

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	May 13, 2010	REPORT NO. PC-10-026
ATTENTION:	Planning Commission, Agenda of N	May 20, 2010
SUBJECT:	MERCADO DEL BARRIO - PROJE PROCESS FIVE	CT NO. 203874
OWNER/ APPLICANT:	City of San Diego and the Redevelop Diego / Shea Mercado, LLC, a Califo	

SUMMARY

Issue: Should the Planning Commission recommend approval to the City Council of an application for a mixed-use development that includes 92 multi-family residential units (includes 91 affordable units) on a vacant 6.8 acre site located at 1135 Cesar E. Chavez Parkway in the Redevelopment Sub District (Mercado District) of the Barrio Logan Redevelopment Project Area within the Barrio Logan/Harbor 101 Community Plan Area?

Staff Recommendation:

- Recommend the City Council Certify Addendum No. 203874 to Environmental Impact Report No. 90-0133, and Adopt the Mitigation Monitoring and Reporting Program;
- Recommend the City Council Approve Coastal Development Permit No. 723231, Planned Development Permit No. 723233, and Site Development Permit No. 723237; and
- Recommend the City Council Approve Vesting Tentative Map No. 723238 and Easement Abandonment No. 723239.

<u>Community Planning Group Recommendation</u>: There is no recognized community planning group for the Barrio Logan/Harbor 101 Community Plan Area; however, on April 28, 2010, the Barrio Logan Project Area Committee (PAC) voted 8-0-2 to recommend approval of the land use entitlements, including all deviations for the Mercado del Barrio project (Attachment 16).

Environmental Review: Addendum No. 203874 to Environmental Impact Report (EIR) No. 90-0133/ SCH No. 90010287 has been prepared for the project in accordance with



Section 15164 of the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which would reduce, to a level below significance, the potential impacts identified in the environmental review process.

<u>Fiscal Impact Statement</u>: All costs associated with processing of this project are recovered from a deposit account maintained by the applicant.

Code Enforcement Impact: None with this action.

Housing Impact Statement: The Barrio Logan/Harbor 101 Community Plan designates the subject property within the Mercado District for high density residential development at 43-53 dwelling units per acre. The 6.8-acre site could accommodate up to 296 dwelling units based on 43 dwelling units per acre and 444,312 square feet of non-residential uses. The Barrio Logan Redevelopment Plan (RDP) limits the number of dwelling units within the Redevelopment Plan Area to approximately 1,198. The project proposes a mixed-use development that includes 92 multi-family residential units of which 91 (for rent) units will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI), and one manager unit at market rate.

The Mercado del Barrio project (hereafter "Project") shall be implemented under two Disposition and Development Agreements (DDAs). The first DDA shall be between the Redevelopment Agency of the City of San Diego (hereafter "Agency") and Shea Mercado, LLC, addressing the retail element of the Project (the Retail DDA). The second DDA shall be between the Agency and Chelsea Investment Corporation, addressing the residential element of the Project (the Residential DDA). The Residential DDA includes language to accommodate the partnership structure relative to the San Diego Housing Commission's participation in the Project.

The amount of subsidy being requested for the Project is \$16 million. Center City Development Corporation will be contributing \$5 million and San Diego Housing Commission will be contributing \$7 million for implementation of the Project. Project Areas managed by the City's Redevelopment Division shall contribute up to \$4 million in 20 percent Affordable Housing Set-Aside funds, not including the conveyance of 6.8 acres of Agency-owned land. Generally, the development of the Project shall result in generating annual sales tax and tax increment revenues over the lifetime of the project area.

BACKGROUND

The proposed project site is located at 1135 Cesar E. Chavez Parkway (Attachment 1) on a vacant 6.8 acre site which encompass a two block area between Cesar E. Chavez Parkway (formally Crosby Street) and Dewey Street, and National Avenue and Main Street (Attachment 2). The site is in the Redevelopment Sub District (Mercado District) of the Barrio Logan Planned District (Attachment 3), the Barrio Logan Redevelopment Project Area (Attachment 4), the Coastal Overlay Zone (Non-Appealable Area 2), the Transit Area Overlay Zone, the Barrio Logan/Harbor 101 Community Plan Area (Attachment 5), and the Federal Aviation Administration (FAA) Part 77 Noticing Area of San Diego International Airport (SDIA) and

North Island Naval Air Station (NAS). The Barrio Logan/Harbor 101 Community Plan designates the subject site as the "Mercado District" that was adopted as part of the Barrio Logan Redevelopment Project Area in 1991. As such, the Plan indicates that the Mercado District Area facilitate 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 site was previously occupied by multi-family, commercial, and industrial structures which were demolished prior to 1995. This demolition occurred in preparation of the redevelopment of the project site. On September 18, 2001, the City Council approved the "San Diego Mercado at Crosby Street" development, which was an approximately 114,505 square-foot retail commercial center, which did not include any residential units. The City Council's action approved a Site Development Permit (SDP)/Coastal Development Permit (CDP) No. 40-0401, Parcel Map and Street Vacation pursuant to Resolution No. 295464, and off-site Street Vacations pursuant to Resolution No. 295465. The Street Vacations were for the vacation of Newton Avenue from Cesar E. Chavez Parkway to Dewey Street, and for the vacation of the two alleys within the project site area. Parcel Map No. 18810 (Attachment 7) was recorded on October 4, 2001, which includes the reservation of the general utility and access easements for the existing public and private (AT&T, Cox Communication, and SDG&E) utilities within the vacated public right-of-way.

After the recordation of the Parcel Map, the proposed development did not obtain a ministerial permit (building, grading and or public improvement) and the City determined that Site SDP/CDP No. 40-0401 was not utilized within the allowed 36 months pursuant to Municipal Code Section 126.0108(b)(4). On February 4, 2010, the Redevelopment Agency of the City of San Diego recorded a Notice of Expiration for SDP/CDP No. 40-0401 (Attachment 8).

The project site is located within the urbanized community of Barrio Logan, just south of downtown San Diego, west of Interstate 5, and adjacent to the Coronado Bridge. The site contains a grade differential of approximately 15 feet and slopes gently from 44 feet above mean sea level (AMSL) from National Avenue southwest toward San Diego Bay to a 29 foot AMSL at Main Street. The City of San Diego has an existing 60 foot wide sewer easement which contains a 78 inch RCP Sewer Main located within the vacated portion of Newton Avenue and within the existing 80-foot general utility and access easement, which will remain on the project site. The project site is constrained by existing infrastructure within the public right-of-way along Main Street and Cesar E. Chavez Parkway that service the surrounding community. Located within the area of the existing curb and gutter along Main Street contains an underground 69KV electrical line, 24 inch storm drain, 16 inch pressurized gas main, and a 3 inch gas line. Located within the area on both sides of the existing curb and gutter along Cesar E. Chavez Parkway contains an underground 69KV electrical line, 36 inch storm drain, traffic signal lines, and AT&T telephone and fiber optic system with above ground cabinets.

Land uses in the community include industrial uses, such as warehousing and indoor/outdoor storage uses, offices, and auto-related repair businesses. Within the vicinity of the project site, a number of residential and commercial retail uses have been developed, including San Diego Boats to the southwest and the 144 unit Mercado Apartments complex opposite the project site and southeast of the Coronado Bridge. Further, the San Diego Community College District Continuing Education facility is located directly across the street to the east. To the north and west of the project site are businesses such as Ryan Bros. Coffee, Baja Produce, and the Ponderosa Deli, as well as City of San Diego Fire Station #7 (944 Cesar E. Chavez Parkway). Directly adjacent to the project site, beneath the Coronado Bridge, is Chicano Park, an important community gathering place and cultural center. The San Diego Trolley line parallels Harbor Drive and there is a trolley and transit station located within a quarter mile of the project at the southeast corner of Cesar E. Chavez Parkway and Harbor Drive.

DISCUSSION

Project Description:

The proposed Mercado del Barrio (hereafter "Project") is being processed through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program. The Project is a mixed-use development that includes 92 multi-family residential units of which 91 (for rent) units will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI), and one manager unit at market rate; the residential units will be wrapped around a two and half story above grade parking structure containing 219 parking spaces; the project also includes an additional 209 surface parking spaces; 35,890 square-feet of general commercial/ grocery (Northgate Market); 34,555 square-feet of retail; 13,865 square-feet of restaurant uses with 2,325 square-feet of outdoor seating; 2,790 square-feet of shopkeeper units (included in the residential unit count); 445 square feet of apartment leasing office; and other on-and off-site infrastructure improvements. The Project's residential units will consist of 15 one-bedroom units, 40 two-bedroom units, 33 three-bedroom units, and four shopkeeper units.

The western portion (hereafter "West Parcel") of the Project site would contain the commercial/ grocery (Northgate Market), general retail and restaurant uses; and the eastern portion (hereafter "East Parcel") would contain the residential units, parking structure, general retail and restaurant uses. The following Development Summary Table is a breakdown of the West and East Parcels:

Proposed Use	Area (Gross AC)	Commercial/Retail (GSF)	Residential (GSF)	Ancillary Uses (GSF)
West Parcel				
Retail/Grocery (Large Format)	0.82	35,890	-	
General Retail/Restaurant	0.32	13,865		
Outdoor seating	0.025	1,100		
West Parcel Sub-Total	1.167	50,855		
Surface Parking	1.24			54,000
Common Area	1.10			48,030
East Parcel				
Retail/Restaurant/Service	0.79	34,555	•	
Outdoor seating		1,225		
Shopkeeper Units ²	0.06	2,790		
Leasing Office	0.01	445 ¹		
Multi-family			140,615	
(above retail)			(92 units)	
East Parcel Sub-total		39,015	140,615 (92 units) ²	

DEVELOPMENT SUMMARY

Proposed Use	Area (Gross AC)	Commercial/Retail (GSF)	Residential (GSF)	Ancillary Uses (GSF)
Surface Parking	0.87			37,900
Parking Structure (219 stalls)	0.62			80,600
Common Area	0.78			33,980
Total Development	6.73	89,870	140,615 (92 units) ²	254,510
Right-of-Way Dedication	0.14			
Total – Project Area	6.87			

AC: acreage

GSF: gross square footage

1. Apartment Leasing Office square footage is shown for purpose of calculating FAR and not intended to be analyzed as an independent use within the Traffic Study, given it is an ancillary use to the multi-family units.

2. Shopkeeper units are included in the residential unit count for a total of 92 units.

The community plan designates the subject property within the Mercado District for high density residential development at 43-53 dwelling units per acre. The Barrio Logan Planned District (BLPD) allows 1.5 floor area ratio (FAR) for non-residential development and one unit per 1,000 feet of lot area (43 dwelling units per gross acre), plus a 25 percent bonus density for low- and moderate-income dwelling units up to 53 dwelling units per gross acre. For mixed residential and non-residential uses, the intensity of the development shall be the sum of the density of the residential and the FAR for the non-residential pursuant to Section 152.0318 of the San Diego Municipal Code (SDMC). The 6.8-acre site could accommodate up to 296 dwelling units based on 43 dwelling units per acre and 444,312 square feet of non-residential uses. The Barrio Logan Redevelopment Plan (RDP) limits the number of dwelling units within the RDP Area to approximately 1,198.

As analyzed in the EIR No. 90-0133, Section 2.4.4, the Mercado District is approximately 13.0 acres in area, and would allow 568,458 SF of commercial building area and 228 dwelling units, assuming two-thirds of the 13 acres build-out for commercial uses and one-third develop as residential uses at 53 dwelling units per acre. Based on this analysis, a total of 84 residual units could be constructed because of the development of the existing 144 unit Mercado Apartments complex opposite the project site and southeast of the Coronado Bridge. However, the Project in combination with existing development would entail less residential and commercial development than was analyzed in the EIR for the 13-acre Mercado District. Within the Mercado District, the Project site corresponds with Zones 12 and 16 of the RDP, which was allocated up to 105 DUs and 261,461 SF of commercial use. In summary, the Project (Zones 12 & 16) would include 66 percent less commercial square footage and 12 percent fewer residential units as compared to the equivalent acreage (6.8 acres) in the EIR.

As a component of the Project, a portion of the project will utilize renewable energy technology (i.e., photovoltaic) and pursue US Green Building Council's LEED certification or the equivalent, thus meeting the requirement of Council Policy 900-14, the City's Sustainable Building Policy. To achieve LEED's certification or equivalent, the Project include many design elements such as Smart Location and Linkage, Compact Development, Proximity to Water and Wastewater Infrastructure, Diversity and Affordability of Housing, Bicycle Parking and Network, Reduced Parking Footprint, Access to Outdoor and Active Spaces, Construction Activity Pollution and Waste Prevention, Comprehensive Waste Management, Energy Efficiency in Building, Decreased Reliance on Fossil Fuels, Reduced Water Use, and Heat Island Reduction.

The Project is designed as a pedestrian oriented development, providing connecting pathways and plazas with adjacent facilities such as Chicano Park and Cesar E. Chavez Parkway. The project engages the Cesar E. Chavez Parkway street frontage with a plaza on the southwest corner of Cesar E. Chavez Parkway and vacated Newton Avenue. The plaza is approximately a 10,000-square foot area with landscape, enhanced pavement, seating walls, performance area and a water feature. While the plaza will primarily be a passive use open to the general public, the area will also accommodate special events. Enhanced pedestrian walkways provide connection to adjacent transit services off of National Avenue and Harbor Drive, where there is an existing transit stop located on the southeast corner of Cesar E. Chavez Parkway and Harbor Drive.

Development of the Project requires the approval of a Process Two Coastal Development Permit (CDP) for coastal development in the Non-Appealable Area 2 of the Coastal Overlay Zone; a Process Three Site Development Permit (SDP) for a Barrio Logan Planned District Permit for development within the Redevelopment Sub District (Mercado District) of the Barrio Logan Planned District; a Process Four Planned Development Permit (PDP) for deviations from the applicable development regulations as outlined in San Diego Municipal Code (SDMC) Section 143.0410(a); Process Four Vesting Tentative Map (VTM) for the subdivision of 9 existing parcels into 11 Lots, including one (1) condominium lot of 92 residential units, and three (3) condominium lots of 17, 6, and 1 commercial units respectively; and a Process Five Easement Abandonment (EA) to abandon existing general utility and access easements within the previously vacated alleys.

Community Plan Analysis:

The Barrio Logan/Harbor 101 Community Plan designates the subject site as within the "Mercado District" that was adopted as part of the Barrio Logan Redevelopment Project Area in 1991. The Project also falls within an area that is identified as a Community Village as defined in the City's General Plan. As such, the Plan indicates that the Mercado District Area facilitate 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.

As cited in the General Plan, the City of Villages strategy focuses growth into mixed-use activity centers that are pedestrian-friendly districts linked to an improved regional transit system. The strategy is designed to sustain the long-term economic, environmental, and social health of the City and its many communities. The intent is to create villages that are pedestrian in scale, accessible by diverse multi-modal means, and varied with uses and activities that serve local daily needs. As such, the Mercado project is located within an area that is identified as a Community Village.

Goals included in the General Plan Urban Design Element call for mixed-use village to achieve integration of uses and serve as focal points for public gathering as a result of their outstanding public spaces. Furthermore, vibrant mixed-use main streets (such as Cesar E. Chavez Parkway) that serve as neighborhood destinations, community resources and conduits to the regional transit system, should serve as walkable centers of activity and provide for attractive and functional commercial corridors which link communities and provide goods and services. In addition to

compact residences and retail establishments, villages shall contain public spaces that include plazas, public art, cultural amenities, transit centers, enhanced streetscapes, parks and pocket parks.

The Urban Design Element of the Community Plan recommends that new development in the community be designed to reinforce the 40-foot topographic differential between the bay water edge and the uplands. The Project as proposed acknowledges the topographic differentials as cited in the community plan by stepping the structures up towards National Avenue and recognizes the importance of view corridors along the major thoroughfares by stepping the structures back and including an 18.4 foot pedestrian corridor along Cesar E. Chavez Parkway. Recommendations embodied in the Community Plan recommend that view corridors to the San Diego Bay should be enhanced. According to the Plan, Cesar E. Chavez Parkway as well as National Avenue should be considered for beautification to further enhance and frame existing views. The Project as proposed maintains and enhances the view corridors along Cesar E. Chavez Parkway by including minimum 18 foot wide sidewalks and has an open plaza section located within the middle of the proposed project

As designed, the proposed project implements the General Plan's Urban Design Element by ensuring that the scale and volume of the proposal fits well within the existing and developing character of the community. Furthermore, the Project has been designed as to not overwhelm the surrounding environment. The frontage of each structure has significant transparency, varied rooflines as well as well-articulated façades including balconies and decks. The architectural style is contemporary yet reflects Mexican architectural characteristics in its materials and earthy color palette. Further, the Project provides for multiple areas for murals and public art.

The open plazas and walkways areas implement the General Plan recommendation to provide at least 10 percent of the village site area as designated public space. These areas also weave together the interior and exterior spaces of the project. The predominate public spaces are designed to maximize a pleasurable pedestrian experience along Cesar E. Chavez Parkway as well as expand opportunities adjacent to Chicano Park. Parking and loading dock impacts have been minimized by incorporating them within the interior of the project.

The Project as proposed implements the elements included in the General Plan, Barrio Logan/Harbor 101 Community Plan and the Barrio Logan Redevelopment Plan. Specifically, the Project proposes a mixed-use, transit-oriented community center whose focal point includes connecting Chicano Park with the San Diego Bay through a series courtyards, public plazas and walkways. The project would not only provide the Barrio Logan community with essential services that are typically found in a commercial/grocery store setting but would include additional retail opportunities that will provide a vibrant street life as well as potential employment and business opportunities for Barrio Logan residents.

Environmental Analysis:

The City of San Diego previously prepared an EIR for the Barrio Logan Redevelopment Plan (DEP No. 90-0133/SCH No. 90010287). Based upon a review of the current project, it has been determined that there are no new significant environmental impacts that have not already been considered in the previous EIR; no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and there is no new information of

substantial importance to the project that would result in significant impacts. Therefore, Addendum No. 203874 to EIR No. 90-0133/ SCH No. 90010287 has been prepared in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, and no public review of this addendum is required per CEQA.

Addendum No. 203874 analyzed the following to demonstrate that environmental impacts associated with the Project are consistent with the previous EIR: Land Use, Transportation/Traffic Circulation, Landform Alteration/Visual Quality, Noise, Geology/Soils, Air Quality, Population and Housing, Public Services and Utilities, Cultural Resources, Paleontological Resources, and Human Health/Public Safety/Risk of Upset.

The environmental issue for greenhouse gas (GHG) emissions, relevant to the Project, was not analyzed in the previous EIR. In order to demonstrate that the Project would not result in new impact, the GHG is analyzed and discussed within the Addendum No. 203874. This discussion provides information to show that although this issue was not analyzed in the previous EIR and might be considered "new impact", there is no new information available that would indicate that this issue would result in a new significant impact.

A GHG technical study was prepared for the Project by RECON in March 2010. As described in the study, in order to calculate GHG emissions due to operation of the Project, emission estimates were made for the five primary sources of GHG emissions associated with additional development: vehicular traffic on area roadways, electricity generation, natural gas consumption/combustion, water usage, and solid waste generation. Emissions of these five primary sources were calculated for build-out of the project site under the Barrio Logan RDP and build-out of the Project.

The build-out of the Project, with incorporation of GHG reducing project design features, would reduce the total GHG emissions per year, which represents a 30 percent reduction over 2020 "business-as-usual" conditions and a 40 percent reduction compared to build-out in accordance with the Barrio Logan RDP. Thus, GHG would not represent a new significant impact and no mitigation would be required. It should be noted that in addition to exceeding Title 24 energy requirements and the project would be installing a solar photovoltaic system.

Project-Related Issues:

<u>Federal Aviation Administration (FAA) Part 77 Noticing Area</u>- The Project site is located within the FAA Part 77 Noticing Area of San Diego International Airport (SDIA) and North Island Naval Air Station (NAS). The Project at its highest elevation point would be 95 feet AMSL and the FAA Part 77 notification surface at the closest point on the site for the SDIA is 155 feet AMSL and 191 feet AMSL for North Island NAS. Therefore, Project height does not meet the Part 77 criteria to notify the FAA, and the applicant is not required to notify the FAA for a Part 77 airspace and obstruction evaluation.

<u>Deviations from the SDMC</u>- Due to the site being inhibited by existing infrastructure within the public right-of-way along Main Street and Cesar E. Chavez Parkway and within the utility easement within the vacated Newton Avenue (as outlined in the above Background Section), the applicant has requested the following deviations:

- <u>Street Frontage</u> Deviation from SDMC Section 152.0319(a)(2) which requires a
 minimum street frontage of 25 feet per lot. The Project includes a VTM for the
 subdivision of 9 existing lots into 11. This new lot configuration will result in three lots
 (Lots 2, 6 and 7) containing less than 25 feet of street frontage per lot. The VTM is to
 accommodate the ownership structure of the proposed development; however, the lots
 will function together as a mixed use development, having a combined street frontage in
 excess of 25 feet along National Avenue and Cesar E. Chavez Parkway and would meet
 the intent of the development regulations of the applicable zone.
- 2. Street Wall Deviation from SDMC Section 152.0319(e)(2)(A) which requires nonresidential building walls to continuously extend at least 65 percent of the street front and be located at the property line or within 5-feet of the property line. The Project would provide building walls along 63 percent of the street front along Main Street within 5 feet of the property line, and 62 percent of the street front along Cesar E. Chavez Parkway, and is setback 10 to 25 feet from the property line. The requested deviation along Main Street and Cesar E. Chavez Parkway encourages pedestrian movement and provides access with enhanced walkways, lighting and landscape treatments, and would result in a more pedestrian oriented project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.
- 3. <u>Transparency</u> Deviation from SDMC Section 152.0319(e)(2)(B) which requires 50 percent of the first story area street wall surface to incorporate pedestrian entrances, windows, display windows or openings allowing views into atriums, courtyards and street oriented activities located at the pedestrian height level. Commercial building "B", the proposed Northgate Market building, provides transparency along 18 percent of the first story area street front along Main Street, 14 percent along vacated Newton Avenue and 0 percent on the south side adjacent to the CalTrans easement/maintenance facility. There are two commercial buildings adjacent to Main Street with their orientation facing Cesar E. Chavez Parkway. The larger commercial building "B" on the southwest corner of the project site is restricted as to any transparency opportunities that could be incorporated. Based on the planned use, the west side of the building is planned for storage, coolers, and food/bakery preparation. Architectural enhancements have been incorporated to provide relief and interest at a pedestrian level. Such elements as architectural reliefs, painted architectural details, and glass in aluminum mullion or similar. The smaller retail building "A" on the northwest corner of the project site incorporates a low planter wall with the use of shrubs that are 5 feet to 6 feet tall that provide eye-level screening at a pedestrian level.
- 4. <u>Blank Walls</u> Deviation from SDMC Section 152.0319(e) (2) (D) which requires blank wall segments to be limited to 15 feet in width or 25 feet if enhanced with architectural detailing, ornamentation or art work. Commercial building "B" would contain blank walls of approximately 162 feet facing Main Street, approximately 132 feet facing vacated Newton Avenue, and approximately 258 feet in width with enhanced architectural detailing along each of the wall segments. As previously noted in the response to the "transparency" deviation, there are two commercial buildings adjacent to Main Street with their orientation facing Cesar E. Chavez Parkway. The smaller retail building "A" on the northwest corner of the project site incorporates architectural enhancements, including an outdoor seating area with landscape that provides relief and

interest at a pedestrian level as well as areas to incorporate murals to the side of the building. The larger commercial building "B" on the southwest corner of the project site requires a greater wall surface given the nature of its use, making it difficult to incorporate architectural detailing and ornamentation. Architectural enhancements have been incorporated to provide relief and interest at a pedestrian level. Such elements as architectural reliefs, painted architectural details, and glass in aluminum mullion or similar.

- 5. Parking Wall Deviation from SDMC Section 152.0319(e)(2)(E) which requires a 3 foot solid wall or fence separated from the adjacent public right-of-way by a 3 foot wide landscape strip where surface parking occupying 35 percent or less of the linear street front. The Project provides surface parking, of which a portion is adjacent to the Main Street public right-of-way. Given the grade differentials of the site, the west edge of the parking is separated from the public walkway by an 18 inch retaining wall and 10 foot planting area that is sloped up 12 inches toward the parking. The planting area will contain streetscape understory planting that will grow 3 to 5 feet tall. With the grade difference and landscape improvements along this edge, there is a separation from the public right-of-way providing a buffer between the pedestrian and vehicles that meets the intent of the development regulations of the applicable zone.
- 6. Loading Area Deviation from SDMC Section 152.0319(e)(2)(F) which does not allow off-street loading areas to be located immediately adjacent to Newton Avenue, Cesar E. Chavez Parkway and Main Street. The Project provides access to a loading area off Main Street for commercial building "B." The Project is bounded by streets with restricted immediate access to loading areas, resulting in limited options for a large format retail use. While loading areas for the smaller service vehicles were accommodated on-site, the larger loading area for the southwest retail parcel accommodates a loading area off Main Street. This location was selected as it provides minimal impact to the existing operation of Main Street, and the future uses of the project site.
- 7. <u>Height</u> Deviation from SDMC Section 113.0270(a) (1) requires a maximum permitted structure height of 50 feet. This request is due to the natural grade drop in elevation between National Avenue to the east and the vacated Newton Avenue to the west. The difference in grade is approximately 7 feet. The proposed building "C" mixed-use project (east side) has a maximum structure height of 56-feet as calculated per SDMC Section 113, Diagram 113-0211. In addition, per SDMC Section 113.0270 (a)(2)(B) requires the Overall Height Measurement shall not exceed the maximum permitted structure height of the applicable zone plus an amount equal to either the maximum grade differential within the structure's footprint or 10 feet, whichever is less. The overall structure height is 50 feet + 8 feet 5 inches = 58 feet 5 inches, while the Project is proposing a height of 62 feet 3 inches at the highest point of building "C." Strict conformance with the development regulations of the applicable zone would require the reduction of a number of affordable housing units within the Project.
- 8. <u>Street Tree/Landscape</u> Deviation from SDMC Section 142.0409(a)(1) which requires 24 inch box tree for every 30 feet of street frontage. The Project would be providing 11 street trees within National Avenue public right-of-way where 13 trees are required; no

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street trees within Main Street public right-of-way where 15 trees would be required; 17 street trees and 4 fan palms within Cesar E. Chavez Parkway; and no street trees are required within the Dewey Street public right-of-way. The Project is an infill development bounded by existing infrastructure, creating multiple constraints that limit the planting within the public right-of-way. While street trees can be accommodated within National Avenue and Cesar E. Chavez Parkway, it is difficult to achieve the required number of street trees due to the avoidance of utilities and site constraints. Street trees are currently spaced at 30 feet on-center which cannot be closer due to fire ladder access requirements. Street trees along National Avenue have limited size requirements due to the fire ladder access requirements. The project access off of Dewey Street doesn't provide opportunities for street trees.

