

RESOLUTION NUMBER R-300456

ADOPTED ON MAY 17, 2005

WHEREAS, Family Health Center of San Diego, Owner/Permittee, filed an application with the City of San Diego for Planned Development Permit [PDP] No. 88466/Site Development Permit [SDP] No. 18480/Coastal Development Permit [CDP] No. 18479 (amendment to Coastal Development Permit No. 91-0606) to demolish an existing 2-story 9,899-square-foot building; construction of a 3-story 22,146-square-foot building connecting to two existing 11,232-square-foot and 8,758 square-foot buildings for a health care center on a 1.12-acre lot known as the Logan Heights Family Health Center project, located at 1809 National Avenue, and legally described as Lots 1-7, Lots 43-48 of Block 130 of Mannasse and Schiller's Subdivision of Pueblo Lot 1157, Map No. 209 (APN 538-240-01) and Lots 3 and 4 of Block 140 Mannassee and Schiller's Subdivision of Pueblo Lot 1157, Map No. 209 (APN 538-250-02), within the Redevelopment Subdistrict of the Barrio Logan/Harbor 101 Community Plan area; and

WHEREAS, on February 24, 2005, the Planning Commission of the City of San Diego considered PDP No. 88466/SDP No. 18480/CDP No. 18479 (amendment to CDP No. 91-0606), and pursuant to Resolution No. 3720-PC voted to recommend City Council approval of the Permit; and

WHEREAS, the matter was set for public hearing on May 17, 2005, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 88466/Site Development Permit No. 18480/Coastal Development Permit No. 18479(amendment to Coastal Development Permit No. 91-0606):

**A. PLANNED DEVELOPMENT PERMIT – SAN DIEGO MUNICIPAL CODE
[SDMC] SECTION 126.0604**

1. The proposed development will not adversely affect the applicable land use plan. The 1.12-acre site is located at 1809 National Avenue. The entire project site is developed with a combined total of 19,990-square-foot of medical office space within three attached buildings west of the north-south alley, and a 1-story 2,680-square-foot medical office building and an on-site surface parking lot east of the alley. The project site is within the Coastal Zone, but is not located within the Coastal Height Limit Zone. The project site is located within the Redevelopment Subdistrict in the Barrio Logan/Harbor 101 Community Plan. The Barrio Logan/Harbor 101 Community Plan land use designation for the site is Commercial/Residential Mixed-Use. The proposed project is an allowed use within the land use designation. The community plan also calls for an educational-cultural center near Perkins Elementary, which should include the retention/expansion of social services and facilities within the area surrounding the school. As proposed, redevelopment of the existing health care facilities would not adversely affect the goals and objectives of the Barrio Logan/Harbor 101 Community Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The permits controlling the proposed development and its continued operation contain conditions addressing project compliance with applicable City, regional, state, and federal regulations to prevent detrimental impacts to the public health, safety, and general welfare of persons residing and/or working in the project area. All Building, Fire, Plumbing, Electrical, Mechanical Code regulations and City regulations governing the construction and continued operation of development apply to this project to prevent adverse effects to persons or other properties in the vicinity.

3. The proposed development will comply with the regulations of the Land Development Code. The proposed project complies with all the regulations of the Land Development Code except for parking. The project is located within a transit area. The minimum parking requirement for the proposed project is seventy-eight parking spaces (per San Diego Municipal Code, Table 142 05F - within a transit area). The parking requirement for the remaining, existing medical office/records buildings is twenty-three spaces. The total parking requirement for the entire medical complex is 101 parking spaces. The project proposes ninety-five. Because the center's primary objective is to meet the health care needs of the Barrio Logan community and that a majority of the patients anticipated to use the facility will be from within Barrio Logan, the parking deficiency of six spaces or 6 percent of the total required is supported.

4. The proposed development, when considered as a whole, will be beneficial to the community. The purpose of the development is to expand and modernize the existing Logan

Heights Family Health Center to respond to the health care needs of the community, in particular those of the immediate low-income community. The project location is within ZIP code 92113. The percent of all persons below poverty status in this area is about 36 percent. Therefore, the proposed development, when considered as a whole, will be beneficial to the community by providing expanded affordable health care services.

