



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** November 23, 2012    **REPORT NO.** PC-12--091

**ATTENTION:** Planning Commission, Agenda of November 29, 2012

**SUBJECT:** SCRIPPS PARK WEST PHASE II - Project No. 166524  
Process 4

**OWNER/  
APPLICANT:** Scripps Park West L.L.C., Owner  
Ned Haskell, Smith Consulting Architects, Applicant

### SUMMARY

**Issue(s):** Should the Planning Commission approve a two lot subdivision and the development of three new industrial buildings on a 6.6-acre site located at 9685 Via Excelencia within the Mira Mesa Community Plan area?

### **Staff Recommendations:**

1.     **Certify** Mitigated Negative Declaration No. 166524, and **Adopt** Mitigation, Monitoring, and Reporting Program; and
2.     **Approve** Site Development Permit No. 597880, Planned Development Permit No. 779489, Neighborhood Development Permit No. 985059, and Map Waiver No. 597879.

**Community Planning Group Recommendation:** On June 18, 2012, the Mira Mesa Community Planning Group voted 16-0-0 to recommend approval of the proposed project with no additional conditions (Attachment No. 7).

**Environmental Review:** A Mitigated Negative Declaration No. 166524 has been prepared for the project in accordance with State of California Environmental Quality Act Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level below significance, any potential impacts identified in the environmental review process.

**Fiscal Impact Statement:** All costs associated with the processing of this project are

paid from a deposit account maintained by the applicant.

**Code Enforcement Impact:** None

**Housing Impact Statement:** The project proposes an industrial development and there will not be any housing impacts.

## **BACKGROUND**

The project is located on a 6.6-acre site located at 9685 Via Excelencia (Attachment No. 1). The site is also within the IP-2-1 Zone, Airport Influence Area of MCAS Miramar, Airport Environs Overlay 60 CNEL, FAA Part 77 Notification Area, and Residential Tandem Parking Overlay Zones of the Mira Mesa Community Plan. The project site is currently developed on the north portion of the parcel with a two-story office/industrial building of approximately 39,796 square feet that was built in 2009 (Attachment No. 2). The southern portion of the project site is undeveloped and bisected by Carroll Canyon Creek, an open drainage channel running east to west through the site. The undeveloped area south of Carroll Canyon Creek contains a deteriorated asphalt pavement surface that travels south and intersects the end cul-de-sac of Kearny Mesa Road. The project site is bounded to the east by Interstate 15, to the south by an existing storage facility and Kearny Mesa Road's cul-de-sac, to the west by industrial buildings, and to the north by Via Excelencia's cul-de-sac and office/light industrial buildings.

The proposed project is located within the Miramar Industrial Subarea of the Mira Mesa Community Plan (MMCP) (Attachment No. 3). This Community Plan designates the site for Industrial Park. The Industrial Park designation is intended to accommodate a mixture of research and development, office, and manufacturing uses.

## **DISCUSSION**

### **Project Description:**

The proposed development project will subdivide the 6.6-acre property into two lots; Lot 1 includes 2.3 acres and the existing two-story office/industrial building (Scripps Park West Phase I), and Lot 2 includes 4.3 acres and a new research and development office park (Scripps Park West Phase II). The proposed Scripps Park West Phase II project would construct three, two-story buildings that would be used for research and development, intermixed with office space. The project would include parking lots, access roads, a bridge, and associated infrastructure. The buildings, parking lots and roads would be constructed mostly within previously disturbed areas. The three proposed buildings would have approximate gross square footages (GSF) of 18,500 square feet, 19,000 square feet and 15,700 square feet respectively with a total GSF of 53,200 square feet and a 0.284 floor-to-area ratio (FAR), where a 2.0 maximum FAR is allowed. The proposed buildings would be a maximum of 34'-6" feet in height. In the industrial zone there is no height limit other than that set by any associated overlay zones, in this case FAA Part 77 overlay zone of which would limit the building heights to 49 feet for Building "C" and 54.2 feet for Buildings "A" & "B."

A Site Development Permit (SDP) is required as the proposed 4.3-acre lot contains sensitive coastal sage scrub and wetland habitat and would require Environmentally Sensitive Lands (ESL) deviation findings due to proposed wetland impacts, per the San Diego Municipal Code (SDMC) Section 143.0150. Also, an SDP and Neighborhood Development Permit (NDP) are both required due to portions of a 111-foot long proposed retaining wall within the public right-of-way (along the west side of the proposed extension of Kearny Mesa Road), where the applicant *is not the record owner* of the underlying fee title, pursuant to SDMC Section 126.0502 (d)(7) and is required for construction of a privately owned structure proposed in the public right-of-way dedicated for a street or an alley, where the applicant *is the record owner* of the underlying fee title pursuant to Section 126.0402(j), respectively. The Map Waiver is required due to the proposed subdivision of the 6.6-acre lot and finally, a Planned Development Permit (PDP) is required when subdivisions are applied for in conjunction with industrial development within the Mira Mesa Community Plan Area per the SDMC Section 126.0602 (a)(3)(B).

The grading of the proposed 4.3-acre lot would cover approximately 3.6 acres. Site grading would consist of approximately 4,300 cubic yards of cut to maximum depths of 21 feet in the southern portion of the site, and 25,600 cubic yards of fill with maximum depths of 12 feet. Maximum heights of cut and fill slopes would be 13 feet with maximum slope ratios of 2:1. Nine retaining walls are proposed with a maximum height of 12 feet and total length of approximately 2,000 linear feet. Retaining walls over 6 feet in height would only be associated with Building C. These walls would be terraced, landscaped, and built outside the setbacks and are required as the property to the south is approximately 30 feet higher in elevation. Off-site grading, re-vegetation/landscaping, and brush management would also occur within a 0.6-acre Caltrans right-of-way (ROW) area located east of the property, and grading and road development would occur within a 0.4-acre, public right-of-way area located to the southeast which would be used to extend Kearny Mesa Road to serve the proposed 4.3-acre lot.

The proposed project would include a brush management program as the buildings are located within 100 feet of native/naturalized vegetation. The proposed landscaping would include brush management compatible natives and naturalized species which are drought tolerant and comply with all other City Landscape Requirements. The project would impact 200 square feet of natural flood channel (for permanent drainage structures) within Carroll Canyon Creek which bisects the site, and 0.81-acre of coastal sage (0.45-acre within parcel boundary and 0.36-acre in Caltrans ROW).

A new access roadway for the site would be provided from the project's Kearny Mesa Road cul-de-sac extension. This extension from the cul-de-sac would lead to a new 32-foot wide, two-lane bridge spanning Carroll Canyon Creek to provide direct access to the southern 4.3 acres. An existing western access point off Via Excelencia would continue to serve the northern 2.3 acres developed with Scripps Park West Phase I. The project would include a total of 135 parking spaces, including six accessible spaces and 16 carpool spaces, where 133 spaces are required.

### **Community Plan Analysis:**

The proposed project is located within the Miramar Industrial Subarea of the Mira Mesa Community Plan (MMCP). The Community Plan designates the site for Industrial Park. The

Industrial Park designation is intended to accommodate a mixture of research and development, office, and manufacturing uses. The Industrial Land Use Element of the MMCP recommends development to incorporate the MMCP's Community-specific Development Criteria. Specifically, "In the review of discretionary projects, the City shall employ the Development Criteria on pages 107 and 108, where appropriate, as well as the following criteria in its determination of consistency with the Plan:

- a. Industrial lot sizes should be a minimum of 80,000 square feet. The individual lot size may be less if developed within a comprehensively designed master planned project which exceeds an overall site area of 80,000 square feet and limits the number of project entries, provides shared parking facilities and provides a unified design theme.
- b. The amount of multi-tenant offices should be limited to 50 percent of the total square footage of the project."

The proposed project will subdivide the existing 6.6-acre industrial lot and create a 2.3-acre (100,188 square feet) industrial lot and 4.3-acre (187,308 square feet) industrial lot, both consistent with the MMCP's recommendation for a minimum industrial lot size of 80,000 square feet.

The Industrial Land Use Element of the MMCP requires that the amount of multi-tenant office be limited to 50 percent of the total square footage of the project. The project, with three proposed new buildings, will be conditioned to limit the amount of multi-tenant office in conformance with the policies in the MMCP. Any office tenant not occupying over 40,000 square feet of gross floor area shall be considered as contributing to the aggregate 50 percent limitation of multi-tenant office.

The Industrial Land Use Element of the MMCP also identifies compliance with the Airport Land Use Compatibility Plan (ALUCP) for MCAS Miramar in which, "Future proposals to allow industrial development within the Airport Influence Area shall be reviewed to ensure that development of properties that are subject to high noise levels or accident potential from aircraft operations at MCAS Miramar are reviewed for conformance with the ALUCP for MCAS Miramar." On January 9, 2008, the San Diego County Regional Airport Authority, Airport Land Use Commission determined the proposed project is consistent with the ALUCP for MCAS Miramar (Attachment No. 8).

Finally, and consistent with the MMCP's criteria related to industrial development, the project will provide bicycle lockers and shower facilities for employees. The proposed buildings' refuse collection areas and loading areas are located in the interior side yard areas and are screened with a similar material and color as the primary building.

With the aforementioned design features and conditions, the proposed research and development office park project shall conform to the identified land use in the MMCP.



**Environmental Analysis:**

A Mitigated Negative Declaration (MND) No. 166524 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. The City of San Diego conducted an Initial Study which determined that the proposed project could have significant environmental affects to biological resources, paleontological resources, and noise. Subsequent revisions in the project proposal create the specific mitigation identified in the MND and a Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level below significance, any potential impacts identified in the environmental review process. The project, as revised, avoids or mitigates the potentially significant environmental effects previously identified, and the preparation of an Environmental Impact Report will not be required.

**Conclusion:**

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided the draft environmental resolution and Mitigation, Monitoring, and Reporting Program, draft findings to support approval of the proposed development, draft conditions of approval, and draft map resolution and conditions. City staff is recommending the Planning Commission approve the project.

**ALTERNATIVES**

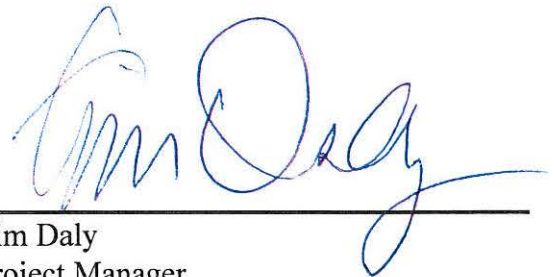
1. **Approve** Site Development Permit No. 597880, Planned Development Permit No. 779489, Neighborhood Development Permit No. 985059, and Map Waiver No. 597879, with modifications.
2. **Deny** Site Development Permit No. 597880, Planned Development Permit No. 779489, Neighborhood Development Permit No. 985059, and Map Waiver No. 597879, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



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Mike Westlake  
Assistant Deputy Director  
Development Services Department



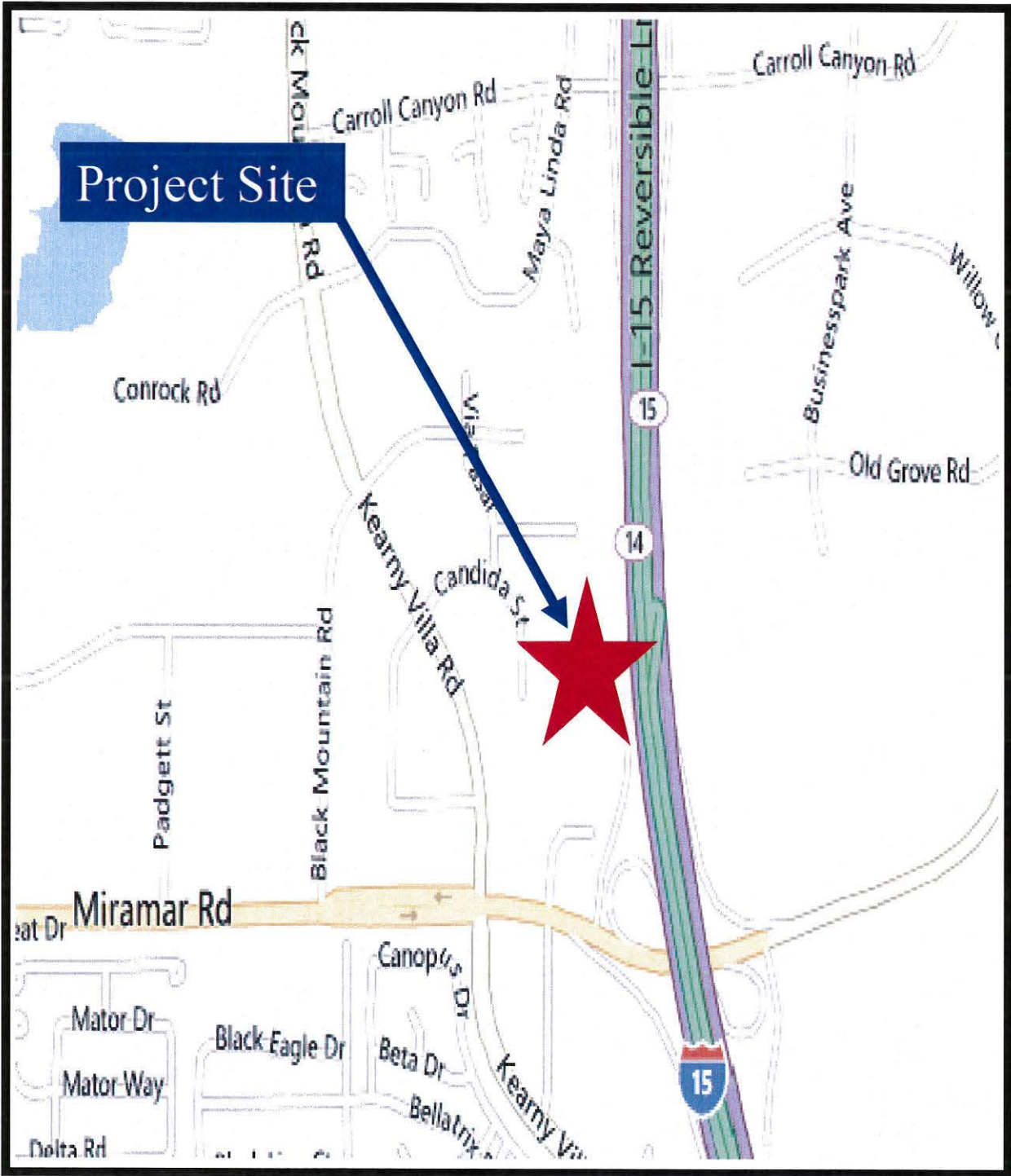
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Tim Daly  
Project Manager  
Development Services Department

WESTLAKE/TPD

Attachments:

1. Project Location Map
2. Aerial Photograph
3. Community Plan Land Use Map
4. Project Site Plan
5. Map Exhibit
6. Project Plans
7. Community Planning Group Recommendation
8. San Diego County Regional Airport Authority, Airport Land Use Commission Resolution No. 2009-0004 ALUC
9. Draft Permit Resolution with Findings
10. Draft Permit with Conditions
11. Draft Map Resolution with Findings
12. Draft Map Conditions
13. Draft Environmental Resolution with MMRP
14. Ownership Disclosure Statement
15. Project Data Sheet
16. Project Chronology



**Project Location**

Scripps Park West Phase II, Project No. 166524  
9681 Via Excelencia









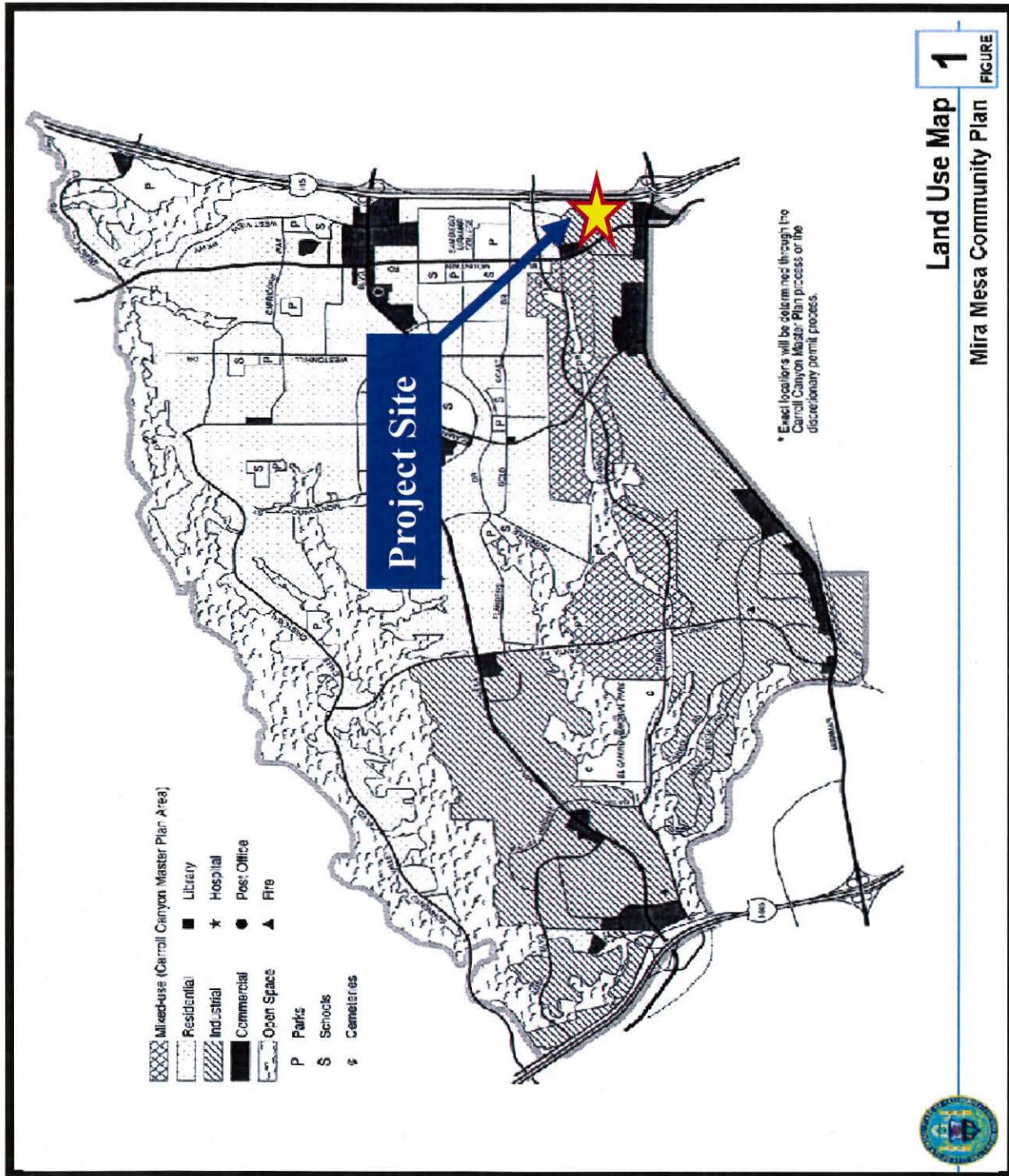
**Aerial Photo**

Scripps Park West Phase II, Project No. 166524  
9681 Via Excelencia









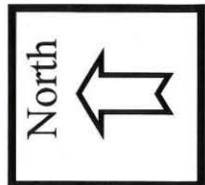
**1**  
FIGURE

**Land Use Map**  
**Mira Mesa Community Plan**



# Mira Mesa Community Land Use Map

Scripps Park West Phase II, Project No. 166524  
9681 Via Excelencia





**Architects**  
**Smith**  
**SCRIPPS PARK WEST**  
**PHASE - 2**  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

15000 The Valley Road  
 San Diego, CA 92120  
 (619) 793-1472  
 (619) 793-1472 Fax

Check By: RS  
 Drawn By: HSI  
 Scale: 1" = 40'-0"  
 Job Number: 03235503

PREPARED BY:  
 MING SMITH CONSULTING ARCHITECTS  
 ADDRESS:  
 9230 EL CAMINO REAL  
 SUITE 300  
 SAN RAFAEL, CALIFORNIA 94130  
 (415) 753-0771  
 CONTACT: MING SMITH  
 BOB HANSELL

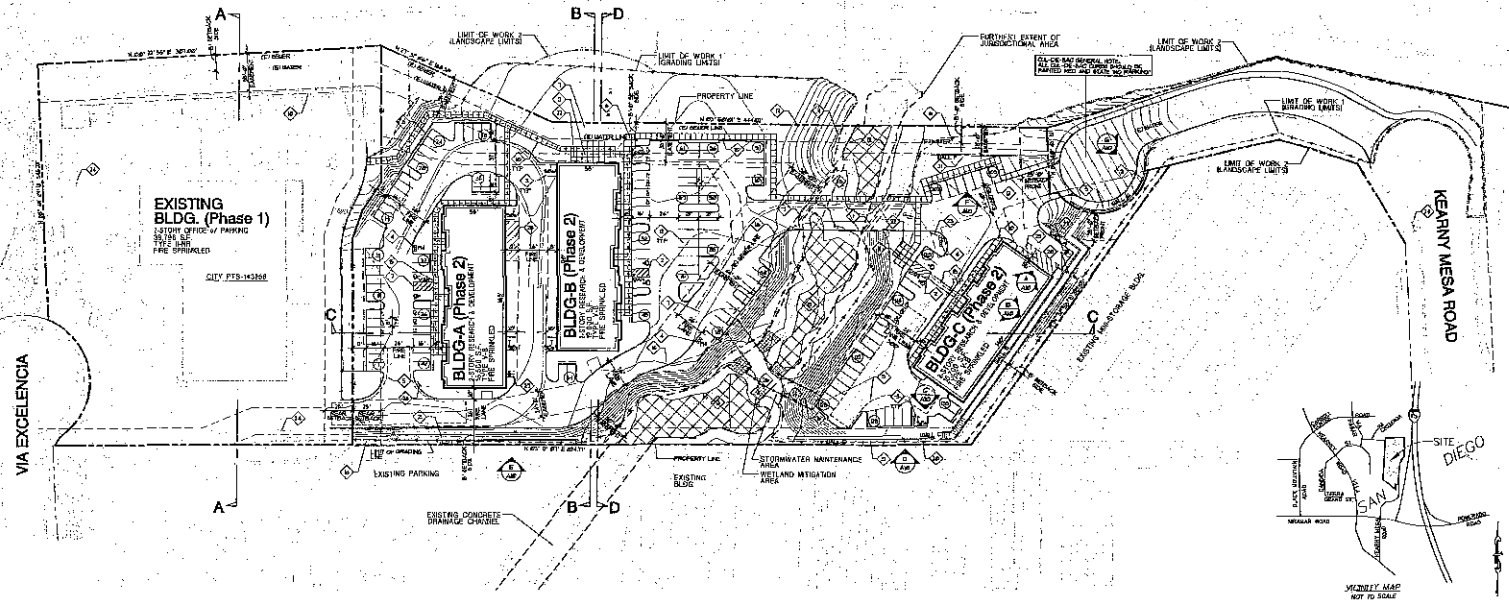
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PROJECT NAME:  
 Scripps Park West

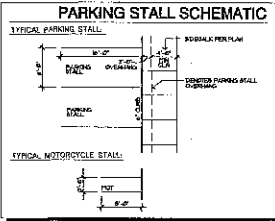
SHEET TITLE:  
**PHASE - 2**  
**PROJECT SITE PLAN**

REVISION 8:  
 REVISION 7:  
 REVISION 6: 2/15/11  
 REVISION 5: 12/17/10  
 REVISION 4: 8/22/10  
 REVISION 3: 4/17/10  
 REVISION 2: 5/18/10  
 REVISION 1: 4/30/09  
 ORIGINAL DATE: 5/20/08  
 2 OF 22  
 SHEET **A2**  
 DEP. NO.:

ATTACHMENT 4



- KEY NOTES**
- 1. EXISTING EXTERIOR SIGNAGE PER CIVIL ENGINEER'S
  - 2. ACCESSIBLE PARKING SPACES
  - 3. TRUCK ENCLOSURES (MIN. EA. 4 - 400 SQ. FT. TOTAL)
  - 4. EXISTING CONCRETE DRIVEWAY AND DRIVEWAY PAVEMENT
  - 5. EXISTING FIRE DEPARTMENT STATIONED TIME APPROVED CLEANER FROM PAVEMENT
  - 6. EXISTING EXTERIOR LIGHTING PER CIVIL ENGINEER
  - 7. EXISTING EXTERIOR SIGNAGE PER CIVIL ENGINEER
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**PARKING SUMMARY:**

PARKING SPACES REQUIRED:	25 PER HOUR
BUILDING AREA PER HOUR:	25 PER HOUR
PER HOUR (FOR SAN DIEGO MUNICIPAL CODE):	25 PER HOUR
PER HOUR (FOR HOUSING & DEVELOPMENT):	25 PER HOUR
BUILDING AREA: 40,200 SQ. FT. @ 1.5 PER 1000 = 603 SPACES REQUIRED	
<b>TOTAL SITE PARKING PROVIDED:</b>	<b>103 SPACES</b>
STANDARD SPACES (SURFACED):	3 SPACES
HANDICAP SPACES (VAN SPACES):	3 SPACES
CARPOOL SPACES (SURFACED):	4 SPACES
STANDARD SPACES (SURFACED):	103 SPACES
<b>TOTAL SPACES PROVIDED:</b>	<b>113 SPACES</b>
MINIMUM CARPOOL REQUIRED:	4 SPACES
"CP" DEMOTES CARPOOL SPACES:	
MINIMUM BICYCLE REQUIRED:	2 SPACES
TOTAL BICYCLE PROVIDED:	4 SPACES
MINIMUM MOTORCYCLE REQUIRED:	2 SPACES
TOTAL MOTORCYCLE PROVIDED:	4 SPACES

- FIRE DEPARTMENT NOTES:**
1. PROVIDE CALLING ADDRESS NUMBERS VISIBLE AND LEGIBLE FROM STREET OR ROAD FRONTING PROPERTY OR A DIRECTORY (I.C.F.D. 305.1)
  2. SHOW LOCATION OF ALL EXISTING FIRE HYDRANTS ON PLOT TO CONFORM WITH FIRE DEPARTMENT POLICY No. F-481 (I.C.F.D. 308.3)
  3. PROVIDE ACCESS IN ACCORDANCE WITH FIRE DEPARTMENT POLICY A-93.1 (I.C.F.D. 192 AND 304)
  4. BUILDING SPRINKLER SYSTEM REQUIRED. REFER TO BUREAU OF FIRE & LIFE SAFETY POLICY No. S-443.1 (I.C.F.D. ARTICLE 15)
  5. POST INDICATOR VALVES, FIRE DEPARTMENT CONNECTIONS AND ALARM BELL TO BE LOCATED ON THE ADDRESS/ADDRESS SIDE OF STRUCTURE (I.C.F.D. 301)
  6. ON-SITE FIRE HYDRANT LAYOUT IS REQUIRED
  7. PROVIDE ACCESS IN ACCORDANCE WITH FIRE DEPARTMENT POLICY A-96.1 (I.C.F.D. 303 AND 304)
  8. PROVIDE ACCESS ROADWAY IMPROVED ROADWAY SURFACE IN ACCORDANCE WITH FIRE DEPARTMENT POLICY A-96.3 (I.C.F.D. 303.3)
  9. ALL FIRE LINES TO MEET THE MINIMUM ACCESS STRUCTURAL SECTION SHOULD MEET CITY OF SAN DIEGO STANDARD SPECIFICATIONS 7-1506-R3 WITH A MIN. TRAFFIC INDEX (TI) OF 6 AND A TI OF 8.5 IN AREAS WHERE THE TRAFFIC INDEX IS GENERALLY BE POSITIONED DURING AN ACTUAL FIRE FIGHTING EMERGENCY. THESE SECTIONS SHOULD PROVIDE SAFE ADEQUATE ACCESS FOR YOUR 102 TYPICAL LOADINGS.

