



**THE CITY OF SAN DIEGO**

**M E M O R A N D U M**

**DATE:** June 4, 2026

**TO:** City of San Diego Hearing Officer

**FROM:** Martin R. Mendez, Development Project Manager, Development Services Department

**SUBJECT:** PRJ-1062368 - 10509 Vista Sorrento Parkway Project Correction Memorandum

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This memorandum addresses corrections and clarifications to the documents that were prepared for the 10509 Vista Sorrento Parkway Project, Project No. PRJ-1062368. The following are the corrections and clarifications made to the documents:

1. The Staff Report has been updated to include the following:
  - a. Page 1: Added the date the staff report was updated, June 4, 2026.
  - b. Page 1: The hearing date changed from May 6, 2026, to June 10, 2026.
  - c. Page 4 and Page 5: Added the following text “and Cooper’s Hawk” to clarify MHPA Land Use Adjacency Guidelines also apply to the Cooper’s Hawk (sensitive species).
  - d. Page 8 and 9: Added information related to the California Environmental Quality Act (CEQA) Section 15162 Consistency Evaluation Memorandum and associated mitigation measures.
2. The Draft Permit Resolution with Findings (Staff Report - Attachment 4) has been updated to include the following:
  - a. Pages 4, 12, and 13: Added reference to Cooper’s Hawk as a sensitive species with a potential to be present within the MHPA requiring monitoring and mitigation during breeding season.
  - b. Pages 14 and 15: Added information related to the Program Environmental Impact Report (PEIR) for the Mira Mesa Community Plan and the associated mitigation measures for noise impacts.
  - c. Page 16: Changed the Adopted date from May 6, 2026, to June 10, 2026.
3. The Draft Permit with Conditions (Staff Report Attachment 5) has been updated to include the following:
  - a. Page 1: “[MMRP]” and updated the date of the Exhibit “A” from May 6, 2026, to June 10, 2026.
  - b. Page 2: Updated the utilization date from May 21, 2029, to June 26, 2029.

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- c. Page 5: Removed duplicate condition no.22, subsequent conditions renumbered accordingly. Added condition no. 23.
  - d. Page 6: added condition no. 24.
  - e. Page 15: Added Environmental/Mitigation Requirements, conditions 51, 52 and 53. Revised the approval date from May 6, 2026, to June 10, 2026.
  - f. Page 16: Revised the approval date from May 6, 2026, to June 10, 2026
4. A new CEQA Section 15162 Consistency Evaluation Memorandum dated June 3, 2026, has been prepared (Attachment 11).

Thank you,



Martin R. Mendez  
Development Project Manager

Attachments: Staff Report (Updated June 4, 2026)  
Draft Permit Resolution (Staff Report Attachment 4)  
Draft Permit (Staff Report Attachment 5)  
CEQA Section 15162 Consistency Evaluation Memorandum (Staff Report Attachment 11)

cc: Michael Prinz, Assistant Deputy Director, Development Services Department



THE CITY OF SAN DIEGO

## Report to the Hearing Officer

DATE ISSUED: April 22, 2026 REPORT NO. HO-26-031

**UPDATED:** June 4, 2026

HEARING DATE: ~~May 6, 2026~~ June 10, 2026

SUBJECT: 10509 VISTA SORRENTO PARKWAY, Process Three Decision

PROJECT NUMBER: [PRJ-1062368](#)

REFERENCE: Coastal Development Permit (CDP) No. F7919, issued by the California Coastal Commission on May 2, 1979.

OWNER/APPLICANT: LS VISTA SORRENTO II, LLC, a Delaware Limited Liability Company, Owner; and WARE MALCOMB, Applicant

### SUMMARY

Issues: Should the Hearing Officer approve a Coastal Development Permit (CDP), a Neighborhood Development Permit (NDP), a Site Development Permit (SDP), and a Public Service Easement Vacation of a Sewer, Water, Drainage and Public Utilities Easement for the demolition of an existing four-story building and associated site improvements and the construction of a four-story, 112,400-square-foot office building, a 189,795-square-foot six-story parking garage, and associated site improvements, and the vacation of an existing four-foot-wide, 4,313.76-square-foot Sewer, Water, Drainage and Public Utilities Easement, on a 5.58-acre site located at [10509 Vista Sorrento Parkway](#) within the [Mira Mesa Community Plan](#) area?

### Staff Recommendations:

1. APPROVE Coastal Development Permit (CDP) No. [PMT-3164687](#), Neighborhood Development Permit (NDP) No. [PMT-3164688](#), and Site Development Permit (SDP) No. [PMT-3407775](#); and
2. APPROVE Public Service Easement Vacation No. [PMT-3351728](#).

Community Planning Group Recommendation: On April 17, 2023, the Mira Mesa Community Planning Group voted 11-1-1 to recommend approval with the condition that the project is

consistent with the Mira Mesa Community Plan (Attachment 8).

Environmental Review: The Development Services Department (DSD) has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent Environmental Impact Reports and Negative Declarations consistency evaluation for the proposed 10509 Vista Sorrento project. See California Code of Regulations (C.C.R.) Title 14 §15162. The proposed project is consistent with the original Mira Mesa Community Plan Update Program Environmental Impact Report / SCH No. 2022090061 (PEIR) certified by the San Diego City Council on December 14, 2022, per San Diego Resolution No. R-314479.; and would not result in new impacts.

Fiscal Impact Statement: None with this action. Project processing is funded by a deposit account maintained by the applicant.

Housing Impact Statement: The project does not propose housing; therefore, there is no housing impact.

## BACKGROUND

### Existing Base Zone and Overlay Zones:

The 5.58-acre site is located at 10509 Vista Sorrento Parkway within the [Mira Mesa Community Plan](#) (MMCP). The site is located in the IL-3-1 (Industrial-Light) zone and the Coastal Overlay Zone (Non-Appealable Area), the Parking Impact Overlay Zone, the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station [MCAS] Miramar, Review Area 1) the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) Noise Contours (CNEL) MCAS Miramar 60 - 65 CNEL, MCAS Miramar Accident Potential Zone II (APZ-II), the Federal Aviation Administration (FAA) Part 77 Noticing Area, Complete Communities Mobility Choices Mobility Zone 2, and a Very High Fire Hazard Severity Zone (VHFSZ). The IL-3-1 zone allows Industrial Research and Development (R&D) use with some testing labs and light manufacturing.

### Mira Mesa Community Plan (MMCP)

The MMCP designates the site as Technology Park ([MMCP Figure 2-2, page 24](#)). This designation allows high-technology uses related to applied sciences, including research and development, corporate headquarters, light manufacturing, and storage and distribution. This designation also allows office uses that provide functions directly related to high-technology uses. Sites with shared amenities, business incubators, and flexible innovation spaces are encouraged. The Community Plan is also the Local Coastal Program (LCP).

### General Plan Designation

The [General Plan Land Use and Community Planning Element](#) designates the site as Industrial Employment ([Figure LU-2, Land Use and Community Planning Element, Page 27](#)). The project site is also identified as Prime Industrial Land in the General Plan's [Economic Prosperity Element \(Figure EP-1\)](#).

### Existing Use and Site Conditions

The site was previously graded and developed with an 84,000-square-foot four-story office building and associated site improvements. Vista Sorrento Parkway and Interstate 805 are immediately southwest of the project site, and an undeveloped hillside with a combination of native and non-native vegetation occurs to the northeast. The site is located on a hill sloping upward from Vista Sorrento Parkway to the northeast. Site elevation ranges from approximately 120 to 276 feet above mean sea level, with the highest elevation along the northwestern corner of the site, and the lowest elevation to the south along Vista Sorrento Parkway. A steep slope occurs along the northeastern boundary, including both a manufactured slope with landscaping and a natural slope densely vegetated with coastal sage scrub.

The project site is located within the Coastal Overlay Zone, with a 0.14-acre portion of the Multi-Habitat Planning Area (MHPA) located at the northeastern corner (See Attachment 10). The portion of MHPA that overlaps the project boundary at the northeast corner includes an area that is deed-restricted for conservation in accordance with Coastal Development Permit No. 6-84-399, executed October 10, 1984, prior to the establishment of the MHPA. This segment of the MHPA extends from the project vicinity northwest to Lopez Canyon.

## DISCUSSION

The project proposes a new commercial office building and a six-story parking garage with parking as a primary use and associated site improvements, which include landscaping, hardscape, site furnishings, and site lighting.

### Project Description:

The project would be constructed in two phases. Phase 1 consists of demolishing a portion of the existing surface parking lot and accessory structures to construct a 6-story, 189,475-square-foot parking garage. Phase 2 consists of demolishing an existing four-story office building, completing demolition of the existing parking lot and the constructing a new four-story, 112,400 square-foot commercial office building for uses allowed within the IL-3-1 zone, including research and development (R&D) use, laboratory use, corporate headquarters and other office uses and associated site improvements to include landscaping, hardscape, site furnishings, and site lighting.

### On-Site Environmentally Sensitive Lands (ESL):

As previously described the project site includes on-site MHPA which is located outside the development impact area. The MHPA is the City's habitat preserve, established by the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan, and was designed to protect and preserve native habitats for native animals and plants, sustaining the unique biodiversity of the San Diego region. No sensitive plant species were observed within the project area at the time of the field survey for the site-specific Biology Report prepared by Recon Environmental, Inc., dated July 1, 2025; therefore, no direct impacts to sensitive plant species are anticipated to result from the project.

The Biology Report identified that the project has the potential to have direct impacts on sensitive

wildlife species. Those species are described in the biology survey, with identified potential impacts to Coastal California gnatcatcher, Southern California rufous-crowned sparrow, Cooper's hawk and Crotch's bumblebee. The identified species have the potential to occur on-site and off-site adjacent to the project, but are not expected to occur within the proposed development area. Therefore, no direct impacts to sensitive species would occur. Permit conditions such as the requirement for an impact avoidance area, avoidance of construction activities during breeding seasons for sensitive wildlife species, noise monitoring and construction monitoring by a qualified biologist would address requirements for protecting sensitive resources associated with the proposed development.

The MSCP establishes specific guidelines that limit activities that occur within the MHPA. In general, activities occurring within the MHPA must conform to these guidelines and, wherever feasible, should be located in the least sensitive areas. The project was designed to avoid and limit impacts to environmentally sensitive lands, including the MHPA, and sensitive biological resources. Permit conditions will ensure compliance with the MHPA Land Use Adjacency Guidelines (LUAG) in Section 1.4.3 of the MSCP Subarea Plan to avoid indirect impacts on potential sensitive species and habitats within the adjacent MHPA, including the Coastal California gnatcatcher and Cooper's Hawk, specifically in the following areas:

- Grading/Land Development/MHPA Boundaries
- Drainage
- Toxics/Project Staging Areas/Equipment Storage
- Lighting
- Barriers
- Invasives
- Brush management
- Noise

The project would not substantially change the existing drainage. It is located downslope of the MHPA, and no runoff would enter the MHPA from the site. Therefore, the proposed project would not increase the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements into the MHPA. The project would also incorporate best management practices, such as monitoring, flagging, staking, or biological fencing around sensitive areas, to ensure toxins from construction and project implementation do not cause indirect impacts to sensitive biological resources outside the project footprint, including those within the MHPA.

The existing parking structure and project lighting are separated from the adjacent MHPA by a manufactured slope that shields the MHPA, which occurs on natural and manufactured slopes above the grade of elevations associated with any proposed structures. This slope currently serves as a physical barrier to access to the MHPA. In addition, all new outdoor lighting adjacent to the MHPA shall be directed downward and adjusted to fall on the same premises where such lights are located, in accordance with the [San Diego Municipal Code \(SDMC\) Section 142.0740](#). No light spill from outdoor lighting will occur within the MHPA.

Uses in or adjacent to the MHPA would be designed to minimize noise impacts. The project will be conditioned to monitor and mitigate noise impacts that exceed the maximum levels allowed, which

shall be avoided during the breeding season for the coastal California gnatcatcher [and Cooper's Hawk](#) (March 1–August 15).

New landscaping would be required to follow standard landscape guidelines and would not include any invasive plant species. Brush Management Zone 1 is within the on-site urban/developed portion and outside the MHPA. A total of 0.05 acres of Brush Management Zone 2 occurs inside the MHPA. Zone 2 impacts would occur within urban/developed land, which consists of a manufactured slope with irrigated landscape vegetation that was developed in accordance with the 1984 site plan prior to the establishment of the MHPA. In accordance with [SDMC Section 142.0412](#), non-native plants will be thinned preferentially over native plants.

The project is designed to avoid grading into the MHPA. Project grading occurs within the development footprint and does not encroach into the MHPA. Staff reviewed and accepted a preliminary geotechnical report that concluded that the project adequately addresses soil and geologic conditions and drainage. Construction would involve a variety of heavy equipment associated with intensive earthwork, structural, and paving phases. Grading activities would be required to comply with the City's Grading Ordinance and Stormwater Standards, which would ensure soil erosion and topsoil loss are minimized to levels below significance. Furthermore, permanent post-construction stormwater Best Management Practices (BMPs) would also be required, consistent with the City's regulations. Based on regional mapping and site-specific analysis evaluated in the Geotechnical Investigation, the potential for landslides, slope instability, and liquefaction are not a significant concern. Finally, the project would be required to comply with seismic requirements of the California Building Code (CBC) and use proper engineering design and standard construction practices, to be verified at the building permit stage.

The proposed project will not impact ESL located on the site. All proposed landscaping within the development area proposes native and non-native, non-invasive, and/or drought-tolerant plants. The project will be developed in accordance with current regulations of the Land Development Code, including brush management regulations and current drainage regulations and standards.

#### Required Approvals:

Due to process consolidation, all actions are consolidated and processed as a Process Three per [SDMC Section 112.0103](#), with the Hearing Officer as the decision-maker.

The project requires:

1. Process Two Neighborhood Development Permit (NDP) for Non-residential development where an alternative method of calculation is requested to demonstrate compliance with the maximum intensity (people per acre) in accordance with [SDMC Section 126.0402\(l\)\(1\)](#) and [SDMC Section 132.1515\(d\)](#) within the APZ-II for MCAS Miramar;
2. Process Two Coastal Development Permit (CDP) for development in the non-appealable area of the Coastal Overlay Zone per [SDMC Section 126.0707\(a\)](#);

3. Process Three Site Development Permit (SDP) for development on a premise that contains ESL in accordance with [SDMC Section 126.0502\(a\)\(3\)](#).
4. Process Two Easement Vacation in accordance with [SDMC Section 125.1030\(b\)](#) for a public service easement vacation.

The Project would comply with the development regulations of the San Diego Municipal Code, including required setbacks, floor area ratio (FAR), building height, refuse and recycling areas, outdoor amenities, parking requirements, and circulation.

#### Project Related Issues:

1. Airport Land Use Compatibility:

The site is located within Accident Potential Zone (APZ) II as depicted in the MCAS Miramar ALUCP. Per [SDMC Table 132-15G](#), R&D use is a "limited use" within APZ II and is conditionally compatible if development is limited to a FAR of 0.34 (Research and Development Land Use type in accordance with Table MIR-2 Safety Compatibility Criteria for MCAS Miramar) or has a maximum intensity of more than 50 people per acre. The intent of this regulation is to limit the intensity (people per acre) in APZ II, and the SDMC acknowledges that FAR may not accurately predict the intensity for certain land uses. To accommodate this, the SDMC allows for alternative methods of calculation to demonstrate compliance with the maximum intensity (people per acre) through an NDP in accordance with, [SDMC 132.1515\(d\)](#). The project site is 5.44 acres; therefore, 272 people (50 x 5.44) are allowed.

The Vehicle Occupancy designation shown in [Appendix D of the MCAS Miramar ALUCP](#) identifies that R&D and light industry facilities require a range of 300 to 500 square feet per occupant (employee). The project proposes to divide the upper bound limit (500) by 1.05 (Vehicle Occupancy for Work purpose ranges from 1.05 to 1.2 as shown in Appendix D), which equals 476 square feet per person (500/1.05). This works out to a maximum allowable gross floor area of 129,472 square feet (272 people x 476 square feet per person) per [SDMC Section 132.1515\(c\)\(2\)\(E\)\(ii\)](#). Non-Residential Accessory Uses permitted in accordance with [SDMC Section 131.0125](#) may exempt up to 10 percent of the total floor area from the people per acre calculation where the accessory use is neither an assembly room designed to accommodate more than 650 people, nor an institutional use identified as "Not Permitted" in the designated Safety Zone. The project proposes 112,400 square feet of floor area, which is below the allowed floor area of 129,472 square feet.

2. Public Service Easement Vacation:

The site has an encumbrance in the form of a four-foot-wide, 4,313.76-square-foot (0.09-acre), Sewer, Water, Drainage and Public Utilities Easement located along the northern and eastern property lines, fully within the property. The original purpose for establishing the easement no longer exists because all necessary public utilities are now provided through alternate easements or public rights-of-way that will remain in service.

### Community Plan Analysis:

The site is designated Technology Park in the MMCP and for Industrial Employment land uses as described within the General Plan. The applicable zoning regulations and land use designation allow high technology uses related to applied sciences which include R&D uses consistent with the proposed Project. A goal of the MMCP is the preservation of an adequate supply of industrial land, including Prime Industrial Lands, to accommodate existing, new and the relocation of industrial uses for the City's Economic base ([Page 81](#)). The Project supports this goal by redeveloping the site for R&D uses.

The site is included in the General Plan's Economic Prosperity Element as Prime Industrial land on [Figure EP-1](#) which identifies areas that support export-oriented base sector activities such as warehouse distribution, heavy or light manufacturing, research and development uses. The General Plan provides several policies which are intended to protect base sector industrial uses and those areas identified as prime industrial lands. [Policies EP-A.1 through EP-A.5](#) and [EP-A.11](#) aim to encourage growth and protect base sector uses that provide quality job opportunities, encourage expansion of existing industrial uses to facilitate retention in the area in which they are located, mitigate any environmental impacts to adjacent land and be adequately served by existing and planned infrastructure. The project would support these policies by redeveloping the site for Industrial R&D use and for a parking structure for shared use.

The MHPA lands at the northeast corner of the project site are partially within the deed-restricted area on the eastern hillside portion of the site to be conserved in favor of the California Coastal Commission in accordance with Coastal Development Permit No. 6-84-399, executed October 10, 1984. The deed-restricted portion of the site and the MHPA lands located on site shall support the MMCP and Local Coastal Program (LCP) goal of conserving environmentally sensitive lands and minimizing the disturbance of hillsides by developing within previously disturbed lands and manufactured slopes. Additionally, the Project will conform with brush management regulations and landscaping will consist of low water use plant materials suitable for the climate zone including native shrubs and grasses as well as low maintenance materials such as decomposed granite in accordance with the applicable landscape standards and regulations. In accordance with the MMCP the Project will incorporate Stormwater construction and post-construction BMPs including the utilization of Low-Impact Development (LID) practices which will include bio-retention areas for the treatment and management of urban stormwater runoff.

The property is located approximately two miles east of the Pacific Ocean, east of Interstate 805 (I-805) and is not located between the first public roadway and the ocean or shoreline for any body of water within the Coastal Overlay Zone. Therefore, the proposed development will not encroach upon any existing physical accessway that is legally used by the public to access the coast, or any proposed public accessway as identified in the Community Plan.

## Environmental Analysis:

The Development Services Department (DSD) has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent Environmental Impact Reports and Negative Declarations consistency evaluation for the proposed 10509 Vista Sorrento project (Project).

This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed 10509 Vista Sorrento Project. As outlined in the evaluation, DSD has determined that the proposed Project is consistent with the original Mira Mesa Community Plan ([MMCP](#)) Update Program Environmental Impact Report / SCH No. 2022090061 (PEIR) certified by the San Diego City Council on December 14, 2022, per Resolution No. R-314479.; and would not result in new impacts. [The PEIR conducted a program-level analysis that would require the implementation of the associated mitigation framework. The mitigation framework contains mitigation measures for air quality \(air quality plans, Regional Air Quality Strategy \[RAQS\]\), historical resources, and noise \(construction and vibration\).](#)

To address transportation-related impacts, the project proposes the implementation of Vehicle Miles Traveled (VMT) Reduction Measures in accordance with the Mobility Choices Regulations, [SDMC Section 143.113\(b\)\(1\)](#).

The proposed VMT reduction measures would include the following:

1. Provide long-term bicycle parking spaces at least 10% beyond the minimum requirements.
  - Long-term bicycle parking required = 14 spaces
  - Long-term bicycle parking provided = 34 spaces

By providing 34 long-term spaces approximately 143% above the minimum requirement, resulting in 29 points under this measure (2 points per 10% increment above the minimum). Based on the VMT reduction measure described above, the Project exceeds the minimum 5-point requirement and is therefore conforms with the Mobility Choices Regulations, [SDMC Chapter 14, Article 3, Division 11](#).

[In regard to historical resources, an initial investigation was conducted to determine if cultural resources are present on the project site. A record search of the California Historic Resources Information System \(CHRIS\) digital database was reviewed by staff and it was determined that the project site did not have any recorded archaeological sites or known cultural resources within or adjacent to the property. Therefore, the comprehensive archaeological evaluations and procedures required under PEIR Mitigation Measure HIST-1 would not apply to the project.](#)

[On May 6, 2026, the project was scheduled for a Hearing Officer public hearing. Prior to the hearing, correspondence was received with comments related to the CEQA section 15162 Consistency Evaluation Memorandum dated April 14, 2026. The correspondence received provided several comments related to the project and identified that the PEIR Mitigation Framework required the implementation of Air Quality and Noise mitigation measures. Therefore, staff requested that the](#)

item be continued to allow staff time to evaluate the comments received. In response to the comments received, a new evaluation was performed to determine whether the conditions specified in CEQA section 15162 would require preparation of a subsequent or new environmental document. As outlined in this new Evaluation, the City has determined that the Project is consistent with the previously certified PEIR SCH No. 2022090061 (PEIR). Furthermore, the evaluation reflects revisions to the Air Quality and Noise analyses as well as the addition of mitigation measures consistent with the requirements of the Mitigation Monitoring and Reporting Program for the PEIR. The revisions do not affect the determination of a CEQA Section 15162 Consistency Evaluation or conclusions included therein.

CONCLUSION:

Staff has reviewed the project plans, technical studies and reports; and all the necessary findings can be made to approve the project as discussed in depth above and demonstrated in the resolutions of approval (Attachments 4 and 6). Staff recommend that the Hearing Officer APPROVE Coastal Development Permit (CDP) No. PMT-3164687, Neighborhood Development Permit (NDP) No. PMT-3164688, and Site Development Permit (SDP) No. PMT-3407775, and Public Service Easement Vacation No. PMT-3351728.