- 9. Vehicular Use Area Deviation from SDMC Section 142.0406(a) which requires 3 percent of the vehicular use area outside the street yard as planting area of which 50 percent of the points must be achieved through the use of trees. The Project would accommodate 4.6 percent of the vehicular area as planting area of which 44 percent of the points are achieved through the use of trees. The Project has a 60 foot sewer easement that runs along the alignment of vacated Newton Avenue and the planting of any trees within this easement is prohibited. With this restriction, the project cannot meet this landscape standard within the vehicle use area. Enhanced pavement treatment and planting islands have been incorporated, which helps reduce heat gain from asphalt surfaces. The proposed street tree along the edges of vacated Newton Avenue are Tipu trees, a fast growing tree that has a broad canopy capable of providing great coverage to vacated Newton Avenue in a short period of time. The surface parking adjacent to the southeast property line is shaded by the Coronado Bridge which also helps to reduce heat gain to the surface parking area. The top level of the parking structure is shaded by the housing structure during the majority of the day through the summer and winter months, and has limited heat gain opportunities.
- 10. <u>Trees within Vehicular Use Area</u> *Deviation from SDMC Section 142.0406(a) which requires one tree within 30 feet of each parking space*. The Project does not provide for one tree within 30 feet of each parking space and does not provide the required 40 square foot planting area for the tress (i.e. planting islands within the parking lots/ vehicular use areas). However, the Project would accommodate 60 percent more on-site trees than required by the code (assumes two parking areas and excluding the 60-foot sewer easement). Providing one tree within 30 feet of each parking space will produce 15 trees within the vehicle use area at the grocery store parking and 10 trees at the southeast parking. Allowing the counting of trees within 3 feet of the vehicle use area as shown on the proposed plan will produce 30 trees at the grocery store parking and 10 trees at the southeast parking for total of 40 trees compared to 25 trees as required. Based on this assessment, the proposed tree locations are meeting the intent of the code to provide shade for the car, vehicular paving as well as walkways adjacent to parking.
- 11. <u>Maximum Wall Sign Copy Area*</u> Deviation from SDMC Table 142-12C, which limits the maximum wall sign copy area to 1 square foot per linear foot of street wall per establishment per street frontage up to 100 square feet. For Building "A" North Elevation, the deviation would allow the maximum wall sign copy area for each establishment to be calculated at 2 times the length of the establishment's street wall up

to 250 square feet to allow adequate and appropriate signage for identifying the project, major and restaurant tenants, and the ability to incorporate their trade dress and identity on their storefronts and buildings. For Building "B" North Elevation, the deviation would allow the maximum wall sign copy area for each establishment to be calculated at 1.5 times the length of the establishment's street wall up to 350 square feet to allow adequate and appropriate signage for identifying the project, major and restaurant tenants, and the ability to incorporate their trade dress and identity on their storefronts and buildings.

- 12. <u>Allowable Wall Signs on Lease Space*</u> Deviation from SDMC Section 142.1225(d)(1) which requires allowable wall signs only on the lease space or building for which the sign copy area allowance is computed. For the upper North and South Elevations of Building "A," the deviation would allow up to 60 square feet of wall sign copy area for major tenants not located within Building "A" where this sign would not otherwise be allowed. For the upper East Elevations of Building "A," the deviation would allow up to 100 square feet of wall sign copy area for major tenants not located within Sign copy area for major tenants not located within Building "A," the deviation would allow up to 100 square feet of wall sign copy area for major tenants not located within Building "A" where this sign would not otherwise be allowed. For the upper West Elevations of Building "A," the deviation would allow up to 100 square feet of wall sign copy area for major tenants not located within Building "A," the deviation of Building "A," the deviation would allow up to 100 square feet of wall sign copy area for major tenants not located within Building "A," the deviation of Building "A," the deviation would allow up to 100 square feet of wall sign copy area for major tenants that may not be located within Building "A," up to total of 250 square feet, where this sign would not otherwise be allowed.
- 13. <u>Ground Signs*</u> Deviation from SDMC Table 142-12H, which limits the height of ground signs to 8 feet in height. The Project would accommodate one 22 foot tall center identification ground sign facing Cesar E. Chavez Parkway on the stage wall as shown on the Exhibit "A" where an 8-foot tall ground sign is allowed.
- 14. Projecting Signs* Deviation from SDMC 142.1225(c)(6) and 142.1230, which considers wall signs that project more than 18 inches from a building wall as projecting signs. The deviation would allow projecting signs to be located to the top, face and below architectural awnings and canopies on Building "C" as shown on Exhibit "A", and to allow pedestrian oriented blade signs under architectural canopies and projecting from building wall more than 18 inches with an 8 foot minimum clearance (Attachment 14).

* To implement these sign deviations, the applicant shall submit a comprehensive sign program that includes criteria for the location and design of all signs to be used on the premises and acceptable to the Development Services Department prior to the issuance of any sign permits. The sign program shall demonstrate that the design of all signs complements the architecture of the existing buildings. The sign program shall also demonstrate that the locations of signs would not create visual clutter.

Conclusion:

The Project provides sustainable and conservation measures supported by the City Council Policy and encouraged through other regional and state policies. In the 2008 General Plan update, there was a emphasis placed on focusing on urbanized communities by combining housing, employment, schools, civic uses within village centers, providing strategies to preserve established residential neighborhoods; address mobility and facilities needs, and manage growth while preserving the City's high quality of life. This summarizes the City's sustainable and conservation goals and objectives of which the Project satisfies in providing a mixed use development within an existing community of varied uses that will be supported by the existing infrastructure and transit services.

The Project also furthers regional sustainable and conservation goals as defined in the SANDAG Climate Action Strategy (Strategy) recently adopted in March and the Regional Comprehensive Plan. The Regional Comprehensive Plan calls for the application of principles of smart growth and sustainability so as to develop the region in a way that creates livable communities by connecting land use and transportation and improving the quality of travel by focusing on better urban design and walkability. The Project furthers smart growth and sustainable measures with the development located in the City core, providing uses and networks that support connectivity and walkable communities.

The Project could be considered as a transit priority project as defined within the CEQA Guidelines. Senate Bill (SB) 375 accommodates a CEQA streamlining approach for "transit priority project" that is consistent with the use provisions of the Regional Transportation Plan and complies with California Air Resources Board (ARB) and would achieve the Greenhouse Gas (GHG) emission reduction targets. While the Project did not seek formal CEQA streamlining, the Project is in general conformance with the criteria outlined in Section 21155 and 21155.1 of the Guidelines in that it provides a mixed use development that has more than 50-percent residential uses, the residential portion of the project exceeds a density of 20 dwelling units/acre, and located within one-half mile of a transit station.

The Project as proposed implements the elements included in the General Plan, Barrio Logan/Harbor 101 Community Plan and the Barrio Logan Redevelopment Plan. Specifically, the Project proposes a mixed-use, transit-oriented community center whose focal point includes connecting Chicano Park with the San Diego Bay through a series courtyards, public plazas and walkways. The project would not only provide the Barrio Logan community with essential services that are typically found in a commercial/grocery store setting but would include additional affordable housing units and retail opportunities that will provide a vibrant street life as well as potential employment and business opportunities for Barrio Logan residents. The Project includes 92 multi-family residential units of which 91 (for rent) units will be set aside for households with an income at or below 30- to 60-percent AMI, and as a component of the Project, a portion of the project will utilize renewable energy technology (i.e., photovoltaic) and pursue US Green Building Council's LEED certification or the equivalent, thus meeting the requirements of the Inclusionary Housing Ordinance and Council Policy 900-14, the City's Sustainable Building Policy. Therefore, staff recommends that the Planning Commission recommend to the City Council the approval of the project.

ALTERNATIVES

- 1. A. Recommend the City Council **Certify** Addendum No. 203874 to Environmental Impact Report No. 90-0133, and **Adopt** of the Mitigation Monitoring and Reporting Program; and
 - B. Recommend the City Council **Approve** Coastal Development Permit No. 723231, Planned Development Permit No. 723233, Site Development Permit No. 723237, Vesting Tentative Map No. 723238, and Easement Abandonment No. 723239

with modifications; or

- 2. A. Recommend the City Council **Not Certify** Addendum No. 203874 to Environmental Impact Report No. 90-0133; **Not Adopt** the Mitigation Monitoring and Reporting Program; and
 - B. Recommend the City Council Deny Coastal Development Permit No. 723231,
 Planned Development Permit No. 723233, Site Development Permit No. 723237,
 Vesting Tentative Map No. 723238, and Easement Abandonment No. 723239, if
 the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake Program Manager Development Services Department

Jeffey A. Peterson Development Project Manager Development Services Department

WESTLAKE/JAP

Attachments:

- 1. Location Map
- 2. Aerial Photograph
- 3. Barrio Logan Planned District Map
- 4. Barrio Logan Redevelopment Project Area Map
- 5. Community Plan Land Use Map
- 6. Project Data Sheet
- 7. Parcel Map No. 18810
- 8. Notice of Expiration for SDP/CDP No. 40-0401
- 9. Draft CDP/PDP/SDP Permit Resolution with Findings
- 10. Draft CDP/PDP/SDP Permit with Conditions
- 11. Draft VTM/EA Resolution with Findings
- 12. Draft VTM/EA Conditions
- 13. Draft Environmental Resolution with MMRP
- 14. Projecting Sign Exhibits
- 15. Project Plan
- 16. Barrio Logan Project Area Committee Recommendation
- 17. Ownership Disclosure Statement
- 18. Project Chronology

Internal Order No. 24000652





Nor	th
1	Per





Aerial Photograph (Looking South) Mercado del Barrio - Project No. 203874

3677- 3681 Mission Boulevard

South







Barrio Logan Redevelopment Map

Mercado del Barrio - Project No. 203874 3677- 3681 Mission Boulevard North



PROJECT DATA SHEET

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	v		
PROJECT NAME:	Mercado del Barrio – Project No. 203874		
PROJECT DESCRIPTION:	Construction of a mixed-use development that includes 92 multi-		
	family residential units (includes 91 affordable units) on a vacant 6.8		
	acre site (two block area).		
COMMUNITY PLAN AREA:	Barrio Logan/Harbor 101		
DISCRETIONARY ACTIONS:	Coastal Development Permit, Planned Development Permit, Site		
	Development Permit, Vesting Tentative Map, and Easement		
	Abandonment.		
COMMUNITY PLAN LAND	Redevelopment Sub District (Mercado District) of the Barrio Logan		
USE DESIGNATION:	Redevelopment Project Area, high density residential development at		
	43-53 dwelling units per acre.		

ZONING INFORMATION

ZONE:	Mercado District in the Barrio Logan Planned District
HEIGHT LIMIT:	50'0"
LOT SIZE:	3,500 square feet
FLOOR AREA RATIO:	1.5
LOT COVERAGE:	NA
FRONT SETBACK:	0'0" on a Main Street, National Ave, and Cesar E. Chavez Parkway
SIDE SETBACK:	0'0"
STREETSIDE SETBACK:	NA
REAR SETBACK:	0,0"
PARKING:	371 parking spaces required (428 parking spaces provided)

	LAND USE	EXISTING LAND USE	
ADJACENT	DESIGNATION &		
PROPERTIES:	ZONE		
NORTH:	Commercial/Residential	Commercial, Multi-Family	
	Mixed Use /	Residential, and Single-Family	
	Redevelopment Sub district	Residential	
SOUTH:	Residential & Mercado /	Commercial, and Multi-Family	
	Redevelopment Sub district	Residential	
EAST:	Mercado / Redevelopment Commercial		
	Sub district		
WEST:	Mercado / Redevelopment Commercial		
	Sub district		
DEVIATIONS OR	Deviations for Street Frontage, Street Wall, Transparency, Blank		
VARIANCES REQUESTED:	Walls, Parking Wall, Loading Area, Height, Street Tree/Landscape,		
	Vehicular Use Area, Trees within Vehicular Use Area, Maximum		
	Wall Sign Copy Area, Allowable Wall Signs on Lease Space,		
	Ground Signs, and Projecting Signs.		
COMMUNITY PLANNING	There is no recognized communityplanning group for the Barrio		
GROUP	Logan/Harbor 101 Community Plan Area; however, on April 28,		
RECOMMENDATION:		ect Area Committee (PAC) voted 80-2	
	to recommend approval of the land use entitlements, including all		
	deviations for the Mercado del Barrio project.		

PARCEL MAP NO. **18810**

THE OWNERS OF THE PROPERTY COVERED BY THIS MAP, HEREBY APPROVE SAID MAP AND THE FILING THEREOF

THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION. AS OWNER

THE CITY COUNCIL OF THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, HEREBY CERTIFIES IT IS THE OWNER OF THE LAND WITHIN THIS PARCEL MAP AND HEREBY CONSENTS IN THE PREPARATION AND RECORDATION OF THIS MAP CONSISTING OF 3 SHEETS AND DESCRIBED IN THE CAPTION HEREOF

1, CITY CLERK OF THE CITY OF SAN DIEGO, CALIFORNIA DO HEREBY ENDORSE THIS MAP AS AND FOR THE ACT OF THE CITY COUNCIL.

tack tishtin a CHARLES G. ABDELNOUR CITY CLERK

THE CITY OF SAN DIEGO REDEVELOPMENT AGENCY, AS OWNER

Toda insks NALK TITLE: Denty FrechtwerDirector

Prepared by: STEVENS CRESTC ENGINEERING, (NO.

STATE OF GALIFORNIA)

COUNTY OF SAN DIECO) ALANDER AD A RODARY PUBLIC, PERSONALLY APPEARED (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(G) WHOSE NAME(G) IS/AME SUBSORIED TO THE WITHIN INSTRUMENT AND ADDIVILEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/MER/THEIR AUTHORIZE CAPACITY (IES), AND THAT BY HIS/MER/THEIR-SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT. WITHESS MY HAND the Dents (SIGN Valic - Calia (PRINT) MY COMMISSION EXPIRES MY PRINCIPAL PLACE OF BUSINESS IS IN _ COUNTY 100m MY COMMISSION NUMBER 1153 428 PROJECT Nariona SITE NEW TON STATE OF CALIFORNIA) 44.11. COUNTY OF SAN DIEGO) ON <u>Section Las</u> 27, 2001 ______ BEFORE NE, <u>MARIA D. MILLER</u> A NOTARY PUBLIC, PERSONALLY APPEARED <u>JACK FISHKIN</u>, A NOTARY PUBLIC, PERSONALLY KNOWN TO BE (OF FROMED TO BE ON THE DAGIE OF OWNED AND THE DAGING OF OWNED TO BE THE AN COL 5 THE REA WERE A.M. N.K. CORONADO STREET WITNESS MY HAND. TOLL BRIDGE Maria D. Millen (SIGN) 75 (PRINT) MY COMMISSION EXPIRES Nonember 15, 2001 MY PRINCIPAL PLACE OF SAN DIEGO, CA. COUNTS MARIA D. MILLER Sr BUSINESS 15 IN Comm #1161720 TARY PUBLIC CALIFORNI SAN DEGD COUNTY VICINITY MAP WY COMMISSION NUMBER _//6/720 NO SCALE

.:N 99032

Dvg: 99032pm1

BASIS OF BEARINGS THE BASIS OF BEARINGS FOR THIS MAP IS THE CENTERLINE OF THE NEW ALIGNMENT OF CROSBY STREET AS SHOWN ON R.O.S. 15942. I.E., N 39'17'25" E.

NOTES

- 1. THE TOTAL AREA WITHIN PARCEL MAP BOUNDARY: 7.333 ACRES
- 2. TOTAL NUMBER OF PARCELS: 9

PARCEL MAP

NEWTON AVENUE, THE UNNAMED ALLEY IN SAID BLOCK 95 AND THE UNNAMED ALLEY IN SAID BLOCK 129 DEDICATED PER MAP 209 ARC NOT BEING SHOWN WITHIN THE BOUNDARY OF THIS MAP BECAUSE THEY ARE BEING VACATED PURSUANT TO SECTION 66445(j) OF THE SUBDIVISION MAP ACT, EXCEPT THAT SAID CITY, ON BEHALF OF THE PUBLIC HAS RESERVED FROM THE STREET VACATION, A GENERAL UTILITY AND ACCESS EASEMENT AS SHOWN AND DESCRIBED UNDER THE CONDITIONS EXPRESSED HEREIN.

GENERAL EASEMENT NOTES

EXISTING EASEMENT GRANTED TO SAN DIEGD GAS AND ELECTRIC COMPANY PER DOCUMENT RECORDED OCTOBER 16, 1997 AS FILE NO. 1997-0517372, O.R. IS A GENERAL EASEMENT WITH NO LOCATION SET FORTH AND CANNOT BE PLOTTED ON MAP.

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF THE CITY OF SAN DIECO REDEVELOPMENT ACENCY, ON JUNE 15, 2000, AND I STATE THAT SAID SURVEY IS TRUE AND COMPLETE AS SHOWN AND THAT ALL STAKES, MCNUMENTS AND MARKS FOUND, TOGETHER WITH THOSE SET, ARE OF CHARACTER INDICATED AND COCUPY THE POSITIONS SHOWN THEREON. I WILL SET ALL OTHER MONUMENTS OF CHARACTER AND POSITIONS INDICATED BY THE LECEND IN THIS MAP WITHIN TWO (2) YEARS FROM THE DATE OF RECORDATION OF THIS MAP AND ALL SUCH MONUMENTS ARE OR WILL GE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. (SEE LECEND ON SHEET NO. 2). (SEE LEGEND ON SHEET NO. 2).

IENTATIVE MAP, IF ANY.

8/9/01 DATED:

TECHNICALLY CORRECT.

FRANK BELOCK, JR., CITY ENGINEER LA Boy Collenso L.S. 4804 1m9-50-1 9-24-01 DATE FILE NO. 2001-0718048 FILED THIS 4 TH DAY OF DCTOBER 2001. AT 10:22 A. W. IN BOOK OF PARCEL WAPS AT PAGE 18810 AT THE REQUEST OF CLIVE J. HOPWOOD. BY: Cingline - Felicard GREGORY J. SMITH COUNTY RECORDER FEE: \$12.00 NAD83 1834-6283 W.O. 032000 L.C. 194-1723

I.D. 99-537 T.M. NONE

PIPES, CONDUCT CABLES, WIRES, POLES AND OTHER STRUCTURES, EQUIPMENT, AND FOR THE TRANSPORTATION OF COMMUNICATION STRUCTURES, AND FOR FIXTURES FOR THE TRANSPORTATION AND DISTRIBUTION OF ELECTRICAL OR ELECTRONIC ENERGY AND NATURAL GAS, AND FOR INCIDENTAL PURPOSES INCLUDING ACCESS TO THE PROPERTY FROM ALL HAZARDS, IN, UPON, OVER, AND ACROSS THE ABOVE DESCRIBED NEWTON AVENUE, THE UNNAMED ALLEY IN BLOCK 95 AND THE UNNAMED ALLEY IN BLOCK 129, CLOSED AND VACATED, AS SHOWN ON SHEETS ATTACHED HERETO AND IDENTIFIED AS "GENERAL UTILITY AND ACCESS EASEMENT RESERVED FROM STREET VACATION HEREON" AND "GENERAL UTILITY AND ACCESS EASEMENT RESERVED FROM ALLEY VACATION HEREON".

TIME, OR FROM TIME TO TIME, TO CONSTRUCT, MAINTAIN, OPERATE, REPLACE, REMOVE, RENEW AND ENLARCE OVERVEAD OR UNDERGROUND LINES OF

I, CITY CLERK OF THE CITY OF SAN DIEGD, CALIFORNIA, HEREBY CERTIFY THAT BY RESOLUTION NO. **B** \rightarrow **2955 (164)** The COUNCIL OF SAID CITY HAS APPROVED THIS PARCEL MAP INCLUDING THE VACATION OF NEWTON AVENUE, THE UNAMED ALLEY IN BLOCK S5 AND THE UNAMED ALLEY IN

BLOCK 129, PURSUANT TO THE PROVISION OF SECTION 66445()) OF THE BLOOK 129, FURSIANT TO THE FROM SAID STREET AND ALLEY VORSIANT OF THE SUBDIVISION MAP AND A CORPT THAT SAID CITY OF SAN DIECO HEREBY RESERVES THE RIGHT, FROM SAID STREET AND ALLEY VACATION, A CONSTAL UTILITY AND ACCESS EASEMENT AND RIGHTS OF ANY FUELD UTILITY, FURSIANT TO ANY EXISTING FRANCHISE OR REMEMALS THEREOF, AT ANY

IN WITNESS WHEREOF, SAID COUNCIL HAS CAUSED THESE PRESENTS TO BE EXECUTED BY THE CITY OLENK AND ATTESTED BY ITS SEAL THIS ______ DAY OF _________. 2001_.

CHARLES G. ABDELNOUR by Ack Belkin



ATTACHMENT 7

SHEET 1 OF 3 SHEETS

BEING A LOT CONSOLIDATION OF LOTS 3 THROUGH 18 INCLUSIVE, LOTS 31 THROUGH 47 INCLUSIVE, AND PORTION OF LOTS 1, 2, 19 AND 48 OF BLOCK 95, LOTS 2 THROUGH 17 INCLUSIVE, LOTS 32 THROUGH 46 INCLUSIVE, AND PORTION OF LOTS 1, 47 AND 48 OF BLOCK 129, OF MANNASSE AND SHILLER'S SUBDIVISION OF PUEBLO LOT 1157, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF LALIFORNIA, ACCORDING TO MAP THEREOF NO. 209, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF LALIFORNIA, ACCORDING TO MAP DIEGO COUNTY, JULY 11, 1870. TOGETHER WITH A PORTION OF NATIONAL AVENUE AND MAIN STREET, AS DEDICATED TO PUBLIC USE.

TITLE REPORT BY: FIRST AMERICAN TITLE INSURANCE COMPANY ORDER NO. 1188932-18

SURVEYOR'S STATEMENT

I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED C. J. Homeson Q.IVE J. HOMOOD P.L.S. 6800 EXPIRATION 9-30-2004 an 9-30-04 OF CAL

I HEREBY STATE THAT THIS MAP WAS EXAMINED BY ME OR UNDER MY DIRECT SUPERVISION: THAT IT SUBSTANTIALLY CONFORMS TO THE TENTATIVE MAP. IF ANY, AND ANY APPROVED ALTERATIONS THEREOF; THAT IT COMPLIES WITH: THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TENTATIVE MAP AND THAT IT IS VED MILING CONTENT

PARCEL MAP NO.



ATTACHMENT 7

	<u>10010</u>
SHEET	T 2 OF 3 SHEETS
LEGEN	-
0,R.	INDICATES PARCEL MAP BOUNDARY INDICATES OFFICIAL RECORDS OF SAN DILGO
C.R.	COUNTY, INDICATES CORNER RECORD.
•	INDICATES FOUND STREET SURVEY MONUMENT STAMPED "SAN DIEGO CITY ENGR, 1995" PER R.O.S. 15942, UNLESS OTHERWISE NOTED ON MAP OR BELOW,
	INDICATES FOUND STREET SURVEY MONUMENT PER R.O.S. 15942 AND P.N. 17172.
▲́B	INDICATES FOUND STREET SURVEY MONUMENT PER R.O.S. 15942 AND R.O.S. 15692.
▲ <u>∕</u>	INDICATES FOUND STREET SURVEY MONUMENT PER R.O.S. 15942.
▲▲	INDICATES FOUND STREET SURVEY MONUMENT. PUNCHED, NO RECORD, ACCEPTED AS CENTERLINE INTERSECTION OF DEWEY STREET AND NEWTON AVENUE.
▲ <u>∕</u> E	INDICATES FOUND STREET SURVEY MONUMENT, NO RECORD, ACCEPTED AS CENTERLINE INTERSECTION OF DEWEY STREET AND NATIONAL AVENUE.
▲ <u>∕</u> F	INDICATES FOUND STREET SURVEY MONUMENT PER R.O.S. 10940, R.O.S. 15942 AND R.O.S. 12086,
•	INDICATES FOUND LEAD & DISC MARKED "CED" PER R.O.S. 15942, GALESS OTHERWISE NOTED ON MAP OR BELOW.
∎∕A	INDICATES FOUND LEAD & TACK PER P.M. 17172.
■ <u>A</u> A	INDICATES FOUND LEAD & DISC MARKED "RCE 28112" PER P.M. 17172, R.O.S. 10940 AND R.O.S. 15942.
∎∕∆	INDICATES FOUND LEAD & DISC MARKED "ROE 26112" PER R.O.S. 10940.
•	INDICATES FOUND LEAD & DISC WARKED "RCE 26112" PER R.O.S. 10940 AND R.O.S. 12086.
•	INDICATES FOUND LEAD & TACK, TAG MISSING, ACCEPTED AS MONUMENT SHOWN ON R.O.S. 10940 AND R.O.S. 12086.
■ ∕∕∕	INDICATES FOUND LEAD & DISC MARKED "RCE 26112" PER R.O.S. 12086.
	INDICATES FOUND LEAD & DISC MARKED "CED" PER C.R. 3356, P.M. 17172, R.O.S. 10940, R.O.S. 12086 AND R.O.S. 15942.
■∕∆	INDICATES FOUND LEAD & DISC MARKED "CED" PER C.R. 3356, R.O.S, 10940 AND R.O.S. 12086.
D	INDICATES SET LEAD & DISC STAMPED "LS 6800" IN CONCRETE.
N O 209	INDICATES SET 3/4"×18" IRON PIPE WITH DISC STAMPED "LS 6800".
NOT	ES:
UNLESS	OTHERWISE SHOWN ON THIS MAP:
STRI LEAI £X11 7.0 MEA	CEL CORNERS ALONG THE SIDELINES OF DEDICATED EET RIGHT-OF-WAY WILL BE MONLMENTED BY A D AND DISC STAMPED "LS 6800", SET ALONG THE ENSION OF THE PARCEL LINE AT AN OFFSET OF O FEET IN SIDEWALK. THE OFFSET SHALL BE SURED RADIALLY, OR AT RIGHT ANGLES TO THE HT-OF-WAY LINE.
STR LEA OFF SHA	NTS OF OURVE OF THE SIDELINE OF DEDICATED EET RIGHT-OF-WAY WILL BE MONUMENTED BY A D AND DISC STAMPED "LS 6800", SET AT AN SET OF 7.00 FEET IN SIDEWALK, THC OFFSET LL BE MEASURED RADIALLY, OR AT RIGHT JES TO THE RIGHT-OF-WAY LINE.

18810

 NAD83	1834-6283			
 W.O.	032000	L.C.	194-1723	

MAF ARCEL





OFFICIAL BUSINESS Document entitled to free recording per California Government Code Section 27383

Recording Requested by and When Recorded Return to:

REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO 1200 Third Avenue, Suite 1400 San Diego, California 92101

Attention: Project Manager – Barrio Logan Redevelopment Project Area

SPACE ABOVE THIS LINE FOR RECORDER'S USE

THE ORIGINAL OF THIS DOCUMENT WAS RECORDED ON FEB 04, 2010 DOCUMENT NUMBER 2010-0060331

DAVID L. BUTLER, COUNTY RECORDER

SAN DIEGO COUNTY RECORDER'S OFFICE TIME 2:56 PM

NOTICE OF EXPIRATION OF

SITE DEVELOPMENT PERMIT/COASTAL DEVELOPMENT PERMIT NO. 40-0401 SAN DIEGO MERCADO AT CROSBY STREET

This NOTICE OF EXPIRATION OF SITE DEVELOPMENT PERMIT/COASTAL DEVELOPMENT PERMIT NO. 40-0401 SAN DIEGO MERCADO AT CROSBY STREET (this "Notice") is dated as of January 27, 2010 and is given by the CITY OF SAN DIEGO, a municipal corporation ("City").

