

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of SAN DIEGO } ss.

On JUNE 7, 2007 before me, JOANNA PATRICIA SANTILLAN, NOTARY PUBLIC
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared LAVRA C. BLACK

Name(s) of Signer(s)
 personally known to me
 proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: PDP# 272886; PR# 86053

Document Date: _____ Number of Pages: _____

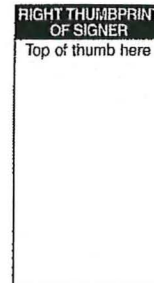
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SAN DIEGO } ss.

On MAY 25 2007, before me, MICHELE A. VIVES, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
 personally appeared ROBERT LANKFORD
Name(s) of Signer(s)

personally known to me

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.
[Signature]
 Signature of Notary Public

OPTIONAL

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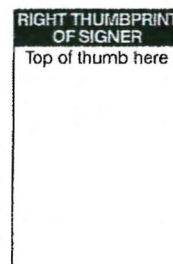
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Signer Is Representing: _____

Signer's Name: _____

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- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

HEARING OFFICER
RESOLUTION NO. HO-5755
PLANNED DEVELOPMENT PERMIT NO. 272886
SORRENTO VALLEY SCIENCE PARK
PROJECT NO. 86053

WHEREAS, LPP SORRENTO MESA, LLC, Robert V. Lankford, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a phased developed consisting of two buildings totaling 332,880 square feet, providing 150,000 square feet for office use and 150,000 square feet for Research and Development (R&D) use, and 32,880 square feet for the parking structure at grade, with a total of 1,020 on-site parking spaces (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 272886), on portions of a 4.13 acre site;

WHEREAS, the project site is located at located at 5530 Morehouse Drive in the IL-3-1 and Airport Environs Overlay Zone of the Mira Mesa Community Plan;

WHEREAS, the project site is legally described as Parcel 3 of Parcel Map No. 16707;

WHEREAS, on May 23, 2007, the Hearing Officer of the City of San Diego considered Planned Development Permit No. 272886 pursuant to the Land Development Code of the City of San Diego;
NOW, THEREFORE,

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

That the Hearing Officer adopts the following written Findings, dated May 23, 2007.

FINDINGS:

Planned Development Permit – Section 126.0604

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

The proposed development is to provide phased construction of two buildings totaling 332,880 square feet, providing 150,000 square feet for office use and 150,000 square feet for Research and Development (R&D) use, and 32,880 square feet for the parking structure at grade and 1,020 on-site parking spaces on a vacant 4.13 acre site. Phase One consists of the construction of Building One, a five (5) story, 139,011 square foot building, and 558 parking spaces within the parking structure and surface parking spaces, including the 32,880 square feet of gross floor area for the parking structure at grade. Phase Two consists of the construction of Building Two, an eight (8) story, 160,989 square foot building, and the remainder parking spaces for a total of 1,020 on-site parking spaces. The proposed project is located within the Sorrento Mesa Industrial sub area of the Mira Mesa Community Plan (MMCP). The Community Plan designates the site for Industrial Park. The Industrial Park designation is intended to accommodate a mixture of research and development, office, and manufacturing uses. The Industrial Land Use Element of the Community Plan requires that the amount of multi-tenant office be limited to 50 percent of the total square footage of the project. The project area was developed in 1984 as a part of the Lusk Industrial Park development through Planned Industrial Permit No. 84-0304, approved on August 20,

1984. The development allowed for a mixture of uses but limited office-type use to no more than 50 percent of the total building square footage allowed for Lot 84 of Lusk Industrial Park, Unit 2, Map No. 10099. The project area has had two amendments to the original Planned Industrial Permit (PID No. 86-0125 and PID No. 89-0398) to bring the project area to its current configuration of Parcels 1, 2 and 4 being developed with buildings and Parcel 3 being vacant. The proposed development for Parcel 3 would not adversely affect the land use plan.

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

The proposed development is to provide phased construction of two buildings totaling 332,880 square feet, providing 150,000 square feet for office use and 150,000 square feet for Research and Development (R&D) use, and 32,880 square feet for the parking structure at grade and 1,020 on-site parking spaces on a vacant 4.13 acre site. Phase One consists of the construction of Building One, a five (5) story, 139,011 square foot building, and 558 parking spaces within the parking structure and surface parking spaces, including the 32,880 square feet of gross floor area for the parking structure at grade. Phase Two consists of the construction of Building Two, an eight (8) story, 160,989 square foot building, and the remainder parking spaces for a total of 1,020 on-site parking spaces. The project area was developed in 1984 as a part of the Lusk Industrial Park development through Planned Industrial Permit No. 84-0304, approved on August 20, 1984, and has had two amendments to the original Planned Industrial Permit to bring the project area to its current configuration of Parcels 1, 2 and 4 being developed with buildings and Parcel 3 being vacant. The proposed development has been designed and will be constructed to meet all applicable zoning codes, building, fire and other regulations applicable to this type of development as imposed by the City of San Diego, the State of California and all federal agencies. A Mitigated Negative Declaration has been prepared for the project in accordance with the California Environmental Quality Act (CEQA). Potential impacts to biological resources, paleontological resources and traffic circulation/parking have been mitigated to a level below significance. As such, 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;

The proposed development is to provide phased construction of two buildings totaling 332,880 square feet, providing 150,000 square feet for office use and 150,000 square feet for Research and Development (R&D) use, and 32,880 square feet for the parking structure at grade and 1,020 on-site parking spaces on a vacant 4.13 acre site. Phase One consists of the construction of Building One, a five (5) story, 139,011 square foot building, and 558 parking spaces within the parking structure and surface parking spaces, including the 32,880 square feet of gross floor area for the parking structure at grade. Phase Two consists of the construction of Building Two, an eight (8) story, 160,989 square foot building, and the remainder parking spaces for a total of 1,020 on-site parking spaces. The proposed development complies with the San Diego Municipal Code, specifically the IL-3-1 zone. The proposed development complies with industrial park use as designated within the Mira Mesa Community Plan; the industrial park use includes a mixture of research and development, office, and manufacturing uses, and limits the amount of multi-tenant office to 50 percent of the total square footage of the proposed development. Further, the proposed development is consistent with the existing neighborhood scale and is designed to minimize visual impacts by breaking up the buildings scale by varying the overall height of each building. Prior grading has occurred on-site with the original entitlements with the lots being created at the time of original entitlement in 1984. The proposed development is architecturally consistent in terms of style and materials with the surrounding developments and the adjoining community.