ALTERNATIVES

1. APPROVE Coastal Development Permit (CDP) No. PMT-3164687, Neighborhood Development Permit (NDP) No. PMT-3164688, and Site Development Permit (SDP) No. PMT-3407775, and Public Service Easement Vacation No. PMT-3351728, with modifications.
2. DENY Coastal Development Permit (CDP) No. PMT-3164687, Neighborhood Development Permit (NDP) No. PMT-3164688, and Site Development Permit (SDP) No. PMT-3407775, and Public Service Easement Vacation No. PMT-3351728, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Martin R. Mendez  
Development Project Manager  
Development Services Department

Attachments:

1. Aerial Photographs
2. Project Location Map
3. Community Plan Land Use Map
4. Draft Permit Resolution with Findings

5. Draft Permit with Conditions
6. Draft Easement Vacation Resolution with Findings
7. Project Plans
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement (DSD Form DS-318)
10. Multi-Habitat Planning Area Map
11. California Environmental Quality Act – Section 15162 Evaluation Memorandum

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HEARING OFFICER RESOLUTION NO. \_\_\_\_\_

COASTAL DEVELOPMENT PERMIT NO. PMT-3164687  
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3164688  
SITE DEVELOPMENT PERMIT NO. PMT-3407775  
**10509 VISTA SORRENTO PARKWAY - PROJECT NO. PRJ-1062368**

RECITALS

The Hearing Officer the City of San Diego adopts this Resolution based on the following:

A. LS VISTA SORRENTO II, LLC, a Delaware limited liability company, Owner/Permittee, submitted an application to the City of San Diego for a Coastal Development Permit, a Neighborhood Development Permit, a Site Development Permit and a Public Service Utility Easement Vacation for the demolition of an existing four-story building, trash enclosure and mechanical equipment enclosure for the construction of a four-story building totaling 112,400 square feet, an on-grade six-story parking garage totaling 189,795-square-feet, and associated site improvements (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval), for the 10509 Vista Sorrento Parkway project (Project).

B. The 5.58-acre site is located at 10509 Vista Sorrento Parkway within the Mira Mesa Community Plan. The site is located in the IL-3-1 (Industrial-Light) zone and the Coastal Overlay Zone (Non-Appealable Area), the Parking Impact Overlay Zone, the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station [MCAS] Miramar, Review Area 1) the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) Noise Contours (CNEL) MCAS Miramar 60 - 65 CNEL, MCAS Miramar Accident Potential Zone II (APZ-II), the Federal Aviation Administration (FAA) Part 77 Noticing Area, Complete Communities Mobility Choices Mobility Zone 2, and a Very High Fire Hazard Severity Zone (VHFSZ). The project site is legally described as THAT PORTION OF ACRE LOT 8 OF THE TOWN OF SORRENTO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 483, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY,

FEBRUARY 9, 1888, WHICH LIES NORTHWESTERLY OF THE LOCATION AND NORTHEASTERLY PROLONGATION OF A LINE, WHICH IS PARALLEL WITH AND 700.00 FEET NORTHWESTERLY, AT RIGHT ANGLES, FROM THE SOUTHEASTERLY LINE OF SAID LOT 8.

C. On May 6, 2026, the Hearing Officer considered Coastal Development Permit No. PMT-3164687, Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-3407775 pursuant to the Land Development Code of the City of San Diego.

ACTION ITEMS

Be it resolved by the Hearing Officer of the City of San Diego:

1. The Hearing Officer adopts the following findings with respect to Coastal Development Permit No. PMT-3164687, Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-3407775:

**A. COASTAL DEVELOPMENT PERMIT [SDMC SECTION 126.0708]**

- I. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The property is located approximately two miles east of the Pacific Ocean, east of Interstate 805 (I-805) and is not located between the first public roadway and the ocean or shoreline for any body of water within the Coastal Overlay Zone. There is no public view or coastal access from the project site, as identified in the Mira Mesa Community Plan (MMCP). The project proposes a new commercial office building and a six-story parking garage with parking as a primary use and associated site improvements, which include landscaping, hardscape, site furnishings, and site lighting.

Westerly views towards the Pacific Ocean are obstructed by the North Torrey Pines and Campus Point areas of the University Community Plan; as such, the proposed development will not obstruct any views to and along the ocean and other scenic coastal areas from any public vantage points within the Mira Mesa Community Plan.

Placement of the proposed buildings and the overall associated site improvements have been designed to respect the local topography to the greatest extent possible. Therefore, the proposed coastal development will not encroach upon any existing

physical accessway that is legally used by the public or any proposed public accessway identified in the Local Coastal Program; and the proposed coastal development due to its location and lack of coastal views is not subject to enhancing or protecting public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program.

**II. The proposed coastal development will not adversely affect environmentally sensitive lands.**

The site was previously graded and developed with an 84,000-square-foot four-story office building and associated site improvements. Vista Sorrento Parkway and Interstate 805 are immediately southwest of the project site, and an undeveloped hillside with a combination of native and non-native vegetation occurs to the northeast. The site is located on a hill sloping upward from Vista Sorrento Parkway to the northeast. Site elevation ranges from approximately 120 to 276 feet above mean sea level, with the highest elevation along the northwestern corner of the site, and the lowest elevation to the south along Vista Sorrento Parkway. A steep slope occurs along the northeastern boundary, including both a manufactured slope with landscaping and a natural slope densely vegetated with coastal sage scrub.

The project would be constructed in two phases. Phase 1 consists of demolishing a portion of the existing surface parking lot and accessory structures to construct a 6-story, 189,475-square-foot parking garage. Phase 2 consists of demolishing an existing four-story office building, completing demolition of the existing parking lot and the constructing a new four-story, 112,400-square-foot commercial office building for uses allowed within the IL-3-1 zone, including research and development (R&D) use, laboratory use, corporate headquarters and other office uses and associated site improvements to include landscaping, hardscape, site furnishings, and site lighting.

A 0.14-acre portion of the Multi-Habitat Planning Area (MHPA) occurs on the northeast corner of the Project site (see Attachment 10) and is located outside of the proposed impact area. The MHPA is the City's habitat preserve, established by the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan, and was designed to protect and preserve native habitats for native animals and plants, sustaining the unique biodiversity of the San Diego region. The portion of MHPA that overlaps the project boundary at the northeast corner of the site includes an area that was previously developed in accordance with the 1984 site plan prior to the establishment of the MHPA. This segment of the MHPA extends from the project vicinity northwest to Lopez Canyon. No sensitive plant species were observed within the project area at the time of the field survey for the site-specific Biology Report prepared by Recon Environmental, Inc., dated July 1, 2025; therefore, no direct impacts to sensitive plant species are anticipated to result from the project.

The project has the potential to have direct impacts on sensitive wildlife species. Those species are described in the biology survey, with identified potential impacts to Coastal California gnatcatcher, Southern California rufous-crowned sparrow, Cooper's hawk and Crotch's bumblebee. The identified species have the potential to occur on-site and off-site adjacent to the project, but are not expected to occur within the proposed

development area. Therefore, no direct impacts to sensitive species would occur. Permit conditions would address requirements for protecting sensitive resources associated with the proposed development.

The MSCP establishes specific guidelines that limit activities that occur within the MHPA. In general, activities occurring within the MHPA must conform to these guidelines and, wherever feasible, should be located in the least sensitive areas. The project was designed to avoid and limit impacts to environmentally sensitive lands, including the MHPA, and sensitive biological resources. Permit conditions will ensure compliance with the MHPA Land Use Adjacency Guidelines (LUAG) in Section 1.4.3 of the MSCP Subarea Plan to avoid indirect impacts on potential sensitive species and habitats within the adjacent MHPA, including the Coastal California gnatcatcher and Cooper's Hawk, specifically in the following areas:

- Grading/Land Development/MHPA Boundaries
- Drainage
- Toxics/Project Staging Areas/Equipment Storage
- Lighting
- Barriers
- Invasives
- Brush management
- Noise

The project would not substantially change the existing drainage. It is located downslope of the MHPA, and no runoff would enter the MHPA from the site. Therefore, the proposed project would not increase the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements into the MHPA. The project would also incorporate best management practices, such as monitoring, flagging, staking, or biological fencing around sensitive areas, to ensure toxins from construction and project implementation do not cause indirect impacts to sensitive biological resources outside the project footprint, including those within the MHPA.

The existing parking structure and project lighting are separated from the adjacent MHPA by a manufactured slope that shields the MHPA, which occurs on natural and manufactured slopes above the grade of elevations associated with any proposed structures. This slope currently serves as a physical barrier to access to the MHPA. In addition, all new outdoor lighting adjacent to the MHPA shall be directed downward and adjusted to fall on the same premises where such lights are located, in accordance with the San Diego Municipal Code (SDMC) Section 142.0740. No light spill from outdoor lighting will occur within the MHPA.

Uses in or adjacent to the MHPA would be designed to minimize noise impacts. The project will be conditioned to monitor and mitigate noise impacts that exceed the maximum levels allowed, which shall be avoided during the breeding season for the coastal California gnatcatcher and Cooper's hawk (March 1–August 15).

New landscaping would be required to follow standard landscape guidelines and would not include any invasive plant species. Brush Management Zone 1 is within the

on-site urban/developed portion and outside the MHPA. A total of 0.05 acres of Brush Management Zone 2 occurs inside the MHPA. Zone 2 impacts would occur within urban/developed land, which consists of a manufactured slope with irrigated landscape vegetation that was developed in accordance with the 1984 site plan prior to the establishment of the MHPA. In accordance with SDMC Section 142.0412, non-native plants will be thinned preferentially over native plants.

The project is designed to avoid grading into the MHPA. Project grading occurs within the development footprint and does not encroach into the MHPA. Staff has reviewed and accepted a preliminary geotechnical report that concluded that the project adequately addresses soil and geologic conditions and drainage. Construction would involve a variety of heavy equipment associated with intensive earthwork, structural, and paving phases. Grading activities would be required to comply with the City's Grading Ordinance and Stormwater Standards, which would ensure soil erosion and topsoil loss are minimized to levels below significance. Furthermore, permanent post-construction stormwater Best Management Practices (BMPs) would also be required, consistent with the City's regulations. Based on regional mapping and site-specific analysis evaluated in the Geotechnical Investigation, the potential for landslides, slope instability, and liquefaction are not a significant concern. Finally, the project would be required to comply with seismic requirements of the California Building Code (CBC) and use proper engineering design and standard construction practices, to be verified at the building permit stage.

The proposed project will not impact ESL located on the site. All proposed landscaping within the development area proposes native and non-native, non-invasive, and/or drought-tolerant plants. The project will be developed in accordance with current regulations of the Land Development Code, including brush management regulations and current drainage regulations and standards.

Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

**III. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.**

The 5.58-acre site is located at 10509 Vista Sorrento Parkway within the Mira Mesa Community Plan. The site is located in the IL-3-1 (Industrial-Light) zone and the Coastal Overlay Zone (Non-Appealable Area), the Parking Impact Overlay Zone, the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station [MCAS] Miramar, Review Area 1) the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) Noise Contours (CNEL) MCAS Miramar 60 - 65 CNEL, MCAS Miramar Accident Potential Zone II (APZ-II), the Federal Aviation Administration (FAA) Part 77 Noticing Area, Complete Communities Mobility Choices Mobility Zone 2, and a Very High Fire Hazard Severity Zone (VHFSZ).

The project is requesting an alternative calculation method for the maximum allowed intensity (people per acre) for the applicable MCAS Miramar Airport Land Use

Compatibility Plan safety zone in accordance with SDMC 132.1515(d). No other deviations or variances from the applicable regulations are being requested for the proposed project.

The project site is designated for Technology Park uses within the MMCP and for Industrial Employment uses within the General Plan. The applicable zoning regulations and land use designation allow high technology uses related to applied sciences which include R&D uses consistent with the proposed project. A goal of the MMCP is the preservation of an adequate supply of industrial land to accommodate existing, new and the relocation of industrial uses for the City's Economic base, and the project supports this goal by redeveloping the site for R&D uses.

As previously described, the project site includes MHPA lands at the northeast corner of the project site which are partially within the deed-restricted area on the eastern hillside portion of the site to be conserved in favor of the California Coastal Commission in accordance with Coastal Development Permit No. 6-84-399, executed October 10, 1984. The deed-restricted portion of the site and the MHPA lands located on site shall support the MMCP and Local Coastal Program (LCP) goal of conserving environmentally sensitive lands and minimizing the disturbance of hillsides by developing within previously disturbed lands and manufactured slopes. Additionally, the project will conform with brush management regulations and landscaping will consist of low water use plant materials suitable for the climate zone including native shrubs and grasses as well as low maintenance materials such as decomposed granite in accordance with the applicable landscape standards and regulations. In accordance with the MMCP the project will incorporate Stormwater construction and post-construction BMPs including the utilization of Low-Impact Development (LID) practices which will include bio-retention areas for the treatment and management of urban stormwater runoff.

The project conforms with the relevant regulations of the Land Development Code (LDC), parking, grading, landscaping, floor area ratio (FAR), and intensity with the proposed alternative compliance methodology being requested. Conditions of approval for the proposed project require compliance with all applicable regulations including the allowed alternative calculation method for allowed intensity. As previously stated, the project site is located within the MCAS Miramar Airport Protection Zone II (APZ-II) and Scientific R&D uses are a compatible use within the APZ-II overlay zone.

The project site is located over two miles east of the Pacific Ocean and not within the First Public Roadway. There is no public view or coastal access from the project site, as identified in the Community Plan. Therefore, the development conformity confirms with the certified LCP land use plan and complies with all regulations of the certified Implementation Program.

**IV. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in**

**conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.**

The project site is located over two miles east of the Pacific Ocean and is not within the First Public Roadway. Therefore, this finding is not applicable to the proposed project.

**B. NEIGHBORHOOD DEVELOPMENT PERMIT [SDMC SECTION 126.0404(a)]**

**I. The proposed development will not adversely affect the applicable land use plan.**

The project is described in Finding A.III above, incorporated herein by reference. As previously described, the proposed land use for the project site is consistent with the MMCP and General Plan land use designations. Additionally, the project supports the goals and policies of the MMCP as described above. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

The project is described in Finding A.III above, incorporated herein by reference. As previously described the proposed land use for the project site is consistent with the MMCP and General Plan land use designations. A preliminary geotechnical report was prepared for the site which provided recommendations for the proposed project that would adequately addresses the site's soil and geologic conditions.

The project is located within the APZ-II safety zone as depicted in the MCAS Miramar ALUCP. Per SDMC Table 132-15G, R&D use is a "limited use" within APZ II and is conditionally compatible if development is limited to a floor area ratio (FAR) of 0.34 (R&D Land Use type in accordance with Table MIR-2 Safety Compatibility Criteria for MCAS Miramar) or have a maximum intensity of more than 50 people per acre. The intent of this regulation is to limit the intensity (people per acre) in the APZ II and the SDMC acknowledges that FAR may not accurately predict the intensity for certain land uses. To accommodate this, the SDMC allows alternative methods of calculation to demonstrate compliance with the maximum intensity (people per acre) through an NDP in accordance with, SDMC 132.1515(d). The project site is 5.44-acres therefore 272 people (50 x 5.44) are allowed.

The Vehicle Occupancy designation shown in Appendix D of the MCAS Miramar ALUCP identifies that R&D, light industrial facilities require a range of 300 to 500 square feet per occupant (employee). The project proposes dividing the upper bound limit by 1.05 which equals 476 square feet per person. This works out to a maximum building floor area of 129,472 square feet (272 x 476) of total allowed gross floor area per SDMC Section 132.1515(c)(2)(E)(II). Non-Residential Accessory Uses permitted in accordance with SDMC Section 131.0125 may exempt up to 10 percent of the total floor area from the people per acre calculation where the accessory use is neither an assembly room designed to accommodate more than 650 people, nor an institutional use identified

as “Not Permitted” in the designated Safety Zone. The project proposes 112,400 square feet of floor area which is below the allowed floor area of 129,472 square feet.

The project proposes a floor area ratio (FAR) that is below the 2.0 FAR allowed by the underlying zoning regulations for the IL-3-1 zone but exceeds the maximum floor area ratio of 0.34 allowed by the MCAS Miramar ALUCP APZ-II designation and is requesting an alternative calculation method for maximum allowed intensity thus allowing the proposed FAR of 0.47 (112,400/236,966 SF) described in detail above. The project would be conditioned to limit occupancy for the proposed commercial office building to 272 occupants.

The proposed permit conditions contain specific requirements to ensure compliance with the applicable regulations of the current Building Codes and Land Development Code (LDC), including those adopted to protect public health, safety, and welfare. Additionally, the project would be conditioned to conform to the City’s current stormwater regulations for construction and post-construction Best Management Practices (BMPs), including a Stormwater Management and Discharge Control Maintenance Agreement for ongoing permanent BMP maintenance. Therefore, the proposed development will not be detrimental to public health, safety, and welfare.

**III. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.**

The project is described in Finding A.III above, incorporated herein by reference. The project, in accordance with SDMC 132.1515(d), is requesting an alternative calculation method for the maximum allowed intensity (people per acre) for the applicable MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) safety zone designation.

In accordance with the IL-3-1 zone requirements, the project would comply with setback requirements by providing a front/street-side setback of 25 feet, a side setback of 10 feet, and a rear setback of 10 feet. The project is located within the Coastal Overlay Zone but is not located within the Coastal Height Limit Overlay Zone; therefore, the project is not subject to a height limit for the proposed structures in accordance with the industrial zone regulations.

The project is located within the APZ-II safety zone for MCAS Miramar as described above and is utilizing an alternative method of calculation to demonstrate compliance with the maximum intensity (people per acre) through an NDP in accordance with, SDMC 132.1515(d). The project site is 5.44-acres therefore 272 people (50 x 5.44) are allowed. The project proposes 112,400 square feet of floor area which is below the allowed floor area of 129,472 square feet (272 x 476 square feet per person).

The proposed floor area ratio (FAR) is below the 2.0 FAR allowed by the underlying zoning regulations for the IL-3-1 zone but exceeds the maximum floor area ratio of 0.34 allowed by the MCAS Miramar ALUCP APZ-II designation. By utilizing an alternative calculation method for maximum allowed intensity, the proposed FAR of

0.47 (112,400/236,966 SF) described in detail above is allowed. No other deviations or variances from the applicable regulations are being requested for the proposed project. Therefore, the proposed development project will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

**C. SITE DEVELOPMENT PERMIT [SDMC SECTION 126.0505(a)]**

**I. The proposed development will not adversely affect the applicable land use plan.**

See Finding B.I. above incorporated herein by reference. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

See Finding B.II. above incorporated herein by reference. Therefore, the proposed development will not be detrimental to public health, safety, and welfare.

**III. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.**

See Finding B.III. above incorporated herein by reference. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

**D. SITE DEVELOPMENT PERMIT - SUPPLEMENTAL FINDINGS - ENVIRONMENTALLY SENSITIVE LANDS [SDMC SECTION 126.0505(b)]**

**I. 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 project is described in Finding A.III above, incorporated herein by reference. The project site is located east of Interstates 5 and 805 within the Coastal Overlay Zone and contains MHPA lands at the northeastern corner of the project site. The eastern portion of the project site comprises a manufactured sloped hillside. The proposed improvements are within the previously developed portion of the project site. The proposed improvements are located outside the on-site MHPA. Additionally, the site includes a deed-restricted area on the eastern hillside portion of the site to be conserved in favor of the California Coastal Commission in accordance with Coastal Development Permit No. 6-84-399, executed October 10, 1984. The deed-restricted portion of the site and the MHPA lands located on site shall support the MMCP and Local Coastal Program (LCP) goal of conserving environmentally sensitive lands and minimizing the disturbance of hillsides by developing within previously disturbed lands and manufactured slopes.

As previously described Findings A.II. and A.III. above a preliminary geotechnical report was prepared for the site that concluded that the project adequately addresses the site's soil and geologic conditions and drainage. All grading activities within the site would be required to comply with the City of San Diego Grading Ordinance, which ensures soil erosion and topsoil loss is minimized through the issuance of a Grading Permit. Development of the Project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities. A Stormwater Quality Management Plan (SWQMP) that includes storm water construction BMPs, ongoing permanent BMP maintenance, on-site biofiltration and hydromodification features, has been developed to maintain natural drainage features and minimize potential impacts to storm drain facilities. Any short-term erosion and sedimentation impacts associated with project development would be addressed through conformance with applicable elements of the City's storm water program and related National Pollutant Discharge Elimination System (NPDES) standards. Additionally, the Project would implement an approved SWPPP and related plans, and BMPs, including appropriate measures, to address erosion and sedimentation.

Based on regional mapping and site-specific analysis evaluated in the Geotechnical Investigation, the potential for landslides, slope instability, and liquefaction are not considered a significant concern for the project. The project would be required to comply with seismic requirements of the CBC and use proper engineering design and standard construction practices, which are verified at the ministerial construction permit stage.

All proposed landscaping within the development area proposes the utilization of native and non-native, non-invasive, and/or drought-tolerant plants. The project as proposed will be developed in accordance with current regulations of the land development code including brush management regulations and current drainage regulations and standards. The eastern portion of the site which contains existing irrigated vegetation which will be part of Brush Management Zone 2. Therefore, 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.

**II. 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 project is described in the findings above, incorporated herein by reference. As previously described the proposed development is located within the previously developed portions of the existing site. The project proposes alterations to the existing

manufactured slopes located along the northern portion of the project site. As previously described above, a preliminary geotechnical report was prepared for the site that concluded that the project adequately addresses the site's soil and geologic conditions and drainage. The proposed grading will not result in undue risk from geologic and erosional forces with the implementation of construction and post-construction BMPs. Additionally, the project would be required to comply with the CBC's seismic requirements and to use proper engineering design and standard construction practices, which are verified at the ministerial construction permit stage.

The project site is within a Very High Fire Hazard Severity Zone per the City Very High Fire Hazard Severity Zone Map. Therefore, the natural environment of the project site would be prone to wildfires and downslope or downstream flooding as a result of runoff, post-fire instability or drainage. The project would be reviewed by the City Fire Marshal to ensure that the project would be in compliance with local, state, and federal standards for land use, zoning, and construction. Adherence to County and City regulations, and emergency and evacuation plans (including the countywide Multi-Jurisdiction Hazard Mitigation Plan that identifies risks and ways to minimize damage by natural and manmade disasters) would reduce the potential for impacts to people or structures from significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

The project site is not located within an area prone to flood hazards. All proposed landscaping within the development area proposes the utilization of native and non-native, non-invasive, and/or drought-tolerant plants. The project, as proposed, will be developed in accordance with current regulations of the land development code, including brush management regulations and current drainage regulations and standards. The eastern portion of the site, which contains existing irrigated vegetation, will be part of Brush Management Zone 2. Site-specific requirements are identified to address the potential for fire hazards including the use of non-combustible, fire-rated or fire-retardant materials to reduce the potential for fire hazards.

Overall, the project will be conditioned to adhere to all recommendations included in the Geotechnical Report and comply with all relevant SDMC and the latest version of the California Building Code, the California Fire Code, the California Wildland Urban Interface Code, and all applicable fire safety regulations. Therefore, 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.

