THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: February 22, 2017 REPORT NO. HO-17-013

HEARING DATE: March 1, 2017

SUBJECT: SOUTH BAY URGENT CARE- COASTAL DEVELOPMENT PERMIT, NEIGHORHOOD USE PERMIT. Process Three Decision

PROJECT NUMBER: 483295

OWNER/APPLICANT: Bannie's Investments, LLC.

SUMMARY

Issues: Should the Hearing Officer approve a Neighborhood Use Permit and a Coastal Development Permit to allow the operation of an urgent care facility within an existing commercial building at 1628 Palm Avenue, on a 0.57-acre site located in the CC-4-2 Zone and the Coastal Overlay Zone (appealable), within the Otay Mesa-Nestor Community Plan area?

Staff Recommendation: Approve Neighborhood Use Permit No. 1703781 and Coastal Development Permit No. 1703784.

Community Planning Group Recommendation: On July 12, 2016, the Otay Mesa-Nestor Community Planning Group voted unanimously to approve the project, without conditions (Attachment 8).

Environmental Review: The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15303 (c) (New Construction or Conversion of Small Structures). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on January 6, 2017, and the opportunity to appeal that determination ended January 23, 2017.

BACKGROUND

The 0.57-acre site is located at 1628 Palm Avenue (Attachment 1), in the CC-4-2 Zone and the Coastal Overlay Zone (appealable), within the Otay Mesa-Nestor Community Plan area (Attachment 2). The site is designated for Community Commercial uses, and the surrounding areas are designated for both Commercial and Residential uses by the Otay Mesa-Nestor Community plan.

The project site is currently improved with an existing 7,605-square-foot commercial building that was previously used as a restaurant. The parking lot is paved and covered by asphalt concrete paving with minimal landscaping. No Environmentally Sensitive Lands exist on or adjacent to the project site. .

According to San Diego Municipal Code Section 141.0624, urgent care facilities are permitted with a Neighborhood Use Permit (NUP) decided in accordance with a Process Three Hearing Officer decision. Due to the change in use, the project requires the processing of a Coastal Development Permit (CDP), as the project is within the Coastal Overlay Zone. In accordance with San Diego Municipal Code Section 126.0701, a decision on an application for a City-issued Coastal Development Permit in the appealable area of the Coastal Overlay Zone shall be made in accordance with Process Three. The decision may be appealed to the Planning Commission in accordance with Section 126.0707, if the CDP is approved. In granting the NUP and CDP the Hearing Officer may impose reasonable conditions as deemed necessary and desirable to protect the public health, safety, and welfare (Attachment 3).

DISCUSSION

The project proposes to operate a 4,797-square-foot urgent care facility within an existing 7,605-square-foot commercial building. The remaining portions of the existing commercial building will remain vacant. The urgent care facility is designed to treat those who require medical attention quickly, but don't require an emergency room visit. The facility would provide the following in-house diagnostic services; EKG, X-rays, pulse oximetry and laboratory testing of blood, urine, and stool with state-of-the-art treatment modalities. These include splints, suturing techniques, wound adhesives, intravenous medications and fluids, and inhalation therapy with oxygen and aerosolized medications, previously available only in the emergency room. No hazardous material will stored on site.

The project proposes tenant improvements including the construction of interior walls, and the installation of ceiling, wall and/or celling finishes, new windows at the front, and the existing parking lot will be restriped to accommodate 26 on-site parking spaces. The 26 off-street parking spaces will ensure on-site parking will be provided at a level sufficient to serve the facility without impacting adjacent or nearby properties. Additionally, the project also proposes the installation of new plumbing system, mechanical system and an electrical system.

In accordance with San Diego Municipal Code Sections 141.0624, urgent care facilities located adjacent to residentially zoned property are required to remain closed between the hours of 12:00 midnight and 6:00 a.m. The facility would operate from 9:00 am to 9:00 pm, Monday through Sunday. No overnight patients or ambulance services would be permitted.

One of the objectives of the Otay Mesa-Nestor Community Plan is to provide a wide variety of community-serving necessity and retail goods, professional, financial and repair services, (Otay Mesa-Nestor Community Plan, Pg. 14). The urgent care facility will play a part in the overall health of the community, by providing additional professional medical services within the Otay Mesa-Nestor community.

In addition, within the Economic Prosperity Chapter of the City of San Diego's General Plan, an objective is to provide a diversified economy with a focus on providing quality employment opportunities and self-sufficient wages for all San Diegans (EP- EP.5). The proposed use at this location would be desirable to provide a service contributing to the general well-being of the neighborhood and community. The adopted Otay Mesa-Nestor Community Plan designates the site for Community Commercial uses, such as the urgent care facility, which is consistent with that designation. The project requires no deviations from any applicable regulations in the Municipal Code. Staff has determined the proposed urgent care facility is consistent with the recommended community commercial land use and is an acceptable use for the existing building, contributing to the health needs of the adjacent neighborhood and is consistent with the Otay Mesa-Nestor Community Plan.

