



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: May 11, 2023 REPORT NO. PC-23-022

HEARING DATE: May 18, 2023

SUBJECT: RADY CHILDRENS HOSPITAL INTENSIVE CARE UNIT AND EMERGENCY SERVICES PAVILION, Process Four Decision

PROJECT NUMBER: [697308](#)

OWNER/APPLICANT: Rady Children's Hospital San Diego

SUMMARY

Issue: Should the Planning Commission approve the demolition of existing hospital facilities and the construction of a new seven-story, 486,000-square-foot Intensive Care Unit and Emergency Services Pavilion, a new 36,000-square-foot Central Utility Plant, and a new 33,500-square-foot Connector Building on the Rady Children's Hospital - San Diego (RCHSD) main campus located at 2929/3010/3020/3030/3065 Childrens Way, 8105 Birmingham Way, and 3101 Berger Avenue in the [Serra Mesa Community Planning Area](#)?

Proposed Actions:

1. ADOPT Addendum No. 697308 to the certified Acute Care Pavilion (ACP) Expansion Mitigated Negative Declaration No. 84791; and
2. APPROVE Conditional Use Permit (CUP) No. 2588798, Site Development Permit (SDP) No. 2588799, and Planned Development Permit (PDP) No. 2588800, amending Conditional Use Permit No. 268050, Site Development Permit No. 413591, and Planned Development Permit No. 268049.

Fiscal Considerations: Costs to process this project are paid entirely by applicant deposit.

Housing Impact Statement: This is not a residential project, and demolition does not impact existing housing units. No housing impact will result.

Community Planning Group Recommendation: On November 17, 2022, the Serra Mesa Planning Group voted 7-2 to recommend the project with no conditions.

Environmental Impact: An Addendum to Mitigated Negative Declaration (MND) No. 84791 was prepared in accordance with the California Environmental Quality Act (CEQA) Section 15162 and

15164. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project.

BACKGROUND

The 27.47-acre project site is zoned CO-1-2 and is located at 2929/3010/3020/3030/3065 Childrens Way, 8105 Birmingham Way, and 3101 Berger Avenue in the Serra Mesa Community Planning Area, which designates the site Institutional. More specifically, the Community Facilities Element and Employment Center Element identify the project site as the Serra Mesa Health - Institutional Complex consisting of specialized medical and custodial facilities serving the San Diego region.

Rady Children’s is a part of a larger medical complex bounded by Mesa College Drive to the north, Birmingham Way and Vista Hill Avenue to the south, State Route 163 to the west, and Interstate 805 to the east. Other medical facilities in the complex include Sharp Memorial Hospital, Sharp Mary Birch Hospital, and many associated medical office buildings and ancillary uses.

Project Chronology

1950s-1963	Various CUPs granting the original hospital use (lost to fire of 1955).
1963	CUP No. 5710 granted additional expansions amending prior CUPs.
1972	CUP No. 358/Amendment No. 3 granted hospital use expansion.
Sep 27, 1984	Planning Commission granted CUP Amendment 84-0476 for hospital and office use expansion.
Jun 5, 1986	Planning Commission granted CUP Amendment 86-0234 for hospital use expansion.
Aug 8, 1989	City Council granted CUP No 87-1096, requiring a Process 5 Resource Protection Ordinance Permit (now an SDP).
May 26, 1992	City Council granted CUP No 91-0137, allowing a helipad atop the hospital. This is a stand-alone CUP not requiring an amendment.
Dec 1, 2006	Planning Commission granted CUP Amendment No. 4741, SDP No. 4742, and PDP No. 267312, allowing parking garage expansion on hillside (now a Process 3 SDP).
Feb 15, 2007	Planning Commission granted CUP Amendment No. 268050, PDP No. 268049, and SDP No. 413591, and MHPA Boundary Line adjustment No. 414363, allowing the construction of the Emergency Generator.

Originally called the Children’s Hospital of San Diego, Rady Children’s Hospital has existed at this site since 1954 and has been remodeled and expanded several times. The most recent permit was issued in 2007, for a 272,274-square-foot expansion to the existing hospital and associated work, including a generator facility. The current project is an amendment to Conditional Use Permit No.

268050, Site Development Permit No. 413591, and Planned Development Permit No. 268049 (Attachment 7).

DISCUSSION

Project Description:

The proposed project will demolish several existing hospital buildings and construct a new seven-story, 486,000-square-foot facility including a new Intensive Care Unit (ICU), a new Emergency Services Pavilion (ESP), a new 36,000-square-foot utility plant, and a new 35,000-square-foot “Connector Building”. An existing helipad will also be relocated onsite. In addition, the applicant will replace 700 feet of a public sewer line that crosses the property. The applicant may enter into a Reimbursement Agreement with the City for the replacement of the 700 feet of the public sewer line. The Reimbursement Agreement, however, is a separate process and is not a land use approval, so is not before the Planning Commission at this time.

The Hospital is also subject to additional reviews and approvals outside of the City’s process. This includes reviews and approvals by the Department of Health Care Access and Information (HCAI). HCAI is responsible for “the development of administrative regulations and building standards for the construction of hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers in California”. In addition, the Hospital will also be working with the California Public Utilities Commission (CPUC) and SDG&E on the relocation and/or removal of both overhead and underground utility lines that cross the site.

The project requires the following permits, which are consolidated for a Process Four Planning Commission Decision per San Diego Municipal Code (SDMC) [112.0103](#), and which are discussed in greater detail further below:

Permit	Required for	Process Level
Conditional Use Permit (CUP)	A hospital in the CO-1-2 zone.	Process Four (Planning Commission Decision)
Site Development Permit (SDP)	Development on a site containing environmentally sensitive lands (ESL).	Process Three (Hearing Officer Decision)
Planned Development Permit (PDP)	Development that does not comply with certain requirements of the CO-1-2 zone, Fence Regulations and Sign Regulations.	Process Four (Planning Commission Decision)

Conditional Use Permit (CUP):

SDMC [131.0522](#), Table 131-05B, and SDMC [126.0303\(c\)](#) require a CUP for a hospital in the CO-1-2 zone. The existing Rady Children’s Hospital has occupied the site for approximately 70 years, providing inpatient and emergency services for children throughout the region. The hospital has recently identified the need to upgrade and expand its services to meet the needs of the community. This will require amending the existing CUP No. 268050 approved by Resolution No. 4225-PC on February 15, 2007.

High demand services, including the emergency department and intensive care units, would be consolidated into new facilities. A new central utility plant would replace an aging utility plant and utility infrastructure would be added that would enhance the hospital's ability to provide emergency services following a major seismic event. Portions of the hospital that do not meet the seismic requirements of Senate Bill (SB) 1953, which come into effect in 2030, would be demolished to make room for the new buildings.

The proposed project will amend the facility's existing CUP to provide for the following development:

1. Demolition and alteration of approximately 76,450 square feet of existing buildings, to include portions of the Nelson Pavilion, a warehouse and labs, stairs, a parking lot, and two covered walkways.
2. Construction of a new, seven-story, 486,000-square-foot Intensive Care Unit (ICU) and Emergency Services Pavilion (ESP) at the southwest corner of the intersection of Frost Street and Children's Way. The ICU/ESP would be a hospital in-patient building with several ICU functions, a replacement emergency department, and an additional lobby. The ICU/ESP would contain 140 beds including 126 beds relocated from elsewhere on the RCHSD campus and 14 new beds.

The pavilion building would also contain shell space for the future relocation of the radiology department, for the future relocation of the campus kitchen, and for future ICU functions. The project includes the relocation of an existing helistop on the roof of the ICU/ESP building to retain the required adjacency to the emergency department and the ICUs. This helistop was previously permitted under a separate Conditional Use Permit, CUP No. 91-0137 approved by Resolution No. R-280016 on May 26, 1992. The new location will meet all the existing conditions of that permit; thus, it is in substantial conformance to that permit, which is not being modified by this project.

3. Construction of a "Campus Connector" building, a new 33,500-square-foot, three-story pedestrian connector in the center of the campus for patients, public, staff, and service flow across the site. It would connect to the Rose Pavilion to the south, the new ICU/ESP to the north, and to the Hahn Pavilion along its length.
4. Replacement of the Existing Central Utility Plant with a New Central Utility Plant south of the Nelson Pavilion. It would be a 36,000-square-foot five-level replacement building for utility plant infrastructure currently located at several locations within the Hahn Pavilion. The new plant would provide emergency electrical power, and heating water and chilled water to the new ICU/ESP, the existing Acute Care Pavilion (ACP), and Rose Pavilion and Hahn/Nelson Pavilions. It would also provide steam to the existing buildings. The building would be planned for expansion to increase capacity for future campus development. Two underground diesel fuel tanks with a combined capacity of up to 60,000 gallons for the emergency generators and heating boilers (providing a 96-hour emergency fuel supply) would be installed adjacent to the building. The CUP would include a 245,000-gallon domestic water tank to provide a 72-hour emergency water supply. The new plant's central

mechanical systems would include a heat recovery chiller, water-cooled chilled water system (chillers and cooling towers), condenser water filtration, hot water boilers for condensing-type heating, hot water boilers for non-condensing heating, air handling units for a modular steam system, fan coil units, and associated auxiliaries (pumps, tanks, etc.).

5. New site driveways, accessways, sidewalks, landscaping, and associated utility work.

Site Development Permit (SDP)

The prior project (CUP 268050, SDP 413591, and PDP 268049) allowed the construction of an emergency generator in environmentally sensitive lands, requiring an SDP per SDMC [126.0502\(d\)](#). Additionally, a Multi-Habitat Planning Area (MHPA) Boundary Line Adjustment was required to mitigate MHPA encroachment by the construction of the emergency generator facility. The current project does not propose additional encroachment into environmentally sensitive lands; however, in accordance with SDMC Section [126.0502\(a\)\(1\)\(B\)](#), development on lots greater than 15,000 square feet that contain sensitive biological resources or steep hillside, requires a SDP. Since there is an existing SDP, this SDP will amend the existing SDP.

Planned Development Permit (PDP)

The purpose of a PDP is to establish a review process for development that allows an applicant to request greater flexibility from the strict application of the regulations than would be allowed through a deviation process. The intent is, in part, to create a project that is preferable to what would be achieved through strict conformance with the regulations. The previous PDP No. 268049, approved by Resolution No. 4225-PC on February 15, 2007, needs to be amended to allow for deviations as further described below.

