and pedestrian ramp at the corner of Evans Street/Main Street, adjacent to this site, satisfactory to the City Engineer.
  35. Prior to the issuance of any building permits, the applicant shall dedicate additional right-of-way, as necessary, to provide a minimum ten-foot curb-to-property-line distance at the corners of Evans Street/Newton Avenue and Evans Street/Main Street, satisfactory to the City Engineer.
  36. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of a pedestrian ramp on the south side of Newton Avenue, opposite Dewey Street, satisfactory to the City Engineer.
  37. Prior to the issuance of any building permits and upon approval of the Dewey Street vacation, the applicant shall assure to the satisfaction of the Planning Director and the City Engineer, that alternative pedestrian access is provided through the public park adjacent to this development following the vacation of Dewey Street. This alternative access shall be permanently maintained and opened to the public from dawn until dusk.
  38. The driveways on Newton Avenue and Evans Street shall be constructed with a 24-foot width, satisfactory to the City engineer. Gated access at these driveways shall not be permitted unless adequate queuing is provided satisfactory to the City Engineer.
  39. Prior to the issuance of any building permits, the applicant shall obtain an encroachment removal agreement, from the City Engineer, for the proposed doorway steps located in the public right-of-way. This condition does not constitute approval of the encroachment removal agreement, which requires separate application.
  40. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.

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41. The developer shall relocate the 12-inch water main in Dewey Street from Newton Avenue to Main Street, satisfactory to the Water Utilities Director.
42. The developer shall provide a sewer study satisfactory to the Water Utilities Director, for the sizing of gravity sewer mains and to show that the grade of the mains will provide adequate capacity and cleansing velocities.
43. The developer shall install all facilities, as required by the approved sewer study.
44. The developer shall grant to the City 15-foot-wide water and 15-foot-wide sewer easements, as necessary, to accommodate the relocation of the water and sewer facilities, satisfactory to the Water Utilities Director. No structures of any kind shall be built in or over the easement without first obtaining an encroachment removal agreement from the City Engineer.
45. Prior to the issuance of any building permits, the applicant shall:
  - a. Ensure that the building address numbers are visible and legible from the street (Uniform Fire Code (UFC) section 10.208).
  - b. Show the location of all fire hydrants on the plot plan (UFC section 10.301).
  - c. Provide access in conformance with Fire Department Policy A-89-1 (UFC section 10.207).
  - d. Provide building sprinkler system; refer to Fire Prevention Policy No. S-86-12 (UFC Article 81).
46. This development may be subject to a building permit park fee in accordance with San Diego Municipal Code section 96.0401 et seq.
47. This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by California Government Code section 53080(b) (Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.
48. This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
49. This Barrio Logan/Coastal Development Permit shall become effective on the date approved by the City Council. The

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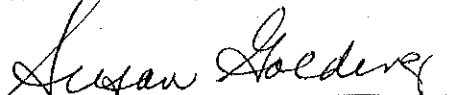
project is not within the appealable area to the State Coastal Commission.

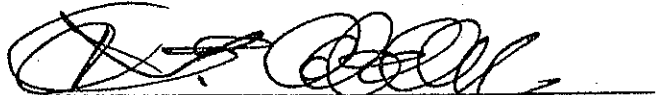
50. In the event that any condition of this permit, on a legal challenge by the Owner/Permittee of this permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this permit shall be void.

APPROVED by the Council of The City of San Diego on March 23, 1993 by Resolution No. R-281669.

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AUTHENTICATED BY:

  
SUSAN GOLDING, Mayor  
The City of San Diego

  
CHARLES G. ABDELNOUR, City Clerk  
The City of San Diego

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN DIEGO )

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw SUSAN GOLDING known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public in and for the County  
of San Diego, State of California

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

The Metropolitan Area Advisory Committee  
Owner/Permittee

By 

By \_\_\_\_\_

NOTE: Notary acknowledgments  
must be attached per Civil  
Code Section 1180, et seq.

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**ALL-PURPOSE ACKNOWLEDGMENT**State of CALIFORNIACounty of SAN DIEGO

1141

On November 3, 1993 before me, Maydell L. Pontecorvo, Notary Public

DATE

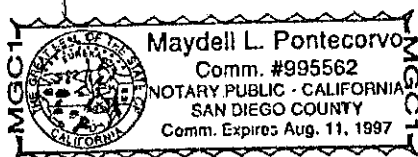
NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Charles G. Abdelnour, City Clerk

NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.



*Maydell L. Pontecorvo*  
SIGNATURE OF NOTARY

**CAPACITY CLAIMED BY SIGNER**☐ INDIVIDUAL(S)☐ CORPORATE

OFFICER(S)

TITLE(S)

☐ PARTNER(S)☐ ATTORNEY-IN-FACT☐ TRUSTEE(S)☐ SUBSCRIBING WITNESS☐ GUARDIAN/CONSERVATOR☐ OTHER:**SIGNER IS REPRESENTING:**

NAME OF PERSON(S) OR ENTITY(IES)

City of San Diego

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized document.