A. On or about September 18, 2001, the City Council approved that certain Site Development Permit/Coastal Development Permit No. 40-0401 San Diego Mercado at Crosby Street (the "Permit").

B. On or before March 28, 2003, the Permit was issued.

C. On March 28, 2003, the Permit was recorded against that certain real property legally described on <u>Exhibit "A"</u>, which is attached hereto and incorporated herein by this reference, as Instrument No. 2003-0353781 in the Official Records of San Diego County, California.

D. None of the actions listed in San Diego Municipal Code ("SDMC") Section 126.0108(b), signifying initiation of utilization of the Permit, has occurred within thirty-six months of the expiration of any rights to appeal the Permit.

E. Therefore, in accordance with SDMC Section 126.0108, the Permit has expired and is void.

NOW, THEREFORE, it is hereby acknowledged and certified by City that:

In accordance with SDMC Section 126.0108, the Permit has expired and is void.

IN WITNESS WHEREOF, City has executed this Notice as of the date set forth opposite its signature.

Dated: January <u>27</u>, 2010

,

CITY OF SAN DIEGO	
· Patricio Stando	
By: I WWWWWWWWWW	
Name: Patricia 0. FrizGerald	
Its:	

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT As of January 1, 2008

State of California County of San Diego

On <u>Jan 27, 2010</u> before Notary Public, in and for State, person	me, Maribel A.	Martinen- neter	+ Public a
Notary Public, in and for State, person	ally appeared, Patric	ta 4 Fitzgel	ala

____who 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(ites), 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 1/1/1/1/10/17 (Seal)



ATTACHMENT 8

Exhibit "A"

Legal Description

Parcels 1 through 9, inclusive of Parcel Map No. 18810, 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, October 4, 2001 as Instrument no. 2001-0718068 of Official Records.

Together with that portion of Newton Avenue (formerly "N" Street) as dedicated per Manuasse & Shilter's Subdivision of Pueblo Lot 1157, In the City of San Diego, County of San Diego, State of California, according to Map thereof No. 209, filed In the Office of the County Recorder of San Diego County, July 11, 1870, as vacated by Resolution No. 295465, recorded December 24, 2001 as Instrument no. 01-0949601 of Official Records, described as follows:

Beginning at the most Easterly Corner of Block 95 of said Map No. 209; Thence along the Southwesterly Line of Newton Avenue as dedicated per Map 209, North 50 degrees 39'34" West, 150.31 feet to the most Northerly Corner of Lot 30 of said Block 95; Thence leaving said Southwesterly Line, North 39 degrees 20'26" East, 40.00 feet to the centerline of Newton Avenue; Thence along said centerline, North 50 degrees 39'34" West, 25.12 feet; Thence North 39 degrees 20'26" East, 40.00 feet to the most Southerly Corner of Lot 17 Block 129 of said Map 209, said point being on the Northeasterly Line of Newton Avenue; Thence along said Northeasterly Line, South 50 degrees 39'34" East, 175.36 feet to the most Southerly Corner of said Block 129; Thence along the Southwesterly Prolongation of the Northwesterly Line of Dewey Street, South 39 degrees 17'37" West, 10.20 feet to the beginning of a tangent 70.00 foot radius curve, concave to the East; Thence Southwesterly, Southerly and Southeasterly along said curve, through a central angle of 89 degrees 58'54" an arc distance of 109.93 feet to a point of cusp with said Southwesterly Line of Newton Avenue, being also on the Northeasterly Line of Parcel 1 of Parcel Map No. 17172, filed in the Office of the County Recorder of said San Diego County; Thence along said Northeasterly and Southwesterly Line, North 50 degrees 41'17" West, 9.98 feet to an angle point in said Northeasterly Line of Parcel 1; Thence continuing along said Northeasterly Line and its Northwesterly Prolongation, North 50 degrees 31'08" West, 60.00 feet to the Point of Beginning.

(R-____)

CITY COUNCIL RESOLUTION NUMBER R-_____

ADOPTED ON _____

COASTAL DEVELOPMENT PERMIT NO. 723231 PLANNED DEVELOPMENT PERMIT NO. 723233 SITE DEVELOPMENT PERMIT NO. 723237 MERCADO DEL BARRIO PROJECT NO. 203874 [MMRP]

WHEREAS, City of San Diego, a Municipal Corporation, and the Redevelopment Agency of the City of San Diego, a public body corporate and politic, Owners, and Shea Mercado, LLC, a California Limited Liability Company, Permittee, filed an application with the City of San Diego for a Coastal Development Permit (CDP) No. 723231, Planned Development Permit (PDP) No. 723233, and Site Development Permit (SDP) No. 723237 to construct a mixed-use development that includes 92 multi-family residential units of which 91 (for rent) units will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI), known as the Mercado del Barrio project, located at 1135 Cesar E. Chavez Parkway on a vacant 6.8 acre site which encompass a two block area between Cesar E. Chavez Parkway (formally Crosby Street) and Dewey Street, and National Avenue and Main Street in the Redevelopment Sub District (Mercado District) of the Barrio Logan Planned District, the Barrio Logan Redevelopment Project Area, the Coastal Overlay Zone (Non-Appealable Area 2), the Transit Area Overlay Zone, the Barrio Logan/Harbor 101 Community Plan Area, and the Federal Aviation Administration (FAA) Part 77 Noticing Area of San Diego International Airport (SDIA) and North Island Naval Air Station (NAS);

The project site is legally described as Parcels 1 through 9, inclusive of Parcel Map No. 18810, 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, October 4, 2001 as Instrument No. 20001-0718068 of Official Records.

Together with that portion of Newton Avenue (formerly "N" Street) as dedicated per Mannasse & Shilter's Subdivision of Pueblo Lot 115, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 209, filed in the Office of the County Recorder of San Diego County, July 11, 1870, as vacated by Resolution No. 295465, recorded December 24, 2001 as Instrument No. 01-0949601 of Official Records, described as follows: Beginning at the most Easterly Corner of Block 95 of said Map No. 209; Thence along the Southwesterly Line of Newton Avenue as dedicated per Map No. 209, North 50 degree 39'34" West, 150.31 feet to the most Northerly Corner of Lot 30 of said Block 95; Thence leaving said Southwesterly Line, North 29 degrees 20'26" East, 40.00 feet to the centerline of Newton Avenue; Thence along said centerline, North 50 degrees 39'34" West, 25.12 feet; Thence North 39 degrees 20'26" East, 40.00 feet to the most Southerly Corner of Lot 17 Block 129 of said Map No. 209, said point being on the Northeasterly Line of Newton Avenue; Thence along said Northeasterly Line, South 50 degrees 39'34" East, 175.36 feet to the most Southerly Corner of said Block 129; Thence along the Southwesterly Prolongation of the Northwesterly Line of Dewey Street, South 39 degrees 17'37" West, 10.20 feet to the beginning of tangent 70.00 foot radius curve, concave to the East; Thence Southwesterly, Southerly and Southeasterly along said curve, through a central angle of 89 degrees 58'54" an arc distance of 109.93 feet to a point of cusp with said Southwesterly Line of Newton Avenue, being also on the Northeasterly Line of Parcel 1 of Parcel Map No. 17172, filed in the Office of the County Recorder of said San Diego County; Thence along said Northeasterly and Southwesterly Line, North 50 degrees 41'17" West, 9.98 feet to an angle point in said Northeasterly Line of Parcel 1; Thence continuing along said Northeasterly Line and its Northwesterly Prolongation, North 50 degrees 31'08" West, 60.00 feet to the Point of Beginning; and

WHEREAS, on May 20, 2010, the Planning Commission of the City of San Diego

considered CDP No. 723231, PDP No. 723233, and SDP No. 723237 and pursuant to Resolution

No. ______-PC voted to recommend City Council approval of the permits; and

WHEREAS, the matter was set for public hearing on _____, 2010, 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 it adopts the following findings with respect to CDP No. 723231, PDP No. 723233, and SDP No. 723237:

I. Coastal Development Permit (No. 723231) - Section 126.0708

A. Findings for all Coastal Development Permits

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 proposed project is located on a vacant 6.8 acre site, bounded by National Avenue to the East, Main Street to the West, Cesar Chavez Parkway to the North and Caltrans/Coronado Bridge right-of-way to the South, and located within the Redevelopment Sub District (Mercado District) of the Barrio Logan Planned District (BLPD), the Coastal Overlay Zone (Non-Appealable Area 2), the Barrio Logan Redevelopment Project (RDP) Area, the Transit Area Overlay Zone and the Barrio Logan/Harbor 101 Community Plan Area.

The Community Environment Urban New Development Recommendations" of the Barrio Logan/Harbor 1010 Community Plan identify a Bay access way north west of the Project at the extension of Crosby Street. The Project will not impact this public access point. There are no other public access ways identified in the Local Coastal Program land use plan in the vicinity of the development site. The Project will not diminish public views to and along the ocean or bay.

The Barrio Logan/Harbor 101 Community Plan identifies Crosby Street (Cesar E. Chavez Parkway) as a view corridor. The Project will not encroach into the required setbacks along Cesar E. Chavez Parkway and will therefore not impact public views. There are no other identified public view points identified in the Local Coastal Program in the immediate vicinity of the project site. The proposed development will enhance public views by providing an attractive mixed-use development in an economically depressed area.

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

The Project will not adversely affect environmentally sensitive lands. Although the development site is currently vacant, it was previously fully developed with a mixture of, outdoor storage facilities, and light and heavy industrial structures and three single family residences. All previously existing structure where demolished in 1995, and the tenants relocated. The site currently has disturbed and bare soil overgrown in areas with ruderal weeds, and scattered debris. The site is approximately 29 feet above Mean Sea Level (MSL) and is located above the 100year floodplain. The site is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA). Addendum No. 203874 to Environmental Impact Report (EIR) No. 90-0133/ SCH No. 90010287 has been prepared for the project in accordance with Section 15164 of the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which would reduce, to a level below significance, some of the potential impacts identified in the environmental review process. Therefore, the Project will not adversely affect environmentally sensitive lands.

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; and

The Project provides a mixed-use development that supports both commercial and residential uses in conformance with the Local Coastal Program and regulations of the certified Implementation Program. Although the Barrio Logan is not considered a special community under the Coastal Act definition, since it does not serve as a visitor-destination center for recreational purpose, the California Coastal Plan designates the Barrio Logan area as "community with special qualities of greater than local significance." The proposed project implements the goals of the Local Coastal Program by reinforcing the unique ethnic character of the community, and providing a pedestrian oriented mixed-use development with attractive architecture, on-site parking to satisfy the anticipated parking demand, and enhanced pavement and landscape treatments.

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 proposed project is located on a vacant 6.8 acre site, bounded by National Avenue to the East, Main Street to the West, Cesar E. Chavez Parkway to the North and Caltrans/Coronado Bridge right-of-way to the South. The Project is approximately 1,660 feet from the shoreline of San Diego Bay. The project site is not between the nearest (first) public road and the sea or the shoreline of San Diego Bay. The Barrio Logan/Harbor 101 Community Plan identifies Crosby Street (Cesar E. Chavez Parkway) as a view corridor. The Project will not encroach into the required setbacks along Cesar E. Chavez Parkway and will therefore not impact public views and or designated physical accessway and Local Coastal Program Land Use Plan. The proposed Project has been designed to meet the development regulations such as setback, on-site parking, and no public view, public access to the water, public recreation facilities, or public parking facilities would be adversely affected by the approval of this development. Therefore, the proposed project is in conformance with the public access and public recreation policies of Chapter 3 of the California coastal Act.

II. Planned Development Permit (No. 723233) - Section 126.0604

A. Findings for all Planned Development Permits

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

The proposed project is located on a vacant 6.8 acre site within the Redevelopment Sub District (Mercado District) of the BLPD, the Barrio Logan RDP Area, the Coastal Overlay Zone (Non-Appealable Area 2), the Transit Area Overlay Zone, the Barrio Logan/Harbor 101 Community Plan Area, the FAA Part 77 Noticing Area of SDIA and North Island NAS. The project is a mixed-use development that includes 92 multi-family residential units of which 91 units will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI) and one manager unit at market rate; the residential units will be wrapped around a two and half story above grade parking structure containing 219 parking spaces; additional 209 surface parking spaces; 35,890 square-feet of general commercial/grocery (Northgate Market); 34,555 square-feet of retail; 13,865 square-feet of restaurant uses with 2,325 square-feet of outdoor seating; 2,790 square-feet of shopkeeper units (included in the residential unit count); 445 square feet of apartment leasing office; and other on- and off-site infrastructure improvements. As a component of the Project, a portion of the Project will utilize renewable energy technology (i.e., photovoltaic) and pursue US Green Building Council's LEED certification or the equivalent, thus meeting the requirement of Council Policy 900-14, the City's Sustainable Building Policy.

The Project is consistent with the anticipated land uses for the Mercado District, which assumed mixed-use residential/commercial development in close proximity

to employment centers, medical facilities and transit opportunities. In accordance with the Mercado District development standards, the commercial is capped at 1.5 FAR, and up to 53 DU per acre assuming the Affordable Housing Density Bonus Program. The Project is proposing a 1.05 total FAR for the residential plus commercial uses, and 13.5 DU per acre base on the total acreage of 6.8 acres.

The Project will tie into existing conditions at National Avenue to the East, Main Street to the West, Cesar E. Chavez Parkway to the North and Caltrans/Coronado Bridge right-of-way to the South. Improvements to the right-of-way will be made in accordance with the PDP. The Project provides a total of 428 parking spaces on-site of which the required residential parking is met and the required commercial parking is exceeded. The Project also accommodates 19-accessible parking spaces, 10-bicycle parking spaces, and 10-motor bicycle parking spaces on-site. With the proposed infrastructure improvements and on-site vehicle and bicycle parking, the Project will alleviate the blighted conditions of the adjacent streets and the parking congestion currently experienced within the adjacent area by providing on-site parking in excess of the code.

The Project is designed as a pedestrian oriented development, providing connecting pathways and plazas with adjacent facilities such as Chicano Park and Cesar E. Chavez Parkway. The project engages the Cesar E. Chavez Parkway street front with a plaza on the southwest corner of Cesar Chavez and vacated Newton Avenue. The plaza is approximately a 10,000-square foot area with landscape, enhanced pavement, seating walls, performance area and a water feature. While the plaza will primarily be a passive use open to the general public, the area will also accommodate special events. Enhanced pedestrian walkways provide connection to adjacent transit services off-of National Avenue and Harbor Drive, where there is an existing transit stop located on the southeast corner of Cesar E. Chavez Parkway and Harbor Drive.

Therefore, the Project will not adversely affect the applicable land use plan as it is consistent with the development plan for the Mercado District of the Barrio Logan RDP area, and achieves the goals to eliminate blight and facilitate economic rehabilitation. Furthermore, the density and scale of the project is consistent with the Barrio Logan RDP for the Mercado District and similar new development within the vicinity of the project. The Project also benefits the Barrio Logan area with on-site and off-site improvements that promote pedestrian circulation throughout the site.

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

The Project is consistent with the Community Plan and the Barrio Logan RDP and will not be detrimental to the public health, safety or welfare. In 1991, the Barrio Logan RDP was adopted and the FEIR was certified. The EIR identified traffic, aesthetics, noise, geology, air quality, population and housing, cultural resources, paleontological resources, hazardous materials (risk of upset), and cumulative

impacts as having significant impacts. The EIR further identified traffic, noise, geology, air quality, cultural resources, and cumulative impacts as being unmitigable. The Mercado District has been the subject of several environmental documents and actions in the years subsequent to the certification of the 1991 EIR. In 1992, the Redevelopment Agency approved an EA/FONSI for the release of U.S. HUD funds from the UDAG and CDBG. With the proposed Project, an Addendum has been prepared in accordance with Section 15164 of the CEQA Guidelines. The Project will comply with the 1991 EIR MMRP and has been identified accordingly in the Addendum. Implementation of the MMRP will insure that the Project will not be detrimental to the public health, safety and welfare.

The site is currently vacant, with all pre-existing structures demolished in 1995, and the tenants relocated. Development of the vacant parcel bounded by Chicano Park, Cesar E. Chavez Parkway, National Avenue and Main Street will eradicate the blighted property along with associated nuisances. The site layout of the Project ensures that eyes are on public spaces with the orientation of units facing the park and streets, and improved pedestrian access and pathways that promote connectivity.

The Project will comply with the development regulations in effect for the subject property as set forth in the San Diego Municipal Code (SDMC) in effect for the Project, including the land use and development standards in accordance with the approved PDP and VTM. The project incorporates implementing permit conditions regarding land use restrictions and development requirements as detailed Barrio Logan RDP.

The Project will provide necessary sewer and water facilities to serve the development site. Police service would be provided by the Central Area Station of the San Diego Police Department, located at 801 West Market Street. Fire protection would be provided by the City of San Diego Fire Department that maintains a station, Fire Station No. 7, adjacent to the Project at 944 Cesar E. Chavez Parkway. These facilities are adequate to serve the build-out population.

Project and permit conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety, and general welfare of persons residing, working, attending college, and/or recreating in the surrounding area. The proposed project will be required to obtain building permits to show that all construction will comply with all applicable Building and fire Code so as to not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the regulations of the Land Development Code;

The proposed project is located on a vacant 6.8 acre site, bounded by National Avenue to the East, Main Street to the West, Cesar E. Chavez Parkway to the North and Caltrans/Coronado Bridge right-of-way to the South, and located within the Redevelopment Sub District (Mercado District) of the BLPD, the Coastal Overlay Zone (Non-Appealable Area 2), the Barrio Logan RDP Area, the Transit Area Overlay Zone and the Barrio Logan/Harbor 101 Community Plan Area.

The Project as proposed complies with applicable regulation of the Barrio Logan Redevelopment Sub District relative to land use, FAR, set backs, parking, pedestrian access, fire and emergency access, accessibility, and architectural design as defined in SDMC Chapter 15, Article 2 (BLPD), Division 3 (Zoning and Sub Districts) and Division 4 (General and Supplemental Regulations). Other than the requested deviations so as to achieve an economically viable affordable housing development, the Project complies with the applicable regulations of the SDMC. Refer to Finding Number 5 for a complete discussion of the requested deviations.

4. The proposed development, when considered as a whole, will be beneficial to the community; and

The Project is located within the Mercado District portion of the Barrio Logan RDP area, which was approved in 1991. The purpose of the RDP is to eliminate blight conditions, and to facilitate the rehabilitation of buildings, preservation of any significant historic properties, and the planning and redesign of areas which are stagnant or underutilized. Other goals of the RDP include obtaining participation of owners and tenants in the revitalization of their properties, providing low-and moderate-income housing, and providing new commercial and office opportunities. The Project as proposed accomplishes these RDP goals and objectives, ultimately benefiting the community with the introduction of commercial uses and housing opportunities.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

While the Project complies with the majority of the development regulations of the applicable zone, there are requested deviations that result in a more economically viable and desirable project than would be achieved if designed in strict conformance. The Project as proposed complies with applicable regulation of the Barrio Logan Redevelopment Sub District relative to land use, FAR, set backs, parking, pedestrian access, fire and emergency access and accessibility as defined in SDMC Chapter 15, Article 2 (BLPD), Division 3 (Zoning and Sub Districts) and Division 4 (General and Supplemental Regulations). Per SDMC Section 126.0601, the PDP process allows "an applicant to request greater flexibility from the strict application of the regulations... to encourage imaginative and innovative planning and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulations." The following is a summary of the requested deviations, and corresponding justification.

- The Project's proposed lot configuration results in three lots (Lots 2, 6 and 7) with street frontage less than 25 feet, which is a deviation from SDMC Section 152.0319(a) (2) that requires a minimum street frontage of 25 feet. The VTM shows a lot plan that accommodates the ownership structure of the proposed development. Lot 2 encompasses the affordable housing units above the first floor retail, inclusive of the residential access from the first floor and shopkeeper units. Lots 6 and 7 make up the parking structure, which is wrapped by the retail and residential uses. These lots function together as a mixed use development, having street frontage in excess of 25 feet along National Avenue and Cesar E. Chavez Parkway. Prior to the recordation of the Final Map(s), reciprocal access and circulation easements will be established between the owners to allow these lots and their users to manage and operate the site as one project. Therefore, the overall intent of the referenced code is achieved in that the lots will appear as one project, as well as legally restrict the use and operation of these three lots.
- The Project provides building walls along 63 percent of the street front along Main Street within 5 feet of the property line, and 62 percent of the street front along Cesar E. Chavez and is 10 to 25 feet setback from the property line, which is a deviation from SDMC Section 152.0319(e)(2)(A) that requires the nonresidential building walls to be continuously extended at least 65percent of the street front and located at the property line or within 5 feet of the property line. The requested deviation along Main Street and Cesar E. Chavez Parkway encourages pedestrian movement and provides access with enhanced walkways, lighting and landscape treatments. The project engages the Cesar E. Chavez Parkway street front with a plaza on the southwest corner of Cesar E. Chavez and vacated Newton Avenue. The plaza is approximately a 10,000-square foot area with landscape, enhanced pavement, seating walls, performance area and a water feature. While the plaza will primarily be a passive use open to the general public, the area will also accommodate special events. Therefore, the proposed deviation results in a more pedestrian oriented project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.
- The commercial building "B" provides transparency along 18 percent of the first story area street front along Main Street, 14 percent transparency along vacated Newton and 0 percent transparency on the south side adjacent to the CalTrans easement/maintenance facility, which is a Deviation from SDMC Section 152.0319(e)(2)(B) that requires 50 percent of the first story area street wall surface incorporate pedestrian entrances, windows, display windows or openings allowing views into atriums, courtyards and street oriented activities located at the pedestrian height level. In addition, the commercial building "B" has blank walls of approximately 162 feet facing Main Street, approximately 132 feet along facing vacated Newton Avenue, and approximately 258 feet in width, which is a deviation from SDMC Section 152.0319(e)(2)(D) that requires blank wall segments be limited to 15 feet in width or 25 feet if enhanced with architectural detailing, ornamentation or art work.
Building "B" is the larger commercial building on the southwest corner of the project site, and is restricted as to any transparency opportunities that could be incorporated into the architecture. Based on the planned use, the west side of the building is planned for storage, coolers, and food/bakery preparation. Architectural enhancements have been incorporated to provide relief and interest at a pedestrian level, such elements as: architectural reliefs, painted architectural details, and glass in aluminum mullion or similar. The smaller retail building "A" on the northwest corner of the project site incorporates a low planter wall with the use of shrubs that are 5 feet to 6 feet tall that provide screening at a pedestrian level. While the Project deviates from this development code, architectural enhancements have been incorporated to provide relief and interest at a pedestrian level and create a more aesthetically appealing development that is in conformity with the balance of the community.

- The Project provides no parking wall along the west edge of the parking lot offof Main Street, which is a deviation from SDMC Section 152.0319(e)(2)(E) that requires a 3 foot solid wall or fence separated from the adjacent public right-ofway by a 3 foot wide landscape strip where surface parking occupying 35 percent or less of the linear street front. The project provides surface parking, of which a portion is adjacent to the Main Street right-of-way. Given the grades, the west edge of the parking is separated from the public walkway by an 18 inch retaining wall and 10 foot planting area that is sloped up 12 inches toward the parking. The planting area will contain streetscape understory planting that will grow 3-5 feet tall. With the grade difference and landscape improvements along this edge, there is a separation from the public right-of-way providing a buffer between the pedestrian and vehicles that meets the intent of SDMC Section 152.0319(e)(2)(E).
- The Project provides access to a loading area off-of Main Street, which is a Deviation from SDMC Section 152.0319(e)(2)(F) that does not allow off-street loading areas to be located immediately adjacent to Newton Avenue, Cesar E. Chavez and Main Street. The Project is bounded by streets with restricted immediate access to loading areas, resulting in limited options for a large format retail use. While loading areas for the smaller service vehicles were accommodated on-site, the larger loading area for Building "B" accommodates a loading area off of Main Street. While the Project deviates from this code, the location of Building "B" loading area was selected so as to have minimal impact to the existing operation of the Main Street, and the future uses of the project site. The loading area has been screened with a gate that incorporates the architecture of the building, making the loading area less noticeable.
- Building "C", the mixed-use project, has a maximum structure height of 56 feet, which is a deviation from SDMC Section 113.0270(a)(1) that requires a maximum permitted structure height of 50 feet. In addition, per SDMC Section 113.0270 (a)(2)(B) requires the Overall Height Measurement shall not exceed the maximum permitted structure height of the applicable zone plus an amount

equal to either the maximum grade differential within the structure's footprint or 10 feet, whichever is less. The overall structure height is 50 feet +8 feet 5 inches = 58 feet 5 inches, while we are proposing a height of 62 feet 3 inches at the highest point of building "C" mixed use project.

The justification for this height deviation is due to the natural grade drop in elevation between National Avenue to the east and the vacated Newton Street to the west, which is approximately 7 feet. The affordable housing component of the project rests atop a concrete podium structure. In order to keep the concrete podium height consistent and minimize accessibility conflicts with the housing units; the project proposes to set the top of slab at an elevation of +60 (16 feet above grade at National Avenue and 22.5 feet above grade at vacated Newton Avenue. Each of the residential floor to floor heights will be approximately 10 feet; resulting in an additional 30 feet of elevation (for 3 floors). The 30 feet added to the 22.5 feet for the podium results in a building height of 52.5 feet at vacated Newton Avenue. Allowing for some slope for the roof structure and parapet/mechanical screening and equipment for sustainable features such as solar hot water and/or photovoltaic panels, the Maximum Building Height of 62 feet 3 inches is proposed. Furthermore, the proposed height is within the character intent of the Barrio Logan RDP, and compatible with the recent development within the Barrio Logan area. Therefore, the proposed deviation results in a more functional and architecturally appealing project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The Project cannot accommodate the required number of street trees along ٠ National Avenue, Cesar E. Chavez Parkway, Main Street and Dewey Street, which is a deviation from SDMC Section 142.0409(a)(1) that requires 24 inch box tree for every 30 feet of street frontage. The Project is an infill development bounded by existing infrastructure, creating multiple constraints that limit the planting within the public right-of-way. While street trees can be accommodated within National Avenue and Cesar E. Chavez Parkway, it is difficult to achieve the required number of street trees due to the avoidance of utilities and site constraints. Street trees are currently spaced at 30 feet on-center which cannot be closer due to fire ladder access requirements. Street trees along National Avenue have limited size requirements due to the fire ladder access requirements. The project access off of Dewey Street doesn't provide opportunities for street trees. However, enhancements to this entry will be accommodated in coordination with the RDA and representatives from Chicano Park.

Street trees along the Main Street right-of-way cannot be accommodated due to two existing gas lines. The project accommodates a landscape buffer along the west portion of the property, in addition to the landscape treatment of the parking area adjacent to Main Street. The landscape along Main Street will use plant material, shrubs 3 feet to 6 feet tall as well as large shrubs that soften the pedestrian edge at the eye level. Staff suggestion to move the west retail buildings east towards vacated Newton Avenue so as to accommodate street trees within the private property was evaluated and determined not feasible given the required dimensions needed for fire access down vacated Newton Avenue, the loss of on-site parking (up to 20 surface parking spaces), and the needed retail square feet to support the financial structure of the development. Furthermore, the plaza area would be affected, making market and entertainment venues within this valued public plaza not possible.