SDMC [126.0602\(b\)\(1\)](#) allows a PDP for the purpose of creating development that does not comply with all applicable development regulations, subject to the findings contained in SDMC [126.0604](#). Therefore, the project is requesting a PDP for the following reasons, which are further described in Attachment 6, Draft Resolution, PDP Finding B.2:

Deviation	Requirement	Project Proposes
Allowable CO-1-2 zone building height	60 feet	93 feet at the utility plant 175 feet at the ICU/ESP building
Front setback	10 feet on Frost Street	3.5 feet on Frost Street
Front Yard Retaining Wall Height	3 feet	14 feet
Side Yard Retaining Wall Height	9 feet	11 feet
Retaining wall guardrail	Open fence	Solid railing
Primary sign area	200 square feet	500 square feet
Secondary signage	12 square feet, three signs	50 square feet, four signs
Sign height	8 feet	10 feet

Window sign logo height	6 inches x 16 inches	10 inches by 18 inches
-------------------------	----------------------	------------------------

Together, these PDP requests are preferable to what would be achieved through strict conformance with the regulations because they facilitate a larger building with enhanced site access, allowing expanded hospital services to remain at a centralized location within the community. The requests for an increase in the number of signs, sign area, and sign height allow for enhanced visibility and wayfinding to and within the facility. The deviations are in context of the proposed development and surrounding hospital use.

Community Plan Analysis:

The Serra Mesa Community Plan designates the 27.47-acres project site as Institutional. More specifically, the Community Facilities Element and Employment Center Element of the community plan identifies the project site as the Serra Mesa Health – Institutional Complex consisting of specialized medical and custodial facilities that serve the San Diego region. The Employment Center Elements also acknowledges that over time these medical complexes will need to cope with new requirements for growth and will bring forward proposals for improvements and that they should be accommodated since these uses are major activity centers providing substantial public service and provide economic and employment in the community and to the City of San Diego. As proposed, and with the allowable deviations discussed above, the proposal for a new Intensive Care Unit (ICU)/Emergency Services Pavilion would be consistent with the existing land use designation.

The project will implement General Plan Urban Design Element policies UD-A5(e) and UD-A6 which discourages the appearance of blank walls and encourages building designs that contribute to a positive neighborhood character and create building frontages with architectural and landscape interest by including a retaining wall design along Frost Street that would be broken up with metal railings, 4-foot-tall planters, and street trees. The retaining wall will also transition with the wall portion of the overhang in the ICU pavilion to which the street facing elevation would be varying building materials and textures including terracotta veneer, perforated metal panels, and mosaic tiles to minimize visual impact and enhance the pedestrian experience. Additionally, the project will meet the policy in the Environmental Management Element of the Serra Mesa Community Plan for the Physical Environment - Urban Design and General Plan Urban Design Element policy UD-C.7(d) for installing street trees and landscaping for improving visual appearance and walkability, by providing 12 trees along Frost Street consisting of 36-inch box Cedar Elm trees and 10 trees along Children’s Way consisting of Brisbane Box trees.

Environmental Analysis:

Mitigated Negative Declaration (MND) No. 84791, adopted by Planning Commission Resolution No. 4225-PC was prepared for a new, 272,274-square-foot, five-level building addition to the existing hospital. The MND identified five potentially significant issue areas, which were analyzed in detail, with mitigation ultimately identified for Biology, Land Use, Noise, Paleontological Resources, and Transportation/ Circulation.

The analysis in the Addendum for the current project evaluated the adequacy of the adopted MND

relative to the project and documents that the proposed modifications and/or refinements of the project would not cause new or more severe significant impacts than those identified in the previously adopted environmental document. Overall, the project would result in impacts to land use, biological resources, and paleontological resources. Therefore, a Mitigation Monitoring Reporting Program, as detailed within Section VIII of the Addendum, would be implemented to ensure potential impacts on land use, biological resources, and paleontological resources are reduced to below a level of significance.

Environmental review of the current project concluded that no changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the current project. Therefore, an Addendum has been prepared in accordance with Section 15164 and 15162 of the CEQA State Guidelines.

Conclusion:

All issues raised during review of the project have been addressed, and staff has prepared draft findings in the affirmative to support the project. Staff recommends that the Planning Commission APPROVE Amendment to Conditional Use Permit (CUP) No. 2588798, Site Development Permit (SDP) No. 2588799, and Planned Development Permit (PDP) No. 2588800 for the Rady Childrens Hospital ICU and Emergency Services Pavilion project.

ALTERNATIVES

1. Approve Conditional Use Permit (CUP) No. 2588798, Site Development Permit (SDP) No. 2588799, and Planned Development Permit (PDP) No. 2588800 amending Conditional Use Permit No. 268050, Site Development Permit No. 413591, and Planned Development Permit No. 268049, with modifications.
2. Deny Conditional Use Permit (CUP) No. 2588798, Site Development Permit (SDP) No. 2588799, and Planned Development Permit (PDP) No. 2588800., if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Renee Mezo
Assistant Deputy Director
Development Services Department



Martha Blake
Development Project Manager
Development Services Department

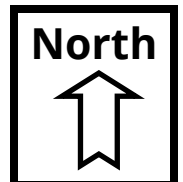
Attachments:

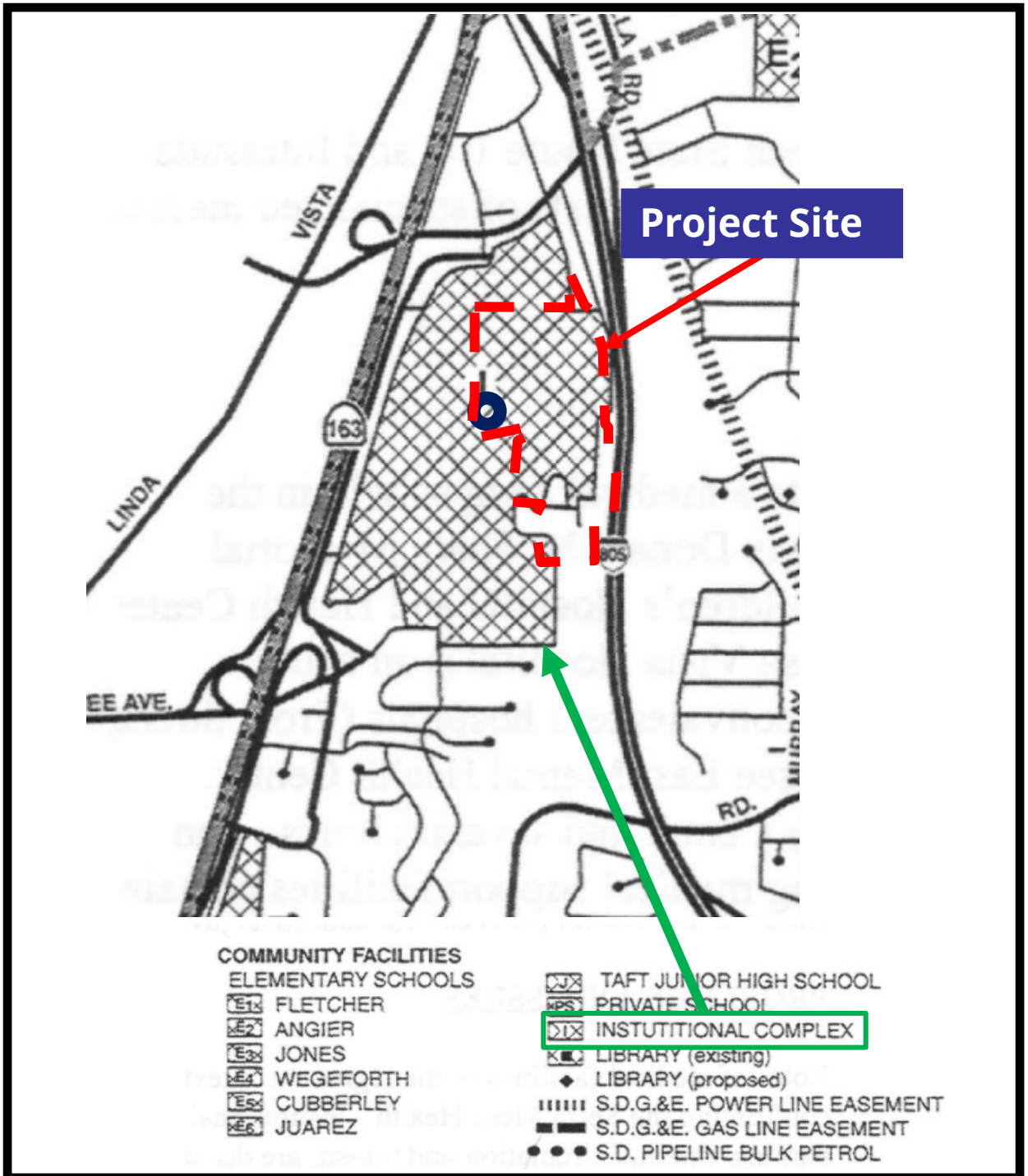
1. Aerial Photographs
2. Community Plan Land Use Map
3. Draft Permit with Conditions
4. Draft Permit Resolution with Findings
5. Draft Environmental Resolution with MMRP
6. Ownership Disclosure Statement
7. Existing Conditional Use Permit No. 268050, Site Development Permit No. 413591, and Planned Development Permit No. 268049
8. Community Planning Group Recommendation
9. Project Plans



Project Location

Rady Children's Hospital, Project No. 697308
2929-3065 Children's Way





PLANNING COMMISSION
RESOLUTION NO. [REDACTED] - PC
CONDITIONAL USE PERMIT NO. 2588798, SITE DEVELOPMENT PERMIT NO. 2588799,
AND PLANNED DEVELOPMENT PERMIT (PDP) NO. 2588800
**RADY CHILDRENS HOSPITAL INTENSIVE CARE UNIT AND
EMERGENCY SERVICES PAVILION - PROJECT NO. 697308 (MMRP)**
(AMENDMENT TO CONDITIONAL USE PERMIT NO. 268050, SITE DEVELOPMENT PERMIT NO. 413591,
AND PLANNED DEVELOPMENT PERMIT NO. 268049)

WHEREAS, RADY CHILDRENS HOSPITAL – SAN DIEGO, a California non-profit benefit corporation (also referred to herein as “Rady Children’s Hospital” and “RCHSD”), Owner/Permittee, filed an application with the City of San Diego for a permit to construct a new intensive care unit and emergency services pavilion, connector building, and central utility plant (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 2588798, 2588799, and 2588800, Amendments to Conditional Use Permit No. 268050, Site Development Permit No. 413591 and Planned Development Permit No. 268049 and referred to as “project” hereon), on portions of a 27.47-acre site;