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

The proposed development is to provide phased construction of two buildings totaling 332,880 square feet, providing 150,000 square feet for office use and 150,000 square feet for Research and Development (R&D) use, and 32,880 square feet for the parking structure at grade and 1,020 on-site parking spaces on a vacant 4.13 acre site. Phase One consists of the construction of Building One, a five (5) story, 139,011 square foot building, and 558 parking spaces within the parking structure and surface parking spaces, including the 32,880 square feet of gross floor area for the parking structure at grade. Phase Two consists of the construction of Building Two, an eight (8) story, 160,989 square foot building, and the remainder parking spaces for a total of 1,020 on-site parking spaces. The project area was developed in 1984 as a part of the Lusk Industrial Park development through Planned Industrial Permit No. 84-0304, approved on August 20, 1984, and has had two amendments to the original Planned Industrial Permit to bring the project area to its current configuration of Parcels 1, 2 and 4 being developed with buildings and Parcel 3 being vacant. The proposed development will provide two additional buildings for office and research and development uses within the community and will complete development of this area within the original Lot 84 of Lusk Industrial Park. As such, the proposed uses are appropriate at the proposed location.

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

The proposed development is not requesting any deviations from the underlying zone. The proposed project will be designed in conformance with applicable development regulations and the Mira Mesa Community Plan (MMCP). The proposed project is located within the Sorrento Mesa Industrial Subarea of the MMCP. The MMCP designates the project site for industrial park use which includes a mixture of research and development, office, and manufacturing uses, and limits the amount of multi-tenant office to 50 percent of the total square footage of proposed development. The proposed project is consistent with this land use recommendation and development standards in effect for the subject property pursuant to the adopted Mira Mesa Community Plan.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Planned Development Permit No. 272886 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 272886, a copy of which is attached hereto and made a part hereof.



Laura C. Black
Development Project Manager
Development Services

Adopted on: May 23, 2007

Job Order No. 425396

cc: Legislative Recorder, Development Services Department

ORIGINAL

Renee Mezo
Development Project Manager

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Planned Development Permit No. 585221, approved May 23, 2007
5. Draft Permit with Conditions
6. Draft Resolution with Findings
7. Mitigated Negative Declaration No. 86053
8. Project Plans (Hearing Officer only)
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Public Hearing Notice



Land Development
Review Division
(619) 446-5460

FINAL MITIGATED NEGATIVE DECLARATION

PROJECT No. 86053
JO No. 42-5396
SCH No. Pending

UPDATE PER MAY 23, 2007 HEARING OFFICER – The following language in this format has been added to page 4 of the Initial Study: Mitigation for non-native grasslands is not required as part of this project because the original entitlements for the area, Tentative Map No. 78-180-1 and EIR No. EQD-78-05-28, mitigated impacts to biological resources for the 408 acre Lusk Subdivision, with the dedication of open space easement south of Carroll Canyon Road. The EIR mitigation included the conservation of 18.6 acres of sage scrub, 14 acres of riparian habitat and 8 acres of non-native grasslands. (Please note, this document is was only redistributed to City Staff, this updated MND is considered the final to be used by staff for purposes of implementing CEQA and shall be made part of the record and included in EAS's Binder Library.)

UPDATE: The Final MND has been revised to include transportation/circulation permit conditions as MMRP measures as well. In addition, the associated initial study documents have also been updated. Additional minor revisions are also included in the final. Changes to the Final MND are shown in strikeout/bold underline format.

SUBJECT: SORRENTO VALLEY SCIENCE PARK- PLANNED DEVELOPMENT PERMIT (PDP No. 86053) to amend PLANNED INDUSTRIAL DEVELOPMENT PERMIT (PID) No. 89-0398 and construct two buildings within an existing business park. A 126-foot high/8-story building and a 75-foot high/ 5-story building and associated features would be constructed on a 4.13-acre parcel. The site is located at 5530 Morehouse Drive, San Diego, CA, 92121, in the Mira Mesa Community Plan Area (Parcel 3 of Map No. 16707, APN No. 341-031-40), City and County of San Diego, State of California). Applicant: Mark Krencik, Davis and Davis Architects

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. DETERMINATION:

The City of San Diego conducted an Initial Study which determined that the proposed project could have a significant environmental affect in the following area(s): biological resources, paleontological resources and transportation/circulation. Subsequent revisions in the project proposal create the specific mitigation identified in Section V of this Mitigated Negative Declaration (MND). The

project, as revised, now avoids or mitigates the potentially significant environmental effects previously identified to; Biological and Paleontological Resources; and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The above Determination (Section III) and attached Initial Study documents the reasons to support the Determination.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

General Measures

1. Prior to issuance of any grading permits, the Assistant Deputy Director (ADD) (aka Environmental Review Manager (ERM)) of the City's Land Development Review Division (LDR) shall verify that the following statement is shown on the first grading and/or construction plan sheet in the index under the heading, Environmental Requirements: "The Sorrento Valley Science Park project is subject to a Mitigation Monitoring and Reporting Program and shall conform to the mitigation conditions as contained in the environmental document (PTS 86053/LDR No. 42-3271). The project is conditioned to include the monitoring of grading operations by a qualified paleontologist and the involvement of a qualified biologist, as outlined in said document." Then add the Sheet Number(s) where the conditions are listed verbatim. Additional information on the mitigation measures may also be added to relevant plan sheets as appropriate. All subsequent plan sets (such as the landscape, building or improvement plans) shall also include Environmental Conditions in the index, and the verbatim MMRP on the sheets within each set.
2. The project site is 4.24-13 acres in size. Prior to issuance of any grading permits, the owner/permittee shall make arrangements to schedule a pre-construction meeting to ensure implementation of the MMRP. The meeting shall include the City Field Resident Engineer (RE), the monitoring biologist, and staff from the City's Mitigation Monitoring and Coordination (MMC) Section.