5. Any proposed deviations pursuant to SDMC section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The proposed project complies with all the regulations of the Land Development Code except for parking. The project is located within a transit area. The minimum parking requirement for the proposed project is seventy-eight parking spaces (per San Diego Municipal Code, Table 142 05F - within a transit area). The parking requirement for the remaining, existing medical office/records buildings is twenty-three spaces. The total parking requirement for the entire medical complex is 101 parking spaces. Because the center's primary objective is to meet the health care needs of the Barrio Logan community and that a majority of the patients anticipated to use the facility will be from within Barrio Logan, the parking deficiency of six spaces or 6 percent of the total required is supported.

B. SITE DEVELOPMENT PERMIT – SDMC SECTION 126.0504

1. The proposed development will not adversely affect the applicable land use plan. The 1.12-acre site is located at 1809 National Avenue. The entire project site is developed with a combined total of 19,990-square-foot of medical office space within three attached buildings west of the north-south alley, and a 1-story 2,680-square-foot medical office building and an on-site surface parking lot east of the alley. The project site is within the Coastal Zone, but is not located within the Coastal Height Limit Zone. The project site is located within the Redevelopment Subdistrict in the Barrio Logan/Harbor 101 Community Plan. The Barrio Logan/Harbor 101 Community Plan land use designation for the site is Commercial/ Residential Mixed-Use. The proposed project is an allowed use within the land use designation. The community plan also calls for an educational-cultural center near Perkins Elementary, which should include the retention/expansion of social services and facilities within the area surrounding the school. As proposed, redevelopment of the existing health care facilities would not adversely affect the goals and objectives of the Barrio Logan/Harbor 101 Community Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The permits controlling the proposed development and its continued operation contain conditions addressing project compliance with applicable City, regional, state, and federal regulations to prevent detrimental impacts to the public health, safety, and general welfare of persons residing and/or working in the project area. All Building, Fire, Plumbing, Electrical, Mechanical Code regulations and City regulations governing the construction and continued operation of development apply to this project to prevent adverse effects to persons or other properties in the vicinity.

3. The proposed development will comply with the applicable regulations of the Land Development Code. The proposed project complies with all the regulations of the Land Development Code except for parking. The project is located within a transit area. The minimum

parking requirement for the proposed project is seventy-eight parking spaces (per San Diego Municipal Code, Table 142 05F - within a transit area). The parking requirement for the remaining, existing medical office/records buildings is twenty-three spaces. The total parking requirement for the entire medical complex is 101 parking spaces. The project proposes ninety-five. Because the center's primary objective is to meet the health care needs of the Barrio Logan community and that a majority of the patients anticipated to use the facility will be from within Barrio Logan, the parking deficiency of six spaces or 6 percent of the total required is supported.

C. COASTAL DEVELOPMENT PERMIT – SDMC SECTION 126.0708

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan. The Logan Heights Family Health Center is located approximately one-quarter mile from the Pacific Ocean, and is not located near or adjacent to any existing public accessway, nor is it adjacent to any ocean view corridor identified in the adopted Local Coastal Program Land Use Plan. Therefore, the proposed project will not encroach upon any physical accessway utilized by the public, and will not obstruct views to and along the ocean or any other scenic coastal areas from public vantage points.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The subject property is fully developed and contains no environmentally sensitive lands and is not within or adjacent to the Multiple Habitat Planning Area of the City of San Diego's Multiple Species Conservation Program Subarea Plan area. As such, the proposed project would not adversely affect any environmental sensitive lands.

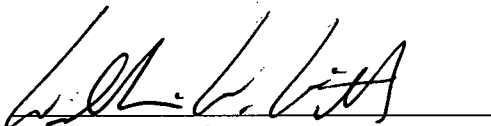
3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. The project site is located within the Redevelopment Subdistrict in the Barrio Logan/Harbor 101 Community Plan. The Local Coastal Program and Barrio Logan/Harbor 101 Community Plan land use designation for the project site is Residential. The proposed expansion of the existing health care center is an allowed use within the land use designation. Therefore, the proposed coastal development is in conformance with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The Logan Heights Family Health Center is located approximately one-quarter mile from the Pacific Ocean, and does not lie between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone, therefore the proposed development is in conformance with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

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

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Planned Development Permit No. 88466/Site Development Permit No. 18480/Coastal Development Permit No. 18479 (amendment to Coastal Development Permit No. 91-0606) is granted to Family Health Center of San Diego, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
William W. Witt
Deputy City Attorney