WHEREAS, the project site is located at 2929/3010/3020/3030/3065 Childrens Way, 8105 Birmingham Way, and 3101 Berger Avenue in the CO-1-2 Zone within the Serra Mesa Community Plan area. Overlays include: the Airport Land Use Compatibility Overlay (Montgomery Field), Airport Influence Area (Montgomery Field- Review Area 2), FAA Part 77 Noticing Area, and the Sustainable Development Area (SDA);

WHEREAS, the project site is legally described as: Lots 1, 2, 3, 4, and 5 of Children’s Hospital and Health Center, in the City of San Diego, County of San Diego, State of California, According to Map No. 12901, Filed in the Office of the County Recorder of San Diego County, December 11, 1991 (LED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 11, 1991. (APN# 427-530-1300, 427-530-0800, 427-530-1000, 427-530-1100); Portions of Pueblo Lots 1199 and 1200 of the Pueblo Lands of San Diego According to Map Thereof made by James Pascoe in May

1870, a copy of which is on file in the Office of the County Recorder of San Diego County known as Miscellaneous Map No. 36, as conveyed to the State of California in deeds recorded on August 21, 1697, as Files Nos. 125559 and 125561 and on March 22, 1963 as File No. 49531 all in the Office of the County Recorder of San Diego (APN# 427-530-1600); and a Portion of Parcel "A", designated "NOT A BUILDING SITE", San Diego Medical Center Resubdivision, According to Map Thereof No. 5546, filed in the Office of the County Recorder of San Diego County, March 25, 1965 (APN# 427-081-0800);

WHEREAS, in 1963, the Planning Commission of the City of San Diego granted Conditional Use Permit No. 5710 to Children's Hospital and Health Center (now known as Rady Children's Hospital of San Diego);

WHEREAS, the subject permits have been subsequently amended in 1972 as Conditional Use Permit No. 358, in 1984 as Conditional Use Permit No. 84-0476; and in 2007 as Conditional Use Permit No. 268050, Site Development Permit No. 413591, and Planned Development Permit No. 268049;

WHEREAS, on May 18, 2023, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 2588798, Site Development Permit No. 2588799, and Planned Development Permit No. 2588800, amending Conditional Use Permit No. 268050, Site Development Permit No. 413591, and Planned Development Permit No. 268049 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2588798, Site Development Permit No. 2588799, and Planned Development Permit No. 2588800:

A. CONDITIONAL USE PERMIT FINDINGS [SDMC Section 126.0305]

- 1. The proposed development will not adversely affect the applicable land use plan.**
The Rady Children's Hospital's Intensive Care Unit and Emergency Services Pavilion (ICU/ESP) project proposes an expansion of the previously approved pediatric healthcare

and trauma center. The project will demolish portions of existing hospital facilities and construct a new seven-story, 486,000-square-foot facility, including an intensive care unit and emergency services pavilion, a new 36,000-square-foot utility plant, and a new 35,000-square-foot Connector Building within the Rady Children's Hospital–San Diego main campus located at 2929/3010/3020/3030/3065 Childrens Way, 8105 Birmingham Way, and 3101 Berger Avenue in the Serra Mesa Community Planning area (SMCP). An existing helipad, necessary for the ICU/ESP, will be relocated adjacent to the ICU/ESP.

SDMC 131.0522, Table 131-05B, and SDMC 126.0303(c) require a CUP for hospital use in the CO-1-2 zone. The proposed project will amend the facility's existing CUP to provide for the following development:

1. Demolition and alteration of approximately 76,450 square feet of existing buildings.
2. Construction of a new, seven-story, 486,000-square-foot Intensive Care Unit (ICU) and Emergency Services Pavilion (ESP) at the southwest corner of the intersection of Frost Street and Children's Way. The ICU/ESP would be a hospital in-patient building with several ICU functions and a replacement emergency department. The ICU/ESP would contain 140 beds including 126 beds relocated from elsewhere on the RCHSD campus and 14 new beds.

The pavilion building would also contain shell space for the future ICU functions. The project includes the relocation of an existing helipad on the roof of the ICU/ESP building to retain the required adjacency to the emergency department and the ICUs. This helipad was previously permitted under a separate Conditional Use Permit, CUP No. 91-0137 approved by Resolution No. R-280016 on May 26, 1992.

3. Construction of a "Campus Connector" building, a new 33,500-square-foot, three-story pedestrian connector in the center of the campus for patients, public, staff, and service flow across the site.
4. Replacement of the Existing Central Utility Plant with a New Central Utility Plant south of the Nelson Pavilion. It would be a 36,000-square-foot five-level replacement building for utility plant infrastructure currently located at several locations on site. The new plant would provide emergency electrical power, and heating water and chilled water to the new ICU/ESP, the existing Acute Care Pavilion (ACP), and Rose Pavilion and Hahn/Nelson Pavilions. It would also provide steam to the existing buildings.

Two underground diesel fuel tanks with a combined capacity of up to 60,000 gallons for the emergency generators and heating boilers (providing a 96-hour emergency fuel supply) would be installed adjacent to the building. The CUP would include a 245,000-gallon domestic water tank to provide a 72-hour emergency water supply. The new plant's central mechanical systems would include a heat recovery chiller, water-cooled chilled water system (chillers and cooling towers), condenser water filtration, hot water boilers for condensing-type heating, hot water boilers for non-condensing heating, air handling units for a modular steam system, fan coil units,

and associated auxiliaries (pumps, tanks, etc.).

5. New site driveways, accessways, sidewalks, landscaping, and associated utility work.

The prior project (Project No. 84791 CUP No.268050, SDP No. 413591, and PDP No. 268049) permitted development of an emergency generator in environmentally sensitive lands, requiring an SDP per SDMC 126.0502(d). Additionally, a Multi-Habitat Planning Area (MHPA) Boundary Line Adjustment was required to mitigate MHPA encroachment by the construction of the emergency generator facility. The current project does not propose additional encroachment into environmentally sensitive lands; however, in accordance with SDMC Section 126.0502(a)(1)(B), development on lots greater than 15,000 square feet that contain sensitive biological resources or steep hillside, requires a SDP. Since there is an existing SDP, this SDP will amend the existing SDP. See SDP findings below.

The previous PDP No. 268049, approved by Resolution No. 4225-PC on February 15, 2007, needs to be amended to allow for additional deviations as further described within the PDP findings below.

The Serra Mesa Community Plan designates the 27.47-acre project site as Institutional. More specifically, the Community Facilities Element and Employment Center Element of the community plan identifies the project site as the Serra Mesa Health-Institutional Complex, a 127-acre health-institutional complex area located between the SR-163 and I-805, consisting of specialized medical and custodial facilities that serve the San Diego region, including Sharp Memorial Hospital, Mary Birch Hospital for Women and Infants, and Rady Children's Hospital-San Diego (in operation since 1954).

The Employment Center Elements also acknowledges that over time these medical complexes will need to cope with new requirements for growth and will bring forward proposals for improvements and that they should be accommodated since these uses are major activity centers that provide substantial public service and provide economic and employment in the community and to the City of San Diego. As proposed, the proposal for a new Intensive Care Unit and Emergency Services Pavilion (ICU/ESP) would be consistent with the existing land use designation.

The project will implement General Plan Urban Design Element policies UD-A5(e) and UD-A6 which discourages the appearance of blank walls and encourages building designs that contribute to a positive neighborhood character and create building frontages with architectural and landscape interest by including a retaining wall design along Frost Street that would be broken up with metal railings, four-foot-tall planters, and street trees. The retaining wall will also transition with the wall portion of the overhang in the ICU pavilion to which the street-facing elevation would be varying building materials and textures including terracotta veneer, perforated metal panels, and mosaic tiles to minimize visual impact and enhance the pedestrian experience. Additionally, the project will meet policies in the Environmental Management Element of the Serra Mesa Community Plan and General Plan Urban Design Element policy UD-C.7(d) for installing street trees and landscaping for improving visual appearance and

walkability, by providing 12 trees along Frost Street consisting of 36-inch box Bosque Elm trees and 10 trees along Children's Way consisting of Brisbane Box trees.

The SMCP also indicates that, over time, as the hospital complex copes with new requirements and growth, that new proposals for improvements should be accommodated and hospital uses are a major activity center with substantial public services, and they provide significant economic and employment opportunities. The ICU project aims to expand the Rady Children's Hospital to meet those new requirements and growth. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The discretionary permit controlling the development and continued use of this site contains specific regulatory conditions of approval. These conditions require upgrading the existing public pathways throughout the project with current City-standard, accessible pathways, including easements dedications, construction of curb, gutter and sidewalks, and planting of street trees. Where retaining walls exceed the maximum allowed height through a deviation, hanging vines and other landscaping will provide a visual relief of the wall-effect from the right-of-way. A pedestrian resting area along Children's Way and six (6) on-site passenger loading zones will be identified through large, visible signage, allowing safe places for the public to navigate and utilize these expanded facilities, especially during an emergency.

Public and private water, fire, and sewer services will be upgraded to current standards, and prior mitigation measures approved for the utility plant will be implemented during the construction of these utilities along the southern portion of the site adjacent to MHPA lands (See SDP Findings below).

Additionally, the Utility Plant located at the southern portion of the project, adjacent to MHPA Lands, will be built vertically to avoid expanding the building's footprint further into Environmentally Sensitive Lands.

These conditions, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate and/or prevent all adverse impacts to the public and community at large. The proposed improvements to the existing Rady Children's Hospital improve and expand upon the capabilities and services associated with the hospital. Rady Children's Hospital is the only hospital in the San Diego area that is dedicated exclusively to pediatric health care, and it is the only designated pediatric trauma center in the region. The hospital is the region's teaching hospital for the next generation of pediatric physicians. The proposed improvements will allow the hospital to continue contributing positively to the public health, safety, and welfare through the provision of a wide range of pediatric healthcare services to the City of San Diego, San Diego County, and southern Riverside County.

Construction of the project authorized through this Conditional Use Permit and

subsequent permits will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

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

The ICU project site is in the CO-1-2 Zone, which allows the proposed development use through approval of a Conditional Use Permit (CUP) pursuant to SDMC Table 131-05b.

The permits for the project include various conditions and corresponding exhibits of approval relevant to achieving compliance with the SDMC relative to parking, signage, lighting, security measures, hours of operation, and site maintenance. As part of this development, a Planned Development Permit allows deviations to height, setbacks, retaining wall heights, and signage pursuant to the Land Development Code, and those findings, below, are incorporated by this reference. Therefore, the proposed development will comply with the regulations of the Land Development Code.

4. The proposed use is appropriate at the proposed location.

The SMCP designates the ICU project site as part of the Serra Mesa Health – Institutional Complex, which is a 127-acre health-institutional complex area located between the SR-163 and I-805. Many existing region-wide serving healthcare uses in this complex include Sharp Memorial Hospital, Sharp Mary Birch Hospital for Women and Infants, and Rady Children's Hospital San Diego (in operation since 1954).