Biological Resources

3. Mitigation for Potential Impacts to Sensitive Birds

Prior to the Issuance of Grading Permits

- A. Prior to issuance of the grading permit, the applicant shall provide a signed letter stating that no grading or any type of habitat destruction shall take place during the typical bird nesting season (February 1 -September 15)

or;

- B. Prior to issuance of grading permits a qualified biologist shall determine the presence or absence of occupied nests within the project site or area adjacent which could be impacted, with written results submitted to the Assistant Deputy Director (ADD) of Land Development Review Division (LDR). If active nests of sensitive species are detected, the report shall include mitigation to the satisfaction of EAS and/or the USFWS and CDFG as described below.

Prior to Start of Construction

4. If active sensitive bird nests are identified during the pre-grading survey, or are otherwise noted during the week grading is to commence (see Item 5 below), and project construction has the potential to impact nests during the breeding season (February 1 - September 15), the biologist in

consultation with EAS staff shall determine an appropriate buffer (i.e. per the ESL), around the bird nesting area which shall be free from grading or construction activity. The buffer area must be identified and flagged.

5. These restrictions, as required, shall be noted on all grading and construction plans. If nests to be protected are located on, or adjacent to the site, weekly biological monitoring of these nests shall be conducted by the project biologist during the breeding season (February 1 through September 15) with written results submitted to the ADD of LDR. If no nests are discovered on, or adjacent to the project site, no further mitigation is required.

During Construction

6. If nests are discovered during construction activities in the breeding season, the biologist shall notify the Resident Engineer (RE) and Mitigation Monitoring and Coordination Staff (MMC).
7. The RE shall stop work in the vicinity of the nests. The qualified biologist shall mark all pertinent trees, holes, or shrubs and delineate the appropriate "no construction" buffer area per City ESL and/or the USFWS/CDFG's direction, around any nest sites, satisfactory to the ADD of LDR. The buffer shall be maintained until the qualified biologist determines, and demonstrates in a survey report satisfactory to the ADD of LDR that any young birds have fledged.

Post Construction

8. The biologist shall be responsible for ensuring that all field notes and reports have been completed, all outstanding items of concern have been resolved or noted for follow up, and that focused surveys are completed, as appropriate.
9. Within three months following the completion of monitoring, two copies of the Final Biological Monitoring Report (even if negative) and/or evaluation report, if applicable, which describes the results, analysis, and conclusions of the Biological Monitoring Program (with appropriate graphics) shall be submitted to Mitigation Monitoring Coordination (MMC) for approval by the ADD of LDR.
10. For any unforeseen additional biological resources impacted during construction, the rehabilitation, revegetation, or other such follow up action plan(s) shall be included as part of the Final Biological Monitoring Report in accordance with the City of San Diego's Land Development Code, Biological Resources Guidelines (July 2002). Additional mitigation measures may also be required.
11. This report shall address findings of active/inactive nests and any recommendations for retention of active nests, removal of inactive nests and mitigation for offsetting loss of breeding habitat.
12. MMC shall notify the RE of receipt of the Final Biological Monitoring Report.

Paleontological Resources:

13.. Prior to Permit Issuance

- A. Land Development Review (LDR) Plan Check

1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.
14. Prior to Start of Construction
- A. Verification of Records Search
1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- B. PI Shall Attend Precon Meetings
1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
 2. Identify Areas to be Monitored
Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final

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

15. During Construction

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

1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
2. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

16. Night Work

A. If night work is included in the contract

1. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVr and submit to MMC via fax by 9am the following morning, if possible.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
2. The RE, or BI, as appropriate, shall notify MMC immediately.

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

17. Post Construction

A. Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
4. MMC shall provide written verification to the PI of the approved report.
5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Fossil Remains

1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.

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

Transportation/Circulation

18. Prior to the issuances of any building permits, the applicant shall assure the following mitigation measures to the satisfaction of the City Engineer:
- a. The project shall not exceed 150,000 square feet of multi-tenant office and shall not exceed 150,000 square feet of corporate office.
 - b. The project shall not exceed 3,794 Average Daily Traffic.
 - c. The applicant shall provide an employee private shuttle service between the project and the regional transportation centers, and provide transit pass subsidies for the employees.
 - d. The applicant shall provide a kiosk or bulletin board that displays information on transit use, carpooling, and other forms of ridesharing.
 - e. The applicant shall provide and maintain a Transportation Demand Management Plan.
 - f. The project shall construct no fewer than 870 off-street parking spaces which shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A", including 17 disabled/accessible and 90 carpool spaces. A minimum of 17 motorcycle and 10 bicycle spaces plus 10 bike lockers with showers shall be provided on site. Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the City Manager.
 - g. Widen and construct southbound Pacific Heights Blvd north of the intersection with Mira Mesa Blvd to provide one additional lane for right hand turns with appropriate transitions which will result in two left turn lanes, two through lanes and one right turn lane for the southbound moves.
 - h. Widen and construct both eastbound and westbound approaches on Mira Mesa Blvd at the intersection with Camino Santa Fe to provide one additional lane for left turns with

appropriate transitions which will result in two left turn lanes, two through lanes and one through/right turn lane for both eastbound and westbound moves.