**III. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.**

The project is described in the findings above incorporated herein by reference. The proposed structures are located within previously developed areas and will be located outside of the on-site MHPA area located at the northeast portion of the project site. The proposed improvements will direct drainage away from environmentally sensitive lands and will incorporate Stormwater construction and post-construction BMPs,

including the utilization of Low-Impact Development (LID) practices, which will include bio-retention areas for the treatment and management of urban stormwater runoff. The project also includes a landscape design that consists of plant material that is compatible with existing vegetation, and as proposed, would be in conformance with the landscape regulations, which include regulations related to invasive species and non-native vegetation for proposed landscape areas. The project-specific geotechnical study includes recommendations that will not result in undue risk from geologic and erosional forces. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

**IV. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Plan (VPHCP).**

The project is described in the findings above, incorporated herein by reference. As previously described, a 0.14-acre portion of MHPA occurs on the northeast corner of the project site and is located outside of the proposed impact area. The MHPA is the City's habitat preserve established by the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and was designed to protect and preserve native habitats for native animal and plant species to sustain the unique biodiversity of the San Diego region. The portion of MHPA that overlaps the project boundary at the northeast corner of the site includes an area that was previously developed in accordance with the 1984 site plan prior to the establishment of the MHPA. This segment of the MHPA extends from the project vicinity northwest to Lopez Canyon. No sensitive plant species were observed within the project area at the time of the field survey for the site-specific Biology Report prepared by Recon Environmental, Inc., dated July 1, 2025; therefore, no direct impacts to sensitive plant species are anticipated to result from the project. The project site has potential direct impacts to sensitive wildlife species. Those species are described in the project's biology survey and identified potential impacts to Coastal California gnatcatcher, Southern California rufous-crowned sparrow, Cooper's hawk and Crotch's bumble bee. The identified species have a potential to occur on-site and off-site adjacent to the project site but not expected to occur within the project's proposed development area. Therefore, no direct impacts to sensitive species would occur. The project's permit conditions would address requirements for the protection of sensitive resources associated with the proposed development.

The project has been conditioned to comply with the Land Use Adjacency Guidelines (LUAG) contained in Section 1.4.3 of the MSCP Subarea Plan to avoid indirect impacts to potential sensitive species and habitats within the adjacent MHPA, including the Coastal California gnatcatcher and Cooper's hawk. The proposed project would not substantially change the existing drainage patterns within the project boundary. The proposed project occurs downslope of the MHPA, and no runoff would enter the MHPA from the proposed project. As such, the proposed project would not increase the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements into the MHPA. The project would incorporate best management practices, such as monitoring, flagging, staking, or biological fencing around sensitive areas, to

ensure toxins from construction and project implementation do not cause indirect impacts to sensitive biological resources outside the project footprint, including those within the MHPA.

The MHPA occurs on natural and manufactured slopes that are above-grade of the elevations associated with any proposed structures. Thus, the existing parking structure and project lighting are separated from the adjacent MHPA by a manufactured slope that shields the MHPA. The existing slopes currently provide a physical barrier for access into the MHPA. All new outdoor lighting adjacent to the MHPA shall be directed downward and adjusted to fall on the same premises where such lights are located, in accordance with the City Municipal Code 147.0740. Thus, per the City's Municipal Code regulation, no light spill from outdoor lighting will occur within the MHPA.

Uses in or adjacent to the MHPA would be designed to minimize noise impacts. The proposed project would be conditioned to monitor and mitigate noise impacts that exceeds the maximum levels allowed shall be avoided during the breeding season for the coastal California gnatcatcher and Cooper's hawk (March 1–August 15). Any new landscaping would be required to follow standard landscape guidelines and would not include any invasive plant species.

Project impacts to urban/developed land would be less than significant and would not require mitigation. The project would also not impact any jurisdictional areas or wildlife movement corridors; therefore, no mitigation would be required. Potential impacts to nesting birds, including coastal California gnatcatcher and Cooper's hawk, will be minimized and avoided through incorporating the MHPA Land Use Adjacency Guidelines and MSCP Conditions of Coverage. The project would be designed and conditioned to comply with all aspects of the Land Use Adjacency Guidelines listed in Section 1.4.3 of the MSCP (City of San Diego 1997), specifically in the following areas:

- Grading/Land Development/MHPA Boundaries
- Drainage
- Toxics/Project Staging Areas/Equipment Storage
- Lighting
- Barriers
- Invasives
- Brush management
- Noise

The site-specific Biology Study did not indicate any vernal pools on-site therefore due to the lack of vernal pools the project is not subject to the VPHCP. Therefore, the proposed development will be consistent with the City of San Diego's MSCP Subarea Plan guidelines, and the project would include mitigation measures to address any significant impacts as stated above; and consistency is not required with the Vernal Pool Habitat Conservation Plan [VPHCP] as the Project site does not contain jurisdictional wetlands.

**V. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.**

The project is described in the findings above incorporated herein by reference. While the Project site is located within the coastal overlay zone, it is approximately two miles inland from the Pacific Ocean, public beaches and local shoreline. The project would implement construction and post-construction BMPs in compliance with the City Storm Water Manual and Regional Water Quality Control Board (RWQCB) regulations. Typical construction BMPs are anticipated to include silt fencing, gravel bag barriers, street sweeping, solid waste management, stabilized construction entrance/exits, water conservation practices, and spill prevention and control. The project would also include operational BMPs by constructing an on-site biofiltration basin in order to remove pollutants from runoff. Additionally, the project would implement source control and site design BMPs. Implementation of these BMPs, along with regulatory compliance, would preclude any violations of applicable standards and discharge regulations. The proposed Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant.

The Project would comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a SWPPP shall be implemented concurrently with the commencement of grading activities. A SWQMP that includes storm water construction BMPs, ongoing permanent BMP maintenance, on-site biofiltration and hydromodification features, has been developed to maintain natural drainage features and minimize potential impacts to storm drain facilities. Any short-term erosion and sedimentation impacts associated with Project development would be addressed through conformance with applicable elements of the City's storm water program and related NPDES standards. The Project would implement an approved SWPPP and related plans, and BMPs, including appropriate measures, to address erosion and sedimentation. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

**VI. 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.**

Impacts to urban/developed land would be less than significant and would not require mitigation. The project would also not impact any jurisdictional areas or wildlife movement corridors; therefore, no mitigation would be required. Potential impacts to nesting birds, including the coastal California gnatcatcher and Cooper's hawk, will be minimized and avoided through incorporating the MHPA Land Use Adjacency Guidelines and MSCP Conditions of Coverage, which will be implemented as permit conditions and included on the construction plans and related documents. ~~Therefore, 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 project site is located within the Mira Mesa Community Plan area which provides community-specific policies that further implement the General Plan with respect to the distribution and arrangement of land uses and the local street and transit network; implementation of urban design guidelines; recommendations preserving and enhancing natural open space and historical and cultural resources; and prioritization and provision of public facilities within the Mira Mesa community. The Mira Mesa Community Plan Update Program Environmental Impact Report (PEIR) State Clearinghouse Number (SCH No.) 2022090061 conducted a program-level analysis that would require the implementation of Mitigation Framework containing Mitigation Measures for air quality (air quality plans, Regional Air Quality Strategy [RAQS]), historical resources, and noise (construction and vibration). In accordance with PEIR Mitigation Measure HIST-1, an initial investigation was conducted to determine if cultural resources are present on the project site. The project's initial archaeological investigation, including a California Historic Resources Information System search, confirmed that there are no known cultural resources on the project site. The project site is underlain with undocumented fill to depths ranging from about 3 to 30.5 feet below grade. There are no known tribal cultural resources on the project site, and the comprehensive archaeological evaluations and procedures required under PEIR Mitigation Measure HIST-1 would therefore not apply to the project.~~

~~Consistent with the PEIR mitigation framework, the Project will incorporate noise mitigation measures MM-NOI-1 and MM-NO-2 as a construction specification/condition of approval to minimize short-term construction noise and vibration. Implementation of MM-NOI-1 requires construction contractors to implement measures, such as noise attenuation techniques and construction notices to nearby sensitive receptors, to minimize construction noise is required and included in the Mitigation Monitoring and Reporting Program (MMRP). Noise mitigation measure MM-NOI-2 requires vibration reduction measures to minimize construction-related vibration impacts. With implementation of Mitigation Measure NOI-2, construction-related vibration would not result in a new significant vibration impact or substantially increase the severity of vibration impacts previously analyzed in the PEIR. Therefore, 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.~~

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

3. Based on these findings adopted by the Hearing Officer, Coastal Development Permit No. PMT-3164687, Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-3407775 are granted by the Hearing Officer to the referenced Owner/Permittee, in

## ATTACHMENT 4

the form, exhibits, terms, and conditions as set forth in Coastal Development Permit No. PMT-3164687, Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-3407775 a copy of which is attached to and made a part of this Resolution by this reference.

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Martin R. Mendez  
Development Project Manager  
Development Services

Adopted on: ~~May 6~~ June 10, 2026

IO#: 24009283

DRAFT

**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
PERMIT INTAKE, MAIL STATION  
DSD-1A

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION DSD-1A**

INTERNAL ORDER NUMBER: 24009283

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-3164687  
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3164688  
SITE DEVELOPMENT PERMIT NO. PMT-3407775

**10509 VISTA SORRENTO PARKWAY - PROJECT NO. PRJ-1062368 [IMMRP]**  
HEARING OFFICER

This Coastal Development Permit No. PMT-3164687, Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-3407775 is granted by the Hearing Officer of the City of San Diego to LS VISTA SORRENTO II, LLC, a Delaware limited liability company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708, 126.0404 and 126.0505. The 5.58-acre site is located at 10509 Vista Sorrento Parkway within the Mira Mesa Community Plan. The site is located in the IL-3-1 (Industrial-Light) zone and the Coastal Overlay Zone (Non-Appealable Area), the Parking Impact Overlay Zone, the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station [MCAS] Miramar, Review Area 1) the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) Noise Contours (CNEL) MCAS Miramar 60 - 65 CNEL, MCAS Miramar Accident Potential Zone II (APZ-II), the Federal Aviation Administration (FAA) Part 77 Noticing Area, Complete Communities Mobility Choices Mobility Zone 2, and a Very High Fire Hazard Severity Zone (VHFSZ). . The project site is legally described as THAT PORTION OF ACRE LOT 8 OF THE TOWN OF SORRENTO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 483, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 9, 1888, WHICH LIES NORTHWESTERLY OF THE LOCATION AND NORTHEASTERLY PROLONGATION OF A LINE, WHICH IS PARALLEL WITH AND 700.00 FEET NORTHWESTERLY, AT RIGHT ANGLES, FROM THE SOUTHEASTERLY LINE OF SAID LOT 8.

Subject to the terms and conditions set forth in this Permit, permission is granted to LS VISTA SORRENTO II, LLC, a Delaware limited liability company, Owner/Permittee to demolish an existing four-story building, trash enclosure, telecommunications structure, mechanical equipment enclosure, and site improvements for the construction of a four-story building totaling 112,400 square feet, an on-grade six-story parking garage totaling 189,795-square-feet, and associated site improvements described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated ~~May 6~~ June 10, 2026, on file in the Development Services Department.

The project shall include:

- a. The demolition of a four-story 84,000-square-foot building, an existing trash enclosure structure, an existing telecommunications structure, an existing mechanical equipment enclosure, and existing site improvements to include landscaping, paved parking areas and site lighting;
- b. The construction of a four-story, 112,400-square-foot commercial office building for uses allowed within the IL-3-1 zone, including research and development (R&D) use, laboratory use, corporate headquarters and other offices uses;
- c. Construction of a 189,795-square-foot six-story parking garage accommodating 577 parking stalls (182 parking stalls allocated for the proposed four-story building) and surface parking area for 99 parking stalls accommodating a total of 676 parking stalls on-site;
- d. The vacation of a public service easement (Public Service Easement Vacation No. PMT-3351728);
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Terraced retaining walls adjacent to the parking garage, two outdoor seating areas with wood decking, an overhead shade structure for the seating area adjacent to the parking garage, an outdoor dining terrace with flagstone paving, three flagstone seating areas with concrete seat walls, an emergency generator enclosure, a mechanical equipment enclosure, a trash enclosure structure, associated site furnishings, paving and site lighting; and
- g. 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 ~~June 26, 2029~~ May 21, 2029.

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:

## ATTACHMENT 5

- 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. 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.
  8. 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.
  9. 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.

10. 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.

11. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase per the approved Exhibit "A."

**CLIMATE ACTION PLAN REQUIREMENTS:**

12. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

**AIRPORT REQUIREMENTS:**

13. Prior to the issuance of any building permits, the Owner/Permittee shall provide a copy of the signed agreement [Development Services Department (DSD) Form 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.

14. The project site is located within Accident Potential Zone II (APZ-II) of the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) shall be limited to an occupancy of 50 people per acre or 272 persons for the proposed commercial office building.

**ENGINEERING REQUIREMENTS:**

15. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement (EMRA) for the storm drain connection, landscaping and irrigation, within the right-of-way, satisfactory to the City Engineer.

16. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate and improve six feet (6'-0") of right-of-way, adjacent to the site on Vista Sorrento Parkway, per Exhibit 'A', satisfactory to the City engineer.

17. Prior to the issuance of any building permit, the Owner/Permittee shall vacate the four-foot (4'-0") wide sewer, water, drainage and public utilities easement, per Exhibit 'A', satisfactory to the City engineer.

18. Prior to the issuance of any building permit, the Owner/Permittee shall submit a Drainage Study detailing the pre-development and post-development 100-year peak flows from the project site, as well as peak flow attenuation calculations to ensure no peak flow increases from the project site to the satisfaction of the City Engineer. Peak flow attenuation calculations shall include 100-year, six-hour inflow and outflow hydrographs to each detention facility, account for County of San Diego Conjunctive Use guidelines, and report the 100-year pre-development peak flow, the 100-year unmitigated peak flow, and the 100-year mitigated peak flow for each facility, as well as the maximum 100-year water surface elevation in each facility.

19. Prior to the issuance of any building permit, the Owner/Permittee shall submit a Stormwater Quality Management Plan (SWQMP) to provide detailing treatment control Best Management Practices (BMPs) sizing, hydromodification management, and volume retention compliance with the City's Stormwater Standards Manual in effect at the time of permit issuance, to the satisfaction of the City Engineer.

20. Prior to the issuance of any building permit, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the SDMC in a manner satisfactory to the City Engineer.

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

~~22. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Technical Report (SWQMP) that will be subject to final review and approval by the City Engineer, based on the City's Stormwater Standards Manual in effect at the time of the construction permit issuance.~~

22. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2022-0057-DWQ and a copy shall be submitted to the City.

23. Prior to the issuance of any Construction Permit, the Owner/Permittee shall enter into a Stormwater Management and Discharge Control Maintenance Agreement (SWMDCMA) detailing the ongoing maintenance of permanent Best Management Practices (BMP), to the satisfaction of the City Engineer.

23-24. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit Order No. 2022-0057-DWQ. In accordance with Order No. 2022-0057-DWQ or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

**GEOLOGY REQUIREMENTS:**

24-25. Prior to the issuance of any construction permits (either grading or building permit), the Owner/Permittee shall submit a geotechnical investigation report prepared in accordance with the City's Guidelines for Geotechnical Reports that specifically addresses the proposed construction plans. The geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

**LANDSCAPE REQUIREMENTS:**

25-26. Prior to issuance of any grading permit, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, 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 Development Services Department.

26-27. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

27-28. Prior to issuance of any building permit (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, 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 Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per SDMC Section §142.0403(b)6.

In the event that a "Foundation Only" permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit 'A', Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as "landscaping area." The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times.

Severe pruning or 'topping' of trees is not permitted. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, the Owner/Permittee shall repair and/or replace 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.

**BRUSH MANAGEMENT PROGRAM REQUIREMENTS:**

28.29. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit 'A' on file in the Development Services Department:

- The Brush Management Program shall consist of a modified Brush Management Zone One, ranging in width from forty-five-feet-six-inches to fifty-four-feet-two-inches (45'-6" to 54'-2") from the face of the proposed parking garage to the deed restricted boundary (CDP No. 84-403698) and a Brush Management Zone Two extending out fifty-seven-feet-three-inches (57'-3") from the structure towards the native/naturalized vegetation located within the existing MHPA boundary, consistent with SDMC Section 142.0412 and Exhibit 'A'.
- Alternative Compliance for reduced brush management zone(s):
  - Where Zone One is reduced, Type IV Heavy Timber construction, Non-Combustible construction and one-hour (1-hr) fire-rated structures are required, consistent with SDMC Section 142.0412(g) and Exhibit 'A'.

29.30. Prior to issuance of any grading permit, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit 'A'.

30.31. Prior to issuance of any Building Permits, a complete Brush Management Plans shall be submitted for approval to the Development Services Department and shall be in substantial conformance with Exhibit 'A' on file in the Development Services Department. The Brush Management Plans shall comply with the City of San Diego's Landscape Regulations and the Landscape Standards.

Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while accessory structures of non-combustible, one-hour fire-rated, and/or Type IV heavy timber construction may be approved within the designated Zone One area subject to Fire Marshal's approval.

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

**MULTIPLE SPECIES CONSERVATION PROGRAM:**

32.33. Prior to the issuance of any construction permits, the Owner/Permittee shall grant the on-site Multiple Habitat Planning Area [MHPA] to the City's Multiple Species Conservation Program [MSCP] preserve through a covenant of easement granted in favor of the City and the U.S. Fish and Wildlife Service [USFWS] and the California Department of Fish and Wildlife [CDFW], as shown on

Exhibit "A." The Owner/Permittee shall maintain in perpetuity any MHPA lands granted by covenant of easement unless otherwise agreed to by the City.

33.34. Prior to the issuance of a construction permit, the following biological resource protection measures shall be provided on the construction documents:

I. Prior to Construction

- A) Biologist Verification -The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (20128), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B) Preconstruction Meeting - The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C) Biological Documents - The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.
- D) BCME -The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.
- E) Avian Protection Requirements - To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence

or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report in conformance with the City's Biology Guidelines (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction.

- F) Resource Delineation - Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.
- G) Education -Prior to commencement of construction activities, the Qualified 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 (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

## II. During Construction

- A) Monitoring- All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified 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. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSV). The CSV shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

Subsequent Resource Identification - The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be

delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

- A) In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

34.35. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Owner/Permittee shall depict the following MSCP Land Use Adjacency Guidelines on the construction documents and plans for Project Site under the heading "Environmental Requirements":

- **Grading/Land Development/MHPA Boundaries** - Within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
- **Drainage** - All staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention / desilting basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- **Toxics/Project Staging Areas/Equipment Storage** - Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the CD's that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."
- **Lighting** - All lighting within or adjacent to the MHPA is directed away/shielded from the MHPA or limited to the immediate area and is in compliance with City Outdoor Lighting Regulations per LDC Section 142.0740.
- **Barriers** - Existing fences/walls; and/or signage along the MHPA boundaries shall remain and or be added to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.

- **Invasives** - No invasive, non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- **Brush Management** - Brush management zones will not be greater in size that is currently required by the City's regulations (this includes use of approved alternative compliance). Within Zone 2 the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area will be the responsibility of a homeowner's association (HOA) or other private party.
- **Noise** - Construction noise that exceeds the maximum levels allowed (60 dB or greater at the beginning edge of the habitat) shall be avoided during the breeding seasons for the following: Coastal California Gnatcatcher and Cooper's Hawk (March 1 through August 15). If construction is proposed during the breeding season for the species the following measures are required:

**Coastal California Gnatcatcher (Federally Threatened):**

- A. Prior to the issuance of any grading permit, the City Environmental designee shall verify that the MHPA boundaries and the following project requirements regarding the Coastal California Gnatcatcher are shown on the construction plans:
  1. No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the Coastal California Gnatcatcher, until the following requirements have been met to the satisfaction of the City Environmental Designee:
    - i. A qualified biologist [possessing a valid Endangered Species Act section 10(a)(1)(A) recovery permit] shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [dB(A)] hourly average for the presence of the Coastal California Gnatcatcher. Surveys for these species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of construction. If the Coastal California Gnatcatcher is present, then the following conditions must be met:
      - a. Between March 1 and August 15, no clearing, grubbing, or grading of occupied Coastal California Gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and

- b. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied Coastal California Gnatcatcher Habitat. An analysis showing that noise generated by construction activities would not exceed 60 dB(A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Environmental Designee at least two weeks prior to the commencement of construction activities.
- c. Prior to the commencement of any of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or
- d. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 db(a) hourly average at the edge of habitat occupied by the Coastal California Gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring\* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(a) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16). \*

\* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB (A) hourly average or to the ambient noise level if it already exceeds 60 dB (A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Environmental Designee, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- ii. If the Coastal California Gnatcatcher is not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the City Environmental Designee and applicable resource agencies which

demonstrates whether or not mitigation measures such as noise walls are necessary between March 15 and August 15 as follows:

- a. If this evidence indicates the potential is high for Coastal California Gnatcatcher to be present based on historical records or site conditions, then Condition A.(1)(i).(d.) shall be adhered to as specified above.
- b. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

**Cooper's Hawk (MSCP Covered Species) Conditions of Coverage:**

- B. Establishment of the 300-foot impact avoidance area around active nests identified by the pre-construction survey.

**PLANNING/DESIGN REQUIREMENTS:**

35.36. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

36.37. 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.

37.38. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

38.39. 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.

39.40. Processing, manufacturing, or storage of bulk quantities of hazardous materials (greater than 10,000 gallons) is not permitted in accordance with the applicable regulations in the SDMC.

**PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:**

40.41. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.

41.42. Prior to the issuance of any building permit Owner/Permittee shall installed of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Department and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way. Prior to the issuance of any building permits, the Owner/Permittee shall assure construction of the proposed water meters, within public right-of-way, for all proposed water services.

42.43. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

43.44. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

**TRANSPORTATION REQUIREMENTS**

44.45. All automobile parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls shall be in compliance with the requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose unless otherwise authorized in writing by the appropriate City decision-maker in accordance with the SDMC.

45.46. Prior to issuance of the first building permit, the Owner/Permittee shall assure by permit and bond to reconstruct the existing driveway on Vista Sorrento Parkway per current City standards, as shown on Exhibit 'A', satisfactory to the City Engineer. All improvements shall be completed and operational prior to the first occupancy.

46.47. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of a five-foot (5'-0") wide non-contiguous sidewalk on Sorrento Valley Road per current City standards as shown on Exhibit 'A', to the satisfaction of the City Engineer. All improvements shall be completed and operational prior to the first occupancy.

47.48. The Owner/Permittee shall provide and maintain a sight visibility area on each side of the driveway measured along the property line on Vista Sorrento Parkway per Exhibit 'A'. No obstacles higher than 36 inches shall be located in this area, e.g., shrubs, landscape, walls, columns, monument signs, etc.

48.49. Prior to first occupancy, the Owner/Permittee shall provide and maintain onsite the following Vehicle Miles Traveled (VMT) reduction measure totaling at least 5 points as shown in Exhibit 'A', satisfactory to the City Engineer:

- Thirty-four (34) long-term bicycle spaces are at least 10% beyond the minimum requirements of 14 long-term bicycle spaces (2 points per 10 % increment above the minimum).

