



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: September 4, 2025 REPORT NO. PC-25-033

HEARING DATE: September 11, 2025

SUBJECT: 11011 Torreyana Road, Coastal Development Permit and Site Development Permit, Process Three Decision Appeal

PROJECT NUMBER: [PRJ-1058759](#)

OWNER/APPLICANT: *Alliance Diversified Holdings LLC / Bridgewest Group*

SUMMARY

Issue: Should the Planning Commission grant or deny an appeal of the Hearing Officer's approval of a Coastal Development Permit and Site Development Permit to demolish an existing 76,694-square-foot research and development building and construct a new 152,080-square-foot research and development building and a four-level subterranean parking garage with approximately 440 parking spaces and 44 surface parking spaces located at [11011 Torreyana Road](#) within the [University Community Planning Area](#).

Staff Recommendation: DENY the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. [PMT-3158584](#) and Site Development Permit No. [PMT-3158586](#).

Fiscal Considerations: None. The applicant funds a deposit account that recovers all costs associated with processing the application.

Code Enforcement Impact: There are no open code enforcement actions on this site.

Housing Impact Statement: The Coastal Development Permit and Site Development Permit do not propose housing and the subject site is not designated for residential use.

Community Planning Group Recommendation: On May 9, 2023, the University Community Planning Group voted 5-4 to recommend approval of the proposed project with a non-binding recommendation to consider comments from Biologist Isabelle Kay and Friends of Rose Canyon Executive Director Deborah Knight regarding landscape revisions, to consider bird-safety in the design, to include minimal exterior nighttime lighting with proper shields, and to evaluate the ability to add landscaping between parking spaces and the canyon if possible.

The permit includes a condition to ensure the installation of bird-safe glass to prevent bird collisions as indicated in the Memorandum to the Hearing Officer dated on April 8, 2025 (Attachment 4). Additionally, the Biological Technical Report prepared by Helix Environmental Planning Inc. dated July 2024 includes an analysis of the City's MHPA Land Use Adjacency Guidelines and concludes the proposed project lighting will be shielded and directed away from the MHPA to protect resources in the MHPA from artificial night lighting. The project contains 752 square feet of building perimeter planting between parking lots and the canyon (See Landscape Sheet L-5) and contains 2,303 square feet of screen planting between the parking lot and the canyon. Per the Biology report and the landscape plans, several existing Torrey Pine trees (measuring 30-40 feet tall) and existing Nuttall's Scrub Oaks (measuring 10 feet tall) will be protected in place.

Environmental Impact: A [Subsequent Mitigated Negative Declaration \(MND\) No. PRJ-1058759 / State Clearing House \(SCH\) No. 2019060003 and associated](#) Mitigation Monitoring and Reporting Program (MMRP) was adopted by the City of San Diego Hearing Officer on April 9, 2025.

An appeal of the California Environmental Quality Act (CEQA) environmental determination was previously made by Lozeau Drury LLP, on behalf of Supporters Alliance for Environmental Responsibility (SAFER) and the City Council denied the CEQA environmental determination appeal on July 21, 2025 (Attachment 5).

BACKGROUND

Location

The proposed development project is on a 10.2-acre site located at 11011 Torreyana Road within the University Community Plan area.

Existing Zoning

The project site is within the IP-1-1 (Industrial-Park) base zone which allows for research and development uses with some limited manufacturing. The IP-1-1 base zone is intended to create a campus-like environment characterized by comprehensive site design, substantial landscaping, and amenities that serve the surrounding development in a manner that preserves the industrial nature of the zone.

Overlay Zones

The development project site lies within the following: Airport Land Use Compatibility Overlay Zone (MCAS Miramar), the Coastal Height Limit Overlay Zone, the Coastal Overlay Zone – Appealable Area, the Community Plan Implementation Overlay Zone - Type B, and Parking Impact Overlay Zone, and the Very High Fire Hazard Severity Zone.

Community Plan and General Plan Designation

The General Plan designates the western portion of the project site (approximately 3.4 acres) as Industrial Employment and Prime Industrial and the eastern portion (approximately 6.8 acres) as Open Space. The University Community Plan designates the western portion of the project site as Scientific Research and the eastern portion Open Space. The project site is also within the Coastal Zone.