- i. Widen and construct northbound Vista Sorrento Pkwy south of the intersection with Sorrento Valley Blvd to provide a right turn lane for at least 500 feet with appropriate transitions which will result in one left turn lane, one left/ through lane, one through lane and one right turn lane for northbound moves.
- j. Widen and construct eastbound Mira Mesa Blvd west of the intersection with Sequence Dr to provide one additional lane for left turns with appropriate transitions which will result in two left turn lanes, two through lanes and one through/right turn lane for the eastbound moves.
- k. Restripe Morehouse Drive and provide appropriate No Parking signs on both side of the street with will result in one east, one west and one two-way left turn lane on Morehouse Drive.
- l. Provide a fair-share contribution of \$1,000,000 for the Carroll Canyon Road project.
- m. Provide a fair-share contribution of \$306,000 for the Mira Sorrento Place or the Carroll Canyon Road project.
- n. Provide a fair-share contribution of \$200,000 for the Interstate 805 improvement project.
- o. Provide a fair-share contribution of \$125,000 for the Interstate 5 improvement project.

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

City of San Diego

Mayor Sanders Office
Brian Mainschein-District 5
City Attorney's Office- Shirley Edwards, Roopal Shah
Development Services (501) Joseph Stanco, Terri Bumgardner, Bob Medan/Ron Carter, Jack Canning, Jim Lundquist, Thomas Bui, Bob Medan, Alexander Hempton
Project Management (501), Laura Black
Engineering & Capital Projects (86, 86A- 86B)
Planning Department, (MS 5A /4A- Jeanne Krosch, Jennifer Cordeau)
San Diego Library (81)
Laura Black, Development Project Manager (MS 501)
EAS File (MS 501)

Federal

B- US Fish and Wildlife Service (19)

State

Regional Water Quality Control Board, Region 9 (44)
B-CA Department of Fish and Game (32)
State Clearinghouse (46)

Biological Distribution

B-Environmental Law Society (164)

B-Sierra Club (165A)
B-San Diego Audubon Society (167)
B-California Native Plant Society (170)
B-Center for Biological Diversity (176)
B-Endangered Habitats League (182, 182A)
B- MMC (1102B)

Mira Mesa Community Planning Group (310)
Mira Mesa Town Council, Inc. (311)
Mira Mesa Journal (312)
Friends of Peñasquitos Preserve (313)
MCAS Miramar (314)
Mira Mesa Branch Library (315)

Applicant: Mr. Mark Krencik, Davis and Davis Architects, 3601 Fifth Avenue, San Diego, CA 92103

Owner: Ms. Mary Pampuch, Lankford and Associates, Inc, 655 West Broadway, Suite 1450, San Diego, CA 92101

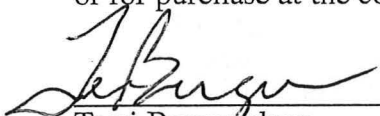
Biologist: Gina Krantz, Merkel and Associates, 5434 Ruffin Road, San Diego, CA 92123

B = Biological Distribution

VII. RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but did not address the draft Mitigated Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- (X) Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. The letters and responses follow.

Copies of the draft Mitigated Negative Declaration, the Monitoring and Reporting Program and any Initial Study material are available in the office of the Land Development Review Division for review, or for purchase at the cost of reproduction.



Terri Bumgardner
Development Services Senior Planner

February 20, 2007
Date of Draft Report

April 6, 2007
Date of Final Report

May 23, 2007
Revised Date of Final Report

Analyst: Smit Kicklighter



Land Development
Review Division
(619) 446-5460

1222 First Avenue, Mail Station 501
San Diego, CA 92101
(619) 446-5461

INITIAL STUDY

PROJECT No. 86053
JO No. 42-5396
SCH No. Pending

SUBJECT: SORRENTO VALLEY SCIENCE PARK- PLANNED DEVELOPMENT PERMIT (PDP No. 86053) to amend PLANNED INDUSTRIAL DEVELOPMENT PERMIT (PID) No. 89-0398 and construct two buildings within an existing business park. A 126-foot high/8-story building and a 75-foot high/ 5-story building and associated features would be constructed on a 4.13-acre parcel. The site is located at 5530 Morehouse Drive, San Diego, CA, 92121, in the Mira Mesa Community Plan Area (Parcel 3 of Map No. 16707, APN No. 341-031-40), City and County of San Diego, State of California). Applicant: Mark Krencik, Davis and Davis Architects

I. PURPOSE AND MAIN FEATURES:

The proposed Planned Development Permit to amend PID No. 89-0398 would allow the construction of two buildings and associated features within an existing business park. Total building area would equal 300,000 square feet (sf). Building 1 would be a 161,000 sf, 75 feet high, 5-story building; and Building 2 would be a 139,000 sf, 126 feet high, 8-story building. The buildings and associated features (which include access ways, parking areas, and landscaping) would be constructed on a 4.13-acre parcel.

The project would be on the north central portion of an existing larger business park which surrounds the site to the north, east and south. Access would be from an existing private drive which extends to the northwest off Morehouse Drive. A total of 1,980 on-site parking spaces (1/4 surface and 3/4 underground) would be provided, where 1,694 are required.

Grading of the site would occur over 2.06 acres, or approximately 50% of the 4.2413-acre site. Soil excavation of 132,645 cubic yards, to a maximum depth of 270 feet is proposed on-site. Fill would not be utilized on-site and all excavated soils would be exported off-site to an approved location. No cut and fill slopes or retaining/crib walls are proposed for the final development configuration; however a shoring wall would be used in lieu of cut slopes for the underground parking structure.