**WASTE MANAGEMENT REQUIREMENTS:**

49-50. The Owner/Permittee shall comply with the Waste Management Plan prepared by RECON Environmental, Inc., dated August 20, 2024, and shall be enforced and implemented to the satisfaction of the Environmental Services Department.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

51. 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.

52. The mitigation measures specified in the MMRP, which is attached to the 10509 Vista Sorrento / Project No. PRJ-1062368 California Environmental Quality Act – Section 15162 Evaluation, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

53. The Owner/Permittee shall comply with the MMRP, which is attached to the 10509 Vista Sorrento / Project No. PRJ-1062368 California Environmental Quality Act – Section 15162 Evaluation, 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:

- Noise and Vibration

**INFORMATION ONLY:**

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or commence 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 Hearing Officer of the City of San Diego on ~~May 6~~June 10, 2026, and [Approved Resolution Number].

**ATTACHMENT 5**

Coastal Development Permit No. PMT-3164687  
Neighborhood Development Permit No. PMT-3164688  
Site Development Permit No. PMT-3407775  
Date of Approval: ~~May 6~~ June 10, 2026

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

\_\_\_\_\_  
Martin R. Mendez  
Development Project Manager

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

\_\_\_\_\_  
**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.

**LS Vista Sorrento II, LLC a Delaware  
limited liability company**  
Owner/Permittee

By \_\_\_\_\_  
Michael S. Dorris  
Senior Vice President

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



THE CITY OF SAN DIEGO

## M E M O R A N D U M

DATE: June 3, 2026

TO: Environmental/Project File  
Development Services Department

FROM: Marlene Watanabe, Associate Planner, Development Services Department

SUBJECT: 10509 Vista Sorrento (Project No. PRJ-1062368)  
California Environmental Quality Act – Section 15162 Consistency Evaluation

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The City of San Diego (City), as Lead Agency, completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent Environmental Impact Reports and Negative Declarations consistency evaluation for the proposed 10509 Vista Sorrento project (Project). See 14 C.C.R. §15162.

This CEQA Guidelines section 15162 Consistency Evaluation (Evaluation) was performed to determine whether the conditions specified in this section would require preparation of a subsequent or new environmental document for the proposed Project. As outlined in the Evaluation, the City has determined that the Project is consistent with the previously certified Program Environmental Impact Report SCH No. 2022090061 (PEIR) prepared for the Mira Mesa Community Plan Update, and would not result in new significant impacts or a substantial increase in the severity of previously identified significant effects requiring additional environmental review under CEQA Guidelines Section 15162.

On May 6, 2026, the project was scheduled for a Hearing Officer public hearing. Prior to the hearing, Lozeau Drury LLP, representing Supporters Alliance For Environmental Responsibility (SAFER), submitted a letter to the Hearing Officer, which commented on the CEQA Section 15162 Consistency Evaluation Memorandum, dated April 14, 2026. The letter identified that the PEIR Mitigation Framework required the implementation of Air Quality and Noise mitigation measures. Therefore, staff requested that the item be continued. Consequently, a new Evaluation was performed to determine whether the conditions specified in CEQA section 15162 would require preparation of a subsequent or new environmental document. As outlined in this new Evaluation, the City has determined that the Project is consistent with the previously certified PEIR SCH No. 2022090061 (PEIR). Furthermore, the Evaluation reflects revisions to the Air Quality and Noise analyses as well as the Mitigation Monitoring and Reporting Program. The revisions do not affect the determination of a CEQA Section 15162 Consistency Evaluation or conclusions included herein. Additionally, the Evaluation dated April 15, 2026, is attached to this memorandum.

## PREVIOUS ENVIRONMENTAL REVIEW

The project site is within the scope of the Mira Mesa Community Plan PEIR State Clearinghouse Number (SCH No.) 2022090061. The PEIR prepared for the MMCP was certified by the San Diego City Council on December 14, 2022, per Resolution No. R-314479. The PEIR analyzed a comprehensive update of the MMCP, which incorporates relevant policies from the City of San Diego General Plan and provides a long-range, comprehensive policy framework and vision for growth and development in the Mira Mesa community. The MMCP provides community-specific policies that further implement the General Plan with respect to the distribution and arrangement of land uses and the local street and transit network; implementation of urban design guidelines; recommendations preserving and enhancing natural open space and historical and cultural resources; and prioritization and provision of public facilities within the Mira Mesa community. The PEIR conducted a program-level analysis that would require the implementation of the associated Mitigation Framework. The Mitigation Framework contains Mitigation Measures for air quality (air quality plans, Regional Air Quality Strategy [RAQS]), historical resources, and noise (construction and vibration).

## PROJECT DESCRIPTION

The project proposes a Coastal Development Permit (CDP), Neighborhood Development Permit (NDP), a Site Development Permit (SDP), and Utility Easement Vacation for the demolition of an existing 4-story, 84,000 square-foot (sf) office building, trash and mechanical enclosures, and the construction of a new 4-story, 112,400 sf Commercial Office Building for Research and Development (R&D) uses and a new 6-story 189,795 sf parking garage, associated hardscape and landscape improvements, and other associated improvements (replacement of the central plant, new generator, and new trash enclosure) at 10509 Vista Sorrento Parkway.

The 5.58-acre site is located southeast of the intersection of Lusk Boulevard and Vista Sorrento Parkway and is surrounded by office and research and development uses to the north and south, a roadway to the west, and open space to the east. The site has an existing office structure, parking lot, and associated improvements and contains a portion of the Multiple Habitat Planning Area (MHPA) on the northeastern portion of the site. The site is zoned IL-3-1 in the MHPA for the City's Multi-Species Conservation Plan (MSCP) area, Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station [MCAS] Miramar), Airport Influence Area (Review Area 1 – MCAS Miramar), Federal Aviation Administration (FAA) Part 77 (MCAS Miramar – 615' and above), Coastal (Non-Appealable) Overlay Zone (N-APP-1), Parking Impact Overlay Zone (Coastal), and the Transit Priority Area and is designated for Technology Park land uses within the Mira Mesa Community Plan area.

Per Sections 126.0707 and 132.0402 of the San Diego Municipal Code (SDMC), the project is in the Coastal (Non-Appealable) Overlay Zone and will thus requires a Coastal Development Permit (CDP). Per Table 132-15B in Section 132.1502(c) of the SDMC, the project requires a Neighborhood Development Permit (NDP) for development where alternative compliance is requested to demonstrate safety compatibility within the Airport Land Use Plan Safety Zone. The project requires a Site Development Permit (SDP) for development on a premise that contains Environmentally

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Sensitive Lands (ESL) in accordance with SDMC Section 126.0502(a)(3). Additionally, a Public Service Easement Vacation is required for the proposed vacation of sewer, water, drainage, and public utilities easements on the site.

The project's landscaping has been reviewed by City staff and would comply with all applicable City of San Diego Landscape ordinances and standards. The project would replace ornamental landscaping within the existing developed footprint of the site. Additionally, the project would include Brush Management Zone 1 and Zone 2 areas consistent with the City's Brush Management Regulations.

The proposed onsite drainage system, consisting of a detention basin and vault system and storm drain connections, would be engineered to adequately manage site stormwater. Drainage would be directed into appropriate storm drain systems designated to carry surface runoff. The project would implement best management practices to meet the City's Stormwater Standards. Project grading would require 13,175 cubic yards (cyds) of cut to a depth of 37 ft, 4,786 cubic yards of undercut to a depth of 2 ft, and 4,778 cyds of fill to a maximum depth of 14 ft, resulting in net export of approximately 13,183 cyds.

## **CEQA 15162 CONSISTENCY EVALUATION**

DSD reviewed the proposed Project and conducted a 15162 consistency evaluation with the previously certified PEIR. The following evaluation substantiates the conclusion that supports a determination that no subsequent document is required.

### **Air Quality**

#### **PEIR**

Air Quality impacts are evaluated in Section 5.1 of the PEIR.

#### **Air Quality Plan Conflict**

The PEIR determined that because the proposed MMCP would result in greater density than the adopted MMCP, future emissions associated with the build out of the MMCP area would be greater than future emissions associated with build out of the adopted land uses. Therefore, emissions of ozone precursors (volatile organic compounds and nitrous oxide) would be greater than what is accounted for in the RAQS. The MMCP must implement PEIR Mitigation Measure AQ-1, which requires the City to provide the San Diego Association of Governments (SANDAG) with a revised land use map and housing employment forecast for the MMCP area in order to update the RAQS and State Implementation Plan (SIP). However, even with this Mitigation Framework, the PEIR identified the project and cumulative impacts as significant and unavoidable.

#### **Air Quality Violation**

The PEIR identified that at the program level, the MMCP would exceed air quality standards during both construction and operation, as determined in the California Emissions Estimator Model (CalEEMod). The MMCP must implement PEIR Mitigation Measures AQ-2 and AQ-3. PEIR Mitigation

Measure AQ-2 requires future projects in the MMCP area to analyze construction-related air quality impacts and incorporate mitigation if results are found to be potentially significant. PEIR Mitigation Measure AQ-3 requires best available control measures/technology be incorporated into individual construction projects that exceed the daily emissions thresholds established by the City. Even with this Mitigation Framework, the PEIR identifies the project and cumulative impacts as significant and unavoidable.

#### Sensitive Receptors

The PEIR identified that peak hour traffic volumes at all intersections would remain below the screening threshold for carbon monoxide (CO) hotspots under the proposed MMCP. Additionally, future projects in the MMCP area would consider air quality and air pollution sources in the siting, design, and construction of sensitive receptors. Implementation of the proposed MMCP would not result in a localized CO hotspot and would not expose sensitive receptors to elevated levels of toxic air contaminants during construction or operation. The PEIR identifies project and cumulative impacts as less than significant, and no mitigation is required.

#### Odors

The PEIR identified that potential construction-generated odors would be localized, temporary, intermittent, and not expected to affect a substantial number of people. The proposed MMCP would not introduce land uses that would generate substantial odor during operations. Therefore, the PEIR identified project and cumulative impacts associated with odors as less than significant, and no mitigation is required.

### **Project**

#### Air Quality Plan Conflict

The Project would be consistent with the MMCP land uses and zoning assumptions. In addition, the Air Quality Analysis (RECON, 2026) confirms that Project emissions would not exceed the projections assumed in the RAQS and that the Project's construction and operational emissions would be below City thresholds. Therefore, the Project would not create a new or substantially more severe air quality plan conflict beyond what was analyzed in the PEIR, nor would the Project's emissions exceed the RAQS or otherwise violate an air quality standard.

#### Air Quality Violation

Construction-related air quality impacts were evaluated in the Air Quality Study (RECON, 2026) for the Project. The analysis used CalEEMod 2022.1.1.43 to calculate construction and operational emissions in accordance with MM-AQ-2. This analysis modeled construction emissions based on the Project's anticipated construction activities, including demolition, site preparation, grading, building construction, paving, and architectural coatings. The analysis also modeled a conservative construction scenario in which Phase 1 and Phase 2 construction activities were assumed to occur simultaneously. Based on RECON's analysis, maximum daily construction emissions would not exceed the City's applicable screening thresholds for all criteria pollutants. The RECON analysis also evaluated operational emissions, including mobile, area, energy, and stationary-source emissions from the proposed R&D building, parking structure, and emergency generators. The analysis

concluded that operational emissions would be below the City's screening thresholds for all criteria pollutants. Accordingly, MM-AQ-2 has been satisfied. Because RECON's construction-emissions analysis does not identify exceedances of the City's daily emissions thresholds, MM-AQ-3 is not triggered. In sum, construction and operational air quality impacts would be less than significant and the Project would not create a new significant air quality impact or substantially increase the severity of air quality impacts previously analyzed in the PEIR.

#### Sensitive Receptors

Project construction would involve heavy-duty diesel equipment, but any resultant pollutant emissions would be short-lived and below the significance level threshold. These emissions were evaluated in the Air Quality Analysis using CalEEMod 2022.1.1.43, which concluded that construction emissions would remain below the City's applicable screening thresholds for all criteria pollutants. The Project involves R&D uses that would not cause traffic volumes of a high enough quantity to create delays that could lead to CO hotspots and would be consistent with the designated MMCP land uses and zoning. Therefore, the Project is not anticipated to cause sensitive receptors to be exposed to substantial pollutant concentration. Impacts would be less than significant.

#### Odors

Due to the type of project (R&D) and project location, the project is not anticipated to create objectionable odors for a substantial number of people. Land uses associated with odor complaints typically include sewage treatment plants, landfills, recycling facilities, and manufacturing. The project does not involve any of these uses, and none of these uses are present in the project vicinity. The site is zoned for light industrial uses (IL-3-1), which does not allow these types of uses typically associated with odor complaints and does not involve a rezone. Additionally, the project would comply with SDMC/Land Development Code (LDC), as well as the San Diego Air Pollution Control District (SDAPCD) requirements. The project would be consistent with the designated MMCP land uses and zoning. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR air quality analysis. The project would not create any new significant air quality impact, nor would it substantially increase the severity of air quality impacts from that described in the PEIR.

### **Biological Resources**

#### **PEIR**

Biological Resources impacts are evaluated in Section 5.2 of the PEIR.

#### Sensitive Species

The PEIR identified that the implementation of the proposed MMCP has the potential to impact sensitive plant and wildlife species either directly through the loss of habitat (including critical habitat) and/or direct take, or indirectly by placing development in or adjacent to sensitive habitat. Potential impacts on federal- or state-listed species, Multiple Species Conservation Program (MSCP)

Covered Species, Narrow Endemic Species, plant species with a California Native Plant Society Rare Plant Rank of 1 or 2, and wildlife species included on the California Department of Fish and Wildlife (CDFW)'s Special Animals List would be significant. Potential impacts on sensitive species and/or designated critical habitat of listed species would be mitigated in accordance with City's Environmentally Sensitive Lands (ESL) Regulations, Biology Guidelines, and the provisions of the MSCP Subarea Plan (SAP) and Vernal Pool Habitat Conservation Plan (VPHCP). Potential impacts on birds covered by the Migratory Bird Treaty Act (MBTA) would be avoided by adherence to the requirements of this law. Further, sensitive species in the MMCP area are concentrated in the MHPA, which is comprised of topography such as canyons, creeks, and steep hillsides. The proposed MMCP designates these areas as Open Space to be preserved from intensive development consistent with the City's MSCP SAP. Through the implementation of the existing regulatory framework, the PEIR identified project and cumulative impacts on sensitive species as less than significant with no mitigation required.

#### *Sensitive Habitats*

The PEIR identified that future projects implemented in accordance with the proposed MMCP could potentially have an impact on sensitive upland (Tier I, Tier 11, Tier IIIA, and Tier IIIB) and wetland habitat that is present within the MMCP area. Future development under the MMCP would undergo environmental review, including compliance with the City's ESL Regulations prior to disturbance of those lands. Further, sensitive habitat in the MMCP area is concentrated in the MHPA, which is comprised of topography such as canyons, creeks, and steep hillsides. The proposed MMCP designates these areas as Open Space to be preserved from intensive development consistent with the City's MSCP SAP. Through compliance with the established development standards contained in the City's ESL Regulations, Biology Guidelines, VPHCP, MSCP SAP, and MHPA Land Use Adjacency Guidelines, the PEIR identifies project and cumulative impacts on sensitive vegetation communities as less than significant with no mitigation required.

#### *Wetlands*

The PEIR identified that future projects implemented in accordance with the proposed MMCP could potentially have an impact on wetlands or other jurisdictional areas that are present within the MMCP area. If impacts on wetlands occur, they would be regulated by the U.S. Army Corps of Engineers in accordance with Section 404 of the Clean Water Act (CWA), the Regional Water Quality Control Board in accordance with Section 401 of the CWA, the CDFW under Section 1600 of the California Fish and Game Code, and the City in accordance with the City's Biology Guidelines, ESL Regulations, VPHCP, and MSCP SAP. Further, wetlands in the MMCP area are concentrated in the MHPA, including canyons, and creeks. The proposed MMCP designates these areas as Open Space to be preserved such that development is sited on the least sensitive area consistent with the City's MSCP SAP. Per the City's ESL Regulations and Biology Guidelines, impacts on wetlands should be avoided, and a wetland buffer is required around all wetlands as appropriate to protect the functions and values of the wetland (City of San Diego 2018). Through the implementation of the existing regulatory framework, the PEIR identifies project and cumulative impacts on wetlands as less than significant with no mitigation required.

#### *Wildlife Movement*

The PEIR identified that regional and local wildlife corridors that exist within the MMCP area are surrounded by existing development and are within the Open Space land use designation, which would not be changed by the proposed MMCP. Future development within the MMCP area would undergo an environmental review to determine potential impacts on wildlife corridors, and impacts would be mitigated in accordance with the City's ESL Regulations, Biology Guidelines, and MSCP SAP. Therefore, the proposed MMCP would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP SAP, or impede the use of native wildlife nursery sites. The PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### Habitat Conservation Plan Consistency

The PEIR identified that future development in accordance with the proposed MMCP would be subject to compliance with applicable current and future local, state, and federal policies, guidelines, directives, and regulations, including but not limited to, the state and federal Endangered Species Act, the San Diego County MSCP, the City's ESL Regulations, Biology Guidelines, and the City's MSCP SAP and VPHCP. In addition, the proposed MMCP includes policies aimed at resource protection and preservation of the MHPA. Future development within the MMCP area would be evaluated for compliance with these requirements, and necessary avoidance and mitigation measures would be determined at the project level. Adherence to the above policies, guidelines, directives, and regulations would avoid future significant impacts. Therefore, the proposed MMCP would not result in a conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP SAP area or in the surrounding region. As a result, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### **Project**

To assess the project's potential biological resource impacts, a Biological Resources Letter Report was prepared by Recon (July 2025).

#### Sensitive Species (Direct Impacts)

The project site is comprised of an existing office building, a parking lot, and associated site improvements, with manufactured and natural slopes containing areas of ornamental and native vegetation. The project contains 0.14 acres of MHPA on the northeast portion of the site, which is outside of the proposed impact area.

No sensitive plant species were observed within the project area at the time of the survey; therefore, no direct impacts to sensitive plant species are anticipated to result from the project. Potential direct impacts to sensitive wildlife species are discussed below.

*Coastal California gnatcatcher* – Coastal California gnatcatcher has high potential to occur within coastal sage scrub offsite but is not expected to occur within the urban/developed land that would be impacted. Therefore, no direct impacts to coastal California gnatcatcher would occur.

*Southern California rufous-crowned sparrow* – Southern California rufous-crowned sparrow has high potential to occur within coastal sage scrub offsite but is not expected to occur within the urban/developed land that would be impacted. Therefore, no direct impacts to southern California rufous-crowned sparrow would occur.

*Cooper's hawk* –Cooper's hawk has potential to occur within the disturbed habitat in the eastern portion of the project area. Establishment of the 300-foot impact avoidance area around active nests as identified within the MSCP area specific management directives would be required as a project condition of approval. Therefore, no direct impacts to Cooper's hawk are anticipated.

*Crotch's bumble bee* –Crotch's bumble bee has moderate potential to occur within coastal sage scrub offsite but is not expected to occur within the urban/developed land that would be impacted. Impacts would occur to the existing developed building, driveway, and paved parking lot which contains limited vegetation comprised of ornamental landscaping that is actively maintained around the building and within the parking lot medians. Therefore, no direct impacts to Crotch's bumble bee would occur.

#### *Sensitive Species (Indirect Impacts)*

The project boundary contains 0.14 acre of MHPA on-site and is located adjacent to a larger expanse of MHPA and thus will be required to comply with MHPA Land Use Adjacency Guidelines as a condition of project approval in order to avoid potential indirect impacts to MHPA lands and adjacent sensitive habitats and species. Compliance with Land Use Adjacency Guidelines would ensure drainage and lighting is directed away from the MHPA and entry is prevented into the MHPA. Furthermore, compliance would ensure no invasive plant species would be introduced adjacent to the MHPA and the project's landscaping plans do not include any invasive species on the California Invasive Plant Council Invasive Plant Inventory Database or Table 3 of the City's Landscape Standards (City of San Diego 2016). Due to the potential presence of suitable coastal California gnatcatcher habitat adjacent to the proposed area of disturbance, noise during construction could have an adverse effect on the breeding activities of this species inside the MHPA. Land Use Adjacency Guidelines for noise would be required as a project condition of approval. With implementation of the Land Use Adjacency Guidelines, adverse indirect impacts to the adjacent MHPA and to occupied coastal California gnatcatcher habitat would be avoided. Establishment of the 300-foot impact avoidance area around active Cooper's hawk nests would ensure that impacts to Cooper's hawk are also avoided.

#### *Sensitive Habitats*

The proposed project would result in a total of 3.69 acres of direct impacts to urban/developed land. All impacts would occur outside of the MHPA. Impacts to urban/developed and disturbed land are not considered significant as they are not considered sensitive by the City's Biology Guidelines and do not require mitigation (City of San Diego 2018). The remaining 1.2 acres of Diegan coastal sage scrub within the project boundary is conserved within a deed restriction which precludes future development of the undeveloped portion of the parcel.

#### *Wetlands*

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No potential jurisdictional resources, including waters or wetlands, were observed within the project boundary. As such, no impacts to wetlands would occur.

#### Wildlife Movement

The proposed project would occur within an existing developed area outside of any wildlife movement corridor. A portion of the project boundary is located within the MHPA, which may provide opportunities for wildlife movement associated with Lopez Canyon. However, the project impact footprint is separated from the MHPA by steep manufactured slopes and would not cause permanent impacts to native vegetation communities contributing to the corridor. The project has also been designed to comply with the MSCP General Planning Policies and Design Guidelines, Land Use Adjacency Guidelines, and General Management Directive, which ensure no indirect impacts to the MHPA would result from the proposed project. As a result, the project would not cause any loss of functionality of the wildlife corridor, so impacts to corridors would be less than significant and no mitigation would be required.

#### Habitat Conservation Plan Consistency

Development adjacent to the MHPA must ensure that indirect impacts to the MHPA are minimized. The City's MSCP Subarea Plan outlines the requirements for Land Use Adjacency Guidelines (LUAGs) to address indirect effects related to drainage, toxics, lighting, noise, barriers, invasive plant species, brush management, and grading/land development. Because the project would include development adjacent to MHPA, the LUAGs would be included as a condition of project approval with coastal California gnatcatcher conditions as described above. As such, the project would be consistent with the MSCP and no impact would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR biological resources analysis. The project would not create any new significant biology impact, nor would it substantially increase the severity of biology impacts from that described in the PEIR.

### ***Geology/Soils***

#### **PEIR**

Geology and Soils impacts are evaluated in Section 5.3 of the PEIR.

#### Seismic Ground Shaking

The PEIR identified that future development activities within the MMCP area would be required to comply with applicable regulatory/industry standard and codes, including the California Building Code (CBC) and SDMC, to reduce potential seismic hazards to an acceptable level of risk. Thus, while the MMCP area would be subject to seismic events, potential hazards associated with ground shaking and seismically induced hazards such as ground failure, liquefaction, landslides, and dam failure would be reduced through implementation of site-specific geotechnical requirements and site design associated with future development within the MMCP area. Additionally, the proposed

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MMCP would not result in any changes to the Miramar Reservoir dam or otherwise increase the potential for dam failure to occur within the MMCP area. Therefore, the PEIR identifies project and cumulative impacts related to seismic hazards as less than significant, with no mitigation required.