**ZONING/ PROJECT DATA**

BASE ZONE:	IN-24 (LAPPORT ENHANCING OVERLAY ZONE)
AREA:	24-120-10
LEGAL DESCRIPTION:	PAR. 30.14 SECTION 8 TOWNSHIP 10 SOUTH RANGE 7 WEST 20TH VIA EXCELENCIA
ADDRESS:	6641 AC 186410 SP
ORGAN SITE AREA:	6641 AC 186410 SP
<b>PRELIMINARY B &amp; D BUILDING AREAS:</b>	
BUILDING 1:	10,000 SF
STORIES:	2 STORY
CONSTRUCTION TYPE:	TYPE V - 8 (FIRE SPRINKLER) (SPACING 10' UP WITH CLASS A 100) R. F.I. 8
OCCUPANCY:	
BUILDING 2:	10,000 SF
STORIES:	2 STORY
CONSTRUCTION TYPE:	TYPE V - 8 (FIRE SPRINKLER) (SPACING 10' UP WITH CLASS A 100) R. F.I. 8
OCCUPANCY:	
BUILDING 3:	10,000 SF
STORIES:	2 STORY
CONSTRUCTION TYPE:	TYPE V - 8 (FIRE SPRINKLER) (SPACING 10' UP WITH CLASS A 100) R. F.I. 8
OCCUPANCY:	
<b>TOTAL BUILDING AREA: (BLDG AREA)</b>	<b>30,000 SF</b>

- LEGEND:**
- LIMIT OF WORK 1 (PARKING LIMITS)
  - LIMIT OF WORK 2 (LANDSCAPE LIMITS)
  - FURTHEST EXTENT OF JURISDICTIONAL AREA
  - STORMWATER MAINTENANCE AREA





SmithConsultingArchitects  
 12220 E Cimarron Blvd  
 Suite 100  
 Denver, CO 80231  
 (303) 751-1077  
 (303) 751-1078 Fax

**SCRIPPS PARK WEST  
 PHASE - 2**  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

Check By  
 Drawn By  
 Scale 1" = 40'  
 Job Number SS-10015.001

PREPARED BY:  
 NAME: RBF CONSULTING  
 ADDRESS: 5300 ARIZONA DR  
 SUITE 200  
 CARLSBAD, CALIFORNIA 92008  
 (760) 436-9700  
 CONTACT: DAVID WENDT

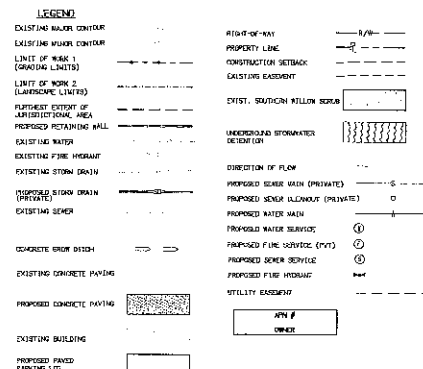
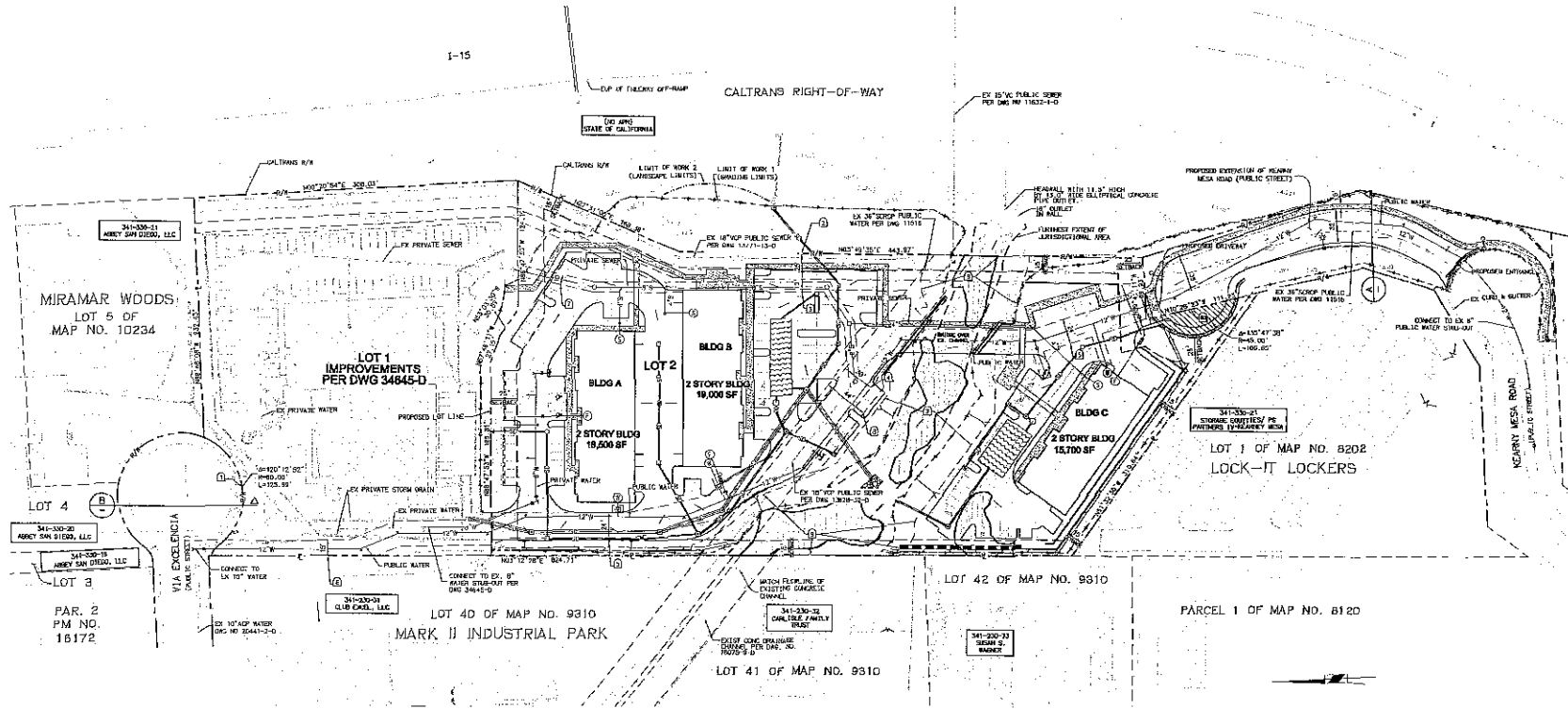
PROJECT ADDRESS:  
 VIA EXCELENCIA AND  
 KEARNY MESA ROAD

PROJECT NAME:  
 Scripps Park West

SHEET TITLE:  
 TENTATIVE MAP  
 WAIVER NO. 597879

REVISION 8: 2/15/12  
 REVISION 7: 2/9/11  
 REVISION 6: 1/27/11  
 REVISION 5: 12/21/10  
 REVISION 4: 9/27/10  
 REVISION 3: 4/1/10  
 REVISION 2: 9/18/09  
 REVISION 1: 4/11/09

ORIGIN DATE: 3/29/08  
 16 OF 22  
 SHEET: C-5  
 DEP NO.:



**SITE INFO**  
 ZONE: M-2 (MAYNOT DEVELOP CHURCH ZONE)  
 MAP: 341-230-10  
 AREA: PARCEL 1 = 2.26 AC  
 PARCEL 2 = 4.33 AC

**LEGAL DESCRIPTION**  
 SECTION 8 & SECTION 9 TOWNSHIP 19 NORTH RANGE 2 WEST 10TH

**OWNER/APPLICANT**  
 SCRIPPS PARK WEST LLC  
 4310 JEFFERSON AVENUE, STE 200  
 SAN DIEGO, CALIFORNIA 92117  
 619.272.7600

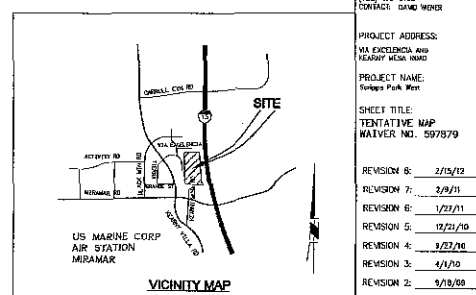
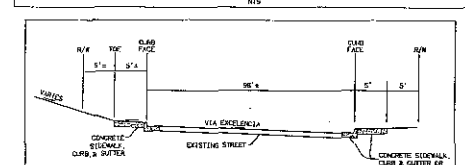
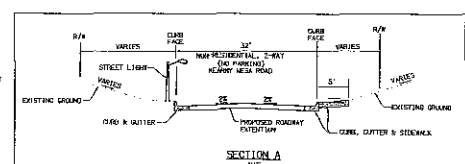
**BASIS OF BEARING**  
 THE BASIS OF BEARING FOR THIS SURVEY IS THE CALIFORNIA COAST AND GEODETIC SYSTEM (NAD83). THE B.L.S. ESTABLISHED BY THE LINE BETWEEN SECTION 131 AND SECTION 134 FOR THE 1984 MERIDIAN IS BEARING OF 465° 59' 00".

**BOUNDARY MARKS**  
 CITY OF SAN DIEGO ON NORTHEAST CORNER PLAT AT THE CORNER OF CARROLL CANYON ROAD AND BUSINESS PARK AVENUE. DATUM: NAD83. ELEVATION = 499.55

**SURVEYOR**  
 RBF CONSULTING  
 3700 CALLEBON MESA BOULEVARD, SUITE 100  
 SAN DIEGO, CALIFORNIA 92124  
 DATE OF SURVEY: 12/20/08

- DEVELOPMENT SUMMARY**
- THE PROJECT REQUIRES THE FOLLOWING APPROVALS:
  - MAP WAIVER
  - NO UNLAWFUL REGULATED USES ARE PROPOSED
  - NO UNLAWFUL ARE REQUESTED
  - PROJECT TOWN IS DESIGNATED FOR THIS SHEET
  - USE IS IDENTIFIED FOR THIS SHEET
  - CONSTRUCTION TYPE: TYPE "B"
  - COASTLINE CLASSIFICATION: CLASS B, FT. 51
  - EXISTING ZONE: M-2 (MAYNOT DEVELOP CHURCH ZONE)
  - PROPOSED ZONE: NO CHANGE
  - EXISTING LAND USE: INDUSTRIAL OFFICE/WAREHOUSE
  - PROPOSED LAND USE: COMMERCIAL - OFFICE, MEDIUM PROPOSED USE: NO CHANGE
  - CADASTRE USE: COMMERCIAL - OFFICE, MEDIUM PROPOSED USE: NO CHANGE
  - EXISTING NUMBER OF LOTS: 2
  - PROPOSED NUMBER OF LOTS: 2
  - BRUSH AREA FOR LOT 1: 4.33 ACRES
  - BRUSH AREA FOR LOT 2: 2.26 ACRES
  - TERRAIN SOURCE: SURVEYOR IS IDENTIFIED HEREIN
  - ASPI: 341-230-10

**GRADING NOTE:**  
 ANY WORK PERFORMED WITHIN THE BANKS OF CARROLL CANYON USED FOR RETAINING AND VESTING BANK RESTORATION, INCLUDING REMOVAL OF NON-WATERSHED FLANK GRODSES, TERRAIN/ROOF-RAP CONSTRUCTION, AND OTHER BANK IMPROVEMENTS WILL BE DONE BY HAND WITHOUT HEAVY MACHINERY.

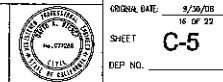
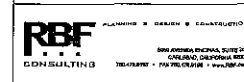


**PROPOSED EASEMENTS**

NO.	DESCRIPTION
1	10' PRIVATE WATER EASEMENT
2	10' PUBLIC WATER EASEMENT
3	10' PRIVATE WATER EASEMENT (RESERVED INT.)
4	10' PUBLIC WATER EASEMENT
5	CONTRACT OF EASEMENT FOR SENSITIVE BIOLOGICAL RESOURCES OF THE STATE, OUTSIDE OF THE ALLOWABLE DEVELOPMENT AREA.
6	10' RIGHT-OF-WAY DESIGNATION

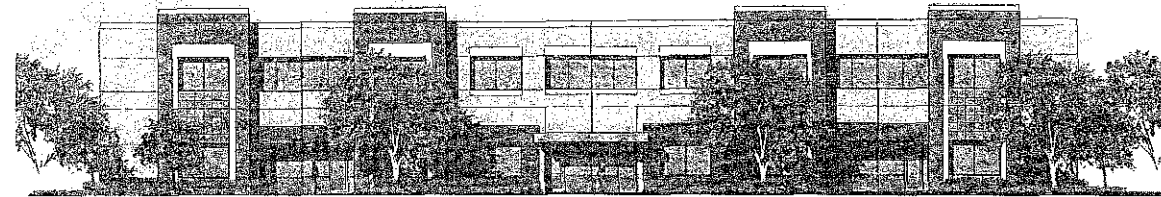
**EXISTING EASEMENTS**

NO.	DESCRIPTION
1	10' PRIVATE WATER EASEMENT
2	10' PUBLIC WATER EASEMENT
3	10' PRIVATE WATER EASEMENT (RESERVED INT.)
4	10' PUBLIC WATER EASEMENT
5	CONTRACT OF EASEMENT FOR SENSITIVE BIOLOGICAL RESOURCES OF THE STATE, OUTSIDE OF THE ALLOWABLE DEVELOPMENT AREA.
6	10' RIGHT-OF-WAY DESIGNATION



ATTACHMENT



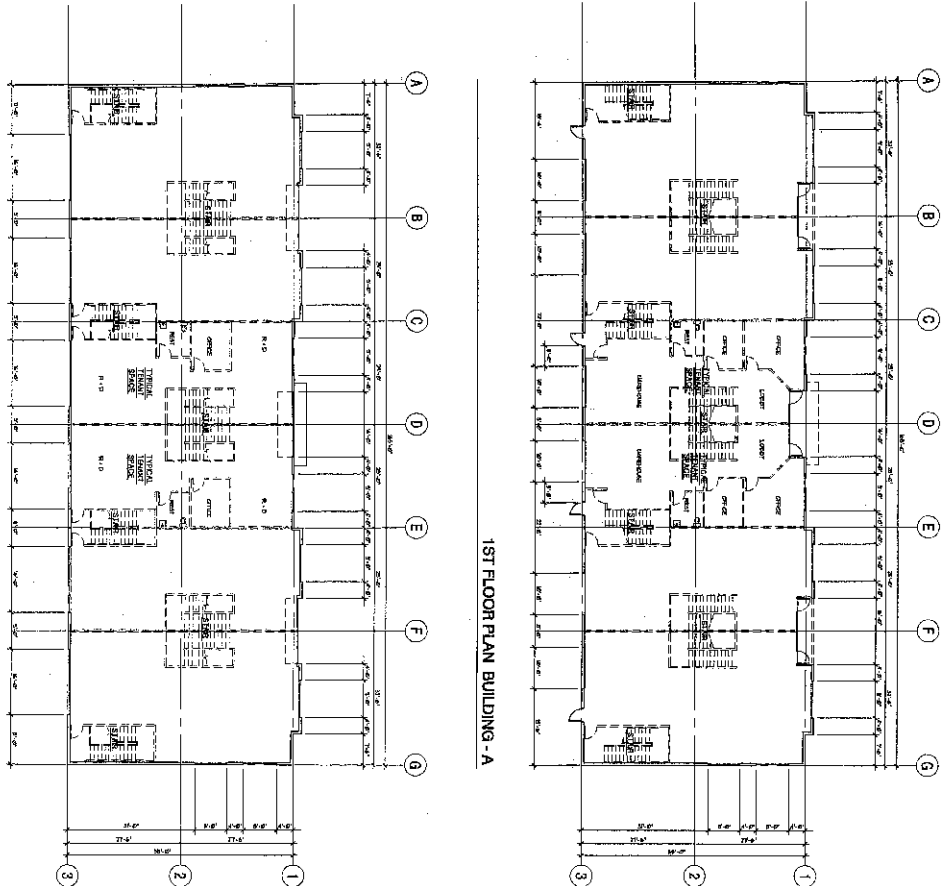


SCRIPPS PARK WEST - PHASE 2

Smith Consulting Architects
17400 Linderoth Way, Suite 100, San Diego, CA 92128
(619) 795-4757 Fax
SCRIPPS PARK WEST PHASE - 2 VIA EXCELENCIA & KEARNY MESA ROAD

Table containing: ABBREVIATIONS, PROJECT DIRECTORY, DRAWING SYMBOL, PROJECT TABULATION - PHASE 2, SHEET INDEX, VICINITY MAP, and PROJECT SCOPE OF WORK.

ATTACHMENT 6



1ST FLOOR PLAN BUILDING - A

2ND FLOOR PLAN BUILDING - A



**Architects**  
 12220 El Camino Real  
 Suite 200  
 San Diego, CA 92131  
 (619) 793-4771  
 (619) 793-4767 Fax

**Smith**  
 75-000 Fred Waring Road  
 Suite 201  
 Palm Desert, CA 92211  
 (760) 797-1237  
 (760) 269-3889 Fax

**SCRIPPS PARK WEST  
 PHASE - 2**  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

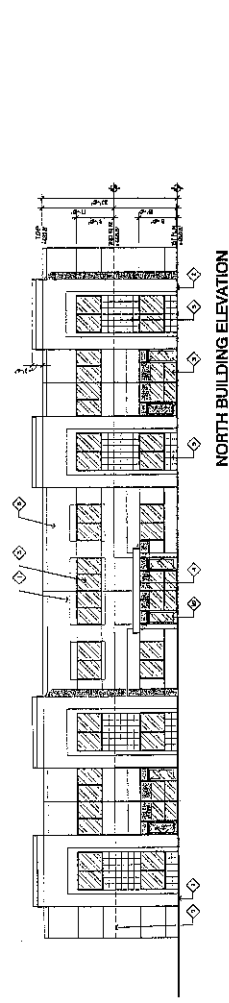
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Scale	3/16" = 1'-0"
BS Number	000000
Prepared by	
Name	SMITH CONSULTING ARCHITECTS
1200 W. COLORADO AVE.	
SUITE 200, PALM DESERT, CALIFORNIA 92211	
PHONE (760) 797-1237	
FAX (760) 269-3889	
PROJECT ADDRESS	
VIA EXCELENCIA AND KEARNY MESA	
ROADS, PALM DESERT, CALIFORNIA	
SHEET TITLE	
PHASE - 2	
1ST & 2ND FLOOR	
PLAN BUILDING - A	
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SCRIPPS PARK WEST  
 PHASE - 2  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

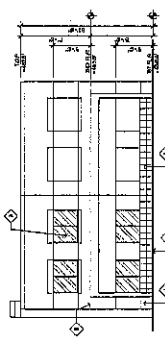
78-000 Pineda Way Road  
 San Diego, CA 92121  
 (619) 291-1177  
 (619) 291-8889 Fax

SMITH ARCHITECTS  
 12220 El Camino Real  
 San Diego, CA 92121  
 (619) 793-4777  
 (619) 793-4787 Fax

Client	NR
Drawn by	MM
Scale	3/32" = 1'-0"
Job Number	03174205
PREPARED BY	NAME SMITH ARCHITECTS 2222 EL CAMINO REAL SAN DIEGO, CALIFORNIA 92108 TEL: (619) 793-4777 FAX: (619) 793-4787 WWW: WWW.SMITHARCHITECTS.COM
PROJECT ADDRESS	78-000 PINEWAY ROAD SAN DIEGO, CALIFORNIA 92121
PROJECT NAME	PHASE 2 EXCELENCIA & KEARNY MESA ROAD
REVISIONS	REVISION 1: 07/17/05 REVISION 2: 07/20/05 REVISION 3: 07/21/05 REVISION 4: 07/21/05 REVISION 5: 07/21/05 REVISION 6: 07/21/05 REVISION 7: 07/21/05 REVISION 8: 07/21/05 REVISION 9: 07/21/05 REVISION 10: 07/21/05
SHEET	A4
DEP. NO.	



NORTH BUILDING ELEVATION

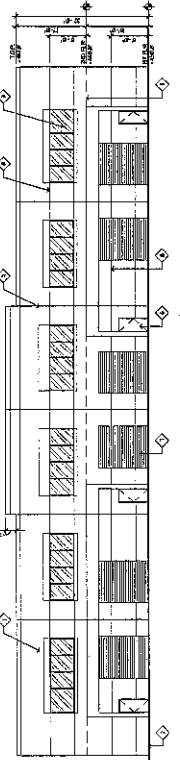


EAST BUILDING ELEVATION

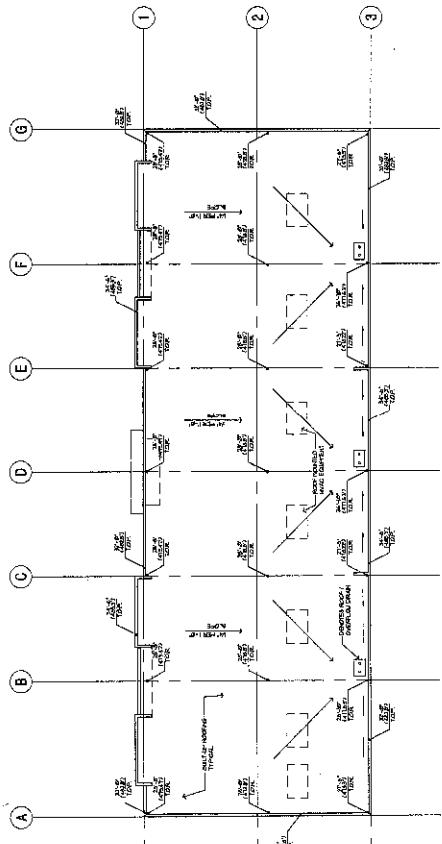
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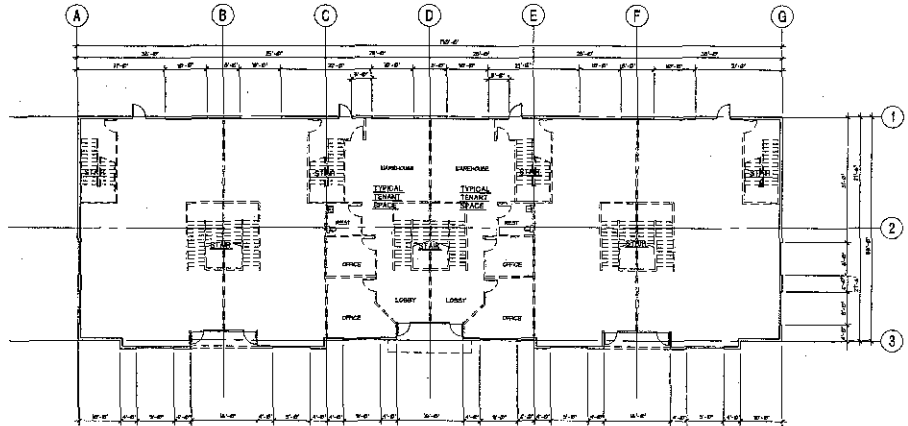
WEST BUILDING ELEVATION



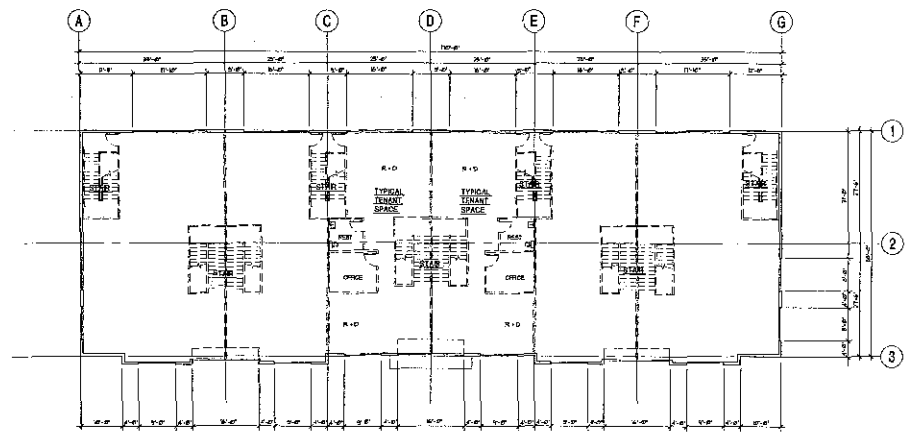
SOUTH BUILDING ELEVATION



ROOF PLAN BUILDING - A



n  
1ST FLOOR PLAN BUILDING - B



n  
2ND FLOOR PLAN BUILDING - B

**SMITH CONSULTING ARCHITECTS**  
 12300 El Camino Real  
 Suite 200  
 San Diego, CA 92131  
 (619) 593-4777  
 (619) 593-4778

**Smith Consulting Architects**  
 76,000 Fines/Wing Road  
 Suite 201  
 San Diego, CA 92111  
 (619) 597-1777  
 (619) 597-3898 Fax

**SCRIPPS PARK WEST  
 PHASE - 2**  
 VIA EXCELENCIA &  
 KEARNEY MESA ROAD

Check By	RS
Drawn By	NH
Scale	3/8" = 1'-0"
Job Number	02252502
PREPARED BY:	
NAME	SMITH CONSULTING ARCHITECTS
ADDRESS	12300 EL CAMINO REAL SUITE 200 SAN DIEGO, CALIFORNIA 92128 TEL: 619-593-4777 CONTACT: PETE BUSSETT NEO HICKELL
PROJECT ADDRESS:	VIA EXCELENCIA AND KEARNEY MESA ROAD
PROJECT NAME:	SCRIPPS PARK WEST
SHEET TITLE:	PHASE - 2 1ST & 2ND FLOOR PLAN BUILDING - B
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REVISION 6:	3/3/11
REVISION 5:	10/2/10
REVISION 4:	8/27/10
REVISION 3:	4/7/10
REVISION 2:	8/18/09
REVISION 1:	4/29/08
ORIGINAL DATE:	5/20/02
SHEET	<b>A5</b>
DEP. NO.	