WWW:pev
07/05/05
Or.Dept:Clerks
R-2005-1223
MMS #1891

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER 42-1704

PLANNED DEVELOPMENT PERMIT NO. 88466
SITE DEVELOPMENT PERMIT NO. 18480
COASTAL DEVELOPMENT PERMIT NO. 18479
LOGAN HEIGHTS FAMILY HEALTH CENTER MMRP
AMENDMENT TO COASTAL DEVELOPMENT PERMIT NO. 91-0606
CITY COUNCIL

This planned development permit/site development permit/coastal development permit amendment to Coastal Development Permit No. 91-0606 is granted by the Council of the City of San Diego to Family Health Center of San Diego, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0300, 126.0500, and 126.0700. The 1.12-acre site is located at 1809 National Avenue in the Redevelopment Subdistrict of the Barrio Logan/Harbor 101 Community Plan area. The project site is legally described as Lots 1-7, Lots 43-48 of Block 130 of Mannasse and Schiller's Subdivision of Pueblo Lot 1157, Map No. 209 (APN 538-240-01) and Lots 3 and 4 of Block 140 Mannasse and Schiller's Subdivision of Pueblo Lot 1157, Map No. 209 (APN 538-250-02).

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to demolish an existing 2-story 9,899-square-foot building; construct a 3-story 22,146-square-foot building connecting to two existing 11,232-square-foot and 8,758-square-foot buildings for a health care center, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 17, 2005, on file in the Development Services Department.

The project or facility shall include:

- a. Demolition of an existing 2-story 9,899-square-foot building; construction of a 3-story 22,146-square-foot building connecting to two existing 11,232-square-foot and 8,758-square-foot buildings for a combined total 32,670-square-foot health care center and for an existing off-site 21,525-square-foot surface parking lot;
- b. Landscaping (planting, irrigation and landscape related improvements);

- c. Off-street parking facilities; and
- d. Accessory improvements determined by the City Manager 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. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The 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. 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 City Manager.
4. This Permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
5. The utilization and 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 Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The applicant 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.

8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. 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.

9. 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.

10. This Permit shall become effective with recordation of the corresponding final subdivision map for and approval of the project site.

11. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action following all appeals.

12. 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 exhibits).

13. At all bus stops within the project area, if any, the applicant shall be responsible for installing sidewalk improvements where needed to comply with Americans with Disability Act [ADA] requirements and in accordance with standards contained in the City of San Diego Street Design Manual.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

14. 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.

15. As conditions of Planned Development Permit No. 99466, Site Development Permit No. 18480, and Coastal Development Permit No. 18479, the mitigation measures specified in the MMRP, and outlined in the Mitigated Negative Declaration, LDR No. 9811 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

16. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program [MMRP] as specified in the Mitigated Negative Declaration, LDR No. 9811 satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

General
Air Quality
Historical Resources (Archeology)

17. Prior to issuance of any construction permit, the applicant 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.

18. A Job Order number open to the Land Development Review Division of the Development Services Department shall be required to cover the Land Development Review Division's cost associated with the implementation of the MMRP.

ENGINEERING REQUIREMENTS:

19. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the replacement of existing curb with City standard curb and gutter, along the project frontage on National Avenue and Newton Avenue, per Standard Drawings G-2 and SDG-100, satisfactory to the City Engineer.

20. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the replacement of damaged curb with City standard curb, along the project frontage on Beardsley Street, per Standard Drawing G-1, satisfactory to the City Engineer.

21. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the replacement of the damaged sidewalk on Newton Avenue and Beardsley Street, per Standard Drawings G-7 and G-9, satisfactory to the City Engineer.

22. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the closure of the existing alley entrance with City standard curb, gutter and sidewalk, on Beardsley Street, per Standard Drawings G-2, G-7, G-9 and SDG-100, satisfactory to the City Engineer.

23. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the construction of a new alignment portion of the alley per Standard Drawing G-21, satisfactory to the City Engineer.
24. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the construction of an alley apron and pedestrian ramps on both sides of the alley entrance, on Newton Avenue, per Standard Drawings G-17, G-31 and SDG-100, satisfactory to the City Engineer.
25. Prior to the issuance of any construction permit, the applicant shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMPs] maintenance, satisfactory to the City Engineer.
26. Prior to the issuance of any construction permit, the applicant shall incorporate any construction BMPs necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.
27. Prior to the issuance of any construction permit, the applicant shall submit a Water Pollution Control Plan [WPCP]. The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
28. Prior to the issuance of any construction permit the applicant shall incorporate and show the type and location of all post construction BMP's on the final construction drawings, consistent with the approved Water Quality Technical Report.
29. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.
30. 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 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
31. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal agreement from the City Engineer for the sidewalk under drains, landscape, irrigation and their appurtenance in the City right of way.