#### Soil Erosion

The PEIR identified that future development projects implemented within the MMCP area would be required to comply with applicable regulatory/industry standards and codes, including the SDMC (grading requirements), the City's Stormwater Program, and National Pollutant Discharge Elimination System (NPDES) requirements to reduce potential impacts related to erosion and sedimentation hazards to an acceptable level of risk. Therefore, the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

#### Unstable Geology

The PEIR identified that future development projects implemented within the MMCP area would be required to comply with applicable regulatory/industry standards and codes, including the SDMC and CBC, to reduce potential impacts related to geologic instability to an acceptable level of risk. Potential hazards associated with instability would be addressed by the site-specific recommendations contained within geotechnical investigations as required by the SDMC. Therefore, the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

#### **Project**

A Preliminary Geotechnical Investigation was completed by GEOCON Incorporated (March, 2024) and Addendum (August, 2024) to assess the project's potential impacts on geological resources.

#### Seismic Ground Shaking

According to the Geotechnical Investigation, the site is not underlain by active, potentially active, or inactive faults. Due to the lack of a permanent, near-surface groundwater table and the very dense nature of the underlying fill and formational materials, liquefaction potential for the site is considered very low. Additionally, based on regional mapping and site-specific analysis, the potential for seismically induced landslides or slope instability is not considered a significant concern for the project. The project would also be required to comply with the California Building Code (CBC) and San Diego Municipal Code (SDMC) to reduce any potential seismic hazards. Impacts would be less than significant.

#### Soil Erosion

Construction of the proposed project would involve a variety of heavy equipment associated with intensive earthwork, structural, and paving phases. The project would be required to comply with the City's Storm Water Standards, which require the implementation of BMPs. Grading activities would be required to comply with the City's Grading Ordinance as well as the Storm Water Standards, which would ensure soil erosion and topsoil loss is minimized to less than significant

levels. Furthermore, permanent storm water BMPs would also be required post-construction consistent with the City's regulations. Impacts would be less than significant.

### Unstable Geology

Based on regional mapping and site-specific analysis evaluated in the Geotechnical Investigation, the potential for landslides, slope instability, and liquefaction are not considered a significant concern for the project. The project would not extract underground materials, so impacts related to subsidence would be less than significant. Finally, the project would be required to comply with seismic requirements of the CBC and use proper engineering design and standard construction practices, which are verified at the building permit stage. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR geology analysis. The project would not create any new significant geology impact, nor would it substantially increase the severity of geology impacts from that described in the PEIR.

### **Greenhouse Gas Emissions**

#### **PEIR**

Greenhouse Gas Emissions impacts are evaluated in Section 5.4 of the PEIR.

#### Greenhouse Gas Emissions

The PEIR identified that the proposed MMCP would increase aggregate greenhouse gas (GHG) emissions over those of the adopted Community Plan at buildout; however, this increase in GHG is a direct result of the implementation of Climate Action Plan (CAP) Strategies and the General Plan's "City of Villages" strategy, which focuses growth in certain areas. Increasing residential and commercial density in transit corridors and villages within a TPA would support the City in achieving the regional GHG emissions reduction targets of the CAP, and thus, the PEIR identified project and cumulative impacts associated with GHG emissions as less than significant with no mitigation required.

#### Greenhouse Gas Reduction Plan Consistency

The PEIR identified that the proposed MMCP would develop compact, walkable Urban Villages close to transit connections and consistent with smart growth principles. The MMCP supports the multi-modal strategy of the SAN DAG Regional Plan through improvements to increase bicycle, pedestrian, and transit access. Policies and goals contained within the proposed MMCP Land Use, Parks, Recreation, and Open Space, and Economic Prosperity and Mobility sections would serve to promote bus transit use as well as other forms of mobility, including walking and bicycling. The proposed MMCP incorporates goals and policies intended to support the General Plan and CAP policies and thus, the PEIR identified project and cumulative impacts associated with GHG emissions as less than significant with no mitigation required.

#### **Project**

A CAP Consistency Checklist (January 2023) for the proposed project was reviewed and accepted by City Staff.

#### Greenhouse Gas Emissions

The CAP Consistency Regulations included in Section §143.14 of the City's Municipal Code became effective in the Coastal zone on June 8, 2023. The project will be required to comply with the new CAP Consistency Regulations at the building permit stage. The project application was deemed complete when compliance with the CAP Consistency Checklist was the method for determining project-level impacts associated with GHG. Under Step 1 of the CAP Consistency Checklist, the project is consistent with the existing General Plan and MMCP land use designations and zoning for the site. Therefore, the project is consistent with the growth projections and land use assumptions used in the CAP. Furthermore, completion of Step 2 of the CAP Consistency Checklist demonstrates that the project would be consistent with applicable strategies and actions for reducing GHG emissions at the project level. This includes project features consistent with the energy and water efficient buildings strategy, such as cool roofing and low-flow plumbing fixtures. The project would also feature electric vehicle and bicycle parking spaces and carpool/vanpool/clean air vehicles parking and a Transportation Demand Program to incentivize the use of alternative transportation. These project features would be assured as a condition of project approval. Step 3 of the CAP Consistency Checklist would not be applicable, as the project is not proposing a land use amendment or a rezone. Based on the project's consistency with the City's CAP Consistency Checklist, the project's contribution of greenhouse gases to cumulative emissions would be less than cumulatively considerable. Impacts would be less than significant.

#### Greenhouse Gas Reduction Plan Consistency

As discussed above, the project demonstrates compliance with the City's CAP. The project does not propose development that would generate GHG emissions that would have a significant impact on the environment. The project is also consistent with the land use designation and zoning, as discussed previously herein. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR greenhouse gas emissions analysis. The project would not create any new significant greenhouse gas impact, nor would it substantially increase the severity of greenhouse gas impacts from that described in the PEIR.

### ***Historical Resources***

#### **PEIR**

Historical, Archaeological, and Tribal Cultural Resources impacts are evaluated in Section 5.5 of the PEIR.

#### Historic Structures

The PEIR identified that future development and redevelopment under the proposed MMCP could result in the alteration of a historical resource, where implementing the proposed MMCP would

result in increased development potential. While the SDMC and policies in the proposed MMCP provide for the regulation and protection of designated and potential historical resources, it is not possible to ensure the successful preservation of all historic built environment resources within the MMCP area. Implementing future projects within the MMCP area could result in an alteration of a historic building, structure, object, or site where an increase in density is proposed beyond the adopted Community Plan or current zoning. The PEIR identified no feasible Mitigation Framework. Thus, the PEIR identified potential project and cumulative impacts on historic buildings, structures, or sites as significant and unavoidable.

#### Prehistoric or Historic Resources

The PEIR identified that implementation of future projects within the MMCP area could adversely impact prehistoric or historic archaeological resources, including religious or sacred use sites and human remains. While existing regulations, the SDMC and proposed MMCP policies would provide for the regulation and protection of archaeological resources and human remains and avoid potential impacts, it is not possible to ensure the successful preservation of all archaeological resources where new development may occur. The MMCP would be required to implement PEIR Mitigation Measure HIST-1, which requires future projects to evaluate the potential sensitivity of the future project site; conduct an evaluation report and tribal consultation if resources are likely at the future project site; avoid resources during construction if feasible; produce an archaeological resource management report; and properly handle any resources uncovered during construction. However, even with the implementation of the Mitigation Framework, the protection of archaeological resources during future MMCP project construction cannot be guaranteed. Therefore, the PEIR identifies potential project and cumulative impacts on prehistoric or historic archaeological resources, religious or sacred use sites, and human remains from the implementation of the MMCP as significant and unavoidable.

#### Tribal Cultural Resources

In July 2022, in accordance with AB 52, project notification letters and the draft Cultural Resources Constraints & Sensitivity Analysis were sent to Ms. Lisa Cumper, Tribal Historic Preservation Officer (THPO) from the Jamul Indian Village; Mr. Clint Linton, Director of Cultural Resources from the Lipay Nation of Santa Ysabel; and Ms. Angelina Gutierrez, Tribal Historic Preservation Monitor from the San Pasqual Band of Mission Indians providing an opportunity to consult on the proposed CPU.

The City received a request for consultation from the Jamul Indian Village. Consultation with Jamul Indian Village was initially conducted on September 16, 2022, which addressed the CPU scope and the proposed mitigation framework in the Draft PEIR, including the specific procedures for project review, tribal consultation, and the proper treatment of Tribal Cultural Resources at the project level. Consultation was considered "on-going" in order to address questions related to the cultural sensitivity map and Draft PEIR mitigation framework. Subsequent consultation with Jamul Indian Village was conducted on October 20, 2022, to provide additional clarifying information regarding the development of the cultural Sensitivity map. Ultimately, no additional requirements or recommendations were requested to be incorporated into the Final PEIR, and consultation was concluded.

Based on consultation, the PEIR identified that the implementation of future projects within the MMCP area could adversely affect tribal cultural resources. While existing regulations, the SDMC, and proposed MMCP policies, including PEIR Mitigation Measure HIST-1 described above, would provide for the regulation and protection of tribal cultural resources, it is not possible to ensure the successful preservation of all tribal cultural resources. Therefore, the PEIR identified potential project and cumulative impacts on tribal cultural resources as significant and unavoidable.

Project

#### Historic Structures

The existing buildings at the project site were constructed in 1984 and do not qualify as historic structures. No impacts would occur to historic structures.

#### Prehistoric or Historic Resources

According to Figure 5.5-2 of the PEIR, the project site is in an area of high cultural resources sensitivity. In accordance with PEIR Mitigation Measure HIST-1, an initial investigation was conducted to determine if cultural resources are present on the project site. A record search of the California Historic Resources Information System (CHRIS) digital database was reviewed by qualified archaeological City staff to determine the presence or absence of potential archaeological resources within the project site. The CHRIS search did not identify any recorded archaeological sites within or adjacent to the property. Additionally, the project proposes improvements within the existing developed footprint and per the Geotechnical Report, the project site is underlain with undocumented fill to depths ranging from about 3 to 30.5 feet below grade.

Most archaeological sites have some surface expression and some sites have been found within inches of the ground surface. The likelihood of encountering archaeological resources is greatest on sites that have been minimally disturbed in the past (e.g., undeveloped parcels, vacant lots, and lots containing surface parking). Previously excavated areas are generally considered to have a low potential for archaeological resources, since the soil containing the archaeological resources has been removed. Based upon the negative CHRIS search and the previously disturbed nature of the impact area, including the prior placement of the existing office structure, parking lot, and associated improvements and undocumented fill to depths ranging from about 3 to 30.5 feet below grade; qualified archaeological City staff determined that the project site has low potential for archaeological resources. The comprehensive archaeological evaluations and procedures required under PEIR Mitigation Measure HIST-1 would, therefore, not apply to the project. The project site is not within a cemetery or otherwise known to include human remains. Should human remains be uncovered during construction, the project would comply with State Health and Safety Code Section 7050.5 in which a temporary construction exclusion zone to be established surrounding the area of discovery, immediate notification of the San Diego County Coroner's office, and evaluation by a forensic anthropologist. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. Impacts would be less than significant.

### Tribal Cultural Resources

As stated above, the PEIR previously addressed Tribal Cultural Resources through the AB 52 consultation process which ultimately concluded. The consultation required that future projects conduct an initial analysis to determine if there is evidence that the project site could contain archaeological resources.

The project's initial archaeological investigation, including a CHRIS search, confirmed that there are no known cultural resources on the project site. The project site is underlain with undocumented fill to depths ranging from about 3 to 30.5 feet below grade. There are no known tribal cultural resources on the project site, and the comprehensive archaeological evaluations and procedures required under PEIR Mitigation Measure HIST-1 would therefore not apply to the project. No impact would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR historical resources analysis. The project would not create any new significant historical resource impact, nor would it substantially increase the severity of historical resource impacts from that described in the PEIR.

### **Hazards and Hazardous Materials**

#### **PEIR**

Hazards and Hazardous Materials impacts are evaluated in Section 5.6 of the PEIR.

#### Wildland Fires

The PEIR identified that future development implemented in accordance with the proposed MMCP would be subject to regulatory requirements related to fire hazards and prevention, including standards associated with vegetative (brush) management, such as selective removal/thinning and planting of fire-resistant plantings to create appropriate buffer zones around development, as well as incorporating applicable fire-related design elements, including fire-resistant building materials, fire/ember/smoke barriers, automatic alarm and sprinkler systems, and provision of adequate water flow for fire protection and emergency access. Therefore, the PEIR identified project and cumulative impacts associated with wildfire hazards as less than significant, with no mitigation required.

#### Hazardous Substances

The PEIR identified that future development implemented in accordance with the proposed MMCP would be subject to applicable regulatory/industry and code standards and requirements related to health hazards from hazardous materials, including as they relate to proximity to schools. For any new schools that could be constructed within 0.25 miles of a facility that emits hazardous emissions or handles hazardous or acutely hazardous materials, substances, or waste, the school district or private school entities would be responsible for planning, siting, building, and operating the schools. It would be the responsibility of the school district to perform an in-depth analysis of any potential hazards at the project level. Therefore, the PEIR identified project and cumulative impacts on schools from hazardous materials, substances, or waste as less than significant, with no mitigation required.

#### Emergency Response Plans

The PEIR identified that the implementation of the proposed MMCP would not impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan, including the County's Multi-Jurisdictional Hazard Mitigation Plan and Emergency Operations Plan; therefore, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### Hazardous Sites

The PEIR identified that future development implemented in accordance with the proposed MMCP would be required to adhere to applicable regulatory/industry and code standards related to health hazards from hazardous materials. In accordance with City, State, and federal requirements, any new development that involves contaminated property would necessitate the cleanup and/or remediation of the property in accordance with applicable requirements and regulations. This includes obtaining clearance from the applicable regulatory agencies for remediation efforts at applicable locations, including the three listed open cases within and adjacent to the MMCP area. Therefore, the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

#### Airport Safety

The PEIR identified that future development projects within the MMCP area would be subject to the requirements of the MCAS Miramar Airport Land Use Consistency Plan (ALUCP), including safety compatibility and airspace protection criteria, as well as applicable sections of the SDMC. Through compliance with these requirements and the implementation of the policies that require future projects to be reviewed for compatibility with the safety zones, noise contours, and airspace protection surfaces identified in the applicable ALUCP, potential hazards from airport operations would not expose people or structures to a significant risk of loss, injury, or death, from off-airport aircraft operational accidents. Therefore, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

### **Project**

#### Wildland Fires

The project site is located within a Very High Fire Hazard Severity Zone. However, the implementation of the project would not increase wildland fire risk at the site over existing conditions. The project would replace the existing commercial office uses with an R&D building and parking structure within the existing developed footprint that are consistent with the site's zoning and land use designation. The project would install standard fire safety features and all buildings would be constructed in compliance with the fire regulations in the CBC. In addition, the project would comply with brush management requirements as outlined in the City's Brush Management Regulations. Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant.

#### Hazardous Substances

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The proposed project is not located within one-quarter mile of an existing or proposed school. Regardless, the project would comply with all applicable regulations regarding hazardous materials and no impact would occur. No impact would occur.

#### Emergency Response Plans

The project is consistent with the site's land use designation in the MMCP and does not propose street improvements. The project would reconstruct the existing driveway off Vista Sorrento Parkway to City Standard for vehicular access. As such, the project would not result in interference with emergency response access or evacuation. Impacts would be less than significant.

#### Hazardous Sites

A hazardous waste site records search was completed in February 2026 using Geo Tracker and EnviroStor, online websites which disclose hazardous clean-up sites pursuant to Government Code section 65962.5: <http://geotracker.waterboards.ca.gov/>; <https://www.envirostor.dtsc.ca.gov/public/> The records search identified that no hazardous materials sites pursuant to Government Code section 65962.5 exist onsite or in the surrounding area. Therefore, the project would not create a significant hazard to the public or environment resulting from being included on a list of hazardous materials sites. Impacts would be less than significant.

#### Airport Safety

The proposed project is located approximately three miles northwest of the MCAS Miramar Airport. The project site is located within the Airport Land Use Compatibility Overlay Zone (ALUCOZ) (MCAS Miramar), ALUCP Airport Influence Area (AIA) (MCAS Miramar - Review Area 1), ALUCP Safety Zone (MCAS Miramar-Accident Potential Zone 2), and FAA Part 77 Noticing Area. The project would be consistent with alternative compliance for the APZ 2 zone by maintaining a density limit of 50 persons per acre and would not conflict with the airport overlays. As such, the project would not result in land uses that are incompatible with an adopted ALUCP. The project would be consistent with the designated MMCP land uses and zoning. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR hazards analysis. The project would not create any new significant hazards impact, nor would it substantially increase the severity of hazards impacts from that described in the PEIR.

### ***Hydrology/Water Quality***

#### **PEIR**

Hydrology and Water Quality impacts are evaluated in Section 5.7 of the PEIR.

#### Flooding and Drainage Patterns

The PEIR identified that future development projects implemented within the MMCP area would be subject to the requirements of the NPDES, the City's Stormwater Standards Manual, and the SDMC Stormwater Runoff and Drainage Regulations. In addition, the proposed MMCP includes policies that encourage development with sustainable design elements to capture and infiltrate water on-site.

Through adherence to the regulatory framework, augmented by the proposed MMCP policies regarding sustainable design features, the PEIR identified project and cumulative impacts related to flooding from surface runoff as less than significant, and no mitigation is required.

#### Flood Zones

The PEIR identified that future development in accordance with the proposed MMCP would be subject to applicable SDMC and Federal Emergency Management Agency (FEMA) requirements to ensure protection from flooding. Future development projects located within the mapped 100-year floodplain would undergo project-level analysis to determine the effects to base flood elevations and ensure that no flooding, erosion, or sedimentation impacts occur on-or off-site. Thus, the PEIR identified project and cumulative impacts related to flood hazard areas as less than significant, and no mitigation is required.

#### Pollutants

The PEIR identified that future construction activities associated with the MMCP would be subject to applicable requirements in the General Construction Permit or a Stormwater Pollution Prevention Program/Water Pollution Control Plan, which would address the potential for the transport of pollutants in runoff water during construction activities. Future projects in the MMCP area would also be subject to the requirements in the City's stormwater regulations, Stormwater Standards Manual, Jurisdictional Runoff Management Plan, and Municipal Separate Storm Sewer System Permit, which would require that all future projects meet minimum stormwater requirements to protect water quality. Thus, through compliance with the existing regulatory framework addressing protection of water quality, the PEIR identified project and cumulative impacts related to water quality as less than significant, and no mitigation is required.

#### Groundwater

The PEIR identified that current stormwater regulations, which encourage the infiltration of stormwater runoff and the protection of water quality, would allow for groundwater recharge and would protect the quality of groundwater resources. As such, it is not anticipated that the proposed MMCP would deplete groundwater supplies, degrade groundwater quality, or interfere with groundwater recharge. Thus, the PEIR identified project and cumulative impacts related to groundwater as less than significant, and no mitigation is required.

#### **Project**

A Storm Water Quality Management Plan (SWQMP) was prepared for the project by Latitude 33 Planning & Engineering (December 2025) and a Preliminary Drainage Study was prepared for the project by Latitude 33 Planning & Engineering (December 2025).

#### Flooding and Drainage Patterns

The proposed onsite drainage system, consisting of a detention basin and vault system and storm drain connections, would be engineered to adequately manage site stormwater. Additionally, per the Drainage Report, the project would not significantly alter drainage patterns on the site, the ultimate discharge points would not be changed, graded areas would be landscaped to reduce or

eliminate sediment discharge, and post development flows would be less than existing flows. The project would be conditioned to comply with the City's Storm Water Regulations during and after construction, and appropriate BMPs would be utilized. Implementation of project-specific BMPs would preclude violations of any existing water quality standards or discharge requirements. As such, impacts would be less than significant and no mitigation is required.

#### Flood Zones

The project is not within the mapped 100-year floodplain, nor does it propose housing. No impact would occur.

#### Pollutants

Through the incorporation of liners, subdrains, BMPs, and low impact development design practices, the project would not result in significant runoff, as stated in the project's SWQMP. A SWQMP was prepared for the project, which includes construction and post-construction BMPs such as source control and hydromodification designs, which would prevent pollutant discharge to receiving waters. Impacts would be less than significant.

#### Groundwater

There is no groundwater extraction occurring or planned at the project site; therefore, there would be no disruption to any existing groundwater levels or well production. In relation to impervious surfaces that could interfere with groundwater recharge, the project would occur within the footprint of the existing developed portion of the site. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR hydrology/water quality analysis. The project would not create any new significant hydrology/water quality impact, nor would it substantially increase the severity of hydrology/water quality impacts from that described in the PEIR.

#### **Land Use**

#### **PEIR**

Land Use impacts are evaluated in Section 5.8 of the PEIR.

#### Land Use Plan Consistency

The PEIR identified that the proposed MMCP would serve to implement General Plan policies at a local level, specific to the community character and needs, and is generally consistent with the goals and policies of each element of the General Plan. Additionally, the MMCP is consistent with the applicable land use planning documents that address land use, resource management, and development in the Mira Mesa community. Development that implements the proposed MMCP would be required to comply with the Historical Resources Regulations. The amendment to the Historical Resources Guidelines included with the MMCP that will add Tier 2 and Tier 3 communities to the list of areas exempted from review of structures 45 years old or older is supported by the findings of the Focused Reconnaissance Survey and is permitted by Section 143.0212 of the

Historical Resources Regulations and the Historical Resources Guidelines. Thus, the implementation of the MMCP would not conflict with the City's Historical Resources Regulations. As such, the MMCP would result in less-than-significant environmental impacts related to conflicts with applicable planning documents. Thus, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

*Habitat Conservation Plan Consistency*

The PEIR identified that the majority of open space in the Community Plan area is within the MHPA area. The proposed MMCP would incorporate the goals of resource protection outlined in the MSCP Subarea Plan and the VPHCP. In addition, the MMCP would facilitate future development, which would be required to comply with the MHPA Land Use Adjacency Guidelines to prevent conflict with preservation of the MHPA. The PEIR identified project and cumulative impacts as less than significant with no mitigation required.

*Airport Land Use Compatibility Plans*

The PEIR identified that the entirety of the MMCP area is within either Airport Influence Area (AIA) Review Area 1 or Review Area 2 for MCAS Miramar. Future development associated with the proposed MMCP would be required to comply with all requirements of the Airport Land Use Compatibility Overlay Zone and would be reviewed by the City and/or the Airport Land Use Commission (ALUC) for consistency with the ALUCP requirements on a project-by-project basis. Compliance with land use compatibility regulations would ensure the MMCP would not conflict with an adopted ALUCP, and the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

*Divide an Established Community*

The PEIR identified that the proposed MMCP would encourage future physical development to occur in mixed-use Urban Villages centered around existing development areas. The MMCP would be consistent with the existing development pattern by maintaining residential neighborhoods and industrial areas, while facilitating connectivity of employment opportunities, commercial centers along major thoroughfares, and residential or mixed-use neighborhoods. As such, the MMCP would not physically divide a community, and the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

**Project**

*Project Land Use Plan Consistency*

The project site is within the MMCP area and has a General Plan land use designation of Industrial Employment. The project site is designated Technology Park and zone IL-3-1, which allows high technology uses related to applied sciences, including R&D consistent with the proposed project. The proposed project is located approximately three miles northwest of the MCAS Miramar Airport. Implementation of the proposed project would not cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. No impact would occur.