Smith Architects  
 12220 B Camino Real  
 San Diego, CA 92121  
 (619) 793-1777  
 (619) 793-1787  
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**SCRIPPS PARK WEST**  
**PHASE - 2**  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

Checked By:	RE
Drawn By:	NE
Scale:	3/32" = 1'-0"
Job Number:	00213-2003

PREPARED BY:  
 SMITH ARCHITECTS  
 12220 B CAMINO REAL  
 SAN DIEGO, CALIFORNIA 92121  
 CONTRACT: NET BUDGET  
 REV: 04/01/03

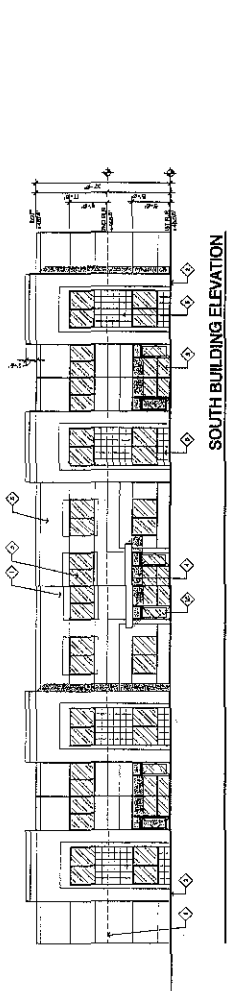
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 SCRIPPS PARK WEST

PROJECT NAME:  
 SCRIPPS PARK WEST

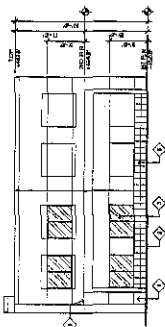
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**EXT. ELEVATIONS &**  
**ROOF PLAN BUILDING B**

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DATE: 04/01/03  
 SHEET: A6  
 SHEET NO. 6



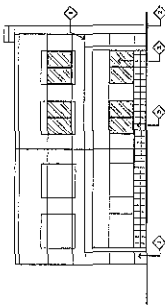
**SOUTH BUILDING ELEVATION**



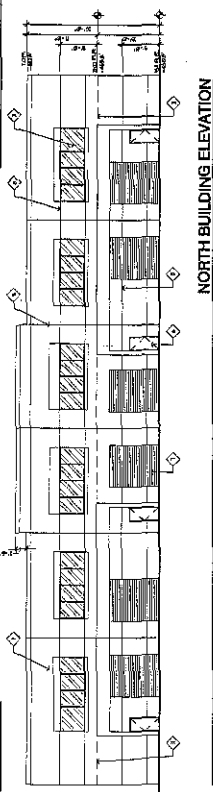
**EAST BUILDING ELEVATION**

**KEY NOTES**

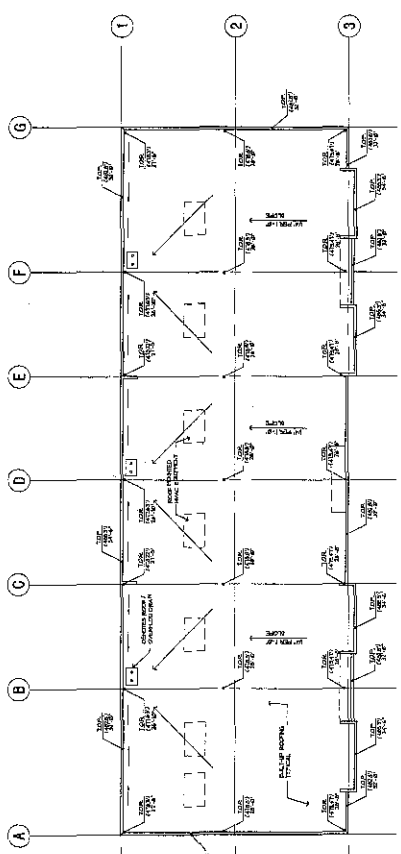
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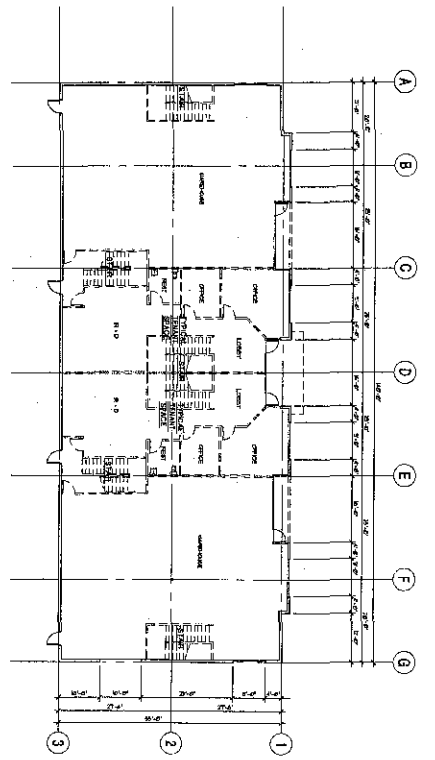
**WEST BUILDING ELEVATION**



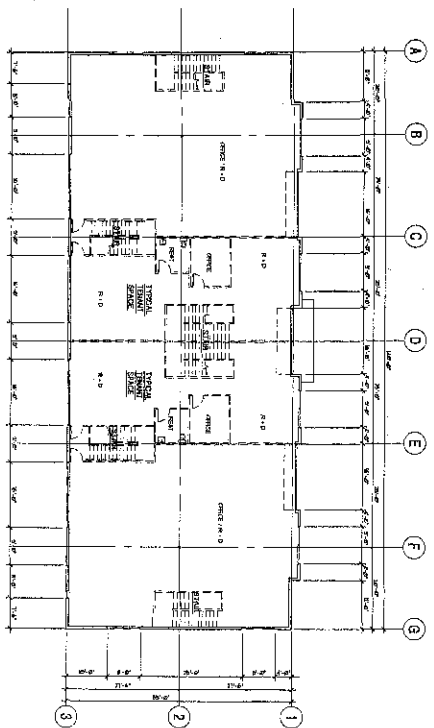
**NORTH BUILDING ELEVATION**



**ROOF PLAN BUILDING - B**



1ST FLOOR PLAN BUILDING - C



2ND FLOOR PLAN BUILDING - C

**nr**

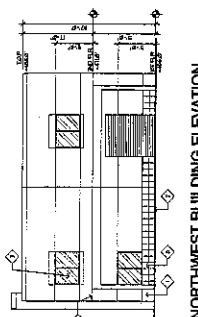
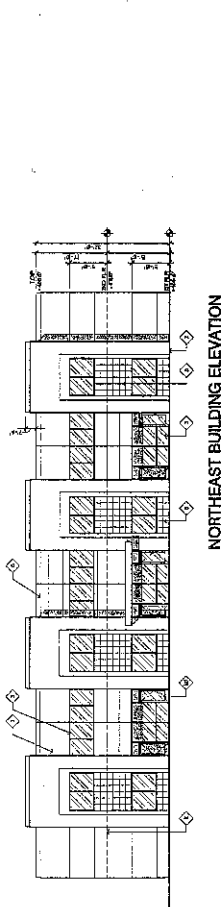
<p><b>SCRIPPS PARK WEST PHASE - 2</b> VIA EXCELENCIA &amp; KEARNY MESA ROAD</p>	<p><b>Smith</b> 75-001 Fred Waring Road Suite 201 Palm Desert, CA 92211 (805) 797-1377 (760) 359-2888 Fax</p>	<p><b>Architects</b> 2220 El Camino Real Suite 205 San Diego, CA 92108 (619) 793-4777 (619) 793-4787</p>
<p><b>PREPARED BY:</b> SMITH CONSULTING ARCHITECTS ARCHITECTS 3400 LA JOLLA VILLAGE ROAD, SUITE 200 LA JOLLA, CALIFORNIA 92037 TEL: (619) 453-1111 FAX: (619) 453-1111</p>	<p><b>DATE:</b> 3/27/12 <b>SCALE:</b> AS SHOWN <b>PROJECT NO.:</b> 2008003</p>	<p><b>PROJECT ADDRESS:</b> VIA EXCELENCIA &amp; KEARNY MESA ROAD SCRIPPS PARK WEST SAN DIEGO, CA 92131</p>
<p><b>SHEET TITLE:</b> 1ST &amp; 2ND FLOOR PLAN BUILDING - B</p>	<p><b>REVISION 7:</b> 7/2/11 <b>REVISION 6:</b> 7/2/11 <b>REVISION 5:</b> 9/2/10 <b>REVISION 4:</b> 9/2/10 <b>REVISION 3:</b> 4/1/10 <b>REVISION 2:</b> 7/2/09 <b>REVISION 1:</b> 7/2/09</p>	<p><b>PROJECT NAME:</b> SCRIPPS PARK WEST</p>
<p><b>DRWG. DATE:</b> 7/2/09 <b>SHEET:</b> A7</p>	<p><b>DEP. NO.:</b></p>	<p><b>PROJECT ADDRESS:</b> VIA EXCELENCIA &amp; KEARNY MESA ROAD SCRIPPS PARK WEST SAN DIEGO, CA 92131</p>

SMITH ARCHITECTS  
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 75 000 FINE VALLEY ROAD  
 SAN DIEGO, CA 92111  
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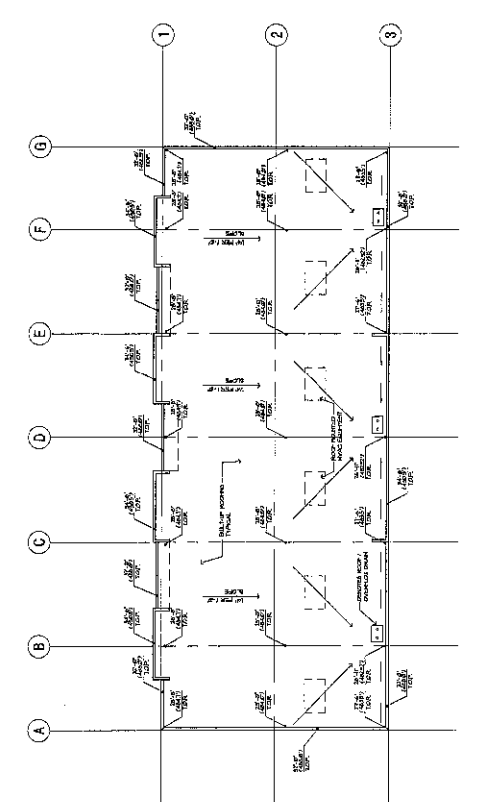
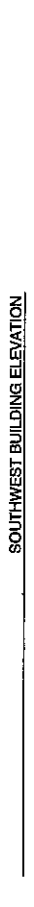
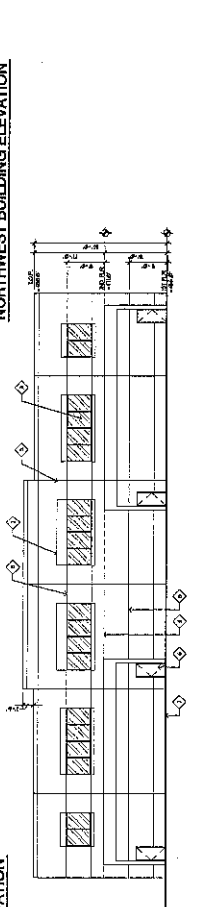
**SCRIPPS PARK WEST  
 PHASE - 2**  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

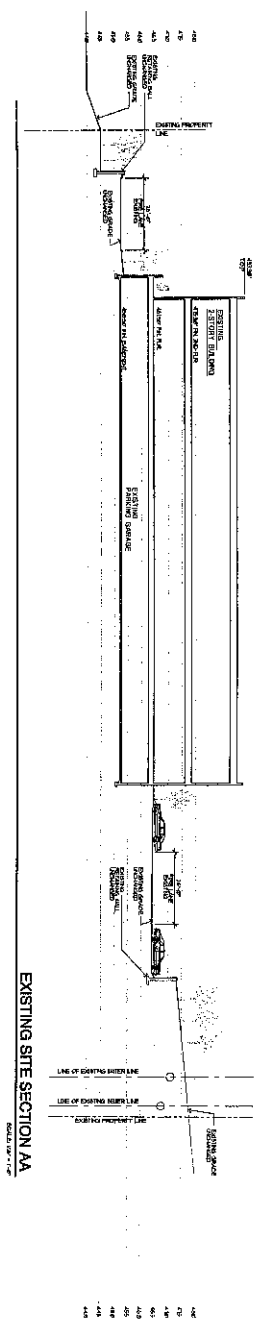
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PREPARED BY:	MARC COOPER/SMITH ARCHITECTS
DATE:	10/01/09
PROJECT ADDRESS:	7500 EL CAMINO REAL SAN DIEGO, CALIFORNIA 92116 (619) 793-1377 WWW.SMITHARCHITECTS.COM
PROJECT NAME:	SCRIPPS PARK WEST
SHEET TITLE:	<b>PHASE - 2          EXT. ELEVATIONS &amp;          ROOF PLAN BUILDING - C</b>
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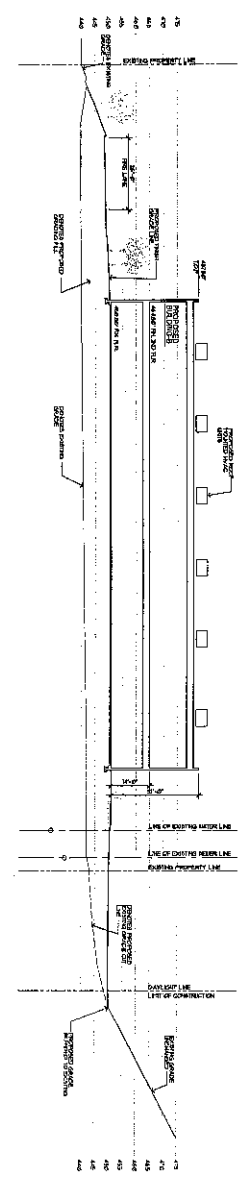
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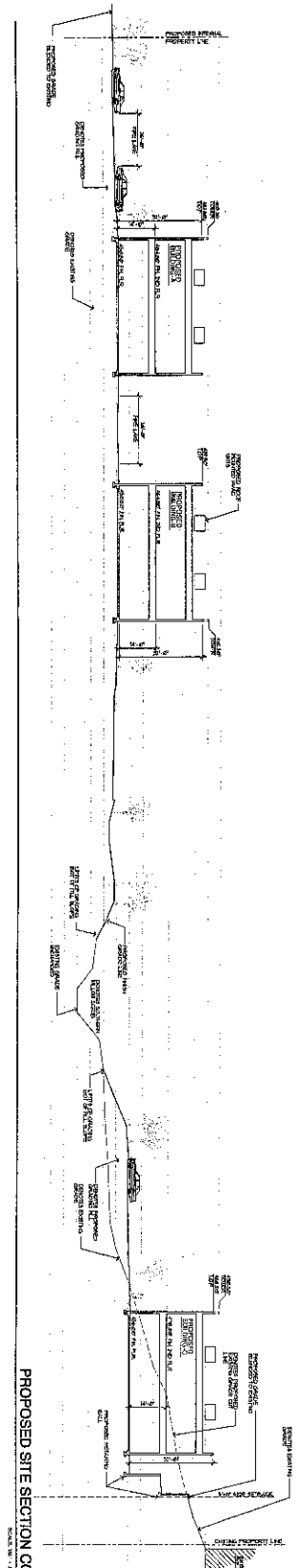




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PROPOSED SITE SECTION BB  
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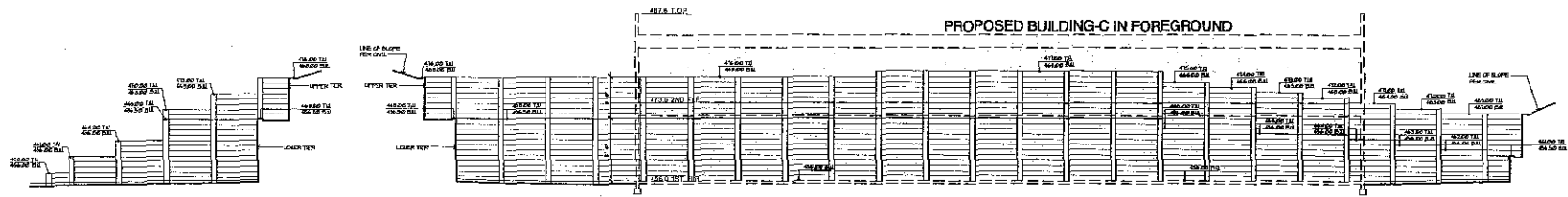
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Sheet Number:	201/1/10
Prepared By:	JAMES CONNOR ARCHITECTS
Name:	JAMES CONNOR ARCHITECTS
Address:	3015 EL CAMINO REAL, SUITE 201, CARLSBAD, CA 92008
Phone:	(760) 439-1111
Fax:	(760) 439-1112
Project Address:	78-000 FRED WYING ROAD, SUITE 201, PALM DESERTS, CA 92211
Project Name:	SCRIPPS PARK WEST PHASE 2
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**SCRIPPS PARK WEST Smith Architects**  
**PHASE - 2**  
 VIA EXCELENCIA & KEARNY MESA ROAD

78-000 Fred Wying Road  
 Suite 201  
 Palm Desert, CA 92211  
 (760) 797-1272  
 (760) 797-4772  
 (760) 269-3889 Fax

12320 El Camino Road  
 Suite 200  
 San Diego, CA 92121  
 (619) 792-6222  
 (619) 792-4763

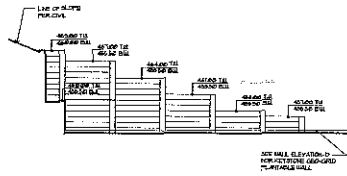


WALL ELEVATION - A - STEEL PILES WITH TIMBER LAGGING

WALL ELEVATION - B - STEEL PILES WITH TIMBER LAGGING (2 TIERED WALL)

SCALE: 1/4" = 1'-0"

SCALE: 1/4" = 1'-0"



WALL ELEVATION - C - STEEL PILES WITH TIMBER LAGGING

SCALE: 1/4" = 1'-0"



WALL ELEVATION - D - PLANTABLE SEGMENTED GRAVITY RETAINING WALL

SCALE: 1/4" = 1'-0"



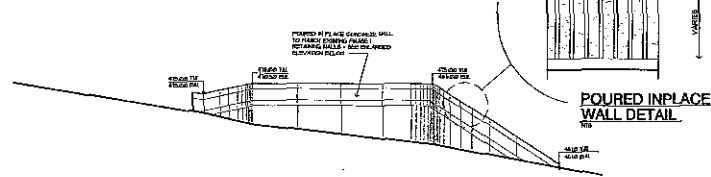
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SCALE: 1/4" = 1'-0"



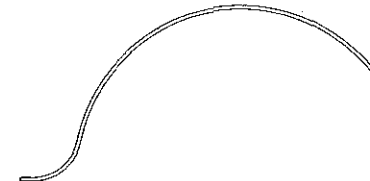
WALL ELEVATION - F - SPLIT FACE COLORED MASONRY

SCALE: 1/4" = 1'-0"



WALL ELEVATION - G - CAST COLORED CONCRETE

SCALE: 1/4" = 1'-0"



SCHEMATIC WALL - G PLAN

SCALE: 1/4" = 1'-0"

**Smith Architects**  
 7225 El Camino Real  
 Suite 200  
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 (619) 731-4777 Fax  
 (619) 731-4777 Tel

7420 Lindero Road  
 Suite 200  
 San Diego, CA 92111  
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**SCRIPPS PARK WEST  
 PHASE - 2**  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

Check By	PH
Drawn By	NH
Scale	1/4" = 1'-0"
Job Number	0235.505

PREPARED BY:  
 NAME: SMITH CONSULTING ARCHITECTS  
 ADDRESS: 7225 EL CAMINO REAL, SUITE 200, SAN DIEGO, CALIFORNIA 92120  
 PHONE: 731-4777  
 CONTACT: PETE ROBERT  
 WEB: WWW.SMAA.COM

PROJECT ADDRESS:  
 VIA EXCELENCIA AND KEARNY MESA ROAD

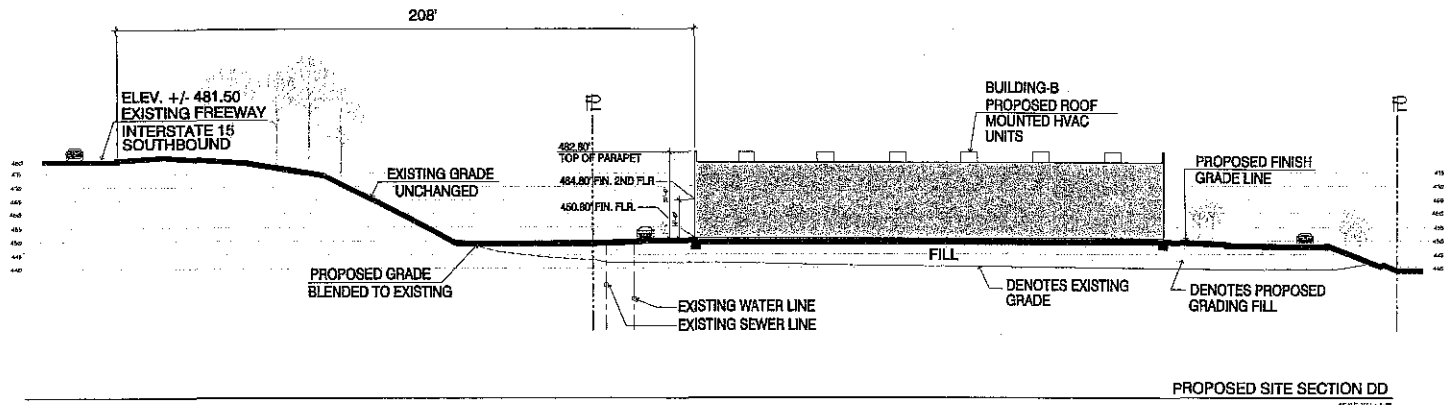
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SHEET TITLE:  
**PHASE - 2  
 SITE RETAINING WALL  
 ELEVATIONS**

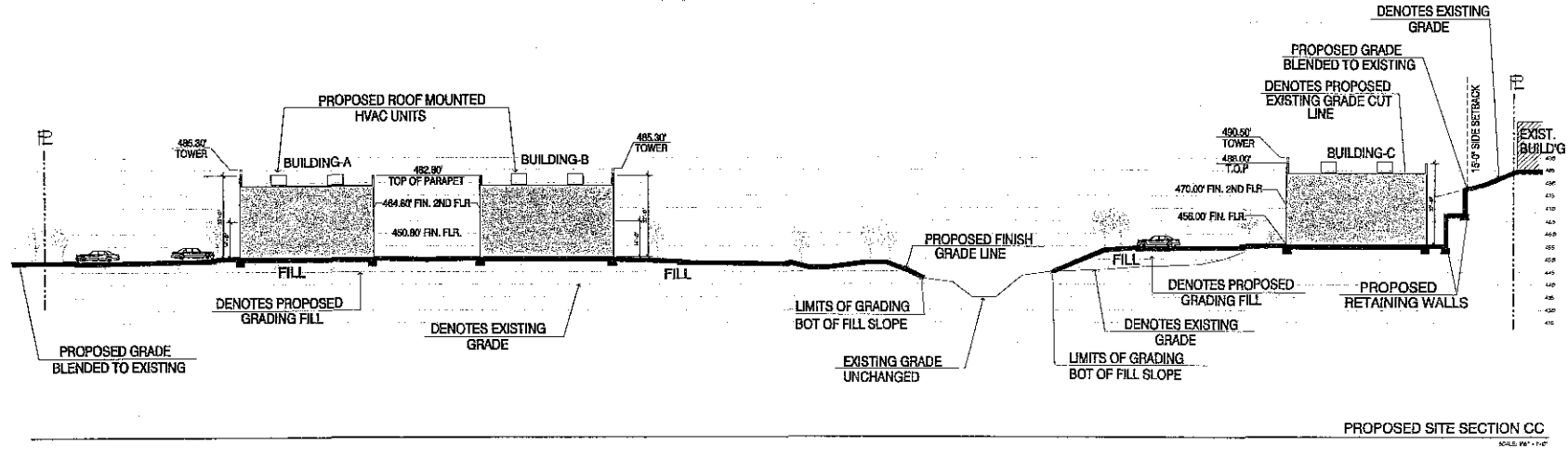
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REVISION 2	8/18/09
REVISION 1	4/20/09
ORIGINAL DATE	8/20/08

SHEET **A10**  
 40 OF 23  
 DEP. NO.

ATTACHMENT



PROPOSED SITE SECTION DD  
SCALE: 1/4" = 1'-0"



PROPOSED SITE SECTION CC  
SCALE: 1/4" = 1'-0"

**Smith Architects**  
12220 El Camino Real  
San Diego, CA 92130  
(619) 591-1777  
(619) 591-4777 Fax

**Smith**  
75,000 Free Way Road  
Palm Desert, CA 92211  
(760) 377-1377  
(760) 326-3581 Fax

**SCRIPPS PARK WEST  
PHASE-2**  
VIA EXCELENCIA &  
KEARNY MESA ROAD

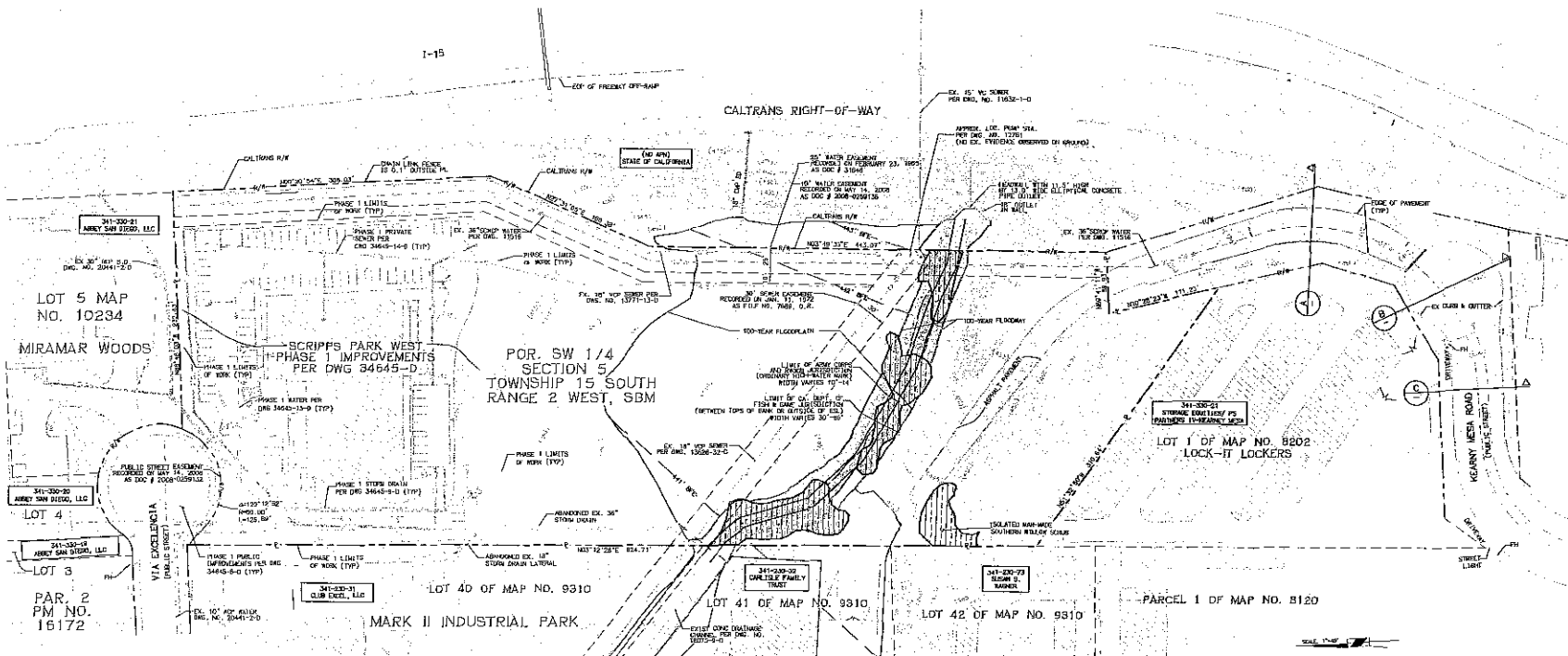
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Drawn By	NH
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Job Number	05315505
PREPARED BY:	
NAME	SARAH CORTESE
ADDRESS	12220 EL CAMINO REAL SUITE 300 SAN DIEGO, CALIFORNIA 92130 MAIL STOP 4777 CONTACT: PETER BURETT NEC HARBELL
PROJECT ADDRESS:	64 EXCELENCIA AND KEARNY MESA ROAD SCRIPPS PARK WEST
PROJECT NAME:	SCRIPPS PARK WEST

SHEET TITLE:  
**PHASE-2  
SITE SECTIONS**

REVISION 8:	
REVISION 7:	2/15/12
REVISION 6:	2/9/11
REVISION 5:	12/21/10
REVISION 4:	5/27/10
REVISION 3:	4/11/10
REVISION 2:	5/18/09
REVISION 1:	1/20/08
ORIGNAL DATE:	3/23/08 4 OF 22

SHEET: **A11**  
DEP. NO. \_\_\_\_\_



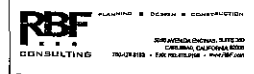
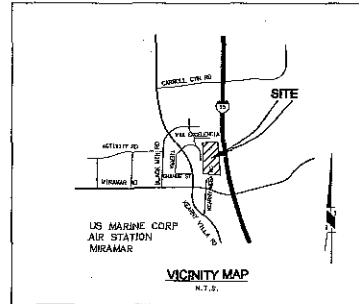
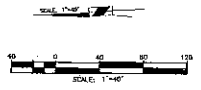


**Smith Consulting Architects**  
 17235 E Camino Real  
 San Diego, CA 92130  
 (619) 793-4777  
 (619) 793-4767 fax

**SCRIPPS PARK WEST PHASE - 2**  
 VIA EXCELENCIA & KEARNY MESA ROAD

Check By	
Drawn By	
Scale	1" = 40'
Job Number	SS-180493.001

PREPARED BY:	RBF CONSULTING
NAME:	RBF CONSULTING
ADDRESS:	5810 ANACAPA DRIVE SUITE 200 CARLSBAD, CALIFORNIA 92008 (760) 478-4193
CONTACT:	DAVID WEBER
PROJECT ADDRESS:	VIA EXCELENCIA AND KEARNY MESA ROAD
PROJECT NAME:	SCRIPPS PARK WEST
SHEET TITLE:	EXISTING CONDITIONS PLAN
REVISION 8:	2/25/12
REVISION 7:	2/2/11
REVISION 6:	1/22/11
REVISION 5:	12/21/10
REVISION 4:	9/23/10
REVISION 3:	1/5/10
REVISION 2:	9/18/09
REVISION 1:	4/14/09
ORIGINAL DATE:	9/30/08
	12 OF 22
SHEET	C-1
DEP. NO.	



