

**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL STATION  
DSD-1A

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION DSD-1A**

INTERNAL ORDER NUMBER: 24009736

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**SITE DEVELOPMENT PERMIT**  
**2906 UNIVERSITY AVENUE - PROJECT NO. PRJ-1105210**  
PLANNING COMMISSION

This Site Development Permit No. PMT-3259834 is granted by the Planning Commission of the City of San Diego to North Park Building, LLC, a Delaware limited liability company, Owner, and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0505. The 0.34-acre site is located at 2906, 2912, and 2920 University Avenue, also known as Assessor's Parcel numbers 446-412-10, and 446-413-11-00, in the Commercial Community (CC 3-9) Zone, a Sustainable Development Area, Complete Communities Housing Solutions (FAR Tier 3: 6.5 FAR), a Complete Communities Mobility Choices (Mobility Zone 2), a Transit Priority Area, the Airport Land Use Compatibility Overlay Zone (San Diego International Airport), the ALUCP Airport Influence Area (San Diego International Airport - Review Area 2 ), the FAA Part 77 Noticing Area, and is a designated historic resource (HRB #1482) within the North Park Community Plan area. The project site is legally described as:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE WEST 90 FEET OF LOTS 21, 22, 23 AND 24 INCLUSIVE IN BLOCK 206 OF UNIVERSITY HEIGHTS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE AMENDED MAP THEREOF MADE BY G.A. D'HEMECOURT RECORDED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, IN BOOK 8, PAGE 36, ET SEQ. OF LIS PENDENS.

Subject to the terms and conditions set forth in this Site Development Permit, permission is granted to Owner/Permittee to allow for the partial demolition of a designated historic resource and new construction of a seven-story mixed use structure at 2906, 2912, and 2920 University Avenue, also known as Assessor's Parcel numbers 446-412-10, and 446-413-11-00. The proposed demolition will substantially alter the designated historic resource, located at 2906 University Avenue, known as the Edward and Emma Newman Building, (Historic Resources Board) #1482. The substantial alterations to the designated historic resource would consist of the removal of the existing roof and north façade, and the addition of a ground level commercial space under six stories of new construction consisting of 92 multiple dwelling units that are not consistent to the Secretary of the Interior's

Standards due to their proposed massing, size, scale and proportion in relation to the historic resource. The completed 108,000 square-foot project will retain the existing west and south facades of the historic resource within a ground level, one-story mezzanine (double height) commercial space, under six-stories of new construction consisting of 92 multiple dwelling units, with 16 units designated as affordable, over a one-story subterranean parking garage. The new construction will utilize the Complete Communities Housing Solutions regulations.

The project shall include:

- a. The Project proposes to retain and rehabilitate the west and south facades of the designated historic resource, HRB #1482, and demolish the building's north façade, and roof.
- b. Construct a 7-story building with a mezzanine level consisting of 6 levels of residential above a 1-story + mezzanine (double-height) podium commercial space with 1-story subterranean parking garage utilizing the Complete Communities Housing Solutions regulations.
- c. 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 April 2, 2029.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.

3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to

cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

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

12. The mitigation measures specified in the MMRP and outlined in Addendum No. 1105250 to the North Park and Golden Hill Community Plan Updates Program Environmental Impact Report (PEIR) No. 380611/SCH No. 2013121076 and Complete Communities PEIR No SCH No. 2019060003 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified Addendum No. 1105250 to the North Park and Golden Hill Community Plan Updates Program Environmental Impact Report (PEIR) No. 380611/SCH No. 2013121076 and Complete Communities PEIR No SCH No. 2019060003 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, Historical Resources, and Paleontological Resources.

**AFFORDABLE HOUSING REQUIREMENTS:**

14. Prior to issuance of any building permit associated with this Project, the Owner/Permittee shall demonstrate compliance with the provisions of the Complete Communities Housing Solutions Regulations of San Diego Municipal Code Chapter 14, Article 3, Division 10 of the San Diego Municipal Code. 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 San Diego Municipal Code. The Agreement will specify that in exchange for the City's approval of the Project, which contains a new floor area ratio density bonus of 3.5 FAR, alone or in conjunction with any incentives or concessions granted as part of Project approval, the Owner/Permittee shall provide 6 affordable units with rents of no more than 30% of 50% of AMI, 4 affordable unit with rents of no more than 30% of 60% of AMI, and 6 affordable units with rents of no more than 30% of 120% of AMI for no fewer than 55 years. The unit mix and characteristics for the affordable units – including, but not limited to: number of bedrooms,

square footage, and amenities – must be comparable to the unit mix and characteristics for the unrestricted units in the project.