Existing Use

The project site is currently occupied by research and development uses and does not include public viewing areas. The existing 76,694 square foot research and development building has subterranean parking with two full access driveways to Torreyana Road.

Adjacent Uses

The project site is surrounded by existing research and development buildings, along Callan Road to the west, Science Park Road to the south and open space to the east. The area surrounding the project site is developed for scientific research uses. The project site is 1.5 miles north of the University of California San Diego (UCSD) campus.

Multi-Habitat Planning Area:

Approximately 0.6 acres spanning the eastern boundary of the site is mapped within the Multi-Habitat Planning Area (MHPA) and contains sensitive biological resources (Attachment 11). Therefore, the project is subject to the Environmentally Sensitive Lands (ESL) regulations as well as MHPA Land Use Adjacency Guidelines which address potential indirect impacts to the MHPA which include incorporating measures addressing 1) drainage, 2) toxics, 3) lighting, 4) noise, 5) barriers, 6) invasive species, 7) brush management and 8) grading/land development.

Transit

The development project site is within a Transit Priority Area (TPA). The Blue Line trolley line operated by the San Diego Metropolitan Transit Service (MTS) runs generally north-south in North University City along Genesee Avenue. The MTS bus stop for Route 985, which provides service to the UCSD Central Trolley Station, is a 0.1-mile walking distance to the west from the project site. The North County Transit District (NCTD) bus stop for Route 478, which provides service to the Sorrento Valley Coaster Station, is a 0.1-mile walking distance to the west from the project site.

DISCUSSION

Project Description

The 10.2-acre site contains an existing 76,694-square-foot research and development building and parking garage space, which would be demolished to allow for the construction of a new 152,080-square-foot, three-story research and development building. The building height would not exceed 30 feet above grade, consistent with the Coastal Height Limit Overlay regulations. The project proposes to develop on approximately 3.4 acres with 6.8 acres remaining as open space (Figure 3).

Parking

The project proposes two stories above grade, one basement level, and four levels of subgrade parking. The parking would include 44 at-grade parking spaces and 440 parking spaces within the subterranean parking garage for a total of 484 parking spaces, which meets the minimum 484 parking spaces required. Of the 484 parking spaces, 98 stalls would be electric vehicle (EV) charging (87 inside the parking garage and 11 outside) and 44 parking spaces would be clean air/low emitting

(38 inside the parking structure and six (6) outside). The project would also provide nine (9) motorcycle parking spaces and 24 long-term bicycle parking spaces. A portion (0.11 acre) of the surface parking area would be located within the existing open space easement, in accordance with the allowances of the easement. The open space easement is discussed in more detail below.

Access

The project proposes to reconstruct the northernmost driveway along Torreyana Road per current City standards for site access, remove the southern driveway and replace it with new driveway with curb, gutter, and sidewalk per current City standards. Additionally, the second driveway (fourth leg of the intersection of Callan Road and Torreyana Road) is on the southwest corner of the site solely for deliveries and fire access.

Open Space

The eastern portion of the project site contains a 6.8-acre open space easement that is inside and outside the MHPA. The easement was recorded in 1976 against a portion of the property with the subdivision of the Torrey Pines Science Park Unit 2 (City 1976). Based on a review of a Quitclaim Deed recorded in 1984, the open space easement was previously recorded over the hillside in the eastern portion of the property but was quitclaimed to the State of California in 1984. The current topography and vegetation within the open space easement appear to have remained mostly undisturbed throughout the site's original commercial development, with the exception of the western portion of the easement. This area was disturbed during the development of the property in the early 1980s and is currently characterized by ornamental landscaping. The easement, while intended to preserve open space, does allow the area to be used for, among other things, "open parking areas" and "sidewalks, paths, and steps" as indicated on Sheet 1 of Map No. 8434 filed in the Office of the County Recorder of San Diego County on December 10, 1976 (Attachment 6). A portion (0.11 acre) of the surface parking area would be located within the existing open space easement which is an allowable use within this easement. Pursuant to the City's Land Development Code Environmentally Sensitive Lands (ESL) regulations and the Multiple Species Conservation Plan (MSCP) implementing agreement, a new covenant of easement will be placed over 6.3 acres of the existing 6.8-acre open space easement. The easement shall include only the remaining biological resources and natural steep hillsides. The easement does not currently provide public access or views, and the project would not block designated public views or remove scenic vistas at the site.