While the Project deviates from this code, the Project has incorporated landscape enhancements to the extent feasible so as to achieve the intent of SDMC Section 142.0409(a)(1). The overall project has a balanced relationship of building edges to planting. The project has some areas with additional planting that compensate for areas with less planting. Tree planting is focused in use areas to provide shade. The more visible architectural features are used for murals that create connection to Chicano Park. In this context, the corner at Main Street and Cesar E. Chavez Parkway serves as a gateway element. Planting softens the pedestrian edge and frames a mural feature as well as emphasizes the café at the corner. Trees are used to screen the parking along the open part of the Main Street edge. The overall balance of tree planting to buildings is demonstrated by averaging the building frontage with the number of trees throughout the project along this frontage. Taking the total frontage of all streets including Newton Avenue, and dividing the frontage by the number of trees along this total frontage, the trees average 34 feet on center. This is a total of 72 trees over 2,400 linear feet of frontage. This does not include trees that we have applied to the discussion of the vehicle use area.

Based on the proposed landscape plan, the requested deviation from the street requirement considers and accommodates fire access, market driven parking requirements, and valued public space that engages not only the street front but also the surrounding retail while still preserving the intent of the Barrio Logan Redevelopment Plan to cultivate a revived urban community with needed retail and residential uses.

• The Project accommodates 4.6 percent of the vehicular area as planting area of which 44 percent is achieved through the use of trees, which is a deviation from SDMC Section 142.0406(a) that requires 3 percent of the vehicular use area outside the street yard as planting area of which 50 percent of the points must be achieved through the use of trees. In addition, the Project cannot accommodate the requirement of trees within 30 feet of each parking space within the parking area of the vacated Newton Avenue, the parking area along the southeast portion of the project, the top level of the parking structure, and the loading area off of Main.

The Project has a 60 foot sewer easement that runs along the alignment of vacated Newton Avenue. The planting of any trees within this easement is prohibited. With this restriction, the project cannot meet this landscape criterion within the vehicle use area. Enhanced pavement treatment and planting islands

have been incorporated, which helps reduce heat gain from asphalt surfaces. The proposed street tree along the edges of vacated Newton Avenue are Tipu trees, a fast growing tree that has a broad canopy capable of providing great coverage to vacated Newton Avenue in a short period of time. The surface parking adjacent to the southeast property line is shaded by the Coronado Bridge which also helps to reduce heat gain to the surface parking area. It should also be noted that this edge of the project is bounded by mature pine trees and landscape, approximately 15 to 20 feet in height providing opportunities for shade.

For the top level of the parking structure, the expense of accommodating trees exceeds the budget allocation supported by the affordable housing developer. It should also be noted that the parking structure is two-and-half levels, whereas the mixed use structure is four stories. The mixed use parking structure is shaded by the housing structure during the majority of the day through the summer and winter months. Approximately 3,200 square feet of the top portion of the parking structure is designed to accommodate a tot-lot with shade structure. Based on these measures, the top level of the parking structure has limited heat gain opportunities.

The loading area for the larger commercial building "B" on the west block, the paving will be screened by a gate to the loading area. The paving will experience minimal heat gain as the area will be in the shadow of the Coronado Bridge.

Based on the proposed landscape plan, the requested deviation from the tree requirement within the vehicular use area considers and accommodates 60 percent more on-site trees than required by the code (assumes two parking areas and excluding the 60 foot sewer easement). Providing one tree within 30 feet of each parking space will produce 15 trees within the vehicle use area at the Grocer Parking and 10 trees at the southeast parking. Allowing the counting of trees within 3 feet of the vehicle use area as shown on the proposed plan will produce 30 trees at the Grocer Parking and 10 trees as required. Based on this assessment, the proposed tree locations are meeting the intent of the code to provide shade for the car, vehicular paving as well as walkways adjacent to parking.

Although the Project provides surplus parking and additional trees within the surface parking could be accommodated, the on-site parking supports the anticipated demand of the major retail/commercial tenant. Historically, the Barrio has not provided adequate on-site parking, creating circulation conflicts. "...due to age and lack of development controls, (there are) circulation and parking conflicts, further increasing the community environmental, physical and socio-economic problems (*Barrio Logan/Harbor 101 Community Plan, Area Planning Issues*). In accordance with the Barrio Logan/Harbor 101 Community Plan the Project seeks to provide parking on-site to serve the anticipated demand so as to avoid off-site impacts. The surface parking is located for the

convenience of the user by maximizing the parking in front of the building entries. Since the Project cannot lose parking in order to meet market demands of its users and tenants, the surface parking spaces lost to trees would be relocated to the parking garage at \$20,000/parking space. The relocation of 6 trees would result in a cost of \$120,000. This additional cost would create a financial burden to the project's feasibility. While the Project deviates from these code requirements, landscape and material enhancements have been incorporated to minimize the heat gain within the surface parking areas and therefore preserving the intent of SDMC Section 142.0406(a) and SDMC Section 142.0406(a).

- The Project request the provision to allow wall signs to exceed the 1 square foot and 100 square feet limitations, which is a deviation from SDMC Table 142-12C that limits the maximum wall sign copy area to 1 square foot per linear foot of street wall per establishment per street frontage up to 100 square feet. The requested deviation is proposed to allow adequate and appropriate signage for identifying the project, major and restaurant tenants. SDMC Sign Category A allows a greater wall sign copy area than the provisions of SDMC Sign Category C which apply to the Project, restricting wall sign copy area to 1 square foot per linear foot of street wall, per establishment, per street frontage up to 100 square feet. The restrictions of Sign Category C may be appropriate for the industrial uses but not for the commercial retail uses at the Mercado or the Mercado atmosphere and design theme. Adequate and highly visible signage is vital for the success of each tenant and the project as a whole. Additionally, the market, major, and restaurant tenants demand the ability to incorporate their trade dress and identity on their storefronts and buildings. While the project deviates from this code, the requested deviation is compatible with the code requirements for similar uses and would be compatible with surrounding uses within the project area.
- The Project request the provision to allow signs located on buildings and/or • lease spaces other than the tenancy, which is a deviation from SDMC Section 142.1225(d)(1) that requires allowable wall signs only on the lease space or building for which the sign copy area allowance is computed. Adequate and highly visible signage is essential for the success of commercial retail uses and the success of the project as a whole. Locating project and major tenant signs on upper walls of buildings visible from the adjacent freeways will provide the project, market and other major tenants the identification needed for the project's commercial success. SDMC Sign Category A applies and allows ground signs up to 30 feet in height. Because the project is located just inside in the Coastal Overlay Zone the provisions of Sign Category C apply limiting ground signs to 8 feet in height. Given the height of the proposed buildings and the project's proximity, an 8 foot high sign would not be adequate or visible for identifying the project and major tenants. While the project deviates from this code, the requested deviation is compatible with the code requirements for similar uses, and would allow for the provision of unique signage reflective of

the Barrio Logan area that would not otherwise be achieved by strict conformance with the regulations.

- The Project proposes deviation from SDMC Table 142-12H, which limits the height of ground signs to 8 feet in height, to allow project identification ground signs that exceed 8 feet in height. The proposed deviation is to allow ground signs that are appropriate, adequate, compatible with and complementary to the project. The project is unique with its proposed Mercado atmosphere and design theme and its location in the midst of the heavy industrial zone in Barrio Logan. Prominent design features, including project identification are intended to contribute to the thematic design and establish the project as lively inviting place. SDMC Sign Category A applies and allows ground signs to 8 feet in height, but because the project is located just inside the Coastal Overlay Zone, the provisions of Sign Category C apply limiting ground signs to 8 feet in height. While the project deviates from this code, the requested deviation is compatible with the code requirements for similar uses, and would allow for the provision of unique signage reflective of the Barrio Logan area that would not otherwise be achieved by strict conformance with the regulations.
- The Project proposes deviation to SDMC 142.1225(c)(6) and 142.1230, which . considers wall signs that project more than 18 inches from a building wall as projecting signs, to allow tenant "wall" signs attached to the top of architectural canopies, on awnings, and below architectural canopies, and to allow pedestrian oriented signs under architectural canopies and/or projecting from the lease space wall that project more than 18 inches from the building wall. The architecture, the "Mercado" theme, and project setting are intended to encourage pedestrian traffic and enhance the pedestrian atmosphere. Providing variety in sign types, locations, and configuration adds interest to the storefronts, contributes to the pedestrian atmosphere and allows pedestrian oriented signs where wall signs may not be visible on the pedestrian oriented storefronts. Signs below canopies and projecting from walls will be limited in size and maintain reasonable clearances above grade for safety. While the project deviates from this code, the requested deviation would allow for the provision of unique signage reflective of the Barrio Logan area that would not otherwise be achieved by strict conformance with the regulations.

III. Site Development Permit (No. 723237) - Section 126.0504

A. Findings for all Site Development Permits

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

The proposed project is located on a vacant 6.8 acre site within the Redevelopment Sub District (Mercado District) of the BLPD, the Barrio Logan RDP Area, the Coastal Overlay Zone (Non-Appealable Area 2), the Transit Area Overlay Zone, the Barrio Logan/Harbor 101 Community Plan Area, the FAA Part 77 Noticing Area of SDIA and North Island NAS. The project is a mixed-use development that includes 92 multi-family residential units of which 91 units will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI) and one manager unit at market rate; the residential units will be wrapped around a two and half story above grade parking structure containing 219 parking spaces; additional 209 surface parking spaces; 35,890 square-feet of general commercial/grocery (Northgate Market); 34,555 square-feet of retail; 13,865 square-feet of restaurant uses with 2,325 square-feet of outdoor seating; 2,790 square-feet of shopkeeper units (included in the residential unit count); 445 square feet of apartment leasing office; and other on- and off-site infrastructure improvements. As a component of the proposed Mercado del Barrio (hereafter "Project"), a portion of the Project will utilize renewable energy technology (i.e., photovoltaic) and pursue US Green Building Council's LEED certification or the equivalent, thus meeting the requirement of Council Policy 900-14, the City's Sustainable Building Policy.

The Project is located within the Mercado District portion of the Barrio Logan RDP area, which was approved in 1991. The purpose of the RDP is to eliminate blight conditions, and to facilitate the rehabilitation of buildings, preservation of any significant historic properties, and the planning and redesign of areas which are stagnant or underutilized. Other goals of the RDP include obtaining participation of owners and tenants in the revitalization of their properties, providing low-and moderate-income housing, and providing new commercial and office opportunities. The Project as proposed accomplishes these RDP goals and objectives.

The Project is consistent with the anticipated land uses for the Mercado District, which assumed mixed-use residential/commercial development in close proximity to employment centers, medical facilities and transit opportunities. In accordance with the Mercado District development standards, the commercial is capped at 1.5 floor area ratio (FAR), and up to 53 dwelling units (DU) per acre assuming the Affordable Housing Density Bonus Program. The Project is proposing a 1.05 total FAR for the residential plus commercial uses, and 13.5 DU per acre base on the total acreage of 6.8 acres.

The Project will tie into existing conditions at National Avenue to the East, Main Street to the West, Cesar E. Chavez Parkway to the North and Caltrans/Coronado Bridge right-of-way to the South. Improvements to the right-of-way will be made in accordance with the PDP. The Project provides a total of 428 parking spaces on-site of which the required residential parking is met and the required commercial parking is exceeded. The Project also accommodates 19-accessible parking spaces, 10-bicycle parking spaces, and 10-motor bicycle parking spaces on-site. With the proposed infrastructure improvements and on-site vehicle and bicycle parking, the Project will alleviate the blighted conditions of the adjacent streets and the parking congestion currently experienced within the adjacent area by providing on-site parking in excess of the code.

The Project is designed as a pedestrian oriented development, providing connecting pathways and plazas with adjacent facilities such as Chicano Park and Cesar E.

Chavez Parkway. The project engages the Cesar E. Chavez Parkway street front with a plaza on the southwest corner of Cesar E. Chavez Parkway and vacated Newton Avenue. The plaza is approximately a 10,000-square foot area with landscape, enhanced pavement, seating walls, performance area and a water feature. While the plaza will primarily be a passive use open to the general public, the area will also accommodate special events. Enhanced pedestrian walkways provide connection to adjacent transit services off-of National Avenue and Harbor Drive, where there is an existing transit stop located on the southeast corner of Cesar E. Chavez Parkway and Harbor Drive.

Therefore, the Project will not adversely affect the applicable land use plan as it is consistent with the development plan for the Mercado District of the Barrio Logan RDP area, and achieves the goals to eliminate blight and facilitate economic rehabilitation. Furthermore, the density and scale of the project is consistent with the Barrio Logan RDP for the Mercado District and similar new development within the vicinity of the project. The Project also benefits the Barrio Logan area with on-site and off-site improvements that promote pedestrian circulation throughout the site.

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

The Project is consistent with the Community Plan and the Barrio Logan RDP and will not be detrimental to the public health, safety or welfare. In 1991, the Barrio Logan RDP was adopted and the EIR was certified. The EIR identified traffic, aesthetics, noise, geology, air quality, population and housing, cultural resources, paleontological resources, hazardous materials (risk of upset), and cumulative impacts as having significant impacts. The EIR further identified traffic, noise, geology, air quality, cultural resources, and cumulative impacts as being unmitigable. The Mercado District has been the subject of several environmental documents and actions in the years subsequent to the certification of the 1991 EIR. In 1992, the Redevelopment Agency approved an Environmental Assessment and Findings of No Significant Impact (EA/FONSI) for the release of U.S. Housing and Urban Development (HUD) funds from the Urban Development Action Grant (UDAG) and Community Development Block Grant (CDBG). With the proposed Project, an Addendum has been prepared in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. The Project will comply with the 1991 EIR Mitigation, Monitoring and Reporting (MMRP) and has been identified accordingly in the Addendum. Implementation of the MMRP will insure that the Project will not be detrimental to the public health, safety and welfare.

The site is currently vacant, with all pre-existing structures demolished in 1995, and the tenants relocated. Development of the vacant parcel bounded by Chicano Park, Cesar E. Chavez Parkway, National Avenue and Main Street will eradicate the blighted property along with associated nuisances. The site layout of the Project ensures that eyes are on public spaces with the orientation of units facing the park and streets, and improved pedestrian access and pathways that promote connectivity.

The Project will comply with the development regulations in effect for the subject property as set forth in the SDMC in effect for the Project, including the land use and development standards in accordance with the approved PDP and VTM. The project incorporates implementing permit conditions regarding land use restrictions and development requirements as detailed Barrio Logan RDP.

The Project will provide necessary sewer and water facilities to serve the development site. Police service would be provided by the Central Area Station of the San Diego Police Department, located at 801 West Market Street. Fire protection would be provided by the City of San Diego Fire Department that maintains a station, Fire Station No. 7, adjacent to the Project at 944 Cesar E. Chavez Parkway. These facilities are adequate to serve the build-out population.

Project and permit conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety, and general welfare of persons residing, working, attending college, and/or recreating in the surrounding area. The proposed project will be required to obtain building permits to show that all construction will comply with all applicable Building and fire Code so as to not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed project is located on a vacant 6.8 acre site, bounded by National Avenue to the East, Main Street to the West, Cesar E. Chavez Parkway to the North and Caltrans/Coronado Bridge right-of-way to the South, and located within the Redevelopment Sub district (Mercado District) of the BLPD, the Coastal Overlay Zone (Non-Appealable Area 2), the Barrio Logan RDP Area, the Transit Area Overlay Zone and the Barrio Logan/Harbor 101 Community Plan Area.

The Project as proposed complies with applicable regulation of the Barrio Logan Redevelopment Sub District relative to land use, FAR, set backs, parking, pedestrian access, fire and emergency access, accessibility, and architectural design as defined in SDMC Chapter 15, Article 2 (BLPD), Division 3 (Zoning and Sub Districts) and Division 4 (General and Supplemental Regulations). Other than the requested deviations so as to achieve an economically viable affordable housing development, the Project complies with the applicable regulations of the SDMC. Refer to Finding Number 5 of the PDP findings for a complete discussion of the requested deviations.

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 recommendation of the Planning Commission is sustained, and Coastal Development Permit No. 723231, Planned Development Permit No. 723233, and Site Development Permit No. 723237 is granted to City of San Diego, a Municipal Corporation, and the Redevelopment Agency of the City of San Diego, a public body corporate and politic, Owners, and Shea Mercado, LLC, a California Limited Liability Company, Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: JAN GOLDSMITH, City Attorney

By ______NAME ______ Deputy City Attorney

ATTY/SEC. INITIALS DATE Or.Dept:Clerk R-INSERT Form=permitr.frm(61203wct) Reviewed by Jeffrey A. Peterson. Internal Order No. 24000652 RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO CITY CLERK MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24000652

COASTAL DEVELOPMENT PERMIT NO. 723231 PLANNED DEVELOPMENT PERMIT NO. 723233 SITE DEVELOPMENT PERMIT NO. 723237 MERCADO DEL BARRIO PROJECT NO. 203874 [MMRP] CITY COUNCIL - DRAFT

This Coastal Development Permit No. 723231, Planned Development Permit No. 723233, and Site Development Permit No. 723237 is granted by the City Council of the City of San Diego to CITY OF SAN DIEGO, a Municipal Corporation, and the REDEVELOPMENT AGENCY of the City of San Diego, a Public Body Corporate and Politic, Owners, and SHEA MERCADO, LLC, a California Limited Liability Company, Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0504, 126.0604, and 126.0708. The 6.8-acre site is located at 1135 Cesar E. Chavez Parkway on a vacant 6.8 acre site which encompass a two block area between Cesar E. Chavez Parkway (formally Crosby Street) and Dewey Street, and National Avenue and Main Street. The site is in the Redevelopment Sub District (Mercado District) of the Barrio Logan Planned District, the Barrio Logan Redevelopment Project Area, the Coastal Overlay Zone (Non-Appealable Area 2), the Transit Area Overlay Zone, the Barrio Logan/Harbor 101 Community Plan Area, and the Federal Aviation Administration (FAA) Part 77 Noticing Area of San Diego International Airport (SDIA) and North Island Naval Air Station (NAS).

The project site is legally described as: Parcels 1 through 9, inclusive of Parcel Map No. 18810, 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, October 4, 2001 as Instrument No. 20001-0718068 of Official Records. Together with that portion of Newton Avenue (formerly "N" Street) as dedicated per Mannasse & Shilter's Subdivision of Pueblo Lot 115, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 209, filed in the Office of the County Recorder of San Diego County, July 11, 1870, as vacated by Resolution No. 295465, recorded December 24, 2001 as Instrument No. 01-0949601 of Official Records, described as follows: Beginning at the most Easterly Corner of Block 95 of said Map No. 209; Thence along the Southwesterly Line of Newton Avenue as dedicated per Map No. 209, North

50 degree 39'34" West, 150.31 feet to the most Northerly Corner of Lot 30 of said Block 95; Thence leaving said Southwesterly Line, North 29 degrees 20'26" East, 40.00 feet to the centerline of Newton Avenue; Thence along said centerline, North 50 degrees 39'34" West, 25.12 feet; Thence North 39 degrees 20'26" East, 40.00 feet to the most Southerly Corner of Lot 17 Block 129 of said Map No. 209, said point being on the Northeasterly Line of Newton Avenue; Thence along said Northeasterly Line, South 50 degrees 39'34" East, 175.36 feet to the most Southerly Corner of said Block 129; Thence along the Southwesterly Prolongation of the Northwesterly Line of Dewey Street, South 39 degrees 17'37" West, 10.20 feet to the beginning of tangent 70.00 foot radius curve, concave to the East; Thence Southwesterly, Southerly and Southeasterly along said curve, through a central angle of 89 degrees 58'54" an arc distance of 109.93 feet to a point of cusp with said Southwesterly Line of Newton Avenue, being also on the Northeasterly Line of Parcel 1 of Parcel Map No. 17172, filed in the Office of the County Recorder of said San Diego County; Thence along said Northeasterly and Southwesterly Line, North 50 degrees 41'17" West, 9.98 feet to an angle point in said Northeasterly Line of Parcel 1; Thence continuing along said Northeasterly Line and its Northwesterly Prolongation, North 50 degrees 31'08" West, 60.00 feet to the Point of Beginning.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to construct a mixed-use development that includes 92 multi-family residential units of which 91 (for rent) units will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI), known as the Mercado del Barrio project, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated______, 2010, on file in the Development Services Department.

The project shall include:

- a. Construction of a mixed-use development that includes 92 multi-family residential units of which 91 (for rent) units will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI), and one manager unit at market rate; the residential units will be wrapped around a two and half story above grade parking structure containing 219 parking spaces; additional 209 surface parking spaces; 35,890 square-feet of general commercial/grocery (Northgate Market); 34,555 square-feet of retail; 13,865 square-feet of restaurant uses with 2,325 square-feet of outdoor seating; 2,790 square-feet of shopkeeper units (included in the residential unit count); 445 square feet of apartment leasing office; and other on- and off-site infrastructure improvements;
- b. Deviations as follows:
 - Street Frontage Deviation from SDMC Section 152.0319(a)(2) requires a minimum street frontage of 25 feet, while the project would provides less than 25 feet of frontage on Lots 2, 6 and 7.
 - (2) Street Wall Deviation from SDMC Section 152.0319(e)(2)(A) requires nonresidential building walls to continuously extend for at least 65 percent of the street front and be located at the property line or within 5 feet of the property line; whereas the project would provide 63 percent of the street front along Main Street within 5 feet of the property line and 62 percent of the street

front along Cesar E. E. Chavez and is 10 to 25 feet setback from the property line.

- (3) Transparency Deviation from SDMC Section 152.0319(e)(2)(B) requires 50 percent of the first story area street wall surface to incorporate pedestrian entrances, windows, display windows or openings allowing views into atriums, courtyards and street oriented activities located at the pedestrian height level; the project, commercial building "B" would provide 18 percent of the first story area street front along Main Street, 14 percent along vacated Newton and zero percent on the south side adjacent to the CALTRANS easement/maintenance facility with transparency and pedestrian enhancement elements.
- (4) Blank Walls Deviation from SDMC Section 152.0319(e)(2)(D) requires blank wall segments to be limited to 15 feet in width or 25 feet if enhanced with architectural detailing, ornamentation or art work; the project, the commercial building "B" would have blank walls of approximately 162 feet facing Main Street, approximately 132 feet along vacated Newton Avenue, and approximately 258 feet in width with enhanced architectural detailing along each of the wall segments.
- (5) Parking Wall Deviation from SDMC Section 152.0319(e)(2)(E) requires a 3 foot solid wall or fence separated from the adjacent public right-of-way by a 3 foot wide landscape strip where surface parking occupying 35% or less of the linear street front; the project would not provide a wall along the west edge of the parking lot off-of Main Street.
- (6) Loading Area Deviation from SDMC Section 152.0319(e)(2)(F) does not allow off-street loading areas to be located immediately adjacent to Newton Avenue, Cesar E. E. Chavez and Main Street; the project would provide access to a loading area off-of Main Street.
- (7) Height Deviation from SDMC Section 113.0270(a)(1) requires a maximum permitted structure height of 50 feet; the project, Building "C" mixed-use project (east side) has a maximum structure height of 56 feet as calculated per SDMC Section 113, Diagram 113-0211. In addition, per SDMC Section 113.0270 (a)(2)(B) requires the Overall Height Measurement shall not exceed the maximum permitted structure height of the applicable zone plus an amount equal to either the maximum grade differential within the structure's footprint or 10 feet, whichever is less. The overall structure height is 50 feet +8 feet 5 inches = 58 feet 5 inches, while the project is proposing a height of 62 feet 3 inches at the highest point of building "C" mixed-use project.
- (8) Street Tree/Landscape Deviation from SDMC Section 142.0409(a) (1) requires 24-inch box tree for every 30-feet of street frontage; the project would provide the following: National Avenue: where thirteen 24-inch box trees are required, eleven street trees would be provided; Main Street: where fifteen 24-inch box trees are required, none would be provided; Cesar E. Chavez Parkway: where twenty-three 24-inch box trees are required, seventeen street trees and four fan palms would be provided; and Dewey Street; where two 24-inch box trees are required, none would be provided.
- (9) Vehicular Use Area Deviation from SDMC Section 142.0406(a) requires three percent of the vehicular use area outside the street yard as planting area of

which fifty percent of the points must be achieved through the use of trees; the project would provide forty-two percent of the vehicular area as planting area of which forty-four percent is achieved through the use of trees.

- (10) Trees within Vehicular Use Area Deviation from SDMC Section 142.0406(a) requires one tree within 30-feet of each parking space; whereas the project would comply with this requirement within the west parking area, the following areas would not comply: parking area of the vacated Newton Avenue; parking area along the southeast portion of the project; top level of the parking structure; and loading area off of Main Street.
- (11) Maximum Wall Sign copy area Deviation from SDMC Table 142-12C, which limits the maximum wall sign copy area to 1 square foot per linear foot of street wall per establishment per street frontage up to 100 square feet, to allow wall signs that exceed the 1 square foot and 100 square feet limitations.
- (12) Allowable Wall Signs in Lease Space Deviation from SDMC Section 142.1225(d)(1), which requires allowable wall signs only on the lease space or building for which the sign copy area allowance is computed, to allow signs located on buildings and/or lease spaces other than the tenancy.
- (13) Ground Signs Deviation from SDMC Table 142-12H, which limits the height of ground signs to 8 feet in height, to allow project identification ground signs that exceed 8 feet in height.
- (14) Projecting Signs Deviation to SDMC 142.1225(c)(6) and 142.1230, which considers wall signs that project more than 18 inches from a building wall as projecting signs, to allow tenant "wall" signs attached to the top of architectural canopies, on awnings, and below architectural canopies, and to allow pedestrian oriented signs under architectural canopies and/or projecting from the lease space wall that project more than 18 inches from the building wall;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. The Project is designed as a pedestrian oriented development, providing connecting pathways and plazas with adjacent facilities such as Chicano Park and Cesar E. Chavez Parkway. The project engages the Cesar E. Chavez Parkway street front with a plaza which is approximately a 10,000-square foot area with landscape, enhanced pavement, seating walls, performance area and a water feature. While the plaza will primarily be a passive use open to the general public, the area will also accommodate special events; and
- f. A portion of the project will utilize renewable energy technology (i.e., photovoltaic) and pursue US Green Building Council's LEED certification or the equivalent; and
- g. 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.

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 determinednecessary 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.