**ENGINEERING REQUIREMENTS:**

15. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

16. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of curb ramp per current City Standard adjacent to the site on University Avenue, satisfactory to the City Engineer.

17. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of pedestrian ramp per current City Standard adjacent to the site on University Avenue, satisfactory to the City Engineer.

18. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of curb, gutter, and sidewalk per current City Standard adjacent to the site on University Avenue, satisfactory to the City Engineer.

19. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of curb, gutter, and sidewalk per current City Standard adjacent to the site on Kansas Street, satisfactory to the City Engineer.

20. 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 private improvements such as the landscape/irrigation and curb outlets, in Kansas Street Right-of-Way.

21. Prior to the issuance of any building permit the Owner/Permittee shall obtain an Encroachment Maintenance Agreement (EMA), from the City Engineer, for the above-grade encroachments in Kansas Street Right-of-Way.

22. 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 private improvements such as the landscape/irrigation in University Avenue Right-of-Way.

23. Stormwater pump operations and discharges are only allowed during rainfall events and immediately after rainfall events. No dry weather discharges are allowed from stormwater pump facilities.

**LANDSCAPE REQUIREMENTS:**

24. 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.

25. 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.

26. Prior to issuance of any construction permit for building (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)(6).

27. 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.'

28. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

29. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction Plans 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.

#### **HISTORICAL RESOURCES REQUIREMENTS:**

30. Prior to the issuance of a demolition permit, the Historic American Building Survey (HABS) documentation as approved by City Historical Resources Staff shall be submitted for archival storage with the City of San Diego HRB, South Coastal Information Center, the California Room of the City of San Diego Public Library, the San Diego Historical Society, and/or other historical society or group(s).

31. Prior to the issuance of any construction permits, the Owner/Permittee shall submit drawings that incorporate the Treatment Plan as approved by City Historical Resources Staff.

32. During construction of the Project, the Owner/Permittee shall implement the Monitoring Plan as approved by City Historical Resources staff. The Project's Principal Investigator shall send monitoring reports as described in the Monitoring Plan to the City's Mitigation Monitoring staff and Historical Resources staff. The Principal Investigator may submit a detailed letter to City staff prior to the start of work or during construction requesting a modification to the Monitoring Plan. This request shall be based on relevant information and site conditions.

33. Prior to the issuance of any construction permits, the Owner/Permittee shall submit drawings that specify the location of the historical marker in the sidewalk on University Avenue. The drawings will indicate that the marker will be preserved. During construction of the Project, the Owner/Permittee shall preserve the marker in its current location. The Owner/Permittee will be responsible for the long-term preservation and maintenance of the historical marker in perpetuity.

#### **PLANNING/DESIGN REQUIREMENTS:**

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

35. 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.

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. The Owner/Permittee will provide the following Vehicle Miles Traveled (VMT) reduction measures:

- a. Provide one on-site bicycle repair station in the location shown in Exhibit "A".

- b. Provide one on-site multi-modal information kiosk located within the residential lobby entry in the location shown in Exhibit "A".
- c. Provide short-term bicycle parking spaces that are available to the public, at least 10% beyond minimum requirements. The project is required to provide a minimum of 2 short-term bicycle parking spaces based on the San Diego Municipal Code Section 142.0530(e)(1). Additional short-term bicycle parking spaces are being provided in excess of the minimum requirement. Four short-term bicycle parking spaces are being proposed and their locations are shown in Exhibit A.

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

39. The Owner/Permittee will provide an on-site Co-Working Space of at least 500 square feet including private or semi-private workspaces as a Transportation Amenity. This space will be located on the mezzanine level as shown in Exhibit "A".

#### **PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

40. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.

41. Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Department and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

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.

44. A water study should be provided during the ministerial review.

#### **INFORMATION ONLY:**

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on March 19, 2026, and [Approved Resolution Number].

DRAFT

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Robin MacCartee  
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.

**[NAME OF COMPANY]**  
Owner/Permittee

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

**[NAME OF COMPANY]**  
Owner/Permittee

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

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