Existing and proposed on-site landscaping would cover 44% of the site and consist of existing palms and accent trees (such as coral, pine, and flowering fruit trees) large screening shrubs (i.e. guava, mallow, tea tree, Oregon grape, and hibiscus), and lower shrubs and groundcover (i.e. lilac, rock rose, honeysuckle and turf grass). The buildings and parking areas would be built in two phases and cover the remaining 56% of the site. Initially one building with covered parking and 173 uncovered surface parking spaces would be built. In the second phase, another building would be constructed and the 173 surface parking spaces would be moved under the new building. The visible building facades would be modern and consist of back painted clear glass, low -E tint vision glass, aluminum window frames, and zinc cladding.

II. ENVIRONMENTAL SETTING:

The 4.13-acre, irregularly-shaped lot is located at 5530 Morehouse Drive, between Scranton Road to the west and Lusk Boulevard to the east, in the City of San Diego, CA, 92121. The site is in Council District 5, within the Mira Mesa Community Planning Area in the IL-3-1 Zone and Miramar Airport Environs (60 to 65 decibel zone) and is designated for light industrial park use (Figures 1 and 2).

The project site has been analyzed by environmental staff several times from 1978 to the present. In 1978, an Environmental Impact Report (EIR No. 78-05-28) was prepared for the Lusk Industrial Park. This EIR included the current proposed Sorrento Valley Science Park site within a larger 408-acre area.

In 1986, a Negative Declaration (No. 85-0125) was completed for a 17 acre portion of the Sorrento Valley Science Park. This ND included the current 4.2413-acre project site.

In 1998, a Mitigated Negative Declaration to address traffic and paleontology impacts was prepared for the Hilton Garden Inn on 4.13 acres of the current proposed 4.2413 acre site.

According to City Records and file resources, the site was last legally graded in 1980-1981 during a mass grading operation for the Lusk Industrial Park. The site was subsequently used for temporary stockpiling associated with adjacent Ball Systems facility construction from 1989 to 1990 (Geology Report for the Hilton Garden Hotel, RPA, July 2000). The site has since; presumably; lain fallow for the last 16 years and non-native grassland regrowth has occurred on-site. Additional information on site conditions are provided in the Biology Discussion below.

The site is relatively flat. The lowest portion of the site lies to the south and is approximately 305 feet above mean sea level (AMSL). The highest portion lies to the north and is approximately 315 feet AMSL.

The project site is surrounded by existing industrial/business park development within the same IL-3-1 zone. The site is not within or abutting any City Multiple Species Conservation Plan/Multi-Habitat Planning Areas (MSCP/MHPA) or other areas designated as open space. The nearest MHPA areas are located to the south and north. Carroll Canyon with riparian habitat is located approximately 2,600 feet south of the site across four developed street areas; and coastal sage scrub is located approximately 2,000 feet to the north within the Lopez Canyon area. Non-MHPA, valley and foothill grasslands are located approximately 1,500 feet to the west.

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study checklist.

IV. DISCUSSION:

Implementation of Section V –Mitigation Monitoring and Reporting Program (MMRP) of the attached MND would reduce impacts to below a level of significance. All of the reports listed in this initial study are available for public review in the offices of the LDR Division at 1222 First Avenue, San Diego, CA 92101, 5th floor via a prior appointment with the environmental analyst listed in the MND.

The following environmental issue(s); Biological Resources, Paleontological Resources; and Transportation/Circulation were considered during the review of the project and determined to be significant:

Biological Resources

Initial biological analysis for the site took place in association with the Environmental Impact Report No. 78-05-28 for the 408-acre, Lusk Industrial Park. At the time, the proposed 4.2413 acre project site was described as being a portion of 310 acres of pasture or non-native grassland (NNGL).

Biological mitigation for habitats important at the time was provided for the Lusk Industrial Park impacts as follows:

No mitigation or 0 acres for 310 acres of NNGL
18.6 acres for 69 acres of coastal sage scrub (CSS)

and

100% of 14 acres of riparian area within Carroll Canyon (on Lot 75 of the original TM). A buffer area of 8 acres was also preserved on the adjacent canyon slope. It is assumed that the former and current condition of the slope is recovering coastal sage scrub interspersed with non-native grassland.

The proposed 4.24-acre project area may have previous legal grading entitlements as recently as 1998; but according to the Geology Report, the site has not been graded since the 1980-1981 when mass grading occurred for the Lusk Industrial Park. In addition, the Geology Report notes that the site was used temporarily for stockpiling during construction of the adjacent Ball Systems facility from 1989 to 1990(Update Geology Report for the Hilton Garden Hotel, Robert Prater Associates, July 2000). The site currently supports regrowth of non-native grassland which has been mown each spring for a least the last 3 years to reduce fuel loading and/or to maintain a manicured appearance.

In addition to 2.74 acres of NNGL on-site, the site also contains 0.79 acres of ornamental plantings/landscaping associated with the existing business park which surrounds the parcel on 3 sides. Finally, a row of off-site eucalyptus trees directly abuts the western project boundary.

Faunal Use

According to the current biology report (Merkel and Associates, December 2006- 3rd revision), the site is likely to support limited numbers of reptiles and amphibians; such as slender garden salamanders and southern alligator lizards; although none were directly observed. Several birds species; were however; observed on-site. They include the American crow, Cassin's kingbird, Anna's hummingbird, black phoebe, and house finch. In addition, a raptor pellet was found on-site adjacent to the off-site eucalyptus row and the site has the potential to provide foraging habitat for sensitive raptors including Cooper's hawk, burrowing owl, and red-tailed hawk. There is also a potential that

raptors may also nest in the adjacent eucalyptus trees. No other sensitive animals are expected to be present or utilize the site.

Impacts and Mitigation

Direct Impact and Mitigation – The project would impact the entire 2.74 acres of non-native grassland (NNGL) present on-site. NNGL is a Tier III habitat which typically requires mitigation under the City’s Environmentally Sensitive Lands Ordinance. As no mitigation was specifically required for non-native grassland with the original project, or the two subsequent projects outlined in the Environmental Setting (Section II), the applicant and biological consultant have proposed that no mitigation should be required for the current project impacts. The owner has also provided evidence in the form of receipts that annual spring (May) mowing has been performed for the last 3-years.