The ICU/ESP project is unique in the San Diego Region, which expands the capabilities and services associated with the pediatric hospital. Rady Children's Hospital is the only hospital in the San Diego area that is dedicated exclusively to pediatric healthcare. It is the region's only designated pediatric trauma center, and it is also the region's teaching hospital for the next generation of pediatric physicians. The proposed improvements will allow the hospital to continue contributing positively through the provision of a wide range of pediatric healthcare services to the City of San Diego, San Diego County, and southern Riverside County. Therefore, the proposed use is appropriate at the proposed location.

B. PLANNED DEVELOPMENT PERMIT FINDINGS [SDMC Section 126.0605]

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

The ICU/ESP project proposes an expansion of the previously approved pediatric healthcare and trauma center. The project site is within the SMCP's Serra Mesa Health – Industrial Complex community plan designation and findings A.1. through A.4. are incorporated by this reference.

While the project site is located within the CO-1-2 Zone, there are several unique operational requirements of the ICU/ESP that require deviations to the regulations. The most important of these would be height, as the need to relocate the helipad closer to the ICU/ESP necessitates height deviations required for the project. The previous project approved a height of 105 feet, and the proposed project anticipates a need for 140 feet for most of the structure, with a 175-foot maximum height at the penthouse for the helipad. The SCMP anticipated these changes within the community plan, as it recommends fostering a coordinated development expansion of the Health-Industrial Complex serving the region. There are several buildings within the overall healthcare campus that exceed various regulations due to the nature of this unique location within the region and the operational requirements of each use. Sharp Memorial Hospital (117 feet height), Children's Medical Office Building (66 feet height), Rose Pavilion (88 feet height, including clock tower) are existing major uses and all exceed various regulations in order to achieve the Serra Mesa's goals to foster coordinated development as a regional human care facility. Together, the specific deviation requests identified in finding B.3. are preferable to what would be achieved through strict conformance with the regulations because they facilitate a larger building with enhanced site access, allowing expanded pediatric hospital services to remain at a centralized location within the community. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

Finding A.2. is incorporated by reference. The proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that 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, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

The ICU/ESP project site is a unique project setting as identified within findings A.1. through A.4, which are incorporated by reference. There are numerous buildings within the overall Serra Mesa Health – Institutional Complex that exceed the allowable regulations due to the nature of this unique location within the region, the requirements of each use, and how it was anticipated within the SMCP. Sharp Hospital (117 feet height), Children's Medical Office Building (66 feet height), Rose Pavilion (88 feet height, including clock tower) all exceed various regulations in order to foster coordinated development of the Serra Mesa Health-Institutional Complex as a regional human care facility.

The following table identifies the deviations proposed for the ICU/ESP project:

Regulation	Requirement	Project Proposes
Allowable CO-1-2 zone building height	60 feet	93 feet at the utility plant, and 175 feet at the ICU/ESP building to accommodate the helipad relocation.
Front setback	10 feet on Frost Street	3.5 feet on Frost Street
Front Yard Retaining Wall Height	3 feet	14 feet
Side Yard Retaining Wall Height	9 feet	11 feet
Retaining wall guardrail	Open fence	Solid railing
Primary sign area	200 square feet	550 square feet
Secondary signage	12 square feet, three signs	50 square feet, four signs
Sign height	8 feet	10 feet
Window sign logo height	6 inches x 16 inches	10 inches by 18 inches

The Central Utility Plant building is proposed to be approximately 93 feet tall. This additional building height deviation is necessary to avoid expanding the building's footprint into environmentally sensitive lands and helps facilitate the continued provision of high-quality and intensive pediatric health care. This height deviation is for a building removed from residential uses and its location amidst other similar and taller structures reduces the impacts from the added building height. The utility plant will consolidate all other utility infrastructure around the campus to this site, while future proofing the various uses it serves and that the ICU/ESP can anticipate. The site constraints were previously approved through the prior SDP and MHPA Boundary line Adjustment, which provided for greater biological benefits to the City's MSCP Plan. Existing mitigations will remain in effect as provided in the prior Mitigation Monitoring and Reporting Program, and the changes as a result of the proposed ICU/ESP project are reflected within the Addendum to MND No. 84791.

The Intensive Care Unit (ICU) building is proposed to be approximately 175 feet tall for a portion of the structure. Approximately 35 feet of this height deviation is a rooftop penthouse to support the rooftop helicopter area. The helicopter ingress and egress are vital functions associated with pediatric healthcare services and must be located at the Emergency Department. The building massing has been stepped back and modulated to reduce impacts associated with the increased building height. There are numerous buildings within the overall healthcare campus that exceed the allowable building height. The proposed building height is consistent with the previously approved building height deviations granted to both this project (previously 105 feet) and other adjacent buildings in the healthcare campus. This height deviation is for a building far removed from residential uses and its location amidst other similar structures reduces the impacts

from the added building height.

The underlying zone requires a minimum front yard setback of ten feet. The proposed northeast corner of the ICU Pavilion encroaches into the setback in two places (2' 7" and 6' 4"). These areas of encroachment are necessary since the building provides pediatric inpatient and emergency care in these two areas and because of the slope of the existing street. The project needs to comply with the ADA for access. The majority of the front yard minimum setback is complied with or exceeded substantially; as such, there are no negative impacts associated with this deviation.

The retaining wall along the Frost Street frontage will be increased to 14 feet with a 42" solid guardrail. The increased retaining wall height is appropriate at this location as it supports the vehicular drop-off for the emergency department that is located along the steeply sloping section of Frost Street. The wall varies from 0 feet to 14 feet with an average height of 6.5 feet. To reduce the visual impact of the increased wall height, the wall will be planted with cascading vines or plants. The solid guardrail is important at this location as it provides both vehicular safety and pedestrian fall protections. The increased wall height will allow Rady Children's Hospital to provide a safe and secure environment for the Emergency Department.

Allow an increased retaining wall height in the side yard (western property line) where nine feet is the maximum. This retaining wall height increase is appropriate as it supports a new fire lane that provides access currently beyond hose reach to both hospital properties. The wall will incorporate a solid guardrail; this is important at this location as it provides both vehicular safety and pedestrian fall protections. There is insufficient room at this location to provide a fully compliant wall height and the fire lane. This additional wall height (maximum 11 feet plus guardrail) creates no visual impacts as it only exceeds the nine-foot dimension at its tallest point and is located in utilitarian corridor.

The project proposes 550 square feet of 'primary sign' area where 200 square feet is allowed and proposes 50 square feet of 'secondary sign' area with 4 signs where 12 square feet and 3 signs are allowed. Due to the nature of the wide range of pediatric healthcare services provided by Rady Children's Hospital, the proposed signage is appropriate since the signage needs to be clear and easy for all to understand (especially for wayfinding in emergency situations). Signage associated with the Emergency Department is important and needs to be very clear. The Emergency Department signage contributes to the need for this deviation.

Allow one proposed driveway along Frost Street that is located closer to the property line than three feet. This distance (two feet from the property line) is appropriate for the project as Rady Children's Hospital has coordinated with the adjacent property owner (Sharp Memorial) to implement a smooth sidewalk transition between the two

properties and provide a safe curb transition for pedestrians that is acceptable to the City Engineer.

Therefore, the proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that 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, and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.

C. SITE DEVELOPMENT PERMIT FINDINGS [SDMC Section 126.0505]

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

Findings A.1 and B.1 are incorporated by reference. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

Finding A.2. is incorporated by reference. The proposed development will not be detrimental to the public health, safety, and welfare.

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

Finding A.3. and B.3. are incorporated by reference. The proposed development will comply with the regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

SUPPLEMENTAL FINDINGS – ENVIRONMENTALLY SENSITIVE LANDS [SDMC Section 126.0505(b)]

4. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

The site is physically suitable for the design and siting of the proposed development. The development proposed is within developed and previously disturbed areas, and no expansion of the RCHSD campus will impact any of the on-site or adjacent environmentally sensitive lands (ESL). In addition, the proposed expansion will include vertical elements, to avoid impacts to adjacent MHPA lands (see PDP Findings above). The addendum geotechnical investigation, prepared by Group Delta Consultants, has been reviewed by City staff and determined to adequately address the soil and geologic conditions potentially affecting the project. In addition, the project has been conditioned to require adherence to MHPA adjacency guidelines during construction. Therefore, the site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

5. The proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The Project is located on a developed site that is relatively flat with the exception of the eastern portions of the property. The site and the surrounding area has been graded for both this hospital site and the surrounding development. As the site is developed, no alterations to natural landforms would result from this project.

The site is not located in a flood plain. Erosional forces will be constrained or eliminated during construction by following the Landscape Standards and outlined in the City of San Diego's Land Development Manual. A Storm Water Management Plan to treat runoff from the site will ensure treatment of all stormwater runoff from the site during and after construction. Therefore, the proposed development will minimize the alteration of the natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

6. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The Project does not propose any work within or immediately adjacent to the MHPA. Portions of the project entail installation of underground utilities on the southern portion of the RCHSD campus, which are within 500 feet of the MHPA. The proximity of construction activities to the MHPA would result in the potential for noise impacts to breeding California coastal gnatcatchers in the MHPA if construction occurs during the breeding season (March 1 - August 15). Adjacent MHPA lands will be protected through MHPA adjacency guidelines, which must be adhered to during construction. These mitigation measures were identified as part of the original MND, and no new impacts were identified as part of this amendment. The Addendum prepared for this project reflects the revisions to the project for the original MND, mitigations which remain in effect for the project site. Therefore, the proposed development is consistent with the City of San Diego's MSCP Subarea Plan.

7. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The project will not impact environmentally sensitive lands, with all of the development occurring in previously disturbed and developed areas. However, portions of the project entail installation of underground utilities on the southern portion of the RCHSD campus, which are within 500 feet of the MHPA. The proximity of construction activities to the MHPA would result in the potential for noise impacts to breeding California coastal gnatcatchers in the MHPA if construction occurs during the breeding season (March 1 - August 15). Adjacent MHPA lands will be protected through MHPA adjacency guidelines, which must be adhered to during construction. These mitigation measures were identified as part of the original MND, and no new impacts were identified as part of this amendment. The Addendum prepared for this project reflects the revisions to the project for the original MND, mitigations which remain in effect for the project site.

8. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The project is not located on or near a shoreline. Therefore, this development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

9. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

Addendum to MND No. 84791 has been prepared in accordance with CEQA Guidelines. Based upon the environmental review of the project, it has been determined that potentially significant impacts could occur to land use (Multiple Species Conservation Program), biological resources, and paleontological resources. Implementation of the MMRP would mitigate impacts to land use, biological resources, and paleontological resources to below a level of significance. Therefore, the nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.