*Habitat Conservation Plan Consistency*

The project site contains 0.14 acre of MHPA. However, the project proposes development within the existing developed footprint on the site, outside of the MHPA. The MMCP and zoning for the site allows for the proposed development and the project would not conflict with any local policies and/or ordinances protecting biological resources. Project impacts related to MHPA adjacency will be precluded through project compliance with the Land Use Adjacency Guidelines. The project will be required to comply with the Land Use Adjacency Guidelines as permit conditions through the project conditions of approval. As a result, the project would not be inconsistent with or conflict with the MSCP Subarea Plan. No impact would occur.

#### Airport Land Use Compatibility Plans

The project is located approximately three miles northwest of the MCAS Miramar Airport. The project site is located within the Airport Land Use Compatibility Overlay Zone (ALUCOZ) (MCAS Miramar), ALUCP Airport Influence Area (AIA) (MCAS Miramar - Review Area 1), ALUCP Safety Zone (MCAS Miramar-Accident Potential Zone 2), and FAA Part 77 Noticing Area. The project would be consistent with alternative compliance for the APZ 2 zone by maintaining a density limit of 50 persons per acre and would not conflict with the airport overlays. As such, the project would not result in land uses that are incompatible with an adopted ALUCP. The project would be consistent with the designated MMCP land uses and zoning. Impacts would be less than significant.

#### Divide an Established Community

The project involves the redevelopment of a site with an existing commercial office building with R&D and parking uses consistent with the MMCP land uses. No impact would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR land use analysis. The project would not create any new significant land use impact, nor would it substantially increase the severity of land use impacts from that described in the PEIR.

### **Noise**

#### **PEIR**

Noise impacts are evaluated in Section 5.9 of the PEIR.

#### Ambient Noise Level

The PEIR identified that the primary source of noise in the MMCP area is traffic. Implementation of the proposed MMCP would introduce new land uses that would generate traffic that would result in substantial noise generation. No feasible Mitigation Framework exists for the increase in traffic noise generated by the MMCP. Because the implementation of the MMCP would result in a substantial increase in ambient noise due to traffic and noise sensitive land uses (NSLUs) could be exposed to vehicular traffic noise levels in excess of the City's Land Use-Noise Compatibility Guidelines, the PEIR identified project and cumulative impacts as significant and unavoidable. Ambient noise level impacts associated with non-traffic generated noise are addressed under Municipal Code Compatibility below.

### Traffic Noise

Refer to the Ambient Noise Level discussion above.

### Airport Land Use Compatibility

The PEIR found that noise-sensitive land uses, including new residential, as well as urban employment village and business park, and other land use designations that allow for residential uses are proposed within the 60 CNEL contours associated with MCAS Miramar. The PEIR identified that although the General Plan Noise Element has an exterior noise compatibility level of 60 CNEL or less for residential uses, noise levels up to 70 CNEL for multifamily residential are considered conditionally compatible, as long as interior noise levels can be attenuated to 45 CNEL or less. The PEIR found that new residential development may be exposed to exterior noise levels from aircraft associated with MCAS Miramar that exceed the Land Use - Noise Compatibility Guidelines. No feasible Mitigation Framework exists to reduce the exposure of sensitive receptors to aircraft noise. Therefore, the PEIR identified project and cumulative impacts as significant and unavoidable for noise-sensitive land uses, including residential land uses.

### Municipal Code Compatibility

The PEIR identified that the City regulates specific noise level limits allowable between land uses, including the requirement for noise studies, limits on hours of operation for various noise-generating activities, and standards for the compatibility of various land uses with the existing and future noise environment. Through enforcement of the Noise Abatement and Control Ordinance, the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

### Construction Noise

The PEIR identified that construction noise attributed to future projects in the MMCP area would be regulated by the SDMC, and construction noise impacts due to the implementation of the MMCP would be determined by a specific future project's compliance with the limits specified in the SDMC. Future infill projects, such as those allowed under the proposed MMCP, may be located in close proximity to existing and future NSLUs. Construction activities related to the implementation of the MMCP could potentially generate short-term noise levels in excess of 75 A-weighted decibel energy equivalent level (12-hour) at adjacent properties. Future projects in the MMCP area would be required to implement PEIR Mitigation Measure NOI-1, which requires construction contractors to implement measures, such as noise attenuation techniques and construction notices to nearby sensitive receptors, to minimize construction noise. However, the ability for future projects to conform to the noise ordinance cannot be determined at the programmatic level. Noise impacts from construction activities are therefore identified as significant and unavoidable in the PEIR. Cumulative impacts, however, would be less than significant because construction activities would be temporary and short-term in nature and would not combine with construction activities around the MMCP area to result in a cumulatively considerable impact.

### Groundborne Noise and Vibration

New development in the MMCP area could include future construction activities that would use vibratory construction equipment and could expose future sensitive receptors to substantial vibration levels. The MMCP would be required to implement PEIR Mitigation Measure NOI-2, which

requires vibration reduction measures to minimize construction-related vibration impacts. However, the ability for future projects in the MMCP area to conform to the vibration ordinance cannot be determined at the programmatic level. The PEIR identified impacts due to groundborne vibration as significant and unavoidable. Cumulative impacts, however, would be less than significant because construction activities would be temporary and short-term in nature and would not combine with construction activities around the MMCP area to result in a cumulatively considerable impact.

## **Project**

### **Ambient Noise Level**

The Project proposes to replace the existing commercial office structure with an R&D structure and parking structure. Based on the VMT Assessment, the Project would generate approximately 617 net new average daily trips (ADT). However, this increase would not result in a substantial increase in roadway noise levels or expose nearby noise-sensitive receptors to traffic noise exceeding applicable thresholds. In addition, there are no residential uses in the vicinity. Considering the scope of the Project and distance from residential uses, the Project would not cause noise impacts related to collocation. In accordance with the PEIR, through enforcement of the Noise Abatement and Control Ordinance, impacts related to noise ordinance-related compliance (i.e., on-site noise sources) would be less than significant. Therefore, ambient and traffic noise impacts would be less than significant.

### **Traffic Noise**

Refer to the Ambient Noise Level discussion above. Traffic noise impacts would be less than significant.

### **Airport Land Use Compatibility**

The adopted ALUCP for MCAS Miramar specifies that noise levels of up to 70 dB CNEL are compatible with R&D land uses, and noise levels between 70 and 80 dB CNEL are conditionally compatible provided interior noise levels do not exceed 50 dB CNEL. The project site is located within the 60-65 dB CNEL contour for MCAS Miramar, does not propose noise-sensitive land uses, and would not be subject to incompatible noise levels from aircraft noise, as defined by the ALUCP for R&D land uses. Impacts would be less than significant.

### **Municipal Code Compatibility**

Operation of the project would include features such as heating, ventilation, and air conditioning (HVAC) systems that could create noise levels from stationary sources that would exceed property line limits. HVAC noise would be controlled in accordance with the property line limits established by the Noise Abatement and Control Ordinance. Impacts would be less than significant.

### **Construction Noise**

Proposed Project construction noise would be generated by diesel engine driven construction equipment used for site preparation and grading, building construction, loading, unloading, and placing materials and paving. Construction activities associated with the Project would be temporary and short-term in nature and would not combine with other construction activities in the MMCP area to result in a cumulatively considerable impact. Due to the potential presence of suitable

coastal California gnatcatcher habitat adjacent to the proposed area of disturbance, noise during construction could have an adverse effect on the breeding activities of this species inside the MHPA. Land Use Adjacency Guidelines for noise would be required as a project condition of approval. With implementation of the Land Use Adjacency Guidelines, adverse indirect impacts to the adjacent MHPA and to occupied coastal California gnatcatcher habitat would be avoided. Establishment of the 300-foot impact avoidance area around active Cooper's hawk nests would ensure that noise impacts to Cooper's hawk are also avoided. Consistent with the PEIR mitigation framework, the Project will incorporate MM-NOI-1 as a construction specification/condition of approval to minimize short-term construction noise. Implementation of PEIR Mitigation Measure NOI-1, which requires construction contractors to implement measures, such as noise attenuation techniques and construction notices to nearby sensitive receptors, to minimize construction noise is required and included in the Mitigation Monitoring and Reporting Program (MMRP). Mitigation Measure NOI-1 would ensure construction noise is reduced to comply with the City's noise regulations.

In addition, construction noise is regulated by Section 59.5.0404 of the City's Noise Abatement and Control Ordinance. Construction would be restricted to between the hours of 7:00 a.m. and 7:00 p.m., and construction noise levels would not exceed a 12-hour equivalent noise level of 75 dB(A) Leq as assessed at or beyond the property line of a property zoned residential, given that there are no properties zoned residential in the vicinity of the Project site. Construction activities would be temporary and short-term in nature. With implementation of and compliance with these requirements, construction noise impacts would not result in a new significant noise impact or substantially increase the severity of noise impacts previously analyzed in the PEIR.

#### Groundborne Noise and Vibration

Off-site exposure to ground-borne vibration would be temporary as it would be limited to the short-term construction period. The site is surrounded on the northwest and southeast by office and other industrial uses, to the northwest by open space, and to the west by roadways. Temporary impacts associated with construction equipment to surrounding uses would be minimized with the implementation of PEIR Mitigation Measure NOI-2, which requires vibration reduction measures to minimize construction-related vibration impacts. With implementation of Mitigation Measure NOI-2, construction-related vibration would not result in a new significant vibration impact or substantially increase the severity of vibration impacts previously analyzed in the PEIR. As an R&D land use, the project would not generate excessive ground-borne vibration during operations. Impacts would be less than significant during operation.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR noise analysis. The project would not create any new significant noise impact, nor would it substantially increase the severity of noise impacts from that described in the PEIR.

#### **Public Services and Facilities**

##### PEIR

Public Services and Facilities impacts are evaluated in Section 5.1 O of the PEIR.

#### *New Public Facilities*

The PEIR identified that the implementation of the proposed MMCP would not result directly in the construction of new or expanded facilities; however, future facilities that are proposed in the MMCP, as well as the MMCP's policy framework and supplemental development regulations (SDRs), which support the expansion of public services and facilities in order to adequately serve the growing population in the community, would facilitate the future construction of new or expanded police stations, fire stations, libraries, schools, and parks and recreational facilities. Buildout of the proposed MMCP would result in population growth which could increase demand on existing facilities and necessitate the construction of new or expanded facilities in order to maintain public services at the desired performance standards. Environmental review would occur at the time of future project review and approval for each future facility. As the location and need for potential future facilities cannot be determined at this time, it is unknown what specific impacts may occur associated with the future construction and operation of such facilities, and, as such, no feasible Mitigation Framework exists. Thus, as it cannot be ensured all impacts associated with the construction and operation of potential future facilities would be mitigated to less than significant, the PEIR identified project and cumulative impacts as significant and unavoidable.

#### *Recreational Demand*

The PEIR identified that the proposed MMCP would result in a buildout of approximately 58,741 dwelling units and a population of approximately 143,000 residents by 2050. In order to maintain the Value Standard established by the City for parks and recreational facilities, the community of Mira Mesa would be required to provide park facilities totaling 14,300 Recreational Value Points upon buildout under the proposed MMCP. The existing and planned park facilities at this time total 11,196 Recreational Value Points, leaving a deficit of recreational facilities. Due to the increase in population and the existing deficit of appropriate recreational facilities, it is possible the increased use of the facilities could result in substantial physical deterioration. The proposed MMCP contains policies and SD Rs that support the maintenance of existing facilities, as well as the provision of new facilities as the community grows, which would serve to reduce the impact; however, it is unknown to what extent these potential future facilities would be able to accommodate increases in demand for recreational facilities, and no feasible Mitigation Framework exists. Thus, the PEIR identified project and cumulative impacts as significant and unavoidable.

#### *Expanded Recreational Facilities*

The PEIR identified that the implementation of the proposed MMCP would result in a deficit of population-based recreation facilities. While the proposed MMCP contains policies and SDRs that would support and require the development of future park/recreational facilities and includes planned park facilities in the community, the proposed MMCP would not directly result in the construction of these planned facilities. Nonetheless, the proposed MMCP's policies and SD Rs would facilitate the future development of parks and recreational facilities, the construction of which could result in physical environmental impacts. While these impacts would be assessed during project-level environmental review, it cannot be ensured the impacts would be less than significant, and no feasible Mitigation Framework exists. Therefore, the PEIR identified project and cumulative impacts as significant and unavoidable.

## **Project**

### **New Public Facilities**

The PEIR's significant and unavoidable public facilities conclusion was based on MMCP buildout and future population growth that could require new or expanded public facilities whose location, size, and environmental effects were not known at the program level. The proposed project would not change the existing demand for police or fire protection services because the operation of the project would not result in a substantial increase in employees or population. The project would replace the existing office uses with R&D uses and parking that are consistent with the site's zoning of IL-3-1 and land use designation of Industrial Employment /Technology Park. Therefore, the project would not substantially increase the need for new police or fire department staff or facilities. Additionally, the project would not introduce inhabitants to the project area which would require additional schools, parks, or other recreational facilities. Therefore, the Project would not implicate the PEIR's program-level uncertainty regarding future public facilities and would not create a new or substantially more severe public facility-related impacts than previously analyzed under the PEIR and any impacts would be less than significant.

### **Recreational Demand**

The proposed project involves the replacement of existing office uses with R&D uses and parking. The project would not introduce inhabitants or visitors that would use existing recreational facilities or create the need for new facilities. The proposed project would not result in physical deterioration of an existing open space area or any recreation facilities. Accordingly, the Project would not implicate the PEIR's program-level uncertainty regarding the deterioration, or accelerated deterioration, of existing parks or other recreational facilities and any impacts would be less than significant.

### **Expanded Recreational Facilities**

The proposed project does not involve or require the construction or expansion of recreational facilities, and no impact will occur. Accordingly, the Project would not implicate the PEIR's program-level uncertainty regarding the location, design, or environmental effects of future parks or recreational facilities and any impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR public services and facilities analysis. The project would not create any new significant public services and facilities impact, nor would it substantially increase the severity of public services and facilities impacts from that described in the PEIR.

## ***Public Utilities***

### **PEIR**

Public Utilities impacts are evaluated in Section 5.11 of the PEIR.

### **Water Supply**

The PEIR identified that according to the water supply assessment, which utilized the City's Urban Water Management Plan based upon SANDAG's Series 14 Forecast land use, there is sufficient water supply to serve the proposed MMCP's estimated annual usage of 1,149 acre-feet per year and future water demands within the Public Utilities Department's (PU D's) service area in normal, single-dry year, and multiple-dry year forecasts. Therefore, the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

### New Facilities

#### **Stormwater Infrastructure**

The PEIR identified that systematic improvements and replacement of the public stormwater facilities throughout the MMCP area are expected to take place as needed due to aging and substandard infrastructure. Upgrades such as increasing capacity and replacement of existing stormwater pipelines are an ongoing process performed by the City's Stormwater Department under its Municipal Waterways Maintenance Plan. The proposed MMCP also includes policy 6.15 which calls for improvements to existing storm drain outfalls and drain discharge systems. Future stormwater improvement projects, as well as future development projects proposed within the MMCP area, would be reviewed by the City to identify and determine any significant adverse effects to the City's stormwater system, as well as any significant environmental impacts associated with the installation of new stormwater infrastructure. Given the programmatic nature of the proposed MMCP, and the lack of site-specific information regarding potential new stormwater infrastructure at this time, no feasible Mitigation Framework exists. The PEIR identified project and cumulative impacts as significant and unavoidable.

#### **Sewer Infrastructure**

The PEIR identified that systematic improvements to sewer facilities throughout the MMCP area are expected to be provided as gradual replacement of aging and substandard infrastructure is needed. Upgrades such as increasing the capacity and replacement of existing sewer pipelines and mains are an ongoing process. Upgrades to sewer infrastructure are administered by the City's PUD and are handled on a project-by-project basis. Future development projects proposed within the MMCP area would be reviewed by the City to identify and determine any significant adverse effects to the City's sewer facilities, as well as any significant environmental impacts associated with the installation of new sewer facilities. Given the programmatic nature of the proposed M MCP and the lack of site-specific information regarding improvements to existing sewer infrastructure and potential new sewer facilities, no feasible Mitigation Framework exists. The PEIR identified project and cumulative impacts as significant and unavoidable.

#### **Water Infrastructure**

The PEIR identified that systematic improvements to water facilities throughout the MMCP area are expected to be provided as gradual replacement of aging and substandard infrastructure is needed. Upgrades such as increasing the capacity and replacement of existing water pipelines and mains are an ongoing process. Upgrades to water infrastructure are administered by the City's PUD and are

handled on a project-by-project basis. Future development projects proposed within the MMCP area would be reviewed by the City to identify and determine any significant adverse effects to the City's water distribution system, as well as any significant environmental impacts associated with the installation of new water infrastructure. Nevertheless, given the lack of site-specific information regarding potential new water facilities, no feasible Mitigation Framework exists. The PEIR identified project and cumulative impacts as significant and unavoidable.

### **Communication Systems**

The PEIR identified that no specific communications systems improvements are proposed as part of the MMCP; however, certain policies may encourage the future development of communications infrastructure, such as proposed MMCP Policies 3.42 and 3.43 which direct the City to facilitate the implementation of Intelligent Transportation Systems and emerging technologies, and Policy 4.6 which directs the City to work with utility providers to accelerate the undergrounding of overhead communication lines and electrical distribution lines within residential neighborhoods. As individual development projects are initiated under the proposed MMCP, coordination with communications utility providers would occur as part of the project design and review process to identify any needed improvements to communication facilities. Future communications systems infrastructure would undergo a project-level review by the City to determine any significant environmental impacts associated with the installation of this infrastructure. Nevertheless, given the lack of site-specific information regarding potential new communications systems infrastructure, no feasible Mitigation Framework exists. The PEIR identified project and cumulative impacts as significant and unavoidable.

### Solid Waste

The PEIR identified that it is anticipated that the implementation of the proposed MMCP would increase the solid waste management needs within the MMCP area due to increased population and development. The proposed MMCP would provide more concentrated land uses within portions of the MMCP area which would result in an increase in solid waste generated. When land uses are more concentrated, per-unit environmental impacts associated with solid waste management, such as collection truck miles per ton collected, are reduced. Greater efficiencies and expanded opportunities for the recycling of marginally marketable items becomes more feasible. Future development projects implemented within the MMCP area would be required to comply with the solid waste regulations of the SDMC. In addition, any future discretionary development exceeding the City's 60-ton solid waste threshold must prepare a waste management plan targeting a 75 percent waste reduction. Implementation of WMPs at the project level would ensure consistency with Assembly Bill 341 and the City's CAP. Therefore, the PEIR identified project and cumulative impacts on solid waste management from the implementation of the proposed MMCP as less than significant, with no mitigation required.

### **Project**

### Water Supply

The project would be consistent with the existing land use and zoning designations for the project site, and, therefore, would be consistent with existing water demand projections contained in the PEIR's water supply assessment. Additionally, the project does not meet thresholds for a new water supply assessment. Therefore, the project would not use excessive amounts of water beyond projected available supplies. Impacts would be less than significant.

#### *New Facilities*

The project involves the replacement of the existing office uses with R&D uses, consistent with the project's existing zoning of IL-3-1 and land use designation of Industrial Employment/ Technology Park. The project site is currently served by existing underground water, stormwater, and sewer lines located within the adjacent streets. Infrastructure improvements would be limited to connections with these underground utility lines located within the adjacent streets, and no off-site improvements are required to serve the project. Impacts would be less than significant.

#### *Solid Waste*

A Waste Management Plan (WMP) was prepared for the project (RECON August 2024) because the project would exceed the City's CEQA thresholds for requiring the preparation of a WMP for projects involving the construction, demolition, and/or renovation of 40,000 square feet or more of building space. As stated in the project's Waste Management Plan, the project would exceed the Construction & Demolition diversion threshold of 75 percent in Assembly Bill 341. The project would comply with the City Recycling Ordinance and the SDMC. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR Public Utilities analysis. The project would not create any new significant Public Utilities impact, nor would it substantially increase the severity of Public Utilities impacts from that described in the PEIR.

#### ***Transportation/Circulation***

##### **PEIR**

Transportation impacts are evaluated in Section 5.12 of the PEIR.

#### *Transportation Policy Compliance*

##### **Pedestrian Facilities**

The PEIR identified that the proposed MMCP would be consistent with and would implement the General Plan's safety and accessibility, connectivity, and walkability policies. Pedestrian-focused policies contained in the proposed MMCP include enhancements to pedestrian travel within the MMCP area, such as implementing the multi-use urban pathway system, constructing sidewalk and intersection improvements, and installing missing sidewalks and curb ramps. In addition, the impact fee study for the MMCP would include planned pedestrian improvements to install curb ramps, sidewalks, and audible pedestrian signals to meet Americans with Disability Act standards.

Implementation of the MMCP would not restrict or impede pedestrian connectivity and would not conflict with any adopted policies or plans addressing pedestrian facilities. Thus, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

### **Bicycle Facilities**

The PEIR identified that the proposed MMCP includes facilities that build on those identified in the San Diego Regional Bicycle Plan and City of San Diego Bicycle Master Plan, while also identifying new recommendations and improving upon existing facilities through an emphasis on protected facilities such as multi-use paths and cycle tracks. Bicycle-focused policies contained in the proposed MMCP are consistent with current Regional and City plans that include providing and supporting a continuous network of safe, convenient, and attractive bicycle facilities throughout the community, and enhancing safety, comfort, and accessibility for all levels of bicycle riders. The MMCP supports improvements such as wayfinding marking, bicycle signals, buffered bicycle lanes, and protected bicycle facilities. Implementation of the proposed MMCP would not restrict or impede bicycle connectivity and would not conflict with any adopted policies or plans addressing bicycle facilities. Thus, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

### **Transit Facilities**

The PEIR identified that the General Plan includes policies for supporting the provision of higher-frequency transit services and implementing transit priority measures to help bypass congested areas. Transit-focused policies contained in the proposed MMCP support the implementation of the transit improvements identified in the Regional Plan by prioritizing the transit system and improving the efficiency of transit services. The MMCP includes the implementation of transit priority signals on key transit corridors and roadway right-of-way specifically for high-quality transit facilities. In addition, the MMCP provides for a complete bicycle and pedestrian network connecting with and improving access to transit. Thus, the implementation of the proposed MMCP would not interfere with the implementation of planned transit improvements and would provide policy support for their implementation. The PEIR identified project and cumulative impacts related to conflicts with plans or policies addressing existing or planned transit facilities as less than significant, with no mitigation required.