**EXISTING VEGETATION COMMUNITIES PER:**  
 "BIOLOGICAL SURVEY REPORT FOR SCRIPPS PARK WEST"  
 DATED: FEBRUARY 2010  
 BY: WILSON CONSULTANTS, INC.  
 REFER TO SHEET C-6 "BIOLOGICAL RESOURCES WP & PROJECT IMPACT"  
 FOR ALL BIOLOGICAL LIMITATIONS.

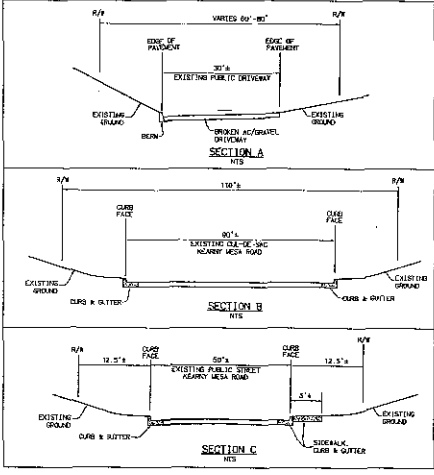
**BASIS OF BEARINGS:**  
 THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COGNITIVE SYSTEM (CORS) ZONE 10, AS DETERMINED BY THE LINE BEARING STATION 131 AND STATION 134 FOR BOUNDARY 1482 WITH A BEARING OF N64°09'06"W.

**BENCHMARK:**  
 CITY OF SAN DIEGO B.M. NORTHERLY BRASS PLUG AT THE CORNER OF CARROLL CORNER 1000 AND BUSINESS PARK DRIVE  
 ELEVATION = 499.55

REV #	CHANGED
-------	---------

**LEGEND**

EXISTING WATER CONTAINMENT	---
EXISTING WATER CONTAINMENT	---
EXISTING WATER	---
EXISTING FRESH HYDRAULIC	---
EXISTING SEWER DRAIN	---
EXISTING SEWER	---
EXISTING CURB	---
EXISTING CURB & GUTTER	---
EXISTING CONCRETE PAVING	---
EXISTING ASPHALT PAVING	---
EXISTING TREES	---
EXISTING DRAIN LINE FRINGE	---
RIGHT-OF-WAY	R/W
PROPERTY LINE	P
EXISTING EASEMENT	---
EXISTING BUILDING	---
EXISTING 100-YEAR FLOODPLAIN	---
EXISTING SOUTHERN WILLOW SCRUB	---
CITY DELINEATED WETLAND	---
BASE FLOOD ELEVATION LINE	---



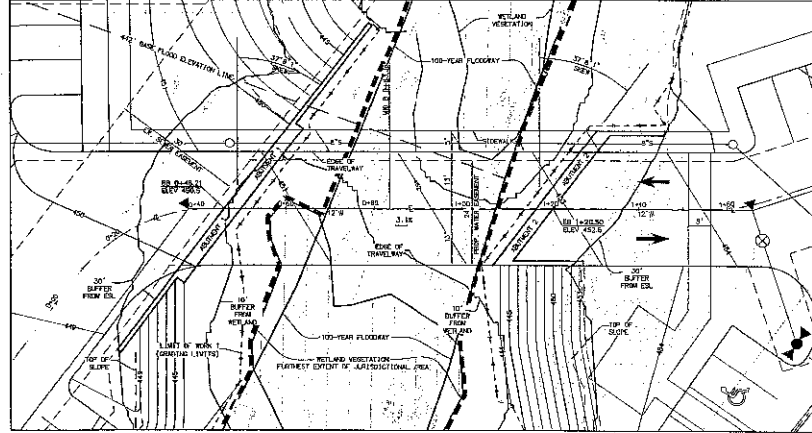
ATTACHMENT 6





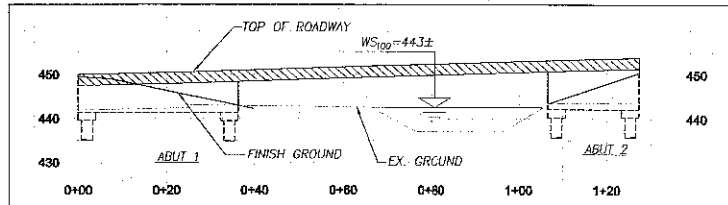
**Smith Consulting Architects**  
 12222 S Camino Real  
 Suite 200  
 San Diego, CA 92130  
 (619) 793-4777  
 (619) 793-4887 Fax

**SCRIPPS PARK WEST  
 PHASE - 2**  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD



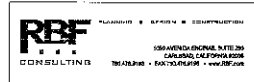
**PLAN  
 PROPOSED BRIDGE**  
 SCALE: 1" = 10'

**NOTES:**  
 ALL WORK PERFORMED WITHIN THE BANKS OF CARROLL CANYON CREEK FOR WETLAND AND NATIVE BANK RESTORATION, INCLUDING REMOVAL OF NONNATIVE PLANT SPECIES, HERRING GULL-NEST CONSTRUCTION, AND STORM GRAB MAINTENANCE WILL BE DONE BY 1990 WITHOUT HEAVY EQUIPMENT.



**PROFILE  
 PROPOSED BRIDGE**  
 SCALE: 1" = 10'

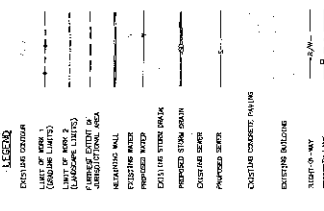
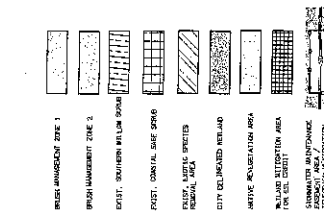
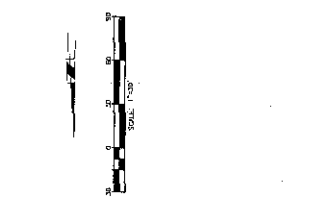
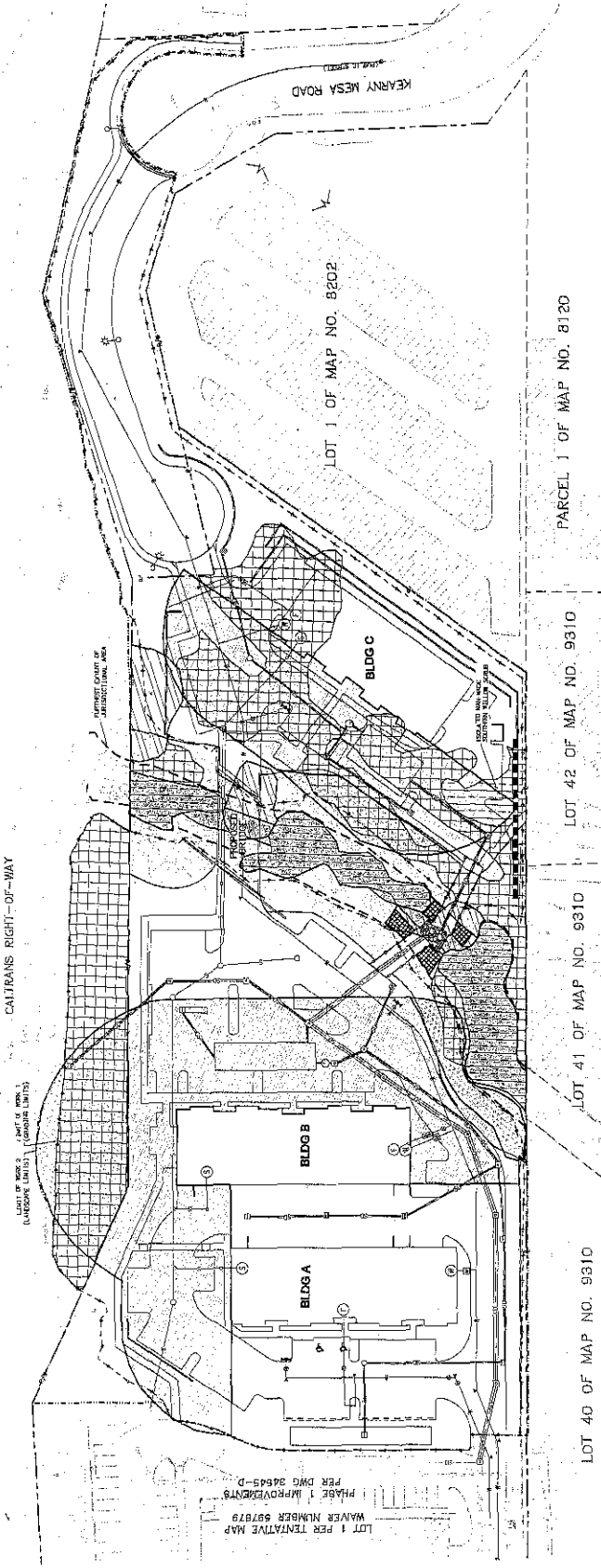
Check by	
Drawn by	
Scale	AS SHOWN
Job Number	55-100495.001
PREPARED BY:	
NAME	RSP CONSULTING
ADDRESS	5550 AVENIDA ENCINAS SUITE 200 CARLSBAD, CALIFORNIA 92008 (760) 434-9781 CONTACT: DAVID WEDER
PROJECT ADDRESS:	VIA EXCELENCIA AND KEARNY MESA ROAD
PROJECT NAME:	Scripps Park West
SHEET TITLE:	PROPOSED BRIDGE PROFILE
REVISION 8:	2/25/02
REVISION 7:	2/9/01
REVISION 6:	1/27/01
REVISION 5:	12/20/00
REVISION 4:	5/27/00
REVISION 3:	4/1/00
REVISION 2:	3/16/99
REVISION 1:	4/24/98
ORIGINAL DATE:	9/30/98
13 OF 21	
SHEET	C-4
DEP. NO.	



**SmithConsultingArchitects**  
 12222 El Camino Real  
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 San Diego, CA 92130  
 (619) 793-4177  
 (619) 793-4178  
 (619) 569-1889 Fax  
 794005 River Valley Road  
 Suite 204  
 Poway, CA 92121  
 (619) 794-1272

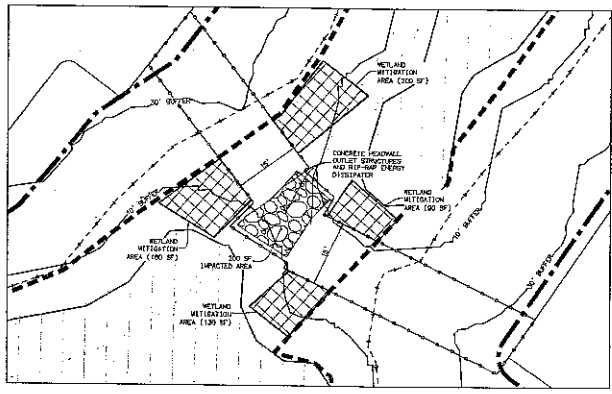
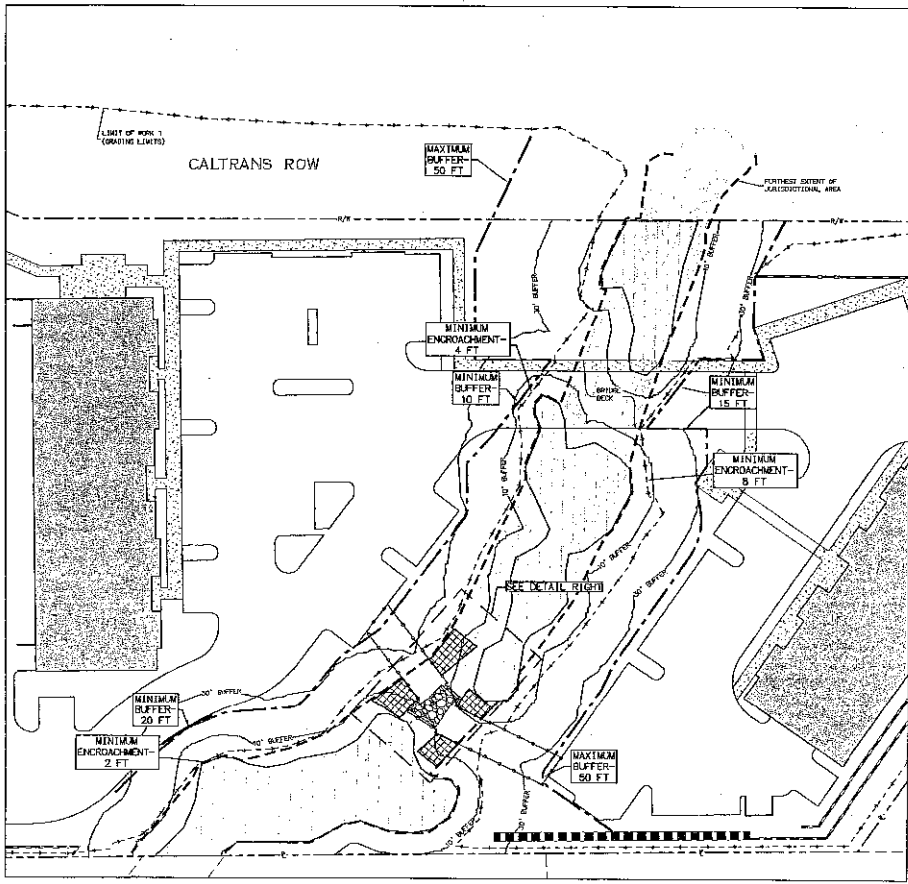
**SCRIPPS PARK WEST**  
**PHASE - 2**  
**VIA EXCELCIA &**  
**KEARNY MESA ROAD**

Checklist	Completed
Density	1" = 30'
Scale	SS-BORING
Prepared By:	
For Consulting:	
Name:	
Address:	
City:	
State:	
Country:	
Project Name:	
Project Address:	
Sheet Title:	
Revision 1:	2/17/12
Revision 2:	2/17/12
Revision 3:	2/17/12
Revision 4:	3/27/12
Revision 5:	3/27/12
Revision 6:	4/17/12
Revision 7:	4/17/12
Revision 8:	4/17/12
Revision 9:	4/17/12
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Revision 96:	4/17/12
Revision 97:	4/17/12
Revision 98:	4/17/12
Revision 99:	4/17/12
Revision 100:	4/17/12



- NOTES:**
1. ALL WORK SHOWN WITHIN THE BOUNDS OF ORIGINALLY DESIGNATED LOT 40 OF MAP NO. 9310 IS SUBJECT TO ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS AND ORDINANCES. ANY CHANGES TO THE BOUNDARIES WILL BE MADE BY A PERMITS ENGINEER.
  2. EXISTING WALKWAYS TO BE REMOVED OR RELOCATED TO ACCOMMODATE NEW WALKWAYS.
  3. ALL WALKWAYS SHALL BE 4 FT. WIDE.
  4. APPROXIMATELY 10% OF THE WALKWAY SHALL BE GRADED ALONG THE WALKWAY TO PROVIDE A 2% SLOPE TO THE ADJACENT DRIVEWAY.
  5. EXISTING WALKWAYS TO BE REMOVED OR RELOCATED TO ACCOMMODATE NEW WALKWAYS.
  6. EXISTING WALKWAYS TO BE REMOVED OR RELOCATED TO ACCOMMODATE NEW WALKWAYS.
  7. EXISTING WALKWAYS TO BE REMOVED OR RELOCATED TO ACCOMMODATE NEW WALKWAYS.
  8. EXISTING WALKWAYS TO BE REMOVED OR RELOCATED TO ACCOMMODATE NEW WALKWAYS.
  9. EXISTING WALKWAYS TO BE REMOVED OR RELOCATED TO ACCOMMODATE NEW WALKWAYS.
  10. EXISTING WALKWAYS TO BE REMOVED OR RELOCATED TO ACCOMMODATE NEW WALKWAYS.

**EXISTING VEGETATION COMMUNITIES PER LOCAL REGULATIONS**  
 "NATURAL VEGETATION COMMUNITIES PER LOCAL REGULATIONS"  
 DATE: 11/09/12  
 BY: RUSSELL GONZALES, INC.



LEGEND

- STORMWATER MAINTENANCE / RESTORATION ACCESS AREA
- LIMITS OF WORK 1 (GROUND LINES)
- FURTHER EXTENT OF JURISDICTIONAL AREA
- PERMANENT WETLAND BUFFER
- EXISTING RIP-RAP
- PROPOSED RIP-RAP
- EXISTING SANDWICH MILLER SCUM
- 10' BUFFER FROM EXISTING SANDWICH MILLER SCUM
- 30' BUFFER FROM EXISTING SANDWICH MILLER SCUM
- PROPOSED WETLAND MITIGATION AREA FOR PCL (CDD)
- PROPOSED PARKING LOT / DRIVE DRIVE
- PROPOSED DRIVELINE
- PROPOSED CONCRETE PARADEWAY
- PROPOSED WALL

NOTE:

ANY WORK PERFORMED WITHIN THE BOUNDS OF GENERAL CANYON USED FOR WETLAND AND WATER BARR RESTORATION, INCLUDING REMOVAL OF NON-NATIVE PLANT SPECIES, MEDGALL/RIP-RAP CONSTRUCTION, AND OTHER DRAIN MAINTENANCE WILL BE DONE BY JAWO WITHOUT HEAVY MACHINERY.

WETLAND MITIGATION

IMPACT AREA = 340 SF  
 RESTORED MITIGATION (2:1 RATIO) = 100 SF  
 ADDITIONAL MITIGATION FOR ANTICIPATED AGENCY PERMIT ALLOWANCES (1:1 RATIO) = 200 SF  
 SEE SHEET 1-4 FOR CONCEPTUAL REVEGETATION / RESTORATION PLAN

**SmithConsultingArchitects**  
 11230 El Camino Real  
 76-0001 Fred Webb Road  
 San Diego, CA 92130  
 Palm Desert, CA 92261  
 (619) 731-4777  
 (619) 251-3889 fax

**SCRIPPS PARK WEST PHASE - 2**  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

Check By	
Drawn By	
Job	
Job Number	55-30485.001
PREPARED BY:	
NAME:	RBF CONSULTING
ADDRESS:	3000 ANTHEM ENCLAS SUITE 210 CARLSBAD, CALIFORNIA 92008 (760) 438-8888 CONTACT: DARR WEAVER
PROJECT ADDRESS:	158 EXCELENCIA AND KEARNY MESA ROAD
PROJECT NAME:	Scrapps Park West
SHEET TITLE:	WETLAND MITIGATION PLAN & BUFFER AREAS
REVISION D:	1/9/12
REVISION E:	2/15/12
REVISION F:	2/9/11
REVISION G:	1/22/11
REVISION H:	12/21/10
REVISION I:	9/22/10
REVISION J:	4/2/10
REVISION K:	8/18/09
REVISION L:	1/14/09
ORIGIN DATE:	9/20/08
IS OF 22	
SHEET	C-7
REP. NO.	





SmithConsulting Architects  
 12200 S. De Anza Blvd.  
 Suite 100  
 San Diego, CA 92108  
 (619) 594-5100  
 (619) 594-5101  
 Fax: (619) 594-5102  
 www.smithconsulting.com

SCRIPPS PARK WEST  
 PHASE - 2  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

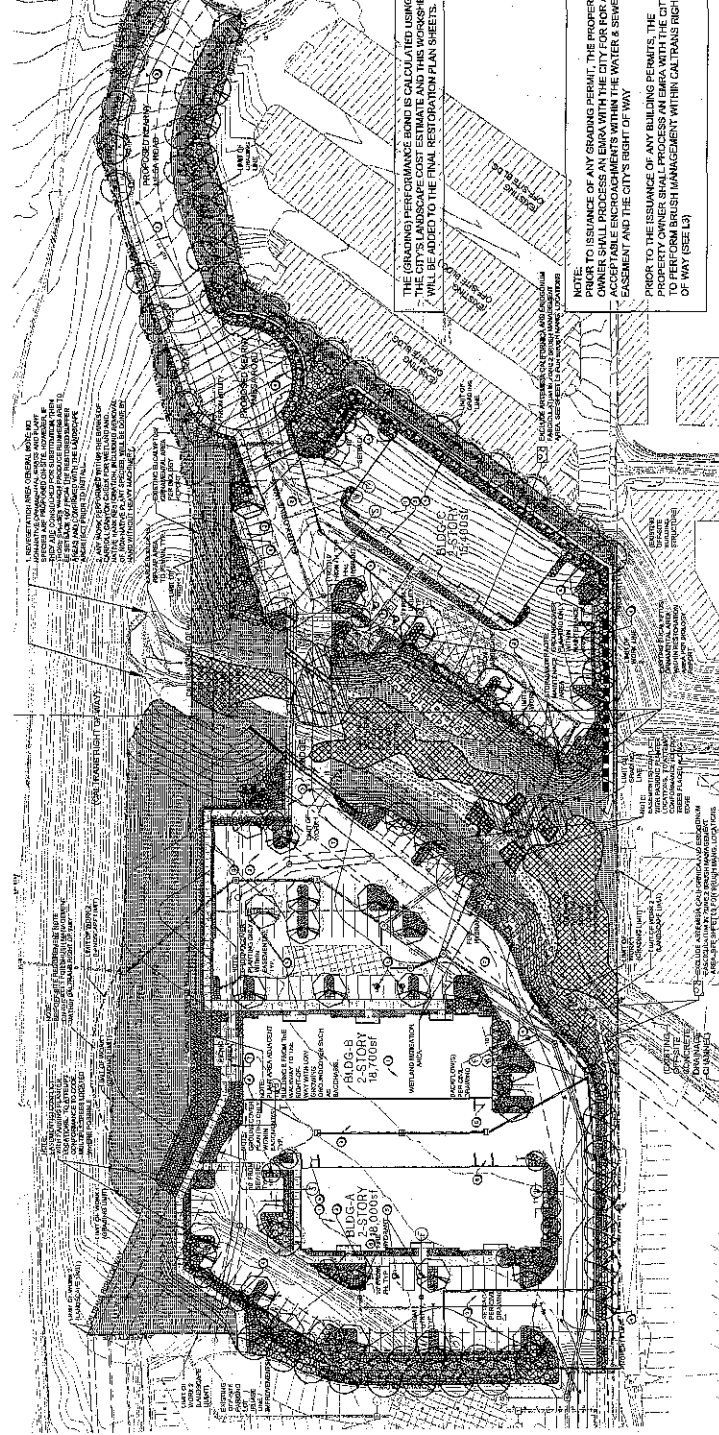
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 Checked By: [Name]  
 Date: [Date]  
 Job Number: [Number]

Project Name: [Name]  
 Project Address: [Address]  
 Project Location: [Location]

Sheet Title: [Title]  
 Revision 1: [Date]  
 Revision 2: [Date]  
 Revision 3: [Date]  
 Revision 4: [Date]  
 Revision 5: [Date]  
 Revision 6: [Date]  
 Revision 7: [Date]  
 Revision 8: [Date]

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 North Arrow  
 Date: [Date]

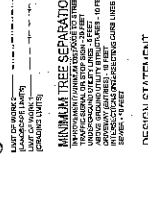
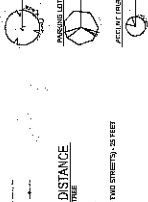
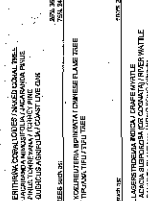
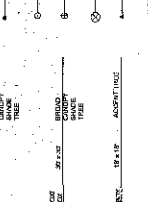
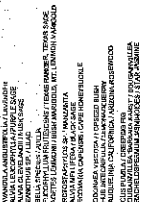
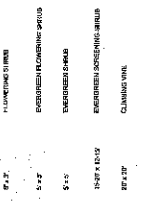
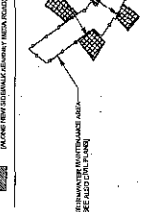
See Sheet L-2 for Landscape Calculation Plan.  
 See Sheet L-3 for Brush Management Plan.  
 See Sheet L-4 for Conceptual Vegetation / Restoration Plan.



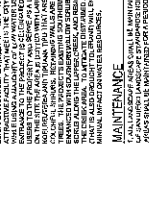
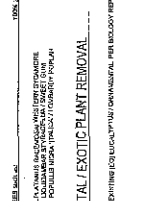
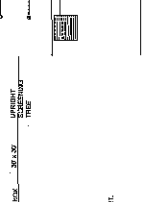
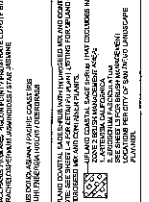
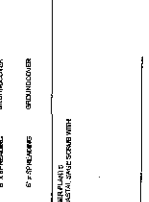
**THE (GRADING) PERFORMANCE BOND IS CALCULATED USING THE CITY OF SAN DIEGO'S ESTIMATE AND THIS WORKSHEET WILL BE ADDED TO THE FINAL RESPONSE PLAN SHEETS.**

**NOTE:**  
 PRIOR TO ISSUANCE OF ANY GRADING PERMIT, THE PROPERTY OWNER SHALL PROCESS AN EIRMA WITH THE CITY FOR ALL ACCEPTABLE ENCROACHMENTS WITHIN THE WATER & SEWER BASEMENT AND THE CITY'S RIGHT OF WAY.

**NOTE:**  
 PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE PROPERTY OWNER SHALL PROCESS AN EIRMA WITH THE CITY THROUGH BRUSH MANAGEMENT WITHIN CALTRANS RIGHT OF WAY (SHELS).



SEE SHEET L-2 FOR LANDSCAPE CALCULATION PLAN.  
 SEE SHEET L-3 FOR BRUSH MANAGEMENT PLAN.  
 SEE SHEET L-4 FOR CONCEPTUAL VEGETATION / RESTORATION PLAN.



SCHEMATIC DESIGN: [Name]  
 DATE: [Date]  
 SCALE: 1" = 20'-0"  
 NORTH ARROW

SEE SHEET L-2 FOR LANDSCAPE CALCULATION PLAN.  
 SEE SHEET L-3 FOR BRUSH MANAGEMENT PLAN.  
 SEE SHEET L-4 FOR CONCEPTUAL VEGETATION / RESTORATION PLAN.

SEE SHEET L-2 FOR LANDSCAPE CALCULATION PLAN.  
 SEE SHEET L-3 FOR BRUSH MANAGEMENT PLAN.  
 SEE SHEET L-4 FOR CONCEPTUAL VEGETATION / RESTORATION PLAN.

SEE SHEET L-2 FOR LANDSCAPE CALCULATION PLAN.  
 SEE SHEET L-3 FOR BRUSH MANAGEMENT PLAN.  
 SEE SHEET L-4 FOR CONCEPTUAL VEGETATION / RESTORATION PLAN.

SEE SHEET L-2 FOR LANDSCAPE CALCULATION PLAN.  
 SEE SHEET L-3 FOR BRUSH MANAGEMENT PLAN.  
 SEE SHEET L-4 FOR CONCEPTUAL VEGETATION / RESTORATION PLAN.

SEE SHEET L-2 FOR LANDSCAPE CALCULATION PLAN.  
 SEE SHEET L-3 FOR BRUSH MANAGEMENT PLAN.  
 SEE SHEET L-4 FOR CONCEPTUAL VEGETATION / RESTORATION PLAN.

SEE SHEET L-2 FOR LANDSCAPE CALCULATION PLAN.  
 SEE SHEET L-3 FOR BRUSH MANAGEMENT PLAN.  
 SEE SHEET L-4 FOR CONCEPTUAL VEGETATION / RESTORATION PLAN.