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

BE IT FURTHER RESOLVED that, based on these findings adopted by the Planning Commission, Conditional Use Permit No. 2588798, Site Development Permit No. 2588799, and Planned Development Permit No. 2588800, amending Conditional Use Permit No. 268050, Site Development Permit No. 413591, and Planned Development Permit No. 268049, is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 2588798, 2588799, and 2588800, a copy of which is attached hereto and made a part hereof.

Martha Blake
Development Project Manager
Development Services

Adopted on: May 18, 2023

IO#: 24009099

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24009099

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2588798, SITE DEVELOPMENT PERMIT NO. 2588799,
AND PLANNED DEVELOPMENT PERMIT (PDP) NO. 2588800
RADY CHILDRENS HOSPITAL INTENSIVE CARE UNIT AND
EMERGENCY SERVICES PAVILION - PROJECT NO. 697308 (MMRP)
(AMENDMENT TO CONDITIONAL USE PERMIT NO. 268050, SITE DEVELOPMENT PERMIT NO. 413591,
AND PLANNED DEVELOPMENT PERMIT NO. 268049)
PLANNING COMMISSION

This Conditional Use Permit No. 2588798, Site Development Permit No. 2588799, and Planned Development Permit No. 2588800 (amendment to Conditional Use Permit No. 268050, Site Development Permit No. 413591, and Planned Development Permit No. 268049 recorded as Document Number 2007-0316221 with the San Diego County Recorder on May 9, 2007) is granted by the Planning Commission of the City of San Diego to Rady Childrens Hospital, a California non-profit benefit corporation, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0305, 126.0505, and 126.0605. The 27.47-acre site is located at 2929/3010/3020/3030/3065 Childrens Way, 8105 Birmingham Way, and 3101 Berger Avenue in the CO-1-2 Zone within the Serra Mesa Community Plan area. The project site is legally described as: Lots 1, 2, 3, 4, and 5 of Children's Hospital and Health Center, in the City of San Diego, County of San Diego, State of California, According to Map No. 12901, Filed in the Office of the County Recorder of San Diego County, December 11, 1991 (LED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 11, 1991. (APN# 427-530-1300, 427-530-0800, 427-530-1000, 427-530-1100); Portions of Pueblo Lots 1199 and 1200 of the Pueblo Lands of San Diego According to Map Thereof made by James Pascoe in May 1870, a copy of which is on file in the Office of the County Recorder of San Diego County known as Miscellaneous Map No. 36, as conveyed to the State of California in deeds recorded on August 21, 1697, as Files Nos. 125559 and 125561 and on March 22, 1963 as File No. 49531 all in the Office of the County Recorder of San Diego (APN# 427-530-1600); and a Portion of Parcel "A", designated "NOT A BUILDING SITE", San Diego Medical Center Resubdivision, According to Map Thereof No. 5546, filed in the Office of the County Recorder of San Diego County, March 25, 1965 (APN# 427-081-0800);

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a new intensive care unit and emergency services pavilion, connector building, and central utility plant described and identified by size, dimension, quantity, type, and

location on the approved exhibits [Exhibit "A"] dated May 18, 2023, on file in the Development Services Department.

The project shall include:

- a. Demolition and alteration of approximately 76,450 square feet of existing buildings, to include portions of the Nelson Pavilion, a warehouse and labs, stairs, a parking lot, and two covered walkways.
- b. Construction of a new, seven-story, 486,000-square-foot Intensive Care Unit (ICU) and Emergency Services Pavilion (ESP) at the southwest corner of the intersection of Frost Street and Children's Way.
- c. Construction of a "Campus Connector" Building, a new 33,500-square-foot, three-story pedestrian connector in the center of the campus for patients, public, staff, and service flow across the site.
- d. Replacement of the existing Central Utility Plant with a new, 36,000-square-foot Central Utility Plant south of the Nelson Pavilion.
- e. New site driveways, accessways, sidewalks, landscaping, and associated utility work.
- f. Planned Development Permit to allow development that does not comply with the following development regulations:

Development Standard	Requirement	Project Proposes
Allowable CO-1-2 zone building height	60 feet	93 feet at the utility plant 175 feet at the ICU/ESP building
Front setback	10 feet on Frost Street	3.5 feet on Frost Street
Front Yard Retaining Wall Height	3 feet	14 feet
Side Yard Retaining Wall Height	9 feet	11 feet
Retaining wall guardrail	Open fence	Solid railing
Primary sign area	200 square feet	500 square feet
Secondary signage	12 square feet, three signs	50 square feet, four signs
Sign height	8 feet	10 feet
Window sign logo height	6 inches x 16 inches	10 inches by 18 inches

- g. Off-street parking; and

- h. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by June 2, 2026.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary construction permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

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

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. 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.

13. The mitigation measures specified in the MMRP and outlined in Addendum to Mitigated Negative Declaration No. 84791, Project No. 697308, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Addendum to Mitigated Negative Declaration No. 84791, Project No. 697308, 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:

Biology

Land Use

Paleontological Resources

CLIMATE ACTION PLAN REQUIREMENTS:

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

AIRPORT REQUIREMENTS:

16. Project shall be restricted to ensure any structure heights do not penetrate Part 77 Navigable Airspace within its boundaries, including temporary cranes and equipment erected during construction activities. Notices of Proposed Construction or Alteration (Form 7460-1) shall be filed with the FAA and Notices of Determination to ensure no objects related to the project present hazards to air navigation shall be filed.

17. Project shall ensure all overhead lighting is always directed downward to avoid glare.

18. Owner/Permittee shall secure all trash/storage containers to deter birds from flocking in the Montgomery Field Traffic Pattern Zone (TPZ).

19. Prior to occupancy clearance, the Owner/Permittee shall contact Caltrans regarding the Certification of the Hospital Heliport and the Hospital Heliport compliance with Airport Advisory Circular 150/5390-2B.

ENGINEERING REQUIREMENTS:

20. The Owner/Permittee shall dedicate, and assure by permit and bond, the improvement of an additional 11 feet on Frost Street and five feet along the north side of Birmingham Drive frontage satisfactory to the City Engineer.

21. The Owner/permittee shall provide a four-foot pedestrian easement/sidewalk along Children's Way and a five-foot feet pedestrian easement/sidewalk along south side of Birmingham Drive to the satisfaction of the City Engineer.
22. The Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement (EMRA) from the City Engineer for existing landscaping/trees and hardscaping along the Birmingham Drive cul-de-sac and proposed private storm drain pipe crossing Birmingham Way and the proposed landscaping, irrigation, and trees along the Frost Street right-of-way.
23. The Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement (EMRA) from the City Engineer for curb outlet/sidewalk underdrain and private storm drain connections on Frost Street, Children's Way, and Birmingham Way.
24. The Owner/Permittee shall construct two 30-foot driveways and one 26-foot driveway on Frost Street and one 20-foot driveway on the Birmingham Way cul-de-sac, all per current City standards to the satisfaction of the City Engineer.
25. The Owner/ Permittee shall close all non-utilized driveways and restore curb, gutter, and sidewalk to the satisfaction of the City Engineer.
26. The Owner/Permittee shall construct new curb, gutter, and sidewalk per current City Standards along the Frost Street frontage to the satisfaction of the City Engineer.
27. The Owner/Permittee shall construct a Standard mid-block curb ramp on Frost Street and a standard curb ramp on the corner of Frost Street and Children's Way to the satisfaction of the City Engineer.
28. The Owner/Permittee shall obtain a bonded grading permit for the proposed grading on this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
29. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
30. A Drainage Study shall be prepared to the satisfaction of the City Engineer. The Drainage Study shall include a comprehensive analysis of the pre-project and post-project drainage conditions. At each storm drain connection between project site runoff and the receiving storm drain system for the cumulative project site, specify the total pre-project and post-project drainage area (project area plus non-project areas draining to the discharge location) and the 100-year pre-project and post-project flows to each discharge location. Specify the size and capacity of each

receiving storm drain system. All drainage areas reaching each discharge location must be accounted for including areas outside of the proposed project which drain to the discharge location.

For discharge locations in which post-project 100-year post-project design flows exceed pre-project 100-year design flows, provide peak flow attenuation calculations for the 100-year event or demonstrate the receiving storm drain system has capacity to convey the total post-project 100-year design flow (total 100-year flows including flows from outside the project area). Conjunctive use guidelines shall be followed for peak flow attenuation calculations.

31. For the private storm drain crossing of Birmingham Drive, the placement of the storm drain in reference to other utilities and separation between the utilities shall be provided to the satisfaction of the City Engineer.

32. A Stormwater Quality Management Plan (SWQMP) shall be prepared to the satisfaction of the City Engineer. For all areas of the project site draining to proposed compact biofiltration treatment units, demonstrate how the required volume retention is obtained in the project site design. Supporting calculations must be provided.

For the Hydromodification Plan (HMP) study, all proposed project areas must be included in the analysis. It appears that a portion of the proposed project site currently discharges from the project site without obtaining HMP flow control. Proof of HMP flow control for the entire project site must be provided to the satisfaction of the City Engineer.

For the HMP Analysis, provide the drawdown times for each detention facility. The drawdown times, as presented, are not consistent with industry standards and there appears to be an issue with the assumed outflow rate.

LANDSCAPE REQUIREMENTS:

33. Prior to issuance of any construction permit for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Development Services Department.

34. Prior to issuance of any construction permit for public improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

35. Prior to issuance of any construction permit for building (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction

documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)(6).

36. In the event that a foundation-only permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as 'landscaping area.'

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

38. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

MULTIPLE SPECIES CONSERVATION PROGRAM:

39. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall depict the following requirements on the construction documents and plans for Project Site.

- **Grading/Land Development/MHPA Boundaries** - Within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
- **Drainage** - All staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- **Toxics/Project Staging Areas/Equipment Storage** - Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactful to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the Construction

Documents (CD's) that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."