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. 203874 to Environmental Impact Report No. 90-0133/ SCH No. 90010287, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

13. The Owner/Permittee shall comply with the MMRP as specified in Addendum No. 203874 to Environmental Impact Report No. 90-0133/ SCH No. 90010287 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 (Cultural Resources/Archaeology) Paleontological Resources

AFFORDABLE HOUSING REQUIREMENTS:

14. The project is subject to the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code). The project includes 91 units that will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI). The project will also be subject to an Agreement with the City of San Diego Redevelopment Agency, which includes deed restrictions equivalent or more stringent that the Inclusionary Housing restriction. The Inclusionary Ordinance is not cumulative to (or in addition to) the Agreement with the City of San Diego Redevelopment Agency and the terms of the Redevelopment Agency restrictions due to default, foreclosure or cancellation/dissolution of the Redevelopment Agency participation or for any other reason(s) prior to their satisfaction, the inclusionary requirements will apply to the project. In such event, the project owner will be required to enter into an affordable housing agreement and Deed of Trust with the San Diego Housing Commission to provide 10% of the units as affordable on-site; an in-lieu fee option will not be available.

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of a building permit, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

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

17. Prior to the issuance of any construction permits, 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, satisfactory to the City Engineer.

18. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report, satisfactory to the City Engineer.

19. The Permit shall comply with the conditions of the final map for Vesting Tentative Map No. 723238.

20. The proposed drainage system within this development and outside the public right-of-way is private, shall be privately maintained and subject to approval by the City Engineer.

21. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for private storm drains within the public right-of-way satisfactory to the City Engineer.

22. Prior to the issuance of any building permit, the Owner/Permittee shall enter into an agreement to indemnify, protect and hold harmless the City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of storm water from the private storm drains discharging into the public system.

23. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.

24. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.

25. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the applicant to provide the right-of-way free and clear of all encumbrances and prior easements in accordance with the Exhibit "A" and satisfactory to the City Engineer.

26. Prior to the issuance of any permits, the applicant shall dedicate an additional 8 feet along Cesar E. Chavez Parkway to provide a minimum 10 feet curb to property line distance, in accordance with the Exhibit "A" and satisfactory to the City Engineer.

27. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement, for private storm drain connection at Main Street and the vacated Newton Avenue, satisfactory to the City Engineer.

LANDSCAPE REQUIREMENTS:

28. In the event that the Landscape Plan and the Site Plan conflict, the Site Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit "A" Landscape Development Plan.

29. Prior to issuance of any construction permits for grading, landscape construction documents for the temporary re-vegetation and hydro-seeding of all disturbed land shall be submitted in accordance with the Landscape Standards 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 Office of the Development Services Department.

30. Prior to issuance of any construction permits for public right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted 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. In the event that a foundation only permit is requested by the Owner/Permittee, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as "landscaping area."

32. Prior to issuance of any construction permits for buildings complete landscape and irrigation construction documents consistent with the Land Development Manual: Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

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

34. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

35. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced 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.

36. Any required planting that dies within 3 years of installation shall be replaced within 30 calendar days of plant death with the same size and species of plant material shown on the approved plan. Required shrubs or trees that die 3 years or more after installation shall be replaced with 15 gallon size or 60-inch box size material, respectively. Development Services may authorize adjustment of the size and quantity of replacement material where material replaced is larger than a 15 gallon shrub or 60-inch box tree.

PLANNING/DESIGN REQUIREMENTS:

37. Prior to the issuance of building permits, construction documents shall fully illustrate the incorporation of the Energy Efficiency, Renewable Energy, and Water Conservation and Efficient features to help to reduce potential greenhouse gas (GHG) emissions as outlined within the GHG technical study that was prepared for the Project by RECON (March 2010).

38. 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.

39. Mechanical equipment, tanks, ducts, trash collection areas, elevator enclosures, cooling towers, mechanical ventilators and similar equipments and appurtenances shall be completely enclosed as integral parts of buildings or have an appearance similar to the main building.

40. Walls and fences shall comply with the fence regulations in SDMC Chapter 14, Article 2 Division 3. Any wall visible from any publicly dedicated street or alley shall be of uniform masonry construction, solid wood construction derived from Redwood, Cedar or stained Douglas Fir species.

41. Prior to the issuance of the first sign permit, the Owner/Permittee shall submit to the Planning reviewer a preliminary concept sign program that includes criteria for the location and design of all signs to be used on the premises, acceptable to the Development Services Department. The sign program shall demonstrate that the design of all signs complements the architecture of the existing buildings. The sign program shall also demonstrate that the locations of signs would not create visual clutter.

42. All signs shall comply with San Diego Municipal Code Chapter 14, Article 2, Division 12 (Sign Regulations), except where deviations are allowed as described in this permit.

43. Sign Deviation for Building "A" North Elevation- Allow the maximum wall sign copy area for each establishment to be calculated at 2 x the length of the establishment's street wall up to 250 square feet, where a maximum wall sign copy area of 1 X the length up to 100 square feet of the establishment's street wall is allowed.

44. Sign Deviation for Building "B" North Elevation- Allow the maximum wall sign copy area for each establishment to be calculated at 1.5 x the length of the establishment's street wall, where a maximum wall sign copy area of 1 x the length of the establishment is allowed.

45. Sign Deviation for Building "B" North Elevation- Allow the maximum total wall sign copy area for the north elevation of 350 square feet where 100 square feet is allowed.

46. Sign Deviation for Building "A" Upper North and South Elevation- Allow up to 60 square feet of wall sign copy area for major tenants that may not be located within Building "A" where this sign would not otherwise be allowed.

47. Sign Deviation for Building "A" Upper East Elevation- Allow up to 100 square feet of wall sign copy area for major tenants that may not be located within Building "A" where this sign would not otherwise be allowed.

48. Sign Deviation for Building "A" Upper West Elevation- Allow up to 100 square feet of wall sign copy area for major tenants not located within Building "A" where this sign would not otherwise be allowed, up to 250 square feet.

49. Sign Deviation for Ground Signs- Allow one 22-foot tall center identification ground sign facing Cesar E. Chavez Parkway on the stage wall as shown on the Exhibit "A" where an 8-foot tall ground sign is allowed.

50. Sign Deviation for Projecting Signs - Allow projecting signs to be located to the top, face and below architectural awnings and canopies on Building "C" as shown on Exhibit "A", and to allow pedestrian oriented blade signs under architectural canopies and projecting from building wall more than 18 inches with an 8-foot minimum clearance.

51. 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

52. The Owner/Permittee shall maintain no fewer than 183 residential parking spaces (183 spaces provided), and 188 commercial parking spaces (245 spaces provided) for a total of 371 parking spaces (428 spaces provided) off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces and aisle widths shall comply at all times with the SDMC, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

53. No fewer than 14 accessible parking spaces (19 spaces provided-included in the 428 total provided spaces), 10 motorcycle spaces (10 spaces provided), 57 bicycle spaces (58 spaces provided), and 5 commercial loading spaces (5 loading spaces provided), shall be maintained on the property at all times in the approximate locations shown on Exhibit "A," and shall be in

compliance with requirements of the SDMC, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department.

54. Prior to the issuance of any building permit, the Owner/Permittee shall install a "right-turn only-weekdays 4:00 PM to 6:00 PM" sign facing the northbound approach at the intersection of Logan Avenue and I-5 southbound on-ramp, satisfactory to the City Engineer.

55. Prior to the issuance of any building permit, the Owner/Permittee shall pay its fair share contribution (16%) towards future restriping of Cesar E. Chavez Parkway between Logan Avenue and Kearny Avenue to add a second northbound left turn lane at the intersection of Cesar E. Chavez Parkway and Kearny Avenue, change the northbound left turn phasing to protective instead of a split phasing for northbound/southbound movement, and provide signal modifications at this intersection, satisfactory to the City Engineer.

56. Prior to the issuance of any building permit, the Owner/Permittee shall pay its fair share contribution (5.7%) towards future installation of a second eastbound left turn lane at the intersection of Cesar E. Chavez Parkway and Harbor Drive by modifying the raised median, striping, and signage on Harbor Drive and providing signal modifications at this intersection, satisfactory to the City Engineer.

57. Owner/Permittee shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.

WASTEWATER AND WATER REQUIREMENTS:

58. Prior to issuance of any engineering permits, the Owner/Permittee shall obtain Encroachment and Maintenance Removal Agreement (EMRA) for proposed improvements of any kind, including utilities, medians, landscaping, enhanced paving, curb, gutter and sidewalk, and electrical conduits to be installed within the 80 foot general utility easement.

59. Prior to the issuance of any building permits, the Owner/Permittee shall provide evidence, satisfactory to the Public Utilities Department Director, indicating that each lot will have its own sewer lateral or provide recorded CC&R's for the operation and maintenance of onsite private sewer facilities that serve more than one lot/ownership.

60. Prior to the issuance of any building permits, appropriate public improvement plans for the rerouting of the sewer facilities must be approved and then constructed in a manner satisfactory to the Public Utilities Director and must conform to established criteria in the City of San Diego Sewer Design Guide. The existing sewer easements will be required to be abandoned through the City's abandonment process (D sheets).

61. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of any new water and sewer service(s) outside of any driveway, and the disconnection at the water main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

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

63. Prior to the issuance of any certificates of occupancy, all public water and sewer facilities shall be completed and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

64. The Owner/Permittee shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water Facility Design Guidelines, Sewer Design Guide and City regulations, standards and practices.

65. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.

66. No trees may be located within ten feet of any sewer facilities or in any sewer access easement.

67. No shrubs exceeding three feet in height at maturity may be located within 10 feet of any sewer main or within access easements.

GEOLOGY REQUIREMENTS:

68. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

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

INFORMATION ONLY:

• 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 City Council of the City of San Diego on ______, 2010 and [Approved Resolution Number].

CDP No. 723231, PDP No. 723233, and SDP No. 723237 Date of Approval: ______, 2010

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Jeffrey A. Peterson 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.

City of San Diego, a Municipal Corporation Owner

Ву			
Name:			
Title:			

Redevelopment Agency of the City of San Diego, a Public Body Corporate and Politic Owner

By _____ Name:

Title:

Shea Mercado, LLC,

a California Limited Liability Company Permittee

Ву		
Name:		
Title:		

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

(R-[Reso Code])

CITY COUNCIL RESOLUTION NUMBER R-

VESTING TENTATIVE MAP NO. 723238 EASEMENT ABANDONMENT NO. 723239 MERCADO DEL BARRIO PROJECT NO. 203874 [MMRP] DRAFT

WHEREAS, City of San Diego, a Municipal Corporation, and the Redevelopment Agency of the City of San Diego, a Public Body Corporate and Politic, Owners, and Shea Mercado, LLC, a California Limited Liability Company, Subdivider, and Project Design Consultants, Engineer, submitted an application to the City of San Diego for a vesting tentative map (Vesting Tentative Map No. 723238) and easement vacation/abandonment (Easement Abandonment No. 723239) for a mixed-use development that includes 92 multi-family residential units of which 91 (for rent) units will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI), known as the Mercado del Barrio project. located at 1135 Cesar E. Chavez Parkway on a vacant 6.8 acre site which encompass a two block area between Cesar E. Chavez Parkway (formally Crosby Street) and Dewey Street, and National Avenue and Main Street in the Redevelopment Sub District (Mercado District) of the Barrio Logan Planned District, the Barrio Logan Redevelopment Project Area, the Coastal Overlay Zone (Non-Appealable Area 2), the Transit Area Overlay Zone, the Barrio Logan/Harbor 101 Community Plan Area, and the Federal Aviation Administration (FAA) Part 77 Noticing Area of San Diego International Airport (SDIA) and North Island Naval Air Station (NAS);

The project site is legally described as Parcels 1 through 9, inclusive of Parcel Map No. 18810, 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, October 4, 2001 as Instrument No. 20001-0718068 of Official Records.

(R-[Reso Code])

Together with that portion of Newton Avenue (formerly "N" Street) as dedicated per Mannasse & Shilter's Subdivision of Pueblo Lot 115, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 209, filed in the Office of the County Recorder of San Diego County, July 11, 1870, as vacated by Resolution No. 295465, recorded December 24, 2001 as Instrument No. 01-0949601 of Official Records, described as follows:

Beginning at the most Easterly Corner of Block 95 of said Map No. 209; Thence along the Southwesterly Line of Newton Avenue as dedicated per Map No. 209, North 50 degree 39'34" West, 150.31 feet to the most Northerly Corner of Lot 30 of said Block 95; Thence leaving said Southwesterly Line, North 29 degrees 20'26" East, 40.00 feet to the centerline of Newton Avenue; Thence along said centerline, North 50 degrees 39'34" West, 25.12 feet; Thence North 39 degrees 20'26" East, 40.00 feet to the most Southerly Corner of Lot 17 Block 129 of said Map No. 209, said point being on the Northeasterly Line of Newton Avenue; Thence along said Northeasterly Line, South 50 degrees 39'34" East, 175.36 feet to the most Southerly Corner of said Block 129; Thence along the Southwesterly Prolongation of the Northwesterly Line of Dewey Street, South 39 degrees 17'37" West, 10.20 feet to the beginning of tangent 70.00 foot radius curve, concave to the East; Thence Southwesterly, Southerly and Southeasterly along said curve, through a central angle of 89 degrees 58'54" an arc distance of 109.93 feet to a point of cusp with said Southwesterly Line of Newton Avenue, being also on the Northeasterly Line of Parcel 1 of Parcel Map No. 17172, filed in the Office of the County Recorder of said San Diego County; Thence along said Northeasterly and Southwesterly Line, North 50 degrees 41'17" West, 9.98 feet to an angle point in said Northeasterly Line of Parcel 1; Thence continuing along said Northeasterly Line and its Northwesterly Prolongation, North 50 degrees 31'08" West, 60.00 feet to the Point of Beginning; and

(R-[Reso Code])

WHEREAS, the Map proposes the Subdivision of a 6.8-site into eleven (11) lots for a mixed-use development; including one (1) condominium lot of 92 residential units, and three (3) condominium lots of 17, 6, and 1 commercial units respectively; and

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

WHEREAS, Lots 1, 2, 3, and 4, of this subdivision is a condominium project as defined in California Civil Code section 1351 and filed pursuant to the Subdivision Map Act. The number of commercial condominium units is 24 and the number of residential condominium units is 92. The total number of condominiums units is 116; and

WHEREAS, on May 20, 2010, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 723238 and Easement Abandonment No. 723239, and pursuant to Resolution No. _____-PC, the Planning Commission voted to recommend City Council approval of the vesting tentative map (Vesting Tentative Map No. 723238) and easement vacation/abandonment (Easement Abandonment No. 723239); and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on ______, 2010, the City Council of the City of San Diego considered Vesting Tentative Map No. 723238 and Easement Abandonment No. 723239

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(R-[Reso Code])

and pursuant to San Diego Municipal Code section(s) 125.0440, 125.1040 and Subdivision Map Act section 66474, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the City Council of the City of San Diego having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the

following findings with respect to Vesting Tentative Map No. 723238 and Easement

Abandonment No. 723239:

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

The proposed Mercado del Barrio (hereafter "Project") is located on a vacant 6.8 acre site within the Redevelopment Sub District (Mercado District) of the Barrio Logan Planned District (BLPD), the Barrio Logan Redevelopment Project (RDP) Area, the Coastal Overlay Zone (Non-Appealable Area 2), the Transit Area Overlay Zone, the Barrio Logan/Harbor 101 Community Plan Area, the Federal Aviation Administration (FAA) Part 77 Noticing Area of San Diego International Airport (SDIA) and North Island Naval Air Station (NAS). The Project is a mixed-use development that includes 92 multi-family residential units of which 91 units will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI) and one manager unit at market rate; the residential units will be wrapped around a two and half story above grade parking structure containing 219 parking spaces; additional 209 surface parking spaces; 35,890 square-feet of general commercial/grocery (Northgate Market); 34,555 squarefeet of retail; 13,865 square-feet of restaurant uses with 2,325 square-feet of outdoor seating; 2,790 square-feet of shopkeeper units (included in the residential unit count); 445 square feet of apartment leasing office; and other on- and off-site infrastructure improvements. As a component of the proposed Project, a portion of the Project will utilize renewable energy technology (i.e., photovoltaic) and pursue US Green Building Council's LEED certification or the equivalent, thus meeting the requirement of Council Policy 900-14, the City's Sustainable Building Policy.

The Project is located within the Mercado District portion of the Barrio Logan RDP area, which was approved in 1991. The purpose of the RDP is to eliminate blight conditions, and to facilitate the rehabilitation of buildings, preservation of any significant historic properties, and the planning and redesign of areas which are stagnant or underutilized.

Other goals of the RDP include obtaining participation of owners and tenants in the revitalization of their properties, providing low-and moderate-income housing, and providing new commercial and office opportunities. The Project as proposed accomplishes these RDP goals and objectives. Therefore, the Project and the proposed subdivision are consistent with the policies, goals, and objectives of the applicable land use plan.

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

The Project is consistent with the anticipated land uses for the Mercado District, which assumed mixed-use residential/commercial development in close proximity to employment centers, medical facilities and transit opportunities. In accordance with the Mercado District development standards, the commercial is capped at 1.5 floor area ratio (FAR), and up to 53 dwelling units (DU) per acre assuming the Affordable Housing Density Bonus Program. The Project is proposing a 1.05 total FAR for the residential plus commercial uses, and 13.5 DU per acre base on the total acreage of 6.8 acres.

While the Project complies with the majority of the development regulations of the applicable zone, there are requested deviations that result in a more economically viable and desirable project than would be achieved if designed in strict conformance. The Project as proposed complies with applicable regulation of the Barrio Logan Redevelopment Sub District relative to land use, FAR, set backs, parking, pedestrian access, fire and emergency access and accessibility as defined in SDMC Chapter 15, Article 2 (BLPD), Division 3 (Zoning and Sub Districts) and Division 4 (General and Supplemental Regulations). Per SDMC Section 126.0601, the Planned Development Permit (PDP) process allows "an applicant to request greater flexibility from the strict application of the regulations... to encourage imaginative and innovative planning and to assure that the development achieves the purpose and intent of the applicable land use plan and that it would be preferable to what would be achieved by strict conformance with the regulations." The requested deviations are outlined in the findings specific to the PDP.

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

The proposed project is located on a 6.8 acre vacant site, bounded by National Avenue to the East, Main Street to the West, Cesar E. Chavez Parkway to the North and Caltrans/Coronado Bridge right-of-way to the South, and located within the Redevelopment Sub District (Mercado District) of the BLPD, the Coastal Overlay Zone (Non-Appealable Area 2), the Barrio Logan RDP Area, the Transit Area Overlay Zone and the Barrio Logan/Harbor 101 Community Plan Area. The mixed use project as proposed is consistent with the planned use and density as defined in the Mercado District of the Barrio Logan RDP.

(R-[Reso Code])

The Project is surrounded by a variety of uses, including industrial, commercial and housing. North of the Project site is a combination of existing uses, including residential, commercial and office. South of the Project is the Caltrans/Coronado Bridge right-of-way, in which there is the Mercado Apartments just south of the bridge and within walking distance of the development site. East of the Project is a vacant lot planned for commercial use and an existing institutional facility currently occupied by the community college. West of the Project is the vacant parcel to be developed by the San Diego Community College for a continuing education center. The Project as proposed supports and compliments these uses and the community by providing retail opportunities and affordable housing.

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

The Project will not adversely affect environmentally sensitive lands. Although the development site is currently vacant, it was previously fully developed with a mixture of light and heavy industrial structures and three single family residences. All previously existing structure where demolished in 1995, and the tenants relocated. The site currently has disturbed and bare soil overgrown in areas with ruderal weeds, and scattered debris. Addendum No. 203874 to Environmental Impact Report (EIR) No. 90-0133/ SCH No. 90010287 has been prepared for the project in accordance with Section 15164 of the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which would reduce, to a level below significance, some of the potential impacts identified in the environmental review process. Therefore, the proposed subdivision and associated improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The Project as proposed complies with applicable regulation of the Barrio Logan Redevelopment Sub District relative to land use, FAR, set backs, parking, pedestrian access, fire and emergency access, accessibility, and architectural design as defined in SDMC Chapter 15, Article 2 (BLPD), Division 3 (Zoning and Sub Districts) and Division 4 (General and Supplemental Regulations). Other than the requested deviations so as to achieve an economically viable affordable housing development, the Project complies with the applicable regulations of the SDMC.

The Project is also pursuing US Green Building Council's LEED Certification or the equivalent through design measures that accommodate renewable energy, water conservation building and landscape techniques, such as high efficiency irrigation technology and drought tolerant native plants. The Project will also divert construction

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waste from disposal, optimize energy performance, incorporate recycled content and provide innovative design techniques and methods to promote sustainable measures. These design features of the project could help reduce the dependence on fossil fuels and improve air quality.

Project and permit conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety, and general welfare of persons residing, working and recreating in the surrounding area. The proposed project will be required to obtain building permits to show that project construction will comply with all applicable Building and Fire Code requirements. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

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

The Project design of the subdivision has been developed to accommodate an existing 60 wide foot sewer easement that runs along the alignment of vacated Newton Street. This easement will be retained and has been designed to accommodate the easement restrictions. There are two 20 wide foot general utility easements that are proposed to be vacated, since the former right-of-way and users which it served have been vacated and demolished from the site. Therefore, the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The Project is pursuing US Green Building Council's LEED Certification or the equivalent through design measures that accommodate renewable energy, water conservation building and landscape techniques, such as high efficiency irrigation technology and drought tolerant native plants. As a component of the Project, a portion of the project will utilize renewable energy technology (i.e., photovoltaic). Based on shade studies of the development site, the optimal location would be photovoltaic's on the Building "A" roof. These design features of the project could help reduce the dependence on fossil fuels and improve air quality. Through these design measures, the Project seeks to satisfy to the extent feasible the requirement of Council Policy 900-14, the City's Sustainable Building Policy.

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

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(R-[Reso Code])

The Project is a mixed-use development that includes 92 multi-family residential units of which 91 units will be set aside for households with an income at or below 30- to 60percent AMI and one manager unit at market rate. With the Project, the City's inclusionary housing goals are advanced, and support the policy to "identify locations appropriate for Urban Villages and mixed use developments incorporating housing as well as employment and retail uses." As an infill development, the Project ties into existing infrastructure in accordance with the Barrio Logan RDP, and consistent with the findings of the Barrio Logan RDP EIR and subsequent amendments.

The Project implements the goals and complies with the recommendations of the Barrio Logan RDP, Barrio Logan/Harbor 101 Community Plan, Planned Development Permit and approved deviations, the San Diego Municipal Code and the General Plan. Therefore, proposed subdivision has demonstrated the balance between the needs for public services and the available fiscal and environmental resources, with the housing needs of the region.

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

incorporated by reference.

BE IT FURTHER RESOLVED, that two (2) 20-foot wide general utility and access

easements indentified on Parcel Map No. 18810, located within the project boundaries as shown

in Vesting Tentative Map No.723238, shall be vacated, contingent upon the recordation of the

approved Final Map for the project, and that the following findings are supported by the minutes,

maps, and exhibits, all of which are herein incorporated by reference:

1. There is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

The Project proposes to abandonment of two existing 20 foot general utility and access easement that originally serviced properties that were formerly occupied by residential and industrial uses. The referenced general utility easements were placed over the alleys, which have been subsequently vacated by separate action. The Project site is currently vacant, and all pre-existing structures were demolished in 1995 and there is no present or prospective use for the existing utility easements in their current alignment.

2. The public will benefit from the abandonment through improved utilization of the land made available by the abandonment.

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The action of vacating the public utility easements will improve the utilization of the land made available by the abandonment. Appropriate utility easements will be established so as to provide the necessary services to the development site and its users.

3. The abandonment is consistent with any applicable land use plan.

The proposed vacation will not adversely affect the applicable land use plan. The Project as proposed connects with existing infrastructure in accordance with the Barrio Logan RDP, and consistent with the findings of the Barrio Logan RDP EIR and subsequent amendments.

4. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists.

The public facility for which the public easement was originally acquired will not be detrimentally affected by the vacation because the former right-of-way and users which it served have been vacated and demolished from the site; therefore, the subject easements are no longer needed. Upon review of the information received, Cox Communications, AT&T, and SDG&E have facilities within the proposed Easement Abandonment area and have expressed the desire for either reservation over the facilities or coordinate with them in the relocation of these facilities. The Project representatives will coordinate with Cox Communications, AT&T, and SDG&E so as to accommodate future facilities to the project site.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the

City Council of the City of San Diego; Vesting Tentative Map No. 723238 and Easement

Abandonment No. 723239 hereby granted to City of San Diego, a Municipal Corporation, and

the Redevelopment Agency of the City of San Diego, a Public Body Corporate and Politic, and

Shea Mercado, LLC, a California Limited Liability Company subject to the attached conditions

which are made a part of this resolution by this reference.

(R-[Reso Code])

APPROVED: JAN I. GOLDSMITH, City Attorney

By

[Attorney] Deputy City Attorney

[Initials]:[Initials] [Month]/[Day]/[Year] Or.Dept:[Dept] R-R-[Reso Code] Internal Order No. 24000652

CITY COUNCIL VESTING TENTATIVE MAP NO. 723238 EASEMENT ABANDONMENT NO. 723239 MERCADO DEL BARRIO PROJECT NO. 203874 [MMRP] ADOPTED BY RESOLUTION NO. R-_____ON _____

DRAFT CONDITIONS

GENERAL

- 1. This Vesting Tentative Map will expire on _____, 2013.
- 2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
- Prior to the Vesting Tentative Map expiration date, a Final Map to merge and resubdivide the existing parcels into eleven (11) lots for a mixed-use development; including one (1) condominium lot of 92 residential units, and three (3) condominium lots of 17, 6, and 1 commercial units respectively, shall be recorded in the Office of the San Diego County Recorder.
- 4. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
- 5. The Final Map shall conform to the provisions of Coastal Development Permit No. 723231, Planned Development Permit No. 723233, and Site Development Permit No. 723237.
- 6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, review, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend,

Project No. 203874 VTM No. 723238 EA No. 723239

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indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AFFORDABLE HOUSING

The project is subject to the Affordable Housing Requirements of the City's 7. Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code). The project includes 91 units that will be set aside for households with an income at or below 30- to 60-percent Area Median Income (AMI). The project will also be subject to an Agreement with the City of San Diego Redevelopment Agency, which includes deed restrictions equivalent or more stringent that the Inclusionary Housing restriction. The Inclusionary Ordinance is not cumulative to (or in addition to) the Agreement with the City of San Diego Redevelopment Agency. In the event that the project does not fulfill the terms of the Redevelopment Agency restrictions due to default, foreclosure or cancellation/dissolution of the Redevelopment Agency participation or for any other reason(s) prior to their satisfaction, the inclusionary requirements will apply to the project. In such event, the project owner will be required to enter into an affordable housing agreement and Deed of Trust with the San Diego Housing Commission to provide 10% of the units as affordable on-site; an in-lieu fee option will not be available.

ENGINEERING

- 8. The Subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
- 9. The Subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.
- 10. Prior to the issuance of any construction permit, the Subdivider 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.
- 11. Prior to the issuance of any construction permit, the Subdivider shall incorporate and show the type and location of all post-construction Best Management

Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.

- 12. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.
- 13. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.
- 14. All driveways and curb openings shall comply with City Standard Drawings G-14A G-14B, G-16 and SDG-100.
- 15. The drainage system outside the public right-of-way proposed for this subdivision, as shown on the approved vesting tentative map, is private, shall be privately maintained and subject to approval by the City Engineer.
- 16. Prior to the issuance of grading permits, a geotechnical investigation report shall be required that specifically addresses the proposed grading plans and cites the City's Job Order No. and Drawing No. The geotechnical investigation shall provide specific geotechnical grading recommendations and include geotechnical maps, using the grading plan as a base, that depict recommended location of subdrains, location of outlet headwalls, anticipated removal depth, anticipated over-excavation depth, and limits of remedial grading.
- 17. Prior to the recordation of the Final map, the applicant shall provide recorded copies of grant deeds that show and describe the new location of public utilities on the subject private property, which public utilities include those owned by SDG&E, AT&T, and Cox Communications.