SmithConsulting Architects  
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 (619) 594-5101  
 Fax: (619) 594-5102  
 www.smithconsulting.com

SCRIPPS PARK WEST  
 PHASE - 2  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

Prepared By: [Name]  
 Checked By: [Name]  
 Date: [Date]  
 Job Number: [Number]

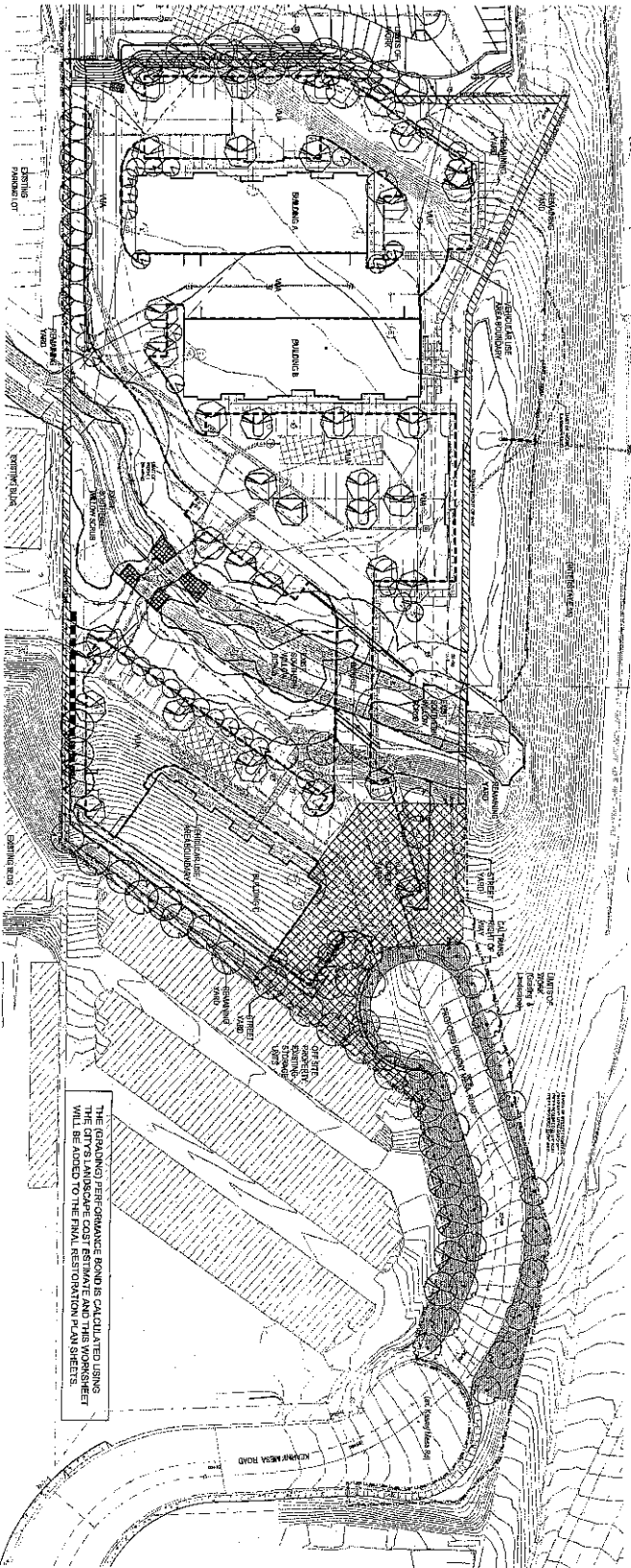
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Sheet Title: [Title]  
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 Revision 2: [Date]  
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 Revision 4: [Date]  
 Revision 5: [Date]  
 Revision 6: [Date]  
 Revision 7: [Date]  
 Revision 8: [Date]

Scale: 1" = 20'-0"  
 North Arrow  
 Date: [Date]

See Sheet L-2 for Landscape Calculation Plan.  
 See Sheet L-3 for Brush Management Plan.  
 See Sheet L-4 for Conceptual Vegetation / Restoration Plan.

SCHEMATIC DESIGN: [Name]  
 DATE: [Date]  
 SCALE: 1" = 20'-0"  
 NORTH ARROW



**LANDSCAPE CALCULATION AREA DIAGRAM LEGEND**

	PAVED AREA
	GRASS AREA
	PLANTING AREA
	WATER FEATURE
	OTHER AREA

**LANDSCAPE CALCULATIONS**

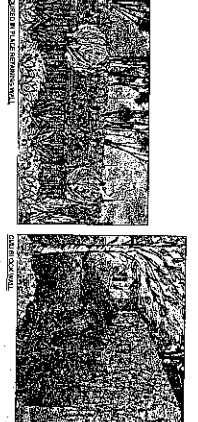
1. ALL LANDSCAPE AND PLANTING AREAS SHALL BE CALCULATED USING THE FOLLOWING METHODS:

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2. ALL LANDSCAPE AND PLANTING AREAS SHALL BE CALCULATED USING THE FOLLOWING METHODS:
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**LANDSCAPE NOTES**

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**SIMULATION OF PROPOSED LANDSCAPE OF PROPOSED RETAINING WALL TYPES**



THE GRADING PERFORMANCE BOND IS CALCULATED USING THE CITY'S LANDSCAPE-COST ESTIMATE AND WILL BE ADDED TO THE FINAL RESTORATION PLAN SHEETS.

**NATURALIZED SITE REGENERATION (LOW DENSITY, LOW SLOPE)**

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**NOTE**

TO SQUARE FOR ANY GRADING PERMIT THE PROPERTY OWNER SHALL PROVIDE AN EROSION CONTROL PLAN AND THE CITY'S RIGHT OF WAY PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT. THE PROPERTY OWNER SHALL PROVIDE AN EROSION CONTROL PLAN WITH THE CITY OF SAN DIEGO.

SEE SHEET L-1 FOR LANDSCAPE DEVELOPMENT PLAN. SEE SHEET L-3 FOR CONCEPTUAL REGENERATION/RESTORATION PLAN.



SMITH CONSULTING ARCHITECTS  
 78-000 Fred Waring Road  
 Suite 201  
 Poway, CA 92121  
 (619) 793-1127  
 (619) 269-3889 Fax

**SCRIPPS PARK WEST PHASE - 2**  
 VIA EXCELENCIA & KEARNY MESA ROAD

SmithConsultingArchitects  
 78-000 Fred Waring Road  
 Suite 201  
 Poway, CA 92121  
 (619) 793-1127  
 (619) 269-3889 Fax

Drawn by	JL
Scale	AS SHOWN
Date	03/20/11
Project Name	SCRIPPS PARK WEST PHASE 2
Project Address	VIA EXCELENCIA & KEARNY MESA ROAD
Client	SMITH CONSULTING ARCHITECTS
Contract	11-000000000000000000
Project No.	11-000000000000000000
Sheet No.	L-2

Smith Consulting Architects  
 2209 Alameda  
 San Francisco, CA 94133  
 Phone: 415.774.1100  
 Fax: 415.774.1101  
 www.smithconsulting.com

**SCRIPPS PARK WEST**  
**PHASE - 2**  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD

Check by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Drawn by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Scale: \_\_\_\_\_  
 Job Number: 06-04

PREPARED BY:  
 SCRIPPS PARK GROUP, INC.  
 2209 ALAMEDA  
 SAN FRANCISCO, CA 94133

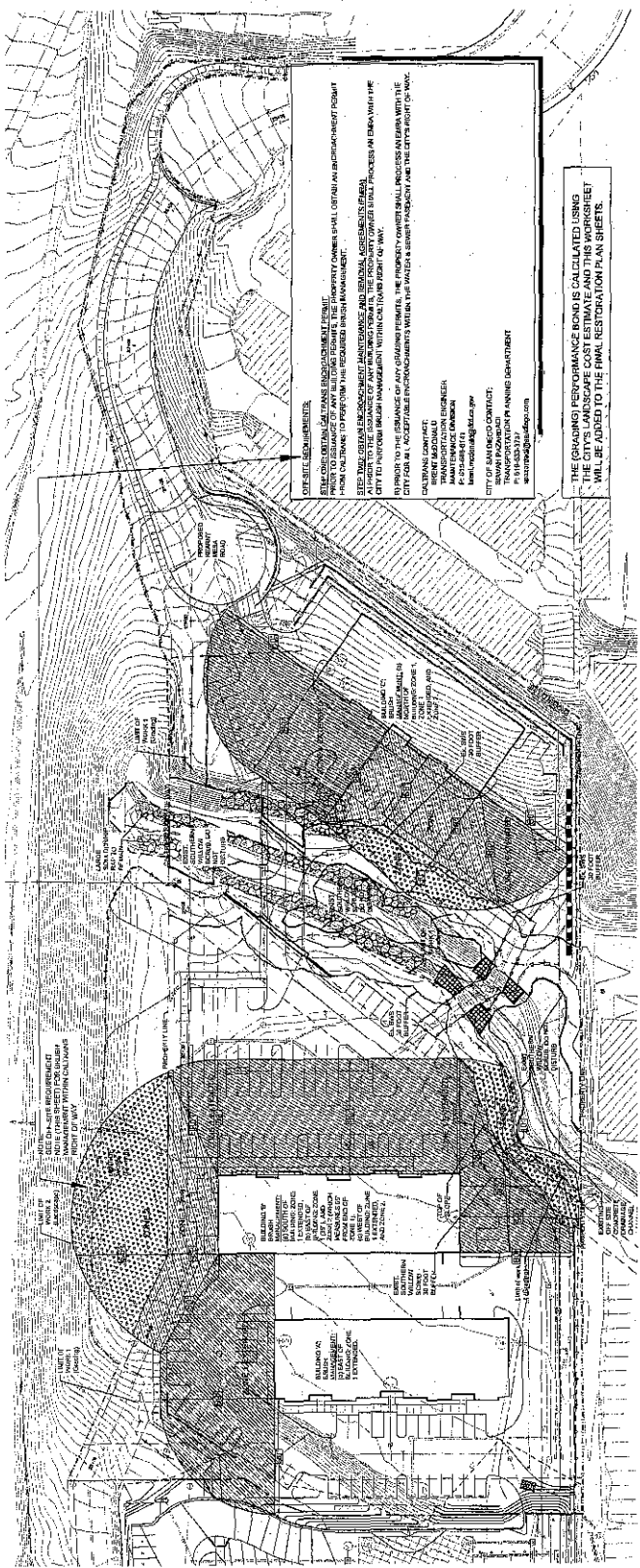
PROJECT ADDRESS:  
 VIA EXCELENCIA &  
 KEARNY MESA ROAD  
 SAN FRANCISCO, CA 94133

PROJECT NAME:  
 SCRIPPS PARK WEST

SHEET TITLE:  
**PHASE 2**  
**BRUSH**  
**MANAGEMENT**  
**PLAN**

REVISION 1: \_\_\_\_\_  
 REVISION 2: \_\_\_\_\_  
 REVISION 3: \_\_\_\_\_  
 REVISION 4: \_\_\_\_\_  
 REVISION 5: \_\_\_\_\_  
 REVISION 6: \_\_\_\_\_  
 REVISION 7: \_\_\_\_\_  
 REVISION 8: \_\_\_\_\_

SHEET NO: L-3  
 SHEET: L-3  
 OF: 3



**THE GRADING PERFORMANCE BOND IS CALCULATED USING THE CITY'S LANDSCAPE COST ESTIMATE AND THIS WORKSHEET WILL BE ADDED TO THE FINAL RESTORATION PLAN SHEETS.**

**SEE SHEET L-1 FOR LANDSCAPE DEVELOPMENT PLAN.**  
**SEE SHEET L-2 FOR LANDSCAPE SITE RELATION PLAN CONCEPTUAL REVEGETATION / RESTORATION PLAN.**

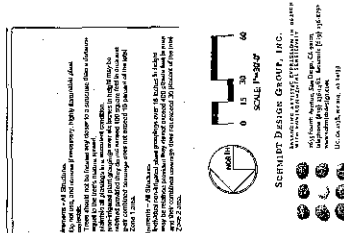
**BRUSH MANAGEMENT PROGRAM FOR BUSHES IN THE CITY OF SAN FRANCISCO.**  
 The purpose of this program is to provide a framework for the management of brush in the City of San Francisco. The program shall be based on the following principles:  
 1. Brush management shall be based on the principles of sustainability and resource conservation.  
 2. Brush management shall be based on the principles of safety and public health.  
 3. Brush management shall be based on the principles of aesthetics and community improvement.  
 4. Brush management shall be based on the principles of cost-effectiveness and efficiency.

**BRUSH MANAGEMENT PROGRAM FOR BUSHES IN THE CITY OF SAN FRANCISCO (CONTINUED).**  
 This program shall be implemented in a phased manner over a period of five years. The program shall be based on the following principles:  
 1. Brush management shall be based on the principles of sustainability and resource conservation.  
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SECTION 34: BRUSH MANAGEMENT - GENERAL NOTES  
 34.1. BRUSH MANAGEMENT SHALL BE BASED ON THE PRINCIPLES OF SUSTAINABILITY AND RESOURCE CONSERVATION.  
 34.2. BRUSH MANAGEMENT SHALL BE BASED ON THE PRINCIPLES OF SAFETY AND PUBLIC HEALTH.  
 34.3. BRUSH MANAGEMENT SHALL BE BASED ON THE PRINCIPLES OF AESTHETICS AND COMMUNITY IMPROVEMENT.  
 34.4. BRUSH MANAGEMENT SHALL BE BASED ON THE PRINCIPLES OF COST-EFFECTIVENESS AND EFFICIENCY.

**PERFORMANCE BOND ESTIMATE**

Item	Description	Quantity	Unit	Price	Total
1	Brush Management - General	1000	sq. ft.	\$1.50	\$1500.00
2	Brush Management - Specific	500	sq. ft.	\$2.00	\$1000.00
3	Brush Management - Other	200	sq. ft.	\$2.50	\$500.00
4	Brush Management - Total	1700	sq. ft.	-	\$3000.00

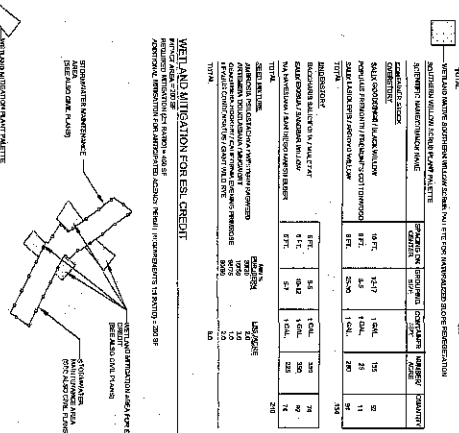
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**PLANTING LEGEND FOR CONCEPTUAL REVEGETATION / RESTORATION AREA**

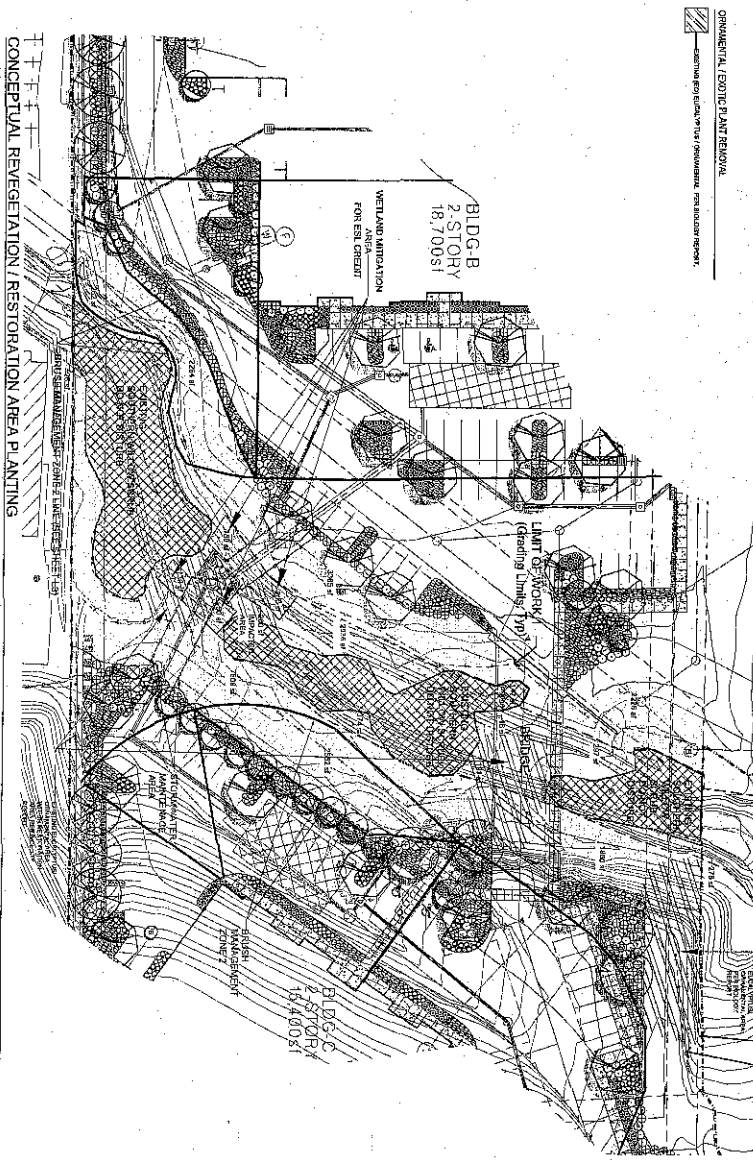
PLANTING MATERIAL	QUANTITY	PLANTING RATE	PLANTING COST	TOTAL COST
1.00' x 1.00' x 1.00' (1.00' x 1.00' x 1.00')	100	1.00	100.00	100.00
2.00' x 2.00' x 2.00' (2.00' x 2.00' x 2.00')	50	2.00	100.00	100.00
3.00' x 3.00' x 3.00' (3.00' x 3.00' x 3.00')	25	3.00	75.00	75.00
4.00' x 4.00' x 4.00' (4.00' x 4.00' x 4.00')	15	4.00	60.00	60.00
5.00' x 5.00' x 5.00' (5.00' x 5.00' x 5.00')	10	5.00	50.00	50.00
6.00' x 6.00' x 6.00' (6.00' x 6.00' x 6.00')	5	6.00	30.00	30.00
7.00' x 7.00' x 7.00' (7.00' x 7.00' x 7.00')	3	7.00	21.00	21.00
8.00' x 8.00' x 8.00' (8.00' x 8.00' x 8.00')	2	8.00	16.00	16.00
9.00' x 9.00' x 9.00' (9.00' x 9.00' x 9.00')	1	9.00	9.00	9.00
10.00' x 10.00' x 10.00' (10.00' x 10.00' x 10.00')	1	10.00	10.00	10.00
<b>TOTAL</b>	<b>219</b>		<b>571.00</b>	<b>571.00</b>



REVEGETATION MATERIAL	QUANTITY	PLANTING RATE	PLANTING COST	TOTAL COST
1.00' x 1.00' x 1.00' (1.00' x 1.00' x 1.00')	100	1.00	100.00	100.00
2.00' x 2.00' x 2.00' (2.00' x 2.00' x 2.00')	50	2.00	100.00	100.00
3.00' x 3.00' x 3.00' (3.00' x 3.00' x 3.00')	25	3.00	75.00	75.00
4.00' x 4.00' x 4.00' (4.00' x 4.00' x 4.00')	15	4.00	60.00	60.00
5.00' x 5.00' x 5.00' (5.00' x 5.00' x 5.00')	10	5.00	50.00	50.00
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7.00' x 7.00' x 7.00' (7.00' x 7.00' x 7.00')	3	7.00	21.00	21.00
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10.00' x 10.00' x 10.00' (10.00' x 10.00' x 10.00')	1	10.00	10.00	10.00
<b>TOTAL</b>	<b>219</b>		<b>571.00</b>	<b>571.00</b>

**REVEGETATION / RESTORATION AREA TOTALS, NO. EST. CHECK:**

PLANTING MATERIAL	QUANTITY	PLANTING RATE	PLANTING COST	TOTAL COST
1.00' x 1.00' x 1.00' (1.00' x 1.00' x 1.00')	100	1.00	100.00	100.00
2.00' x 2.00' x 2.00' (2.00' x 2.00' x 2.00')	50	2.00	100.00	100.00
3.00' x 3.00' x 3.00' (3.00' x 3.00' x 3.00')	25	3.00	75.00	75.00
4.00' x 4.00' x 4.00' (4.00' x 4.00' x 4.00')	15	4.00	60.00	60.00
5.00' x 5.00' x 5.00' (5.00' x 5.00' x 5.00')	10	5.00	50.00	50.00
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10.00' x 10.00' x 10.00' (10.00' x 10.00' x 10.00')	1	10.00	10.00	10.00
<b>TOTAL</b>	<b>219</b>		<b>571.00</b>	<b>571.00</b>



**CONCEPTUAL REVEGETATION / RESTORATION AREA PLANTING**

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10.00' x 10.00' x 10.00' (10.00' x 10.00' x 10.00')

SEE SHEET L-4 FOR LANDSCAPE DEVELOPMENT PLAN  
SEE SHEET L-3 FOR BRUSH MANAGEMENT PLAN

**SmithConsultingArchitects**

78-000 Fred Ward Road  
Suite 201  
San Diego, CA 92111  
(619) 797-1377  
(619) 267-3889 Fax

12200 El Camino Road  
Suite 200  
San Diego, CA 92130  
(619) 797-4777  
(619) 797-4787 Fax

**SCRIPPS PARK WEST  
PHASE - 2**

VIA EXCELENCIA &  
KEARNY MESA ROAD

Client	IC
Scale	1/8"=1'-0"
Project Name	SCRIPPS PARK WEST
Project Address	78-000 FRED WARD ROAD, SUITE 201, SAN DIEGO, CA 92111
Project Manager	SMITH CONSULTING ARCHITECTS
Project Engineer	SMITH CONSULTING ARCHITECTS
Project Architect	SMITH CONSULTING ARCHITECTS
Project Designer	SMITH CONSULTING ARCHITECTS
Project Draftsman	SMITH CONSULTING ARCHITECTS
Project Date	10/20/07
Project Status	CONCEPTUAL DESIGN
Project Notes	SEE SHEET L-4 FOR LANDSCAPE DEVELOPMENT PLAN SEE SHEET L-3 FOR BRUSH MANAGEMENT PLAN
Revision 1	10/20/07
Revision 2	10/20/07
Revision 3	10/20/07
Revision 4	10/20/07
Revision 5	10/20/07
Revision 6	10/20/07
Revision 7	10/20/07
Revision 8	10/20/07
Revision 9	10/20/07
Revision 10	10/20/07
Revision 11	10/20/07
Revision 12	10/20/07
Revision 13	10/20/07
Revision 14	10/20/07
Revision 15	10/20/07
Revision 16	10/20/07
Revision 17	10/20/07
Revision 18	10/20/07
Revision 19	10/20/07
Revision 20	10/20/07

ATTACHMENT

INVESTIGATED

**MIRA MESA COMMUNITY PLANNING GROUP  
MONTHLY MEETING MINUTES  
7:00 PM, Monday, 18 June, 2012  
Vulcan Materials, 7220 Trade Street, San Diego CA 92121**

**7:00 p.m. Call to Order:** In attendance: Bari Vaz; Marvin Miles; Pat O'Donohoe; Eileen Magno; Bob Mixon; Mike Linton; Craig Radke; John Horst; Joe Punsalan; Jeff Stevens; Joe Frichtel; Tom Derr; Bruce Brown; James Ludwick; Ted Brengel; Phil Lisotta

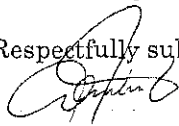
1. Adopt Draft Agenda: Motion to adopt draft agenda made/seconded by Pat O'Donohoe/Joe Frichtel. Motion carried 15/0/0.
2. Approval of Minutes: No corrections were requested. Minutes approved by unanimous consent.
3. New Business
  - a. Water Purification Demonstration Project, Eric Symons, San Diego Public Utilities Dept. Speaker is ill and will reschedule for a subsequent meeting.
  - b. Scripps Park West, Phase 2, Pete Bussett, Smith Consulting Architects. The project has been before the MMCPG numerous times. The project has been modified to address various environmental issues raised by the City. With these issues addressed, the developer is requesting recommendation of approval for the project, which required four separate permits. As a package, the project is handled under Process IV. Motion to recommend approval made/seconded by Jeff Stevens/Bruce Brown. Motion carried 16/0/0.
  - c. Community Relations with Park & Recreation Letter, Jeff Stevens and John Horst. Discussed the matter of Kaboom parks. Joe updated on liability issue on that matter. A letter was drafted and circulated among the group via email expressing concern about the deterioration of the relationship between the community and Park & Recreation. Motion made/seconded by Joe Frichtel/Phil Lisotta to send the letter formally from the planning group. Motion carried 15/0/1. Pat O'Donohoe abstained.
  - d. Casa Mira View FBA, John Leppert and Joe Frichtel. (Information Item) Updated on potential FBA project for Casa Mira View II to turf the DG and move the light standards, and rehabilitate current turf at Wangenheim Park.
  - e. San Diego Police Department "Map of Neighborhoods", Bari Vaz. The Mira Mesa Town Council has formally voted to ask for the map to be changed. Motion to recommend that the City map of neighborhoods and police beat map have names that correspond to the community as defined in the local Community Plan. In the event the community is too large, the police beat map should reflect "Mira Mesa West" and "Mira Mesa East." Motion made/seconded by Jeff Steves/Phil Lisotta. Motion carried 16/0/0.
4. Staff Reports
  - a. MCAS Miramar – Juan Lias: Kristin Camper attending for the next few meetings. Miramar has been conducting night time operations. June 28<sup>th</sup> celebration of anniversary for a squadron. Flyover will include Ospreys and helicopters.

- b. I-15 Public Information Officer – Genevieve Fong: No information.
  - c. Council District 5 Update – John Ly: No information
  - d. Office of Nathan Fletcher – Sterling McHale: No information
  - e. Office of Duncan Hunter – Andrea Jones: No information
  - f. Office of Brian Bilbray – Will Zasadny: No information.
  - g. Office of Christine Kehoe – Andrew Kennerly: No information.
  - h. Office of Pam Slater-Price – Steven Hadley: Handed out newsletter. Updated on 211 program for notification on fires. Provides real time info. Also mentioned power plant proposal west of Miramar that may go on ballot in November.
  - i. Office of Ron Roberts – Lauren Prescott: No information.
5. Old Business.
- a. None
6. Public Comment and Announcements – Information items
- a. Non-Agenda Public Comment – 3 minutes per speaker
  - b. Announcements - 2 minutes per speaker: Jeff Stevens, Maddox Park ribbon cutting for new playground. June 25<sup>th</sup> 10am. John Horst – MMYB fitness event at Mira Mesa High School June 16th. Bari – Fireworks arranged to get the show three minutes longer and sync'd to KYXY. MMYB new president – Darin Wright. Ted Brengel: July 14<sup>th</sup> Ralph's will close. Bari Vaz: Mira Mesa Festival of Beers; Jeff Stevens - Mira Mesa Street Fair September 15<sup>th</sup>. Joe Frichtel – Ted VanPoucke (former rec council) passed away.
7. Reports
- a. Report of Chair/correspondence – Bari Vaz: Development Services offering course on evaluating projects. Received a letter concerning Mira Sorrento Substation. June 27<sup>th</sup> public meeting for information. Casa Mira View II may require a special meeting.
  - b. Transportation Center Subcommittee – Joe Frichtel: No information.
  - c. Stone Creek Subcommittee - Jeff Stevens: No information.
  - d. AT&T Ice House Subcommittee – John Horst: No information.
  - e. CPC- Pat O'Donohoe: New chair from La Jolla Community Planning Group. Rework criteria for diversity on Planning Group. The effort is to include to businesses on more groups. Also discussed Jobs, Housing & Neighborhoods Act.
  - f. Los Peñasquitos Canyon Citizen's Advisory Committee Report – Pam Stevens: No meeting (group meets every other month). July 19<sup>th</sup> 7pm next meeting. Hiking is

great in the preserve. Discussed payment requirements for parking.

9:00 p.m. **Adjourn.** Motion to adjourn made/seconded by John Horst/Joe Frichtel. Motion carried unanimously.

Respectfully submitted,



John Horst  
Secretary, Mira Mesa Community Planning Group





**SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY**

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

January 21, 2009

Mr. Tim Daly  
City of San Diego  
Development Services Department  
1222 First Ave, MS 501  
San Diego, CA 92101

Re: *San Diego County Regional Airport Authority, Airport Land Use Commission Determination – 9681 Via Excelencia, City of San Diego; Construction of Three Commercial Buildings; APN# 341-230-10-00; MCAS Miramar Airport Land Use Compatibility Plan – MIR-09-002; Resolution No. 2009-0004 ALUC*

Dear Mr. Daly:

This letter is to notify the City of San Diego ("City") of the January 9, 2009 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 consistent with the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan ("ALUCP"). A copy of Resolution 2009-0004 ALUC, approved by the ALUC on January 9, 2009 and memorializing the consistency determination, is enclosed for your information.