### **Roadway Facilities**

The PEIR identified that the proposed MMCP would support goals and policies included in the General Plan, to provide a balanced, multimodal transportation network where each travel mode can contribute to an efficient network of services meeting varied user needs. The General Plan advocates for interconnected street networks within and between communities, and the MMCP would support this effort by creating a walkable and bicycle-friendly environment and supporting transit as a primary mode of travel for many users. Roadway improvements include but are not limited to, repurposing vehicle travel lanes to provide protected bicycle facilities and flexible lanes for SMART corridors, signal operational improvements for corridor management, reserving right-of-way to implement multi-use paths, and providing bicycle and pedestrian signal enhancements to

improve safety. Implementation of the proposed MMCP would not conflict with any adopted policies or plans addressing roadway facilities. Thus, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### Design Hazards

The PEIR identified that the design of roadways in the MMCP area would be required to conform with applicable Federal, State, and City design criteria, which contain provisions to minimize roadway hazards. Compliance with these standards and design to the satisfaction of the City of San Diego's City Engineer would avoid roadway hazards. As further described in the PEIR, the proposed MMCP project would provide higher quality bicycle facilities and improving pedestrian connectivity with the closure of facility gaps. These multimodal enhancements are intended to improve safety for bicycles and pedestrians on the roadway. The PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### VMT

The PEIR analyzed residential, employment, and retail land use VMT. The residential and retail analyses are not applicable to the proposed project. For employment land uses, the PEIR identified that the average VMT per employee for Mira Mesa is greater than the 85% threshold under the Base Year (2012) conditions. The VMT per employee for the Mira Mesa community is 120.2% of the Base Year (2012) regional average.

By Horizon Year 2050, with the implementation of the proposed MMCP, the VMT efficiency of Mira Mesa would be expected to substantially improve. In Year 2050, the VMT per employee for the Mira Mesa community improves to 92.4% of the Base Year (2012) regional average. However, the employment land use would exceed the 85% threshold, and therefore, the VMT transportation impacts related to employment uses in the MMCP are considered significant. No feasible Mitigation Framework exists to reduce the MMCP's employee VMT impacts. Overall, the proposed MMCP's horizon year lower VMT/employee compared to the 2012 Base Year is largely because the proposed MMCP was designed to self-mitigate by increasing the transportation efficiency in the community guided by the General Plan and Climate Action Plan. The proposed MMCP is also consistent with the City of San Diego's Complete Communities: Mobility Choices ordinance, which includes planning strategies that work together to create incentives to build homes near transit, provide more mobility choices, enhance opportunities for places to walk, bike, relax and play, and more quickly bring neighborhood benefits where needed the most. As a result, the MMCP improves not only the community's VMT efficiencies, but also the citywide VMT/employee efficiency. Nevertheless, the PEIR identified project and cumulative impacts as significant and unavoidable.

#### Emergency Access

The PEIR identified that a Traffic Control Plan/Permit would be implemented on a future project-by-project basis for any lane closures in the public right-of-way or driveway closures, which would ensure access at all times, including emergency service providers. Site design of future development would be subject to the emergency access requirements of the City's Fire Code and review by the San Diego Fire-Rescue Department to ensure adequate emergency access during operation of any given project. Additionally, the proposed MMCP aims to improve circulation and mobility throughout

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the MMCP area. This includes the development and implementation of a comprehensive Intelligent Transportation System, which would help better manage and improve the local transportation system, including incident and emergency response. Therefore, the MMCP would not create significant impediments for emergency access, and the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

#### Project

A VMT Assessment was prepared for the project (CR Associates, December 2025).

#### Transportation Policy Compliance

The project involves the replacement of existing office uses with R&D and parking uses that would be consistent with the land use designation of Industrial Employment/ Technology Park and zoning of IL-3-1. The project does not propose any changes to transportation facilities. The project would not conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities. Impacts would be less than significant.

#### Design Hazards

There would be no hazardous design features or incompatible uses introduced as a result of the project; the proposed R&D and parking uses would be compatible with the site's land use designation and zoning. The project's paved internal roadways would not include sharp curves. Impacts would be less than significant.

#### VMT

In 2020, the City of San Diego certified the Complete Communities: Housing Solutions and Mobility Choices Program Environmental Impact Report (PEIR), which included amendments to the San Diego Municipal Code (SDMC) to implement the Complete Communities: Mobility Choices Program. The purpose of the Mobility Choices Program is to ensure that new development mitigates transportation-related VMT impacts to the extent feasible while incentivizing growth within the City's urbanized areas (Mobility Zones 1, 2, and 3).

The Project is located in Mobility Zone 2 and is therefore subject to the Mobility Choices regulations. Pursuant to SDMC §143.1103(b)(1), development in Mobility Zone 2 must provide VMT Reduction Measures totaling at least five (5) points. Based on the information provided, the Project meets this requirement through the following measure identified in Appendix T – Mobility Choices Regulations: Implementation Guidelines:

- *VMT Reduction Measure 17 – Long-Term Bicycle Parking Beyond Minimum Requirements*  
The Project is required to provide 14 long-term bicycle parking spaces. The Project proposes 34 long-term spaces, approximately 143% above the minimum requirement, resulting in 29 points under this measure (2 points per 10% increment above the minimum).

Based on implementation of the VMT Reduction Measure described above, the Project exceeds the minimum 5-point requirement and is therefore in compliance with the Mobility Choices Program.

The VMT reduction measure would be included as a condition of approval for the project. The PEIR identified significant and unavoidable VMT impacts associated with employment uses at the program level because employee VMT per employee in the MMCP area would exceed the City's applicable threshold. Here, the Project's R&D and employment use is consistent with the land use assumptions previously analyzed in the PEIR. Accordingly, the Project's VMT effects are within the type and severity of employment-related VMT impacts previously analyzed in the PEIR and would not result in a new significant transportation impact or substantially increase the severity of transportation impacts previously identified in the PEIR.

#### Emergency Access

The existing driveway off Vista Sorrento Parkway would be rebuilt to current standards per City Standard Drawings with appropriate widths, sight distance, curb returns, spacing, permitted turn movements, and accommodation of delivery vehicles. Therefore, the project would provide adequate emergency access. In conclusion, no project-specific significant effects that are peculiar to the project or its site would occur, and there would be no cumulative impact. Impacts would be less than significant, and no additional analysis is necessary.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR Transportation analysis. The project would not create any new significant Transportation impact, nor would it substantially increase the severity of Transportation impacts from that described in the PEIR.

#### ***Visual Effects and Neighborhood Character***

##### **PEIR**

Visual Effects and Neighborhood Character impacts are evaluated in Section 5.13 of the PEIR.

#### Scenic Vistas

The PEIR identified that the proposed MMCP identifies future trail improvements/extensions and new pocket parks, linear parks, parklets, and scenic overlooks that will provide public access to scenic views of the MMCP area's canyons and natural resources and includes policies that emphasize views to the MMCP area's natural resources, coastal views, and open space areas. Although development in the MMCP area is anticipated to be concentrated in the proposed Urban Village areas and would occur within existing developed areas, it cannot be known at this program level of analysis without site-specific plans whether future redevelopment will result in a substantial obstruction of the scenic overlooks identified in the proposed MMCP. Thus, the PEIR identified impacts as significant and unavoidable, and no feasible Mitigation Framework is available at this time. However, cumulative development and projects in surrounding communities would not contribute to localized visual impacts, and cumulative impacts would be less than significant.

#### Visual Character

The PEIR identified that the proposed MMCP includes policies intended to direct future development in a manner that improves the community's sense of place by transitioning towards a pedestrian-friendly community with unique districts and villages. The proposed MMCP-planned Urban Villages

are primarily focused on infill development with a mix of compact uses, and mobility improvements support a pedestrian-oriented area with connections to transit and employment. This shift in character from a predominantly commercial and industrial employment center to a higher density, mixed-use Urban Village and employment hub would not substantially adversely alter the existing neighborhood character of the MMCP area as a whole. The PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### Existing Landforms

The PEIR identified that it is anticipated that future development in accordance with the proposed MMCP would not result in substantial landform alteration because the MMCP area is largely developed with existing urban land uses concentrated on the relatively flat mesa top that characterizes most of the MMCP area. While the proposed MMCP would intensify some uses, the proposed MMCP contains policies to ensure that redevelopment takes into account existing landforms. As future development projects within the MMCP area are proposed, they would be reviewed to determine whether grading plans demonstrate compliance with the City's SDMC regarding grading and if a permit is required. Thus, the PEIR identified project and cumulative impacts related to landform alteration as less than significant, with no mitigation required.

#### Light and Glare

The PEIR identified that with adherence to the City's outdoor lighting and glare regulations, the MHPA Land Use Adjacency Guidelines, and MCAS Miramar ALUCP's lighting and glare regulations, project and cumulative impacts associated with lighting and glare would be less than significant with no mitigation required.

#### Landmark Trees

The PEIR identified that no designated distinctive or landmark trees occur within the MMCP area. Mature stands of trees can be found on the floor of canyon areas; however, such areas are not proposed for development. The proposed MMCP includes policies that promote the planting of new trees, and future development within the MMCP area would be subject to City Council Policy 900-19, which provides for the protection of street trees. Therefore, the PEIR identified project and cumulative impacts related to the loss of distinctive or landmark trees as less than significant with no mitigation required.

### **Project**

#### Scenic Vistas

The PEIR identified scenic vista impacts as significant and unavoidable at the program level because, without site-specific plans, it could not determine whether future redevelopment would substantially obstruct scenic overlooks identified in the MMCP. Here, the Project would redevelop an existing developed office site with an R&D building and parking structure and would not encroach into or otherwise physically impact the open space west of the site. Based on staff's review of the site plan and applicable provisions of the MMCP, the Project would not substantially obstruct an identified scenic overlook or public viewing area. Therefore, no Project-specific significant scenic vista impact would occur and the Project would not substantially increase the severity of visual impacts previously analyzed in the PEIR.

#### Visual Character

The project involves the replacement of an existing office land use with an R&D building and a parking structure. Therefore, the character of the site would be similar to existing conditions. Additionally, the project would be consistent with the site's zoning of IL-3-1 and land use designation of Industrial Employment/ Technology Park. Impacts would be less than significant.

#### Existing Landforms

The project involves the replacement of an existing office land use with an R&D building and a parking structure. Therefore, the landform of the site would be similar to existing conditions. Additionally, the project would be consistent with the site's zoning of IL-3-1 and land use designation of Industrial Employment/ Technology Park. Impacts would be less than significant.

#### Light and Glare

The project site is located in an area that is developed with primarily commercial and industrial uses, with open space to the west. The existing light conditions in the project area include building lights, security lights, and adjacent commercial and industrial uses. The project would include lighting typical of industrial park land uses; such lighting would not create a new source of substantial light that would adversely affect daytime or nighttime views in the area. The project would adhere to the City's light and glare regulations. Additionally, the project would comply with MSCP land use adjacency guidelines regarding light and glare. The project would be consistent with the designated MMCP land uses and zoning. Impacts would be less than significant.

#### Landmark Trees

Project implementation may result in the removal of onsite cultivated trees; however, the project would not result in the loss of any distinctive or landmark trees or stand of mature trees as identified in the MMCP. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR Visual Effects and Neighborhood Character analysis. The project would not create any new significant Visual Effects and Neighborhood Character impact, nor would it substantially increase the severity of Visual Effects and Neighborhood Character impacts from that described in the PEIR.

## **CONCLUSION**

Overall, implementation of the proposed would not result in any significant direct, indirect or cumulative impacts over and above those disclosed in the previously certified PEIR.

Section 15162 of the CEQA Guidelines states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Section 15162 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts because of the project. This evaluation, therefore, supports the use of the previously certified PEIR, under CEQA Guidelines Section 15162, in that the environmental document adequately covers the proposed project. The applicable MMRP measures from the PEIR have been carried forward.



Marlene Watanabe  
Associate Planner

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MW/mw

cc: Martin Mendez, Development Project Manager, Development Services Department

Attachments:

- Figure 1 – Project Vicinity
- Figure 2 – Project Site
- Mitigation Monitoring and Reporting Program
- California Environmental Quality Act – Section 15162 Evaluation dated April 14, 2026

Appendices (provided under separate cover):

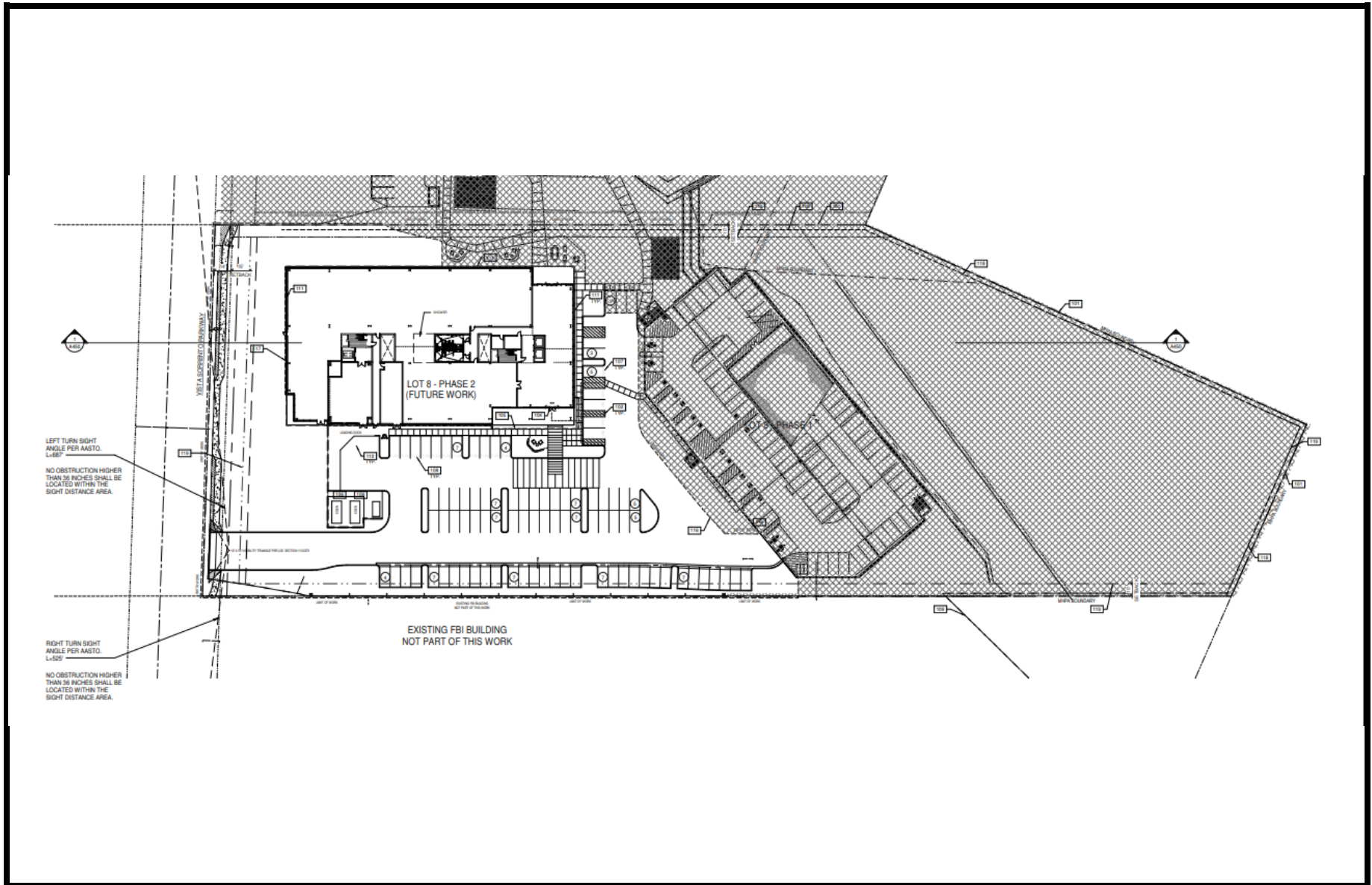
- Air Quality Report, Recon, 2026.
- Biology Study Report, Recon, 2025.
- Drainage Study, Latitude 33 Planning & Engineering, December 2025
- Geotechnical Investigation Report and Addendum, GEOCON Incorporated, March 2024, August 2024
- Storm Water Quality Management Plan, Latitude 33 Planning & Engineering, December 2025
- VMT Analysis, CR Associates, December 2025
- Climate Action Plan Consistency Checklist, Latitude 33 Planning & Engineering, January 2023



## Project Location

10509 Vista Sorrento/PRJ-1062368  
Development Services Department

**FIGURE  
No. 1**



## Site Plan

10509 Vista Sorrento/PRJ-1062368

Development Services Department

**FIGURE  
No. 2**

**EXHIBIT A****MITIGATION MONITORING AND REPORTING PROGRAM****COASTAL DEVELOPMENT PERMIT NO. PMT-3164687, NEIGHBORHOOD  
DEVELOPMENT PERMIT NO. PMT-3164688, and SITE DEVELOPMENT PERMIT NO.  
PMT-3407775****PRJ-1062368 / SCH NO. 2022090061**

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 monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and the completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Development Services Department, 7650 Mission Valley Road, MS DSD-1A, San Diego, CA 92108. All mitigation measures contained in 15162 Memo No. 1062368 / SCH NO. 2022090061 shall be made conditions of CDP No. PMT-3164687, NDP No. PMT-3164688, and SDP No. PMT-3407775 as may be further described below.

**MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP)  
INCORPORATED INTO THE PROJECT****A. GENERAL REQUIREMENTS – PART I Plan Check Phase (prior to permit issuance)**

1. Prior to the issuance of 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 construction documents (CD) (plans, specification, details, etc.) to ensure the applicable MMRP requirements are incorporated into the design and/or construction documents.
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 of San Diego (City) website:  
<https://www.sandiego.gov/development-services/forms-publications/design-guidelines-templates>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. **SURETY AND COST RECOVERY:** The DSD 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 Noise Monitor***

**Note: If all responsible Permit Holders' representatives and consultants fail to attend, an additional meeting with all parties present will be required.**

CONTACT INFORMATION:

- a) **The PRIMARY POINT OF CONTACT is the RE at the Field Engineering Division and can be reached at (858) 627-3200**
  - b) **For Clarification of ENVIRONMENTAL REQUIREMENTS, contact call RE and MMC at (858) 627-3360**
2. **MMRP COMPLIANCE:** This Project, PRJ-1062368 and /or Environmental Document 1062368 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 the 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, monitoring times, methodology, etc.)
 

**Note: The Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans, notes, or 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.

***None Applicable***

- 4. **MONITORING EXHIBITS:** All consultants are required to submit to RE and MMC, a monitoring exhibit on an 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 DSD 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:

<b>Document Submittal/Inspection Checklist</b>		
<b>Issue Area</b>	<b>Document Submittal</b>	<b>Associated Inspection/Approvals/Notes</b>
General	Consultant Qualification Letters	Prior to the Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at the Preconstruction Meeting
Noise	Noise Reduction Measures Documentation	Noise Mitigation Features Inspection
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

**C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS**

**NOISE AND VIBRATION**

**MM-NOI-1 Construction Noise - Reduction Measures.** Prior to grading permit issuance, the City shall verify the following requirements are identified on the grading plans and the Owner/Permittee has provided written signed documentation that demonstrates the following construction measures shall be implemented. A qualified noise monitor shall be on-site during the demolition, site preparation, grading, and building construction phases to confirm that construction noise reduction measures are implemented appropriately. Construction contractors shall implement the following measures to minimize short-term noise levels caused by construction activities. Measures to reduce construction noise shall be included in contractor specifications and shall include, but not be limited to, the following:

1. Properly outfit and maintain construction equipment with manufacturer-recommended noise reduction devices to minimize construction-generated noise.
2. Operate all diesel equipment with closed engine doors and equip with factory recommended mufflers.
3. Use electrical power to operate air compressors and similar power tools.
4. Employ additional noise attenuation techniques, as needed, to reduce excessive noise levels such as, but not limited to, the construction of temporary sound barriers or sound blankets between construction sites and nearby noise-sensitive receptors.
5. Notify adjacent noise-sensitive receptors in writing no later than 2 weeks prior to the start of construction of any construction activity such as jackhammering, concrete sawing, asphalt removal, pile driving, and large scale grading operations that would occur within 100 feet of the property line of the nearest noise-sensitive receptor. The extent and duration of the construction activity shall be included in the notification.
6. Designate a “disturbance coordinator” who shall be responsible for receiving and responding to any complaints about construction noise or vibration. The disturbance coordinator shall determine the cause of the noise complaint and, if identified as a sound generated by construction area activities, shall require that reasonable measures be implemented

to correct the problem. Potential measures to address the problem could include, but are not limited to, providing sound barriers or sound blankets between construction sites and the receiver location, locating noisy equipment as far from the receiver as possible, and reducing the duration of the noise-generating construction activity.

**MM-NOI-2 Vibration – Construction Activities.** Prior to grading permit issuance, the City shall verify the following requirements are identified on the grading plans and the Owner/Permittee has provided written signed documentation that demonstrates the following construction measures shall be implemented. A qualified noise monitor shall be on-site during the demolition, site preparation, grading, and building construction phases to confirm that construction vibration reduction measures are implemented appropriately. Construction activities under the project that are located near vibration-sensitive land uses and require the use of vibratory construction equipment shall implement the following vibration reduction measures to minimize construction-related vibration impacts. Measures to reduce vibration shall be included in contractor specifications and shall include, but not be limited to, the following:

1. Limit the use of vibration-intensive equipment in proximity to sensitive receptors.
2. Install low soil displacement piles (e.g., H-piles) instead of high soil displacement piles (e.g., concrete piles) for pile-driving.
3. Pre-drill for pile-driving.



THE CITY OF SAN DIEGO

## M E M O R A N D U M

DATE: April 14, 2026

TO: Environmental/Project File  
Development Services Department

FROM: Marlene Watanabe, Associate Planner, Development Services Department

SUBJECT: 10509 Vista Sorrento (Project No. PRJ-1062368)  
California Environmental Quality Act – Section 15162 Evaluation

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The Development Services Department (DSD) has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent Environmental Impact Reports and Negative Declarations consistency evaluation for the proposed 10509 Vista Sorrento project (project). See 14 C.C.R. §15162.

This evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed 10509 Vista Sorrento project. As outlined in the evaluation, DSD has determined that the proposed Project is consistent with the original Mira Mesa Community Plan Update Program Environmental Impact Report / SCH No. 2022090061 (PEIR) certified by the San Diego City Council on December 14, 2022, per Resolution No. R-314479.; and would not result in new impacts.