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

MAPPING

- 21. A building restricted easement shall be granted over all of Lot 11.
- 22. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
- 23. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
- 24. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third

Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

WASTEWATER/ WATER

- 25. Prior to connecting to any existing sewer lateral, the lateral shall be inspected using a closed-circuit television (CCTV) by a California Licensed Plumbing Contractor to verify the lateral is in good working condition and free of all debris. Utilization of existing sewer laterals is at the sole risk and responsibility of the Subdivider to ensure the laterals are functional and connected to a public sewer facility.
- 26. Prior to the issuance of any building permits, the Subdivider shall provide evidence, satisfactory to the Public Utilities Department Director, indicating that each lot will have its own sewer lateral or provide recorded CC&R's for the operation and maintenance of onsite private sewer facilities that serve more than one lot/ownership.
- 27. Prior to the issuance of any building permits, appropriate public improvement plans for the rerouting of the sewer facilities must be approved and then constructed in a manner satisfactory to the Public Utilities Director and must conform to established criteria in the City of San Diego Sewer Design Guide. The existing sewer easements will be required to be abandoned through the City's abandonment process (D sheets).
- 28. Prior to the issuance of any building permits, the Subdivider shall assure, by permit and bond, the design and construction of any new water and sewer service(s) outside of any driveway, and the disconnection at the water main of the existing unused water service adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.
- 29. Prior to the issuance of any building permits, the Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer.
- 30. Prior to the issuance of any certificates of occupancy, all public water and sewer facilities shall be completed and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

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- 31. The Subdivider shall design and construct all proposed public water and sewer facilities in accordance with established criteria in the current edition of the City of San Diego Water Facility Design Guidelines, Sewer Design Guide and City regulations, standards and practices.
- 32. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Plumbing Code and will be reviewed as part of the building permit plan check.
- 33. No trees may be located within ten feet of any sewer facilities or in any sewer access easement.
- 34. No shrubs exceeding three feet in height at maturity may be located within 10 feet of any sewer main or within access easements.

ENVIRONMENTAL

- 35. 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.
- 36. The mitigation measures specified in the MMRP and outlined in Addendum No. 203874 to Environmental Impact Report No. 90-0133/ SCH No. 90010287, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
- 37. The Owner/Permittee shall comply with the MMRP as specified in Addendum No. 203874 to Environmental Impact Report No. 90-0133/ SCH No. 90010287 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 (Cultural Resources/Archaeology) Paleontological Resources

INFORMATION:

• The approval of this Vesting Tentative Map by the City Council of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not

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limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).

- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607.

Internal Order No. 24000652

CITY COUNCIL RESOLUTION NUMBER R-

ADOPTED ON _____

ADDENDUM NO. 203874 TO ENVIRONMENTAL IMPACT REPORT NO. 90-0133/ SCH NO. 90010287 MERCADO DEL BARRIO PROJECT NO. 203874 [MMRP]

WHEREAS, on March 9, 2010, the City of San Diego, a Municipal Corporation, and the Redevelopment Agency of the City of San Diego, a public body corporate and politic, Owners, and Shea Mercado, LLC, a California Limited Liability Company, Permittee, filed an application to Development Services Department for a Coastal Development Permit No. 723231, Planned Development Permit No. 723233, Site Development Permit No. 723237, Vesting Tentative Map No. 723238, and Easement Abandonment No. 723239;

WHEREAS, the permit was set for a public hearing to be conducted by the City Council of the City of San Diego; and

WHEREAS, the issue was heard by the City Council of the City of San Diego on _____, 2010; and

WHEREAS, the City Council considered the issues discussed in Addendum No. 203874 to Environmental Impact Report (EIR) No. 90-0133/ SCH No. 90010287, NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego that it be, and it is hereby certified, that Addendum No. 203874 to Environmental Impact Report (EIR) No. 90-0133/ SCH No. 90010287, in connection with the Coastal Development Permit No. 723231, Planned Development Permit No. 723233, Site Development Permit No. 723237, Vesting Tentative Map No. 723238, and Easement Abandonment No. 723239 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section21000 et seq.), as amended, and the State guidelines thereto (California Administrative Code Section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Report, together with any comments received during the public review process, has been reviewed and considered by the City Council.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code, Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: JAN I. GOLDSMITH, City Attorney

By [Attorney] Deputy City Attorney

[Initials]:[Initials] [Month]/[Day]/[Year] Or.Dept:[Dept] R-Error! Reference source not found. Internal Order No. 24000652

ATTACHMENT: Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

COASTAL DEVELOPMENT PERMIT NO. 723231, PLANNED DEVELOPMENT PERMIT NO. 723233, SITE DEVELOPMENT PERMIT NO. 723237, VESTING TENTATIVE MAP NO. 723238, and EASEMENT ABANDONMENT NO. 723239 MERCADO DEL BARRIO PROJECT NO. 203874

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Addendum No. 203874 to Environmental Impact Report (EIR) No. 90-0133/ SCH No. 90010287 shall be made conditions of Coastal Development Permit No. 723231, Planned Development Permit No. 723238, and Easement Abandonment No. 723239, as may be further described below.

The Mercado Del Barrio project shall be required to comply with all mitigation measures outlined within the Mitigation, Monitoring and Reporting Program of the previously certified EIR No. 90-0133 and the project specific subsequent technical studies required. The following MMRP identifies measures which specifically apply to this project.

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

- 1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.
- 2. In addition, the ED shall verify that <u>the MMRP Conditions/Notes that apply ONLY to the</u> <u>construction phases of this project are included VERBATIM</u>, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."
- 3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

http://www.sandiego.gov/development-services/industry/standtemp.shtml

- 4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
- 5. **SURETY AND COST RECOVERY** The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

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

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

Qualified Acoustician Qualified Historical Resources Monitor Qualified Paleontological Monitor

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, applicant t is also required to call **RE and MMC at 858-627-3360**
- 2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 27374 and /or Environmental Document Number 27374, 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. *NOT APPLICABLE*

4. **MONITORING EXHIBITS**

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

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

5. OTHER SUBMITTALS AND INSPECTIONS:

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

Issu <u>e</u> Area	<u>Do</u> cument submittal	Assoc Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Pre-construction Meeting
General	Consultant Const. Monitoring Exhibits	Prior to or at the Pre-Construction
		meeting
Paleontology	Paleontology Reports	Paleontology site observation
Archeology	Archeology Reports	Archaeology/Historic site
observation		
Noise	Acoustical Reports	Noise mitigation features inspection
Traffic	Traffic Reports	Traffic features site observation
Waste Management	Waste Management Reports	Waste management inspections
Bond Release	Request for Bond Release letter	Final MMRP inspections prior to
Bond	-	
		Dalaan Tattan

Document Submittal/Inspection Checklist

Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

Transportation/Traffic Circulation

- I. Near Term
 - a. Prior to the issuance of any building permit, the applicant shall install a "right-turn only-weekdays 4:00 PM to 6:00 PM" sign facing the northbound approach at the intersection of Logan Avenue and I-5 southbound on-ramp, satisfactory to the City Engineer.
- II. Horizon Year
 - a. Prior to the issuance of any building permit, the applicant shall install a "right-turn only-weekdays 4:00 PM to 6:00 PM" sign facing the northbound approach at the intersection of Logan Avenue and I-5 southbound on-ramp, satisfactory to the City Engineer. This MMRP condition will be completed in the Near Term.
 - b. Prior to the issuance of any building permit the applicant shall pay its fair share contribution (16%) towards future restriping of Cesar E. Chavez Parkway between Logan Avenue and Kearny Avenue to add a second northbound left turn lane at the intersection of Cesar E. Chavez Parkway and Kearny Avenue, change the northbound left turn phasing to protective instead of a split phasing for northbound/southbound movement, and provide signal modifications at this intersection, satisfactory to the City Engineer.
 - c. Prior to the issuance of any building permit the applicant shall pay its fair share contribution (5.7%) towards future installation of a second eastbound left turn lane at the intersection of Cesar E. Chavez Parkway and Harbor Drive by modifying the raised median, striping, and signage on Harbor Drive and providing signal modifications at this intersection, satisfactory to the City Engineer.

<u>Noise</u>

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

- I. Prior to Permit Issuance Plan Check
 - A. Prior to issuance of the building permit, the Permit Holder shall incorporate the requirements for environmental noise mitigation on the appropriate construction documents as described in the (*Exterior Noise Analysis Report Mercado Del barrio, San Diego, Ca, prepared by Kimley-Horn and Associates, Inc., dated March 29, 2010)* report.
 - B. Prior to issuance of the building permit, the Assistant Deputy Director (ADD)
 Environmental designee shall verify the following sound attenuation measures for all patios and balconies on Building "C" per Recommended Building "C"
 Balcony Barrier Heights (Table 1) and Exterior Noise Mitigation (Figure 1) have been incorporated into the design of the development to ensure that exterior noise levels are below 65 dBA CNEL. The locations of the sound barriers referenced in Table 14 and as shown on Figure 6, are relative to the finished floor elevation of

the balconies. The sound barriers must be solid in construction, with no holes or gaps through or below the barriers. To preserve a view, glass or Plexiglass with a minimum density of 3.5 lbs/ft² may be used.

Side	Section	Floor	Barrier Height	Side	Section	Floor	Barrier Height
South	Entire façade	2	5 ft	East	Middle section	3	5.5 ft
South	Entire façade	3	4.5 ft	East	Middle section	4	5 ft
South	Entire façade	4	4 ft	East	Southern section	2	6 ft
North	Entire façade	2	3 ft	East	Southern section	3	5.5 ft
North	Entire façade	3	3 ft	East	Southern section	4	5 ft
North	Entire fection	4	3 ft	West	Northern section	2	4.5 ft
East	Northern section	2	5 ft	West	Northern section	3	4.5 ft
East	Northern section	3	4.5 ft	West	Northern section	4	4 ft
East	Northern section	4	4 ft	West	Southern section	2	5 ft
East	Northern section	2	5.5 ft	West	Southern section	3	4.5 ft

TABLE 1 RECOMMENDED BUILDING "C" BALCONY BARRIER HEIGHTS MITIGATION MEASURES

NOTES:

1. No patios or balconies exist on the ground floor.

2. Please refer to Figure 1, Exterior Noise Mitigation of approved acoustical report for graphical representation.

3. East side northern section extends from Match Line A to Match Line G.

4. East side middle section extends from Match line G to Match Line I.

5. East side southern section extends from Match Line I to Match Line Q.

6. West side northern section extends from Match Line A to Match Line L.

7. West side southern section extends from Match Line L to Match Line Q.

C. Prior to issuance of occupancy the building permit, the Assistant Deputy Director (ADD) Environmental designee shall verify the following sound attenuation measures for all patios and balconies on Building "C" per Recommended Building "C" Balcony Barrier Heights Table 1 have been incorporated into the design of the development to ensure that interior noise levels are below 65 dBA CNEL:

FIGURE 1



II. Post Construction – Prior to Final Inspection

A. The Permit Holder shall submit one copy of the final Acoustical Analysis with construction documents to the BI, and one copy to MMC. MMC to verify the sound attenuation barrier has been constructed in accordance with the Construction documents.

HISTORICAL RESOURCES (CULTURAL RESOURCES/ARCHAEOLOGY)

In order to avoid potential historical resources impacts due to grading activities, the following mitigation measures shall be implemented by the project applicant:

I. Prior to Permit Issuance

- A. Entitlements Plan Check
 - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental

designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the appropriate construction documents.

- B. Letters of Qualification have been submitted to ADD
 - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
 - 3. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

- 1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
- 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- 3. The PI may submit a detailed letter to MMC requesting a reduction to the ¹/₄ mile radius.
- B. PI Shall Attend Precon Meetings
 - 1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
 - 2. Identify Areas to be Monitored
 - Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
 - 3. When Monitoring Will Occur

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

III. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
 - 1. The Archaeological Monitor shall be present full-time during grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Native American monitor shall determine the extent of their presence during construction related activities based on the AME and provide that information to the PI and MMC. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.
 - 2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.
 - 3. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
 - 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 - 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 - 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
- C. Determination of Significance
 - 1. The PI and Native American monitor shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval from MMC. Impacts

to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.

c. If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and the following procedures as set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

- A. Notification
 - 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
 - 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate discovery site
 - 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
 - 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
 - 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains ARE determined to be Native American
 - 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
 - 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
 - 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with the California Public Resource and Health & Safety Codes.
 - 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
 - 5. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.

- c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement on the site;
 - (3) Record a document with the County.
- d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.
- D. If Human Remains are NOT Native American
 - 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
 - 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
 - 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner and the Museum of Man.

V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
 - a. No Discoveries
 - In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.
 - b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains.

- c. Potentially Significant Discoveries If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
- d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
- 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.
 - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
 - 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 - 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 - 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
 - The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. THIS WOULD ALSO REQUIRE THE INCLUSION OF ALL PRIOR ARCHAEOLOGICAL WORK CONDUCTED WHERE MATERIALS WERE COLLECTED IN 1996 AND 2003 BY BFSA. REFER TO HISTORICAL RESOURCES (CULTURAL RESOURCES/CURATION AND FINAL REPORT PREPARATION OF PREVIOUS ARCHAEOLOGICAL WORK CONDUCTED MMRP CONIDTION). This shall be completed in consultation with MMC and the Native American representative, as applicable.
 - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

- D. Final Monitoring Report(s)
 - 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 - 2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

HISTORICAL RESOURCES (CULTURAL RESOURCES/CURATION AND FINAL REPORT PREPARATION OF PREVIOUS ARCHAEOLOGICAL WORK CONDUCTED)

Prior to issuance of the Notice of Completion and/or release of the Performance Bond for grading, the applicant shall provide the verification as outlined within Historical Resources (archaeology) Monitoring MMRP Sections V.C and V.D to MMC that the following two mitigation measures have been satisfied:

- 1. All artifacts recovered from the previously completed archaeological excavations at this project by BFSA since 1996 must be subjected to standard historic artifact laboratory analysis, cataloging, and preservation/curation efforts. Artifacts recovered from the project area should be prepared for permanent curation at the San Diego Archaeological Center. This process shall include those historic artifacts recovered from the two cisterns in 1996 and the field work conducted in 2003 currently stored at the offices of BFSA. The size of the curated collection shall be determined in consultation between the City and the consulting qualified archaeologist.
- 2. A comprehensive report shall be prepared that incorporates all work conducted since 1996 that includes fieldwork, laboratory analysis, and monitoring efforts conducted for the mitigation program. A technical report shall focus on the presentation of data and the discussion of the research questions appropriate for this location. Historic research shall be conducted to expand information regarding the residents of the lots where materials have been found and the history of the neighborhood. Each of the features discovered shall be registered at the South Coastal Information Center, as required per the City of San Diego Historical Resources Guidelines.

PALEONTOLOGICAL RESOURCES

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

I. Prior to Permit Issuance

- A. Entitlements Plan Check
 - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental

designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

- B. Letters of Qualification have been submitted to ADD
 - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 - 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

- A. Verification of Records Search
 - 1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- B. PI Shall Attend Precon Meetings
 - 1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
 - 2. Identify Areas to be Monitored
 - Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
 - 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final

construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

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

- 1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.
- 2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
- 3. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
 - 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 - 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 - 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
 - C. Determination of Significance
 - 1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The

Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.

d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8AM on the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.

- c. Potentially Significant Discoveries If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
- d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

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

Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.

- 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
- 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
- 4. MMC shall provide written verification to the PI of the approved report.
- 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains
 - 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 - 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
 - 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

HEALTH AND PUBLIC SAFETY (RISK OF UPSET)

Prior to the issuance of the grading permit, the applicant shall provide verification, in letter form, to MMC that the County of San Diego, Department of Environmental Health has reviewed and approved the proposed soils management plan for the treatment and disposal of contaminated soils that may be encountered during grading activities for the project.

The above Mitigation Monitoring and Reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates or occupancy and/or final maps to ensure the successful completion of the monitoring program.

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MERCADO DEL BARIO PROPOSED SIGNAGE DEVIATIONS

MC = Minimum Clearance; MP = Maximum Projection; PL = Property Line				
Proposed Deviations	Building/Elevati	on Proposed Limitations	Allowed per SDMC	
Deviation 11 - to allow wall sign copy area	Building A			
that exceeds the maximum allowed:	North Elevation	2 sq. ft. up to 250 sq. ft.	1 sq. ft. up to 100 sq. ft.	
	West Elevation	No deviation	I sq. ft. up to 100 sq. ft.	
Building A north building façade allow 2 x	South Elevation	1		
street wall length up to 250 sq. ft. per	East Elevation			
establishment	Building B			
Building B north and west building facades	North Elevation	1.5 sq. ft. up to 350 sq. ft.	1 sq. ft. up to 100 sq. ft.	
allow 1.5 x street wall length up to 350 sq. ft. per	West Elevation	No deviation	1 sq. ft. up to 100 sq. ft.	
establishment per building façade	South Elevation	No deviation	1 sq. ft. up to 100 sq. ft.	
	East Elevation			
Deviation 12 - to allow wall signs identifying		er Building Elevation		
the project and major tenants on buildings,	North Elevation	60 sq. ft. maximum	Not permitted	
lease spaces, and building elevations not within	West Elevation	250 sq. ft. maximum		
their own tenancy.	South Elevation	60 sq. ft. maximum]	
	East Elevation	100 sq. ft. maximum]	
Deviation 13 - to allow ground signs that	Site		·····	
exceed the maximum of 8 feet in height	Stage Wall	22' maximum height	8' maximum height	
Deviation 14 - to allow projecting signs	Building A			
attached to the top, face and below architectural	North Elevation	No deviation	8' MC / 1' MP over parkway	
canopies, and to allow pedestrian oriented blade	West Elevation	No deviation]	
signs under architectural canopies and	South Elevation	8' MC / over walkways		
projecting from building wall more than 18	East Elevation	No Deviation]	
inches with an 8-foot minimum clearance	Building C			
	North Elevation	8' MC / over walkways	8' MC / 1' MP over parkway	
	West Elevation	8' MC / over walkways		
	South Elevation	8' MC / over walkways		
	East Elevation	8' MC / over parkway		



ATTACHMENT 14



ATTACHMENT 14 S'-0" MIN .CLEARANCE PROJECTING BLADE SIGN











MERCADO DEL BARRIO

PROJECT DATA

PROJECT ADDRESS/LOCATION VACANT LAND BOUNDED BY CESAR CHAVEZ PARKWAY, MAIN STREET, NATIONAL AVE AND CHICANO PARK.

PROJECT DESCRIPTION

PROJECT DESCRIPTION THE PROPERTY COMPRISES A PORTION OF THE REAL PROPERTY COMMONLY KNOWN AS THE MERCADO DEL BARRIO SITE AND IS LOCATED IN THE BARRIO LOGAN REDEVELOPMENT PROJECT AREA WITHIN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA. THE PROPERTY MILL BE DEVELOPED WITH 61 AFFORDALE RENTAL JURYS MADE AVAILABLE TO EXTREMELY LOW VERY LOWINCOME AND LOW INCOME HOUSEHOLDS. 1 MARKET RATE MANAGER'S UNIT, GROCERY STORE, RETAILUCOMERCIAL USES, COMMON AREAS, PARKING, INFRASTRUCTURE AND LANDSCAPE IMPROVEMENTS.

LEGAL DESCRIPTION

LEGAL DESCRIPTION
The land reference to bears in statustical in the 2014 of California, Country of San Diego described as
Parcial & Hunogin B, Industrie of Parcel May No. 10110, In the City of Nan Diego, Country of San
Parcel May No. 1014 (1999) (

BASE ZONE REDEVELOPMENT SUBDISTRICT (MERCADO DISTRICT) OF THE BARRIO LOGAN PLANNED DISTRICT

OVERLAY ZONES

COSTAL OVERLAY ZONE (NON-APPEALABLE AREA 2) THE BARRIO LOGAN REDEVELOPMENT PROJECT AREA THE TRANSIT OVERLAY ZONE BARRIO LOGAN/HARBOR 101 COMMUNITY PLAN AREA

THE PROJECT IS ALSO LOCATED WITHIN THE GEOLOGIC HAZARD 13 (DOWNTOWN SPECIAL FAULT ZONE)

REQUIRED DISCRETIONARY PERMITS AND APPROVALS SITE DEVELOPMENT PERMIT (6DP) PLANNED DEVELOPMENT PERMIT (PDP) COASTAL DEVELOPMENT PERMIT (CDP)

VESTING TENTATIVE MAP (VTM) EASEMENT VACATION ASSESSOR PARCEL NUMBER

A P N 538-511-01 Im-09 & 538-672-05

EXISTING STRUCTURES

THERE ARE NO EXISTING STRUCTURES ON SITE

CONSTRUCTION TYPE TYPE IA - SPRINKLERED TYPE VA - SPRINKLERED

OCCUPANCY CLASSIFICATION

A2

ASSEMBLY USES INTENDED FOR FOOD AND DRINK CONSUMPTION BUSINESS MERCANTILE RESIDENTIAL APARTMENT HOUSES PARKING GARAGE R2 S

NUMBER OF STORIES

WEST SIDE: 1 STORY COMMERCIAL EAST SIDE: 4 STORIES (1 STORY COMMERCIAL WITH 3 STORIES OF RESIDENTIAL ABOVE)

PARCEL SIZE

8.87 ACRES TOTAL WITH DEDICATION OF 0.14 ACRE THEREFORE THE NET= 6.73 ACRES NET (292,980 SF). THE NET VALUE IS USED FOR FAR AND LOT COVERAGE CALCULATIONS

MIN REQUIRED SETBACKS PER SDMC WHEN THERE IS NO RESIDENTIAL ON GROUND FLOOR

FRONT = 0' SIDE = 0' REAR= 0'

EXTERIOR WALKWAY

LAUNDRY 381 S LIGHT WELL INCLUDED IN GPA 158 S SUBTOTAL 44,85

THERE ARE NO PROPOSED RESIDENTIAL UNITS ON THE GROUND FLOOR THEREFORE ALL SETBACKS ARE 0'-0"

F.A.R. CALCULATIONS

RESIDENTIAL GFA PER SDMC STRUCTURED PARKING RESIDENTIAL PORTION IRD FLOOR 61,286 SF GROUND FLOOR SHOP KEEPER MEZZANINE ONIES INCLUDED IN GFA LEASING OFFICE RIOR WALKWAY AUNDRY 305 ST LAUNDRY 305 ST UGHT WELL INCLUDED IN GFA 3,463 SF 44,257 S 368 SF 4.679 SF SUBTOTAL SECOND FLOOR 2,799 SF 11,921 S 3 BEDROOM 12,75 BALCONIES INCLUDED IN GFA 1,455 COMMUNITY ROOM 2,005 EXTERIOR WALKWAY LAUNDRY LIGHT WELL INCLUDED IN GFA

HT WELL INCLUDED IN GFA 2.579

201.454 SE

TOTAL RESIDENTIAL GFA



PROJECT DATA CONTINUED

MAX ALLOWABLE COMMERCIAL F.A.R. PER SDMC

LESS THAN 1.5

4. Deviation from EDNIC Section 152.0213(s) (2) (D) requires hisnix wall segments be limited to 154aa within or 254ed I washanced with an oblectival detailing, ortenenation or at work, while the communications of a section of the section of the back walls of approximativy (252-64 ficing files) files files files and approximately (252-64 files) files files files and approximately (252-64 files) files files files and approximately (252-64 files) files files files and approximately (252-64 files) files files files). 5. Deviation from SDIMO Saction 182,031M(a) (2) [6] regulars a 3-foot solid wall or fence separated from th ordinant public right-of-way by a 3-foot wide bandscape strip where surface pariting occupying 35% or le of the linux: stress thort, while the proposed project provides no wall along the west edge of the pariting loc off-or Main Street, ("Pariong Wall" deviation").

PROPOSED F.A.R. FOR COMMERCIAL

LESS THAN 1.5

6. Deviation from SDBMC Section 152,2019(e) (2) (F) does not allow off-street loading areas to be immediately adjacent to Newton Avenue, Cesar Chavez and Main Street, while the proposed pr provides notes to a loading mea dref Main Street, "Loading Area" deviation)

7. Deviation from RDINC Section 113.0270(a) (1) requires a maximum permitted structure length of EG while the proposed bulktion (°C mitted-see project (emit tide) has a maximum structure length of EG as calculated per RDING Section 113.0270 (a)) requires the Overall Height Mensulement shall not exceed the maximum permitted structure length applicable zero and a many structure result of a tilter of the maximum grade differential william the structure footprint of 16-6et, whichever is lengt. The overall structure height is 50% 27% EG² v, vidias var as properlay a topologic of 16-6et, whichever is lengt. The overall structure height of CC video and the projection of 16-6et, whichever is lengt. The overall structure height of CC video and the projection of 16-6et, whichever is lengt. The overall structure height of CC video and the projection of 16-6et, whichever is lengt. The overall structure height of CC video and the projection of 16-6et (MC Video and Video an

B. Deniation from SDMC Section 142.0405(a)(1) requires 24-inch hox trees for every 30-4et of street frontage, while the proposed project economodules the following: (21 ince, Tree' Geniation) elsens the trees of the times 24-inch hox trees required within Main Street (tph-of-way; a strent trees of the times 24-inch hox trees required within the theres right-of-way a street there of the sect is the street of the street tree includes and the tree required within G sare Three of the sect all control to the sectory Street public dight-of-way is street trees of the time 24-inch hox trees required within the Dewey Street public dight-of-way

n SDMC Section 142.0408(a) requires 3% of the vehicular use area of weich 50% of the points must be achieved through the use of the meets required planting point of which 39% is achieved through t

In addition, per EDMC Section 142,0407(b) requires areas that are used for the distribution of and goods and charge designated for commercial vehicle perform spaces, heading strates and concentromy may have back the requirement over priority and the vehicle if we do the edge of the val-per strategies and the sector space of the requirements for the requirements of the sector space of the vehicle of the vehicle of the requirement of the requirements for the requirement of the performance of the vehicle of the requirement of the requirement of the requirement of the space of the vehicle of the vehi

11. Deviation from SDMC Table 142-120, which limits the maximum wall sign copy area to Enser fool of street will per establishment per street frontage up to 100 square fresh to all that exceed the 1 square foot and 100 square fort limitations.