The ALUC's determination that the 9681 Via Excelencia project is consistent with the MCAS Miramar 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 the construction of three, two-story commercial buildings with surface parking.
- 2) The proposed project is located within the 60-65 dB CNEL noise contour. The ALUCP identifies commercial uses located within the 60-65 dB CNEL noise contour as compatible with airport uses.
- 3) The proposed project is in compliance with the ALUCP height limitations because it does not require an obstruction evaluation from the FAA.
- 4) The proposed project is located outside the APZs of MCAS Miramar.
- 5) Therefore, if the proposed project contains the above-required conditions, the proposed project would be consistent with the MCAS Miramar ALUCP.



**SAN DIEGO  
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AIRPORT**

Mr. Daly  
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- 6) 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. Sandi Sawa at (619) 400-2464 if you have any questions regarding the issues addressed in this letter.

Very truly yours,



Thella F. Bowens  
President/CEO

TFB/SS/sdkm

Enclosures: Resolution 2009-0004 ALUC

cc: Amy Gonzalez, SDCRAA – General Counsel  
Gary Cathey, Caltrans – Division of Aeronautics  
C. Laura Thornton, MCAS Miramar  
Tait Galloway, City of San Diego, City Planning & Community Investment Department

## RESOLUTION NO. 2009-0004 ALUC

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY MAKING THE DETERMINATION THAT THE PROPOSED PROJECT: CONSTRUCTION OF THREE COMMERCIAL BUILDINGS AT 9681 VIA EXCELENCIA, CITY OF SAN DIEGO, IS CONSISTENT WITH THE MARINE CORPS AIR STATION MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN.

WHEREAS, the Board of the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, was requested by the City of San Diego to determine the consistency of a proposed development project: Construction of Three Commercial Buildings at 9681 Via Excelencia, City of San Diego, which is located within the Airport Influence Area (AIA) for the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP), adopted in 2008; and

WHEREAS, the plans submitted to the ALUC for the proposed project indicate that it would involve the construction of three, two-story commercial buildings with surface parking; and

WHEREAS, the proposed project would be located within the 60-65 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour, and the ALUCP identifies commercial uses located within the 60-65 dB CNEL as compatible with airport uses; and

WHEREAS, the proposed project is in compliance with the ALUCP height limitations because it does not require an obstruction evaluation from the Federal Aviation Administration (FAA); and

WHEREAS, the proposed project is located outside the Accident Potential Zones (APZs) of MCAS Miramar; and

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

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;

Resolution No. 2009-0004 ALUC  
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NOW, THEREFORE, BE IT RESOLVED that the Board, acting as the ALUC for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, determines that the proposed project: Construction of Three Commercial Buildings at 9681 Via Excelencia, City of San Diego, is consistent with the MCAS Miramar ALUCP, which was adopted in 2008, based upon the following facts and findings:

- (1) The proposed project involves the construction of three, two-story commercial buildings with surface parking.
- (2) The proposed project is located within the 60-65 dB CNEL noise contour. The ALUCP identifies commercial uses located within the 60-65 dB CNEL noise contour as compatible with airport uses.
- (3) The proposed project is in compliance with the ALUCP height limitations because it does not require an obstruction evaluation from the FAA.
- (4) The proposed project is located outside the APZs of MCAS Miramar.
- (5) Therefore, the proposed project is consistent with the adopted MCAS Miramar ALUCP.

BE IT FUTHER RESOLVED that 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.

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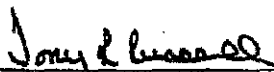
PASSED, ADOPTED AND APPROVED by the Board of the San Diego County Regional Airport Authority at a special meeting this 9<sup>th</sup> day of January, 2008, by the following vote:

AYES: Board Members: Bersin, Boland, Desmond, Finnila, Miller,  
Panknin, Watkins

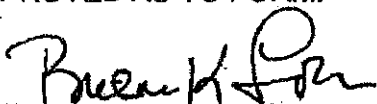
NOES: Board Members: None

ABSENT: Board Members: Young, Zettel

ATTEST:

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

APPROVED AS TO FORM:

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

MEMORANDUM

PLANNING COMMISSION RESOLUTION NO.  
Site Development Permit No. 597880  
Planned Development Permit No. 779489  
Neighborhood Development Permit No. 985059  
**SCRIPPS PARK WEST PHASE II, PROJECT NO. 166524 - [MMRP]**

WHEREAS, SCRIPPS PARK WEST L.L.C., a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to create two parcel lots and construct three, two-story industrial buildings for a total of 53,200 square feet (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 597880, 779489, and 985059) on portions of a 6.6-acre site;

WHEREAS, the project site is located at 9685 Via Excelencia in the IP-2-1 Zone, Airport Influence Area MCAS Miramar, Airport Environs Overlay 60 CNEL, FAA Part 77 Notification Area, and Residential Tandem Parking Overlay Zones of the Mira Mesa Community Plan;

WHEREAS, the project site is legally described as portion of the southwest quarter of Section 5, Township 15, South Range 2 West, San Bernardino Base and Meridian, in the City of San Diego, County of San Diego, State of California;

WHEREAS, on November 29, 2012, the Planning Commission of the City of San Diego considered Site Development Permit No. 597880, Planned Development Permit No. 779489, and Neighborhood Development Permit No. 985059 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 29, 2012.

FINDINGS:

Site Development Permit - Section 126.0504

**A. Findings for all Site Development Permits**

**1. The proposed development will not adversely affect the applicable land use plan.**  
The project proposes development of three Research and Development (R&D) buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The project is located within the Industrial subarea of the Mira Mesa Community Plan, which designates the site as Industrial Park. The Industrial Park designation is intended to accommodate the proposed R&D land use which may include accessory office and manufacturing operations. Therefore, the proposed project would be consistent with the Mira Mesa Community Plan. The Industrial Element of the Mira Mesa Community Plan recommends industrial lot sizes should be a minimum of 80,000 square feet. The proposed project will subdivide the existing 6.6-acre industrial lot and create a 2.3-acre (100,188 square feet) industrial lot and 4.3-acre (187,308 square feet) industrial lot, both consistent with the MMCP's recommendation for a minimum industrial lot size. The development proposes to minimize impacts to the existing Carroll Canyon

Creek, consistent with the Mira Mesa Community Plan to preserve sensitive resources and natural drainage systems. The proposed bridge will improve and provide vehicular and pedestrian connectivity throughout the site. Bicycle parking and bike lockers will be provided on-site. Public improvements along Kearny Mesa Road will improve access to and from the site, provide the necessary vehicular turnaround for fire trucks, and distribute the on-site traffic to Kearny Mesa Road, as well as Via Excelencia. These transportation improvements will provide multiple modes of accessibility, while preserving the sensitive resources and natural drainage systems on-site and would be consistent with the Mira Mesa Community Plan. As a result, the proposed development does not adversely affect the Mira Mesa Community Plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The project proposes development of three Research and Development (R&D) buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The associated permits controlling development and operation of the project will contain conditions addressing project compliance with applicable local, regional, state, and federal regulations to prevent detrimental impacts to health, safety, and welfare of persons working in and around the project site, including all applicable Building, Fire, Plumbing, and Mechanical Code requirements.

The project is located within the Airport Influence Area of the Marine Corps Air Station (MCAS) Miramar. The Airport Land Use Commission (ALUC) has determined the project to be consistent with the Airport Land Use Compatibility Plan (ALUCP) (ALUC Determination, January 9, 2008).

The addition of a bridge crossing of Carroll Canyon Creek provides pedestrian, vehicular, and emergency connectivity from Via Excelencia through to Kearny Mesa Road. The grading that is proposed within the floodplain will raise the water surface elevation of Carroll Canyon Creek. This rise in water surface will not be detrimental to safety because the parking areas, pedestrian walkways, and buildings are all at elevations well above the base flood elevation.

Based on the design measures incorporated into the project, and the permit conditions controlling the construction and operation of the project, the proposed development will not be detrimental to the public health, safety, and welfare.

**3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.** The project proposes development of three Research and Development buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The project's underlying zone is IP-2-1 (Industrial Park Zone), which allows a mix of light industrial and office uses. The project as designed meets or exceeds the current underlying IP-2-1 zoning standards and achieves the minimum required on-site parking requirement. The requested subdivision proposes two separate lots consisting of Parcel 1, approximately 2.3 acres, and Parcel 2, approximately 4.3 acres. The underlying zone, IP-2-1, allows for a minimum lot size of 40,000 square feet and does not dictate the maximum lot size. The proposed Parcels 1 and 2 are consistent with the IP-2-1 development regulations. Therefore, the proposed development would be consistent with the Land Development Code.



**B. Supplemental Findings--Environmentally Sensitive Lands**

**1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.** The proposed design minimizes impacts to environmentally sensitive lands. Improvements are proposed on either side of Carroll Canyon Creek with the only improvements occurring within the creek being the storm drain outfall structures. Placement of the outfall structures' discharge points at the top of the existing channel would cause erosion to the channel banks. Therefore, the proposed outfall structures' design to discharge at flowline of the creek bed would minimize impacts to the existing southern willow scrub found within the creek and channel bottom.

The development's technical reports and plans submitted to the City support the finding that the site is suitable for the proposed development, and that the proposed development will result in minimum disturbance to environmentally sensitive lands. These documents address, among other things, biology, storm water runoff and water quality, traffic, cultural resources, greenhouse gas, brush management, and waste management.

**2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.** The proposed improvements include storm drain outfall structures and rip-rap at the channel bottom. These improvements and the location of these improvements ensure erosion will be minimal. All fill materials will be compacted per the recommendations of the project's geotechnical engineer. The grading that is proposed within the floodplain will raise the water surface elevation of Carroll Canyon Creek. This rise in water surface will not be detrimental to safety because the parking areas, pedestrian walkways, and buildings are all at elevations well above the base flood elevation.

Based on design measures incorporated into the project and the conclusions in the technical studies prepared for the project, it is found that the proposed development will minimize alteration of natural landforms and will not result in undue risks from geologic and erosional forces, flood or fire hazards.

**3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.** The proposed design minimizes impacts to environmentally sensitive lands. Improvements are proposed on either side of Carroll Canyon Creek with the only improvements occurring within the creek being the storm drain outfall structures. Placement of the outfall structures' discharge points at the top of the existing channel would cause erosion to the channel banks. Therefore, the proposed outfall structures' design to discharge at flowline of the creek bed would minimize impacts to the existing southern willow scrub found within the creek and channel bottom. In addition, the project lighting shall be directed away from the wetland vegetation within Carroll Canyon Creek. All storm water runoff will be cleaned of pollutants of concern prior to the discharge into Carroll Canyon Creek. This will be achieved through the use of multiple Best Management Practices. As sited and designed, the proposed development will not result in adverse impacts to adjacent environmentally sensitive lands.

4. **The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.** The project is not located within or adjacent to the City's Multiple Habitat Planning Area (MHPA); therefore, no impacts to any Multiple Habitat Planning Areas would occur. The project will implement multiple design and construction BMPs and adhere with the MHPA Land Use Adjacency Guidelines to ensure that potential impacts to sensitive habitat within Carroll Canyon Creek are minimized to the greatest extent feasible. The biological technical report for the project prepared by Rincon Consultants concludes the project complies with MHPA Land Use Adjacency Guidelines. Therefore, the proposed development is consistent with the MSCP Subarea Plan.

5. **The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.** This project is not located within the coastal zone. The storm water management plan for the project proposes a system that will collect runoff to be captured, conveyed, and detained via curb inlets, transferred to bioretention area, and underground detention basins before being discharged into Carroll Canyon Creek. Best Management Practices (BMPs) will be incorporated into the project design to control runoff and provide time for sediments and pollutants to separate from storm water flows before leaving the site. Storm water runoff generated by the project will comply with requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Stormwater 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. A Storm Water Pollution Prevention Plan (SWPPP) and Monitoring Program Plan will be implemented by the project at the time grading activities commence, and a Notice of Intent (NOI) will be filed with the SWRCB. Additionally, the associated "Exhibit A" includes an erosion control plan and landscape plan that provide measures to prevent soil erosion and stabilize graded areas on the project site. These measures, along with the geographic location and physical conditions of the project site, support the finding that the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. Therefore, it will not contribute to the erosion of public beaches or adversely impact the local shoreline sand supply.

6. **The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.** The two outfall structures and associated rip rap described in Supplemental Finding B.1. above will result in approximately 200 square feet (0.005 acre) of permanent impacts to the channel bottom of Carroll Canyon Creek. The outlet structures would be comprised of pre-cast concrete and rip-rap, thus the post-project condition of the structure footprint would be very similar to the current, pre-project condition. Installation of these structures would be conducted by hand digging to avoid the need for concrete pouring or grading adjacent to the creek.

For compensatory mitigation, the creek embankments north and south of the outfall structures, which currently contain disturbed ground, weeds, and ornamental vegetation, would be restored with a palette of native riparian/wetland species. The restored sites would total approximately 600 square feet to compensate for the 200 square feet of impacts at an anticipated maximum 3:1 ratio. This is comprised of a 2:1 ratio to satisfy the City's Environmental Sensitive Lands regulations as well as an additional 1:1 ratio to address anticipated federal or state regulatory agency requirements.

As additional mitigation, enhancement of Carroll Canyon Creek through the removal of non-native trees such as eucalyptus and fan palm would occur within the development's Landscape Limit of Work Area. This work will be conducted by hand by qualified landscape or restoration personnel only. Re-vegetation of the wetland buffer surrounding Carroll Canyon Creek, in accordance with the project's Landscape Development Plan would also provide for enhancement of the creek. This re-vegetation effort would total approximately 0.71 acre. Given the minimal project impacts and degraded nature of Carroll Canyon Creek within the project site, the proposed mitigation will more than adequately alleviate the effects of the project's outfall structures.

Mitigation measures have been identified and incorporated into permit conditions to ensure adherence to design features shown on Exhibit "A" and the technical study recommendations used in preparing a Mitigated Negative Declaration No. 166524 and Mitigation, Monitoring, and Reporting Program (MMRP) for the project. The MMRP measures for the project include adherence to requirements for an onsite biological monitor during brushing and grading, the requirement for an onsite certified paleontologist during grading, and measures to reduce noise levels associated with the operation of the project. These measures are reasonably related to, and calculated to alleviate, potential project impacts to biology, paleontological resources, and industrial noise generation.

### C. Supplemental Findings--Environmentally Sensitive Lands Deviations

1. **There are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands.** The potential adverse effects on the environmentally sensitive lands include improvements within the proposed 30-foot wetland buffer and improvements within the existing floodway. The improvements within the proposed wetland buffer include graded fill, the bridge abutments, utility extensions, and storm drain improvements. The improvements within the existing floodway consist of two storm drain outlet structures, an acceptable component within the floodway, pursuant to FEMA regulations.

The proposed bridge structure is an integral element to this project. A pre-fabricated bridge design was selected to minimize impacts to the Environmentally Sensitive Lands. The bridge will provide fire access through the site as well as vehicular and pedestrian connectivity from Via Excelencia to Kearny Mesa Road. In addition, the bridge facilitates the on-site traffic to be distributed across two access points instead of the one. The bridges' northern abutment within the wetlands buffer area is constrained at this location due to an existing abutting sewer easement. The southern abutment is located approximately 13 feet away from the wetlands. The bridge has been redesigned and extended to avoid impacts to the floodway and wetlands. Adding additional length to the span of this bridge is not economically feasible for this project. Neither abutment will impact the floodway or the wetlands, only the wetland buffer. In addition, the development's water and sewer utility services will be attached to the underside of the bridge and will not constitute an impact to the wetlands.

The improvements within the existing floodway include two headwalls at the storm drain discharge locations and a small portion of rip rap, totaling approximately 200 square feet (0.005 acre) within the un-vegetated channel of the creek. These improvements to the floodway are

necessary to outlet the storm drain system within the channel. The storm drain improvements within the wetland buffer are necessary to convey the storm water runoff to the discharge point within the existing channel. If the proposed drainage improvements ceased at the edge of the wetland buffer area, severe erosion would occur between the outlet structure and the existing channel bottom. There is no feasible alternative to the proposed storm drain design and the project is not expected to impact southern willow scrub.

The development's grading within the wetland buffer will occur in areas to the north and south of Carroll Canyon Creek that were previously graded and currently contain bare ground and predominately non-native weed vegetation. Grading will not directly impact wetlands within Carroll Canyon Creek. Beginning the grading at the edge of the wetland buffer and leaving the existing conditions as is would have more adverse effect to the existing wetlands than the proposed project's enhancements.

Therefore, there are no feasible measures that can further minimize the potential adverse effects on environmentally sensitive lands.

**2. The proposed deviation is the minimum necessary to afford relief from special circumstances or conditions of the land, not of the applicant's making.** The special circumstances or conditions of the land, not of the applicants making, include Carroll Canyon Creek, the 100-year floodplain, and wetland habitat within the creek. The Owner/Permittees proposed design has made every effort to minimize the impacts on these environmentally sensitive lands. After numerous designs, the proposed bridge structure has been situated in a location where the minimum amount of City jurisdictional wetlands (southern willow scrub vegetation) will be under the bridge in the build out condition. Only minor shading and/or canopy trimming may occur. To offset this potential impact, native re-vegetation of the buffer area and removal of non-native vegetation within the creek is proposed. This work would occur within the project's Landscape Limit of Work (Limit of Work 2). It would be conducted by hand by qualified landscape or restoration personnel only. All improvements (i.e. graded fill, the bridge abutments, and utility extensions), except the storm drain outfall locations, are within the proposed 30-foot wetland buffer area and avoid the City's jurisdictional wetlands.

The project will incorporate standard construction BMPs, as described in the project's Biological Survey Report (Rincon, 2010), to ensure potential indirect effects to the wetlands and buffer areas are avoided and/or minimized. The project will improve habitat conditions within the creek and buffer through re-vegetation and enhancement, as described above. Given the existing Special Flood Hazard area, wetlands, public sewer and water mains that encumber the site, the proposed deviation within the wetland buffer area and floodway are the minimum necessary to afford relief from special circumstances of this site.

**D. Supplemental Findings--Environmentally Sensitive Lands Deviation from Federal Emergency Management Agency Regulations**

**1. The City Engineer has determined that the proposed development, within any designated floodway will not result in an increase in flood levels during the base flood discharge, except as allowed under Code of Federal Regulations Title 44, Chapter 1, Part 60.3(c)(13).** The proposed improvements within the floodway consist of the two storm drain outfalls and associated rip-rap. These improvements will be placed at existing grade. Since no

grading will occur as part of these improvements, the improvements within the floodway will not result in an increase in flood levels during the base flood discharge. However, the grading that is proposed within the 100-year floodplain will cause an increase to the base flood elevation (BFE). The increase in BFE caused by this grading will be less than one foot as allowed by FEMA regulations and the City Engineer has determined that the proposed development, within the designated floodway will not result in an increase in flood levels during the base flood discharge.

**2. The City Engineer has determined that the deviation would not result in additional threats to public safety, extraordinary public expense, or create a public nuisance.** The City Engineer has determined that the project, with the wetland deviation requested and as designed and incorporating the project's Mitigated Negative Declaration No. 166524 and Mitigation, Monitoring, and Reporting Program (MMRP), will not affect the safety of the public, will not result in any expense to the public, and does not create a public nuisance.

**O. Supplemental findings—Public Right-of Way Encroachments**

**1. The proposed encroachment is reasonably related to public travel, or benefits a public purpose, or all record owners have given the applicant written permission to maintain the encroachment on their property.** The project proposes a privately owned and maintained structure, Retaining Wall "G", within the proposed right-of-way for a public street, parallel to the front property line owned by the project's Owner/Permittee. The majority of the proposed retaining wall, approximately 86 feet of a 111-foot long wall, and ranging in height from 0 to 10 feet, resides on property that will be dedicated to the City of San Diego to create the proposed Kearny Mesa Road cul-de-sac. However, a small portion of the wall, 25 feet of a 111-foot long wall, ranging in height from 0 to 7.5 feet, will be constructed in the existing right-of-way. Even though the portion of the wall that will be constructed in the existing right-of-way is parallel to the project's Owner/Permittee property line, the City of San Diego is the record owner. Therefore, the small portion of the proposed retaining wall constitutes an encroachment requiring a Site Development Permit and an Encroachment, Maintenance, and Removal Agreement (EMRA).

The proposed retaining wall is necessary to retain the contours of the existing slope and provide the necessary vehicular, including fire truck, turnaround at the terminus of Kearny Mesa Road cul-de-sac. The proposed roadway will provide a secondary access point to the project site. This new connection will provide public benefit as it will allow for better fire access through the community and on-site traffic to be distributed through Via Excelencia and Kearny Mesa Road. Therefore, the proposed encroachment is directly related to public travel, benefits a public purpose, and the City would provide the Owner/Permittee permission to maintain the encroachment on the City's property with the execution and recordation of an EMRA.

**2. The proposed encroachment does not interfere with the free and unobstructed use of the public right-of way for public travel.** The proposed Retaining Wall "G" does not interfere with the free and unobstructed use of the public right-of-way for public travel. The public currently does not have access to the area where the retaining wall is proposed. There is a locked chain link gate and fence located at the existing terminus of Kearny Mesa Road cul-de-sac. The proposed Kearny Mesa Road extension and cul-de-sac will greatly enhance the existing condition and further allow for the free and unobstructed use of the public right-of way for public travel.

**3. The proposed encroachment will not adversely affect the aesthetic character of the community.** The proposed Retaining Wall "G" will not adversely affect the aesthetic character of the community. The public currently does not have access to the area where the retaining wall is proposed. There is a locked chain link gate and fence located at the existing Kearny Mesa Road cul-de-sac. The proposed Kearny Mesa Road extension and cul-de-sac will greatly enhance the existing condition. The proposed retaining wall is proposed to be a cast-in-place color integral concrete wall, with fluted and punctuated reliefs to enhance the finish. Furthermore, street trees, shrubs, and climbing vines are proposed in front of the exposed wall to promote the aesthetic character of the Mira Mesa community.

**4. The proposed encroachment does not violate any other Municipal Code provisions or other local, state, or federal law.** The proposed Retaining Wall "G" will not violate any other San Diego Municipal Code (SDMC) provisions or other local, state or federal law. Pursuant to SDMC section 142.0340(b), Retaining Wall Heights in Visibility Areas, retaining walls in visibility areas can exceed 3 feet in height to maintain an existing cut bank adjacent to a public right-of-way, if the wall follows the contours of the slope. The proposed retaining wall's height ranges from 0 to 10 feet, as the wall follows the contours of the existing slope. In addition, SDMC section 142.0340(e), Retaining Wall Height Outside of Required Yards, states retaining walls located outside of the required yards shall not exceed 12 feet in height. The proposed retaining wall's maximum height is 10 feet, less than the 12 feet maximum. Pursuant to SDMC section 129.0710 (a)2C, states proposed encroachment involving construction of a privately owned structure into the public right-of way dedicated for a street, where the applicant is the record owner of the underlying fee title, can be greater than 3 feet in height if a Neighborhood Development Permit (NDP) is pursued. In addition, SDMC section 129.0710(b) states proposed encroachment involving construction of a privately owned structure into the public right-of way dedicated for a street, where the applicant is not the record owner of the property on which the encroachment will be located, then a Site Development Permit (SDP) is required.

**5. For coastal development in the coastal overlay zone, the encroachment is consistent with Section 132.0403 (Supplement Use Regulations of the Coastal Overlay Zone).** The Scripps Park West Phase II project is not located in the coastal overlay zone and this finding would not be relevant to this project.

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 project proposes development of three Research and Development (R&D) buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The project is located within the Industrial subarea of the Mira Mesa Community Plan, which designates the site as Industrial Park. The Industrial Park designation is intended to accommodate the proposed R&D land use which may include accessory office and manufacturing operations. Therefore, the proposed project would be consistent with the Mira Mesa Community Plan.

The Industrial Element of the Mira Mesa Community Plan recommends industrial lot sizes should be a minimum of 80,000 square feet. The proposed project will subdivide the existing 6.6-

acre industrial lot and create a 2.3-acre (100,188 square feet) industrial lot and 4.3-acre (187,308 square feet) industrial lot, both consistent with the MMCP's recommendation for a minimum industrial lot size. The development proposes to minimize impacts to the existing Carroll Canyon Creek, consistent with the Mira Mesa Community Plan to preserve sensitive resources and natural drainage systems. The proposed bridge will improve and provide vehicular and pedestrian connectivity throughout the site. Bicycle parking and bike lockers will be provided on-site. Public improvements along Kearny Mesa Road will improve access to and from the site, provide the necessary vehicular turnaround for fire trucks, and distribute the on-site traffic to Kearny Mesa Road, as well as Via Excelencia. These transportation improvements will provide multiple modes of accessibility, while preserving the sensitive resources and natural drainage systems on-site and would be consistent with the Mira Mesa Community Plan. As a result, the proposed development does not adversely affect the Mira Mesa Community Plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The project proposes development of three Research and Development (R&D) buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The associated permits controlling development and operation of the project will contain conditions addressing project compliance with applicable local, regional, state, and federal regulations to prevent detrimental impacts to health, safety, and welfare of persons working in and around the project site, including all applicable Building, Fire, Plumbing, and Mechanical Code requirements.

The project is located within the Airport Influence Area of the Marine Corps Air Station (MCAS) Miramar. The Airport Land Use Commission (ALUC) has determined the project to be consistent with the Airport Land Use Compatibility Plan (ALUCP) (ALUC Determination, January 9, 2008).

The addition of a bridge crossing of Carroll Canyon Creek provides pedestrian, vehicular, and emergency connectivity from Via Excelencia through to Kearny Mesa Road. The grading that is proposed within the floodplain will raise the water surface elevation of Carroll Canyon Creek. This rise in water surface will not be detrimental to safety because the parking areas, pedestrian walkways, and buildings are all at elevations well above the base flood elevation.

Based on the design measures incorporated into the project, and the permit conditions controlling the construction and operation of the project, the proposed development will not be detrimental to the public health, safety, and welfare.

**3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code.** The proposed project complies with all the regulations of the Land Development Code and does not propose any deviations pursuant to Section 126.0602(b)(1). However, the Mira Mesa Community Plan requires processing a Planned Development Permit when subdivisions are applied for in conjunction with industrial development within the Mira Mesa Community Plan Area. The proposed project complies with this requirement and provides a desirable industrial development.



Neighborhood Development Permit - Section 126.0404**A. Findings for all Neighborhood Development Permits****1. The proposed development will not adversely affect the applicable land use plan.**

The project proposes development of three Research and Development (R&D) buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The project is located within the Industrial subarea of the Mira Mesa Community Plan, which designates the site as Industrial Park. The Industrial Park designation is intended to accommodate the proposed R&D land use which may include accessory office and manufacturing operations. Therefore, the proposed project would be consistent with the Mira Mesa Community Plan.

The Industrial Element of the Mira Mesa Community Plan recommends industrial lot sizes should be a minimum of 80,000 square feet. The proposed project will subdivide the existing 6.6-acre industrial lot and create a 2.3-acre (100,188 square feet) industrial lot and 4.3-acre (187,308 square feet) industrial lot, both consistent with the MMCP's recommendation for a minimum industrial lot size. The development proposes to minimize impacts to the existing Carroll Canyon Creek, consistent with the Mira Mesa Community Plan to preserve sensitive resources and natural drainage systems. The proposed bridge will improve and provide vehicular and pedestrian connectivity throughout the site. Bicycle parking and bike lockers will be provided on-site. Public improvements along Kearny Mesa Road will improve access to and from the site, provide the necessary vehicular turnaround for fire trucks, and distribute the on-site traffic to Kearny Mesa Road, as well as Via Excelencia. These transportation improvements will provide multiple modes of accessibility, while preserving the sensitive resources and natural drainage systems on-site and would be consistent with the Mira Mesa Community Plan. As a result, the proposed development does not adversely affect the Mira Mesa Community Plan.

**2. The proposed development will not be detrimental to the public health, safety, and welfare.** The project proposes development of three Research and Development (R&D) buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The associated permits controlling development and operation of the project will contain conditions addressing project compliance with applicable local, regional, state, and federal regulations to prevent detrimental impacts to health, safety, and welfare of persons working in and around the project site, including all applicable Building, Fire, Plumbing, and Mechanical Code requirements.