The condition of the site at the time the Hilton Garden Hotel project was reviewed was listed as “partially paved and vacant” in the MND Initial Study. Please note, the Hilton Garden Hotel project was deemed complete in 1996 and certified in February 1998. The formal adoption of the City’s MSCP and ESL standards requiring mitigation for non-native grasslands took place in March of 1997 and may not have been applicable for projects deemed complete prior to that time.

UPDATE PER MAY 23, 2007 HEARING OFFICER - Mitigation for non-native grasslands is not required as part of this project because the original entitlements for the area, Tentative Map No. 78-180-1 and EIR No. EQD-78-05-28, mitigated impacts to biological resources for the 408 acre Lusk Subdivision, with the dedication of open space easement south of Carroll Canyon Road. The EIR mitigation included the conservation of 18.6 acres of sage scrub, 14 acres of riparian habitat and 8 acres of non-native grasslands.

Indirect Impacts and Mitigation

Due to documented raptor use on-site and the potential for nesting in the adjacent eucalyptus trees, mitigation would include avoidance of grading during the breeding season; or required pregrading surveys by a qualified biologist and appropriate mitigation for presence. Mitigation would be provided to the satisfaction of the City ADD, and the responsible wildlife agency(ies) as outlined in Section V of the MND. Indirect impacts would therefore be mitigated below a level of significance.

Paleontological Resources

In order to accommodate underground parking, the project includes excavation of 132, 646 cubic yards to depths of 270 feet into Ardath Shale formation soils (Updated Geotechnical Investigation, July 2000). Ardath Shale is considered to have high potential for recovery of paleontological resources and paleontological monitoring would be required on-site per Section V of the attached MND.

Transportation/Circulation

A third draft traffic study from Urban Systems Associates, Inc. for the proposed Sorrento Valley Science Park dated October 9, 2006, was accepted by City Transportation Staff on October 23, 2006. Although the projects reduction in bulk and scale from 12 stories to 8 stories greatly reduced potential impacts to transportation/circulation, the Transportation Engineer determined that additional measures should be added to the permit in order to maintain and improve circulation in the area. Service levels at 3 roadway segments serving the project are currently operating at Level of Service (LOS) E or F which are

considered unacceptable service levels. The proposed project would increase traffic in the area and therefore constitutes a significant CEQA traffic impact. The unacceptable service areas are Mira Mesa Boulevard from 805 north bound ramp to Scranton Road and Steadman Street to Camino Santa Fe; and Vista Sorrento Parkway from 805 north bound ramp to Lusk Boulevard. All other roadway segments serving the area operate at acceptable levels (LOS D or better).

In order to reduce impacts to below a level of significance, the project applicant is required to pay fairshare contributions for traffic improvements in the area and to include a variety of major circulation upgrades at four intersections as part of the project. The requirements have been added by the City Transportation Engineer to the permit conditions and have also been added as CEQA mitigation measures to the Section V (MMRP) of the attached MND.

The following environmental issues, Geology and Soils, Historical Resources, Hydrology/Water Quality; and Health and Human Safety, ~~Transportation/Circulation~~, Land Use and Visual Quality were considered during the review of the project and determined to be less than significant:

Geology and Soils

The City of San Diego Seismic Safety Study assigns the project a Geologic Hazard Rating of 53 (level, or sloping terrain, unfavorable geologic structure, low to moderate risk to development). An "Update Geotechnical Report" for the previous Hilton Garden Hotel project on-site was submitted in lieu of specific report for the current Sorrento Valley Science Park project. Proper engineering design of the new structures would be verified by City Staff at the building permit stage. No significant geological impacts have been identified, and no CEQA mitigation is required.

Historical Resources

The site is located on the mesa between several large canyon complexes including Lopez and Carroll Canyons. Due to the nearby available water features associated with canyons, the mesa considered an area of archaeological resource sensitivity. The project property was surveyed by Westec Services and James Moriarty in 1977 and four archaeological resource sites were identified. Three sites consisted of prehistoric lithic scatters (SDM-W-1436, 1445 and 1666 (Loci A-E) and the fourth was associated with the historic Bovet Adobe in Carroll Canyon. All impacts were analyzed and previously mitigated under the entitlements granted following certification of the Lusk Industrial Park EIR (LDR No. 78—5-28. As the project was previously rough graded for the Lusk Industrial Park, no further historical resources are expected to be on site and no additional historical mitigation was required for this project.

Hydrology/Water Quality

Water quality is affected by sedimentation caused by erosion, runoff carrying contaminants, and direct discharge of pollutants (point-source pollution). As land is developed, impervious surfaces also send an increased volume of runoff containing oils, heavy metals, pesticides, fertilizers and other contaminants (non-point source pollution) into the storm water drain system.

The site is located in the Penasquitos Watershed (Hydrological Unit 906). Site run-off travels to a tributary in Carroll Canyon Creek and eventually discharges into the Los Peñasquitos Lagoon (Lagoon). The Lagoon is the closest waterbody considered to be impaired (by sedimentation) according to the most current Clean Water Act Section 303d List. The proposed development would increase impervious surfaces. The runoff from these surfaces could contain a significant amount of parking lot/landscaping pollutants if State Water Board mandates are not complied with.

Comprehensive, permanent, post construction water quality/ best management practices (BMPs), consistent with those shown on Exhibit "A," and detailed in the "WQTR for the site (PDC, June 2006), shall be incorporated into the project plans to reduce the amount of pollutants (e.g., petrochemical pollutants and sediment) discharged from the site, satisfactory to the City Engineer. Such measures include use of strategic landscaping to capture and biologically filter parking lot run-off and taking proper care during fertilizing, irrigating, and maintenance activities. Site development would include earthen and grassy swales to collect and filter runoff before release to an existing underground storm drain within Morehouse Drive. Compliance with the City of San Diego's Storm Water Standards (which have been approved to enforce State Water Board Mandates) would preclude direct and cumulatively considerable water quality impacts and no further CEQA mitigation is required.