Permits Required

Due to process consolidation, all actions are processed concurrently as Process Three per SDMC Section 112.0103. Development of the proposed project requires:

- A Coastal Development Permit per SDMC Section [126.0704\(a\)\(5\)](#) is required for development within the Coastal Overlay Zone for the demolition of an existing structure; and
- A Site Development Permit per SDMC Section [126.0502\(c\)\(1\)](#) is required for new

development in the Community Plan Implementation Overlay Zone – Type B and per SDMC Section [126.0505\(b\)](#) for Environmentally Sensitive Lands for sensitive biological resources and steep hillsides.

Community Plan Analysis

The project application was deemed complete prior to the 2024 adoption of the University Community Plan update, and therefore, it is subject to the policies in the University Community Plan (Community Plan) that were in place prior to the 2024 plan update. The community plan contains goals and policies that are consistent with the North City Local Coastal Program.

Land Use

The University Community Plan designates the western portion of the site as Scientific Research within the Torrey Pines Subarea. The uses contemplated by the Community Plan within areas designated for Scientific Research are research laboratories, supporting facilities, headquarters or administrative offices and personnel accommodations, and related manufacturing activities. The Community Plan has employment-related goals that promote job opportunities and encourage the development of life sciences-research facilities. The project proposes a development with scientific research as the primary use which is consistent with the Community Plan land use designation and employment goals.

Open Space

The University Community Plan designates the eastern portion of the site as Open Space. The Community Plan has open space related goals to preserve canyons and open space areas. The Torrey Pines Subarea contains policies to ensure development does not intrude into designated open space to maintain the open character of the subarea. The project proposes to protect and conserve approximately 6.8 acres of undeveloped open space of the 10.2-acre site which is consistent with the Community Plan open space goals and subarea policies.

Design

The Community Plan has urban design related goals to ensure that developments provide for the needs of pedestrians and contribute to the public realm by providing visual amenities and a sense of place. The Torrey Pines Subarea contains policies to encourage placing parking under buildings and minimizing disturbance of topography with surface parking and ensure that the massing of structures and design detail of new buildings contribute to a visually coherent streetscape.

The project includes an architectural design that is consistent with the goals of the Community Plan. The project proposes a variety of facade materials, including glass, fiber cement panels, and knotwood, to create articulation and visual interest. Other elements, such as exterior balcony areas for meeting or eating space, a Plaza-level courtyard on the canyon-side of the property, and a center lobby with ample natural light further contribute to the project's visual interest. A majority of parking spaces are located below grade, as well, which minimizes the development footprint across the site and maintains the open space of the adjacent canyon area. The project includes a palette of various drought-tolerant canopy and accent trees, accent and ornamental shrubs, groundcovers, and turf to provide a unified theme throughout the site. The configuration and types of proposed landscape

screening along Torreyana Drive roadway frontage are compatible with existing streetscape landscape in the community. The project also includes a driveway that doubles as a pedestrian walkway to provide visual access and recreation opportunities within proximity to the natural canyon scenery along the eastern portion of the site. The overall architectural style, landscape palette, and site design are consistent with the goal of enhancing the community's sense of identity and place consistent with the urban design goals and subarea policies.

Community Plan Implementation Overlay Zone

The University Community Plan includes a Community Plan Implementation Overlay Zone (CPIOZ) Type – B which applies to the subject site. The purpose of the CPIOZ-Type B is to ensure that development is consistent with the goals and policies of the Community Plan. As discussed in more detail above and below, the proposed development is consistent with the goals and policies of the Community Plan.

Development Intensity

The University Community Plan includes a Development Intensity Element that allocates residential density and non-residential intensity throughout the community which is implemented by the Community Plan Implementation Overlay Zone Type-B (CPIOZ-B). The project is located within Subarea 9 of the Development Intensity Element. Community Plan Table 2, the Land Use and Development Intensity Table, identifies the allowed development intensity within each subarea. The Land Use and Development Intensity Table Buildout capacity is 6,670,042 square feet, the existing non-residential built development for Subarea 9 is 5,758,170 square feet, and the remaining non-residential unbuilt development capacity is 911,872 square feet. The project proposes to demolish an existing 76,694 square-foot building and construct a new 152,080 square-foot research facility, which would result in a net increase of 75,386 square feet of new development. The remaining non-residential development capacity for Subarea 9 would be 836,486 square feet.