The project proposes a privately owned and maintained structure, Retaining Wall "G", within the proposed right-of-way for a public street, parallel to the front property line owned by the project's Owner/Permittee. The majority of the proposed retaining wall, approximately 86 feet of a 111-foot long wall, and ranging in height from 0 to 10 feet, resides on property that will be dedicated to the City of San Diego to create the proposed Kearny Mesa Road cul-de-sac. The proposed retaining wall constitutes an encroachment requiring a Neighborhood Development Permit and an Encroachment, Maintenance, and Removal Agreement (EMRA).

As noted earlier in the Site Development Permit, Supplemental findings—Public Right-of Way Encroachments, the remaining smaller portion of the wall, 25 feet of a 111-foot long wall, ranging in height from 0 to 7.5 feet, will be constructed in the existing right-of-way, parallel to



the front property line owned by the City of San Diego and not the project's Owner/Permittee. This portion of the proposed retaining wall constitutes an encroachment requiring a Site Development Permit and an Encroachment, Maintenance, and Removal Agreement (EMRA).

The proposed retaining wall is necessary to retain the contours of the existing slope and provide the necessary vehicular, including fire truck, turnaround at the terminus of Kearny Mesa Road cul-de-sac. The proposed roadway will provide a secondary access point to the project site. This new connection will provide public benefit as it will allow for better fire access through the community and on-site traffic to be distributed through Via Excelencia and Kearny Mesa Road. Therefore, the proposed encroachment is directly related to public travel, benefits a public purpose, will not be detrimental to the public health, safety, welfare, and the City would provide the Owner/Permittee permission to maintain the encroachment on the City's public right-of-way with the execution and recordation of an EMRA.

**3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.** The project proposes development of three Research and Development buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The project's underlying zone is IP-2-1 (Industrial Park Zone), which allows a mix of light industrial and office uses. The project as designed meets or exceeds the current underlying IP-2-1 zoning standards and achieves the minimum required on-site parking requirement. The requested subdivision proposes two separate lots consisting of Parcel 1, approximately 2.3 acres, and Parcel 2, approximately 4.3 acres and will be developed consistent with the IP-2-1 development regulations.

The project proposes a privately owned and maintained structure, Retaining Wall "G", within the proposed right-of-way for a public street, with a large portion of the retaining wall, parallel to the front property line owned by the project's Owner/Permittee and a smaller portion of the retaining wall fronting City owned property. The retaining wall fronting the Owner/Permittees property will be dedicated to the City of San Diego to create the proposed Kearny Mesa Road cul-de-sac. The proposed retaining wall constitutes an encroachment requiring a Neighborhood Development Permit and an Encroachment, Maintenance, and Removal Agreement (EMRA). The proposed project does not request any deviations and therefore, with the execution of the NDP and EMRA, the proposed development would be consistent with the Land Development Code.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Site Development Permit No. 597880, Planned Development Permit No. 779489, and Neighborhood Development Permit No. 985059 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. Permit Nos. 597880, 779489, and 985059 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 29, 2012

Job Order No. 23431679

**DRAFT**

**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

INTERNAL ORDER NUMBER: 23431679

Site Development Permit No. 597880  
Planned Development Permit No. 779489  
Neighborhood Development Permit No. 985059  
**SCRIPPS PARK WEST PHASE II - PROJECT NO. 166524 [MMRP]**  
Planning Commission

This Site Development Permit No. 597880, Planned Development Permit No. 779489, and Neighborhood Development Permit No. 985059 is granted by the Planning Commission of the City of San Diego to Scripps Park West L.L.C., a California Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0504, 126.0604, and 126.0404 respectively. The 6.6-acre site is located at 9685 Via Excelencia in the IP-2-1 Zone, Airport Influence Area MCAS Miramar, Airport Environs Overlay 60 CNEL, FAA Part 77 Notification Area, and Residential Tandem Parking Overlay Zones of the Mira Mesa Community Plan. The project site is legally described as portion of the southwest quarter of Section 5, Township 15, South Range 2 West, San Bernardino Base and Meridian, in the City of San Diego, County of San Diego, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to create two parcel lots and construct three, two-story industrial buildings for a total of 53,200 square feet described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 29, 2012, on file in the Development Services Department.

The project shall include:

- a. Construction of three, two-story industrial buildings:
  - Building A – 18,500 square feet;
  - Building B – 19,000 square feet; and
  - Building C – 15,700 square feet;

- b. Extension of existing Kearney Mesa Road and the construction of new private internal roadway with a new bridge span structure of approximately 127 linear feet across Carroll Canyon Creek;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;
- e. Approximately 1,010 linear feet of retaining walls; and
- f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by [*ENTER DATE including the appeal time*].
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

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

7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the federal Endangered Species Act [ESA] and by the California Department of Fish and Game [CDFG] pursuant to California Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, in accordance with Section 17.1D of the IA.

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

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

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

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

still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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

12. The Owner/Permittee shall comply with all conditions of the Map Waiver No. 597879.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

13. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

14. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 166524, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 166524, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- Biological Resources
- Paleontology
- Noise

**AIRPORT REQUIREMENTS:**

16. Prior to the issuance of any building permits, the Owner/Permittee shall provide a copy of the signed agreement [DS-503] and show certification on the building plans verifying that the structures do not require Federal Aviation Administration [FAA] notice for Determination of No Hazard to Air Navigation, or provide an FAA Determination of No Hazard to Air Navigation as specified in Information Bulletin 520.

**ENGINEERING REQUIREMENTS:**

17. Prior to the issuance of any construction permits for buildings, the Owner/Permittee shall construct a City standard driveway at the end of Kearny Mesa Road cul-de-sac extension, per Standard Drawing G-14A, G-16 and SDG-100, satisfactory to the City Engineer.

18. Prior to the issuance of any construction permits for buildings, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement for the private walls, landscape and irrigation located within Kearny Mesa Road right-of-way.

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

20. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.

21. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate and show the type and location of all post construction Best Management Practices (BMP) on the final construction drawings, consistent with the approved Water Quality Technical Report.

22. The drainage system for this project shall be private and will be subject to approval by the City Engineer.

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

24. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99 08 and the Municipal Storm Water Permit, Order No. 2001-01 (NPDES General Permit No. CAS000002 and CA S0108758), 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 Section C.7 of SWRCB Order No. 99 08 DWQ.

25. A portion of this project has been identified as being within the Floodway of a Special Flood Hazard Area. No increases to base flood elevations are allowed. A Registered Professional Engineer shall submit a "no-rise" certification along with a detailed engineering analysis to substantiate the certification. The analysis is subject to the approval of the City Engineer.

26. If the engineering analysis of Condition No. 25 indicates the development will alter the floodway or floodplain boundaries of the Special Flood Hazard Area, the Owner/Permittee must obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) prior to issuance of any construction permit for grading, engineering, or building permits. The Owner/Permittee must provide all documentation, engineering calculations, and fees which are required by FEMA.

**GEOLOGY REQUIREMENTS:**

27. Prior to issuance of any construction permits, the Owner/Permittee shall provide an updated geotechnical report 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. Additional geotechnical information such as verification of as-graded or existing soil conditions needed for design of structure foundations will be subject to review prior to issuance of construction permit for a building.

**LANDSCAPE REQUIREMENTS:**

28. Prior to issuance of any construction permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.

29. Prior to issuance of any construction permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account a 40 square-foot radius area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.



30. All construction documents for grading shall include the following note: "Installation of landscaping associated with these construction documents shall require a minimum short-term establishment period of 120 days for all native/naturalized slope restoration and a minimum long-term establishment/maintenance period of 25 months." Final approval of the required landscaping shall be to the satisfaction of the Mitigation Monitoring Coordination section of the Development Services Department.

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

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

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

34. Prior to issuance of any construction permits for grading, the Owner/Permittee shall enter into a Landscape Establishment and Maintenance Agreement (LEMA) to assure long-term establishment and maintenance of all restoration areas. The LEMA shall be approved by the Landscape Section of Development Services and the City Manager. Agreement shall commence prior to release of the performance bond with developer or subsequent owner posting a new bond to cover the terms of the agreement.

35. 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.

36. The Owner/Permittee shall be responsible for the installation and maintenance of all landscape improvements consistent with the Land Development Code: Landscape Regulations and the Land Development Manual: Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course, wet land or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self propagate by air born seeds or trailing as noted in section 1.3 of the Landscape Standards.

37. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed

during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

38. Prior to issuance of any construction permits for buildings a water budget shall be provided in accordance with the Water Conservation Requirements, SDMC section 142.0413, Table 142-04I. An irrigation audit shall be submitted consistent with Section 2.7 of the Landscape Standards of the Land Development Manual. The Irrigation audit shall certify that all plants, irrigation systems, and landscape features have been installed and operate as approved by the Development Services Department prior to occupancy of use.

**BRUSH MANAGEMENT PROGRAM REQUIREMENTS:**

39. The Owner/Permittee shall implement the requirements of Conditions No. 40 through 49, in accordance with the Brush Management Program shown on Exhibit "A" Brush Management Plan, on file in the Office of the Development Services Department, satisfactory to the Fire Marshall and development Services Department.

40. Prior to issuance of any construction permits, a complete set of brush management construction documents shall be submitted for approval to the City Manager and the Fire Marshall. The construction documents shall be in substantial conformance with Exhibit "A" and shall comply with SDMC 55.0101, the SDMC section 142.0412, and the Land Development Manual - Landscape Standards.

41. The Brush Management Program shall consist of two zones consistent with the Brush Management regulations of the SDMC section 142.0412 and modified per provisions under sections 142.0412(i & j) as follows:

- Brush Management along the east side of Building A shall observe an extended 80-ft Zone One.
- Brush Management along the east side of Building B shall observe the standard 35-ft Zone One-on site and 65-ft Zone Two-off site.
- Brush Management along the northeast side of Building C shall observe an extended 58-ft Zone One and a reduced 30-ft Zone Two.

42. Prior to issuance of any construction permits for grading, the Owner/Permittee shall obtain a Right-of-Entry Permit from California Department of Transportation (CALTRANS) to perform the offsite Brush Management as shown on the Exhibit "A". Offsite Brush Management Zone Two pursuant to an agreement with CALTRANS shall be 65 feet.

43. All new construction within 300 feet of the boundary between Brush Management Zone One and Brush Management Zone Two shall comply with fire protection requirements of the California Building Code, the California Fire Code, and the San Diego Municipal Code Chapter 14, Article 5, Division 38 and Chapter 14, Article 2, Division 4.

44. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) are not permitted, while non-combustible accessory structures may be

approved within the designated Zone One area subject to Fire Marshall and the Development Services Department approval.

45. The following note shall be provided on the Brush Management Construction Documents: "It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program."

46. In Zones One and Two, plant material shall be selected to visually blend with the existing hillside vegetation. No invasive plant material shall be permitted as jointly determined by the Landscape Section and the Environmental Analysis Section.

47. All ornamental plantings should be kept well watered and any irrigation run-off should drain toward the street. Rain gutters and drainage pipes should be cleaned regularly and all leaves removed from the roof before the fire season begins. All planting, particularly non-irrigated natives and large trees should be regularly pruned to eliminate dead fuels, to reduce excessive fuel and to provide adequate space between plants and structures.

48. Prior to Final Inspection and Framing Inspection for any building, the approved Brush Management Program shall be implemented.

49. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

**PLANNING/DESIGN REQUIREMENTS:**

50. Owner/Permittee shall maintain a minimum of 133 automobile spaces (including 3 standard accessible spaces, 1 van accessible space, and 16 carpool spaces), 3 motorcycle spaces, and 2 bicycle spaces with rack(s) as required by the Land Development Code. All on-site parking stalls and aisle widths shall be in compliance with requirements of the SDMC and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

51. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

52. The amount of multi-tenant office shall be limited to 50 percent of the total square footage of the proposed development, in conformance with the Industrial Land Use policies of the Mira Mesa Community Plan. For the purposes of this permit, any office tenant not occupying over 40,000 square-feet of floor area shall be considered as contributing to the aggregate 50 percent limitation of multi-tenant office.

53. Prior to the issuance of construction permits for buildings, bicycle lockers and shower facilities for employees shall be shown on the building plans, in conformance with the Development Criteria for Industrial Development of the Mira Mesa Community Plan.
54. All signs associated with this development shall be consistent with sign criteria established by the City-wide sign regulations.
55. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.
56. The project's greenhouse gas emissions shall not exceed 641 metric tons of CO<sub>2</sub> equivalent (MTCO<sub>2</sub>E) per year. The Owner/Permittee shall submit an annual report certifying the emissions data to the Development Services Department, no later than each anniversary date of the buildings' Certificate of Occupancy, satisfactory to the Director of the Development Services Department.
57. Prior to the issuance of any construction permits, the construction plans and specifications shall indicate in the general notes or individual detail drawings the design features, product specifications, and methods of construction and installation that are required to be constructed in compliance with the standards of the current Title 24, Energy Efficiency Standards that are in effect at the time of construction permit issuance. The project shall not exceed 181,824 kWh per year of electricity or 939,469 kBtu per year of natural gas. Verification of increased energy efficiencies shall be demonstrated based on a performance approach, using a California Energy Commission approved energy compliance software program, and in the Title 24, Compliance Reports provided by the Owner/Permittee to the satisfaction of the Director, Development Services Department.
58. Prior to issuance of any Certificate of Occupancy, the Owner/Permittee shall submit a report to the Development Services Department on the building's energy features including inspections and diagnostics. The report shall include any additional inspections that may be conducted as needed to ensure continued compliance and to provide the City with information and documents showing use of products, equipment, and materials as specified on the construction plans and documents, to the satisfaction of the Director, Development Services Department.
59. Prior to the issuance of any construction permits, construction plans and specifications shall indicate in the general notes or individual detail drawings the advanced water conservation features, product specifications and methods of construction and installation that are required to meet a 0.35 percent reduction in water use in accordance with CalGreen. The project shall not consume more than 3,870,007 gallons per year. Verification of the 0.35 percent reduction in potable water use shall be demonstrated by verifying any combination of the following:
- Each plumbing fixture and fitting meets the 0.35 percent reduced flow rate or by calculating a 0.35 percent reduction in the building water usage relative to baseline usage defined in Table 4.303.1 of CalGreen; or
  - The installation and continued maintenance of drought tolerant landscaping, including the irrigation system to meet the 0.35 percent reduced flow rate.

60. Prior to issuance of any Certificate of Occupancy, the Owner/Permittee shall submit a report to the Development Services Department on the performance of the water conservation design. The report shall include any additional inspections that may be conducted as needed to ensure continued compliance and to provide the City with information and documents showing use of products, equipment, and materials as specified on the construction plans and documents, to the satisfaction of the Director, Development Services Department.

61. Prior to issuance of any issuance of any Certificate of Occupancy for a building, the Owner/Permittee shall provide a ride share kiosk located in each building lobby. Each kiosk shall provide information on bus ridership and ride sharing opportunities, including copies of Metropolitan Transit System (MTS) bus schedules for Route Nos. 20, 31, and 210. The Owner/Permittee shall register with SANDAG's "iCommute Program" for rideshare matching, carpooling, vanpooling, and guaranteed ride home information.

62. Prior to issuance of any construction permits, the Owner/Permittee shall include a representative of the Environmental Services Department (ESD) to attend preconstruction meetings to ensure that:

- 100% of dirt, asphalt, and grubbed material is being used onsite;
- A bin is provided for cardboard, all cardboard is being deposited in the bin with minimal or no contamination, and the bin is being taken to a facility with 100% diversion rate for clean loads of cardboard;
- A bin is provided for drywall, all drywall is being deposited in the bin with minimal or no contamination, and the bin is being taken to a facility with 100% diversion rate for clean loads of drywall;
- A bin is provided for metal, all metal is being deposited in the bin with minimal or no contamination, and the bin is being taken to a facility with 100% diversion rate for clean loads of metal;
- A plan for salvage of building materials showing reuse "to the maximum extent practical" has been developed, and that deconstruction will occur to the "extent feasible," with crews appropriately educated about how to go about this and a destination for salvaged materials specified;
- Landscape debris is reused onsite where possible and 100% of the remainder is recycled;
- Mixed debris is being taken to a certified recycling facility;
- Brick is deconstructed and separated for 100% reuse or recycling;
- An appropriate number of bins are provided, with appropriate signage,
- Bins are appropriately used (contamination levels are minimized) and an appropriate destination is specified,
- The C&D Ordinance deposit has been paid; and
- Copies of the specifications used for materials purchase demonstrate that 10 to 20% of the total value of materials purchased for the project contain recycled content.

63. Prior to final inspection or issuance of any Certificate of Occupancy the Owner/Permittee shall contact a representative of the Environmental Services Department to schedule an appointment to:

- Inspect and approve a storage area that has been provided consistent with the City's Storage Ordinance;
- Ensure that a hauler has been retained to provide recyclable materials collection; and
- Inspect and approve education materials for building tenants/owners that are required pursuant to the City's Recycling Ordinance.

**TRANSPORTATION REQUIREMENTS**

64. Prior to the issuance of any construction permit, the Owner/Permittee shall extend Kearny Mesa Road from the existing cul-de-sac to the new proposed cul-de-sac with a 32-foot curb to curb width within a minimum 50 feet to maximum 79 feet of right-of-way with a minimum 10 feet of parkway on each side of the street, satisfactory to the City Engineer.

65. Prior to the issuance of any construction permit, the Owner/Permittee shall construct a 30-foot wide driveway cut at the end of the proposed cul-de-sac, satisfactory to the City Engineer.

66. Prior to the issuance of any construction permit, the Owner/Permittee shall construct a new cul-de-sac at the end of the proposed Kearny Mesa Road extension with a minimum pavement turning radius of 35 feet within 45 feet of right-of-way, satisfactory to the City Engineer.

67. The Owner/Permittee shall paint the curb red to prohibit parking on both sides of the proposed Kearny Mesa Road extension including the new proposed cul-de-sac, satisfactory to the City Engineer.

68. The Owner/Permittee shall install three street lights (one located on right side of the existing cul-de-sac, one located in the middle on the left side of Kearny Mesa Road extension, and one located on the right side at the end of the new cul-de-sac), satisfactory to the City Engineer.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

69. The Owner/Permittee shall design and construct any connection(s) to the existing trunk sewer per the most current City of San Diego Sewer Design Guide for "Odorless" connection (Section 2.2.3.2).

70. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego Sewer Design Guide. Proposed facilities that do not meet the current standards shall be private or re-designed. Re-design may include, but not limited to, land form modification and changes to street alignments.

71. All proposed private sewer facilities that serve more than one lot are to be designed and constructed in accordance with established criteria in the most current City of San Diego Sewer Design Guide.

72. All on-site wastewater systems shall be private.

73. No structures or landscaping that would inhibit vehicular access shall be installed in or over any sewer access easement.

74. No approved improvements or landscaping, including private sewer facilities, grading, and enhanced paving, shall be installed in or over any public easement prior to the Owner/Permittee obtaining an Encroachment Maintenance and Removal Agreement (EMRA).

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

76. No other utilities, including gas, electric, telephone and fiber optic cable, shall be located within 10 feet of any public sewer main when these utilities are installed parallel to the sewer main.

77. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the design and construction of a 12-inch diameter water main within a 24-foot minimum water easement. The water main must be connected with 10-inch by 10-inch by 12-inch tee and three valves to the existing 10-inch diameter water main in Via Excelencia right-of-way adjacent to the project site.

78. The Owner/Permittee shall remove the existing 8-inch diameter water main in Kearny Mesa Road right-of-way and the new 12-inch diameter water main will be connected to the existing 12-inch diameter water main, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

79. The Owner/Permittee shall grant adequate water easements, including vehicular access to each appurtenances (meters, blow offs, valves, fire hydrants, etc.) for all public water facilities that are not located within fully improved public right-of-ways, satisfactory to the Director of Public Utilities. Easements shall be located within singles lots, when possible, and not split longitudinally. Vehicular access roadbeds shall be a minimum of 24 feet wide and surfaced with suitable approved material satisfactory to the Director of Public Utilities and the City Engineer.

80. No trees shall be installed within ten feet of any water facilities or in any water easement. No shrubs exceeding three feet in height at maturity shall be installed within 10 feet of any public water main.

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

82. Prior to the issuance of any construction permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device, on irrigation water service, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

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

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

**INFORMATION ONLY:**

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

APPROVED by the Planning Commission of the City of San Diego on [INSERT Approval Date] and [Approved Resolution Number].



Permit Type/PTS Approval No.: SDP No. 597880

PDP No. 779489

NDP No. 985059

Date of Approval: XXXXXXXXX

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

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Tim Daly  
Development Project Manager

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

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

**Scripps Park West L.L.C.**  
Owner/Permittee

By \_\_\_\_\_  
Name:  
Title:

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



RESOLUTION NO. \_\_\_\_\_  
DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION  
ADOPTING THE FINDINGS AND APPROVING MAP  
WAIVER NO. 597879 FOR SCRIPPS PARK WEST  
PHASE II – PROJECT NO. 166524: **MMRP**

WHEREAS, Scripps Park West L.L.C., Subdivider, and RBF Consulting, Engineer, submitted an application with the City of San Diego for Map Waiver No. 597879, to waive the requirement for a Tentative Map for the subdivision of an existing 6.6-acre industrial park site into 2 parcel lots, Lot 1 of 2.3 acres and Lot 2 of 4.3 acres. The project site is located at 9685 Via Excelencia in the IP-2-1 Zone, Airport Influence Area MCAS Miramar, Airport Environs Overlay 60 CNEL, FAA Part 77 Notification Area, and Residential Tandem Parking Overlay Zones of the Mira Mesa Community Plan.. The property is legally described as portion of the southwest quarter of Section 5, Township 15, South Range 2 West, San Bernardino Base and Meridian, in the City of San Diego, County of San Diego, State of California; and

WHEREAS, the Map proposes the subdivision of a 6.6-acre site into 2 parcels for industrial development; and

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

WHEREAS, on November 29, 2012, the Planning Commission of the City of San Diego considered Map Waiver No. 597879, and pursuant to sections 125.0122 of the San

Diego Municipal Code and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the 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 Map Waiver No. 597879:

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

The project proposes development of three Research and Development (R&D) buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The project is located within the Industrial subarea of the Mira Mesa Community Plan, which designates the site as Industrial Park. The Industrial Park designation is intended to accommodate the proposed R&D land use which may include accessory office and manufacturing operations. Therefore, the proposed project would be consistent with the Mira Mesa Community Plan.

The Industrial Element of the Mira Mesa Community Plan recommends industrial lot sizes should be a minimum of 80,000 square feet. The proposed project will subdivide the existing 6.6-acre industrial lot and create a 2.3-acre (100,188 square feet) industrial lot and 4.3-acre (187,308 square feet) industrial lot, both consistent with the MMCP's recommendation for a minimum industrial lot size. The development proposes to minimize impacts to the existing Carroll Canyon Creek, consistent with the Mira Mesa Community Plan to preserve sensitive resources and natural drainage systems. The proposed bridge will improve and provide vehicular and pedestrian connectivity throughout the site. Bicycle parking and bike lockers will be provided on-site. Public improvements along Kearny Mesa Road will improve access to and from the site, provide the necessary vehicular turnaround for fire trucks, and distribute the on-site traffic to Kearny Mesa Road, as well as Via Excelencia. These transportation improvements will provide multiple modes of accessibility, while preserving the sensitive resources and natural drainage systems on-site and would be consistent with the Mira Mesa Community Plan. As a result, the proposed development does not adversely affect the Mira Mesa Community Plan.

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

The project proposes development of three Research and Development buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The project's underlying zone is IP-2-1 (Industrial Park Zone), which allows a mix of light industrial and office uses. The project as designed meets or exceeds the current underlying IP-2-1 zoning standards and achieves the minimum required on-site parking requirement. The requested subdivision proposes two separate lots consisting of Parcel 1, approximately 2.3 acres, and Parcel 2, approximately 4.3 acres. The underlying zone, IP-2-1, allows for a minimum lot size of 40,000 square feet and does not dictate the maximum lot size. The proposed Parcels 1 and 2 are consistent with the IP-2-1 development regulations. Therefore, the proposed development would be consistent with the Land Development Code.

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

The project proposes development of three Research and Development buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The project's underlying zone is IP-2-1 (Industrial Park Zone), which allows a mix of light industrial and office uses. The project as designed meets or exceeds the current underlying IP-2-1 zoning standards and achieves the minimum required on-site parking requirement. The requested subdivision proposes two separate lots consisting of Parcel 1, approximately 2.3 acres, and Parcel 2, approximately 4.3 acres. The underlying zone, IP-2-1, allows for a minimum lot size of 40,000 square feet and does not dictate the maximum lot size. The proposed Parcels 1 and 2 are consistent with the IP-2-1 development regulations. Therefore, the proposed development would be consistent with the Land Development Code.

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

The proposed improvements will not cause environmental damage and will improve the quality of the wildlife habitat on-site. The areas north and south of the creek were previously graded and no wetland buffer exists. Currently, the pad north of the creek is bare to the top of the channel embankment and the slope south of the creek contains a prevalence of non-native weeds. Re-vegetation of these degraded areas with native riparian and upland species and creating a 30 foot wetland buffer would substantially improve habitat quality adjacent to the creek.

The project's prepared Mitigated Negative Declaration proposes mitigation measures for potential impacts to biological resources, paleontological resources, and noise. This potential impact will be fully mitigated by implementing measures and therefore, the project will not cause any substantial environmental damage.

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

The project proposes development of three Research and Development (R&D) buildings and the subdivision of property on a site that contains Environmentally Sensitive Lands (ESL). The proposed development requires a Site Development Permit, Planned Development Permit, and Neighborhood Development Permit to allow the industrial development and conditions the project for compliance with all applicable building, mechanical, electrical, plumbing and fire codes. Strict application of these conditions will contribute to the public safety, health and welfare. Furthermore, the proposed development will obtain a bonded engineering permit for the required public improvements proposed for this project and all public work will conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer; will enter into a Maintenance Agreement for the ongoing permanent BMP maintenance; will 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.

The project is located within the Airport Influence Area of the Marine Corps Air Station (MCAS) Miramar. The Airport Land Use Commission (ALUC) has determined the project to be consistent with the Airport Land Use Compatibility Plan (ALUCP) (ALUC Determination, January 9, 2008).

All infrastructure improvements will be constructed and operationally complete prior to occupancy of any structures to assure water, wastewater, electrical, gas, and telephone services will be provided to the development. Prior to construction all structures will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, mechanical and fire codes to assure the structures will meet or exceed the current regulations. As such the proposed development will not be detrimental to the public health, safety, and welfare.

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

The subdivision has been designed to allow for access to all existing easements within the site. Therefore, the development would not conflict with any easements

acquired by the public at large for access through or use of property within the proposed subdivision.

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

The subdivision has been designed with generous side yard setbacks to allow for the opportunity for future passive heating and cooling opportunities. These setbacks allow for natural ventilation for cooling and natural lighting/heating.

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

The project's underlying zone is IP-2-1 (Industrial Park Zone), which allows a mix of light industrial and office uses. Housing is not allowed in this zone and therefore, the housing needs of the region are not applicable to this project.

**9. The proposed subdivision of land complies with requirements of the Subdivision Map Act and the Land Development Code as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act or the Land Development Code enacted pursuant thereto (San Diego Municipal Code § 125.0123 and Subdivision Map Act § 66428(b)).**

The proposed development requires a Site Development Permit, Planned Development Permit, and Neighborhood Development Permit to allow the industrial development and conditions the project for compliance with all applicable building, mechanical, electrical, plumbing and fire codes. Strict application of these conditions will contribute to the public safety, health and welfare. Furthermore, the proposed development will obtain a bonded engineering permit for the required public improvements proposed for this project and all public work will conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer; will enter into a Maintenance Agreement for the ongoing permanent BMP maintenance; will 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.

The project's prepared Mitigated Negative Declaration proposes mitigation measures for potential impacts to biological resources, paleontological resources, and

noise. This potential impact will be fully mitigated by implementing measures and therefore, the project will not cause any substantial environmental damage.