- **Lighting** - All lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA or limited to the immediate area and shall be in compliance with City Outdoor Lighting Regulations per LDC Section 142.0740.
- **Barriers** - Existing fences/walls; and/or signage along the MHPA boundaries shall remain and or be added to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- **Invasives** - No invasive, non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- **Noise** - Construction noise that exceeds the maximum levels allowed (60 dB or greater at the beginning edge of the habitat) shall be avoided during the breeding seasons for the following: CA gnatcatcher (3/1-8/15). If construction is proposed during the breeding season for the species the following measures are required:

COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)

Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN MARCH 1 AND AUGUST 15, THE BREEDING SEASON OF THE COASTAL CALIFORNIA GNATCATCHER, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY MANAGER:

A. A QUALIFIED BIOLOGIST (POSSESSING A VALID ENDANGERED SPECIES ACT SECTION 10(a)(1)(A) RECOVERY PERMIT) SHALL SURVEY THOSE HABITAT AREAS WITHIN THE MHPA THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 DECIBELS [dB(A)] HOURLY AVERAGE FOR THE PRESENCE OF THE COASTAL CALIFORNIA GNATCATCHER. SURVEYS FOR THE COASTAL CALIFORNIA GNATCATCHER SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL SURVEY GUIDELINES ESTABLISHED BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:

I. BETWEEN MARCH 1 AND AUGUST 15, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED GNATCATCHER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND

II. BETWEEN MARCH 1 AND AUGUST 15, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB (A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB (A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE CITY MANAGER AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR

III. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB (A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (AUGUST 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB (A) hourly average or to the ambient noise level if it already exceeds 60 dB (A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

B. IF COASTAL CALIFORNIA GNATCATCHERS ARE NOT DETECTED DURING THE PROTOCOL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE CITY MANAGER AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN MARCH 1 AND AUGUST 15 AS FOLLOWS:

I. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR COASTAL CALIFORNIA GNATCATCHER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.

II. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.

PLANNING/DESIGN REQUIREMENTS:

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

41. 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.

42. The heliport must continue to meet the conditions in CUP 91-0137. If not, the heliport must obtain a Conditional Use Permit pursuant to SDMC 126.0302(d).

43. All storage, service, and repair areas shall be screened from adjacent development and public rights-of-way.

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

45. 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

46. Prior to issuance of any building permit, the Owner/Permittee shall assure by permit and bond the dedication of 11 feet along the Frost Street frontage for construction of a 14-foot wide parkway with 8-foot wide non-contiguous sidewalk and 47-foot curb-to-curb width (6-foot wide eastbound bicycle lane, two travel lanes and two-way left-turn lane) as shown in Exhibit A, satisfactory to the City Engineer. All improvements shall be completed and operational prior to occupancy.

47. Prior to issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the removal of two (1) existing two-way driveways and construction of one (1) two-way 26-foot wide driveway, one (1) one-way 20-foot wide driveway, and one (1) two-way 30-foot wide driveway adjacent to the site on Frost Street, all per current City standards, as shown on Exhibit A, satisfactory to the City Engineer.

48. Prior to issuance of any building permit, the Owner/Permittee shall assure, by permit and bond, the construction of an 8-foot wide non-contiguous sidewalk along the Children's Way frontage as shown on Exhibit A, satisfactory to the City Engineer.

49. The Owner/Permittee shall grant a 4-foot wide pedestrian easement along Children's Way as shown on Exhibit "A," satisfactory to the City Engineer.

50. Prior to first occupancy, the Owner/Permittee shall provide and maintain the following VMT Reduction measures as shown on Exhibit "A" satisfactory to the City Engineer:

- a. Pedestrian resting area along Children's Way
- b. Six on-site passenger loading zones

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

51. Prior to the issuance of any building permit, the Owner/Permittee shall assure, by permit and bond the design and construction of all public water and sewer facilities as shown on the approved Exhibit "A". Water and sewer facilities, as shown on the approved Exhibit "A", may require modification prior to final engineering based on the revised sewer study and water demand.

52. Prior to the issuance of any building permit, the proposed water and fire services will be reviewed and approved during the ministerial review.

53. Prior to the first submittal of the ministerial review, the Owner/Permittee shall submit the revised sewer study, satisfactory to the Public Utilities Department and in accordance with the City of San Diego's current Sewer Design Guide.

54. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.

55. 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) (BFPDs), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Department and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

56. Prior to the construction of building improvements within the public sewer easement, the Owner/Permittee shall replace the existing 15" VC sewer main, reaches P-10, P-11 and P-12, from existing MH #242 to existing MH #245. Portions of sewer main underneath existing and proposed buildings shall be installed within a steel casing, a minimum of 15' beyond the edge of the buildings.

57. .

58. 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 and Sewer Facility Design Guidelines and City regulations, standards and practices.

59. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check as applicable.

60. No proposed private surface improvements or landscaping, including private water and sewer facilities, and enhanced paving, shall be installed in or over any public water or sewer easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.

61. No proposed building shall be installed in or over any public sewer easement prior to the applicant obtaining an Encroachment Maintenance Agreement (EMA). An EMA will be required for the existing building crossing over the public sewer easement if one was not previously recorded.

62. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

INFORMATION ONLY:

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

APPROVED by the Planning Commission of the City of San Diego on May 18, 2023 and [Approved Resolution Number].

ATTACHMENT 4

Permit Type/PTS Approval No.: Conditional Use Permit No. 2588798
Site Development Permit No. 2588799
Planned Development Permit No. 2588800
Date of Approval: May 18, 2023

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Martha Blake
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.

Rady Childrens Hospital – San Diego
A California non-profit benefit corporation
Owner/Permittee

By _____
NAME
TITLE

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

RESOLUTION NUMBER R-

ADOPTED ON MAY 18, 2023

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF SAN DIEGO ADOPTING ADDENDUM NO. 697308 TO MITIGATED
NEGATIVE DECLARATION NO. 84791 AND THE MITIGATION,
MONITORING, AND REPORTING PROGRAM FOR
INTENSIVE CARE UNIT AND EMERGENCY SERVICES PAVILION, NO.
697308**

WHEREAS, on January 9, 2005, Children's Hospital and Health submitted an application to Development Services Department for an Amendment to Planned Development Permit (PDP) No. 267312, Conditional Use Permit (CUP) No. 4741, Site Development Permit (SDP) No. 4242, and to CUP 87-1096, and a Multi-Habitat Planning Area Boundary Line Adjustment, for the Rady's Children's Hospital and Health Center (Project); and

WHEREAS, on February 15, 2007, the Planning Commission adopted Resolution No. 4225-PC and on March 26, 2007, the City Council of the City of San Diego on appeal adopted Mitigated Declaration No. 94791, adopting a Mitigation Monitoring and Reporting Program, copies of which are on file in the Development Services Department in accordance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.); and

WHEREAS, on January 19, 2022, Rady Childrens Hospital – San Diego submitted an application to the Development Services Department for amendments and approvals to the existing Conditional Use Permit, Site Development Permit, Planned Development Permit for the Intensive Care Unit and Emergency Services Pavilion PTS No. 697308, as well as approval of minor technical changes or additions to the Project; and

WHEREAS, State CEQA Guidelines section 15164(a) allows a lead agency to prepare an Addendum to a final Mitigated Negative Declaration if such Addendum meets the requirements of CEQA; NOW, THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego as follows:

1. That the information contained in the final Mitigated Negative Declaration No. 84791 along with the Addendum has been reviewed and considered by this body prior to making a decision on the Project.
2. That there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in the Mitigated Negative Declaration for the Project.

3. That no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the Mitigated Negative Declaration or that any significant effects previously examined will be substantially more severe than shown in the Mitigated Negative Declaration.

4. That no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt.

5. That pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary, and therefore, the Planning Commission adopts Addendum to Mitigated Negative Declaration No. 84791, a copy of which is on file in the Office of the Development Services Department.

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

BE IT FURTHER RESOLVED that Development Services Staff is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

By: _____
Martha Blake, Development Project Manager

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

SITE DEVELOPMENT PERMIT, PLANNED DEVELOPMENT PERMIT, and CONDITIONAL USE PERMIT

PROJECT NO. 697308

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 Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in Addendum No. 697308 / SCH No. N/A shall be made conditions of SITE DEVELOPMENT PERMIT, PLANNED DEVELOPMENT PERMIT, and CONDITIONAL USE PERMIT as may be further described below.

MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE 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 the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<https://www.sandiego.gov/development-services/forms-publications/design-guidelines-templates>

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY** - The 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 Biologist, 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, it is also required to call **RE and MMC at 858-627-3360**

2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) #697308 and /or Environmental Document # 697308, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.)

Note:

Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. OTHER AGENCY REQUIREMENTS: Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

4. MONITORING EXHIBITS

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

NOTE:

Surety and Cost Recovery – When deemed necessary by the 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:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
Paleontology	Paleontology Reports	Paleontology Site Observation
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

BIOLOGY

AVIAN NOISE MITIGATION MEASURES

Areas of work within 500 feet of the MHPA boundary are subject to the following avian noise mitigation measures:

Coastal California Gnatcatcher (Federally Threatened)

1. Prior to the issuance of any grading permit, the Mayor (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

No clearing, grubbing, grading, or other construction activities shall occur between march 1 and august 15, the breeding season of the coastal California gnatcatcher, until the following requirements have been met to the satisfaction of the city manager:

- a. A qualified biologist (possessing a valid endangered species act section 10(a)(i)(a) recovery permit) shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [db (a)] hourly average for the presence of the coastal California gnatcatcher. Surveys for the coastal California gnatcatcher shall be conducted pursuant to the protocol survey guidelines

ATTACHMENT 5

established by the U.S. fish and wildlife service within the breeding season prior to the commencement of any construction. If gnatcatchers are present, then the following conditions must be met:

1. Between march 1 and august 15, no clearing, grubbing, or grading of occupied gnatcatcher habitat shall be permitted. areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and
2. Between march 1 and august 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 db(a) hourly average at the edge of occupied gnatcatcher habitat. an analysis showing that noise generated by construction activities would not exceed 60 db(a) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the city manager at least two weeks prior to the commencement of construction activities. prior to the commencement of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or
3. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 db(a) hourly average at the edge of habitat occupied by the coastal California gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 db(a) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (august 16).

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

2. if coastal California gnatcatchers are not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the city manager and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between march 1 and august 15 as follows:

- a. if this evidence indicates the potential is high for Coastal California Gnatcatcher to be present based on historical records or site conditions, then condition a.iii shall be adhered to as specified above.
- b. if this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

LAND USE (MULTIPLE SPECIES CONSERVATION PROGRAM)

Areas of work within 500 feet of the MHPA are subject to the following MHPA Land Use Adjacency Guidelines:

1. Prior to initiation of any ground disturbing activities, the construction foreman shall discuss the sensitive nature of the adjacent habitat with the crew and subcontractor.
2. Prior to the start of construction, the construction limits shall be clearly delineated by a survey crew prior to brushing, clearing, or grading. The limits of grading shall be defined with silt fencing and checked by the biological monitor before initiation of trenching activities and/or ground disturbing activities.
3. Prior to the issuance of any construction permit, the Mayor or mayoral designee shall review the landscape plans to ensure that no invasive non-native plant species have been proposed for areas adjacent to the MHPA.
4. All lighting adjacent to the MHPA shall be shielded, unidirectional, low pressure sodium illumination (or similar) and directed away from preserve area using appropriate placement and shields.
5. No staging/storage areas for equipment and materials shall be located within or adjacent to habitat retained in open space area. No equipment maintenance shall be conducted within or near the adjacent open space.
6. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space. Drainage from all development areas adjacent to the MHPA shall be directed away from the MHPA, or if not possible, must not drain directly into the MHPA, but instead into sedimentation basins, grassy swales, and/or mechanical trapping devices as specified by the City Engineer.
7. No trash, oil, parking, or other construction related activities shall be allowed outside the established limits of grading. All construction related debris shall be removed off site to an approved disposal facility.
8. Prior to the preconstruction meeting, the ADD of LDR (or designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the project restrictions regarding the California gnatcatcher (above) are shown on the construction plans.