Environmental Analysis

A [Subsequent MND No. PRJ-1058759 / SCH No. 2019060003 and associated](#) MMRP was adopted by the City of San Diego Hearing Officer on April 9, 2025.

The Subsequent MND identified that the proposed project could have a significant environmental effect in the following issue area(s): Historical Resources/Archaeological Resources/Tribal Cultural Resources (archaeological), and Transportation/Circulation. The Subsequent MND included a Mitigation, Monitoring and Reporting Program with mitigation for the following issue areas: Biological Resources, Historical Resources/Archaeological Resources/Tribal Cultural Resources, and Transportation/Circulation.

An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal and upheld the Hearing Officer's adoption of the Subsequent MND and MMRP on July 21, 2025.

Legal Standard for Appeal of Hearing Officer Decision

Pursuant to [SDMC Section 112.0506](#), a Process Three decision can be appealed to the Planning Commission on any of the following grounds:

1. Factual Error. The statements or evidence relied upon by the decision maker when approving, conditionally approving, or denying a permit, map, or other matter were inaccurate;
2. New Information. New information is available to the applicant or the interested person that was not available through that person's reasonable efforts or due diligence at the time of the decision;
3. Findings Not Supported. The decision maker's stated findings to approve, conditionally approve, or deny the permit, map, or other matter are not supported by the information provided to the decision maker; or
4. Conflicts. The decision to approve, conditionally approve, or deny the permit, map, or other matter is in conflict with a land use plan, a City Council policy, or the Municipal Code.

After the conclusion of the public hearing on the appeal, the Planning Commission may affirm, reverse, or modify the decision being appealed.

Project-Related Issues:

Lozeau Drury LLP, on behalf of SAFER

Lozeau Drury LLP, on behalf of SAFER, filed an appeal of the project and an appeal of the environmental determination on April 16, 2025, within the 10-business-day appeal period, which ended on April 23, 2025. The appeal applications for the project and the environmental determination were identical. The grounds for the project appeal were "Factual Error," "New Information," and "Findings not Supported" and SAFER describes the grounds for the project appeal as follows:

The Hearing Officer's April 9, 2025 decision to approve Coastal Development Permit No. PMT-2579784, Site Development Permit No. PMT-2579785, and adopt the Final Subsequent Mitigated Negative Declaration ("MND") and Mitigation Monitoring and Reporting Program ("MMRP") prepared for the 11011 Torreyana Road Project, ("Project") constituted an abuse of discretion because the City failed to adequately analyze and mitigate the Project's significant environmental impacts under the California Environmental Quality Act ("CEQA").

As discussed in the January 6, 2025 comment letter submitted by Supporters Alliance for Environmental Responsibility ("SAFER"), there is substantial evidence of a fair argument that the Project may result in significant adverse biological impacts. Therefore, SAFER respectfully requests that the City of San Diego Planning Commission require the City to prepare an

environmental impact report instead of an MND to analyze and mitigate these impacts in accordance with the California Environmental Quality Act.

SAFER's grounds for the project appeal uniformly relate to, and are identical to, the issues raised and resolved in the appeal of the environmental determination. SAFER does not specifically address or provide any independent support for the project appeal or the grounds for appeal outlined at SDMC section 112.0506. The appeal issues raised by the appellant SAFER and staff responses are provided in detail below.

Appeal Issues and Staff Responses

Appeal Issue 1

Appellant States:

Hearing Officer's decision to approve the project and adopt the final subsequent MND and MMRP constituted an abuse of discretion because the City failed to adequately analyze and mitigate the project's significant environmental impacts under CEQA. SAFER states there is substantial evidence of a fair argument that the project would result in significant adverse impacts to biological resources and requests that the City prepare an EIR before approving the project to analyze and mitigate these impacts in accordance with CEQA.