Human Health and Safety/Transportation, Circulation/Land Use/Visual Quality

The proposed project was substantially reduced in bulk and scale from the initial to current submittals. Overall square footage was reduced from over 500,000 square feet, to approximately 300,000 square feet; and the highest building was reduced from 12 stories and approximately 200 feet; to 8 stories and 120 feet. The scaling down of the proposed development serves to reduce potentially significant impacts to human health and safety (due to potential conflicts with the Miramar Airport Environs zone), ~~transportation/circulation (site generated trip reduction)~~, and land use/visual quality (bulk and scale reduced and Municipal Code setbacks and other requirements now adhered to). Subsequent grading and building plan submittals are required to conform with the approved "Exhibit A"; therefore no impacts have been identified; and no CEQA mitigation is required.

V. RECOMMENDATION:

On the basis of this initial evaluation:

— The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.

X Although the proposed project could have a significant effect on the environment, there will not be a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section V above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.

— The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

Analyst: Holly Smit Kicklighter

Attachments: Figure 1 – Vicinity Map
Figure 2 -- Site Plan
Initial Study Checklist

Mira Mesa Community Planning Group Meeting Minutes November 17, 2008

Attendees:

Jeff Stevens	Erwin Rose	Mark Kornheiser	Jori Tulkki
Joe Frichtel	Marvin Miles	Phil Lisotta	Linda Geldner
Rich Ragus	John Brand	Ian Firth	Ted Brengel

1. Agenda Deletions or Additions

None.

2. Approval of the Minutes

A motion was made (Stevens/Frichtel) to approve the minutes from the October 2008 meeting. Motion approved (8-0-3).

3. Information Items

- a. Council District 5 Update – Khoa Nguyen announced that this would be his last meeting. Chairman Brengel expressed the group's thanks for his service to the MMCPG.
- b. MCAS Miramar – No report.
- c. Planning Department – No report.
- d. Pedestrian Bridge Update – Michael Edmond reported that several potential funding sources were being investigated. The possibility of FBA funding was raised. Letters have been written to both Cal Trans and the Governors office.
- e. San Vicente Pipeline Update – Wade Griffith reported that work on the tunnel itself is 80% complete. Pipe segments will begin to be installed in December. The project is expected to be complete in 2010.
- f. Public Comment – John Horst requested that safety improvements at the intersection of Galvin and Ice Skate Place be included as an agenda item at the next meeting.

4. Correspondence

A copy of the I-15 direct access ramp (DAR) environmental impact report (EIR) was received. There is a link to the report on the Mira Mesa town council web site, a hard copy is available for review in the Mira Mesa library.

5. Chairman's Report – No report.

6. New Business

- a. Qualcomm Building BA-Phil Lisotta, Director of Architecture.

Qualcomm is requesting a modification to the existing Planned Development Permit for building BA at 5530 Morehouse Drive. The update would allow for a single building vs. the original proposal of two buildings and for 100% multi-tenant office use vs. the original permit for 50% multi-tenant.

The single building would be 11 stories high. Juan Lias reports that MCAS has no objection to the proposal. Joe Frichtel suggested that Qualcomm consider additional FBA fee contribution in recognition of the additional use. A motion to support the project (Brand/Stevens) was approved (8-2-2).

7. Old Business

- a. Capricorn Way Turn Restrictions.

Residents and other interested parties spoke in favor and in opposition of the proposal to remove the turn restrictions. Mrs. Spencer represented that she had received over 300 signatures in support of the removal.

The primary issues appear to be that the current situation is inconvenient in a variety of ways for both residents and commuters in the area, while the original reason for the installation of the restrictions was to improve safety and reduce traffic volume. Over 20 residents spoke in favor of a variety of changes to the current situation, including additional signage, complete closure of Capricorn Way to all but residential traffic, a variety of traffic calming measures in conjunction with the removal of the turn restrictions, closure to commercial vehicles and additional enforcement using cameras, turning Capricorn way into a court or making it a one way street.

After lengthy and often heated discussion, it was suggested that the planning group request input from City staff and that the issue be tabled to the next meeting.

b. Scripps Ranch Relining Project.

Scott Robinson presented information regarding the San Diego Water Authority project to re line major supply pipelines between Mira Mesa/Scripps Ranch and Mission Trails. Construction will begin in September 2009 with completion anticipated by July 2010. The project will be presented at a public hearing on December 18th. Working hours will be limited, 7 am-7 pm, Monday to Friday and 8 am to 4 pm on Saturdays.

Action was trailed to the January meeting pending outcome of the public hearing in December.

c. Sprint Maddox Park CUP Modification.

Debra Gardner presented a proposal to modify the existing CUP to replace a cellular telephone antenna in the form of an artificial tree with light standards incorporating the antennas.

A motion was made (Kornheiser/Geldner) to support the change with the provision that lighting times and controls must be acceptable to park users and residents in the area. The motion was approved (11-0-1).

d. Direct Access Ramp (DAR) for I-15 Managed Lanes.

Corey Bins of Caltrans presented the two most likely alternatives for DAR's in the Mira Mesa area, Galvin Avenue and Hillery Drive. Bins indicated that construction is anticipated in 2012.

Discussion of the relative merits of each project included concern that both locations are close to schools and that traffic flow in these areas is already unacceptable at rush hour. The principles of both Hague and Walker elementary schools expressed concerns regarding safety due to a likely increase in congestion.

Several members questioned project staff regarding the number of parking spaces at the proposed park and ride locations for each alternative. The Galvin alternative includes an upgrade to the existing park and ride behind Best Buy, while the Hillery alternative would incorporate use of the Miramar College transit center.