All infrastructure improvements will be constructed and operationally complete prior to occupancy of any structures to assure water, wastewater, electrical, gas, and telephone services will be provided to the development. Prior to construction all structures will be reviewed by professional staff for compliance with all relevant and applicable building, electrical, mechanical and fire codes to assure the structures will meet or exceed the current regulations. As such, the proposed subdivision complies with the Subdivision Map Act and the Land Development Code as specifically related to the project location, proposed improvements and design, floodwater drainage control, appropriate improved roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements.

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, Map Waiver No. 597879; is hereby granted to Scripps Park West L.L.C. subject to the attached conditions which are made a part of this resolution by this reference.

By

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

ATTACHMENT: Map Waiver Conditions

Internal Order No. 23431679



PLANNING COMMISSION  
CONDITIONS FOR MAP WAIVER NO. 597879  
**SCRIPPS PARK WEST PHASE II - PROJECT NO. 166524 [MMRP]**  
ADOPTED BY RESOLUTION NO. PC-XXXXXX ON NOVEMBER 29, 2012

**GENERAL**

1. This Map Waiver will expire (*DATE*).
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map unless otherwise noted.
3. A Parcel Map shall be recorded in the Office of the County Recorder, prior to the Map Waiver expiration date.
4. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The Parcel Map shall conform to the provisions of Site Development Permit No. 597880, Planned Development Permit No. 779489, and Neighborhood Development Permit No. 985059.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify the Subdivider of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

**ENGINEERING**

7. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

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

### **MAPPING**

10. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
11. "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."
12. The Parcel Map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

**WASTEWATER**

13. The Subdivider shall design and construct any connection(s) to the existing trunk sewer per the most current City of San Diego Sewer Design Guide for "Odorless" connection (Section 2.2.3.2).
14. All proposed public sewer facilities are to be designed and constructed in accordance with established criteria in the most current City of San Diego Sewer Design Guide. Proposed facilities that do not meet the current standards shall be private or re-designed.
15. All proposed private sewer facilities that serve more than one lot are to be designed and constructed in accordance with established criteria in the most current City of San Diego Sewer Design Guide.
16. All on-site wastewater systems shall be private.
17. No structures or landscaping that would inhibit vehicular access shall be installed in or over any sewer access easement.
18. No approved improvements or landscaping, including private sewer facilities, grading, and enhanced paving, shall be installed in or over any public easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement (EMRA).
19. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities or in any sewer access easement.
20. No other utilities, including gas, electric, telephone and fiber optic cable, shall be located within 10 feet of any public sewer main when these utilities are installed parallel to the sewer main.
21. Prior to the recordation of the Parcel Map, the Subdivider shall record the private 10-foot sewer easement that crosses through Lot 2 in benefit of Lot 1.
22. Prior to the recordation of the Parcel Map, an Encroachment Maintenance and Removal Agreement (EMRA) will be required for private sewer lateral(s) connected to public sewer mains located in easements.
23. Prior to the recordation of the Parcel Map, the Subdivider shall grant adequate sewer, and/or access easements, including vehicular access to each manhole, for all public sewer facilities that are not located within public rights of way, satisfactory to the Director of Public Utilities.

**WATER**

24. The Subdivider shall grant adequate water easements, including vehicular access to each appurtenances (meters, blow offs, valves, fire hydrants, etc.) for all public water facilities that are not located within fully improved public right-of-ways, satisfactory to the Director of Public Utilities. Easements shall be located within singles lots, when possible, and not split longitudinally. Vehicular access roadbeds shall be a minimum of 24 feet wide and surfaced with suitable approved material satisfactory to the Director of Public Utilities and the City Engineer.
25. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Marshal, the Director of Public Utilities and the City Engineer. If more than two (2) fire hydrants or thirty (30) dwelling units are located on a dead-end water main then the Subdivider shall install a redundant water system satisfactory to the Director of Public Utilities.
26. No trees shall be installed within ten feet of any water facilities or in any water easement. No shrubs exceeding three feet in height at maturity shall be installed within 10 feet of any public water main.
27. The Subdivider shall process encroachment maintenance and removal agreements, for all acceptable encroachments into the water easement, including but not limited to structures, enhanced paving, or landscaping. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.
28. For any portion of the subdivision which will have gated access, then the subdivider shall provide keyed access to the Water Operations Division of the Public Utilities Department in a manner satisfactory to the Director of Public Utilities. The City will not be responsible for any issues that may arise relative to the availability of keys.
29. The Subdivider shall design and construct all proposed public water facilities in accordance with established criteria in the current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices.

**PLANNING**

30. Prior to the recordation of the Parcel Map, the Subdivider shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside the allowable development area on the premises as shown on Exhibit "A" for Sensitive Biological Resources and Special Flood Hazard Areas, in accordance with San Diego Municipal Code section 143.0152. The Covenant of Easement shall include a legal description and an illustration of the premises

showing the development area and the Environmentally Sensitive Lands that will be preserved as shown on Exhibit "A."

**MSCP**

31. Prior to the recordation of the Parcel Map, the on-site drainage area and associated buffer as shown on Exhibit "A" shall be conserved by the Subdivider through a conservation easement or covenant of easement granted in favor of the City of San Diego and the U.S. Fish and Wildlife Service [USFWS], U.S. Army Corps of Engineers [USACE], and the California Department of Fish and Game [CDFG].

**INFORMATION:**

- The approval of this Map Waiver by the Planning Commission of the City of San Diego does not authorize the Subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 *et seq.*).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Map Waiver 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 Map Waiver, may protest the imposition within 90 days of the approval of this Map Waiver by filing a written protest with the San Diego City Clerk pursuant to Government Code Sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 23431679

DRAFT

PLANNING COMMISSION RESOLUTION NUMBER 166524

ADOPTED ON NOVEMBER 29, 2012

WHEREAS, on October 10, 2008, Ned Haskell, Smith Consulting Architects submitted an application to Development Services Department for a SITE DEVELOPMENT PERMIT (SDP), NEIGHBORHOOD DEVELOPMENT PERMIT (NDP), MAP WAIVER, and PLANNED DEVELOPMENT PERMIT (PDP) for the SCRIPPS PARK WEST PHASE II Project; and

WHEREAS, the matter was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on November 29, 2012; and

WHEREAS, the Planning Commission considered the issues discussed in Mitigation Negative Declaration No. 166524 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Planning Commission finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the

environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

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

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego CA 92101.

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

By: \_\_\_\_\_  
Tim Daly, Development Project Manager

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

MND Resolution Form for Any Decision Maker



**EXHIBIT A****MITIGATION MONITORING AND REPORTING PROGRAM**

**SITE DEVELOPMENT PERMIT (SDP), NEIGHBORHOOD DEVELOPMENT PERMIT (NDP), MAP WAIVER, and PLANNED DEVELOPMENT PERMIT (PDP)  
PROJECT NO. 166524**

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No. 174584 shall be made conditions of SITE DEVELOPMENT PERMIT (SDP), NEIGHBORHOOD USE PERMIT, OPEN SPACE EASEMENT ABANDONMENT, and a MULTIPLE-HABITAT PLANNING AREA BOUNDARY LINE ADJUSTMENT as may be further described below.

V. **MITIGATION, MONITORING AND REPORTING PROGRAM:** To ensure that site development would avoid significant environmental impacts, a Mitigation, Monitoring, and Reporting Program (MMRP) is required. Compliance with the mitigation measures shall be the responsibility of the applicant. The mitigation measures are described below.

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

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

5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

**B. GENERAL REQUIREMENTS – PART II**

**Post Plan Check (After permit issuance/Prior to start of construction)**

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

*Qualified Biologist*  
*Qualified Acoustician*  
*Qualified Paleontologist*

**Note: Failure of all responsible Permit Holder's representatives and consultants to attend shall require an additional meeting with all parties present.**

**CONTACT INFORMATION:**

- a) The PRIMARY POINT OF CONTACT is the RE at the **Field Engineering Division – 858-627-3200**
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call RE and MMC at **858-627-3360**

2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) 166524, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc)

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

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

- *California Department of Transportation (Caltrans) – Encroachment Permit*
- *U.S. Army Corps of Engineers (USACE) – Section 404 discharge permit*
- *Regional Water Quality Control Board (RWQCB) – Section 401 water quality certification*
- *California Department of Fish and Game (CDFG) – Streambed Alteration Agreement*

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

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

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

**Document Submittal/Inspection Checklist**

*[List all and only project specific required verification documents and related inspections table below]*

<i>Issue Area</i>	<i>Document submittal</i>	<i>Assoc Inspection/Approvals/ Notes</i>
General	Consultant Qualification Letters	Prior to Pre-construction Meeting
General	Consultant Const. Monitoring Exhibits	Prior to or at the Pre-Construction Meeting
Biology	Biologist Limit of Work Verification	Limit of Work Inspection
Paleontology	Paleontology Reports	Paleontology Site Observation
Noise	Noise Reports	Prior to Certificate of Occupancy, Noise Mitigation Feature Inspection
Bond Release	Request for Bond Release Letter	Final MMRP Inspections prior to Bond Release Letter

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS****BIOLOGICAL RESOURCES****Requirements for Land in Proximity to Biological Resources****Preconstruction Measures**

1. Prior to the issuance of any grading permits and/or the first pre-construction meeting, the owner/permittee shall submit evidence to the ADD of Entitlements verifying that a qualified biologist has been retained to implement the biological resources mitigation program as detailed below (A through D):
  - A. Prior to the first pre-construction meeting, the applicant shall provide a letter of verification to the ADD of Entitlements stating that a qualified Biologist, as defined in the City of San Diego Biological Resource Guidelines (BRG), has been retained to monitor construction operations.
  - B. At least thirty days prior to the pre-construction meeting, a second letter shall be submitted to the MMC section which includes the name and contact information of the Biologist names and of all persons involved in the Biological Monitoring of the project, if changed and/or not provided in the first letter.
  - C. At least thirty days prior to the pre-construction meeting, the qualified Biologist shall verify that any special reports, maps, plans and time lines, such as but not limited to, revegetation plans, plant salvage/ relocation requirements and timing (i.e. per coastal cactus wren requirements etc.), avian or other wildlife (including USFWS protocol) surveys, impact avoidance areas or other such information/plans are completed and are placed on the construction plans and approved by City MMC.
  - D. The qualified biologist (project biologist) shall attend the first preconstruction meeting and arrange to perform any measures site specific fauna/flora surveys/salvage.

**Construction Measures**

1. The project biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (i.e. explain flag system for removal or retention, limit vegetation removal/demolition areas to fall only outside of sensitive biological areas).
2. As determined at the Precon Meeting, the project biologist shall supervise the installation of the limit of work fence (per approved Exhibit A) to protect biological resources and during construction be on-site to prevent/note any new disturbances to habitat, flora, and/or fauna onsite. The biologist shall perform pregrading bird surveys; flag biological resources such as plant specimens etc. for avoidance during access (as appropriate). In the event of a positive bird nest survey, the biologist shall delay construction and notify City MMC to accommodate additional mitigation as needed/required.
3. All construction (including staging areas) shall be restricted to areas previously disturbed as shown on the aerial photo above (bare earth areas and dirt roads. The project biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys.

**Post Construction Measures**

1. Prior to the release of the construction bond, the project biologist shall submit a letter report to the ADD of Entitlements that assesses any project impacts resulting from construction. In the event that impacts exceed the allowed amounts, the additional impacts shall be mitigated in accordance with the City of San Diego Land Development Code, to the satisfaction of the City ADD.
2. The Principal Qualified Biologist (PQB) shall submit two copies of the Final Monitoring Report which describes the results, analysis, and conclusions of all phases of the Biological Monitoring and Reporting Program (with appropriate graphics) to MMC for review and approval within 30 days following the completion of monitoring.
3. The PQB shall submit any required revised Report to MMC (with a copy to the Resident Engineering (RE)) for approval within 30 days.
4. MMC will provide written acceptance to the PQB and RE of the approved report.

**Habitat Mitigation – Ensure Prior to Permit Issuance (Entitlements Division Plan Check)**

1. Prior to the issuance of any notice to proceed (NTP) or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable (and whichever comes first), the ADD environmental designee shall verify that the applicant has provided record that mitigation for direct impacts to 200 square feet of wetland/waters of the US/ natural flood channel has occurred on-site at an anticipated maximum 3:1 ratio consisting of 600 square feet of southern willow scrub restoration. This is comprised of a 2:1 mitigation ratio to compensate for direct impacts (400 square feet), with an additional 1:1 ratio (200 square feet) to cover potential regulatory agency requirements anticipated during the permit process. In addition, the ADD designee shall verify that a 0.79 acre area (including the 600 square foot restoration area) per Exhibit A has been set aside within an on-site covenant of easement area for sensitive biological resources (with Zone 2 Brush Management Areas delineated).
2. The ADD environmental designee shall also verify that the requirements of mitigation for direct impacts (per the City's Environmentally Sensitive Lands (ESL) Ordinance) to 0.81 acres of Diegan Coastal Sage scrub, including 0.45 acres within the parcel boundary and 0.36 acres within the Caltrans right-of-way shall be mitigated via payment into the City's Habitat Acquisition Fund at a 1:1 ratio. The specific amount shall be determined by EAS and MSCP Staff based on the current market rate for 0.81 acres of comparable land at the time of payment.
3. The landscape construction documents (LCDs) and specifications must be found to be in conformance with "Exhibit A" for the Scripps Park West discretionary project (PTS No. 166524). The mitigation area and CE area shall be shown to the satisfaction of the Assistant Deputy Director (ADD) Environmental Designee (per Table 1 in square footage (sf)/acres (ac) below).

TABLE 1  
ESL HABITAT, IMPACTS, & MITIGATION FOR SCRIPPS PARK WEST BIOLOGICAL  
RESOURCES

Existing Habitat Communities Which Require Mitigation	Existing Habitat within Project Boundaries	Existing Habitat Impacted	Mitigation Ratio (based on ESL Guidelines)	Mitigation Acreage Required	Mitigation Provided for Credit	Proposed Areas to be placed in Covenant of Easement (CE)
Natural Flood Channel (NFC)	1,307sf/ 0.03ac	200 sf/ 0.005 ac	3:1 (2:1, with an additional 1:1 ratio to cover potential regulatory agency requirements)	600 sf/0.015ac (400 sf with an additional 200 sf to cover potential regulatory agency requirements)	600 sf/0.015ac on-site restoration of NFC to SWS	1,307 sf/ 0.03 ac (includes 600 sf of NFC restored to SWS and 707 sf/0.016 ac of NFC left unrestored under proposed bridge)
Diegan Coastal Sage Scrub (CSS)	38,333 sf/0.88 ac (0.45 ac on parcel. 0.36 Caltrans ROW)	35,284 sf /0.81 ac	1:1 Impact outside MHPA. HAF Mitigation Inside MHPA	35,284 sf/ 0.81 ac	0.81 ac equivalent to be HAF purchase	17,424 sf/0.4 ac (includes 3,049sf/0.07 ac. existing CSS + 14,375 sf/0.33 acres DL to revegetated CSS for no mitigation credit)

4. Prior to the issuance of any notice to proceed (NTP) or issuance for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, whichever is applicable (and whichever comes first), the ADD environmental designee shall verify that the applicant has provided the following language for "Nesting Bird Mitigation" under "Environmental Requirements" on all construction documents:

**Nesting Bird Mitigation – Ensure Prior to Permit Issuance (Entitlements Division Plan Check)**

1. If project grading/brush management is proposed in or adjacent to native habitat during the typical bird breeding season (i.e. Feb. 1-Sept. 15), or an active nest is noted, the project biologist shall conduct a pregrading survey for active nests in the development area and within 300 feet of it, and submit a letter report to MMC prior to the preconstruction meeting.
  - A. If active nests are detected, or considered likely, the report shall include mitigation in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) to the satisfaction of the Assistant Deputy Director (ADD) of the Entitlements Division. Mitigation requirements determined by the project biologist and the ADD shall be incorporated into the project's Biological Construction Monitoring Exhibit (BCME) and monitoring results incorporated in to the final biological construction monitoring report.
  - B. If no nesting birds are detected per "A" above, mitigation under "A" is not required.

**Revegetation / Restoration -Ensure Prior to Permit Issuance (Entitlements Division Plan Check)**

**Prior to Permit Issuance the Permit Holder shall:**

1. Direct the Project Biologist (PB) to identify and adequately document all pertinent information from the approved conceptual revegetation/restoration plan - program goals and requirements (Conceptual Revegetation/Restoration Plan, Scripps Park West (Rincon, February 2011) on the landscape construction documents (LCDs) and submit to the City's Development Services Review Sections (Environmental, Landscape, Permits, etc.) This project features a stream bed that eventually runs through downstream MHPA areas and approval from MSCP Staff may also be required. Information shall include but not be limited to: each type of habitat, plant/seed palettes, timing of installation, plant installation specifications, method of watering, protection of adjacent habitat (show and identify existing vegetation to remain), erosion and sediment control, performance/success criteria, inspection schedule, document submittals, reporting schedule, tables, graphics, notes, and conformance check with the approved Rincon document listed above and the "Exhibit A" documentation associated with the Discretionary permit.
2. Direct the PB to provide, on the LCD, a table showing types of each habitat impacted and how it is to be restored and or enhanced along with the corresponding acreage and/or total number of plants being replaced as well as specific success criteria for each type of habitat and each reporting period
3. Direct the PB to ensure the LCD includes comprehensive notes addressing the 120 day Plant Establishment Period (PEP) and the 5 year Long Term Maintenance and Monitoring Period (LTMMP) which occurs after PEP is acceptance by the City. Notes shall also address and provide recommendations for the ongoing maintenance requirements (after final acceptance of the LTMMP by the City).
4. Direct the PB to ensure the LCD includes a note requiring the Permit Holder to enter into a bonded Biological Mitigation Agreement to assure success of the revegetation/restoration during the LTMMP. This may not be necessary when the construction permit that has an associated performance bond that is active and has included the restoration and monitoring costs in their entirety within it and adequately assures success of the revegetation/restoration program to the satisfaction of MMC.

**Prior to Start of Construction the Permit Holder shall hold a Preconstruction Meeting (Pre Con) and shall:**

1. Direct the PB to attend the Pre con Meeting (refer to Requirements for Land in Proximity to Biological Resources above for additional information)

**During Construction the Permit Holder shall have a Project Biologist Present During Construction/Grading/Excavation/Planting/Irrigation and shall:**



1. Direct the PB to supervise the placement of the orange construction fence (refer to Requirements for Land in Proximity to Biological Resources above for additional information)

**During Plant Installation the Permit Holder shall:**

1. Direct the PB to ensure that all clearing, grubbing, grading, contouring, excavation, trenching, installation of plant materials, and any necessary actions required during installation are done per the approved LCD.
2. Direct the PB to review the mitigation area and assess completion of the installation and submit a letter report to Permit Holder who then submits it to RE/MMC requesting the Plant Installation Inspection. RE/MMC will review the report and schedule the inspection (walk thru). Upon completion of the Plant Installation Inspection, including all punch list items, MMC will provide written acceptance of plant installation to the RE and Permit Holder.
3. Direct the PB to begin the 120 Plant Establishment Period (PEP) monitoring.

**During the 120 Day Plant Establishment Period (PEP) the Permit Holder shall:**

1. Direct the PB to ensure that all maintenance and/or remedial activities required during the 120 day PEP are done per approved LCD/BCME.
2. Direct the PB to supervise the maintenance and be responsible for the monitoring of the revegetation/restoration mitigation area for a minimum of 120 Days. Maintenance visits shall be conducted on a weekly basis throughout the PEP, unless otherwise noted in the MMRP and/or LCD/BCME.
3. Direct the PB to review the mitigation area and assess completion of the PEP and submit a report to the Permit Holder who will then submit the report to RE/MMC requesting the PEP inspection. RE/MMC will review the report and schedule the inspection (walk thru). Upon completion of the PEP inspection, including all punch list items, MMC will provide written acceptance of the PEP to the RE and PERMIT HOLDER.
4. Direct the PB to begin the 5-Year, Long Term Maintenance and Monitoring Period (LTMMP).

**During Post Construction the Permit Holder shall conduct a 5-Year, Long Term Maintenance and Monitoring Period (LTMMP) and shall:**

1. Direct the PB to ensure the required LTMMP activities and reporting shall include all items and performance standards described in the LCD/BCME.
2. Direct the PB to evaluate the Revegetation/Restoration effort both qualitatively and quantitatively to determine compliance with the performance standards identified on the LCD/BCME. The biological monitoring requirements may be reduced if, before the end of the fifth year, the Revegetation/Restoration meets the fifth year criteria and the irrigation has been terminated for at least one summer season.

3. Direct the PB to supervise the removal of the temporary irrigation system and construction BMPs and to verify this in writing on the final post-construction phase CSV.

**During Post Construction the Permit Holder shall submit Progress and Annual Monitoring Reports and shall:**

1. Direct the PB to submit Annual Reports summarizing the results of each progress report including quantitative monitoring results and photographs taken from permanent viewpoints shall be submitted to MMC for review and approval within 30 days following that phase of required monitoring. A request for inspection shall accompany each annual report. After reviewing each report, MMC will schedule the inspection.

**During Post Construction the Permit Holder shall submit a Final Monitoring Report and shall:**

1. Direct the PB to evaluate success of the mitigation effort and prepare a Final Monitoring Report upon achievement of the fifth year performance/success criteria.
2. Direct the PB to submit the Final Monitoring Report and any outside agency reports to the RE/MMC for review and approval. A request for a final inspection shall also be submitted at this time. After review of the report RE/MMC will schedule the Final Inspection.
3. Direct the PB to coordinate the final acceptance of the Revegetation/Restoration Project. If at the end of the 5-years any of the revegetated/restored area fails to meet the project's final success criteria, the Permit Holder must consult with RE/MMC to resolve the situation.
4. It is the responsibility of the Permit Holder to understand that failure of any significant portion of the revegetation/restoration area may result in implementation of the contingency/remediation requirements to replace or renegotiate for failing portion(s) of the site and/or extend the establishment/maintenance/monitoring period until all success criteria are met to the satisfaction of MMC Staff.

**NOISE**

**Prior to Permit Issuance**

1. Prior to issuance of the building permit, the applicant shall submit building plans, subject to approval by the City ADD or designee, which show that the project would comply with the City Municipal Code regarding noise, Title 24 of the CA Building Code and the City of San Diego Noise Thresholds (Table NE-3 in the General Plan Noise Element), where the maximum exterior noise level exposure for offices/industrial uses are 70/75 dBA respectively with a 50 dBA interior noise level standard for both uses. The following specific acoustical mitigation measures must be specified in the plans:

- A. Air conditioning or mechanical ventilation must have a minimum STC rating of 30 or that sufficient to provide an interior noise level of 50 dBA for Building B.
- B. All windows must have a minimum STC rating of 30 or that sufficient to provide an interior noise level of 50 dBA for Building B.
- C. All roof and wall assembly must have an STC rating of 50 or that sufficient to provide an interior noise level of 50 dBA for Building B.

### **Post Construction Measures**

1. Prior to issuance of the Certificate of Occupancy, the applicant/owner shall provide proof of noise compliance for Buildings A, B and C via City inspection and "As Built" acoustical report results subject to approval by the City ADD or designee.

### **PALEONTOLOGICAL RESOURCES**

#### **1. Prior to Permit Issuance**

##### **A. Entitlements Plan Check**

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

##### **B. Letters of Qualification have been submitted to ADD**

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

#### **2. Prior to Start of Construction**

##### **A. Verification of Records Search**

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

### B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
  - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Identify Areas to be Monitored
 

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
3. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

### 3. During Construction

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

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

**Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.

**B. Discovery Notification Process**

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

**C. Determination of Significance**

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

**4. Night and/or Weekend Work**

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

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

All discoveries shall be processed and documented using the existing procedures detailed in Section 3 - During Construction.
    - c. Potentially Significant Discoveries
 

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section 3 - During Construction shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section 3-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

## 5. Post Construction

### A. Preparation and Submittal of Draft Monitoring Report

- 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate

graphics) to MMC for review and approval within 90 days following the completion of monitoring,

- a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
- b. Recording Sites with the San Diego Natural History Museum
 

The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
- 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
- 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
- 4. MMC shall provide written verification to the PI of the approved report.
- 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

### B. Handling of Fossil Remains

- 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
- 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate

### C. Curation of fossil remains: Deed of Gift and Acceptance Verification

- 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.

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

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

DRAFT







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

# Ownership Disclosure Statement

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

Project Title: Scripps Park West LLC - Phase 2  
Project No. For City Use Only: 166524

Project Address: Via Excelencia & Kearny Mesa Rd., San Diego, CA 92126 (APN 341-230-10)

### 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: Scripps Park West LLC - Phase 2	Project No. (For City Use Only)
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**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

Corporation  Limited Liability -or-  General) What State? \_\_\_\_\_ Corporate Identification No. 200434510098  
 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):  
Scripps Park West LLC

Owner  Tenant/Lessee


Street Address:  
4375 Jutland Drive, Ste. 260

City/State/Zip:  
San Diego, CA 92117

Phone No: ( 858 )272-9080 Fax No: ( 858 )272-3655

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

Title (type or print):  
Manager and Member

Signature :  Date: 9/29/08

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

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

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

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

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

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

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

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

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

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

Title (type or print):

Signature : Date:

## PROJECT DATA SHEET

<b>PROJECT NAME:</b>	Scripps Park West Phase II	
<b>PROJECT DESCRIPTION:</b>	Subdivision to create two lots and the development of three new industrial buildings on a 6.6-acre site located at 9685 Via Excelencia.	
<b>COMMUNITY PLAN AREA:</b>	Mira Mesa	
<b>DISCRETIONARY ACTIONS:</b>	Site Development Permit, Planned Development Permit, Neighborhood Development Permit, and Tentative Map Waiver	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Industrial	
<b><u>ZONING INFORMATION:</u></b>		
<b>ZONE:</b> IP-2-1		
<b>HEIGHT LIMIT:</b> None		
<b>LOT SIZE:</b> Min. 40,000 s.f.; Proposed 100,188 s.f. and 187,308 s.f.		
<b>FLOOR AREA RATIO:</b> Max. 2.0 FAR; Proposed 0.32 FAR		
<b>FRONT SETBACK:</b> Min. 25 feet; 25 feet provided		
<b>SIDE SETBACK:</b> Min. 15 feet; 15 feet provided		
<b>REAR SETBACK:</b> Min. 25 feet; 25 feet provided		
<b>PARKING:</b> 133 parking spaces required; 135 provided		
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Industrial; IP-2-1	Industrial/Office
<b>SOUTH:</b>	Industrial; IL-2-1	Commercial/Self storage
<b>EAST:</b>	Caltrans Right of Way	Interstate 15
<b>WEST:</b>	Industrial; IL-2-1	Commercial
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	None	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On June 18, 2012, the Mira Mesa Planning Group voted 16-0-0 to recommend approval of the proposed project with no additional conditions.	



DEVELOPMENT SERVICES  
**Project Chronology**  
**Scripps Park West Phase II – Project No. 166524**

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time</b>	<b>Applicant Response</b>
10/24/08	First Submittal	Project Deemed Complete.		
1/14/09	First Assessment Letter		82 days	
6/2/09	Second Submittal	Applicant project scope change.		139 days
7/21/09	Second Review Complete		48 days	
12/28/09	Third Submittal			159 days
2/23/10	Third Review Complete	1/19/10, applicant request meeting with review staff prior to comment close period.	57 days	
7/22/10	Fourth Submittal	3/26/10, applicant request meeting with review staff re: cul-de-sac design.		148 days
8/30/10	Fourth Review Complete		38 days	
1/3/11	Fifth Submittal			126 days
3/17/11	Fifth Review Complete		73 days	
12/14/11	Sixth Submittal	Applicant removes vehicle storage use from site.		272 days
1/23/12	Sixth Review Complete		40 days	
3/29/12	Seventh Submittal			66 days
5/2/12	Seventh Review Complete		34 days	
6/14/12	Draft MND			
10/26/12	Final MND	Resolve Caltrans comment re: cemetery site.		
11/29/12	PC Hearing		211 days	
<b>TOTAL STAFF TIME</b>			<b>583 days</b>	
<b>TOTAL APPLICANT TIME</b>				<b>910 days</b>
<b>TOTAL PROJECT RUNNING TIME</b>		From Deemed Complete to Planning Commission	<b>4 years 1 month 4 days</b>	