Staff Response:

The Hearing Officer's decision to approve the project and adopt the final Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program was informed by technical studies prepared by qualified consultants. Further, the site-specific biological technical report was prepared by a qualified biologist in accordance with the City's Biology Guidelines, Multiple Species Conservation Program (MSCP), and CEQA requirements. The biological resource impacts of the project were adequately analyzed in accordance with these requirements. No substantial evidence has been provided that demonstrates a significant impact on biological resources may result from the project. A Subsequent Mitigated Negative Declaration is the appropriate CEQA document for the project, as previously explained and as authorized under CEQA Guidelines section 15152(f) and 15070, and an Environmental Impact Report is not required per CEQA. The Council found that the environmental determination was completed in compliance with CEQA and the CEQA Guidelines and the Hearing Officer's adoption of the Subsequent MND was approved by the Council on July 21, 2025 (Attachment 3).

Appeal Issue 2

Appellant States:

There is a fair argument that the Project may have significant adverse impacts on biological resources.

Staff Response:

CEQA requires the preparation of an EIR when a lead agency determines that a project may result in significant effect(s) on the environment (CEQA Guidelines Section 15064(a)). A mitigated negative declaration shall be prepared if the lead agency determines that revisions in the project would avoid or mitigate project effects to the point where no significant effect on the environment would occur and there is no substantial evidence in light of the record before the public agency that the project as revised may have a significant effect on the environment (CEQA Guidelines Section 15064(f)(2)). The decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency. Substantial evidence includes "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." It does not include "argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment."

The Appellant has not provided substantial evidence supporting a fair argument that the project will significantly adversely impact biological resources. In fact, the Appellant's biologist surveyed a different site, not the project site. The appellant's biologist notes at p. 1 of his letter (Appeal Exhibit A) that his colleague "visited a site adjacent to the project site", "[t]he project site was not accessible from a public road", and the alternate survey site was "intended to be interpreted as a surrogate to the site, as it can be assumed that the species detected are likewise present on the project site." Therefore, the survey information provided by Appellant is not based on a survey of the project site and is therefore speculative, unsubstantiated, and based on assumptions. The information from another site does not constitute substantial evidence that the project may have one or more significant effects on biological resources present at the project site.

The Council found that a fair argument, based upon evidence found in the whole record, has not been established demonstrating that the Project may have significant environmental impacts (Attachment 3).

Appeal Issue 3

Appellant States:

The MND did not fully account for the diversity of species present on the Project site, including several special-status species (Dr. Smallwood identified 37 species vs. Helix identifying 11 species).

Staff Response:

The Appellant's biologist surveyed a different site. Further, the survey and analysis provided do not meet the required components as outlined in the City's Biology Guidelines. The Appellant's biologist surveyed a site located 250 meters or roughly 825 feet east of the site, which has substantially different biological conditions than the proposed project site. The property surveyed by the Appellant is on the valley floor adjacent to Peñasquitos Creek, which is a large riparian corridor that supports a greater diversity of wildlife than the project site. The project site is developed with an existing 76,694 square foot building, parking structure, and auxiliary buildings, and located at the

top of a ridge. In addition, Appellant's analysis incorrectly identifies some species as sensitive. Species that are considered sensitive biological resources consist of those listed as rare, endangered, or threatened under Section 670.2 or 670.5, Title 14, California Code of Regulations or the Federal Endangered Species Act, Title 50, Code of Federal Regulations, Section 17.11 or 17.12, or candidate species under the California Code of Regulations; narrow endemic species as listed in the Biology Guidelines; or covered species as listed in the City's Multiple Species Conservation Plan Subarea.

A site-specific biological resources technical study (Helix Environmental Planning [HELIX], July 2024) was prepared in accordance with the City's Biology Guidelines, MSCP, and CEQA requirements. As a part of the biological analysis, five biological surveys were conducted at the project site by a qualified biologist between 2021 and 2024. No sensitive wildlife species were observed during these surveys, and two sensitive plant species were observed onsite outside of the development footprint. The qualified biologist completed a sensitive species potential to occur analysis based on a literature review and site conditions. The analysis identified six special status species with a high potential to occur that were assumed to be present in the undeveloped hillside area of the site, where no development is proposed.

The Appellant's claim that the report failed to identify special-status species on the project site is not supported by substantial evidence considering the Appellant's biologist surveyed the incorrect site, incorrectly identified species as sensitive, and the project biological technical report did identify that there are two sensitive plant species present and six other sensitive species as potentially present on the undeveloped portion of the project site. Overall, the Appellant's comments related to the diversity of species on the project site, based on a different site on the valley floor, and assertions that the Mitigated Negative Declaration did not account for sensitive species, are inaccurate. The Subsequent Mitigated Negative Declaration analysis is supported by a biological technical report completed by a qualified biologist in accordance with the Biology Guidelines.