INFORMATIONAL ONLY: Please note that nesting birds may be present during construction, and are protected under US and State Law including the Federal Migratory Bird Treaty Act and in particular; CA Law - Fish and Game Code – Section 3503. (New Issue)

CDFG Code 3503 states: "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." (New Issue)

COMMERCIAL GFA PER SDMC STRUCTURED PARK

COMMERCIAL PORTIO COMMERCIAL (E)

TOTAL COMMERCIAL GFA

MMERC

SUBTOTAL

FAR SUMMARY

COMMERCIAL SI

L-101a L-101b L-102a L-102b L-103 L-104 L-105 L-105 10. Deviation from SDNG Section 14224496jaj requires one tree within 30-feet of each parking space, Wile the proposed project accommoduler: this requirement within the vest parking area it cannot be achieved within the parking area of the vested Mathan Avenus, the parking sea along this aouthacs partition of the project, the top level of the parking virtuitre, and the loading area off of Main Street. "Trees within Visitation Use area (evideo)

ARCHITECTURAL A-001 Site Plan A-002a A-002b A-101a A-101b

A-102h 12. Deviation from SDMC Section 142.1225(d)(1), which requires allowable wall signs only on the space or building for which the sign copy area allowance is computed, to allow signs located on and/or lease spaces other than the stanary. A-103b A-104b 13, Deviation from SDMC Table 142-12H, which limits the height of ground signs to 8 feet in freight, b allow project identification around signs that exceed 8 feet in brinks. A-105a 14. Devlation to SDNC 142.1238(c)(s) and 142.1230, which considers well signs that project more than 18 indust from a building well as projecting signs, to allow tensed "well" signs attached to the top of achieve the second second

19,312 SF

34,554 5

106,406 SF

A-105b A-150 A-151 A-152 A-200 A-201 A-202 A-203 A-204 A-203 A-204 A-300 A-300 A-400 A-401 A-402 Elevations Building B Site Sections

LIGHTING DEBIGN

VICINITY MAP

· 44 MERCADO DEL BARRIO

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ACTUAL COMMERCIAL FAR= 106 406/ 292 980= 0.36 TOTAL RESIDENTIAL + COMMERCIAL FAR = 0.69+ 0.36 = 1.05

MAX ALLOWABLE FAR FOR COMMERCIAL= 1.5

MAX ALLOWABLE FAR FOR RESIDENTIAL = NO MAX

ACTUAL RESIDENTIAL FAR = 201,454/282,980 = 0.69

GENERAL NOTES

- THESE PLANS AND ALL WORK SHALL COMPLY WITH THE CALIFORNIA BUILDING
 CODE FOUND IN THE STATE OF CALIFORNIA THEZE 24 CCR AS AMENDED AND
 ADOPTED BY THE COLINY OF SAN DIEGO
 THESE PLANS SHALL COMPLY WITH THE 2007 CALIFORNIA BUILDING CODE AND
 ALL APPLICABLE COLINY OF SAN DIEGO
 ADDETED BUILDING CODE (CRC)
 2007 CALIFORNIA PLUMEING CALCULATIONS
 S. REFER TO G-001 FOR PARKING CALCULATIONS AND LOT COVERAGE
- 5, REFER TO L-105 FOR OPEN SPACE CALCULATIONS AND LOT COVERAGE

SYMBOLS & ABBREVIATIONS

- (0)---- GRID LINE
- PROPERTY LINE
- ---- MATCH LINE
 - OVERHEAD EXISTING
 - PROPOSED

SHEET INDEX

(E) (P)

GENERA

G-000 G-001 G-002 G-003

CIVIL

C-000 C-001 C-101 C-101a C-101b C-102 C-102a C-102b C-102b C-103 C-104

LANDSCAPE

Title Sheet Parking and Accessibility Fire Master / Access Plan Conceptual Rooftop Fire Access Flan

- Civil Cover Sheet Existing Conditions / Existing Easements Size Plan Site Plan West Side Site Plan East Side Grading & Drainage Plan West Side Grading & Drainage Plan East Side Site Sections Site Plan East Side
- Hardscape Plan West Side Hardscape Plan East Side Planting Plan West Side Planting Plan East Side Playground Hardscape and Planting Plan Landscape Calculations Open Space Calculations
- Enlarged Site Plan West Side Enlarged Site Plan East Side Roor Plan - Ground Floor West Side Floor Plan - Ground Floor East Side Floor Plan - Second Floor Fast Side Floor Plan - Third Floor East Side Floor Plan - Fourth Floor East Side Roof Plan West Side Roof Plan East Side Structured Parking Floor Plans - Ground and Second Floors Structured Parking Floor Plans - Third and Tot Lot Floors Building Sections Elevations Building A Elevations Building A
- Elevations Building C Elevations Building C
- Building Sections Enlarged Unit Plan
- Enlarged Unit Plans Enlarged Unit Plans

LD-101a Site Lighting Plan - West Side LD-101b Site Lighting Plan - East Side



ATTACHMENT 15

Mercado **Del Barrio**

SAN DIEGO, CALIFORMA

- CLIENT ch Shea Properties 9960 Mesa Rim Road, Sulle 220 San Diece, CA 92121
- RCHITECT Safelie Rabines Activitie 1101 Washington Place San Drego, CA 82103 (512) 297-6153
- CIVIL ENGINEER Project Design Consulta 701 B Strast, Suite BOO San Diego, GA 92101
- LANDSCAPE ARCHITECT Spuricolk Portier Lands 2122 Hanoock Street San Diego, CA 92110
- STRUCTURAL ENGINEER DCI Engreens 625 B Street, Buile 760 San Dinge, CA 92101
- MECHANICAL, ELECTRICAL, PLUMBING ENGINEER IBE Consulting Engineers 14150 Riverside Drive, Suite 201 Shormen Galos, CA 51423
- Perking Design Associates 9649 Robin Avenue Fountain Valley, CA E2705
- IRE PROTECTION PLANNEL Flexale Planting Solutions 922 N. El Carriero Real, Sutle 201 Sen Clamente, CA 62572
- LICHTING DEBIG Lighting Design Altence 2830 Temple Avenue Long Beach, CA 93675



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Title Sheet





	+ ATTACHMENT
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TOTAL # OF LOADING SPACES PROVIDED = 5	GUENT Broze Nerrado, LLC c/c Shee Progradine 9990 Mees Rom Rotel, Suite 220 Ban Olae, CA 20121
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ATTACHMENT 15

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ATTACHMENT 15

Mercado **Del Barrio**

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ATTACHMENT 15



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Mercado **Del Barrio**

SAN DIEGO, CALIFORNIA

Shea Mercado, LLC Gio Shaa Propestas 9090 Mesa Ran Road San Diago, CA 92121

ARCHITECT SelfSe Rabbas Archite 1101 Yazhington Reca San Diego, CA 12103 (819) 297-8153

CIVIL ENGINEER Project Design Consisten 701 B Simet, Suite 900 Sao Dinon, CA 92101

LANCEGAPE ARCHITE Bandisck Politer Lands 2122 Hawook Street Ean Diego, CA 82110

STRUCTURAL ENGINEER OCI Engineere 626 & Street, Sutje 760 San Direco, CA 82101

PLUMBING ENGINEE IBE Coherling Engineers 14130 Rheatler Drive, Suite 201 Sherman Oats, CA 91423

Parking Design Associates 8648 Robin Avenue Economic Victory Co. 600200





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SITE PLAN-WEST SIDE





Mercado Del Barrio

SAN DIEGO, CA UFOIMA

Shoo Mercado, ELC clo Shoe Properties 9290 Mese Rim Rost Ean Diago, CA 9212

RCHITECT Salate Rubines Active 1101 Washington Place Sur Diego, CA 92103 (619; 297-6153

CIVIL ENGINEER Project Design Consultar 201 B Blowsk, State \$00 San Diego, CA 92101

LANDSCAPE ARCHITEC Spuriook Peinler Lands 2122 Manpock Street Ban Diego, CA \$2:10

TURAL ENGINEER CCI Engineera 525 B Statel, Buja 750 San Diego, CA 92101

NOCAL, ELECTRICAL, PLUMBING ENGINEE RE Consulting Engineers 14130 Riverside Drive, Surie 201 Stemmer Calls, C4 81423

Parking Deelen Accordance 8648 Robit Avenue Foundain Vallay, CA 92708





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1	FINAL SUBMITT	AL 3/9/2010
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		city of San Diags Project Ka.
		#203874

SITE PLAN-EAST SIDE





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ANOUNT OF CUT: 10.550 CUBIC YARDS AND MAXMAM DEPTH OF CUT: 15 FEET.

HERONT OF WERTICAL GUI; ______ ANOUNT OF IMPORTATING SON: 0 / 0,190 CLARC HARDS.

ietangris/crib walls: length _____reet; waximum heicht _____ feet.

ommittes shown are based upon tentative wap level, calculations and are for estimation purposes gally and are not to be used for tanl, pay duantity. Owardites are geometric only and do not reflect strukture or bullong factors. THIS PROJECT PROPINEST TO DEPORT APPROXIMATELY \$,150 CABC TAPOS OF MATERIAL FROM THIS STRE ALL DIPORT MATERIAL SHALL BE DISCHARED TO A LEON DEPOSINE STE. THE APPROVAL OF THE PROJECT DESI NOT ALLOW PROJESSIVE AND SALE OF THE MATERIAL ALL SUCH ACTIVITIES RECURE A SEPARATE CONDITIONAL USE PERMIT.

GENERAL NOTES THE MURED LISE/PARKING STRUCTURE PAD AND PARSHED FLOOR ELEVATIONS 3 DIFUGULATION PROVIDED BY THE PROJECT AND PLOT AND SECTEMINICAL END ELEVATIONS ARE TENTATIVE MAP LEVEL DATA. SOME MANOR CHAINES CAN BE DAVID ENDAMERTIME. THE PROPOSED STE CONTENTS SHOWN REFRESSIT THE TENTATIVE MAP LEVEL FR SUMPLICE THE CONTENTS SHOWN REFRESSIT THE TENTATIVE MAP LEVEL FR ESTRUISED BY SUBJICATING THE THEOREES OF THE SUMPLICE WORD ACCORDING (CESTION.

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OTY OF SAN DIEGO BRASS PLUS AT THE WESTERLY CURB RETURN OF NATIONAL AVENUE AND EVANS STREET. ELEVATION: 58.94 M.S.L. DATUM (M.G.V.D. 29)

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SAN DEGO, CA UFORMA

CLIENT Bhas Mercedo, U.C. olo Shas Properties 9880 Mesa Rim Road She Dego, CA 92121

RCHITECT Sakis Rahmes Aroki 1101 Wentraton Plac San Diago, CA 92103 (619) 287-5153

Project Design Consults 701 B Street, Suits 800 San Diens, CA 92101

Souriock Pointer Land 2122 Hancock Singer San Diego, CA 92110

STRUCTURAL ENGINEER DCI Engineeri 525 b Street, Sulla 750 Ban Diego, ÇA 92101

MICAL ELECTRIC. IBE Consulting Engineers 14130 Revende Drive, Suita 20 Sharman Osta, CA 61423

PARKUNG (DESX3N Parting Design Associates 9548 Robin Avenue Fountain Vellay, CA 82700





REVISIONS		
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1 FINAL SUBMIT	TAL	3/9/2010
2 FINAL SUBMIT	TAL	4/1/2010
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	Cb; II San	Diego Project No.
	#2038	74

GRADING PLAN







Mercado Dei Barrio

BAN DIEGO, CA UFORNIA

CLIENT Shee Mensele, LLC olo Shee Properties 9980 Mesa Rim Roed San Diego, CA 82121

ARCS-BTECT Santile Rabines Archusets 1101 Washington Place San Eingo, DA 92103 (618) 297-5163

CMIL ENGINEER Project Design Consultants 701 8 Street, Suite 800 Ban Diege, CA 92 D1

JANDSCAPÉ ARCHITECT Spunck Poizier Landstace Antrolocis 2122 Hancock Simel San Clogo, CA 82110

STRUCTURAL ENGINEER DCI Engineers 525 B Street, Suita 760 San Diago, CA 92101

MECHANICAL, ELECTRICAL, PLUMBING ENGINERS BEE Consulting Engineers 14130 Riverside Dizko, Sulle 221 Shermon Cwist, CA9423

PARKING DESKIN Periding Design Associates 9548 Robin Avenue Foundain Valley, CA 92708

PROJECT DESIGN CONGULTANTS with the same and the same and



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471/2010 Dry d Sa Days Prijelik, #203874 GRADING &

DRAINAGE PLAN-WEST SIDE



SHEFT 11 OF 47



ATTACHMENT 15 Mercado Del Barrio

SAN DIEGD, CALIFORNIA CLIENT Shea Mercado, LLC Cie Bryss Properties 9990 Marse Rim Roed San Diego, CA 62121 ARCHITECT Safdie Rebines Architec 1301 Weshington Place San Cargo, CA 9210 (819) 297-8153 CIVIL ENGINEER Project Design Consultan 705 B Elitori, Subtratio Ban Diego, CA (2101 Spuriook Povier Lands 2122 Hancock Street San Diago, CA 82:10 OCTURAL ENGINE DC1 Brightents 525 B Strack, Solie 750 San Diego, CA 82101 MANICAL ELECTRICAL IBE Conselling Engineers 14530 Rheadle Drive, Suite 201 Sherman Caliz, CA 91423 PARKING DESKSN Parking Dualgn Aastrijke 8648 Robin Avense Fountain Valley, CA 62768 ALAN IN A LAN IN A LA .. ₹ĝ ĝĽ PROJECT | 0 No. 54320 REVISIONS
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 haya (he Se de 4/1/2010 <u>1" = 20'</u> Daty of San Dilegs Project No. #203874 GRADING & DRAINAGE PLAN-EAST SIDE

C-102b

SHEET 12 OF 47



SHEET 13 OF 47





Mercado Del Barrio

SAN DIEGO, DA LEORMA

SHEET 14 OF 47



NATURAL DREY CONCRETE WITH SAND FINISH

NTEGRAL COLOR CONCRETE WITH FINISH OR PAVERS

EXPOSED AGGREGATE CONCRETE

4" X 16" PRECAST CONCRETE UNIT PAVERS, DRICK PAVERS OR STAMPED CONCRETE

FLACETONE, PAVERS, OR INTEGRAL COLOR STAMPED CONCRETE

PRECAST CONCRETE PERMEABLE UNIT PAVERS & PARKING LOT

12"W P.J.P. CONCRETE WALL, HEIGHT WARKES

18"W X 18"H P.I.P. CONCRETE WALL WITH SKATEBOLARD DETERMENT

P.1.P. CONCRETE WALL, NEIGHT VARIES

P.1.P. CONCRETE STARS WITH HANDRAL NOT TO EXCEED 54 SLOPE

NOT TO EXCEED B.3% SLOPE

AREA TO SERVE AS A PERFORMANCE STAGE DURING EVENTS PER NORTHGATE PLANS

SY ARCHITECT

PER SAN DIEGO REGIONAL STANDARD

5" BIA. ROLIND CAST IRON TREE GRATE

PER NORTHGATE PLANS



ATTACHMENT 15

Mercado **Del Barrio**

SAN DIEGO, CA LIFORNIA

Cullin'i Shee Mercado, LLC ola Shaa Properties 8993 Masa Rim Road San Diego, CA 82121

ARCHINECT Suchtinger Sandie Rachines Architect 1101 Washington Piece San Diego, CA \$2103 (618) 287-8153

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LANDSCAPE ARCHITECT Spuriock Pobler Lendez 2122 Hancock Street Sen Diego, CA 92110

STRUCTURAL ENGINEER DCI Engineers 625 B Street, Builte 750 Sen Diego, CA 92101

MECHANICAL, ELECTRICAL, PLUM IBE Consulting Engineers 14130 Riverside Drive, Bully 201 Sherman Ceke, CA 81423

PARKING DESIGN Pariting Dailyn Awecleine 8048 Robin Averaa Fouhtein Valley, CA 92708



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NATURAL GREY CONCRETE WITH SAND FINISH

NTEGRAL COLOR DONCRETE WITH FINISH OR PAVERS

EXPOSED AGGREGATE CONCRETE

4" X 16" PRECAST CONCRETE UNIT PAVERS, BRICK PAVERS OR STAMPED CONCRETE

FLAGSTONE, PAVERS, OR INTEGRAL COLOR STANDED CONCRETE

PRECAST CONCRETE UNIT ACCENT PANERS

PRECAST CONCRETE PERMEABLE UNIT PAVERS IN PARKING LIDT

12"W PJ.P. CONCRETE WALL, HEIGHT VARIES 18"W X 10"H P.LP. CONCRETE WALL, WITH SKATEBOARD DETERRENT P.I.P. CONCRETE WALL HEIGHT VARIES PLP. CONCRETE STARS WITH HANDER

NOT TO EXCEED BY SLOPE

NOT TO EXCEED BLOK SLOPE

AREA TO SERVE AS A PERFORMANCE STARE DURING EVENTS PER NORTHQATE PLANS

PER SAN DIEGO REGIONAL STANDARD

5' DIA, ROUND CAS' IRON TREE GRATE

PER NORTHGATE PLANS

ATTACHMENT 15 Mercado **Del Barrio**

SAN DIEGO, CA LIPORINA

CLIENT Shee Mercado, LLC do Shee Properties 8980 Mese Rim Road Sen Diego, CA 82121

ARCHITECT Saridia Rabines Architects (10) Washington Place San Dego, CA \$2103 (518) 297-8153

CIVIL ENCINEER Project Dealtyn Consultanes 701 B Street, Suite WCD San Diego, CA 92101

LANDÉCAPE ARCHITECT Spuriock Poinier Landst 2122 Hancack Sheet Ean Diogo, CA 92110

67RUCTURAL ENGINEER DCI Engineera 025 B Strivet, Suite 760 San Diego, CA 92101

MECHANICAL, ELECTRICAL, PLUM THE Consulting Stightwire 14130 Riversida Drive, Bulla 201 Shermen Calu, CA 81423

PARKING DESKGN Parking Doulge Associates \$648 Robin Avenue Founcein Vallay, CA \$2706



Karpter Caseripies ____ _____ ister Date Scale. 4/1/2010 SPLA Protect to mater City of San City of Francis No.

SHP 081 #203874 HARDSCAPE

PLAN EAST SIDE

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SHBET <u>16</u> of <u>47.</u>



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/ MG		40' H X	20' S	-	•		
.•/	AC, SP	30' H X	stor's		•		
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. F /	태	36' H X	20' 20		11		
. F/	ac, sh	25'-40'	H x 15'-	-30° S	17		
/ ac.	2 0	80, H X	20'-40'	5	4		
. F /	SC, SH	4-0° H X	40' 9		23		
/ 🗚		100' H)	(10 ^r S		6		
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,	3 X 4 3 X 4			303 - 5'0.C.	15 GALLON SPACING	76	
,	2 X 2	-3		505 -	5 GALLON 1. SPACING	503	
,	16" X 3 8' X 4	30				314	
,	30° X	24		24 0.0	1 GALLON 2. SPACING	-	
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_	10' X 1	¢,					
,	20'-30 15' X 2						
,	20'X I	5					
	12' X I 1' X I'						
	1'-2' > 8' X 5'	3					
•	3 X 3						
,	3 X 4 10 X 6						
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	VINE 6'-15'	X 5-15			S CALLON C. SPACING		
	12-25			1505 - 24 0.	1 GALLON C. SPACING	12)	
	80' VIN 3'4' 1			Z,594			
2	2-3	¢ 2'			15 GALLON SPACING	18	
	4" TALI Vine	L		70X -	5 GALLON C. SPACING	335	•
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	3 X 3			3,311 1			
:	10 ⁷ -15 10 ⁷ -15	X 10'-15 X 10'-15	•	1550 - 5' D.C.	15 GALLON SPACING	18	
5	9, X 2	-4			8 GALLON	335	5
	2 4 2	× 4'6' '3'				112	
2	5' X 5			74	1 GALLON	12	•

4,533 B.F. 25% ~ 15 GALLON 4' O.C. SPACING 82 75% - 1 GALLON 30° O.C. SPACING 977 1.5'-2' X 4'-6'

15% - 1 GALLON 24" CLC. SPACING

ATTACHMENT 15

Mercado **Del Barrio**

SAN DIEGO, CA LIFORNIA

CLIENT Shaa Mercado, LLC clo Shea Propertios \$290 Merce Rim Rood San Diego CA 82121

NECHITECT RCHITECT Sekile Rubines Architects 1103 Wattington Place San Diago, CA 92103 (819) 297-\$153

CIVIL ENGINEER Project Design Conseilant 704 B Street, Suite 800 San Diego, CA 92101

ANDSCAPE ARCHITECT Spuriock Politier Landae 2122 Nancook Breat Sen Diego, CA 82310

STRUCTURAL ENGINEER OCI Engineers 525 6 Street, Suite 750 San Diego, CA 92101

4ÉCHANICAL, FLECTRICAL, FLUM 18É Convolting Engineers 14139 Rhwarkle Orice, Suite 201 Bhermen Oaks, CA 91423

Parting Design Associators 9548 Robin Averue Fountain Valley, CA 92748



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City of San Disco Protect fire. #203874

PLANTING PLAN WEST SIDE

SHP 081



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				Mercad
M) FUNTO	ION MATURE SIZE	QUARTITY		Del Bar
P / AC	40°HX 20°S	٠		SAN DEGO, CA LEORN
L D, F /	AC,9≏ 30°H x 30°S	6		CLIENT Shee Marcado, LLC cío Shee Properties 9990 Misra Rim Scad Sen Diego, CA 82121
127/	5H 35°H X 40°S 5H 35°H X 30°S	38		ARCHITECT
(E 7 /		11		Service Rabines Archit 1907 Weetington Plaz San Diego, CA 92103 (619) 287-0153
4 D. F /	AC, SH 25-40 H X 15-	-30°S 17	F	GIVIL ENCEMEER Project Design Consul 701 B Stratet, Suite BD San Clago, CA 92101
P / AC,	\$₽ 80'H X 20'−40'	s 4		1-ANOSCAPE ARCHITEC Sputtock Points: Land 2122 Handack Simel San Diego, CA (2110
4 B. F /	SC,5H 40'HX 40'S	23		STRUCTURAL ENGINE
P / AC	100' H X 10' S	*		DCL Engineers S45 B Sovet, Sutio 76 Sen Diago, CA 92101 MECHANICAL, ELECTR IBC Consuling Enclos
				190 Consuling Engine 34130 (dyoratic Drive Sharman Deks, CA en PASKENG DES(CN) Engine Trades Access
CTION SP	MATURE HEIGHT / SPREAD	SIZES / SPACING	Q17,	Parking Dadan Associ 9545 Robin Avenue Fountain Velley, CA 10
5P 5P	3'-4' × 3'-4' 3' × 4'	5,458 S.F. 30% - 15 GALLON	76	-
5°	3' X 4' 2' X 2'-3'	5' D.C. SPACING 50% ~ 5 GALLON	50.3	
SP SP	18" X 30" 6' X 4"	30" O.C. SPACING 2025 - 1 GALLON	314	
89 99	30" X 24" 16" X 16"	24" D.C. SPACING		
	15'-30' WINE 10' X 10'			
5C SP	20"30" WHE 15" X 3"			
	20' × 5' 12' × 5'			
	1' X 1'			
5° 5°	1-2 X 3 B X 5			
SC	3 X 5 3 X 4			
	ויד 6' 1'−2' × 1'		-	-
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	Z X Z Z-5 X 2-3		1	
sc	VHE 5'-15' X 6'-15'			
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, SC	2'-3' X 2' 4' TALL			1.5
	4 IALL VINE VINE			
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SC SC	3' X 3' 3'6' X 7'10'	25% - 15 GALLON 4' D.C. SPACING	82	
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City II San Deepo Project Ho. #203874

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102b T <u>16</u> OF <u>47</u>



Mercado Del Barrio

SAN DIEGO, CA LIFORNIA

CLIENT Shea Marcado, LLC do Shea Propering 9960 Meren Fire Acad Sen Diego, CA 92121

ROHITECT Sahlie Rebure Architect 1101 Weshington Place Sen Diogo, CA 92103 (519) 287-6183

CIVIL EVGINEER Project Deelon Consultants 701 B Sweet, Suite 600 San Diego, ÇA 92101

LANDSGAPE ARCHITECT Sputack, Polder Landscape Annifecta 2122 Hanoock Sevel Ser Diego, CA 82210

ETRUCTURAL ENGINEER DCI Evgineers 525 B Greek Suite 750 San Diago, CA \$2101

MECHANICAL, ELECTRICAL, PLUMBING ENGREER IBE Consulting Engineers 14130 Reversite Drive, Sutt 201 Sherman Dels, CA 94/23

PARKING DESICIN Parking Design Association 9548 Robin Avenue Fountain Velley, CA 92768



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 Date

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 4/1/2010

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TOT LOT HARDSCAPE AND PLANTING PLANS

L-103

Sheet <u>19</u> of <u>47</u>

MERCADO PAVER



PRECAST CONCRETE UNIT PAVERS

CONCRETE PAVING



SAND FINISH CONCRETE WITH INTEGRAL COLOR



NARROW MODULAR PAVERS

SAND FINISH CONCRETE



BRICK PAVER

EXPOSED AGGREGATE CON INTEGRAL COLOR

POROUS PAVERS



POROUS PAVERS IN PARK

NOTE: IMAGES SHOWN ARE REPRESENTA HARDSCAPE TYPES AND FINISHES, BUT NOT

	Mercado Del Barrio
	CLIENT Gilleman Mensentio LLC di Roma Propertia di Stan Propertia Stan Diego, CA 92121
	ARDHITEGT Sattile Stabless Archivete 1011 Weeksgore Palses Baro Day, o A Schoo (krig) ash-otea
	DIVL ENGINEER Project Design Constants 1718 Seven: Suite 400 Ben Diago, CA 22101 UNDBCAPE ARCHITECT Sevents Public Landmark Architects
	Sprudnisk Pakiel Londwigen Architects 1722 Hannack Efferet Star Diego, CA 20150 STRUCTURAL ENGINEER DIDI Engineers 2015 Screet Budio 750 Sen Diego, CA 20121
	NECHANICAL, ELECTRICAL, PLUMENG ENGINEER IEE Committing Enginem 14130 (Newardse Diver, Solte 201 Enuman Oble, CA 91423 PARING DESIGN Parting Design Avancelitere 8940 Refer Avana Foundain Valley, CA 92708
NCRETE WITH	
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KING LOT	REVISIONS Nerrar Description 1 MR SUBMITTAL 282010 1 FAAL SUBMITTAL 282010 1 FAAL SUBMITTAL 282010 1 FAAL SUBMITTAL 4/1/2010 2 FINAL SUBMITTAL 4/1/2010 1 FINAL SUB
ATIVE OF THE THE COLOR	L-104

ATTACHMENT 15



Mercado **Del Barrio**

SAN DIEGO, CA LIFORNIA

CLIENT Bhea Marcodo, U.C. sio Shea Properties 9690 Mesa Nim Road Sen Diego, CA 92121

Safetia Rabines Architect 1105 Weithington Plane San Diago, CA 92103 (619) 287-6183

CIVIL ENGINEER Project Dosign Consultants 701 B Street, Suite 600 Ban Diaco, CA 92101

ANDSCAPE ARCHITEC Sputiosk Pointer Landes 2122 Hancock Bitee(Sen Diego, CA 92110

ETRUCTURAL ENGINEER DGI Engineers 525 B Street, Suite 700 Sep Diego, CA 92101

ECHANICAL ELECTRICAL PLU IBE Consuling Engineers 14130 Riversite Drive, Suits 201 Sherman Oaks, CA 91429

PARKING DESIGN Particing Designs Association 1548 Robin Avenue Fount-N Valley, CA 9270

	85 Exame Planting Area Provided (a.f.)
	1,678 Examp Planting Area Provided (#11)
.—	100 Points provided by trees (1/2 of Total Required)
ayt side	1,350 Points provided by triest (1/2 of Total Required)

Note: Induction the 2 th the street yord on the the southeast parking i section 142,0407(a)

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L-105 BHEET 21 OF AT



Mercado **Del Barrio**

SAN DIEGO, CALIFORNIA

CLIENT JIENA Shee Mercado, LLC o/o Shee Properties 9990 Merca Rim Roset Sem Diego, CA 92121

Suchi (C) Suchi Autone Antolog 1101 Weshington Place Sen Diego, CA (2103 (619) 297-6153

TVIL ENGINEE Project Danign Consultan 701 B Street, Suite 600 San Dinge, CA 92101

ANDSGAPE ARCHITED Spuriacia, Pointer Lander 21,22 Hancock, Sarya) Sam Dilego, CA 92110

DCI Engineera 525 B Street, Suite 750 San Diego, CA 92101

NICAL, ELECTRICAL, PLU BE Consuling Engineers 14130 Riverside Drive, Suite 201 Shermen Oaks, CA 85423

Parking Design Associates 9548 Robin Avenue Founiain Valley, CA 92705



L-106 SHEET 22 OF 47



8. THERE ARE NO EXISTING STRUCTURES ON SITE.

3, REFER TO G-002 & G-003 FOR FIRE COMPLIANCE INCLUDING FIRE HYDRANT . .OCATIONS.