LANDSCAPE REQUIREMENTS:

32. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents, consistent with the Landscape Standards (including planting and irrigation plans, details and specifications shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A."

33. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way and median (if applicable) 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.
34. Prior to any utility stub out, for wet and dry utilities, a plot plan shall be submitted to the Landscape Section of Development Services. The plot plans shall coordinate all utilities and driveways with the required Street Trees. The location of the Street Trees shall be in substantial conformance with Exhibit "A," Landscape Development Plan.
35. 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, if applicable, shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
36. 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. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
37. No change, modification, or alteration shall be made unless appropriate application or amendment of this Permit shall have been granted.
38. 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 thirty days of damage or Certificate of Occupancy.
39. Prior to issuance of any grading or building permit the Landscape Architect of Record shall demonstrate to the satisfaction of the Landscape Architectural Section that the existing site soil is predominantly sandy loam in structure or otherwise well-suited for good water percolation. In the event the existing soil is ill-suited for plant growth, the soil shall be amended and specifications shall be submitted based on the soil type and plant material selected. In the event this cannot be provided or verified, a 40-square foot air and water permeable area shall be provided for all trees.
40. Prior to building permit issuance, the Landscape Architect of Record shall verify that all proposed site lighting is located so as not to interfere with tree locations as shown on the Exhibit "A," Landscape Development Plan.
41. Prior to issuance of a building permit, construction documents shall be submitted that provide a light colored aggregate for areas of asphalt paving that do not provide one tree within 30 feet of each parking space. In the event tent structures are no longer used for gatherings in the vehicular use area, the applicant shall submit landscape construction documents that show a vehicular use area that provides one 24-inch box tree within 30

feet of every parking space to the satisfaction of the Development Services Department, Landscape Section.

PLANNING/DESIGN REQUIREMENTS:

42. No fewer than ninety-five 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 City Manager.

43. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

44. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

45. 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 Permittee.

46. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

47. All signs associated with this development shall be consistent with sign criteria established by either of the following:

- a. Approved project sign plan (Exhibit "A"); or
- b. Citywide sign regulations.

48. 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.

49. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

50. The subject property and associated common areas on site shall be maintained in a neat and orderly fashion at all times.

51. All uses, except storage and loading, shall be conducted entirely within an enclosed building. Outdoor storage of merchandise, material and equipment is permitted in any required interior side or rear yard, provided the storage area is completely enclosed by walls, fences, or a combination thereof. Walls or fences shall be solid and not less than six feet in height and, provided further, that no merchandise, material or equipment stored not higher than any adjacent wall.

52. No mechanical equipment, tank, duct, elevator enclosure, cooling tower, mechanical ventilator, or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed, architecturally integrated structure whose top and sides may include grillwork, louvers, and latticework.

53. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Storage Standards for Trash and Recyclable Materials (SDMC) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A."

WASTEWATER REQUIREMENTS:

54. No structures (including trash enclosures and retaining walls) that would inhibit vehicular access shall be installed in or over any sewer access easement.

55. No landscaping or enhanced paving shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.

56. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.

57. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego sewer design guide. Proposed facilities that do not meet the current standards shall be private or re designed.

58. All proposed private sewer facilities located within a single lot 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.

WATER REQUIREMENTS:

59. 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), as needed, outside of any driveway, and the removal of all existing unused services within the rights-of-way

adjacent to the project site, in a manner satisfactory to the Director of the Water Department and the City Engineer.

60. 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 devices on each water service, including domestic, fire and irrigation, in a manner satisfactory to the Director of the Water Department and the City Engineer.

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

62. 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. 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 section 66020.

APPROVED by the Council of the City of San Diego by Resolution No. 300433 adopted on May 17, 2005.

AUTHENTICATED BY THE CITY MANAGER

By _____

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

Family Health Center of San Diego
Owner/Permittee

By _____

By _____

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

PERMIT/OTHER - Permit Shell 11-01-04