The Appellant claims the Subsequent Mitigated Negative Declaration does not identify the environmental setting. However, the environmental document describes the general environmental setting in Section 3.1 of the Subsequent Initial Study Checklist, consistent with CEQA Guidelines Section 15063(d)(2). In addition, the biological technical report includes a setting description specific to biological resources.

The Council found that the environmental determination was completed in compliance with CEQA and the CEQA Guidelines and the Hearing Officer's adoption of the Subsequent MND was approved by the Council on July 21, 2025 (Attachment 3).

Appeal Issue 4

Appellant States:

MND relied on an inadequate biological report.

Staff Response:

As detailed above, the biological resources technical study that informed the Subsequent Mitigated Negative Declaration was prepared by a qualified biologist in accordance with the City's Biology Guidelines, MSCP, and CEQA requirements. The methodologies included both a comprehensive literature review and field survey components in accordance with the City's Biology Guidelines. The field surveys included five site visits at different times of the year during 2021, 2022, 2023, and 2024. Habitat boundaries were defined by the qualified biologist, and the Appellant provides no evidence or first-hand observation supporting the claim that the boundaries between vegetation communities on the project site are more defined. The Crotch's bumble bee habitat assessment survey was conducted in accordance with the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species, as specified in the report. The Appellant fails to provide any support or evidence that the bumble bee habitat assessment did not meet the California Department of Fish and Wildlife (CDFW) guidelines.

The biological technical report literature review meets the requirements of the City's Biology Guidelines. The database search not only included the California Natural Diversity Database (CNDDDB) as the Appellant references but also records from the United States Fish and Wildlife Service (USFWS), SanBIOS, iNaturalist, eBird, HELIX's own records, and other regional sources. The analysis for species' potential to occur is highly dependent on whether those species' habitat associations and requirements occur on or in the immediate vicinity of the project site, and whether those species have the potential to utilize the habitat on or in the immediate vicinity of the project site for breeding, foraging, dispersal, or other life history requirements. The analysis of species' potential to occur would not include those species that are unlikely to use the habitat present on or in the immediate vicinity of the project site. Therefore, the literature review and methodologies implemented for the biological resources technical study satisfy the requirements of the City's Biology Guidelines as well as the CDFW guidelines related to the Crotch's bumble bee. The Mitigated Negative Declaration's reliance on the applicant's biological technical reporting prepared by a qualified biologist in accordance with the City's Biology Guidelines, MSCP, and CEQA requirements was appropriate.

The Council found that the environmental determination was completed in compliance with CEQA and the CEQA Guidelines and the Hearing Officer's adoption of the Subsequent MND was approved by the Council on July 21, 2025 (Attachment 3).

Appeal Issue 5

Appellant States:

The Project will have a significant impact on reproductive capacity as a result of habitat loss, fragmentation, and alteration.

Staff Response:

The Appellant does not provide sufficient information to support this claim. As mentioned above,

the Appellant's biological survey and analysis were conducted on the wrong site. The 10.2-acre project site is developed with existing buildings, and the proposed development would be located primarily in the 3.6-acre existing development footprint. The remaining acreage is subject to an open space easement. The project would impact 0.07 acres of Tier I southern maritime chaparral, as analyzed in the Subsequent Mitigated Negative Declaration. Pursuant to the City's CEQA Significance Determination Thresholds, impacts to Tier I habitat totaling less than 0.1 acre are not considered significant and do not require mitigation. In addition, the project was conditioned to comply with the City's MSCP Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines, which prevent significant indirect impacts.

As detailed in the Subsequent Mitigated Negative Declaration and biological resources technical Report, the project would comply with the City's Biology Guidelines, MSCP, and CEQA requirements, which would avoid any significant habitat loss, fragmentation, or alteration. In addition, the direct loss of 0.07 acre of habitat would not constitute a significant impact on reproductive capacity as a result of habitat loss or alteration. The impacts would not result in habitat fragmentation as the impact areas are restricted to areas of existing development.

The Council found, based upon substantial evidence in light of the whole record, the 11011 Torreyana Road Project would not result in any significant or potentially significant impacts or effects on the environment (Attachment 3).