7. REFER TO CIVIL DRAWINGS FOR ALL EASEMENTS, UTILITIES, GRADING, IMPROVEMENTS AND DRAINAGE.



REVISIONS T _ MIR BURMITTAL 2/8/2010
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 FINAL SUBMITTAL
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Site Plan

A-001 8HEE 23 OF 47

ATTACHMENT 15 Mercado

Del Barrio

BAN DIECC, CAUFORNIA

CLIENT Shea Mercado, LLC shea Propetties 9990 Merca Nim Read, Surie 220 San Diego, CA 92121

ARCHINECT Salife Rubbies Archit 1101 Washington Riac Ban Diego, CA 82:03 (619) 297-6151

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Spurback Policer Landse 2122 Nancock Street San Diago, CA 97110

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IBE Constituting Engineers 14130 Riverside Drive, Evile 20 Sherman Data, GA 91423

Per4ng Design Ansociale: 9549 Robin Avenue Fountain Valley, CA 82701

0000000000000 Energie Pfenning Solutiona 202 N. El Camino Real, Suffe San Clamenia, CA 82572

UKHTING DESIGN Lighting Design Allance 2650 Temple Avenue Long Basch, CA 90206







Mercado Del Barrio

ATTACHMENT 15

SAN ELEGO, CALIFORNIA olo Sinee Properties 9200 Meta Rim Road, Suile 220 Sen Diego, CA 92121

ARCHITE Earble Rabines An 110% Westington F San Diego, CA 621 (819) 207-6153

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LANDSCAPE ARCHIT Spirloos Poiner Land 2122 Hateoox Street San Diego, CA 92110

STRUCTURAL ENGINESA DCI Engineers 525 B.Street, Suite 757 Ser: Diego, GA 92101

MECHANICAL, ELECTRICAL, PLU IBE Donaulting Engineers 14130 Riverside Crive, Suite 201 Stierman Oaka CA 81423

Parking Design Associates 9548 Rotan Avenue Foundsh Valley, CA 92706

E PROTECTION PLANE Firesale Planning Solubons 302 N. El Campio Real, Sub Sati Clamente, CA 92872

Lighting Design Alfance 2830 Temple Avenue Long Beach, CA 93905

OVERHEAD

COMMERCIAL LOADING

VISIBILITY TRIANGLE

REFERITO A-002s (MEST PORTION) & A002b (EAST PORTION) FOR SITE PLANS 2. REFER TO G-001 FOR PARKING CALCULATION & COMMERCIAL LOADING CALCULATIONS.

4.REFER TO G-000 FOR PROJECT INFORMATION & FAR CALCULATIONS.

5. REFER TO G-002 & G-003 FOR FIRE COMPLIANCE INCLUDING FIRE HYDRANT LOCATIONS.

7. REFER TO CIVIL DRAWINGS FOR ALL EASEMENTS, UTILITIES, GRADING, IMPROVEMENTS AND DRAINAGE.

8. THERE ARE NO EXISTING STRUCTURES ON SITE.



REVISIONS Number Description
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3RA Project Number 203874 City of Gas Diege Project Ko. #203874

Enlarged Site Plan East Side





	PROPOSED	
REA	35,891 sf	
A	968 lf	
ID\$	14	
INE	1889 sf = 6%	

LIQUOR / BEER / WINE SALES / STORAGE AREAS

CART STORAGE

1. RESTAURANT SPACE 155 HAS AN OPEN OUTDOOR TERRACE, BOUND BY A PLANTER ALONG C, CHAVEZ PARKWAY AND A GUARDRAIL ALONG MAIN ST.

2. AREA SF SHOWN ON THIS FLOOR PLAN IS NET AREA, NET AREA IS THE DIFFERENT THAN THE GSF QUANTITIES USED FOR THE GFA AND FAR CALCULATIONS. NET AREA DOES NOT INCLUDE WALLS.



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Floor West Side



ATTACHMENT 15

Mercado **Del Barrio**

Shae Mercudo, LLC eta Bhen Propettes 9950 Meta Propettes San Diego, GA 82121

SAN DIEGO, CALIFORNIA

CLIENT

ARCHITECT Settle Robins Act/ 1901 Waskington Pro-Sen Diago, CA 92102 (519) 207-5153

CIMIL EVAINEER

Project Design Consulta 701 & Street, Suite 500 Ban Diego, CA 92101

LANDSCAPE ARCHI Sparkok Pairier Land 2122 Hencock Street Sen Ellego, CA 92110 STRUCTURAL ENGINEER DC1 Engineers 525 B Street, Suite 783 San Disco, CA 82101 NECHANICAL ELECTRICAL

EE Consulting Engineers 14130 Riverside Drive, Suite 201 Sherman Oaks, CA 81423

Parking Design Associanas. 8548 Robin Avenue Fruntein Valley, CA 92708

Firesafa Planning Solutions 302 N. El Carrino Real, Suitz Sen Claritania, CA 92072

Lighting Design Alliance 2830 Temple Avenue Long Brach CA 90906



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LANDSCAPE ARCHITEC Spurjeck Politiel Lander 21 22 Harrock Street San Diego, CA 821 10

STRUCTURAL ENGINEER DCI Engineers 625 B Street, Sulie 760 San Diego CA 92131

INICAL ELECTRICAL PLUMBING ENGINEER 19E Consulting Engineers 14150 Riverside Drive, Suite 201 Straman Coles, CA 91 423

Paking Dadga Associates 9548 Robin Avenue Townshin Velley, CA 82705

Fitewole Planning Solutions 302 N. El Cernino Real, Suite San Dumente, CA 92E72

LIGHTING DESIGN Lighting Design Alfener 2530 Timple Avenue Long Besch, CA 80008



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Floor Plan - Second Floor East Side





Mercado Del Barrio

SAN DIEGO, CALIFORNIA

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-INDECAPE ARCHITECT Spurfock Politier Landscape Architect 2122 Harkoock Steed Sain Diago, CA 921-33

STRUCTURAL ENGINEER DCI Engineeri 125 B Strok, Suta 750 Sen Disgo, CA 9210

NECHANICAL, ELECTRICAL, PLUVEING ENGINEER IBE Consulting Engineers 14130 Rivardide Crive, Suile 201 Sherman Cala, CASH23

PARKING DESIGN Parking Design Automation 9548 Robin Avanya Sourchain Valley, CA 92709

FIRE PROTECTION PLANNER Firecade Planning Solutions 202 N. El Caunto Real, Sulte 20 San Claurente, CA 92572

LigHining DE9KSK Lighting Dealen Atlance 2830 Tempie Avenue Long Baash, CA 20806







ATTACHMENT 15 Mercado Del Barrio

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ARCHITECT Safete Rabbres Architects 11D1 Washington Tiece San Diego, CA 621b3 (818) 237-6153

CIVIL ENGINEEA Project Dategn Concultante 701 p Streat, Stute 200 San Olego, CA 92101

ANDSCAPE ARCHITECT Spuriosk Politier Landscape Architek 2722 Hencosk Street Ban Dhugo, CA #2110

STRUKCTURAL ENGINEER DCI Engineers 525 B Sireet, Suite 750 San Diago, CA 92101

NECHANICAL, ELECTRICAL, PLUMBING ENGINES INE Consuling Engineers 14150 Rivertice Drive, Suite 201 Engineer Cally, CA 21423

PARKING DESKIN Parking Davign Associates 8548 Robin Awaya Exception College Ch 2012

FRE PROTECTION PLANNER Frankle Planning Solutions 2021 N. El Camino Ragi, Sube 20 San Clamente, CA 52572

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PARKINƏ DESIGN Parking Design Associana 8549 Rober Avenus Fountain Valiny, CA 92708

FIRE PROTECTION PLANNER Firesafs Plenning Solatons 302 N. El Carelno Raol, Sulla 22 San Clamento, CA 52572

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PARKING DESKON Parking Design Associates 8548 Robin Avenue Fountais Velley, CA 92708

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4/1/2010		

STRUCTURED PARKING PLANS -GROUND AND SECOND FLOORS











ATTACHMENT 15 Mercado **Del Barrio**

ETRUCTURAL ENGINEER DCI Engineers 625 B Street, Suite 750 San Diego, CA 82101

MECHANILOAL, ELECTRIDAL, PLyli IBE Consulting Engineers 14:30-Rivenskis Crive, Suits 201 Sherman Daku, DA S1423

PARIGNG DESIGN Paviling Design Amodates 9548 Robin Avenue Fountate Vielley, CA \$2708

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STRUCTURED PARKING -BUILDING SECTIONS



ALUMINUM STOREFRONT/CURTAINWALL SYSTEMS

PHOTOVOLTAIC PANELS / DOMESTIC HOT WATER SOLAR PANELS

ATTACHMENT 15

Mercado **Del Barrio**

SAN DEDC. CALIFORNIA

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LANDSCAPE ARCHITECT Sparkok Parter Landerspe 2122 Hancock Streat San Diego, CA 52110

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MECHANICAL ELECTRICAL PLUMDING ENDINEER IEE Consulting Engineers 14130 Riverside Drive, Skille 201 Shermen Dake, CA 91423

PARKING DESIGN Palking Design Associates 9548 Robin Palence Palentein Valley, CA 92708

FIRE PROTECTION PLANNE Firesele Planning Guldions 302 N. El Centro Reel, 644e 201 Ban Clamenta, CA 92072

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ATTACHMENT 15

Mercado **Del Barrio**

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CIV2, ENDINEER Project Design Consultants 701 S Broker, Suite 800 San Clago, GA 32101

LAHOSCAPE ARCHITECT Bputtok Polier Lawless 2122 Hancock Gazet Ber Olego, CA 52110

STRUCTURAL BASINEER OCI Erginnets 526 E. Street, Bulle 750 Ean Diego, CA 52101

MICHANICAL, ELECTRICAL, PLUMBING ENGINEER IBE Consuling Engineers 14130 Riveracle Drive, Suite 201 Enermen Coles, DA 91423

PARKING DESIGN Perlang Design Associates 3545 Robin Avenue Fountain Valley, CA \$2708

FIRE PROTECTION PLAN Presale Planning Solutions IKU N. B Carriero Real, Suite 201 San Charrente, CA 90572

LIGHTING DESIGN Uptong Design Alternas 2000 Yempin Avenue Long Basen, CA \$2001

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Mercado **Del Barrio**

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UNDECATE ARCHITECT Govidsk Polar: Lastace 2122 Heroscil Bitwer Ban Diegs, CA 92110

STRUCTURAL ENGINEER COI Engineers 635 B Street, Suite 750 Sen Diego, CA 92101

MDCHANICAL, ELECTRICAL, PLLMBING ENGINEER. BE Consuling Engineers 14130 Revenues Dime, Sube 201 Ellerman Oake, CA 81423

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PIRE PROTECTION PLANER Result Planning Scillons 302 N. El Carrino Real, Suite 201 Ban Clarierte, CA 00072

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STRUCTURAL CONCRETE FRAME / SLAB EDGE

PHOTOVOLTAIC PANELS / DOMESTIC HOT WATER SOLAR PANELS 11 OPTIONAL SIGNAGE, BANNER, LIGHTING

ATTACHMENT 15

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FIRE PROTECTION PLANNES Fressle Pterring Bastons 302 N. El Centro Red, Suite 201 San Clemente, CA 92072

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ATTACHMENT 15 Mercado **Del Barrio**

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LANDSCARE ARCHITECT Sparlock Paris: Lanco 2123 Hentool: Street San Diego, CA 92110

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FIRE PROTECTION PLANNE Fresate Planning Solutions 300 N. El Carring Real, Bute 20' Ban Chimente, CA 92672

LIGHTING DESIGN Lighting Design Allance 2630 Temple Avenue Long Beach, CA \$2508



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Mercado **Del Barrio**

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FRE PROTECTION FURNER Frees's Planning Solutions 303 N. & Camino Real, Suite 20 Bon Clemente, CA 93672

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Site Sections








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ATTACHMENT 15

Mercado **Del Barrio**

SAN DIEGO, CALIFORNIA

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ARCH/TECT Sahlie Rabines Architect 1101 Valshingson Pisca Barc Dego, CA 52103 (819) 237-0153

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LANDSCAPE ARCHITECT Routook Polise Landscep 2122 Henoock Steat Sen Diego, CA 92110

STRUCTURAL ENCINEER DCIEngineers 525 B Blivel, Suite 750 Ban Diago, CA 52101

MICHANICAL, ELECTRICAL, PLUMSING IDE Consulting Engineers 14130 Riversule Drize, Suiz 201 Eherman Oaks, CA 91425

PARKING DEBION Perking Design Associates SE48 Robin Avenue Pountain Velley, CA 92702

FIRE PROTECTION PLANNER Freede Planning Schooms 322 N. El Dumino Real, Suite 201 Sen Clamerte, CA 59872

LIGHTING DESIGN Lighting Design All ence 2800 Temple Avenue Long Seath, CA 31500



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Building Sections





Mercado Del Barrio

SAN DIESO, CALIFORNIA CLIENT Shea Mercado, LLC do Shea Properties 5990 Mesa Jon Road, Suite 220 San Dega, CA 92121

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CIVIL: EXGINEER Project Design Consuleria 701 Bistrett, Suite 800 Ben Diego, CA 92101

LANDBCAPE ARCHITECT Spuriock Polizir Landso 2122 Hender(Street San Diego, CA 52110

STRUCTURAL ENGINEER DCJ Engineere 525 B. Street, Stute 750 San Diege, CA 82101

VECHANICAL, ELECTRIZAL, PLIMBING ENCINEER IBE Consulting Engineers 14130 Rovenice Citos, subs 201 Sherman Calus, CA P1423

PARKING DESIGN Parking Design Associates 9548 Rabin Averue Foundah Valley, CA 82708

FIRE PROTECTION PLANNER Presate Flanning Bolipiots 302 N. El Camoro Real, Suda 3 San Clámante, CA 92572

LIGHTING CESSION Lighting Design Aliance 2820 Temple Arence Long Basely CA 90826



Enlarged Unit Plans





Unit 18 - Enlarged Plan



Drit 2A - Enlarged Plan





Unit 2D - Enlarged Plan
1/4" = 1'-0"

ATTACHMENT 15 Mercado **Del Barrio**

SAN DIEGO, CALIFORNIA

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CIVE SNORVEER Project Design Consultania 705 B Street, Suite 800 San Diego, CA 92101

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WECHANICAL, ELECTRICAL, PLIM LEE Committing Brgineers 19135 Riverskie Drive, Suffe 201 Shermen Cate, CA 91423

Parking Design Associates 6548 Rotin Avenue Fourveit Valley, CA 82708

FRE PROTECTION PLANNER Fiscals Flarming Bolucons 302 N. El Canno Real, Suite 201 San, Cierconio, CA 82572

LIGHTING DESIGN Lighting Design Allance 2890 Tanyale Averue Long Beach, CA 90926



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Enlarged Unit Plans













(2) Unit 3B - Enlarged Plan 1/4" = 11-0"

ATTACHMENT 15 Mercado Del Barrio

BAN DIEGO, CALIFORNIA

GLIENT Shea Alemado, LSC cito Shea Phopeitice 9993 Mara Rom Road, Suite 220 San Ciego, CA 92121 ARCHITECT Safeta Rabhine Archite 1101 Vashington Flaca Ser: Diego, CA 821 03 [819] 287-8153 Civil, ENGINEER Project Owign Consulta 701 El Simari, Suite 802 Sen Diega, CA 82101 LANDSCAPE ARCHITECT Spuriosk Polter Landes 2122 Hansodt Stret San Diege, CA 92110 STRUCTURAL ENGINEER OCI Engineer S20 B Street, Solie 750 San Diego, GA 52101 MECHANICAL, ELECTRICAL JECHANICAL, BLECTRICAL, PLUN ISE Consuling Engineers 14120 Riverside Drive Suite 201 Sherman Cales, CA 91428 PARKING DESIGN Partiting Device Associates \$649 Robin Avanue Fountain Valley, CA 82708 Firewark Plenning Solutions 302 N. El Carmina Fasal, Suita 2 San Clamente, CA E2572 LIGHTING DESIGN Lighting Design Alianes 2555 Temple Avanue Long Baach, GA 90826 REVISIONS
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s to not conflict with exterting utilities. Where existing utility abold be located to zvold conflicts as approved by the partment or their designers, minimum itsimination standards within public rights-of-way, fractor of Development Services Department or their	
JTILITIES INTEGRATION NOTES	6466 (40) <u>4/1/201</u> 694 (70) 694 (70) 694
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SO, CALIFORNIA

Mercado, LLC Nel Propertes Nela Rits Rost Nego, CA \$2121

LET a Rabines Architectr Nachington Place Nego, CA 82103 227-6153

NGINEER et Detign Consultanta 1 Street, Sutta 200 Xiago, CA 52101

CAPE ARCHITECT och Pokier Landscap Harvock Street Diego, CA 92:10

RAL ENGINEER Englineeto 3 Etmat, Bulla 750 Diago, CA 82101

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a DESKGN ng Denign Associates Robin Avenue nin Visiley, CA 92708

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ATTACHMENT 15

Mercado Del Barrio

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Special Meeting of the Barrio Logan Redevelopment Project Area Committee (PAC) (DRAFT) MINUTES

Wednesday, April 28, 2010 Barrio Station - 2175 Newton Avenue San Diego, CA. 92113

The members of the Barrio Logan Project Area Committee (PAC) held a special meeting at the above time and place.

The attendance of the committee members was as follows:

Present:	Rachael Ortiz, Chair	Marta Flores
	Glenna Schmidt, Vice-Chair	Walter Barrett
	Brad Bittner, Secretary	Armida Sainz-Ramirez
	Daniel Ortiz	Norene Riveroll
	Gerber Hernandez	Rudy Pimentel

PAC members not present: Elisa Medina (excused).

Staff present: Robert Chavez, Xavier Del Valle, and Michelle Muñoz (Redevelopment Agency), Elena Burton (District 8)

- I. CALL TO ORDER The meeting was called to order at 6:00 PM. A quorum was established.
- II. DISCUSSION ITEMS (Agenda item moved after Mercado del Barrio presentation)
 - A. <u>PAC Election</u>: staff informed PAC members that the annual Barrio Logan PAC Election will be held on May 19, 2010 at the Barrio Station Theater located at 2175 Newton Avenue. The polls will be open from 6:00 p.m. to 8:00 p.m. Seven (7) seats are up for election including the following categories: Business Owner (2 seats), Residential Tenant (2 seats), Owner Occupant (2 seats), and Community Organization (1 seat).
 - **B.** Community Enhancement Program: staff announced that the next community clean-up event is tentatively scheduled for May 22, 2010. Details to follow.
- III. ACTION ITEMS (Agenda item moved ahead of Discussion Items)

MERCADO DEL BARRIO PROJECT

Agency staff and the Shea/Chelsea development team presented the proposed Mercado del Barrio Project to be located at the Agency-owned site bounded by Cesar Chavez Parkway to the north the Coronado Bridge to the south, National Avenue to the east, and Main Street to the West. The Shea/Chelsea team presented site plans, conceptual drawings, and discussed the proposed land use entitlements and requested land use deviations for the Project. Generally, the Mercado shall include approximately 305,000 square feet of commercial space including a retail center anchored by a Latino-themed grocery store, 92 affordable apartment units, surface parking and parking structure, new public improvements, plaza areas, and various other amenities. Agency staff followed by presenting a summary of the Disposition and Development Agreements for the retail and affordable housing elements of the Mercado. The recommended public assistance includes the conveyance of all Agency-owned land at a nominal cost, and an estimated \$16 million in loans for the affordable housing component of the Project. Of this amount, it is recommended that the Agency contribute \$9 million, and that the San Diego Housing Commission contribute \$7 million. Also presented were the anticipated funding sources, public benefits, and the tentative schedule for the Mercado. Start of construction is estimated to commence in 2011, and be completed by 2012.

Member Rudy Pimentel motioned to recommend approval to the Redevelopment Agency of the City of San Diego (Agency) to enter into two Disposition and Development Agreements (DDAs) for implementation of the Mercado del Barrio Project (Mercado). The first DDA is between the Agency and Shea Mercado, LLC (Shea), which addresses the retail element of the Mercado. The second DDA is between the Agency and Mercado CIC, LP (Chelsea), which addresses residential element of the Mercado. Included in the motion was recommending approval of the land use entitlements, including all deviations for the Mercado. Member Glenna Schmidt seconded the motion. Members Brad Bittner and Armida Sainz-Ramirez abstained from the vote due to a potential conflict of interest (their properties are located in close proximity to the Project site). The PAC voted 8-0-2 in favor of the recommendation.

IV. INFORMATION/UPDATES - None

V. PUBLIC COMENT

- Joyce Summer with the Centre City Development Corporation (CCDC) provided the following updates:
 - Announced the recent passing of Sheila Hudson, a beloved long time employee of CCDC.
 - Agency consideration on June 22nd of the Quiet Zone program, which seeks to reduce loud rail noises and horns within the Downtown neighborhoods.
 - Announced the finalists for the Request for Proposal for a permanent intake center for homeless services. The two finalists are Father Joe's Villages and Path.
- Susy de la Peña, Community Relations Officer with the San Diego Police Department reported on recent crimes in the area for March 2010. The San Diego Police Department non-emergency number for reporting crime is (619) 531-2000.
- VI. ADJOURNMENT- The meeting was adjourned at 7:20 p.m.

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Project Title	, , , , , , , , , , , , , , , , , , , 		ect No. For City Use Only
Mercado del Barrio Project Address:			203874
Refer to attachment I	Exhibit A		
Depyty Part I - To be completed	d when property is held by Individuals	••••••••••••••••••••••••••••••••••••••	
above. will be filed with the below the owner(s) and ten who have an interest in the individuals who own the pro- from the Acceletant Executive Development Agreement (D Manager of any changes in the Project Manager at lease	tisclosure Statement, the owner(s) acknowledge City of San Diego on the subject property, y nant(s) (if applicable) of the above referenced property, recorded or otherwise, and state the operty). A signature is required of at least on e Director of the San Diego Redevelopment A DDA) has been appreved / executed, by the (ownership during the time the application is i st thirty days prior to any public hearing on delay in the hearing process.	ith the intent to record an encumbrance a property. The list must include the names type of property interest (e.g., tenants who of the property owners. Attach additiona gency shall be required for all project parc fity Council. Note: The applicant is respo- being processed or considered. Changes i	gainst the property. Please list and addresses of all persons will benefit from the permit, all I pages if needed. A signature els for which a Disposition and nsible for notifying the Project n ownership are to be given to occurate and current ownership
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Janice L. Weinrick, Deputy Executive Director			
	Lessee X Redevelopment Agency	Owner Tenant/Lessee [Redevelopment Agency
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Phone No:	Fax No: (619) 236-6703	Phone No:	Fax No:
(619) 236-6700 Signature:	Date: Feb 4, 2010	"Signature :	Date:
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Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities.

Project Title: Deputy Executive Director	Project No. (For City Use Only)
Part II - To be completed when property is held by a corporation	on or partnership
Legal Status (please check):	TAX 10 26-2974267
Corporation XLimited Liability -or- CGeneral) What State	P. Corporate Identification No. 200819010083
By signing the Ownership Disclosure Statement, the owner(s) acks as identified above, will be filed with the City of San Diego on the s the property Please list below the names, titles and addresses of otherwise, and state the type of property interest (e.g., tenants whe in a partnership who own the property). A signature is required of property. Attach additional pages if needed. Note: The applicant is ownership during the time the application is being processed or co Manager at least thirty days prior to any public hearing on the subj information could result in a delay in the hearing process. Addit	subject property with the intent to record an encumbrance against all persons who have an interest in the property, recorded or o will benefit from the permit, all corporate officers, and all partners if at least one of the corporate officers or partners who own the s responsible for notifying the Project Manager of any changes in ensidered. Changes in ownership are to be given to the Project lect property. Failure to provide accurate and current ownership donal pages attached Yes No
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Owner Tenant/Lessee	Cowner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:

OWNERSHIP DISCLOSURE STATEMENT ATTACHMENT

Mercado del Barrio-Project No. 203874

Shea Mercado, LLC, a California Limited Liability Company:

Shea Properties II, LLC a Delaware limited liability company, as the <u>sole member</u> of Shea Mercado, LLC, and Shea Properties Management Company, Inc., a Delaware corporation, as the <u>manager</u>.

Shea Mercado LLC does not have an executive committee or list of officers. Since Shea Properties II, LLC, is the sole member of Shea Mercado LLC, the executive committee and its members which are: Edmund Shea, John Shea, Peter Shea, Peter Shea, Jr. and Colm Macken.

DEVELOPMENT SERVICES DEPARTMENT PROJECT CHRONOLOGY MERCADO DEL BARRIO - PROJECT NO. 203874

Date	Action	Description	City Review Time (Working Days)	Applicant Response
3/9/10	First Submittal	Project Deemed Complete	-	-
3/24/10	First Assessment Letter		11 days	
4/1 /10	Second Submittal			5 days
4/14/10	Second Review Completed	All review issues resolved by Applicant; Addendum to EIR in process (minor revisions to studies and reports)	9 days	
4/28/10	PAC Meeting	Barrio Logan Project Area Committee (PAC) voted to approve		10 days
4/30/10	Finalize Addendum to EIR	Addendum No. 203874 to Environmental Impact Report (EIR) No. 90-0133/ SCH No. 90010287	2 days	
5/20/10	Public Hearing	First available date	22 days	
TOTAL S	TAFF TIME	(Does not include City Holidays or City Furlough)	44 days	
TOTAL A	APPLICANT TIME	(Does not include City Holidays or City Furlough)	rs or 15 days	
TOTAL P TIME	PROJECT RUNNING	From Deemed Complete to Hearing	59 working days (72 calendar days)	