Rose questioned Bins with regard to mitigation improvements to Black Mountain and Westview Parkway. It was noted that, according to the traffic study, traffic will increase 100% on Galvin avenue if this alternative were to be implemented, while traffic on Hiller Drive would increase by 24%.

The alternatives are estimated to cost \$108 and \$69 Million for Galvin and Hillery respectively. It is noted that costs associated with the Miramar College parking structure are not included in the Caltrans estimate of the Hillery

alternative.

Alternative locations including the use of the Carroll Road intersection and possible locations further south in the vicinity of Miramar Way were also discussed. These alternatives have been eliminated by Caltrans for a variety of reasons including distances to/from adjacent DAR's and right of way restrictions.

Geldner requested specific traffic mitigation measures for each alternative. Bins appeared to indicate that Caltrans has not designed specific mitigation for the impacted City streets, but general concepts would include traffic calming measures for the Hillery alternative and no mitigation for the Galvin alternative.

A motion was made (Stevens/Miles) to send a letter with the following comments on the Mira Mesa/Scripps Ranch Direct Access Ramps Project EIR:

- i. The Hillery option has the better end point, since it provides access to Miramar College, an important destination.
 1. Hillery has inadequate parking, so the plan must provide a parking structure at Miramar College. This parking structure should be shown in the EIR and included in the cost.
 2. The EIR should show planned traffic calming and mitigation measures on Hillery between Greenford and Black Mountain Road.
 3. The EIR should show traffic projections after these measures are put into effect.
 4. The EIR should show a plan for safe access to Walker Elementary School.
- ii. The Galvin option works better as a park and ride, but less well as a community access point.
 1. The EIR should show planned traffic calming and mitigation measures on Galvin between Black Mountain Road and Westview Parkway.
 2. The EIR should show traffic projections after these measures are put into effect.
 3. The EIR should show a plan for safe access to Hage Elementary School.
- iii. Because of the importance of public input, we request that the comment period for the EIR be extended by 45 days.

The motion was approved (12-0-0).

8. Committee Reports

- a. Los Peñasquitos Canyon Citizen's Advisory Committee (Pam Stevens) - No report.
- b. CPC (Jeff Stevens) - No report.
- c. Stone Creek Update (Jeff Stevens) - No report.
- d. COMPACT - No report

9. Other Business.

A motion was made (Rose/Geldner) that the MMCPG be dark in December. The motion was approved (12-0-0)

Meeting adjourned at 10:20 pm

Respectfully Submitted by:

Ian Firth
MMCPG Board Member

Reviewed By
Ted Brengel
Chairman



THE CITY OF SAN DIEGO

DATE OF NOTICE: January 2, 2013

NOTICE OF PUBLIC HEARING HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING: January 16, 2013
TIME OF HEARING: 8:30 A.M.
LOCATION OF HEARING: Council Chambers, 12th Floor, City Administration Building, 202 C Street, San Diego, California 92101

PROJECT TYPE: AMENDMENT TO PLANNED DEVELOPMENT PERMIT NO. 272886, PREVIOUS MITIGATED NEGATIVE DECLARATION NO. 86053, PROCESS THREE

PROJECT NUMBER: 163556
PROJECT NAME: QUALCOMM BA TOWER
APPLICANT: Andrew Dzulynsky
COMMUNITY PLAN: Mira Mesa
COUNCIL DISTRICT: 5

CITY PROJECT MANAGER: Renee Mezo, Development Project Manager
PHONE NUMBER/E-MAIL: (619) 446-5001, rmezo@sandiego.gov

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a Planned Development Permit (PDP) amending PDP No. 272886 to construct one, 11-story, approximately 330,000-square-foot office building for Research and Development, including an eight-level parking structure.

The 4.13-acre vacant parcel is located at 5530 Morehouse Drive, in the IL-3-1 Zone, the Airport Influence Area (Marine Corps Air Station Miramar), the Airport Environs Overlay Zone and the Residential Tandem Parking Overlay Zone, within the Mira Mesa Community Plan area.

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Hearing Officer before the close of the public hearing. The appeal must be made within 10 working days of the Hearing Officer's decision.

This project is within the scope of Mitigated Negative Declaration No. 86053 Sorrento Valley Science Park Project (Project No. 86053), which was certified and adopted, on September 22, 2005 by Resolution No. 3846-PC, by the Hearing Officer of the Development Services Department. This Mitigated Negative Declaration adequately describes the activity for the purposes of CEQA.

Please do not e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at www.sandiego.gov/development-services or in person at the Development Services Department, located at 1222 First Avenue, 3rd Floor, San Diego, CA 92101.

The decision made by the Planning Commission is the final decision by the City.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call Support Services at (619) 321-3208 at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order Number: 23431495



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

Ownership Disclosure Statement

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

Project Title **Project No. For City Use Only**
 QUALCOMM BUILDING BA 163556
Project Address:
 5530 MOREHOUSE DR SAN DIEGO CA 92121

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

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

Additional pages attached Yes No

Name of Individual (type or print):	Name of Individual (type or print):
<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature : Date:	Signature : Date:
Name of Individual (type or print):	Name of Individual (type or print):
<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency	<input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <input type="checkbox"/> Redevelopment Agency
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Signature : Date:	Signature : Date:

Project Title:

Project No. (For City Use Only)

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

Legal Status (please check):

Corporation Limited Liability -or- General) What State? _____ Corporate Identification No. _____
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached** Yes No

Corporate/Partnership Name (type or print):

QUALCOMM, INCORPORATED

Owner Tenant/Lessee

Street Address:

5775 MOREHOUSE DR SD CA 92116

City/State/Zip:

Phone No:

858 658 4843

Fax No:

858 651 1872

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

EDWARD CAPOZZOLI

Title (type or print):

VP

Signature :



Date:

8/16/08

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No:

Fax No:

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

Title (type or print):

Signature :

Date: