



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** November 8, 2007 **REPORT NO. PC-07-147**

**ATTENTION:** Planning Commission, Agenda of November 15, 2007

**SUBJECT:** SAN DIEGO TECH CENTER - PROJECT NO. 1689.  
Process 4.

**OWNER/  
APPLICANT:** MAGUIRE PROPERTIES, L.P., a Maryland Limited Partnership, Owner  
(Attachment 13).

### SUMMARY

**Issue(s):** Should the Planning Commission approve a multi-phased Master Plan development with a total Gross Floor Area (GFA) of 3,312,912 square feet of office and research and development buildings, and other uses allowable per the underlying zone on a 38.02-acre site located at 9605 – 9855 Scranton Road and 10055 – 10075 Barnes Canyon Road within the Mira Mesa Community Planning area?

### Staff Recommendations:

1. **Certify** the Environmental Impact Report No. 1689 and **Adopt** the Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations.
2. **Approve** Vesting Tentative Map No. 18547 and Planned Development Permit No. 18546.

**Community Planning Group Recommendation:** The Mira Mesa Community Planning Group, on August 21, 2006, voted 14-0-1 to recommend approval of the proposed project with no conditions (Attachment 10).

**Environmental Review:** Environmental Impact Report No. 1689 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will

be implemented to reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

**Fiscal Impact Statement:** All costs associated with the processing of this project are recovered by a deposit account maintained by the applicant.

**Code Enforcement Impact:** None with this action.

**Housing Impact Statement:** The proposed project is subject to the 1992 Mira Mesa Community Plan. The Community Plan designates the subject property as Industrial Park. The request for a Planned Development Permit and Vesting Tentative Map to subdivide an existing 38.02-acre parcel into sixteen individual lots would not result in the creation of additional housing units, nor result in the loss of any existing housing in the Mira Mesa Community.

## **BACKGROUND**

The San Diego Tech Center project is located at 9605-9855 Scranton Road and 10055-10075 Barnes Canyon Road in the western portion of the Mira Mesa community plan area (Attachment 3). The 38.02-acre project site is within the IL-2-1, Airport Environs Overlay Zone, Accident Potential Zone 1 and 2, and MCAS Miramar Airport Influence Area Zones, and is currently developed with industrial/business park uses, as well as a restaurant and recreational facilities.

The project site is located in an industrial/commercial office area in the Mira Mesa community (Attachment 2). Surrounding land use designations are predominantly industrial except for a few areas near Interstate 805 (I-805) and other major intersections, which are designated commercial. In general, the project site is surrounded by industrial/business park uses. The immediate surrounding land uses include single to multi-level industrial/business park buildings to the north, east and south; and multi-level industrial park buildings and a hotel to the west. A commercial development with a service station, bank, food court, and other retail commercial businesses is located to the southwest near the intersection of Mira Mesa Boulevard with Scranton Road. A multi-family residential development consisting of two-story condominiums is located approximately 500 feet to the west. Mira Mesa Boulevard lies approximately 700 feet to the south and Interstates 805 and 5 are approximately 2,000 and 7,000 feet to the west, respectively. In addition, Marine Corps Air Station (MCAS) Miramar is located approximately three miles to the southeast.

The developed and graded area is relatively flat with elevations ranging from 727 feet above mean sea level at the south end of the property to approximately 736 feet mean sea level at the top of slope at the north end. The slopes along the north and east side of the property are manufactured and the project site is not located within and/or adjacent to the City's Multi-Habitat Planning Area (MHPA).

The existing industrial business technology complex known as the San Diego Tech Center,

previously the Niaman Tech Center, was completed in 1986 and designed to attract leading technology-based corporations within the region. The project site encompasses 38.02 acres and is developed with eleven buildings with a total of 644,742 GFA, including one eight-story office tower, eight one to two-story industrial/business park buildings, a restaurant building, and a fitness complex. The landmark Alexander Lieberman sculpture, Stargazer, is located in the southwest corner of the site and a private park featuring a Japanese style garden is located within the interior of the site. A private drive traverses the site from Scranton Road at the southwest corner and it extends easterly and then northerly to Barnes Canyon Road. The primary entry point to the site is located along Scranton Road, with three secondary access points along Scranton Road and three along Barnes Canyon Road.

**DISCUSSION**

Project Description

The San Diego Tech Center project proposes to subdivide the 38.02-acre parcel into sixteen lots to develop a light industrial campus with office/research and development buildings and parking garages in a multi-phased development with a building total of 3,312,912 GFA of which 1,848,995 GFA will be primarily for office and research and development buildings. The development also includes a request for business support, eating and drinking establishments, child care, and health club facilities. The applicant has proposed a Master Plan for the development that establishes the guidelines for which future development on the site will be reviewed. The San Diego Tech Center Master Plan and Design Guidelines (Attachment 14) provides a specific vision for the maximum development of the project and allows the flexibility necessary to accommodate revisions to the implementation of the Plan. The phased development requires a Vesting Tentative Map and a Planned Development Permit to allow deviations to the IL-2-1 regulations.

The vesting tentative map would allow the subdivision of 38.02 acres into sixteen separate lots with building gross floor area as indicated in the table below:

<b>SAN DIEGO TECH CENTER MASTER PLAN GROSS FLOOR AREA SUMMARY</b>				
<b>Lot Number</b>	<b>Building</b>	<b>Proposed Lot Area (net acres)</b>	<b>Existing Gross Floor Area</b>	<b>Allocated Gross Floor Area</b>
1	Existing Building 2	4.96	151,184	151,184
2	Existing Building 1	2.22	158,952	158,952
3	Proposed Building A	1.38	0	154,000
4	Proposed Parking Garage A	1.33	0	211,150
5	Existing Building 4	2.41	103,450	103,450
6	Surface Parking Lots 4 and 5	0.79	0	0
7	Existing Aerobic Center	1.92	3,998	3,998
8	Existing Restaurant	1.25	5,172	5,172

9	Existing Building 3	3.11	50,604	50,604
	Existing Building 3D		51,635	51,635
10	Proposed Building E	2.75	62,369	300,000
11	Proposed Parking Garage B	2.92	0	209,803
12	Proposed Building B	2.23	0	330,000
13	Proposed Building C	1.97	0	240,000
14	Proposed Parking Garage C	3.08	0	405,000
15	Proposed Parking Garage D	3.83	45,819	585,000
16	Proposed Building D	1.35	11,559	300,000
Surplus Gross Square Feet				52,964
<b>TOTAL</b>		<b>37.50</b>	<b>644,742</b>	<b>3,312,912</b>

Based on the underlying zoning designations, the maximum allowable density on site totals 3,312,912 GFA of development. The existing buildings encompass 644,742 GFA, and thus an additional 2,668,170 GFA would be allocated amongst the proposed lots. Pursuant to the Master Plan and Design Guidelines, development rights may be transferred among lots; however, the total of 3,312,912 GFA and a composite floor area ratio of 2.0 may not be exceeded on the project site.

The applicant has applied for a Phased Planned Development Permit pursuant to Municipal Code sections 126.0601 and 143.0475 and has prepared design guidelines to provide the quality and nature of the development contemplated under the Vesting Tentative Map and Planned Development Permit. Prior to submitting an application for a construction permit, the owner(s) of the subject lot(s) shall be required by this permit to submit an application for Substantial Conformance Review, Process One (City staff decision), and in some cases, Process Two (City staff decision w/ appeal to Planning Commission) for review and approval consistent with the exhibits of approval and the Master Plan and Design Guidelines. A Process Two decision is required when a proposed building would exceed 200 feet in building height or development would substantially affect the landscape park.

The Planned Development Permit would also allow the following requested deviations to create the light industrial campus:

1. The existing site is comprised of a single 38.02 acre parcel, with frontage on Scranton Road and Barnes Canyon Road. Pursuant to San Diego Municipal Code (SDMC) section 131.0631, all parcels in the IL-2-1 zone shall have a minimum frontage of 75 feet on a public right-of-way. The proposed subdivision will result in sixteen parcels. Of these, seven lots do meet the requirements for street frontage, however; two lots combine to make the common park, while the remaining five lots gain access from the continuous private drive that bisects the site;

2. The proposed road widening on Scranton Road and Barnes Canyon Road along the project frontage will require 14 feet in width of private property for additional right-of-way. As a result of this dedication, a new property line will be established. SDMC section 131.0631 requires lots to maintain a Standard Front Setback of 20 feet, with an allowable minimum

Setback of 15 feet for up to 50 percent of the street frontage. The proposed project is seeking a reduced Standard Setback of 10-feet to maintain, to the greatest extent feasible, the development options that currently exist;

3. The proposed project will result in sixteen individual parcels in the IL-2-1 zone. The SDMC section 131.0623(b) allows for restaurants, eating and drinking establishments as a permitted use in the IL-2-1 zone, not to exceed 3,000 square feet in size. The existing development contains a single restaurant of approximately 5,300 square feet situated within the park area. This use is regarded as an amenity by the occupants of the development and the community as a whole. Considering the proposed increase in the onsite population, the applicant requests a deviation to aggregate the allowable 3,000 square feet use per individual parcel into one or more additional food and drinking establishments. The uses would be allowed to exceed the 3,000 square feet per parcel limit, but the aggregate for the development, including existing uses, would not exceed 48,000 square feet; and

4. The development requires the construction of retaining walls. Due to existing topography and development constraints, the proposed retaining walls would deviate from SDMC section 142.0340, Retaining Wall Regulations in All Zones. The proposed retaining wall, approximately 975 feet in length, spans across the eastern property lines of proposed Lots 11 through 13 and ranges from a height of 16 feet to 23 feet. Also, a retaining wall, approximately 540 feet in length, along the south/southwest portions of proposed Lot 1 with a maximum height of 18 feet.

The eastern wall is located such that it would be screened by existing and proposed buildings or parking structures and will not be readily viewed from any public right of way. Locating the wall along the eastern man-made slope would provide for the efficient vehicular circulation and parking for access to the proposed buildings and the parking structure. The other retaining wall on the south/southwest portion of the proposed Lot 1 is necessary due to the roadway widening along Scranton Road at the project's primary entry driveway. The project's dedication of 14 feet of right of way would remove the site's existing 1½ :1 down slope at this location and require the retaining wall construction to stabilize and protect existing structures.

The Permit includes specific retaining wall conditions to provide landscape screening for walls over 5 feet with a combination of trees, shrubs and vines. Also, the architecture of the wall shall be consistent and blend with the adjacent building structure or landscape theme for the area. Finally, landscape plant material will be provided that will screen a minimum of 80 percent of the wall within two years.

The campus development would accommodate parking through a combination of multi-level parking garages and surface lots. The development is ultimately required to provide a maximum of 7,500 parking spaces. Considering the phased development, the project contains permit conditions establishing thresholds of development and requirements for regional transportation and circulation improvements.

## San Diego County Regional Airport Authority

On June 5, 2006, the San Diego County Airport Land Use Commission determined that the proposed project is consistent with the MCAS Miramar Airport Land Use Compatibility Plan (Attachment 11) with two conditions that have been included in the draft Permit.

### Community Plan Analysis

The proposed project is located within the Sorrento Mesa Industrial sub-area of the Mira Mesa Community Plan (MMCP). The MMCP designates the site as Industrial Park. The Industrial Park designation is intended to accommodate a mixture of research and development, office, and manufacturing uses. The project proposes to subdivide an existing 38.02-acre parcel into sixteen individual lots. Five of the existing office buildings, a fitness center and a restaurant with a total of 524,995 square feet of GFA, would remain and five additional industrial/business park buildings would be constructed.

A goal of the community plan is to preserve an adequate supply of industrial land for employment-generating uses. In order to preserve an adequate supply of industrial land for manufacturing uses, and to reduce traffic conflicts and congestion in industrial areas, the community plan places a limitation on the amount of multi-tenant office in the Sorrento Mesa area to 50 percent of the total square footage of a project. The new 1,324,000 square feet of development proposed will be conditioned to limit the amount of multi-tenant office, in conformance with the policies in the community plan.

Within the new development, any office tenant not occupying over 40,000 square feet of GFA shall be considered as contributing to the multi-tenant office use of the new building square footage. In addition, the proposed new buildings will incorporate a minimum of 280,000 square feet of GFA in a minimum floor plate size of 35,000 square feet to provide buildings with larger floor plates that are more attractive to light industrial and manufacturing businesses. The 644,742 square feet of existing buildings have been constructed pursuant to the underlying zone and are currently occupied with predominantly business and professional office uses. These buildings with pre-existing uses shall not be subject to any restriction on multi-tenant office use except to the extent that any such existing square footage must be demolished to accommodate for the new 1,324,000 square feet of development proposed. The MMCP contains development criterion for industrial development. The Plan's development criteria have been included in the Design Guidelines that are part of the PDP.

The MMCP allows for the provision of support commercial facilities within Sorrento Mesa's industrial parks, but requires that these support facilities not exceed 10 percent of the allowable gross floor area of a PDP. Support commercial facilities are services that employees or visitors to the area would normally have to drive to, such as restaurants, credit unions, copy centers, mail services, savings and loan institutions, child care centers, athletic clubs and business serving hotels which do not provide space devoted to restaurants, retail shops and meeting space at the level found at full-service hotels. There is currently an existing restaurant and fitness center on

the site that would be retained as part of the project. The project proposes a maximum of 48,000 square feet of support commercial facilities and is well within the 10 percent limitation recommended by the MMCP.

A portion of the subject site is located within the Accident Potential Zone (APZ) 2, for MCAS Miramar and is subject to the requirements of the MCAS Miramar Comprehensive Land Use Plan (CLUP). Property in APZ 2 is limited to lot coverage of less than 40 percent. An approximately five-acre portion of the project site, located in the southwest corner, is within the APZ 2. Existing on-site land uses within the APZ 2 include portions of two buildings, a private access drive, surface parking, and landscaped areas. Therefore, the uses within the APZ 2 would not change. Office and industrial/manufacturing uses are compatible within the APZ 2 and consistent with the MCAS Miramar CLUP.

### Environmental Analysis

The environmental review process for the proposed project included an evaluation of several areas of interest; Land Use, Transportation/Circulation, Noise, Paleontological Resources, Utilities, Hydrology and Water Quality, Geology and Soils, Air Quality, Public Safety, and Aesthetics/Neighborhood Character. These areas of interest were evaluated by City staff and have been documented in the Environmental Impact Report (EIR) No. 1689.

Of the aforementioned environmental issues, the EIR concluded that the project would result in significant but mitigable direct impacts associated with Transportation /Circulation, Noise, Paleontological Resources, Public Safety, Geology/Soils, Hydrology and Water Quality, and Air Quality. Implementation of the proposed Mitigation, Monitoring, and Reporting Program (MMRP) would reduce the environmental effects of the proposed project to below a level of significance. However, the proposed project would contribute incrementally to a significant and unmitigated cumulative air quality impact. No feasible mitigation measures exist to reduce the impact to below a level of significance.

The Mira Mesa Community Plan Update Environmental Impact Report (EIR No. 89-1221/SCH No. 91051053) which evaluated significant impacts at building of the Mira Mesa community concluded that any development in accordance with the Community Plan would contribute incrementally to the degradation of air quality in the region. The baseline for environmental review would therefore be an existing significant “cumulative” impact for air quality even with the implementation and conformance with Regional Air Quality Standards (RAQS). A Statement of Overriding Considerations is included with the San Diego Tech Center EIR in accordance with State CEQA Guidelines Section 15093.

### Transportation/Circulation

The project is located north of Mira Mesa Boulevard, east of Interstate 805 and bound by Scranton and Barnes Canyon roads. Traffic generated by the proposed project is based on City of San Diego Trip Generation Manual, May 2003, trip generation rates and the use and square

footage of the existing and proposed buildings. Existing trips generated by the site's use was then subtracted to determine the net traffic trips generated by the proposed project. The existing trip generation associated with existing buildings at the San Diego Tech Center is 8,335 Average Daily Traffic (ADT). The proposed project trip generation was determined to be 22,674 ADT. The difference between the proposed and existing trip generation would result in a net increase of 14,339 ADT, with 1,647 trips in the AM peak hour and 1,720 trips in the PM peak hour.

A Traffic Analysis Report (Report) was prepared for the development and the addition of project-generated traffic would result in significant project-level and cumulative traffic impacts to a number of roadway segments, intersections, freeway segments, and freeway ramps, including:

#### **Roadway Segments**

- Vista Sorrento Parkway, between Sorrento Valley Boulevard and Lusk Boulevard (Near-term and Buildout)
- Vista Sorrento Parkway, between Lusk Boulevard and Directors Place (Near-term and Buildout)
- Vista Sorrento Parkway, between Directors Place and Mira Sorrento Place (Near-term Buildout)
- Barnes Canyon Road, between Scranton Road and Lusk Boulevard (Near-term and Buildout)
- Carroll Canyon Road, between Scranton Road and Sorrento Valley Road (Buildout)

#### **Intersections**

- Sorrento Valley Boulevard/Vista Sorrento Parkway (Near-term and Buildout)
- Interstate 5 northbound off-ramp/Roselle Street (Near-term and Buildout)
- Sorrento Valley Boulevard/Sorrento Valley Road (Near-term and Buildout)
- Interstate 805 northbound (Mira Sorrento Place)/Vista Sorrento Parkway (Near-term and Buildout)
- Scranton Road/Mira Sorrento Place (Near-term and Buildout)
- Mira Mesa Boulevard/Scranton Road (Buildout)
- Mira Mesa Boulevard/Pacific Heights Boulevard (Buildout)

#### **Freeway Segments**

- Interstate 805, south of Mira Mesa Boulevard (Near-term and Buildout)
- Interstate 805, between Miramar Road and Governor Drive (Near-term)
- Interstate 805, between Governor Drive and State Route 52 (Near-term)

#### **Freeway Ramps**

- Southbound Interstate 805 on-ramp at Sorrento Valley Road (Near-term and Buildout)
- Northbound Interstate 805 on-ramp at Vista Sorrento Parkway (Near-term and Buildout)

To mitigate the above mentioned roadway segments, intersections, freeway, and I-805 ramps impacts to a level below significance, the applicant is required to implement specific traffic and circulation measures such as roadway widening, new turn lanes, new traffic signals, private



shuttle service, and \$ 5.77 million of fair share contribution to regional transportation improvements, all specifically described in the MMRP and included in the draft permit.

### Noise

The proposed project would provide additional industrial/business park and professional office development. In addition, the Mira Mesa Community Plan encourages the incorporation of support facilities into larger industrial park developments to serve area employees. Specifically, these facilities include restaurants, credit unions, copy centers, childcare centers and athletic clubs. Allowable support facility uses, pursuant to the underlying zoning designation of light industrial (IL-2-1), include eating and drinking establishments, retail sales, support commercial, commercial services, financial institutions and childcare centers. The applicant has indicated the possibility of providing a childcare center on site. Provision of an on-site childcare facility could potentially expose people to exterior and interior noise levels in excess of applicable noise standards (65 decibels for exterior and 45 decibels for interior), which would result in a potentially significant, but mitigable noise impact. Mitigation measures as described in the MMRP would reduce potentially significant noise impacts to below a level of significance.

### Paleontological Resources

The project site is underlain by Eocene Scripps Formation, which have a high sensitivity rating with respect to paleontological resources. A significant, but mitigable paleontological impact has been identified for the proposed project since the proposed grading activities (approximately 75,000 cubic yards of soil and depth of cut of approximately 10 feet or greater) would have the potential to impact paleontological resources within these formations. Mitigation measures (monitoring) as described in the MMRP would ensure that any discoveries during grading activities would be recorded, reported, and curated.

### Public Safety

The project site is within the IL-2-1 (Industrial) zone and designated for industrial uses as identified in the Mira Mesa Community Plan. This land use allows for light industrial, research and development, and office uses. As part of the proposed development, the applicant may provide for child care facilities on-site. Projects that propose child care facilities in industrial areas must submit a risk assessment-contamination study that includes a survey of all emissions sources within a 1,000-foot radius. A risk assessment would not provide mitigation measures for potential public safety impacts; however, the report can identify whether a child care facility would be an appropriate use to be located within an industrial zone.

Therefore, since the future occupants and businesses are not known at this time, a Hazardous Materials Business Management Plan and/or Hazardous Material Substance Approval Form must be submitted to the County and City of San Diego prior to the issuance of occupancy for any Child Care Center/Facility, if hazardous materials are proposed to be located on-site. The business plan would identify the hazardous materials located on-site and outline an evacuation

plan in case of an emergency. In addition, any proposed child care facility cannot be located within 1,000 feet of known hazardous substances on-site. These specific mitigation measures are described in MMRP.

### Geology

A preliminary geotechnical investigation of the project site and proposed development was conducted by Kleinfelder, Inc. (Kleinfelder 2002), with an additional geotechnical investigation previously conducted within the site for two proposed surface parking lots (Kleinfelder 2001). The proposed project could result in potentially significant, but mitigable impacts related to short-term erosion and sedimentation from activities including grading, excavation and (if required) disposal of extracted groundwater. Mitigation measures included in the MMRP require the construction contractor(s) and/or project applicant to implement applicable erosion prevention and sediment control measures, pursuant to requirements in the NPDES General Construction Activity and/or Groundwater Extraction Waste Discharges Permits.

### Hydrology and Water Quality

Project implementation could result in potentially significant, mitigable water quality impacts from construction-related hazardous materials, demolition-related debris and disposal of extracted groundwater, as well as generation and off-site discharge of urban contaminants from long-term operation and maintenance. The project applicant shall implement applicable water quality control measures, pursuant to requirements in the NPDES General Construction Activity, Groundwater Extraction Waste Discharges, and the City's Storm Water Standards measures as described in the MMRP would reduce potentially significant water quality impacts to below a level of significance.

### Air Quality

Construction of the project would result in fugitive dust and diesel exhaust emissions associated with construction activities. Dust generated during the construction phase would result in a significant, mitigable air quality impact. Fugitive dust control measures as described in the MMRP include: applications of water during grading between dozer/scrapper passes; paving, chip sealing or chemical stabilization of internal roadways after completion of grading; use of sweepers or water trucks to remove "track-out" at any point of public street access; and the termination of grading if winds exceed 25 mph. Application of these measures would reduce impacts to below a level of significance.

### Critical Project Features to Consider During Substantial Conformance Review

The project and conditions of approval require the owner and subsequent owner(s) to submit an application for Substantial Conformance Review, Process One or Process Two depending upon design significance threshold, prior to applying for any construction permit. Specific exhibits of approval have been prepared including the project's Master Plan and Design Guidelines with

specific guidance related to zoning requirements, signage, on-site circulation, storage areas, employee amenities, landscape, exterior lighting, and mix of uses for the project within each building. These are important and necessary to conclude the proposed phased development would not adversely impact the Mira Mesa Community Plan; not create unmitigated transportation/circulation impacts; and be consistent with the requirements of the Land Development Code.


### CONCLUSION

The proposed San Diego Tech Center project conforms to the land use density, land use designation and design guidelines specified within the Mira Mesa Community Plan. The project will provide the required pedestrian scale improvements and design features established in the community plan for industrial development. The project as proposed is compatible with the existing surrounding developments. Findings required to approve the project are included in draft resolutions (Attachment 8). Draft conditions of approval have been prepared for the project (Attachment 7). The Mira Mesa Community Planning Group, on August 21, 2006, voted to recommend approval of the proposed project.

### ALTERNATIVES

1. **Approve** Vesting Tentative Map No. 18547 and Planned Development Permit No. 18546, **with modifications.**
2. **Deny** Vesting Tentative Map No. 18547 and Planned Development Permit No. 18546, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

  
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Mike Westlake  
Program Manager,  
Development Services Department

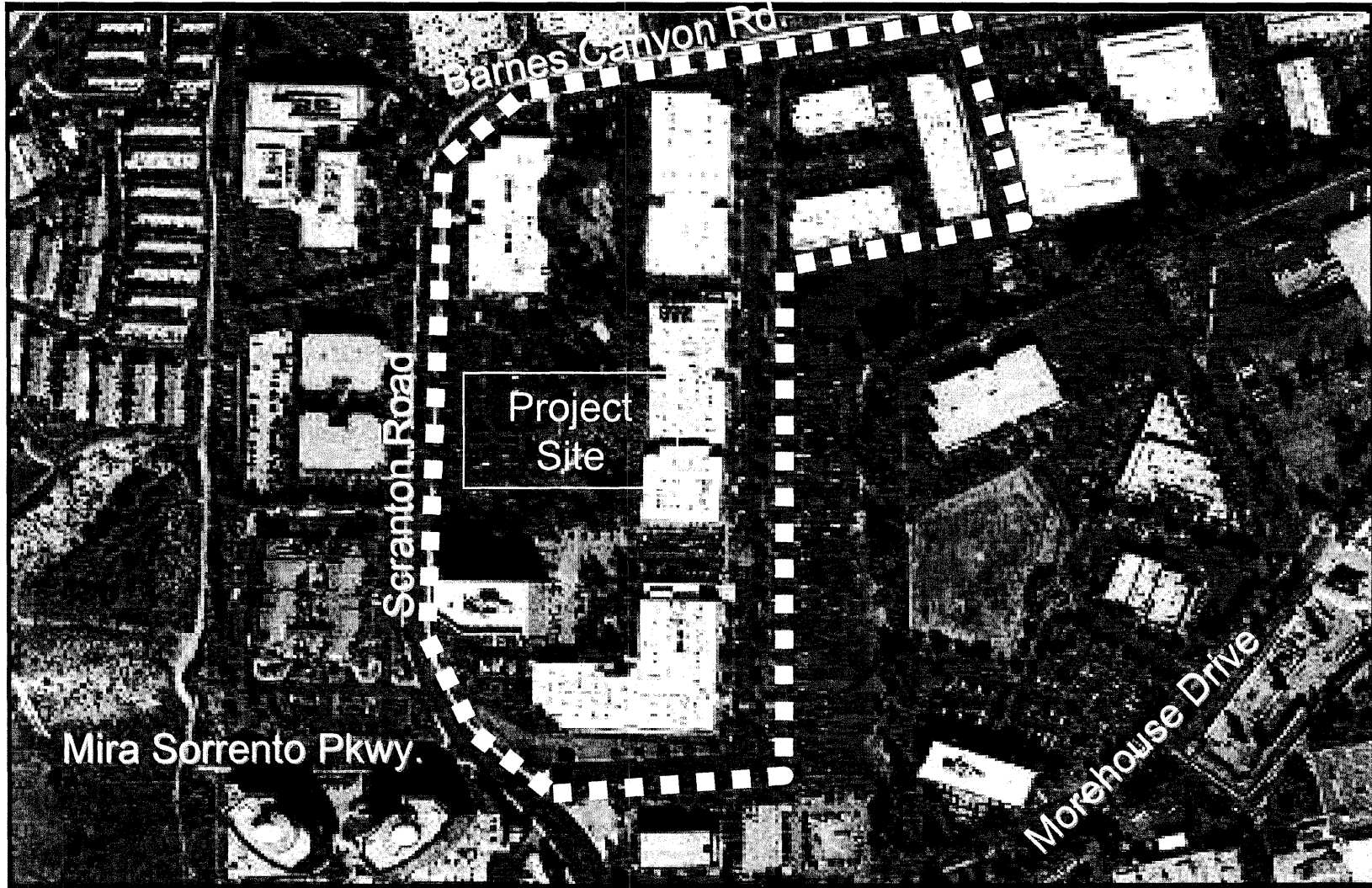
  
\_\_\_\_\_  
Tim Daly  
Development Project Manager,  
Development Services Department

BOEKAMP/TD

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map

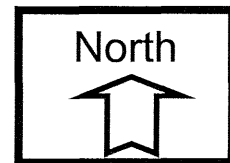
4. Project Data Sheet
5. Project Site Plan
6. Vesting Tentative Map
7. Draft Permit with conditions
8. Draft Permit Resolution with Findings
9. Draft Vesting Tentative Map conditions and subdivision resolution
10. Mira Mesa Community Planning Group recommendation
11. San Diego County Regional Airport Authority letter, July 24, 2006
12. Ownership Disclosure Statement
13. Project Chronology
14. San Diego Tech Center Master Plan and Design Guidelines (Separate Attachment)



## Aerial Photo

SAN DIEGO TECH CENTER, PROJECT NO. 1689

9605 – 9855 Scranton Road and 10055 – 10075 Barnes Canyon Road



Attachment 1

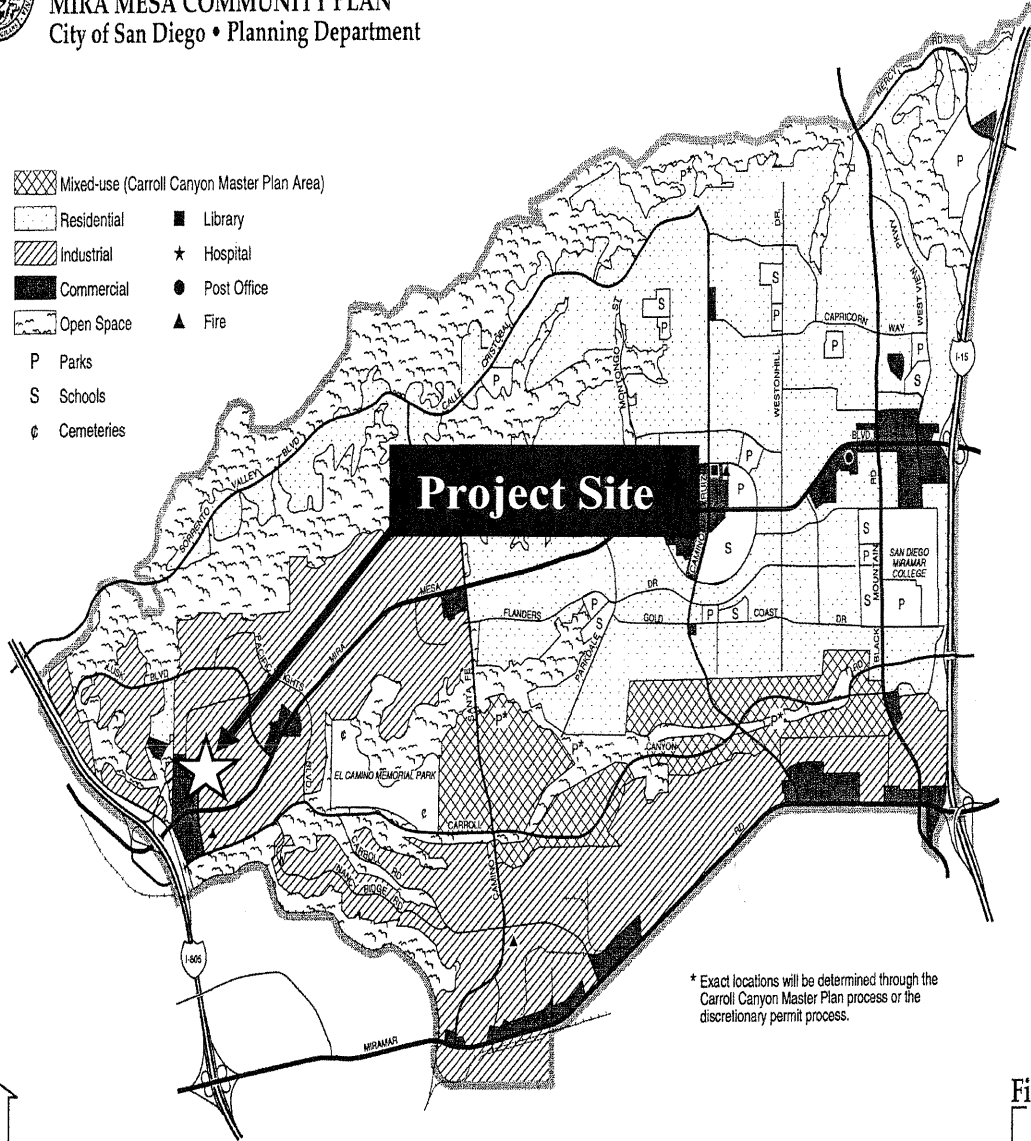




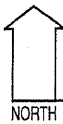
# Land Use Map

MIRA MESA COMMUNITY PLAN  
City of San Diego • Planning Department

- Mixed-use (Carroll Canyon Master Plan Area)
- Residential
- Industrial
- Commercial
- Open Space
- P Parks
- S Schools
- c Cemeteries
- Library
- Hospital
- Post Office
- Fire



\* Exact locations will be determined through the Carroll Canyon Master Plan process or the discretionary permit process.



Figure

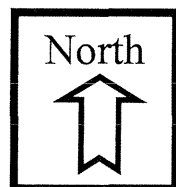
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MIRA MESA 2004 PLAN  
1-23-03JAA



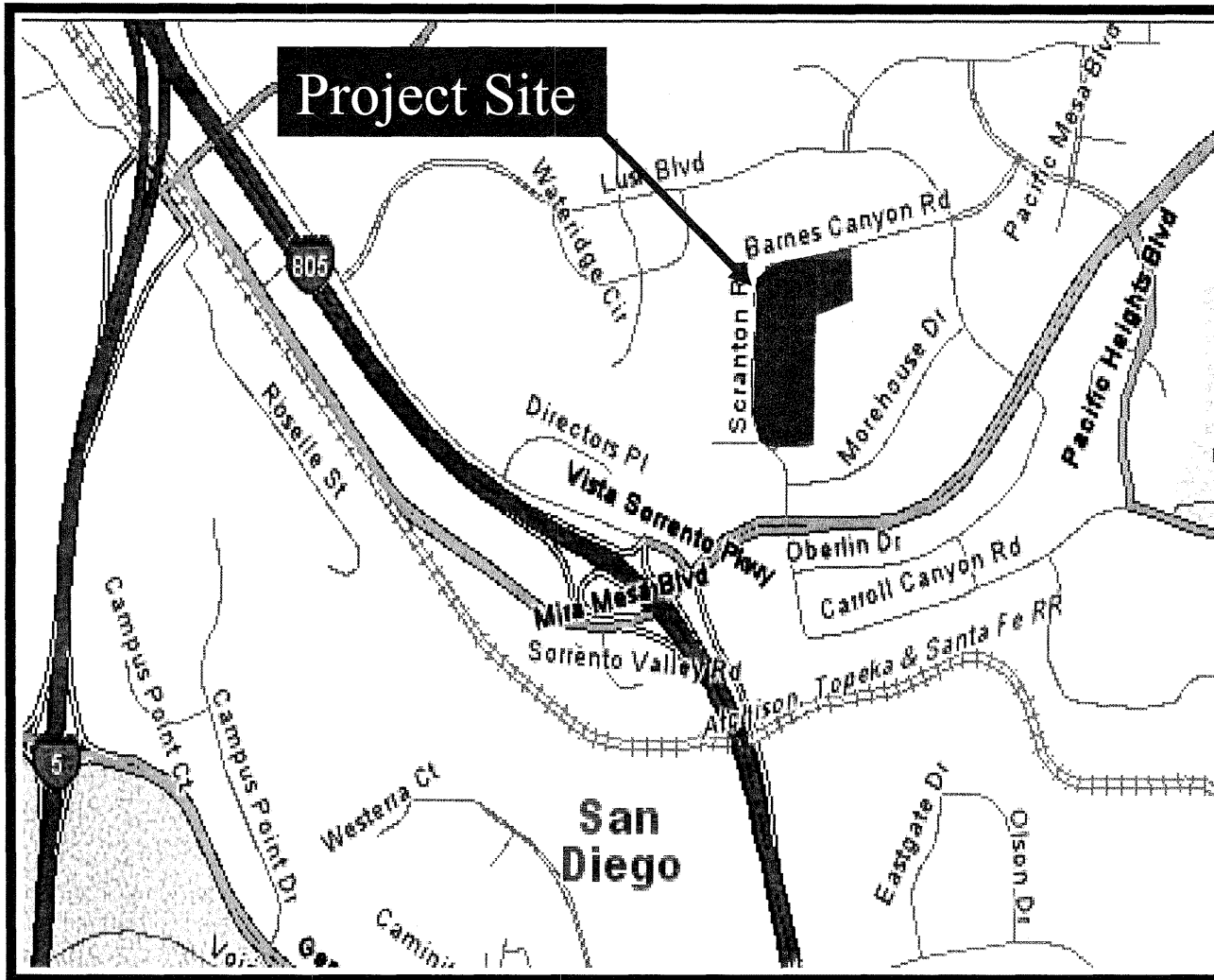
## Mira Mesa Land Use Map

**SAN DIEGO TECH CENTER, PROJECT NO. 1689**  
9605 – 9855 Scranton Road and 10055 – 10075 Barnes Canyon Road





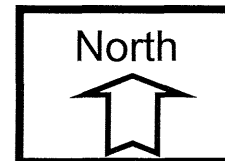




## Project Vicinity Map

SAN DIEGO TECH CENTER, PROJECT NO. 1689

9605 – 9855 Scranton Road and 10055 – 10075 Barnes Canyon Road





# PROJECT DATA SHEET

<b>PROJECT NAME:</b>	San Diego Tech Center (PTS No. 1689)
<b>PROJECT DESCRIPTION:</b>	Subdivision of an existing 38.02-acre parcel into 16 individual lots for a multi-phased Master Plan development with a total Gross Floor Area (GFA) of 3,312,912 square feet of primarily office and research and development buildings, parking garages, and including other uses allowable per the underlying zone at 9605 – 9855 Scranton Road and 10055 – 10075 Barnes Canyon Road
<b>COMMUNITY PLAN AREA:</b>	Mira Mesa Community Plan
<b>DISCRETIONARY ACTIONS:</b>	Planned Development Permit and Vesting Tentative Map
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Industrial

**ZONING INFORMATION:**

	<u>Required</u>	<u>Proposed</u>
<b>ZONE:</b>	IL-2-1	IL-2-1
<b>HEIGHT LIMIT:</b>	N/A	175 feet (max)
<b>LOT SIZE:</b>	15,000 sq. feet	35,190 to 217,970 square feet
<b>LOT WIDTH:</b>	75 feet	varies for each lot
<b>STREET FRONTAGE:</b>	75 feet	varies for each lot <sup>1</sup>
<b>LOT DEPTH:</b>	100 feet	varies for each lot
<b>FLOOR AREA RATIO:</b>	2.0 max	2.0
<b>FRONT SETBACK:</b>	15 (min) to 20 (std) feet	10 feet <sup>1</sup>
<b>SIDE YARD SETBACK:</b>	10 feet	varies for each lot
<b>STREET YARD SETBACK:</b>	15 feet	varies for each lot
<b>STREETSIDE SETBACK:</b>	15 (min) to 20 (std) feet	varies for each lot
<b>REAR SETBACK:</b>	0 (min) to 15 (std) feet	0 feet
<b>PARKING:</b>	Office (R&D) 2.5 spaces per 1,000 SF <sup>2</sup> Office: 3.3 spaces per 1,000 SF <sup>3</sup> Restaurant: 15.0 spaces/1,000 SF (max) <sup>3</sup>	Office (R&D) 2.5 spaces per 1,000 SF Office: 3.3 spaces/1,000 sq ft (weekday) Restaurant: 15.0 spaces per 1,000 SF Fitness Center: 5.0 spaces per 1,000 SF 6,784 parking spaces provided

<sup>1</sup>Deviation requested  
<sup>2</sup>LDC Table 142-05F  
<sup>3</sup>LDC Table 142-05H

ADJACENT PROPERTIES	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
<b>NORTH:</b>	Industrial (IL-2-1)	Industrial (Business Park)
<b>SOUTH:</b>	Industrial (IL-2-1)	Industrial (Business Park)
<b>EAST:</b>	Industrial (IL-2-1, IL-3-1)	Industrial (Business Park)
<b>WEST:</b>	Industrial, Commercial (IL-2-1, IL-3-1, CV-1-1)	Industrial (Business Park)/Commercial (Retail)/Hotel

<b>DEVIATIONS REQUESTED:</b>	<p>1. Minimum Street frontage requirement is 75 ft per LDC Table 131.0631, proposed lots No. 7, 8, 9, 11, 12, 13, 14, and 15 do not front public street.</p> <p>2. Standard Front setback is 20 ft and minimum front setback is 15 ft (limited to 50% of the frontage) per LDC 131.0631. Required dedication of street right-of-way fronting Scranton Road and Barnes Canyon Road for road widening, a 10-ft minimum front setback shall be maintained.</p> <p>3. SDMC section 131.0623(b) allows for restaurants, eating and drinking establishments as a permitted use in the IL-2-1 zone, not to exceed 3,000 SF in size. Proposes to aggregate the allowable 3,000 SF use per individual lot into one or more additional food and drinking establishments. Uses would be allowed to exceed the 3,000 square feet per parcel limit, but the aggregate for the development, including existing uses, would</p>
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**Attachment 4**

	<p>not exceed 48,000 SF.</p> <p>4. SDMC section 142.0340, Retaining Wall Regulations in All Zones. The proposed retaining walls exceed height requirements with proposed max. 23 ft high retaining wall.</p>
<p><b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b></p>	<p>The Mira Mesa Community Planning Group, on August 21, 2006, voted 14-0-1 to recommend approval of the proposed project with no conditions.</p>

ADJACENT USE -  
COMMERCIAL/INDUSTRIAL

**PARKING SUMMARY:**

**LEGEND - PARKING SUMMARY**

HC = ACCESSIBLE PARKING STALL (BY 09 18 OF MIN.)  
 CP = CARPOOL DESIGNATED PARKING STALL  
 MC = MOTORCYCLE DESIGNATED PARKING STALL  
 B = BICYCLE DESIGNATED PARKING AREA  
 BL = BICYCLE LOCKERS  
 VP = NUMBER OF SPACES/STALLS PROVIDED  
 TA = VEHICULAR TURNAROUND AREA  
 MIN. 50 SQ. FT. PER LOC. (48 CIRCULAR)  
 P = PARKING GARAGE VEHICLE ENTRY POINT  
 E = PRIMARY PEDESTRIAN ACCESS POINT  
 VE = VEHICLE TRAFFIC FLOW

**PARKING NOTES:**  
 1. MINIMUM PARKING OFFICE DIVISION IS 8' BY 16' WITH 8' CLEAR LINE.  
 2. MIN. PARKING SHALL BE PROVIDED FOR EACH USE AS FOLLOWS:  
 OFFICE: 2.5 SPACES PER 1,000 S.F.  
 OFFICE: 3.5 SPACES PER 1,000 S.F.  
 RESTAURANT: 15.0 SPACES PER 1,000 S.F.  
 FITNESS CENTER: 5.0 SPACES PER 1,000 S.F.  
 NO MORE THAN 7,500 SQ. FT. STREET PARKING SPACES ARE ALLOWED UPON BUDDGET OF THE PROJECT.

**PARKING TABULATIONS**

PARKING SPACES PROVIDED BASED ON BUILDING SIZE (SEE NOTE 2)

BUILDINGS	1	2	3	3D	4	A	B	C	D	E	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	TOTAL
Building Area	126,153	181,128	20,204	21,401	108,441	84,000	300,000	242,000	300,000	61,719	3,750	18	21	2	2	2	2	2	2	2	1,348,988
Typical Vehicle	226	327	134	188	214	200	1,129	812	1,000	200	18	21	2	2	2	2	2	2	2	2	1,314
<b>TOTAL PROVIDED PARKING</b>																					<b>2,234</b>

TOTAL PROVIDED PARKING

ADDITIONAL REQUIRED PARKING

NO. Vehicle	11	11	4	4	2	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	TOTAL
NO. Vehicle	31	31	4	4	2	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	128
Carroll Spaces	48	48	10	10	5	46	46	46	46	46	46	46	46	46	46	46	46	46	46	46	46	528
Bicycle Spaces	12	12	2	2	1	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	276
Motorcycle Spaces	12	12	2	2	1	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	276

PARKING NOTES:

1. MINIMUM PARKING OFFICE DIVISION

2. MIN. PARKING SHALL BE PROVIDED FOR EACH

USE AS FOLLOWS:

OFFICE: 2.5 SPACES PER 1,000 S.F.

OFFICE: 3.5 SPACES PER 1,000 S.F.

RESTAURANT: 15.0 SPACES PER 1,000 S.F.

FITNESS CENTER: 5.0 SPACES PER 1,000 S.F.

NO MORE THAN 7,500 SQ. FT. STREET PARKING

SPACES ARE ALLOWED UPON BUDDGET OF THE

PROJECT.

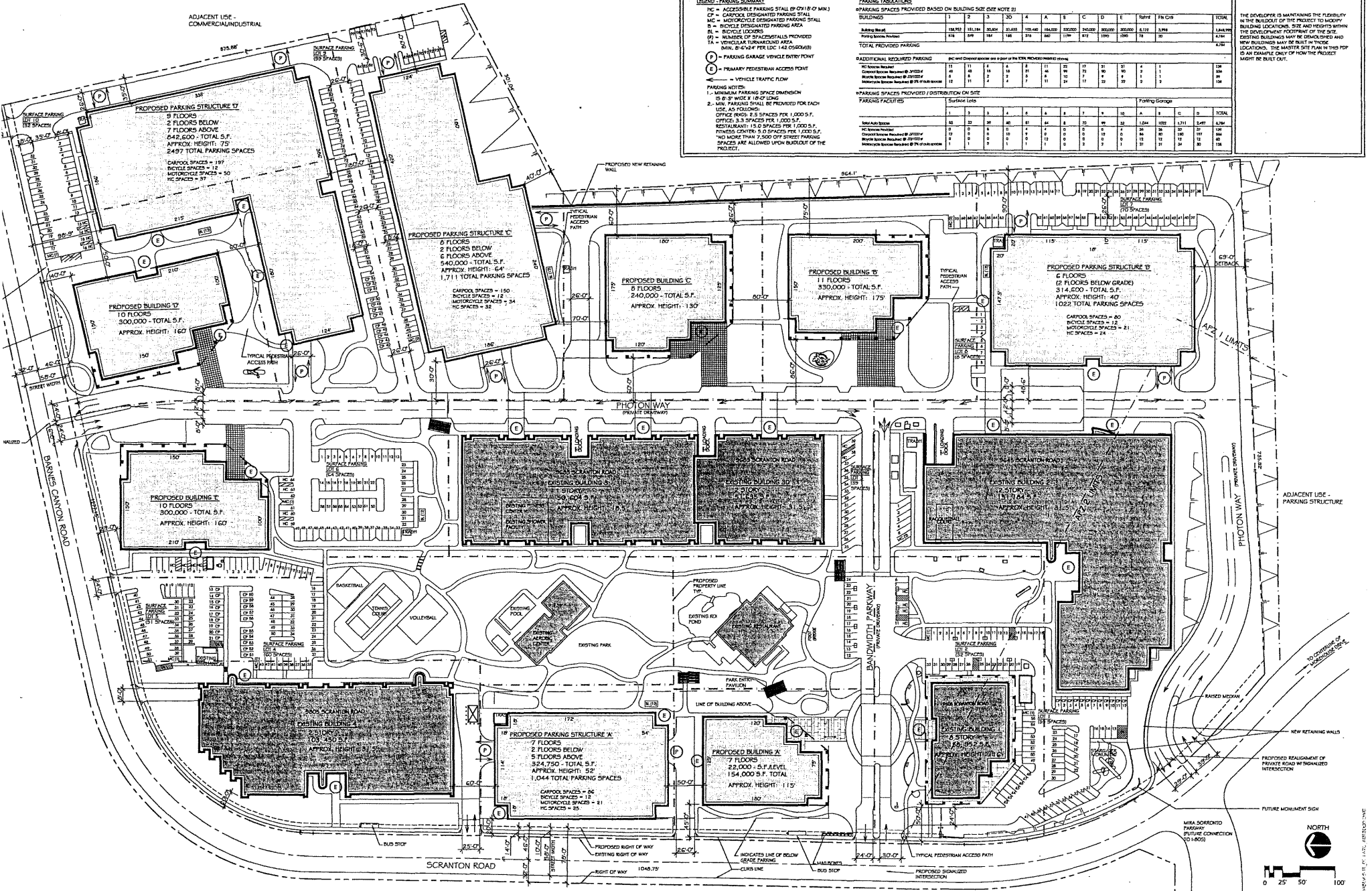
PARKING SPACES PROVIDED DISTRIBUTION ON SITE

PARKING FACILITIES

Facilities	Surface	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	TOTAL
Surface	126	22	28	36	48	64	84	108	144	180	216	252	288	324	360	396	432	468	504	540	576	5,171
Garage	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
Motorcycle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
Bicycle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
HC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
CP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
MC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
BL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
VP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
TA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
MIN. 50 SQ. FT.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
NO. OF SPACES	126	22	28	36	48	64	84	108	144	180	216	252	288	324	360	396	432	468	504	540	5,171	
HC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
CP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
MC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
B	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
BL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
VP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
TA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158
MIN. 50 SQ. FT.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	158

**DESIGN FLEXIBILITY NOTE:**

THE DEVELOPER IS MAINTAINING THE FLEXIBILITY IN THE BUILDING OF THE PROJECT TO MODIFY BUILDING LOCATIONS, SIZE AND HEIGHTS WITHIN THE DEVELOPMENT FOOTPRINT OF THE SITE. THE DEVELOPER MAY BE MODIFIED AND NEW BUILDINGS MAY BE BUILT IN THESE LOCATIONS. THE MASTER SITE PLAN IN THIS PDF IS AN EXAMPLE ONLY OF HOW THE PROJECT MIGHT BE BUILT OUT.



# Maguire

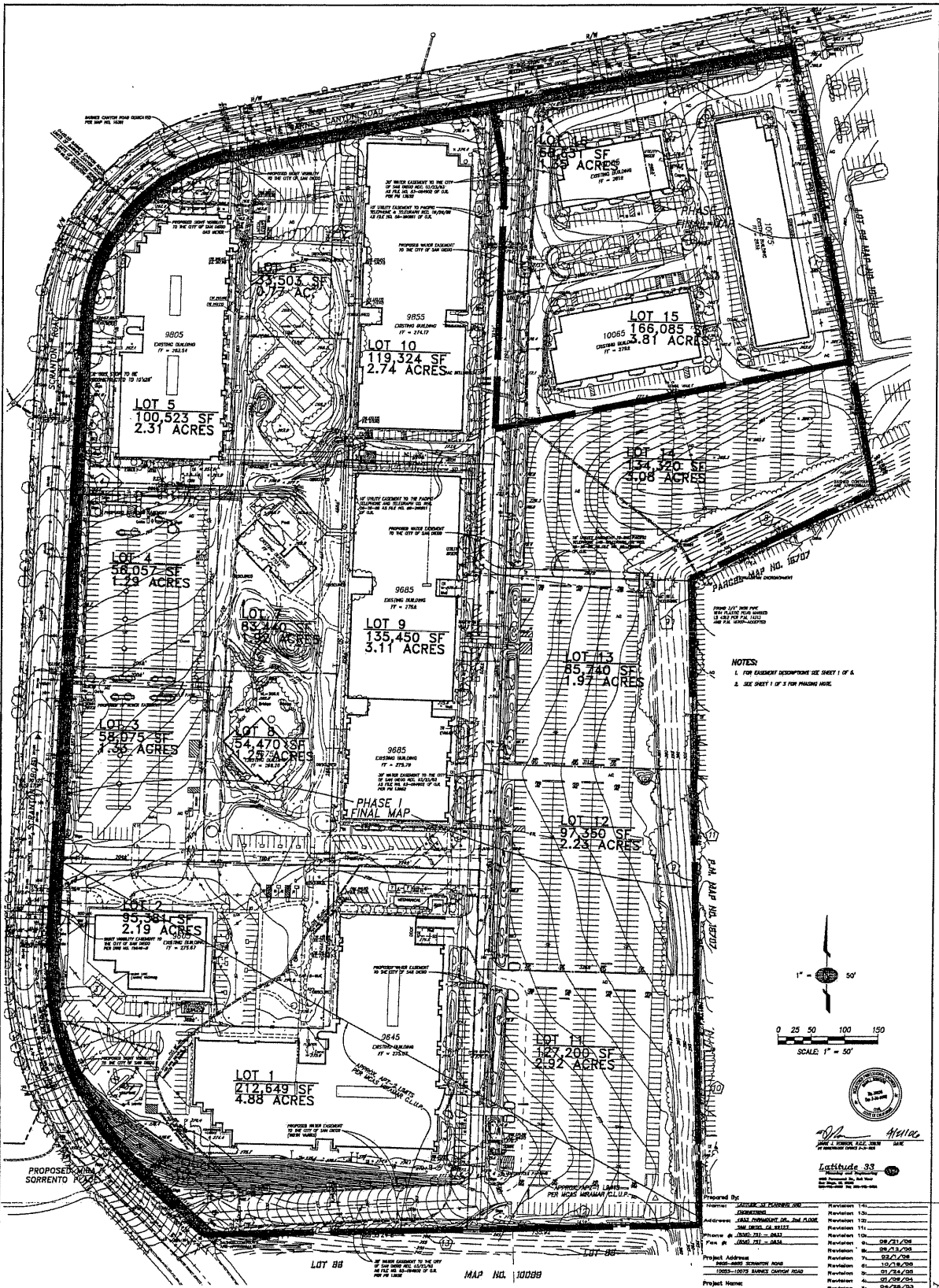
## SAN DIEGO TECH CENTER MASTER PLAN

DATE ISSUED:  
November 2, 2007

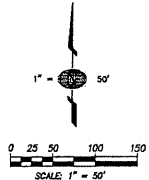
Delawie Wilkes Rodrigues Barker

2265 Indio Street  
San Diego, CA 92101  
(619) 299-6690  
FAX (619) 299-8813





NOTES:  
 1. FOR EXISTING RECORDS SEE SHEET 1 OF 4.  
 2. SEE SHEET 1 OF 4 FOR PAVING HERE.



City of San Diego  
 Planning and Building Department  
 1201 K Street, San Diego, CA 92101  
 Telephone: (619) 557-3300  
 Fax: (619) 557-3301  
 Internet: www.sandiego.gov/planning

Prepared By: JAMES W. DOWNEY, INC.	Revision 10:
Address: 3841 DOMINGUEZ DR., SAN DIEGO, CA 92108	Revision 11:
Phone #: (619) 751-8811	Revision 12:
Fax #: (619) 751-0444	Revision 13:
Project Address: 1000-1075 BAYVIEW CENTER ROAD	Revision 14:
Project Name: SAN DIEGO TECH CENTER	Revision 15:
PLANNED DEVELOPMENT PERMIT/VESTING TENTATIVE MAP	Revision 16:
Original Date: 08/28/2011	Revision 17:
Sheet Title: VESTING TENTATIVE MAP	Revision 18:
Sheet No. 3 of 8	Revision 19:
Scale: 1" = 50'	Revision 20:

# SAN DIEGO TECH CENTER

## VESTING TENTATIVE MAP

H:\300\345\PCF\02-TechCenterMap.dwg 9/21/2008 10:49:54 AM PST

ATTACHMENT 6





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

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 41-0895

PLANNED DEVELOPMENT PERMIT NO. 18546  
**THE SAN DIEGO TECH CENTER [MMRP] – PROJECT NO. 1689**  
Planning Commission

This Planned Development Permit No. 18546 is granted by the Planning Commission of the City of San Diego to MAGUIRE PROPERTIES, L.P., a Maryland Limited Partnership, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0601. The 38.02-acre site is located at 9605 – 9855 Scranton Road and 10055 – 10075 Barnes Canyon Road, in the IL-2-1, Airport Environs Overlay Zone, Accident Potential Zone 1 and 2, and MCAS Miramar Airport Influence Area Zones of the Mira Mesa Community Plan. The project site is legally described as Parcel 1 of Parcel Map No. 13652, filed in the Office of the County Recorder of San Diego County, January 30, 1985 as Document No. 85-032105.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee for a multi-phased Master Plan development with office/research and development buildings and parking garages with a building total of 3,312,912 Gross Floor Area (GFA) for research and development, and office buildings including other uses allowable per the underlying zone, described and identified conceptually by size, dimension, quantity, type, and location on the approved exhibits, dated November 15, 2007, on file in the Development Services Department.

The project or facility shall include:

- a. The multi-phased Master Plan development with office/research and development buildings and parking garages with a building total of 3,312,912 Gross Floor Area (GFA), of which 644,742 square feet is existing buildings which is not subject to herein Condition 33 of this permit, except to the extent that any such existing square footage must be demolished to accommodate the new square footage as shown on Exhibit "A." The project accommodates research and development, and office buildings including other uses allowable per the underlying zone, as well as circulation, utilities, and

landscape/hardscape improvements, all consistent with the approved Exhibit "A," San Diego Tech Center Master Plan and Design Guidelines, including Appendices A through F, and Landscape Concept Plans on file in the Office of Development Services;

- b. The Owner/Permittee is maintaining the flexibility in the build out of the project to modify building size, dimension, quantity, type, and location subject to Substantial Conformance Review. Existing buildings may be demolished and new buildings may be built in those locations. The Master Plan reflected in Exhibit "A," San Diego Tech Center Master Plan and Design Guidelines, is an example only of how the project may be developed.
- c. Deviations to retaining wall height, street frontage requirements, standard front setback requirements, and the 3,000 square foot size requirement for restaurants, eating and drinking establishments permitted as a limited use;
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Retaining walls;
- f. Off-street parking facilities; and
- g. 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 and/or subsequent owners 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," on file in the Development Services Department. No changes, modifications or alterations to this permit shall be made unless appropriate application(s) or amendment(s) to the 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 any corresponding final subdivision map or approval of any construction permit for the project site.

11. This Permit may be developed in phases. Each phase shall be constructed consistent with the conditions and exhibits herein approved.

12. 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:**

13. 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.

14. As conditions of Planned Development Permit No. 18546 and Vesting Tentative Map No. 18547, the mitigation measures specified in the MMRP, and outlined in the Environmental Impact Report No. 1689 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the Environmental Impact Report No. 1689 satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit for the respective phase of development, all conditions of the MMRP shall be adhered to to the satisfaction of the City Engineer for that respective phase. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

- Transportation/Circulation/Parking
- Air Quality
- Hydrology and Water Quality
- Paleontological Resources
- Public Safety
- Noise
- Geology/Soils

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

**ENGINEERING REQUIREMENTS:**

17. The Planned Development Permit shall comply with the conditions of the final map for the San Diego Tech Center, Vesting Tentative Map No.18547.

**LANDSCAPE REQUIREMENTS:**

18. Subject to the Exhibit "A" Design Guidelines and/or Landscape Concept Plans no substantial change, modification or alteration shall be made to the landscaping for the project unless appropriate application or amendment of this Permit shall have been granted by the City.
19. In the event that a foundation only permit is requested by the Owner/Permittee or subsequent Owner, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit "A," Design Guidelines and/or Landscape Concept Plans, on file in the Office of the Development Services Department. The landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as "landscaping area."
20. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A," Design Guidelines and/or Landscape Concept Plans, on file in the Office of the Development Services Department.
21. Prior to issuance of any construction permit for parking structures, the Owner/Permittee shall submit on the planting and irrigation plans a signed statement by a Registered Structural Engineer that verifies supporting structures are designed to accommodate the necessary structural loads of associated planting and irrigation.
22. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40 square feet 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.
23. Location of street trees shall be identified and reserved during improvement activities and on all site plans prepared for subsequent building permit applications with actual installation taking place prior to final inspection for a specific building permit. The construction documents shall be in substantial conformance with Exhibit "A," Design Guidelines and/or Landscape Concept Plans, on file in the Office of the Development Services Department.
24. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee or subsequent owners to install all required landscape and obtain all required landscape inspections. A No Fee Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
25. 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.
26. The Owner/Permittee or subsequent owners shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Landscape Standards unless long-

term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

27. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage or Certificate of Occupancy.

28. Prior to construction permit approval for any retaining wall, the Owner/Permittee shall provide landscape construction documents (including irrigation & details) which provide landscape screening for retaining walls over 5 feet. All retaining walls visible from the public-right-of-way and adjacent properties shall be screened with a combination of trees, shrubs and vines. The architecture of the wall shall be consistent and blend with the adjacent building structure or landscape theme for the area. Landscape plant material shall be provided that will screen a minimum of 80 percent of the wall within 2 years.

**PLANNING/DESIGN REQUIREMENTS:**

29. Upon buildout of the project, a maximum of 7,500 off-street parking spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A", including 139 disabled/accessible and 556 carpool spaces. A minimum of 138 motorcycle and 60 bicycle spaces shall be provided on site. Further, all on-site parking stalls and aisle widths in the approximate locations shown on the approved Exhibit "A," on file in the Development Services Department, shall be in compliance with requirements of the SDMC, and shall not be converted and/or utilized for any other purpose unless authorized by the City Manager.

30. Prior to the request for any construction permit for a building and/or modified engineering permit, the Owner/Permittee or subsequent owners shall submit an application for Substantial Conformance Review (SCR) Process One or Two pursuant to the Master Plan and Design Guidelines. Review to be in substantial conformance to the Permit, Exhibit "A", and/or Design Guidelines.

31. A Substantial Conformance Review (SCR) Process One, City staff decision is required for modifications to the individual lot floor area limits identified in Table 2.B of the Design Guidelines and prior to the transfer of floor area from one lot to another.

32. Allowable uses for the San Diego Tech Center are identified in the San Diego Tech Center Master Plan & Design Guidelines Page II.11 and/or San Diego Municipal Code Land Development Code section Table 131-06B. Additional use limits for areas within the Miramar Comprehensive Land Use Plan (CLUP) Accident Potential Zone 2 shall also be observed.

33. To insure conformance with the Mira Mesa Community Plan, not more than 50 percent of the combined proposed 1,324,000 square foot Gross Floor Area as shown on Exhibit "A" may be used for multi-tenant office use. Any office tenant not occupying over 40,000 square feet of Gross Floor Area shall be considered as contributing to the multi-tenant office use of the new building square

footage. For the sake of clarity, non-office uses of any size, including without limitation, research and development, manufacturing, and other non-office uses shall not contribute to the multi-tenant office use restrictions.

33a. In order to monitor multi-tenant office uses, prior to issuing any construction permits for tenant improvements to the proposed 1,324,000 square feet of building square footage, as shown on Exhibit "A," the Owner/Permittee shall disclose the uses for such square footage on a table on the building plans. The table shall include up-to-date actual uses as a percentage of the combined actual and proposed Gross Floor Area for the new building square footage (1,324,000 square feet).

33b. Should the proposed increase in net gross floor area be increased beyond the 1,324,000 square feet as shown on Exhibit "A," the additional increase in net gross floor area shall also be subject to the 50 percent restriction on multi-tenant office use.

34. The proposed new building square footage of 1,324,000 square feet as shown on Exhibit "A," will incorporate a minimum of 280,000 square feet of Gross Floor Area in a minimum floor plate size of 35,000 square feet.

35. The Owner/Permittee may aggregate the allowable 3,000 square feet of restaurants, eating and drinking establishments use per individual parcel into one or more additional food and drinking establishments. The uses would be allowed to exceed the 3,000 square feet per parcel limit, but the aggregate for the development, including existing uses, shall not exceed 48,000 square feet.

36. Support facilities shall not exceed 10 percent of the allowable gross floor area.

37. Any proposed uses requiring a separate discretionary action shall first obtain the appropriate discretionary permit prior to the processing or approval of any construction permit and/or tenant improvement permit.

38. 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.

39. 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.

40. 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.

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

- a. Approved project's Design Guidelines (Exhibit "A," on file in the Development Services Department); or
- b. Citywide sign regulations

42. Prior to the issuance of any building permits, complete outdoor lighting information shall be submitted to the Development Services Department, Land Development Review Division, for review and approval. Complete lighting information shall include a plan view photometric analysis indicating an isofoot candle plot and a point by point plot to include all areas within the private property and to extend a minimum of 50 feet beyond the property line, construction details as necessary to direct installation of the outdoor lighting system, manufacturers name, visors, prisms, lenses and reflectors and a lighting plan locating each fixture in plan view and a legend. The outdoor lighting system shall be designed, manufactured and installed to allow shading, adjusting, and shielding of the light source so all outdoor lighting is directed to fall only onto the same premises as light sources are located.

Prior to the issuance of any occupancy permit, a night inspection shall be required to verify compliance of the outdoor lighting system. No light shall be directed to fall outside the property line. Light levels along the perimeter of the property shall be measured no higher than three footcandles. Light levels throughout the development shall be the least practical level necessary to effectively illuminate the operation. Sky glow or light halo shall be reduced to the greatest extent practical and in no case shall initial light levels be measured exceeding eight footcandles anywhere within the site. The Owner/Permittee, or an authorized representative, shall provide an illuminance meter to measure light levels as required establishing conformance with the conditions of this Permit during the night inspection. Night inspections may be required additional fees as determined by the City Manager.

43. All private outdoor lighting shall be designed in accordance with the Exhibit "A" Design Guidelines and/or in accordance with the applicable regulations in the SDMC.

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

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

46. 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.



47. Subject to the Exhibit "A" Design Guidelines, 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.

48. 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," and/or Design Guidelines on file in the Development Services Department.

49. Within the project site Accident Potential Zone 1 area, the Owner/Permittee or subsequent owner shall limit the occupancy to fifty (50) persons or fewer per acre and lot coverage shall not exceed twenty-five percent (25%).

50. Within the project site Accident Potential Zone 2 area, the Owner/Permittee or subsequent owner shall not exceed forty percent (40%) of the lot coverage.

**WASTEWATER REQUIREMENTS:**

51. The Owner/Permittee shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be re-designed.

52. The Owner/Permittee shall install all sewer facilities required by the accepted sewer study, necessary to serve this development. Sewer facilities as shown on the approved tentative map will require modification based on the accepted sewer study.

53. The Owner/Permittee shall design and construct all proposed private sewer facilities serving more than one lot to the most current edition of the City of San Diego's sewer design guide.

54. The Owner/Permittee shall provide, satisfactory to the Metropolitan Wastewater Department Director, CC&R's for the operation and maintenance of on-site private sewer facilities that serve more than one ownership.

55. Prior to the issuance of any construction permit for buildings, the developer shall assure, by permit and bond, the construction of all sewer facilities as required by the accepted sewer study necessary to serve this development. Sewer facilities, as shown on the approved plan, may require modification based on the accepted sewer study.

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

**WATER REQUIREMENTS:**

57. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the relocation of portions of the public 12-inch water facilities, including water services and fire hydrants, traversing the project site into acceptable alignments within the realigned southern portion of the private driveway, Photon Way, in a manner satisfactory to the Water Department Director and the City Engineer.

58. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any vehicular use area, and the removal of all existing unused services within the Barnes Canyon Road and Scranton Road rights-of-way adjacent to the project site, and within the easement traversing the project site, in a manner satisfactory to the Water Department Director and the City Engineer.

59. All irrigation systems, existing and proposed, shall utilize reclaimed water.

60. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of reclaimed water irrigation service(s), in a manner satisfactory to the Water Department Director and the City Engineer. All reclaimed water irrigation systems shall be designed in such a manner as to avoid any potential cross connections with the potable systems.

61. Prior to the issuance of any building permits, the Owner/Permittee shall apply for plumbing permit(s) for the installation of appropriate private back flow prevention device(s) on all existing and proposed water services within the development, in a manner satisfactory to the Water Department Director and the City Engineer.

62. Prior to the issuance of any building or grading permit, the Owner/Permittee shall provide evidence of the actual grade and alignment of the existing public water facilities traversing the portion of the project site affected by the proposed construction permit.

63. If proposed grading adversely impacts the existing water facilities, then, prior to the issuance of any building or grading permits, the Owner/Permittee shall design and construct relocated water facilities into an acceptable alignment and easement in a manner satisfactory to the Water Department Director and the City Engineer.

64. It is the sole responsibility of the Owner/Permittee for any damage caused to or by the public water facilities traversing the project site, due to the construction activities associated with this development. In the event any public water facility traversing the project site loses integrity, then, prior to the issuance of any certificates of occupancy, the Owner/Permittee shall design and construct new water facilities into acceptable alignments within adequate easements in a manner satisfactory to the Water Department Director and the City Engineer.

65. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public

water facilities, and associated easements, as shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

66. Prior to the issuance of any certificates of occupancy, the Owner/Permittee shall install fire hydrants at locations satisfactory to the Fire Marshal, the Water Department Director, and the City Engineer. Any proposed fire hydrant installation not conforming to Water Department standards for public fire hydrants, shall be private.

67. Prior to the issuance of any certificates of occupancy, the Owner/Permittee shall dedicate a new water easement as shown on approved Exhibit "A", and construct the new water service, and abandon the waterline in the existing easement satisfactory to the Water Department Director and the City Engineer.

68. Prior to the issuance of any construction permit for building, the Owner/Permittee shall enter into an Encroachment Maintenance and Removal Agreement for locating any portion of a structure in any public rights of way satisfactory to the Water Department Director and the City Engineer.

**TRANSPORTATION REQUIREMENTS:**

69. The development's Environmental Impact Report, Project No. 1689, includes Table 5.2-10, Proposed Project Trip Generation, and is intended to represent an example of a potential project build-out scenario for the site. The Table 5.2-10 includes buildings' square footage, AM and PM peak traffic generation rates, and the resulting Average Daily Traffic (ADT) generated by a complete build-out of this development, including both remaining existing buildings and new buildings to be constructed. The Owner/Permittee will determine final building sizes and uses based on market conditions, subject to total ADT's of 22,674 shown in the referenced table.

70. Prior to obtaining a construction permit for each proposed new building, the project applicant would be required to pay a mitigation cost of \$614 per ADT (based on actual square footage and use of each proposed building, in accordance with the City of San Diego Trip Generation Manual). The mitigation value of each building (based on \$614 per ADT) would be applied to the implementation of the Transportation Requirements listed below. Because development of the San Diego Tech Center would be dictated by market demands, the proposed five new buildings may be constructed in any sequence. However, it is currently anticipated that Building B would be constructed first, followed by Buildings A, C, D and E, respectively. Permit Conditions 65 through 85 mention specific buildings, but only because of the anticipated sequence of construction. The Environmental Impact Report No. 1689, MMRP Table 1 shall guide the sequence of mitigation and fee payments in order to accommodate changes to the anticipated building sequence.

71. Prior to occupancy of Building B, the Owner/Permittee shall widen the segment of Scranton Road, from Morehouse Drive to the first main project access to four lanes with appropriate transition north of the access, satisfactory to the City Engineer.

72. Prior to occupancy of Building B, the Owner/Permittee shall provide the east leg of the intersection of Scranton Road and Mira Sorrento Place (at the project entrance) and modify the traffic

signal (to be installed by the City of San Diego upon completion of Mira Sorrento Place extension) for this additional leg, satisfactory to the City Engineer.

73. Prior to occupancy of Building B, the Owner/Permittee shall provide a traffic signal at the intersection of Photon Way (north project access) and Barnes Canyon Road.

74. Prior to occupancy of Building B, the Owner/Permittee shall provide an exclusive southbound to westbound right-turn lane at the intersection of Scranton Road and Mira Sorrento Place, satisfactory to the City Engineer.

75. Prior to occupancy of Building B, the Owner/Permittee shall make a fair share monetary contribution of \$536,000 to the Mira Mesa Facilities Benefit Assessment (FBA) District to partially fund planned improvements to Carroll Canyon Road.

76. Prior to occupancy of Building B, the Owner/Permittee shall implement a Transportation Demand Management (TDM) Plan, satisfactory to the City Engineer. The Plan shall be developed in consultation with Traffic Operations and shall include measures intended to reduce project traffic during the AM and PM peak periods, specifically including provision of a private shuttle service for employees to the Sorrento Valley Coaster Station.

77. Prior to occupancy of Building B, the Owner/Permittee shall make a fair share monetary contribution of \$136,000 of a total \$1,657,000 contribution to the City of San Diego to partially fund I-5/Sorrento Valley Boulevard interchange improvements (per the direction of the City of San Diego). The fair share contribution shall be applied towards the following planned I-5/Sorrento Valley Boulevard interchange improvements:

- Widening of Vista Sorrento Parkway, between Sorrento Valley Boulevard and Lusk Boulevard, to four lanes with bicycle lanes;
- Construction of a northbound to eastbound right-turn lane at the Sorrento Valley Boulevard/Sorrento Valley Road intersection;
- Construction of a traffic signal at the I-5 northbound off-ramp at Roselle Street.

78. Prior to occupancy of Building A, the Owner/Permittee shall make a fair share monetary contribution of \$1,514,000 of a total \$1,657,000 contribution to the City of San Diego to partially fund I-5/Sorrento Valley Boulevard interchange improvements (per the direction of the City of San Diego). The fair share contribution shall be applied towards the following planned I-5/Sorrento Valley Boulevard interchange improvements:

- Widening Vista Sorrento Parkway, between Sorrento Valley Boulevard and Lusk Boulevard, to four lanes with bicycle lanes;
- Construction of a northbound to eastbound right-turn lane at the Sorrento Valley Boulevard/Sorrento Valley Road intersection;
- Construction of a traffic signal at the I-5 northbound off-ramp at Roselle Street.

79. Prior to occupancy of Building A, the Owner/Permittee shall increase, as required, the private transit shuttle service to serve the additional employees at the San Diego Tech Center.

80. Prior to occupancy of Building C, the Owner/Permittee shall make a fair share monetary contribution of \$7,000 of a total \$1,657,000 contribution to the City of San Diego to partially fund I 5/Sorrento Valley Boulevard interchange improvements (per the direction of the City of San Diego). The fair share contribution shall be applied towards the following planned I 5/Sorrento Valley Boulevard interchange improvements:

- Widening Vista Sorrento Parkway, between Sorrento Valley Boulevard and Lusk Boulevard, to four lanes with bicycle lanes;
- Construction of a northbound to eastbound right-turn lane at the Sorrento Valley Boulevard/Sorrento Valley Road intersection;
- Construction of a traffic signal at the I-5 northbound off-ramp at Roselle Street.

81. Prior to occupancy of Building C, the Owner/Permittee shall contribute \$2,353,000 of a total \$2,400,000 to partially finance the shortfall of Mira Mesa FBA District funds to complete the planned improvements to Carroll Canyon Road.

82. Prior to occupancy of Building C, the Owner/Permittee shall increase, as required, the private transit shuttle service to serve the additional employees at the San Diego Tech Center.

83. Prior to occupancy of Building D, the Owner/Permittee shall provide a second northbound and southbound through lane at the intersection of I-805 northbound (Mira Sorrento Place) and Vista Sorrento Parkway through re-striping and a signal modification, satisfactory to the City Engineer.

84. Prior to occupancy of Building D, the Owner/Permittee shall provide a second northbound and southbound through lane at the intersection of Mira Mesa Boulevard and Scranton Road through re-striping, satisfactory to the City Engineer.

85. Prior to occupancy of Building D, the Owner/Permittee shall contribute \$47,000 of a total \$2,400,000 to partially finance the shortfall of Mira Mesa FBA District funds to complete the planned improvements to Carroll Canyon Road.

86. Prior to occupancy of Building D, the Owner/Permittee shall make a fair share monetary contribution of \$270,000 to the City of San Diego to partially fund an auxiliary lane connecting Carroll Canyon Road to the I-805/Sorrento Valley Road southbound on-ramp.

87. Prior to occupancy of Building D, the Owner/Permittee shall make a fair share monetary contribution of \$907,000 to the City of San Diego to partially fund future I-805 improvements.

88. Prior to occupancy of Building D, the Owner/Permittee shall increase, as required, the private transit shuttle service to serve the additional employees at the San Diego Tech Center.

89. Prior to occupancy of Building E, the Owner/Permittee shall widen Scranton Road from south of Mira Sorrento Place (at the first main project entrance) to Barnes Canyon Road to a half width of 29 feet on the east side.

90. Prior to occupancy of Building E, the Owner/Permittee shall widen Barnes Canyon Road, between Scranton Road and Lusk Boulevard, to a half width of 29 feet on the south side.

91. Prior to occupancy of Building E, the Owner/Permittee shall install a traffic signal at the first main project entrance onto Scranton Road.

**GEOLOGY REQUIREMENTS:**

92. An updated geotechnical report will be required as grading plans are developed for the project. The geotechnical consultant must review, sign and stamp the grading plans as part of the plan review and grading permit issuance process. A Final As-Built Report is required within 15 days of completion of grading operations.

93. Additional geotechnical information such as verification of as-graded or existing soil conditions needed for design of structure foundations will be subject to approval by Building Development Review prior to issuance of any construction permits.

**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.
- This development may be subject to impact fees at the time of building/engineering permit issuance

APPROVED by the Planning Commission of the City of San Diego on November 15, 2007,  
Resolution No.

ALL-PURPOSE CERTIFICATE

Type/PTS Approval Number of Document \_\_\_\_\_

Date of Approval \_\_\_\_\_

STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

\_\_\_\_\_  
**Tim Daly**, Development Project Manager  
City of San Diego

On \_\_\_\_\_ before me, \_\_\_\_\_, City of San Diego, (Notary Public), personally appeared **Tim Daly**, Development Project Manager of the Development Services Department of the City of San Diego, personally known to me 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 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 \_\_\_\_\_  
Name of Notary~

ALL-PURPOSE CERTIFICATE

OWNER(S)/PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED OWNER(S)/PERMITTEE(S), BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF OWNER(S)/PERMITTEE(S) THEREUNDER.

Signed \_\_\_\_\_ Signed \_\_\_\_\_  
Typed Name Typed Name

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_ (Notary Public) personally appeared \_\_\_\_\_, (personally known to me) or (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 \_\_\_\_\_





PLANNING COMMISSION RESOLUTION NO. XXXX-PC  
PLANNED DEVELOPMENT PERMIT NO. 18546  
**SAN DIEGO TECH CENTER**

WHEREAS, MAGUIRE PROPERTIES L.P, a Maryland Limited Partnership, Owner/Permittee, filed an application with the City of San Diego for a permit for a multi-phased Master Plan development with office/research and development buildings and parking garages with a building total of 3,312,912 Gross Floor Area (GFA) including other uses allowable per the underlying zone, as well as circulation, utilities, and landscape/hardscape improvements (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 18546), on portions of a 38.02-acre site;

WHEREAS, the project site is located at 9605 – 9855 Scranton Road and 10055 – 10075 Barnes Canyon Road, in the IL-2-1, Airport Environs Overlay Zone, Accident Potential Zone 1 and 2, and MCAS Miramar Airport Influence Area Zones of the Mira Mesa Community Plan;

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 13652, filed in the Office of the County Recorder of San Diego County, January 30, 1985 as Document No. 85-032105;

WHEREAS, on November 15, 2007, the Planning Commission of the City of San Diego considered Planned Development Permit No. 18456 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated November 15, 2007.

FINDINGS:

Planned Development Permit - Section 126.0604

A. Findings for all Planned Development Permits

**1. The proposed development will not adversely affect the applicable land use plan.** The San Diego Tech Center is a previously developed multi-building office park located in the Mira Mesa Community Planning area's Sorrento Mesa Subarea and is designated for industrial park land uses. The project proposes to subdivide the existing single 38.027-acre parcel under a Vesting Tentative Map into sixteen parcels. The existing zoning designation is IL-2-1 (Light Industrial). The proposed development continues to implement the goals and policies of the Mira Mesa Community Plan, which designates this site for industrial land uses. The industrial use designation is intended to accommodate a mixture of research and development, office, and manufacturing uses. The Mira Mesa Community Plan includes a specific goal for "Preservation of an adequate supply of industrial land." The subject project is proposing to develop for allowed industrial uses; therefore the proposed development will not adversely affect the applicable land use plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The permit controlling the development and continued use of the development proposed for this site contains conditions addressing the project's compliance with the City's regulations and other regional, state and federal regulations to prevent detrimental impacts to the health, safety, and general welfare of persons residing and/or working in the area. All Building, Fire, Plumbing, Electrical, Mechanical Code and the City regulations governing the construction and continued operation of the development apply to this site to prevent adverse affects to those persons or other properties in the vicinity.

**3. The proposed development will comply with the regulations of the Land Development Code.** Specific conditions of approval require the continued compliance with all relevant regulations of the City of San Diego effective for this site and have been written as such into Planned Development Permit No. 18546. Development of the property shall meet all requirements of the regulations and development criteria of the IL-2-1 zone, except as specifically allowed and modified by the Planned Development Permit No. 18546 which allows specific deviations. All relevant regulations shall be complied with at all times for the life of the project, except as allowed through specific deviations.

**4. The proposed development, when considered as a whole, will be beneficial to the community.** The development will continue to create high value jobs in the Mira Mesa community and will provide for additional development of industrial type uses in the community, as called for in the community plan. The proposed subdivision will create marketable opportunities for additional development and ownership, adding significantly to the regional economic base. The project will comply with the development regulations in effect at the site, except as provided for by the Planned Development regulations. For these specific reasons, the proposed development, when considered as a whole, will be beneficial to the community.

**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.** Development of the property shall meet all requirements of the regulations and development criteria of the IL-2-1 zone, except as specifically allowed and modified by the Planned Development Permit No. 18546 which allows the specific deviation to the project's maximum retaining wall height, street frontage requirements for lots, standard front setback requirements, and restaurants, eating and drinking establishments permitted as a limited use however, exceeds the 3,000 square-foot size requirement.

The proposed retaining wall, approximately 975 feet in length, spans across the eastern property lines of proposed Lots 11 through 13, and perpendicular to Lot 14's southern propertyline and ranges from a height of 16 feet to 23 feet. Also, a retaining wall, approximately 540 feet in length, along the south/southwest portions of proposed Lot 1 with a maximum height of 18 feet. The proposed walls would deviate from the San Diego Municipal Code (SDMC) section 142.0340, Retaining Wall Regulations in All Zones. The eastern wall is located such that it would be screened by existing and proposed buildings or parking structures and will not be readily viewed from any public right of way. Locating the wall along the eastern man-made slope would provide for the efficient vehicular circulation and parking for access to the proposed building "C" and "B," and the proposed parking structure "C." The other retaining wall on the south/southwest

portion of the proposed Lot 1 is necessary due to the roadway widening along Scranton Road at the project's primary entry driveway. The project's dedication of 14 feet of right of way would remove the site's existing 1½ :1 down slope at this location and require the construction of the retaining wall to stabilize and protect existing structures.

The Permit has been specifically conditioned to require all retaining wall to provide landscape screening for walls over 5 feet. All retaining walls visible from the public-right-of-way and adjacent properties shall be screened with a combination of trees, shrubs and vines. The architecture of the wall shall be consistent and blend with the adjacent building structure or landscape theme for the area. Landscape plant material shall be provided that will screen a minimum of 80 percent of the wall within 2 years.

Pursuant to SDMC section 131.0631, parcels in the IL-2-1 zone shall have a minimum frontage of 75 feet on a public right-of-way. The existing site is comprised of a single 38.027 acre parcel, with frontage on Scranton Road and Barnes Canyon Road. The proposed subdivision will result in sixteen parcels and seven of the new lots do meet the requirements for street frontage. However, two parcels are combined to make the common park and the remaining five parcels will gain access from the continuous private drive that bisects the site. This subdivision configuration is more desirable because it allows for existing improvements to remain and results in more traditionally developable lots.

Pursuant to SDMC section 131.0631, lots shall maintain a standard front setback of 20 feet, with an allowable minimum setback of 15 feet for up to 50 percent of the street frontage. The project's proposed road widening on Scranton Road and Barnes Canyon Road along the project frontage will require 14 feet in width of private property for additional right-of-way. This property will be dedicated for this purpose by the Owner/Permittee. As result of this dedication, a new property line will be established. If the standard and minimum front setbacks are applied to the project, the development options for the property will be decreased. Therefore, the proposed project is seeking a reduced standard setback of 10 feet to maintain the campus-like development that currently exists.

Pursuant to SDMC section 126.0623, restaurants, eating and drinking establishments are permitted as a limited use, not to exceed 3,000 square feet in size. The proposed project will result in sixteen individual parcels, with each allowed to have this limited use. The existing development contains a single restaurant of approximately 5,300 square feet situated within the park area. This use is a regarded as an amenity by the occupants of the development and the community as a whole. Considering the development's proposed increase in the onsite population, the Owner/Permittee has requested to aggregate the allowable 3,000 square feet per parcel lot into one or more additional food and drinking establishments. These uses would be allowed to exceed the 3,000 square feet per parcel lot, but the aggregate for the development, including existing uses, would not exceed 48,000 square feet. The proposed deviation is appropriate for this project given the nature of the master planned development and the concentrated campus population. Few restaurants of sufficient size and quality exist in the immediate area of the surrounding community. Having such uses on site will help to reduce mid-day automobile trips and evening peak hour trips.

The Planned Development Permit regulations allow for deviations to the minimum requirements of the zoning regulations affecting a site if the proposed design is demonstrated to be an

imaginative and creative design solution which would not result from the strict application of the regulations. The development proposes research and development working environment which is sensitive to adjacent properties and avoids environmentally sensitive lands. The proposed layout of the project site will be such a creative and imaginative design. The deviation is therefore allowable through the Planned Development Permit regulations. The development's Design Guidelines and concept plans for the project identify compliance with all other development criteria in effect for the site. All relevant regulations shall be complied with at all times for the life of the project, except as allowed through the specific deviation listed above.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 18546 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No.18546, a copy of which is attached hereto and made a part hereof.

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Tim Daly  
Development Project Manager  
Development Services

Adopted on: November 15, 2007

Job Order No. 41-0895

cc: Legislative Recorder, Development Services Department

PLANNING COMMISSION RESOLUTION NO.  
VESTING TENTATIVE MAP NO. 18547  
**SAN DIEGO TECH CENTER - PROJECT NO. 1689**

WHEREAS, MAGUIRE PROPERTIES, L.P., a Maryland Limited Partnership, Applicant/Subdivider, and LATTITUDE 33 PLANNING AND ENGINEERING, Engineer, submitted an application with the City of San Diego for a Vesting Tentative Map No. 18547, to subdivide an existing parcel lot into 16 individual lots. The project site is located at 9605 – 9855 Scranton Road and 10055 – 10075 Barnes Canyon Road, north of Morehouse Drive and west of Lusk Boulevard, legally described as Parcel 1 of Parcel Map No. 13652, filed in the Office of the County Recorder of San Diego County, January 30, 1985 as Document No. 85-032105, in the IL-2-1, Airport Environs Overlay Zone, Accident Potential Zone 1 and 2, and MCAS Miramar Airport Influence Area Zones of the Mira Mesa Community Plan; and

WHEREAS, the Map proposes the subdivision of a 38.027-acre site into 16 Lots for industrial development; and

WHEREAS, Environmental Impact Report No. 1689 has been prepared for the development; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, on November 15, 2007, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 18547, and pursuant to Section 125.0440 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 18547:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)).
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 144.0202).

3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440.c and State Map Act Sections 66474(c) and 66474(d)).
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)).
6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code Section 125.0440.f and State Map Act Section 66474(g)).
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1).
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
9. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Planning Commission, Vesting Tentative Map No. 18547, is hereby granted to MAGUIRE PROPERTIES, L.P., Applicant/Subdivider, subject to the following conditions:

**GENERAL**

1. This Vesting Tentative Map will expire November 15, 2010.
2. The design of the proposed, privately-owned underground utilities that will be constructed within the subdivision are consistent with accepted engineering practices and meet the requirements of Municipal Code Section 10.0404 and Council Policy No. 600 25-Underground Conversion of Utility Lines at Developers Expense.

3. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
4. A Final Map shall be recorded in the Office of the County Recorder, prior to the Vesting Tentative Map expiration date.
5. The Final Maps shall conform to the provisions of Planned Development Permit No. 18546.

## **ENGINEERING**

6. Curb returns for private driveways, other than at signalized intersections, are not permitted. The subdivider shall re-construct all driveways to current City standards and closed all non-utilized driveways with full height curb and gutter. All driveways and curb openings shall comply with City Standard Drawings G-14A, G-16 and SDG-100.
7. The subdivider shall replace all damaged/displaced curb, gutter and sidewalk adjacent to the site.
8. The subdivider shall grant sight visibility easements as required.
9. The subdivider shall provide mutual access easements as required.
10. The subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
11. The subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
12. The drainage system proposed for this subdivision, as shown on the approved tentative map, is private and subject to approval by the City Engineer.
13. Prior to the issuance of any construction permit, the Subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
14. Prior to the issuance of any construction permit, the subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

15. Prior to the issuance of any construction permit the subdivider shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, consistent with the approved Water Quality Technical Report.
16. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.

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

17. The subdivider is permitted to file up to two (2) final maps. The subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
18. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map. The City Engineer may impose reasonable conditions relating to the filing of multiple final maps, in order to provide for orderly development, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
19. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 297376, filed November 25, 2002) and the amendment to Council Policy 200-18 approved by City Council on February 26, 2002 (Resolution R-296141) satisfactory to the City Engineer. This may require (but not be limited to) installation of new street light(s), upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage.



20. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769830.

## **MAPPING**

21. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
22. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
23. Every Final Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

## **SEWER**

24. All on-site sewer will be private.
25. The Subdivider shall provide, satisfactory to the Metropolitan Wastewater Department Director, CC&R's for the operation and maintenance of on-site private sewer facilities that serve more than one ownership.

26. The Subdivider shall design and construct all proposed private sewer facilities serving more than one lot to the most current edition of the City of San Diego's sewer design guide.
27. No private sewer facilities shall be installed in or over any public right of way prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.
28. The Subdivider shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be private or re-designed.

## **WATER**

29. The Subdivider shall relocate portions of the public 12-inch water facilities, including water services and fire hydrants, traversing the project site into acceptable alignments within the realigned private driveway, Photon Way, in a manner satisfactory to the Water Department Director and the City Engineer.
30. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director and the City Engineer.
31. The Subdivider shall grant a new minimum 24-foot wide water easement over the public water facilities within Photon Way, with additional easement for fire hydrants and meters installed behind full height curb in a manner satisfactory to the Water Department Director and the City Engineer. No structures, landscaping, or landscaped medians of any kind shall be installed in or over any portion of easement utilized for vehicular access.
32. The Subdivider shall process encroachment maintenance and removal agreements for all acceptable encroachments into any easements containing public water facilities, in a manner satisfactory to the Water Department Director and the City Engineer.
33. The Subdivider shall design and construct all irrigation systems to utilize reclaimed water in a manner satisfactory to the Water Department Director and the City Engineer.
34. The Subdivider shall provide CC&Rs for the operation and maintenance of on-site private water facilities that serve or traverse more than a single lot.
35. The Subdivider agrees to design and construct all proposed public water facilities, including pipelines, services, meters, and easements, 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. Proposed facilities that do not meet the current standards for construction, operation, maintenance and access, shall be redesigned. Water facilities and associated easements, as shown on the approved tentative map, shall require modification at final engineering to comply with standards.

## **GEOLOGY**

36. Prior to the issuance of a construction permit for grading, a geotechnical report shall be submitted and approved by the City Engineer in accordance with the City of San Diego's Technical Guidelines for Geotechnical Reports."

## **LANDSCAPE**

37. The subdivider shall submit complete landscape construction documents, including a permanent automatic irrigation system for the required right-of-way improvements, slope revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards Manual and to the satisfaction of the City Manager.
38. The landscape construction documents shall be in substantial conformance with Exhibit "A," Design Guidelines and/or Landscape Concept Plans on file in the Office of the Development Services Department. The applicant shall assure by permit and bond the installation of landscaping per landscape construction documents.

## **TRANSPORTATION**

39. The Subdivider shall widen Barnes Canyon Road/Scranton Road to provide a half-width street improvement of 58 feet of pavement, including curb, gutter and sidewalk within a 78-foot right-of-way, and 10 feet curb-to-property line along the project frontage, with the exception of 58 feet of pavement, including curb, gutter and sidewalk within a 74-foot right-of-way, and 6 feet curb to property line at two locations of 30 feet and 45 feet each, to the satisfaction of the City Engineer.
40. The Subdivider shall install a traffic signal on Barnes Canyon Road at Photon Way with one left and two through lane for westbound; one through and one right turn lane for eastbound; and one left and one right turn lane for northbound traffic, to the satisfaction of the City Engineer.
41. The Subdivider shall modify the traffic signal on Scranton Road at Photon Way with one left, two through and one right turn lanes for southbound; one left, one through and one through/right turn lane for northbound; two left and one

through/right turn lane for eastbound; and one left/through and one right/through lane for westbound traffic, to the satisfaction of the City Engineer.

**INFORMATION:**

- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code Section 17620, in accordance with procedures established by the Director of Building Inspection.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO, CALIFORNIA, ON NOVEMBER 15, 2007.

By

\_\_\_\_\_  
Tim Daly  
Development Project Manager  
Development Services Department

Job Order No. 41-0895

Mira Mesa Community Planning Group  
Meeting Minutes  
August 21, 2006

Marvin Miles	Glen Best	Bruce Brown	Joe Frichtel	Mark Kornheiser	Ted Brengel
Jeanette Waltz		Ian Firth	Erwin Rose	Rick Lloyd	Tim Schenck
Linda Geldner		Jeff Stevens	Marlon Austria		

1. Meeting was called to order at 7:00 p.m.
2. Agenda Additions/Deletions - delete Item 6A, will come back next month
3. Approval of Minutes - Motion was made (Brown/Geldner) to approve June 2006 meeting minutes. Motion passed 12-0-2
4. Information Items:
  - a. Stonecreek Update - none
  - b. District 5 - Khoa reported retiming of traffic lights Mira Mesa Blvd. has occurred from Westview Parkway to Vista Sorrento Pkwy; thanked everyone for attending the Camino Ruiz Park opening; Mira Sorrento Place will be completed on September 15<sup>th</sup>, invitation for opening will be forthcoming; La Jolla Planning Group was sued recently and the City Attorney (Aquirre) determined that the City should not have to provide outside counsel...lawsuit was dropped. The MMCPG requested Khoa ask Maienschein on behalf of the Planning Board to pursue a resolution to the question Awill the City provide counsel to the Planning Board members if sued individually as a result of reviewing and making recommendations to the approving body at the City on any project before the Planning Board?@
  - c. Ted Brengel thanked Linda Geldner, Bruce Brown and Jeff Stevens for all of their work over the past years on the Camino Ruiz Park.
  - d. Jennifer Cordeau, Planning Department, addressed the standardization of By-Laws which the MMCPG needs to adopt by April 2007. This is a requirement of the Planning Department in order for the City to indemnify Board members. Joe Frichtel and Ted Brengel volunteered to look at the By-Laws;Sept 7<sup>th</sup> Draft Housing Element will be at a Planning Commission workshop.
  - e. ACLUP Update - Patty Krebs distributed copies of the latest Airport Authority schedule for the adoption of the Land Use Plan tentatively scheduled for November 6<sup>th</sup>, 2006.
  - f. Public Comment - none
  - g. San Vicente Pipeline Project Update - Andrew Olekysn, Assistant Project Administrator, presented the update on what has been going on with the 11 mile pipeline to connect San Vicente Reservoir to pumping station at Mercy/I-15. West Shaft is 36 dia 115' deep and are currently tunneling to the east (approx 250 feet done and will continue until they have reached 400 feet) the tunnel boring machine will arrive in January. No work is being done during the night. Blasts are occurring

every other day making 15 to 20 feet advance per week. Have not hit as much water as expected. Currently 15 to 20 gal/minute are being cleaned and discharged into the City sanitary system, no water has been distributed on top of Hilltop Park, trucking to get the material out has been relatively minor with no complaints filed by adjacent residences. Alamenia Road is very steep and there have been problems with sediment runoff onto Mercy Road so contractor will put down temporary paving for about 100 feet in anticipation of rainy season. December 2008 is the anticipated completion date.

- h. Sorrento Valley Science Park - Linda Geldner reported the subcommittee has met; applicant is waiting to get their third round of comments back from the City. Applicant is going back to the original underlying zoning; proposed project consists of a two office buildings with subterranean parking garage. Project will require a rezone and PID Amendment to amend the maximum square footage from 100,000 to 300,000. Subcommittee will review the third round of comments.

5. Correspondence/Chairman=s Report: Ted reported he has received the latest City of San Diego General Plan Housing Element FY 2005-2010. The City is addressing the emergency situation of housing shortage and encouraging all redevelopment to occur at maximum density allowed which causes concern as the Planning Group wants increased density in areas where infrastructure is available and not in the middle of single family residents.

6. Old Business:

- a. San Diego Tech Center (Action Item) - Tim Schecnk reported the subcommittee has been reviewing the project and remains concerned about mitigation provided on a phased basis. Will the mitigation be escalated and how can it be escalated? Michael Asaro with Delawie Wilkes Rodriques Barker, representing the applicant, Maquire Developers, stated that the applicants fair share of transportation mitigation projects has been calculated by the City=s Transportation Planning Dept. The proposed project consists of the existing 645,000 sf of office space with an additional 1,250,000 sf. Approvals will require a VTM and PDP to address several deviations:

1. Number of interior lots not fronting on a public street,
2. Setback requirement on Scranton and Barnes Canyon Road,
3. Allow a total of 48,000 sf of restaurant space over the entire site rather than limiting to 3,000/lot,

Tim reported the subcommittee recommends approval of the proposed project as proposed. The motion was made (Schenck/Firth) to recommend approval of the applicant=s request for a Planned Development Permit and Vesting Tentative Map to subdivide an existing 38.02-acre parcel into 16 individual lots. The MMCPG requests the applicant add adequate on-site dining facilities with each phased development of the project to help limit the increase in average daily trips. The MMCPG requests the city of San Diego to ensure the Afair-share@ contributions made by the applicant to the specific traffic mitigation projects noted in the Environmental Impact Report. Motion passed 14-0-1. Motion was made



(Geldner/Brown) that escrow accounts be established for the transportation projects Carroll Canyon Road, Interstate 5/Sorrento Valley Blvd. & I-805 Improvements. Motion passed 14-0-1.

7. Subcommittee Reports:
  - a. COMPACT meeting is next Wednesday
  - b. Marvin Miles announced that the 7<sup>th</sup> Annual Police Foundation Lunch will be Wednesday Sept 13<sup>th</sup> Town & Country Hotel call Miles if interested in attending.
  
8. Meeting adjourned at 9:25 p.m.

Respectfully submitted,

Jeanette Waltz  
as Secretary, Mira Mesa Community Planning Board





SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY

FILE: SD TECH 002  
ATTACHMENT 11

P.O. BOX 82776, SAN DIEGO, CA 92138-2776  
619.400.2400 WWW.SAN.ORG

July 24, 2006

City of San Diego  
Mr. Tim Daly  
Project Manager  
1222 First Avenue  
San Diego, CA 92101-4154

Re: *San Diego County Regional Airport Authority, Airport Land Use Commission Determination – 9605-9855 Scranton Road, City of San Diego; APN# 341-031-35; MCAS Miramar Airport Land Use Compatibility Plan – MIR-06-004; Resolution No. 2006-0033 ALUC*

Dear Mr. Daly:

This letter is to notify the City of San Diego (“City”) of the June 5, 2006, consistency determination that was made by the San Diego County Regional Airport Authority (“Authority” or “SDCRAA”), acting in its capacity as the San Diego County Airport Land Use Commission (“ALUC”), for the referenced project. The ALUC has determined that the proposed project is **conditionally consistent** with the MCAS Miramar Airport Land Use Compatibility Plan (“ALUCP”). A copy of Resolution 2006-0033 ALUC, approved by the ALUC on June 5, 2006, and memorializing the consistency determination, is enclosed for your information.

The ALUC’s determination that the 9605-9855 Scranton Road project is **conditionally consistent** with the Airport ALUCP was made consistent with the ALUC Policies and the State Aeronautics Act provisions (Cal. Pub. Util. Code §21670-21679.5), and was based on numerous facts and findings, including those summarized below:

- (1) The proposed project involves a Planned Development Permit for continued redevelopment of the San Diego Tech Center at Scranton Road and Barnes Canyon Road, City of San Diego. The proposed project will subdivide the existing thirty-eight (38) acre parcel into sixteen (16) separate parcels suitable for redevelopment into additional office and scientific research buildings and parking garages. It is located within the 60-65 dB CNEL noise contours and partially within the APZ 1 and 2 for MCAS Miramar.
- (2) The MCAS Miramar ALUCP identifies office and research uses within the 60-65 dB CNEL as compatible with airport uses.
- (3) Approximately one-half acre of the south-east corner of the proposed project is located within the APZ 1 of MCAS Miramar. The MCAS Miramar ALUCP identifies office and research uses as conditionally compatible within the APZ 1 provided the occupancy is limited to fifty (50) persons or fewer per acre and lot coverage does not exceed twenty-five percent (25%). Therefore, as a condition of project approval, the occupancy shall be limited to fifty (50) persons or fewer per acre and lot coverage shall not exceed twenty-five percent (25%).




SAN DIEGO  
INTERNATIONAL  
AIRPORT

Mr. Tim Daly  
Page 2

- (4) Approximately five (5) acres of the proposed project is located within the APZ 2 of MCAS Miramar. The MCAS Miramar ALUCP identifies office and research uses as compatible within the APZ 2 provided the lot coverage does not exceed forty percent (40%). Therefore, as a condition of project approval, the lot coverage shall not exceed forty percent (40%).
- (5) The proposed project is consistent with FAR Part 77 Guidelines.
- (6) If the proposed project contains the above-required conditions, the proposed project would be consistent with the adopted MCAS Miramar ALUCP.
- (7) This Board action is not a "project" as defined by the California Environmental Quality Act (CEQA) Pub. Res. Code Section 21065; and is not a "development" as defined by the California Coastal Act Pub. Res. Code Section 30106.

Please contact Ms. Linda Johnson at (619) 400-2463 if you have any questions regarding the issues addressed in this letter.

Very truly yours,

  
Thella F. Bowens  
President/CEO

TFB/LMJ/arw

Enclosures: Resolution 2005-0033 ALUC

cc: Amy Gonzalez, SDCRAA – General Counsel  
Ron Bolyard, Caltrans – Division of Aeronautics  
C. Laura Thornton, MCAS Miramar  
Robert Goodwin, Maguire Properties

## RESOLUTION NO. 2006-0033 ALUC

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY MAKING A DETERMINATION THAT THE PROPOSED PROJECT: PLANNED DEVELOPMENT PERMIT FOR THE CONTINUED DEVELOPMENT OF THE SAN DIEGO TECH CENTER AT SCRANTON ROAD AND BARNES CANYON ROAD, CITY OF SAN DIEGO, IS CONDITIONALLY CONSISTENT WITH THE MARINE CORPS AIR STATION MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN.

WHEREAS, the Airport Authority, acting in its capacity as the Airport Land Use Commission for San Diego County, was requested by the owner, Maguire Properties, to determine the consistency of a proposed development project: Planned Development Permit for the Continued Development of the San Diego Tech Center at Scranton Road and Barnes Canyon Road, City of San Diego, which is located within the Airport Influence Area (AIA) for the Marine Corps Air Station Miramar (MCAS Miramar) Airport Land Use Compatibility Plan (ALUCP), originally adopted in 1977 and amended in 1990, 1992, and October 2004; and

WHEREAS, the site plans for the proposed project indicate that it would involve the subdivision of an existing parcel into sixteen separate parcels and the construction of new office and scientific research buildings and parking garages, which would be located within the 60-65 decibel (dB) Community Noise Equivalent Level (CNEL) noise contours for MCAS Miramar, outside the height restrictions for the airport, and within the Accident Potential Zones (APZ); and

WHEREAS, the MCAS Miramar ALUCP identifies office and scientific research uses located within the 60-65 dB CNEL as compatible with airport uses; and

WHEREAS, the MCAS Miramar ALUCP identifies office and research uses located within APZ 1 as conditionally compatible provided that occupancy is limited to fifty (50) persons or fewer per acre and lot coverage does not exceed twenty-five percent (25%); and

WHEREAS, the MCAS Miramar ALUCP identifies office and research uses within APZ 2 as compatible provided that lot coverage does not exceed forty percent (40%); and

WHEREAS, the proposed project is in compliance with FAR Part 77 height restrictions; and

WHEREAS, this Airport Authority has considered the information provided by staff, including information in the staff report and other relevant material regarding the project; and

Resolution No. 2006-0033 ALUC  
Page 2 of 3

WHEREAS, the Board has provided an opportunity for the City of San Diego, the U.S. Marine Corps and interested members of the public to present information regarding this matter.

NOW THEREFORE BE IT RESOLVED, that the Airport Authority, serving as the ALUC for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, determines that the proposed project: Planned Development Permit for the Continued Development of the San Diego Tech Center at Scranton Road and Barnes Canyon Road, City of San Diego is conditionally consistent with the Marine Corp Air Station Miramar Airport Land Use Compatibility Plan, which was adopted in 1977 and amended in 1990, 1992, and 2004, based upon the following facts and findings:

- (1) The proposed project involves a Planned Development Permit for continued redevelopment of the San Diego Tech Center at Scranton Road and Barnes Canyon Road, City of San Diego. The proposed project will subdivide the existing thirty-eight (38) acre parcel into sixteen (16) separate parcels suitable for redevelopment into additional office and scientific research buildings and parking garages. It is located within the 60-65 dB CNEL noise contours and partially within APZ 1 and 2 for MCAS Miramar.
- (2) The MCAS Miramar ALUCP identifies office and research uses within the 60-65 dB CNEL as compatible with airport uses.
- (3) Approximately one-half acre of the south-east corner of the proposed project is located within the APZ 1 of MCAS Miramar. The MCAS Miramar ALUCP identifies office and research uses as conditionally compatible within the APZ 1 provided the occupancy is limited to fifty (50) persons or fewer per acre and the lot coverage does not exceed twenty-five percent (25%). Therefore, as a condition of project approval, the occupancy shall be limited to fifty (50) persons or fewer per acre and lot coverage shall not exceed twenty-five percent (25%).
- (4) Approximately five (5) acres of the proposed project is located within the APZ 2 of MCAS Miramar. The MCAS Miramar ALUCP identifies office and research uses as compatible within the APZ 2 provided the lot coverage does not exceed forty percent (40%). Therefore, as a condition of project approval, the lot coverage shall not exceed forty percent (40%).
- (5) The proposed project is consistent with FAR Part 77 Guidelines.
- (6) If the proposed project contains the above-required conditions, the proposed project would be consistent with the adopted MCAS Miramar ALUCP.

Resolution No. 2006-0033 ALUC  
Page 3 of 3

- (7) This Board action is not a "project" as defined by the California Environmental Quality Act (CEQA) Pub. Res. Code Section 21065; and is not a "development" as defined by the California Coastal Act Pub. Res. Code Section 30106.

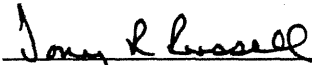
PASSED, ADOPTED AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 5<sup>th</sup> day of June 2006, by the following vote:

AYES: Board Members: Craver, Jacobson, Lynch, Maxwell, Peterson,  
Sessom, Vance

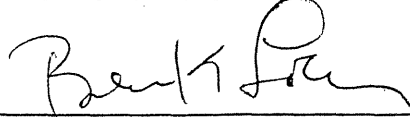
NOES: Board Members: None

ABSENT: Board Members: Nieto, Young

ATTEST:

  
\_\_\_\_\_  
TONY R. RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
BRETON K. LOBNER  
GENERAL COUNSEL





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

THE CITY OF SAN DIEGO

# Ownership Disclosure Statement

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

**Project Title**

San Diego Tech Center

**Project No. For City Use Only**

1689

**Project Address:**

9605 Scranton Road, 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): \_\_\_\_\_

Owner  Tenant/Lessee  Redevelopment Agency

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_

Owner  Tenant/Lessee  Redevelopment Agency

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_

Owner  Tenant/Lessee  Redevelopment Agency

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_

Owner  Tenant/Lessee  Redevelopment Agency

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Project Title: <b>SAN DIEGO TECH CENTER</b>	Project No. (For City Use Only) <b>1089</b>
---	---

**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? MD. 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):  
**MAGUIRE PROPERTIES, L.P.**

Owner     Tenant/Lessee

---

Street Address:  
**333 S. Grand Ave. Suite 400**

City/State/Zip:  
**Los Angeles, CA, 90071**

Phone No: **(213) 613-4412**    Fax No: **(213) 533-5121**

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

Title (type or print):  
**Senior Vice President**

Signature:     Date: **17 Mar '06**

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:



## San Diego Tech Center

### Project Chronology

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time</b>	<b>Applicant Response Time</b>
10/15/01	First Submittal	Project Deemed Complete		
11/28/01	First Assessment Letter	Assessment Letter identifying issues.	44 days	
03/12/02	Second Submittal	Resubmittal by applicant.		196 days
04/08/02	Second Assessment Letter	Assessment Letter identifying issues.	27 days	
10/15/02	Third Submittal	Resubmittal by applicant team.		190 days
11/01/02	Third Assessment Letter	Assessment Letter identifying issues.	17 days	
05/09/03	Fourth Submittal	Resubmittal by applicant team.		189 days
06/25/03	Fourth Assessment Letter	Assessment Letter identifying issues.	47 days	
01/09/04	Fifth Submittal	Resubmittal by applicant team.		198 days
03/01/04	Fifth Assessment Letter	Assessment Letter identifying issues.	52 days	
07/22/05	Sixth Submittal	Resubmittal by applicant team.		508 days
10/05/05	Sixth Assessment Letter	Assessment Letter identifying issues.	75 days	
04/06/06	Seventh Submittal	Resubmittal by applicant team.		183 days
05/10/06	Seventh Assessment Letter	Assessment Letter identifying issues.	34 days	
07/05/06	Eighth Submittal	Resubmittal by applicant team.		57 days
09/08/06	Eighth Assessment Letter	Assessment Letter identifying issues.	65 days	
09/08/06	Issues resolved		1 day	
10/25/06	CEQA Process	EIR final	-	-
11/09/06	Public Hearing	Planning Commission	15 days	
<b>TOTAL STAFF TIME</b>		Averaged at 30 days per month	11 months, 23 days	
<b>TOTAL APPLICANT TIME</b>		Averaged at 30 days per month		50 months, 7 days
<b>TOTAL PROJECT RUNNING TIME</b>		From Deemed Complete to Hearing	<b>5 years (60 months) 25 Days</b>	

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09/08/06	Issues resolved		1 day	
10/25/06	CEQA Process	EIR final	-	-
11/09/06	1 <sup>st</sup> Public Hearing (Continued TDB)	Planning Commission	15 days	
<b>TOTAL STAFF TIME</b>		Averaged at 30 days per month	11 months, 23 days	
<b>TOTAL APPLICANT TIME</b>		Averaged at 30 days per month		50 months, 7 days
<b>TOTAL PROJECT RUNNING TIME</b>		From Deemed Complete to Hearing	<b>5 years (60 months) 25 Days</b>	