Conclusion

Staff has reviewed the request for a Neighborhood Use Permit and Coastal Development Permit to operate and urgent care facility and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Neighborhoods Use Permits and the Local Program regulating Coastal Development Permits. Staff determined the required findings can be supported and recommend the Hearing Office approve the project as proposed.

ALTERNATIVES

1. Approve Neighborhood Use Permit No.1703781 and Costal Development Permit No. 1703784, with modifications.

2. Deny Neighborhood Use Permit No.1703781 and Costal Development Permit No. 1703784, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Derrick Johnson (D.J.), Development Project Manager

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Project Data Sheet
5. Draft Resolution with Findings
6. Draft Permit with Conditions
7. Environmental Exemption
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Project Plans

Project Location Map

S.Bay Urgent Care CDP NUP / 1628 Palm Avenue
PROJECT NO. 483295

North

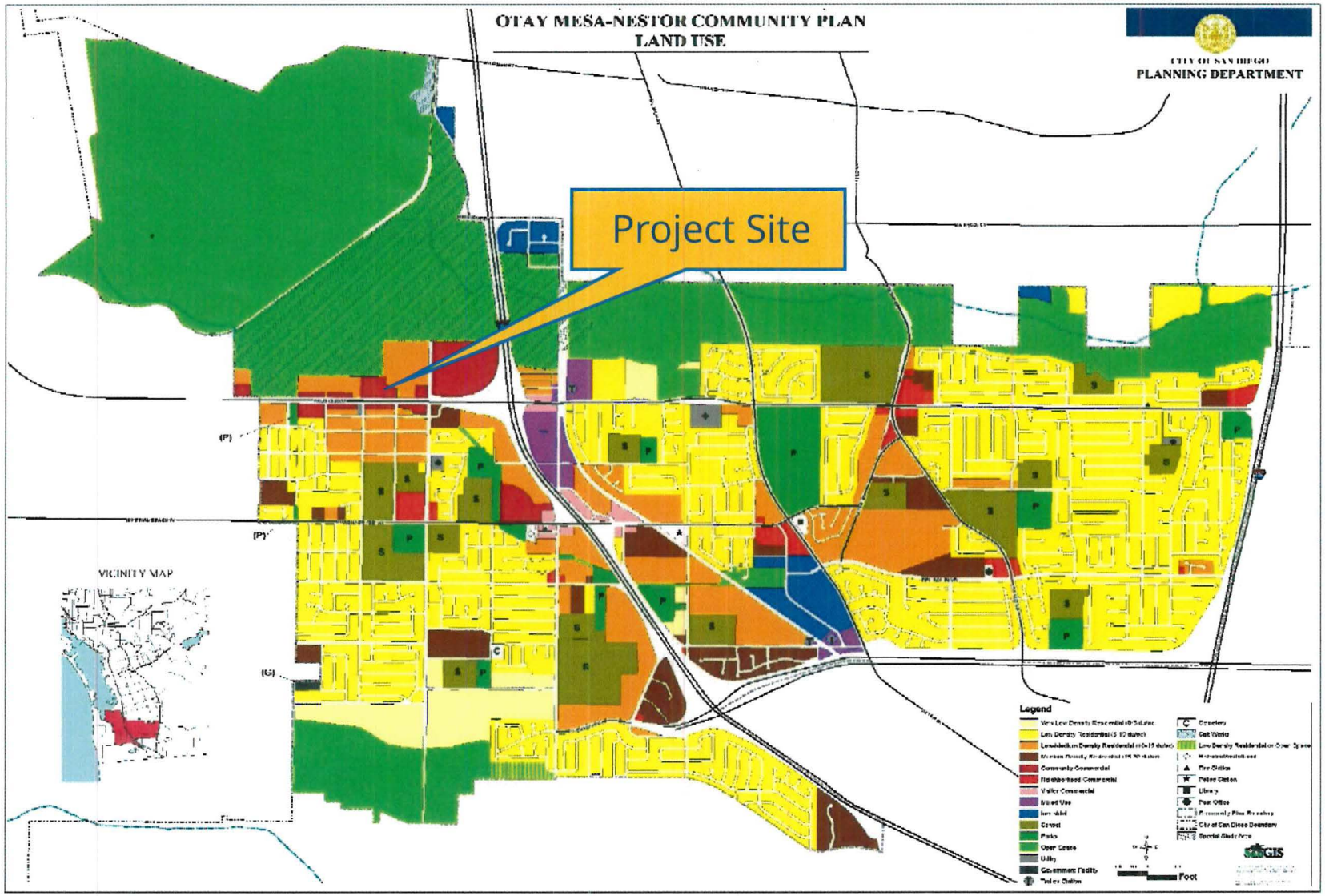
ATTACHMENT 1

Aerial Photo

S.Bay Urgent Care CDP NUP / 1628 Palm Avenue
PROJECT NO. 483295

North

ATTACHMENT 2



Land Use Map

S. Bay Urgent Care / 1628 Palm Avenue
PROJECT NO. 483295

North

ATTACHMENT 3

PROJECT DATA SHEET

Project Name:	483295 South Bay Urgent Care
Project Description:	CDP and NUP (Process 3) for an urgent care facility. The 0.57 acre site is located within the CC-4-2 Zone, Coastal Overlay Zone (Appealable Area), Coastal Height Limit Overlay Zone, Parking Impact Overlay Zone, and Council District 8.
Community Plan Area:	Otay Mesa-Nestor Community Plan
Discretionary Actions:	Process 3 – Coastal Development Permit and Neighborhood Use Permit
Community Plan Land Use Designation:	Community Commercial