Appeal Issue 6

Appellant States:

The project will have significant impacts on wildlife as a result of collisions with additional traffic generated by the project.

Staff Response:

The roadway wildlife collision analysis provided by the Appellant represents a significantly different condition from the proposed project and does not provide an accurate representation of project effects. The appellant's analysis does not consider that the project consists of redeveloping existing Research and Development uses with similar uses. The roadways already exist, and the project does not propose any roadway construction through a wildlife corridor area that would introduce a wildlife collision issue. In addition, the roadway conditions assumed in the Appellant's analysis are not accurate or reflective of the project roadway conditions. The roadway wildlife collision rate utilized by the Appellant is based on the conditions of Vasco Road in Contra Costa County, which is a major rural arterial with a 50-55 mile per hour speed limit, heavily traveled by commuters through an undeveloped area. The roadways primarily utilized by the traffic generated by the project (Torreyana Road, to Callan Road, south along N. Torrey Pines Road to Genesee Avenue to Interstate 5) are located within urban areas, not surrounded by vast open spaces, as assumed in the Appellant's analysis. The calculations provided by the Appellant regarding wildlife collisions are therefore incorrect and unsubstantiated. In addition to the wildlife collision numbers being

inaccurate, Appellant's comment incorrectly assumes that impacts to all wildlife species would be considered significant. Impacts to common species would be less than significant and do not require mitigation. No substantial evidence was provided that the project may result in significant impacts. A redevelopment project located in an urbanized area at this project site is not anticipated to result in a significant impact on wildlife due to traffic collisions. The biological resources technical study provided a complete and adequate analysis of potential impacts on special status wildlife, wildlife corridors and nursery sites, and nesting birds, among other topics required pursuant to the City's Biology Guidelines, MSCP, and CEQA and concluded that no significant impacts would occur.

The Council found, based upon substantial evidence in light of the whole record, the 11011 Torreyana Road Project would not result in any significant or potentially significant impacts or effects on the environment (Attachment 3).

Appeal Issue 7

Appellant States:

The project will have a significant impact on birds as a result of window collisions.

Staff Response:

The project permit has been conditioned to incorporate bird-safe glass into the design to reduce potential window collisions by birds. The methods to be utilized would be consistent with the guidance provided in the USFWS publication Low-Cost Methods to Reduce Bird Collisions with Glass, prepared June 4, 2021 (<https://www.fws.gov/media/low-cost-methods-reduce-bird-collisions-glass>). Per the permit conditions, bird-safe glass shall include the use of glass with ultraviolet reflective patterns visible to birds but transparent to the human eye (such as GlasPro Bird Safe Ultraviolet Reflective Glass), or etched or patterned glass that provides a visual barrier. Patterned or etched glass shall have vertical stripes at least ¼ inch wide with a maximum spacing of four inches, or horizontal stripes that are at least ¼ inch wide with a maximum spacing of two inches. Window collision impacts would be less than significant. As impacts would be less than significant, the preparation of an EIR is not warranted.

The Council found, based upon substantial evidence in light of the whole record, the 11011 Torreyana Road Project would not result in any significant or potentially significant impacts or effects on the environment (Attachment 3).

Appeal Issue 8

Appellant States:

The project is incompatible with the MSCP Subarea Plan and Existing Easement Agreement

Staff Response:

The project was found to be compatible and consistent with the MSCP Subarea Plan and existing Easement Agreement. The project is located outside of the MHPA per the City's MSCP. The closest MHPA to the project is approximately 280 feet to the east. The biological resources technical study provided a complete analysis of project consistency with the City's MSCP, including covered and non-covered species, tier habitat types, wetlands, MHPA, Land Use Adjacency Guidelines, general management directives, general planning policies and design guidelines, conditions of coverage for sensitive species, and other consistency items. The Appellant speculates that the existing development may include the use of rodenticides that could introduce toxins into the MHPA, in conflict with the Land Use Adjacency Guidelines. The Biological Technical Report refers to the use of rodent traps (not rodenticide), and the requested project permit includes a standard condition requiring compliance with the Land Use Adjacency Guidelines, which address the application and/or drainage of chemicals into the MHPA. Project impacts are primarily restricted to existing 3.6-acre disturbed and developed portions of the property that occur outside of the existing open space easement. The proposed open parking area improvements are allowed on the project site (Lot 7) per the express terms of the easement as indicated on Sheet 1 of Map No. [8434](#) filed in the Office of the County Recorder of San Diego County on December 10, 1976. As indicated above, no significant impact on wildlife related to window collisions or project traffic was identified, and no mitigation is required. Pursuant to the City's Environmentally Sensitive Lands Regulations, a new Covenant of Easement would be recorded over all remaining sensitive habitat and steep slopes onsite as a condition of project approval. The project complies with the MSCP and the existing open space easement.