THIS CERTIFICATE  
MUST BE ATTACHED  
TO THE DOCUMENT  
DESCRIBED AT RIGHT:

Title or Type of Document Barrio Logan/Coastal Development Permit 92-0490  
Number of Pages 14 Mercado Apartments  
Date of Document March 23, 1993  
Signer(s) Other Than Named Above Susan Golding, Mayor

STATE OF CALIFORNIACOUNTY OF SAN DIEGO

SS.

RIGHT THUMBPRINT (OPTIONAL)

TOP OF THUMB HERE

On OCTOBER 8, 1993 before me, E. Roger Caldwell

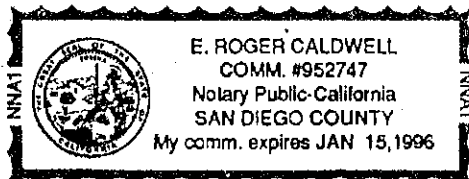
(Name, title of officer - i.e., "Jane Doe, Notary Public")

NOTARY PUBLICpersonally appeared Roger CAZARES

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

*E. Roger Caldwell*  
Signature



(Seal)

(R-93-1553)

## RESOLUTION NUMBER R-281669

ADOPTED ON MARCH 23, 1993

WHEREAS, the Metropolitan Area Advisory Committee, a California Corporation, Owner/Permittee, requested Barrio Logan/Coastal Development Permit No. 92-0490 to allow the construction of a 144-unit multi-family residential project and an extension to Chicano Park on a 5.62-acre site located within the Redevelopment Subdistrict of the Barrio Logan Planned District; and

WHEREAS, the matter was set for public hearing on March 23, 1993, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Barrio Logan/Coastal Development Permit No. 92-0490:

1. The proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in an adopted Local Coastal Program Land Use Plan; nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points.

2. The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources.

**ORIGINAL**

and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity.

11. The proposed use will comply with the relevant regulations in the Barrio Logan Redevelopment Plan, the Barrio Logan/Harbor 101 Community Plan, the Barrio Logan Planned District Ordinance, and the relevant sections of the San Diego Municipal Code.

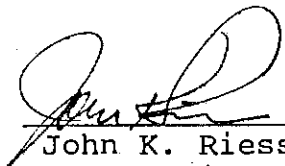
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the decision of the Planning Commission is sustained, and Barrio Logan/Coastal Development Permit No. 92-0490 is hereby granted to the Metropolitan Area Advisory Committee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that this resolution shall not become effective within the areas of the City within the jurisdiction of the California Commission until such time as the Commission unconditionally certifies these amendments as a Local Coastal Program Amendment.

APPROVED: JOHN W. WITT, City Attorney

BY



John K. Riess  
Deputy City Attorney

JKR:pev  
04/05/93  
Or.Dept:Clerk  
R-93-1553  
Form=r.permit

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Passed and adopted by the Council of The City of San Diego on MAR 23 1993 by the following vote:

YEAS: Wolfsheimer, Roberts, Hartley, Stevens, Behr, Stallings, McCarty,

Vargas, Mayor Golding.

NAYS: None.

NOT PRESENT: None.

AUTHENTICATED BY:

SUSAN GOLDING

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(SEAL)

By: RHONDA R. BARNES, Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. R- 281669, passed and adopted by the Council of The City of San Diego, California on MAR 23 1993.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

(SEAL)

By: Rhonda R. Barnes, Deputy

CC-1628 (10-90)

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3. The proposed development will comply with the requirements related to biologically sensitive lands and significant prehistoric and historic resources as set forth in the Resource Protection Ordinance, Section 101.0462 (San Diego Municipal Code), unless by the terms of the Resource Protection Ordinance, it is exempted therefrom.

4. The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources.

5. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources.

6. The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geologic and erosional forces and/or flood and fire hazards.

7. The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance visual quality in visually degraded areas.

8. The proposed development will conform with the General Plan, the Local Coastal Program, and any other applicable adopted plans and programs.

9. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the community plan.

10. The proposed use, because of the conditions that have been applied to it, will not be detrimental to the health, safety

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DOCUMENT NO. Barrio Logan/Coastal Development Permi  
 FILED November 16, 1993 92-0490

OFFICE OF THE COUNTY CLERK  
 SAN DIEGO, CALIFORNIA

Metropolitan Area Advisory Committee  
 Owner/Permittee

cc: Barbara Hubbard (For distribution)

11-16-93

DOC # 1993-0770773  
 16-NOV-1993 03:10 PM

OFFICIAL RECORDS  
 SAN DIEGO COUNTY RECORDER'S OFFICE  
 ANNETTE EVANS, COUNTY RECORDER  
 RF: 18.00 FEES: 50.00  
 AF: 31.00  
 MF: 1.00