PALEONTOLOGICAL RESOURCES

When grading and excavation would occur within the Very Old Paralic Deposits (Lindavista Formation) or Mission Valley Formation, paleontological monitoring would be required in accordance with the following City requirement:

I. Prior to Permit Issuance

Entitlements Plan Check

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 City Engineer (CE) and/or Building Inspector (BI) shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

1. The applicant shall submit a letter of verification to RE and/or BI identifying the qualified Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program. A qualified PI is defined as a person with a Ph.D. or M.S. or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology, etc.) with demonstrated knowledge of southern California paleontology and geology, and documented experience in professional paleontological procedures and techniques.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to RE and/or BI that a site-specific records search has been completed. Verification includes, but is not limited to, a copy of a confirmation letter from the San Diego Natural History Museum, or another relevant institution that maintains paleontological collections recovered from sites within the City of San Diego.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Preconstruction Meetings

1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Preconstruction Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, RE, and BI, as appropriate. The qualified paleontologist (PI) shall attend any grading/excavation related Preconstruction 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 Preconstruction Meeting, the Applicant shall schedule a focused Preconstruction Meeting with 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 RE and/or BI 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 geologic conditions (e.g., geologic deposits as listed in the Paleontological Monitoring Determination Matrix).
3. **When Monitoring Will Occur**
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to the RE and/or BI indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to RE and/or BI 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 and geotechnical reports which indicate conditions such as depth of excavation and/or thickness of artificial fill overlying bedrock, presence or absence of fossils, 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 paleontological 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 PI, RE and/or BI 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 RE and/or BI during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter previously undisturbed and paleontologically sensitive geologic deposits as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for paleontological resources to be present.
 - 3. The paleontological monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be emailed by the CM to the RE and/or BI the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries.
- 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 notify the RE and/or BI. The contractor shall also process a construction change for administrative purposes to formalize the documentation and recovery program, including modification to Mitigation Monitoring and Compliance (MMC).
 - 2. The paleontological monitor shall notify the PI (unless paleontological monitor is the PI) of the discovery.
 - 3. The PI shall notify MMC of the discovery, and shall submit documentation to MMC within 24 hours by email with photos of the resource in context.
- C. Recovery of Fossils
 - If a paleontological resource is encountered:
 - 1. The paleontological monitor shall salvage unearthed fossil remains, including simple excavation of exposed specimens or, if necessary, as determined by the PI, plaster-jacketing of large and/or fragile specimens or more elaborate quarry excavations of richly fossiliferous deposits.
 - 2. The paleontological monitor shall record stratigraphic and geologic data to provide a context for the recovered fossil remains, including a detailed description of all paleontological localities within the project site, as well as the lithology of fossil-bearing strata within the measured stratigraphic section, and photographic documentation of the geologic setting.

IV. Post Construction

- A. Preparation and Submittal of Draft Paleontological Monitoring Report
 - 1. The PI shall submit two copies of the Draft Paleontological Monitoring Report (even if negative), prepared to the satisfaction of the Development Services Department. The Draft Paleontological Monitoring Report shall describe the methods, results, 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 or potentially significant paleontological resources encountered during monitoring, as identified by the PI, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. 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 (revised November 2017), and submittal of such forms to the San Diego Natural History Museum and MMC with the Draft Paleontological Monitoring Report.
 - 2. MMC shall return the Draft Paleontological Monitoring Report to the PI for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Paleontological Monitoring Report to MMC for approval.
 - 4. MMC shall provide written verification to the PI of the approved Draft Paleontological Monitoring Report.
 - 5. MMC shall notify the RE and/or BI, of receipt of all Draft Paleontological Monitoring Report submittals and approvals.
- B. Handling of Recovered Fossils
 - 1. The PI shall ensure that all fossils collected are cleaned to the point of curation (e.g., removal of extraneous sediment, repair of broken specimens, and consolidation of fragile/brittle specimens) and catalogued as part of the Paleontological Monitoring Program.
 - 2. The PI shall ensure that all fossils are analyzed to identify stratigraphic provenance, geochronology, and taphonomic context of the source geologic deposit; that faunal material is taxonomically identified; and that curation has been completed, as appropriate.
- C. Curation of Fossil Remains: Deed of Gift and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all fossils associated with the paleontological monitoring program for this project are permanently curated with an accredited institution that maintains paleontological collections (such as the San Diego Natural History Museum).
 - 2. The PI shall include an acceptance verification from the curation institution in the Final Paleontological Monitoring Report submitted to the RE and/or BI, and MMC.
- D. Final Paleontological Monitoring Report(s)
 - 1. The PI shall submit two copies of the Final Paleontological Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the Final Paleontological Monitoring Report has been approved.

2. The RE and/or BI shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Paleontological Monitoring Report from MMC, which includes the Acceptance Verification from the curation institution.

DRAFT

Serra Mesa Planning Group

Post Office Box 23315, San Diego, CA 92193

Minutes of Serra Mesa Planning Group Regular Meeting

In person and via zoom

Thursday, November 17, 2022

Call to Order: The meeting was called to order by Catharine Stempel (Chair) at 7:15pm

Members Present: Ian Clampett (zoom), Denise Davidson, Kira Finkenberg (Secretary), Rochelle Freeman-Zuniga (zoom), Sharon Kramer (zoom), Chris Rosemond (Vice-Chair), Sandra Stahl (zoom), Tony Guerra (zoom) and Catharine Stempel, (Chair).

Members Not Present: Adam Gardner, Cindy Moore

Approval of Agenda: no changes

Approval of Minutes: Rochelle made motion to approve, Chris seconded. All others approved.

Community Forum and Announcements:

Patty & Tina – board of LeMans HOA (166 townhomes in Birdland) – requesting residential paid parking permits for homeowners.

- Miles will try to help with City Council office
- Talk to employers about carpooling, public transit, etc.
- SMPG agrees to make this an action item at January meeting

Kira – park lights out at Murray Ridge Park, again

Representatives:

1. Rosa Kwan / library

a. This library opened 2006 (16 years ago). Library Foundation looking to future of Library. They want to hear what the community loves about the library and what the community would change. Hearing session January 24 or 31 at 6pm (5pm snacks).

2. Miles Noel / Raul Campillo's office

- a. Member meetings can be set up through Miles mnoel@sandiego.gov
- b. Central Policy Package is what they are working on now.

3. Rachel Gregg / SDSU Mission Valley – not present

- a. Cat gave update from Rachel
 - i. Pedestrian/Bike access – temp path available now – map to be sent out with minutes.
 - ii. SDSU Mission Valley website for construction updates and maps.
<https://missionvalley.sdsu.edu/community-updates#updatesMission>

4. Christy Cashen / Long Range Planning Office – not present

5. Emily Piatanesi– Community Representative / Mayor Gloria's office – last meeting for council 7 – Matthew Griffith will be the new contact

- a. Mayor for a Day contest relaunched
- b. City street ordinance – help fix streets faster
- c. 62% increase in grants received – over \$250 million dollars
- d. COO of City – Eric Dargen, just started 2 weeks ago
- e. Mayors' office has a weekly newsletter, please sign up for it to get more information
- f. Homelessness – 2 new shelters (Rosecrans has 150 beds, 34 room hotel on Pacific Highway for seniors
 - i. Mission Valley Safe Parking Site is 24/7 now
 - ii. Expand and diversify shelters

Information and Action items:

1 Action Item: David Hare – Teacher at Taft Middle School

a. Would like a crosswalk at the back end of school

i. Talked to Sara Jacobs office last year

ii. Talked to Police

iii. Talked to City in January of this year

1. They qualify for Hawk / Beacon – but not acceptable for 5 lanes of traffic

iv. Joint use field is almost complete (should open in January) but field will open in April, so lots of people will be using it

v. Asked for SMPG to keep this issue going and ask the city for something more than a small beacon light

1. Would prefer it to be at the west end of the school (near the new joint use park entrance)

b. SMPG will write a letter to ask Campillo's office urging a cross walk, for safety

i. Sandra makes a motion, Cat seconds the motion. All members approve the motion. Chris will write the draft letter and send to SMPG to approve before sending to Campillo's office.

2 Info Item: Rady Children's Hospital Pediatric Mental and Behavioral Health Campus

Update

a. Dr Nicholas Holmes – SVP/COO – been at Rady's for 16 years

b. Mental health in the youth (under 18) – only one solely dedicated

- i. 2013 1-2 patients per day, now 20 patients per day
- ii. Currently only have 24 beds at Rady's
- iii. New facility coming in parking lot behind hospital. New parking garage will be built
- iv. Full gamut of services that the community needs
- v. In partnership with the county
- vi. Construction to begin end of next year, facility open 2027

3 Action Item: Rady Children's Hospital ICU/ES Pavilion

a. Dr Nicholas Holmes

i. March of 2021 they came to SMPG for a presentation on master plan

ii. Currently have 68 buildings

1. New 7 story building

2. Less staff will be on campus, some are moving off campus

3. Net new 14 beds

iii. 2021-2023 planning, community input, parking, environmental impact

iv. 2023-2027 building construction and completion

v. Seeking support of the project by SMPG

1. Chris approves supporting project as presented; Tony seconded.

Rochelle votes No, Sharon votes yes but doesn't know how it

won't impact traffic, Sandra votes No, everyone else approved.

Passes 7-2.

4 Action Item: There are still 4 open Board positions for the Planning Group. Eligible to

join the SMPG if you live or work in Serra Mesa and are over 18 years old and have attended 2 meetings in the last 6 months.

a. Ken Maguire – lives off Murray Ridge

i. 9 yay votes

b. Joe Ippolito – wants safer streets for Serra Mesa

i. 9 yay votes

Historical Buildings: No update

Park & Recreation: No update

Chair Report: No update

Misc: Can CVS say no grocery stores in a radius?