ZONING INFORMATION:

Zone:	CC-4-2
Height Limit:	30 feet in CHLOZ
Lot Size:	.57 acres
Floor Area Ratio:	2.0
Front Setback:	0′
Side Setback:	10′ or 0′ on west, 10′ on east (abuts residential)
Rear Setback:	10′ (abuts residential)
Parking:	26 automobile parking spaces.

Adjacent Properties:	**Land Use Designation & Zone**	**Existing Land Use**
North:	Low-Medium Density (10-14 du/ac) & RM-1-1	Mobile Home Park
South:	Community Commercial & CC-4-2	General Commercial
East:	Low-Medium Density (10-14 du/ac) & RM-1-1	Mobile Home Park
West:	Community Commercial & CC-4-2	Market/Deli

Deviation Requested:	None.
Community Planning Group Recommendation:	The Otay Mesa - Nestor Community Planning Board met on July 12, 2016 and voted unanimously to recommend approval with no conditions.

HEARING OFFICER, RESOLUTION NO.
NEIGHBORHOOD USE PERMIT No. 1703781
COASTAL DEVELOPMENT PERMT No. 1703784
SOUTH BAY URGENT CARE
PROJECT NO. 483295

WHEREAS, BANNIE'S INVESTMENT LLC., Owner/Permittee, filed an application with the City of San Diego for a permit to operate an urgent care facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1703781 & 1703784), on portions of a 0.57-acre site;

WHEREAS, the project site is located at 1628 Palm Avenue in the CC-4-2 Zone, within the Otay Mesa-Nestor Community Plan area;

WHEREAS, the project site is legally described as; lots 3, 4, 5, 6, and 7, Block, B, Loma Vista, Map No 2349, San Diego County, September 6, 1946;

WHEREAS, on March 1, 2017, the Hearing Officer of the City of San Diego considered Coastal, Development Permit No. 1703784 and Neighborhood Use Permit No. 1703781 pursuant to Sections 126.0701 and 126.0201 of the Land Development Code of the City of San Diego;

WHEREAS, on January 6, 2017, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15303 (c) (New Construction or Conversion of Small Structures) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; NOW THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated March 1, 2017.

FINDINGS:

Coastal Development Permit - Section 126.0701:

1. **The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way 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 to operate a 4,797-square-foot urgent care facility within an existing 7,605-square-foot commercial building. The remaining portions of the existing commercial building will remain vacant.

The Otay Mesa-Nestor Community Plan/adopted Local Coastal Program land use plan, does not identify any public views from this private property. The ocean is approximately two miles westerly of the site, therefore there aren't any public views to enhance. No other scenic coastal areas are located near the property. In addition, the proposed coastal development will not degrade and will not remove, eliminate, or detract any protected public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan from this site.

Furthermore, The Otay Mesa-Nestor Community Plan does not identify any existing or proposed physical access way from this site to any coastal resource and there are no public access easements recorded on the title of the property. Therefore the proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in a Local Coastal Program land use plan.

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

The subject site does not contain, nor is it adjacent to, any environmentally sensitive lands. The project site is fully developed within an urbanized area and is not located in or adjacent to the Multi-Habitat Planning Area. Both commercial and residential development are the primary existing land uses in the immediate neighborhood and the proposed urgent care facility maintains that development pattern. The proposed coastal development will not adversely affect environmentally sensitive lands, as no such resources exist on the project site or are adjacent to the project site.

3. **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 Otay Mesa-Nestor Community Plan designates the site for community commercial development. The City of San Diego Progress Guide and General Plan, Otay Mesa-Nestor Community Plan and Local Coastal Program designate the site for commercial development. The project proposes to operate a 4,797-square-foot urgent care facility within an existing 7,605-square-foot commercial building. Both commercial and residential development are the primary existing land uses of the immediate neighborhood. The project will not conflict with the relevant land use plans and will be developed in accordance with the policies of the Otay Mesa-Nestor Community Plan. Therefore, the proposed development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

4. **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 not located between the nearest public road, which is Ocean Lane and any shoreline of a body of water. The project does not propose to encroach into any public access way to the ocean which is approximately two miles westerly of the site. The site does not contain a physical public access way and is not within or adjacent to any public recreation area. The project is a private development on privately owned land. The Otay Mesa-Nestor Community Plan and Local Coastal Program do not designate any coastal access to the beach and or adjacent to the project site. Therefore, the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

Neighborhood Use Permit - Section 126.0201:

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

   The project proposes to operate a 4,797-square-foot urgent care facility within an existing 7,605-square-foot commercial building. The facility will be designed to treat patients that require medical attention quickly, but don't require an emergency room visit. The facility would provide the following in-house diagnostic services; EKG, X-rays, pulse oximetry and laboratory testing of blood, urine, and stool with state-of-the-art treatment modalities. These include splints, suturing techniques, wound adhesives, intravenous medications and fluids, and inhalation therapy with oxygen and aerosolized medications, previously available only in the emergency room. No hazardous material will stored on site.