Appeal Issue 9

Appellant States:

Cumulative Impacts: CEQA documents, such as the MND, must discuss cumulative biological impacts and mitigate significant cumulative impacts.

Staff Response:

The project consists of a redevelopment project within a similar existing development footprint and would not substantially contribute to cumulative significant impacts to habitat or sensitive species. As addressed above, Appellant's claims regarding wildlife collisions with windows or project-generated traffic, or pest control are unsubstantiated and inaccurate. Cumulative impacts on biological resources in the City are addressed through project consistency with the City's MSCP Subarea Plan. The project was found to be consistent with the City's MSCP as well as local, state, and federal regulations. The Mitigated Negative Declaration's conclusion that cumulative impacts would be less than significant is supported by substantial evidence. The Council found that a fair argument, based upon evidence found in the whole record, has not been established demonstrating that the Project may have significant environmental impacts (Attachment 3).

Appeal Issue 10

Appellant States:

MND proposed mitigation measures are insufficient to reduce the project's biological impacts (deferred mitigation).

Staff Response:

As detailed in the responses above, the project does not result in direct or indirect impacts to sensitive biological resources; therefore, mitigation is not required. The Subsequent Mitigated Negative Declaration and supporting biological resources technical study fully analyzed project impacts in accordance with the City's Biology Guidelines, MSCP, and CEQA requirements. The Council found that a fair argument, based upon evidence found in the whole record, has not been established demonstrating that the Project may have significant environmental impacts (Attachment 3).

California Coastal Commission

On July 30, 2025, the California Coastal Commission sent an email to staff raising issues with the project's environmental review, consistency with community plan policies, and brush management impacts. City staff have reviewed the email and prepared a table with detailed responses to each issue (Attachments 9 and 10). The impacts of the project were adequately analyzed, and the appropriate environmental determination was made by staff. The project was reviewed for consistency with the existing certified University Community Plan, and staff determined the project is consistent with the University Community Plan's goals, policies, and objectives. The development provides a 35-foot or more Brush Management Zone 1 and does not impact ESL, and provides up to 65 feet of Brush Management Zone 2 which is consistent with the Landscape Regulations set forth in SDMC Section [142.0412](#). After thoroughly reviewing each issue from the California Coastal Commission, staff continues to support approval of the project.

Conclusion:

City staff has reviewed this application for a Coastal Development Permit and Site Development Permit and has determined that the project is consistent with the recommended land use and development standards in effect for the site. Staff has provided draft findings (Attachment 8) and conditions (Attachment 7) to support approval of the project. Therefore, staff recommends that the Planning Commission deny the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. PMT-3158584 and Site Development Permit No. PMT-3158586.

ALTERNATIVES

1. Deny the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. PMT-3158584 and Site Development Permit No. PMT-3158586, with modifications.
2. Grant the appeal and reverse the Hearing Officer's decision to approve Coastal Development Permit No. PMT-3158584 and Site Development Permit No. PMT-3158586.

Respectfully submitted,


Michael Prinz
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Development Services Department


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Development Project Manager
Development Services Department

Attachments:

1. Hearing Officer Report [HO-25-013](#)
2. Staff Report to the City Council
3. City Council Resolution No. [R-316352](#)
4. Memorandum to the Hearing Officer
5. Appeal Application dated April 16, 2025, by Lozeau Drury LLP, on behalf of SAFER
6. Sheet 1 of Map No. 8434
7. Draft Permit with Conditions
8. Draft Permit Resolution with Findings
9. California Coastal Commission email dated July 30, 2025
10. California Coastal Commission Issues and Staff Responses Table
11. Vegetation Communities and Sensitive Resources Map prepared by HELIX Environmental Planning