Meeting adjourned at 9:05 pm. Next meeting scheduled for January 19, 2023

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

THE ORIGINAL OF THIS DOCUMENT
 WAS RECORDED ON MAY 09 2007
 DOCUMENT NUMBER 2007-0316221
 GREGORY J. SMITH COUNTY RECORDER
 SAN DIEGO COUNTY RECORDER'S OFFICE
 TIME: 11:04 AM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-5309

PLANNED DEVELOPMENT PERMIT NO. 268049
CONDITIONAL USE PERMIT NO. 268050
SITE DEVELOPMENT PERMIT NO. 413591
MULTI-HABITAT PLANNING AREA BOUNDARY LINE ADJUSTMENT NO. 414363
RADY CHILDREN'S HOSPITAL AND HEALTH CENTER [MMRP] –
PROJECT NO. 84791
(AMENDMENT TO CONDITIONAL USE PERMIT/HILLSIDE REVIEW/
RESOURCE PROTECTION OVERLAY ZONE PERMIT NO. 87-1096 AND
AMENDMENT TO CONDITIONAL USE PERMIT NO. 4741/SITE DEVELOPMENT
PERMIT NO. 4742/PLANNED DEVELOPMENT PERMIT NO. 267312)
PLANNING COMMISSION

This Planned Development Permit (PDP No. 268049), Conditional Use Permit (CDP No. 268050), Amendment to CUP/HRP/RPOZ No. 87-1096 and CUP No. 4741/SDP No. 4742/PDP No. 267312, Site Development Permit (SDP No. 413591), and MHPA Boundary Line Adjustment (MHPA BLA No. 414363), is granted by the Planning Commission of the City of San Diego to CHILDREN'S HOSPITAL – SAN DIEGO, a California Non-Profit Corporation, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.031, 126.0501, and 126.0601. The 26.98 acres site is located at 3020 Children's Way in the CO-1-2 zone of the Serra Mesa Community Plan. The project site is legally described as Lots 1 and 3 of Children's Hospital and Health Center, Map No. 12901.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a new 272,274 square-foot six-level building, with deviations to the setback and height requirements for the underlying CO-1-2 zone; a new emergency generator facility; and an additional 12 guest units to the existing 35-rooms for the Ronald McDonald House, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 15, 2007, on file in the Development Services Department.

The project shall include:

- a. Removal of approximately 356 parking spaces within the existing surface parking lot to be demolished;
- b. Construction of an approximate 272,274 square-foot, six level building located at the northwest corner of Birmingham Way and Children's Way;
- c. The building would observe a building height of 96 feet, where 60 feet is the maximum building height required within the CO-1-2 zone;
- d. The building would observe a reduced front yard setback of zero (0) feet, where 10-foot is the minimum front setback required within the CO-1-2 zone, to accommodate an open-air exterior stairway;
- e. The building would observe a reduced front yard setback of six feet, eight-inches, where 10-foot is the minimum front setback required within the CO-1-2 zone, to accommodate a curb-side ladder access;
- f. Construction of an approximate 3,400 square-foot emergency generator building located on the south side of Birmingham Way;
- g. Construction of an additional 12 guest units to the existing 35-room Ronald McDonald House/Parking Structure;
- h. Deviations to development regulations as listed in this permit.
- i. Landscaping (planting, irrigation and landscape related improvements);
- j. Off-street parking; and
- k. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. All of the Conditions contained in CUP/HRP/RPOZ Permit No. 87-1096 and CUP No. 4741/SDP No. 4742/PDP No. 267312 shall remain in effect, except where superceded by this permit.
2. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in

the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.

3. 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.

4. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.

5. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. 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.).

8. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands

committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

9. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

10. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

11. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project.

13. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No. 84791, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Mitigated Negative Declaration No. 84791, satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Biological Resources, Paleontological Resources, Transportation, and Land Use (MHPA)

15. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

ENGINEERING REQUIREMENTS:

16. Prior to the issuance of a building permit the applicant shall obtain a 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.

17. Prior to building occupancy, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

18. Prior to the issuance of any construction permits, the applicant 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.

19. Prior to the issuance of any construction permits the applicant 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.

20. 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 SWRC

21. 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.

22. Prior to the issuance of a building permit, the applicant shall assure by permit and bond the reconstruction of existing curb ramp(s) adjacent to the project to meet current City standards.

23. Prior to the issuance of a building permit, the applicant shall assure by permit and bond the installation of City standard sidewalk along the Birmingham Way and Children's Way street frontage of Lot 4 (APN 427-530-10).
24. The drainage system proposed for this development is private and subject to approval by the City Engineer.
25. Prior to the issuance of a building permit, the applicant shall assure by permit and bond the reconstruction of existing curb ramp(s) and construction of three (3) new curb ramps (at the intersection of Children's Way and Birmingham Way) adjacent to the project to meet current City standards.
26. Prior to building occupancy, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, for private improvements located in the public right-of-way including; landscaping, irrigation, sidewalk, and private storm drain pipe(s).
27. All driveways and curb openings shall comply with City Standard Drawings G-14A, G-14B, G-16 and SDG-100.

LANDSCAPE REQUIREMENTS:

28. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. 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.
29. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account 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.
30. In the event that a foundation only permit is requested by the Permittee or subsequent Owner, 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.'
31. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the City Manager 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 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

32. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee or subsequent Owner 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.

33. 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 unless specifically noted in this Permit.

34. The Permittee or subsequent owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

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 City manager within 30 days of damage or Certificate of Occupancy.

PLANNING/DESIGN REQUIREMENTS:

36. No fewer than 1,414 off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

37. This project does contain deviations to development regulations as follows:

- a) The building would observe a building height of 96 feet, where 60 feet is the maximum building height required within the CO-1-2 zone;
- b) The building would observe a reduced front yard setback of zero (0) feet, where 10-foot is the minimum front setback required within the CO-1-2 zone, to accommodate an open-air exterior stairway;
- c) The building would observe a reduced front yard setback of six feet, 8 inches, where 10-foot is the minimum front setback required within the CO-1-2 zone, to accommodate a curb-side ladder access.

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

40. 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.

41. The Owner/Permittee shall execute a covenant of easement recorded against title to the affected premises and executed in favor of the City. The Owner/Permittee shall draft the covenant of easement as follows: a) To contain a legal description of the premises affected by the permit with a description of the development area and the environmentally sensitive lands that will be preserved; b) To impart notice to all persons to the extent afforded by the recording laws of the state regarding the restrictions affecting use of the environmentally sensitive lands covered by the permit; c) To ensure that the burdens of the covenant shall be binding upon, and the benefits of the covenant shall inure to, all successors in interest to the affected premises; and d) To ensure enforceability of the covenant of easement by the City.

TRANSPORTATION REQUIREMENTS

42. Prior to the issuance of the demolition permit to remove the surface parking structure, the approved Parking Structure F shall be constructed and issued its occupancy permit to demonstrate adequate parking will be provided for the subject project, satisfactory to the City Engineering, unless otherwise authorized in writing by the City Engineer.

43. The existing cul-de-sac at the intersection of Children's Way and Birmingham Way must remain secured until the previously proposed helicopter landing pad has been completed at the top of the Hahn Surgical School site.

44. Prior to the issuance of the first building permit for the project, the applicant shall assure by permit and bond, the installation of a full access traffic signal at the south leg of Berger Avenue and Mesa Drive including interconnect to the planned Caltrans signal at the north leg of Berger Avenue and Interstate 805 Southbound ON-Ramp and Mesa College Drive, satisfactory to the City Engineer. Should the City of San Diego determine that, the westbound left turn-movement is not feasible due to the proposed project signal's proximity to the Caltrans signal, then the proposed project shall install a traffic signal at the south leg of Berger Avenue and Mesa College Drive without the westbound left-turn movement allowed, satisfactory to the City Engineer.

WASTEWATER REQUIREMENTS:

45. All onsite sewer facilities shall be private.

46. The developer shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

47. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

WATER REQUIREMENTS:

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

49. 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 Water Department Director and the City Engineer.

50. Prior to the issuance of any building permits, the Owner/Permittee shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director, and the City Engineer.

51. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

52. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities as shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

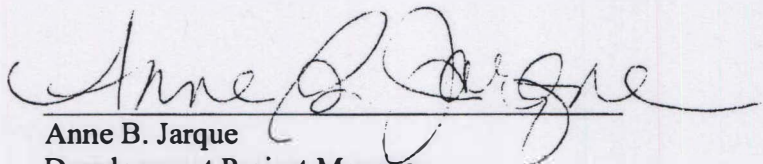
INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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 §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on February 15, 2007, Resolution No. 4225-PC and City Council of the City of San Diego on appeal on March 26, 2007.

Permit Type/PTS Approval No.: Planned Development Permit No. 268050
Site Development Permit No. 413591
Conditional Use Permit No. 268049
Multi-Habitat Planning Area (MHPA)
Boundary Line Adjustment No. 414363
Date of Approval: February 15, 2007, Planning Commission
March 26, 2007, City Council

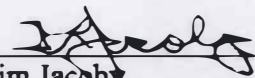
AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT


Anne B. Jarque
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1180 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.

Rady Children's Hospital – San Diego
Owner/Permittee

By 
Tim Jacoby
Senior Managing Director

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**

	City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000	<h1>Ownership Disclosure Statement</h1>	FORM
			DS-318
			October 2017

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

Project Title: ICU/Emergency Services Pavilion **Project No. For City Use Only:** _____

Project Address: 3020 Children's Way, San Diego, CA 92123

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

Corporation Limited Liability -or- General - What State? _____ Corporate Identification No. 95-1691313

Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: Nicholas M. Holmes, M.D., MBA Owner Tenant/Lessee Successor Agency

Street Address: 3020 Children's Way, MC 5169

City: San Diego State: CA Zip: 92123

Phone No.: (858) 576-1700 Fax No.: _____ Email: nholmes@rchsd.org

Signature: Nicholas M. Holmes Date: 10/27/2021

Additional pages Attached: Yes No

Applicant

Name of Individual: ZGF Architects, LLP c/o Justin Rabe Owner Tenant/Lessee Successor Agency

Street Address: 925 Fourth Avenue, Suite 2400

City: Seattle State: WA Zip: 98104

Phone No.: (206) 521-3435 Fax No.: _____ Email: justin.rabe@zgf.com

Signature: Justin Rabe Date: 2021-10-22

Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency

Street Address: _____

City: _____ State: _____ Zip: _____

Phone No.: _____ Fax No.: _____ Email: _____

Signature: _____ Date: _____

Additional pages Attached: Yes No

Printed on recycled paper. Visit our web site at www.sandiego.gov/development_services.
Upon request, this information is available in alternative formats for persons with disabilities.