   In accordance with San Diego Municipal Codes Section 141.0624 urgent care facilities located adjacent to residentially zoned properties are required to remain closed between the hours of 12:00 midnight and 6:00 a.m. The facility would operate from 9:00 am to 9:00 pm Monday through Sunday. In addition, no overnight patients or ambulance services would be permitted.

   The adopted Otay Mesa-Nestor Community Plan designates the site for Community Commercial uses; the urgent care facility is consistent with that designation. One of the objectives of the Otay Mesa-Nestor Community plan is to provide a wide variety of community-serving necessity and retail goods, professional, financial and repair services, (Otay Mesa-Nestor Community Plan, Pg. 14). The urgent care facility will play a part in the overall health of the community, by providing additional professional medical services within the Otay Mesa-Nestor community. In addition, within the chapter on Economic Prosperity in the City of San Diego's General Plan an objective is to provide a diversified economy with a focus on providing quality employment opportunities and self-sufficient wages for all San Diegans (EP- EP.5). The proposed use at this location would be desirable to provide a service contributing to the general well-being of the neighborhood and community.

No new signage is proposed with this project. All future signage would have to comply with the City Wide Sign Regulations, in accordance with San Diego Municipal Code Section 142.1201.

Staff believes the proposed urgent care facility is consistent with the recommended commercial land use and is an acceptable use for the existing building, contributing to the health needs of the adjacent neighborhood and is consistent with the Otay Mesa-Nestor Community Plan. Therefore, the proposed project will not adversely affect the Otay Mesa-Nestor Community Plan or the City of San Diego's General Plan.

2. **The proposed development will not be detrimental to the public health, safety and welfare-SDMC § 126.0305(b).**

   The subject urgent care facility would not be detrimental to the health, safety or general welfare of persons living or working in the area, nor be injurious to property or improvements in the vicinity. Because, the proposed urgent care facility would result in minimal physical changes to the existing development on site.

   In addition, staff determined the project was exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 153303(c), New Construction or Conversion of Small Structures demonstrating the project will not be detrimental to the public health safety and welfare. Additionally, the permit controlling the development and continued use of the development proposed for this site contains conditions addressing the project's compliance with the City's regulations and policies and other regional, state, and federal regulations designed to prevent detrimental impacts to the public health, safety, and welfare. Therefore, with the proposed conditions regulating the urgent care facility, the proposed development will not be detrimental to the public's health, safety or welfare.

3. **The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code-SDMC § 126.0305(c).**

   The urgent care facility is an allowed use with a Neighborhood Use Permit pursuant to San Diego Municipal Code Sections 126.0701 and 141.0506. The urgent care facility requires no deviations from any applicable regulations in the San Diego Municipal Code. Therefore, the project complies with all relevant sections of the Land Development Code, including all landscaping and parking requirements.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by Hearing Officer, Coastal Development Permit No.1703784 and Neighborhood Use Permit No. 1703781 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1703784 and 1703781, a copy of which is attached hereto and made a part hereof.

Derrick Johnson (D.J.)
Development Project Manager
Development Services

Adopted on: March 1, 2017

IO#: 24006612

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: 24005766

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NEIGHBORHOOD USE PERMIT No. 1703781
COASTAL DEVELOPMENT PERMT No. 1703784
SOUTH BAY URGENT CARE-PROJECT NO. 483295
HEARING OFFICER

This Neighborhood Use Permit No. 1703781 & Coastal Development Permit No. 1703784 is granted by the Hearing Officer of the City of San Diego to Bannie's Investments, LLC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0701 and 126.0201. The 0.57-acre site is located at 1628 Palm Avenue, in the CC-4-2 Zone and the Coastal Overlay Zone (appealable), within the Otay Mesa-Nestor Community Plan area. The project site is legally described as: lots 3, 4, 5, 6, and 7, Block, B, Loma Vista, Map No 2349, San Diego County September 6, 1946.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a 4,797-square-foot urgent care facility within an existing 7,605-square-foot building, identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 1, 2017, on file in the Development Services Department.

The project shall include:

a. Operation of a 4,797-square-foot urgent care facility within an existing 7,605-square-foot commercial building. The facility would operate from 9:00 am to 9:00 pm, Monday through Sunday. No overnight patients, storage of hazardous materials or ambulance services would be permitted;

b. Landscaping (planting, irrigation and landscape related improvements);

c. Off-street parking: A minimum of 26 parking spaces are required at all times.

d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act

[CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC;

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by March 15, 2020.

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" conditions(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.

ENGINEERING REQUIREMENTS:

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

12. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

13. 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 Appendix E of the City's Storm Water Standards.

PLANNING/DESIGN REQUIREMENTS:

14. Owner/Permittee shall maintain a minimum of 26 onsite parking spaces at all times.

15. Overnight patients are not permitted at the facility.

16. A litter control plan shall be implemented to keep the facility and adjacent property litter-free.

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

18. 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.

INFORMATION ONLY:

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

- 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 March 1, 2017 and CM ____.

Neighborhood Use Permit No. 1703781
Coastal Development Permit No. 1703784
Date of Approval: March 1, 2017

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

_____

Derrick Johnson (D.J.)
Development Project Manager

[redacted]

Voting results: The Project Review Subcommittee voted to recommend approval of the project to the OMNCPG at the July, 2016 meeting.

8. **Action Item:** An election was held to fill a vacant seat in accordance with both Article IV and Article V of the by-laws of the Otay Mesa Nestor Community Planning Group.

   Voting result: Brian McGonagill made a motion to approve the election of Gabriel Uribe to fill the District 5 seat on the OMNCPG, motion passes.

9. **Action Item:** City of San Diego Project #447834: Property Address: 1627-29 & 1633-35 Donax Avenue, San Diego, CA. 92154, located between 16th Street & Thermal Ave. in the City of San Diego. The existing lot is a half-acre site consisting of two 10,750 sq. ft. lots with two existing houses on each lot. The property owner proposes to build two new houses between the existing homes on the east side, and one new home between the existing homes on the west side. Project requires subdivision of the lots into seven new smaller lots, in accordance with the new City of San Diego Small Lot Subdivision Ordinance, which was adopted by the San Diego City Council in January, 2016. Contact: Bill Lewallen (619) 944-3423 bill@cdvmail.com David Lewallen davidilewallen@gmail.com

   Voting result: Motion passes, 7 in favor to 2 opposed, Carlos Sanchez and Wayne Dickey opposed.

10. **Action Item:** Project No. 483295, South Bay Urgent Care: The group heard a presentation of Dr. Matt Dickson and Dr. Kimberly Dickson regarding their project to open the South Bay Urgent Care at 1628 Palm Avenue, San Diego, CA 92154 (in the old Lydia's Cafe). Contact: Dr. Matt Dickson, (619)997-3166 dicksonmatt1@gmail.com

    Voting results: Patty Swanson made a motion to approve the project, motion carried unanimously.

11. **Informational Item:** The City of San Diego-Traffic Operations received a citizen request in March, 2016, to evaluate Halo Street for installation of speed bumps between Saturn Boulevard and Thermal Avenue. The speed study on this street demonstrated that a speeding issue warranted this traffic calming measure. The street segment met all of the City of San Diego screening criteria, and was approved by the City of San Diego Fire Department for installation of the proposed speed bumps. The City requires that at least 75% of the fronting properties sign a petition in favor of the proposed speed bumps, prior to presenting this item to the community planning group for a vote. A petition was circulated which demonstrated that the project had 87% community support. Contact: Matt Schmidt, TE, Assistant Traffic Engineer, City of San Diego-Traffic Operations mschmidt@sandiego.gov

    Result: Chair Albert Velasquez directed this item to the Project Review Committee to be reviewed prior to the next meeting of the OMNCPG.

12. **Chair's report:** No report.

13. **City Planner's Report:** Bobby Mordenti, Associate Planner, 619-446-5064 BMordenti@sandiego.gov
    No report.

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

THE CITY OF SAN DIEGO

Ownership Disclosure Statement

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

Project Title

South Bay Urgent Care

Project No. *For City Use Only*

483295.

Project Address:

1628 Palm Ave San Diego, CA 92154

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

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

Additional pages attached ☐ **Yes** ☒ **No**

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: Fax No:

Signature : Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: Fax No:

Signature : Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: Fax No:

Signature : Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No: Fax No:

Signature : Date:

Project Title:	**Project No.** (*For City Use Only*)

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

☐ Corporation ☒ Limited Liability -or- ☐ General) What State? CA Corporate Identification No. 45-4203113
☐ Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property.. Please list below the names, titles and addresses of **all** persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. 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. **Additional pages attached** ☐ **Yes** ☐ **No**

Corporate/Partnership Name (type or print):
Bannie's Investments, LLC

☒ Owner ☐ Tenant/Lessee

Street Address:
1008 Ocean Lane

City/State/Zip:
Imperial Beach/CA/91932

Phone No: (619)997-3166 Fax No:

Name of Corporate Officer/Partner (type or print):
Matthew Dickson

Title (type or print):
Member

Signature : Date: 4/13/2016

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

☐ Owner ☐ Tenant/Lessee

Street Address:

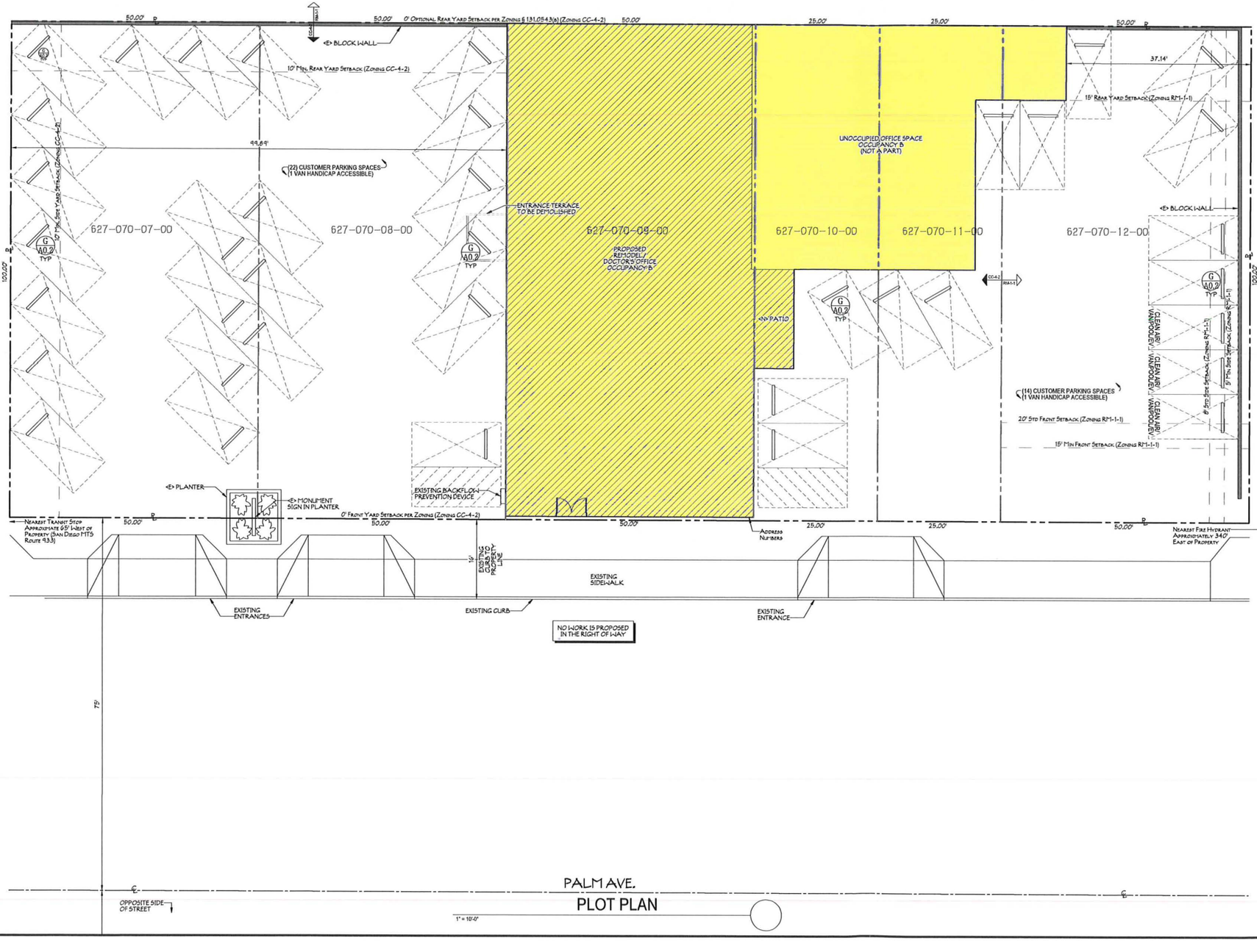
City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:



PLAN CHECK NOTES

1. ALL PROPERTY LINES, EASEMENTS AND BUILDINGS, BOTH EXISTING AND PROPOSED, ARE SHOWN ON THIS SITE PLAN.
2. FOR ADDITION PROJECTS OF ONE ACRE OR LESS THE SITE SHALL BE PLANNED AND DEVELOPED TO KEEP SURFACE WATER AWAY FROM THE BUILDINGS. A "SWPP" SHALL BE PROVIDED AND APPROVED BY THE CITY ENGINEER, SHOWING SITE GRADING AND PROVIDE FOR STORM WATER RETENTION AND DRAINAGE DURING CONSTRUCTION. BMP'S THAT ARE CURRENTLY ENFORCED BY THE CITY ENGINEER MUST BE IMPLEMENTED PRIOR TO INITIAL INSPECTION BY THE BUILDING DEPARTMENT, CGBC 4.106.2
3. BICYCLE PARKING FOR PROJECTS SHALL COMPLY WITH CGBC SECTION 5.106.4 FOR ADDITIONS
4. FUEL-EFFICIENT VEHICLE PARKING WILL BE PROVIDED IN ACCORDANCE WITH CGBC SECTION 5.106.5.2 FOR ADDITIONS
5. MIN. 50% OF NON-HAZARDOUS CONSTRUCTION WASTE IS TO BE RECYCLED. CGBC 5.401.1
6. TESTING AND ADJUSTING OF NEW SYSTEMS AS OUTLINED IN CGBC SECTION 5.410.4
7. A BUILDING "OPERATIONS & MAINTENANCE SCHEDULE" (O&M) AS LISTED IN CGBC SECTION 5.410.4.5 SHALL BE DELIVERED TO BUILDING OWNER OR REPRESENTATIVE AND FACILITIES OPERATOR
8. VOCS MUST COMPLY WITH THE LIMITATIONS LISTED IN SECTIONS 5.504
9. DURING CONSTRUCTION, ENDS OF DUCT OPENINGS ARE TO BE SEALED, AND MECHANICAL EQUIPMENTS IS TO BE COVERED. CGBC 5.504
10. WHERE LANDSCAPE IRRIGATION IS PART OF THE ADDITION OR TENANT IMPROVEMENT, LANDSCAPE IRRIGATION WATER USE SHALL HAVE WEATHER BASED CONTROLLERS. CGBC 4.304, 5.304
11. PRIOR TO FINAL APPROVAL OF THE BUILDING THE LICENSED CONTRACTOR, ARCHITECT OR ENGINEER IN RESPONSIBLE CHARGE OF THE OVERALL CONSTRUCTION MUST COMPLETE AND SIGN THE CITY APPROVED GREEN BUILDING STANDARDS CERTIFICATION FROM OR OTHER DOCUMENTATION REQUIRED BY THE CITY AND GIVEN TO THE BUILDING DEPARTMENT OFFICIAL PRIOR TO BUILDING FINAL APPROVAL TO BE FILED WITH THE APPROVED PLANS
12. SURFACE WATER WILL DRAIN AWAY FROM THE BUILDING. THE GRADE SHALL FALL A MIN. OF 5% WITHIN THE FIRST 10' (2% FOR IMPERVIOUS SURFACES). SECTION 1804.3
13. BUILDING SHALL HAVE ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY PER FHPS POLICY P-004 (UFC 901.4.4).

SITE PLAN SHEET NOTES

1. PRIOR TO SUBMITTING BIDS, GENERAL CONTRACTOR SHALL VISIT THE SITE AND FIELD VERIFY ALL EXISTING FIELD CONDITIONS. NOTIFY ARCHITECT IMMEDIATELY SHOULD ANY DISCREPANCIES BE DISCOVERED.
2. OPEN YARDS BETWEEN THE BUILDINGS(S) SHOWN AND THE ADJOINING STREETS HAVE BEEN UTILIZED TO INCREASE THE MAXIMUM ALLOWABLE FLOOR AREA. ALL YARDS USED FOR AREA INCREASES SHALL BE PERMANENTLY MAINTAINED.
3. A SEPARATE PERMIT SHALL BE REQUIRED FOR ALL SITE SIGNS
4. HAZARDOUS MATERIALS WILL NOT BE STORED AND/OR USED WITHIN PROPOSED BUILDINGS WHICH EXCEED THE QUANTITIES PERMITTED IN THE CURRENT EDITION OF THE C.B.C.
5. MAXIMUM SLOPE OF ACCESSIBLE PARKING SURFACES IN ANY DIRECTION SHALL NOT EXCEED ONE QUARTER INCH PER FOOT UNLESS NOTED OTHERWISE
6. THERE ARE NOT DESIGNATED FLOOD PLAINS, OPEN SPACE EASEMENTS, OR OTHER DEVELOPMENT RESTRICTED AREAS ON THIS SITE EXCEPT WHERE NOTED ON THE DRAWING
7. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO VERIFY THE EXISTENCE, LOCATION, DEPTH ETC. OF ALL METERS, GAS, SEWER, WATERLINES, AND LATERALS SHOWN ON THE DRAWING.
8. ADDRESSES SHALL BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. BUILDING ADDRESS SHALL BE 12" MIN. IN HEIGHT AND OF CONTRASTING COLOR TO THEIR BACKGROUND.
9. WALKS AND SIDEWALKS ALONG AN ACCESSIBLE ROUTE SHALL BE 48" MIN. WIDTH WITH A MAX. CROSS SLOPE OF ¼" PER FOOT. ALL SURFACES SHALL BE SLIP RESISTANT.
10. ANY ABRUPT LEVEL CHANGES IN WALKS OR SIDEWALKS SHALL BE LESS THAN ½" ALONG ANY ACCESSIBLE ROUTE OF TRAVEL. WHEN CHANGES DO OCCUR, THEY SHALL BE BEVELED WITH A SLOPE OF LESS THAN OR EQUAL TO 1:2 (LEVEL CHANGES OF LESS THAN OR EQUAL TO ½" MAY BE VERTICAL).
11. A MINIMUM OF 80" HEADROOM SHALL BE PROVIDED FROM ALL WALKWAY SURFACES TO OBSTRUCTIONS.
12. AT EVERY PRIMARY PUBLIC ENTRANCE, AND AT EVERY MAJOR FUNCTION AREA ALONG, OR LEADING TO, AN ACCESSIBLE ROUTE OF TRAVEL, THERE IS TO BE A SIGN DISPLAYING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY. SIGNS ARE REQUIRED TO INDICATE THE DIRECTION OF ACCESSIBLE BUILDING ENTRANCES AND FACILITIES, PER CURRENT EDITION OF THE CURRENT EDITION OF THE C.B.C.

CLEAN AIR VEHICLE NOTE:

PARKING STALL MARKING, PAINT, IN THE PAINT USED FOR THE STALL STRIPPING, THE FOLLOWING CHARACTERS SUCH THAT THE LOWER EDGE OF THE LAST WORD ALIGNS WITH THE END OF THE STALL STRIPING AND IS VISIBLE BENEATH A PARKED VEHICLE: CLEAN AIR/VANPOOL/EV

LANDSCAPE NOTE:

ALL LANDSCAPE SHOWN ON THIS PLAN IS EXISTING. NO CHANGE PROPOSED. CONTRACTOR TO ENSURE EXISTING IRRIGATION SYSTEM IS IN GOOD WORKING CONDITION. CONTRACTOR TO FIX AND/OR REPLACE ANY DAMAGED SPRINKLER HEADS, VALVES, PIPES, ETC.

BMP NOTES

1. ALL CONSTRUCTION WASTE AND STOCKPILES SHALL BE CONTAINERIZED OR COMPLETELY SURROUNDED BY SILT FENCE. STRAW WATTLES OR GRAVEL BAGS AT ALL TIMES. DURING A RAIN EVENT, ALL CONSTRUCTION WASTE AND STOCKPILES SHALL BE COVERED WITH PLASTIC SHEETING OR TARPS.

STORMWATER NOTES

THIS PROJECT SHALL COMPLY WITH ALL REQUIREMENTS OF THE STATE PERMIT: CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION, ORDER NO. 2001.01 NPDES NO. CAS010875 AND THE CITY OF SAN DIEGO LAND DEVELOPMENT CODE

1. SUFFICIENT BMP'S MUST BE INSTALLED TO PREVENT SILT, MUD, OR OTHER CONSTRUCTION DEBRIS FROM BEING TRACKED INTO THE ADJACENT STREET(S) OR STORM WATER CONVEYANCE SYSTEMS DUE TO CONSTRUCTION VEHICLES OR ANY OTHER CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING ANY SUCH DEBRIS THAT MAY BE IN THE STREET AT THE END OF EACH WORK DAY OR AFTER A STORM EVENT THAT CAUSES A BREECH IN THE INSTALLED CONSTRUCTION BMP'S.
2. ALL STOCK PILES OF UNCOMPACTED SOIL AND/OR BUILDING MATERIALS THAT ARE INTENDED TO BE LEFT UNPROTECTED FOR A PERIOD GREATER THAN SEVEN CALENDAR DAYS ARE TO BE PROVIDED WITH EROSION AND SEDIMENT CONTROLS. SUCH SOIL MUST BE PROTECTED EACH DAY WHEN THE PROBABILITY OF RAIN IS 40% OR GREATER.
3. A CONCRETE WASHOUT SHALL BE PROVIDED ON ALL PROJECTS WHICH PROPOSE THE CONSTRUCTION OF ANY CONCRETE IMPROVEMENTS THAT ARE TO BE POURED IN PLACE ON THE SITE.
4. ALL EROSION/SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED IN WORKING ORDER AT ALL TIMES.
5. ALL SLOPES THAT ARE CREATED OR DISTURBED BY CONSTRUCTION ACTIVITY MUST BE PROTECTED AGAINST EROSION AND SEDIMENT TRANSPORT AT ALL TIMES.
6. THE STORAGE OF ALL CONSTRUCTION MATERIALS AND EQUIPMENT MUST BE PROTECTED AGAINST ANY POTENTIAL RELEASE OF POLLUTANTS INTO THE ENVIRONMENT

PLANS BY
Accudraft
Drafting and Design
1558 D Street
Ramona, CA 92065
(760) 788-9391
www.alplans.com

CLIENT

Bannies Investments
4639 E. Nine Iron Lane
Yuma, AZ 85365

PROJECT

PLANS FOR:
SOUTH BAY URGENT CARE
1628 Palm Ave.
San Diego, CA 92154

WRITTEN DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS AND ALL DIMENSIONS AND/OR SPECIFICATIONS SHALL BE VERIFIED AND ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF ACCUDRAFT (760)788-9391, PRIOR TO ANY WORK COMMENCING. CONTRACTOR AND OR OWNER ASSUMES ALL RESPONSIBILITY FOR FAILURE TO DO SO.

REVISION HISTORY

NO.	DESCRIPTION	DATE
1	INITIAL PRINTING	5/4/2016

SHEET TITLE
PLOT PLAN

DWG FILE: 2015-053_NUP
SCALE: 1" = 10'-0"
DATE: 5/4/2016
DRAWN BY: WAW/AJW
SHEET: A0.1
PROJECT NO: 2015-053

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