**BACKGROUND**

The project site has been analyzed within the Mira Mesa Community Plan PEIR State Clearinghouse Number (SCH No.) 2022090061. The PEIR prepared for the MMCP was certified by the San Diego City Council on December 14, 2022, per Resolution No. R-314479. The PEIR analyzed a comprehensive update of the MMCP, which incorporates relevant policies from the City of San Diego General Plan and provides a long-range, comprehensive policy framework and vision for growth and development in the Mira Mesa community. The MMCP provides community-specific policies that further implement the General Plan with respect to the distribution and arrangement of land uses and the local street and transit network; implementation of urban design guidelines; recommendations preserving and enhancing natural open space and historical and cultural resources; and prioritization and provision of public facilities within the Mira Mesa community. The PEIR conducted a program-level analysis that would require the implementation of the associated Mitigation Framework. The Mitigation Framework contains Mitigation Measures for air quality (air

quality plans, Regional Air Quality Strategy [RAQS]), historical resources, and noise (construction and vibration).

## **PROJECT DESCRIPTION**

The project proposes a Coastal Development Permit (CDP), Neighborhood Development Permit (NDP), a Site Development Permit (SDP), and Utility Easement Vacation for the demolition of an existing 4-story, 84,000 square-foot (sf) office building, trash and mechanical enclosures, and the construction of a new 4-story, 112,400 sf Commercial Office Building for Research and Development (R&D) uses and a new 6-story 189,795 sf parking garage, associated hardscape and landscape improvements, and other associated improvements (replacement of the central plant, new generator, and new trash enclosure) at 10509 Vista Sorrento Parkway.

The 5.58-acre site is located southeast of the intersection of Lusk Boulevard and Vista Sorrento Parkway and is surrounded by office and research and development uses to the north and south, a roadway to the west, and open space to the east. The site has an existing office structure, parking lot, and associated improvements and contains a portion of the Multiple Habitat Planning Area (MHPA) on the northeastern portion of the site. The site is zoned IL-3-1 in the MHPA for the City's Multi-Species Conservation Plan (MSCP) area, Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station [MCAS] Miramar), Airport Influence Area (Review Area 1 – MCAS Miramar), Federal Aviation Administration (FAA) Part 77 (MCAS Miramar – 615' and above), Coastal (Non-Appealable) Overlay Zone (N-APP-1), Parking Impact Overlay Zone (Coastal), and the Transit Priority Area and is designated for Technology Park land uses within the Mira Mesa Community Plan area.

Per Sections 126.0707 and 132.0402 of the San Diego Municipal Code (SDMC), the project is in the Coastal (Non-Appealable) Overlay Zone and will thus requires a Coastal Development Permit (CDP). Per Table 132-15B in Section 132.1502(c) of the SDMC, the project requires a Neighborhood Development Permit (NDP) for development where alternative compliance is requested to demonstrate safety compatibility within the Airport Land Use Plan Safety Zone. The project requires a Site Development Permit (SDP) for development on a premise that contains Environmentally Sensitive Lands (ESL) in accordance with SDMC Section 126.0502(a)(3). Additionally, a Public Service Easement Vacation is required for the proposed vacation of sewer, water, drainage, and public utilities easements on the site.

The project's landscaping has been reviewed by City staff and would comply with all applicable City of San Diego Landscape ordinances and standards. The project would replace ornamental landscaping within the existing developed footprint of the site. Additionally, the project would include Brush Management Zone 1 and Zone 2 areas consistent with the City's Brush Management Regulations.

The proposed onsite drainage system, consisting of a detention basin and vault system and storm drain connections, would be engineered to adequately manage site stormwater. Drainage would be directed into appropriate storm drain systems designated to carry surface runoff. The project would implement best management practices to meet the City's Stormwater Standards. Project grading

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would require 9,323 cubic yards (cyds) of cut to a depth of 37 ft and 459 cyds of fill to a maximum depth of 14 ft.

## **CEQA 15162 CONSISTENCY EVALUATION**

DSD reviewed the proposed Project and conducted a 15162 consistency evaluation with the previously certified PEIR. The following evaluation substantiates the conclusion that supports a determination that no subsequent document is required.

### **Air Quality**

#### **PEIR**

Air Quality impacts are evaluated in Section 5.1 of the PEIR.

#### *Air Quality Plan Conflict*

The PEIR determined that because the proposed MMCP would result in greater density than the adopted MMCP, future emissions associated with the build out of the MMCP area would be greater than future emissions associated with build out of the adopted land uses. Therefore, emissions of ozone precursors (volatile organic compounds and nitrous oxide) would be greater than what is accounted for in the RAQS. The MMCP must implement PEIR Mitigation Measure AQ-1, which requires the City to provide the San Diego Association of Governments (SANDAG) with a revised land use map and housing employment forecast for the MMCP area in order to update the RAQS and State Implementation Plan (SIP). However, even with this Mitigation Framework, the PEIR identified the project and cumulative impacts as significant and unavoidable.

#### *Air Quality Violation*

The PEIR identified that at the program level, the MMCP would exceed air quality standards during both construction and operation, as determined in the California Emissions Estimator Model (CalEEMod). The MMCP must implement PEIR Mitigation Measures AQ-2 and AQ-3. PEIR Mitigation Measure AQ-2 requires future projects in the MMCP area to analyze construction-related air quality impacts and incorporate mitigation if results are found to be potentially significant. PEIR Mitigation Measure AQ-3 requires best available control measures/technology be incorporated into individual construction projects that exceed the daily emissions thresholds established by the City. Even with this Mitigation Framework, the PEIR identifies the project and cumulative impacts as significant and unavoidable.

#### *Sensitive Receptors*

The PEIR identified that peak hour traffic volumes at all intersections would remain below the screening threshold for carbon monoxide (CO) hotspots under the proposed MMCP. Additionally, future projects in the MMCP area would consider air quality and air pollution sources in the siting, design, and construction of sensitive receptors. Implementation of the proposed MMCP would not result in a localized CO hotspot and would not expose sensitive receptors to elevated levels of toxic air contaminants during construction or operation. The PEIR identifies project and cumulative impacts as less than significant, and no mitigation is required.

### Odors

The PEIR identified that potential construction-generated odors would be localized, temporary, intermittent, and not expected to affect a substantial number of people. The proposed MMCP would not introduce land uses that would generate substantial odor during operations. Therefore, the PEIR identified project and cumulative impacts associated with odors as less than significant, and no mitigation is required.

### **Project**

#### Air Quality Plan Conflict

The project would be consistent with the designated MMCP land uses and zoning. As such, project emissions would not exceed the RAQS and would not violate an air quality standard. Impacts would be less than significant.

#### Air Quality Violation

Construction would be short-term and impacts to neighboring uses would be minimal and temporary. Construction of the project would be subject to standard measures required by a City of San Diego grading permit to reduce potential air quality impacts to less than significant. These measures include, but are not limited to, compliance with SDMC 142.0710, which prohibits airborne contaminants from emanating beyond the boundaries of the premises upon which the use emitting the contaminants is located. Therefore, impacts associated with fugitive dust are considered less than significant and would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. The project would be consistent with the designated MMCP land uses and zoning and is not anticipated to exceed daily construction emissions thresholds or to have a significant impact on air quality.

During operation, the R&D and parking use are not anticipated to result in significant emissions. The project is compatible with the surrounding development and is consistent with the community plan and zoning designations for the site. Based on the VMT assessment, the project is anticipated to generate 617 more ADT than the existing land use and does not meet the City's CEQA Significance Determination Thresholds to require preparation of an Air Quality Study. Therefore, the project is not expected to violate any air quality standard or contribute substantially to or violate an air quality standard. As a result, PEIR Mitigation Measure AQ-2 and AQ-3 would not apply. Impacts would be less than significant.

#### Sensitive Receptors

Project construction would involve heavy-duty diesel equipment, but any resultant pollutant emissions would be short-lived and below the significance level threshold. The project involves R&D uses that would not cause traffic volumes of a high enough quantity to create delays that could lead to CO hotspots. Therefore, the project is not anticipated to cause sensitive receptors to be exposed to substantial pollutant concentration. The project would be consistent with the designated MMCP land uses and zoning. Impacts would be less than significant.

### Odors

Due to the type of project (R&D) and project location, the project is not anticipated to create objectionable odors for a substantial number of people. Land uses associated with odor complaints typically include sewage treatment plants, landfills, recycling facilities, and manufacturing. The project does not involve any of these uses, and none of these uses are present in the project vicinity. The site is zoned for light industrial uses (IL-3-1), which does not allow these types of uses typically associated with odor complaints and does not involve a rezone. Additionally, the project would comply with SDMC/Land Development Code (LDC), as well as the San Diego Air Pollution Control District (SDAPCD) requirements. The project would be consistent with the designated MMCP land uses and zoning. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR air quality analysis. The project would not create any new significant air quality impact, nor would it substantially increase the severity of air quality impacts from that described in the PEIR.

## **Biological Resources**

### **PEIR**

Biological Resources impacts are evaluated in Section 5.2 of the PEIR.

#### **Sensitive Species**

The PEIR identified that the implementation of the proposed MMCP has the potential to impact sensitive plant and wildlife species either directly through the loss of habitat (including critical habitat) and/or direct take, or indirectly by placing development in or adjacent to sensitive habitat. Potential impacts on federal- or state-listed species, Multiple Species Conservation Program (MSCP) Covered Species, Narrow Endemic Species, plant species with a California Native Plant Society Rare Plant Rank of 1 or 2, and wildlife species included on the California Department of Fish and Wildlife (CDFW)'s Special Animals List would be significant. Potential impacts on sensitive species and/or designated critical habitat of listed species would be mitigated in accordance with City's Environmentally Sensitive Lands (ESL) Regulations, Biology Guidelines, and the provisions of the MSCP Subarea Plan (SAP) and Vernal Pool Habitat Conservation Plan (VPHCP). Potential impacts on birds covered by the Migratory Bird Treaty Act (MBTA) would be avoided by adherence to the requirements of this law. Further, sensitive species in the MMCP area are concentrated in the MHPA, which is comprised of topography such as canyons, creeks, and steep hillsides. The proposed MMCP designates these areas as Open Space to be preserved from intensive development consistent with the City's MSCP SAP. Through the implementation of the existing regulatory framework, the PEIR identified project and cumulative impacts on sensitive species as less than significant with no mitigation required.

#### **Sensitive Habitats**

The PEIR identified that future projects implemented in accordance with the proposed MMCP could potentially have an impact on sensitive upland (Tier I, Tier II, Tier IIIA, and Tier IIIB) and wetland habitat that is present within the MMCP area. Future development under the MMCP would undergo

environmental review, including compliance with the City's ESL Regulations prior to disturbance of those lands. Further, sensitive habitat in the MMCP area is concentrated in the MHPA, which is comprised of topography such as canyons, creeks, and steep hillsides. The proposed MMCP designates these areas as Open Space to be preserved from intensive development consistent with the City's MSCP SAP. Through compliance with the established development standards contained in the City's ESL Regulations, Biology Guidelines, VPHCP, MSCP SAP, and MHPA Land Use Adjacency Guidelines, the PEIR identifies project and cumulative impacts on sensitive vegetation communities as less than significant with no mitigation required.

#### Wetlands

The PEIR identified that future projects implemented in accordance with the proposed MMCP could potentially have an impact on wetlands or other jurisdictional areas that are present within the MMCP area. If impacts on wetlands occur, they would be regulated by the U.S. Army Corps of Engineers in accordance with Section 404 of the Clean Water Act (CWA), the Regional Water Quality Control Board in accordance with Section 401 of the CWA, the CDFW under Section 1600 of the California Fish and Game Code, and the City in accordance with the City's Biology Guidelines, ESL Regulations, VPHCP, and MSCP SAP. Further, wetlands in the MMCP area are concentrated in the MHPA, including canyons, and creeks. The proposed MMCP designates these areas as Open Space to be preserved such that development is sited on the least sensitive area consistent with the City's MSCP SAP. Per the City's ESL Regulations and Biology Guidelines, impacts on wetlands should be avoided, and a wetland buffer is required around all wetlands as appropriate to protect the functions and values of the wetland (City of San Diego 2018). Through the implementation of the existing regulatory framework, the PEIR identifies project and cumulative impacts on wetlands as less than significant with no mitigation required.

#### Wildlife Movement

The PEIR identified that regional and local wildlife corridors that exist within the MMCP area are surrounded by existing development and are within the Open Space land use designation, which would not be changed by the proposed MMCP. Future development within the MMCP area would undergo an environmental review to determine potential impacts on wildlife corridors, and impacts would be mitigated in accordance with the City's ESL Regulations, Biology Guidelines, and MSCP SAP. Therefore, the proposed MMCP would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP SAP, or impede the use of native wildlife nursery sites. The PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### Habitat Conservation Plan Consistency

The PEIR identified that future development in accordance with the proposed MMCP would be subject to compliance with applicable current and future local, state, and federal policies, guidelines, directives, and regulations, including but not limited to, the state and federal Endangered Species Act, the San Diego County MSCP, the City's ESL Regulations, Biology Guidelines, and the City's MSCP SAP and VPHCP. In addition, the proposed MMCP includes policies aimed at resource protection and preservation of the MHPA. Future development within the MMCP area would be evaluated for compliance with these requirements, and necessary avoidance and mitigation measures would be

determined at the project level. Adherence to the above policies, guidelines, directives, and regulations would avoid future significant impacts. Therefore, the proposed MMCP would not result in a conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP SAP area or in the surrounding region. As a result, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

### **Project**

To assess the project's potential biological resource impacts, a Biological Resources Letter Report was prepared by Recon (July 2025).

### **Sensitive Species (Direct Impacts)**

The project site is comprised of an existing office building, a parking lot, and associated site improvements, with manufactured and natural slopes containing areas of ornamental and native vegetation. The project contains 0.14 acres of MHPA on the northeast portion of the site, which is outside of the proposed impact area.

No sensitive plant species were observed within the project area at the time of the survey; therefore, no direct impacts to sensitive plant species are anticipated to result from the project. Potential direct impacts to sensitive wildlife species are discussed below.

*Coastal California gnatcatcher* – Coastal California gnatcatcher has high potential to occur within coastal sage scrub offsite but is not expected to occur within the urban/developed land that would be impacted. Therefore, no direct impacts to coastal California gnatcatcher would occur.

*Southern California rufous-crowned sparrow* – Southern California rufous-crowned sparrow has high potential to occur within coastal sage scrub offsite but is not expected to occur within the urban/developed land that would be impacted. Therefore, no direct impacts to southern California rufous-crowned sparrow would occur.

*Cooper's hawk* – Cooper's hawk has potential to occur within the disturbed habitat in the eastern portion of the project area. Establishment of the 300-foot impact avoidance area around active nests as identified within the MSCP area specific management directives would be required as a project condition of approval. Therefore, no direct impacts to Cooper's hawk are anticipated.

*Crotch's bumble bee* – Crotch's bumble bee has moderate potential to occur within coastal sage scrub offsite but is not expected to occur within the urban/developed land that would be impacted. Impacts would occur to the existing developed building, driveway, and paved parking lot which contains limited vegetation comprised of ornamental landscaping that is actively maintained around the building and within the parking lot medians. Therefore, no direct impacts to Crotch's bumble bee would occur.

### **Sensitive Species (Indirect Impacts)**

The project boundary contains 0.14 acre of MHPA on-site and is located adjacent to a larger expanse of MHPA and thus will be required to comply with MHPA Land Use Adjacency Guidelines as a condition of project approval in order to avoid potential indirect impacts to MHPA lands and adjacent sensitive habitats and species. Compliance with Land Use Adjacency Guidelines would ensure drainage and lighting is directed away from the MHPA and entry is prevented into the MHPA. Furthermore, compliance would ensure no invasive plant species would be introduced adjacent to the MHPA and the project's landscaping plans do not include any invasive species on the California Invasive Plant Council Invasive Plant Inventory Database or Table 3 of the City's Landscape Standards (City of San Diego 2016). Due to the potential presence of suitable coastal California gnatcatcher habitat adjacent to the proposed area of disturbance, noise during construction could have an adverse effect on the breeding activities of this species inside the MHPA. Land Use Adjacency Guidelines for noise would be required as a project condition of approval. With implementation of the Land Use Adjacency Guidelines, adverse indirect impacts to the adjacent MHPA and to occupied coastal California gnatcatcher habitat would be avoided. Establishment of the 300-foot impact avoidance area around active Cooper's hawk nests would ensure that impacts to Cooper's hawk are also avoided.

#### Sensitive Habitats

The proposed project would result in a total of 3.69 acres of direct impacts to urban/developed land. All impacts would occur outside of the MHPA. Impacts to urban/developed and disturbed land are not considered significant as they are not considered sensitive by the City's Biology Guidelines and do not require mitigation (City of San Diego 2018). The remaining 1.2 acres of Diegan coastal sage scrub within the project boundary is conserved within a deed restriction which precludes future development of the undeveloped portion of the parcel.

#### Wetlands

No potential jurisdictional resources, including waters or wetlands, were observed within the project boundary. As such, no impacts to wetlands would occur.

#### Wildlife Movement

The proposed project would occur within an existing developed area outside of any wildlife movement corridor. A portion of the project boundary is located within the MHPA, which may provide opportunities for wildlife movement associated with Lopez Canyon. However, the project impact footprint is separated from the MHPA by steep manufactured slopes and would not cause permanent impacts to native vegetation communities contributing to the corridor. The project has also been designed to comply with the MSCP General Planning Policies and Design Guidelines, Land Use Adjacency Guidelines, and General Management Directive, which ensure no indirect impacts to the MHPA would result from the proposed project. As a result, the project would not cause any loss of functionality of the wildlife corridor, so impacts to corridors would be less than significant and no mitigation would be required.

#### Habitat Conservation Plan Consistency

Development adjacent to the MHPA must ensure that indirect impacts to the MHPA are minimized. The City's MSCP Subarea Plan outlines the requirements for Land Use Adjacency Guidelines (LUAGs)

to address indirect effects related to drainage, toxics, lighting, noise, barriers, invasive plant species, brush management, and grading/land development. Because the project would include development adjacent to MHPA, the LUAGs would be included as a condition of project approval with coastal California gnatcatcher conditions as described above. As such, the project would be consistent with the MSCP and no impact would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR biological resources analysis. The project would not create any new significant biology impact, nor would it substantially increase the severity of biology impacts from that described in the PEIR.

## ***Geology/Soils***

### **PEIR**

Geology and Soils impacts are evaluated in Section 5.3 of the PEIR.

#### **Seismic Ground Shaking**

The PEIR identified that future development activities within the MMCP area would be required to comply with applicable regulatory/industry standard and codes, including the California Building Code (CBC) and SDMC, to reduce potential seismic hazards to an acceptable level of risk. Thus, while the MMCP area would be subject to seismic events, potential hazards associated with ground shaking and seismically induced hazards such as ground failure, liquefaction, landslides, and dam failure would be reduced through implementation of site-specific geotechnical requirements and site design associated with future development within the MMCP area. Additionally, the proposed MMCP would not result in any changes to the Miramar Reservoir dam or otherwise increase the potential for dam failure to occur within the MMCP area. Therefore, the PEIR identifies project and cumulative impacts related to seismic hazards as less than significant, with no mitigation required.

#### **Soil Erosion**

The PEIR identified that future development projects implemented within the MMCP area would be required to comply with applicable regulatory/industry standards and codes, including the SDMC (grading requirements), the City's Stormwater Program, and National Pollutant Discharge Elimination System (NPDES) requirements to reduce potential impacts related to erosion and sedimentation hazards to an acceptable level of risk. Therefore, the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

#### **Unstable Geology**

The PEIR identified that future development projects implemented within the MMCP area would be required to comply with applicable regulatory/industry standards and codes, including the SDMC and CBC, to reduce potential impacts related to geologic instability to an acceptable level of risk. Potential hazards associated with instability would be addressed by the site-specific recommendations contained within geotechnical investigations as required by the SDMC. Therefore,

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the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

### **Project**

A Preliminary Geotechnical Investigation was completed by GEOCON Incorporated (March, 2024) and Addendum (August, 2024) to assess the project's potential impacts on geological resources.

#### **Seismic Ground Shaking**

According to the Geotechnical Investigation, the site is not underlain by active, potentially active, or inactive faults. Due to the lack of a permanent, near-surface groundwater table and the very dense nature of the underlying fill and formational materials, liquefaction potential for the site is considered very low. Additionally, based on regional mapping and site-specific analysis, the potential for seismically induced landslides or slope instability is not considered a significant concern for the project. The project would also be required to comply with the California Building Code (CBC) and San Diego Municipal Code (SDMC) to reduce any potential seismic hazards. Impacts would be less than significant.

#### **Soil Erosion**

Construction of the proposed project would involve a variety of heavy equipment associated with intensive earthwork, structural, and paving phases. The project would be required to comply with the City's Storm Water Standards, which require the implementation of BMPs. Grading activities would be required to comply with the City's Grading Ordinance as well as the Storm Water Standards, which would ensure soil erosion and topsoil loss is minimized to less than significant levels. Furthermore, permanent storm water BMPs would also be required post-construction consistent with the City's regulations. Impacts would be less than significant.

#### **Unstable Geology**

Based on regional mapping and site-specific analysis evaluated in the Geotechnical Investigation, the potential for landslides, slope instability, and liquefaction are not considered a significant concern for the project. The project would not extract underground materials, so impacts related to subsidence would be less than significant. Finally, the project would be required to comply with seismic requirements of the CBC and use proper engineering design and standard construction practices, which are verified at the building permit stage. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR geology analysis. The project would not create any new significant geology impact, nor would it substantially increase the severity of geology impacts from that described in the PEIR.

#### **Greenhouse Gas Emissions**

## **PEIR**

Greenhouse Gas Emissions impacts are evaluated in Section 5.4 of the PEIR.

### **Greenhouse Gas Emissions**

The PEIR identified that the proposed MMCP would increase aggregate greenhouse gas (GHG) emissions over those of the adopted Community Plan at buildout; however, this increase in GHG is a direct result of the implementation of Climate Action Plan (CAP) Strategies and the General Plan's "City of Villages" strategy, which focuses growth in certain areas. Increasing residential and commercial density in transit corridors and villages within a TPA would support the City in achieving the regional GHG emissions reduction targets of the CAP, and thus, the PEIR identified project and cumulative impacts associated with GHG emissions as less than significant with no mitigation required.

### **Greenhouse Gas Reduction Plan Consistency**

The PEIR identified that the proposed MMCP would develop compact, walkable Urban Villages close to transit connections and consistent with smart growth principles. The MMCP supports the multi modal strategy of the SAN DAG Regional Plan through improvements to increase bicycle, pedestrian, and transit access. Policies and goals contained within the proposed MMCP Land Use, Parks, Recreation, and Open Space, and Economic Prosperity and Mobility sections would serve to promote bus transit use as well as other forms of mobility, including walking and bicycling. The proposed MMCP incorporates goals and policies intended to support the General Plan and CAP policies and thus, the PEIR identified project and cumulative impacts associated with GHG emissions as less than significant with no mitigation required.

## **Project**

A CAP Consistency Checklist (January 2023) for the proposed project was reviewed and accepted by City Staff.

### **Greenhouse Gas Emissions**

The CAP Consistency Regulations included in Section §143.14 of the City's Municipal Code became effective in the Coastal zone on June 8, 2023. The project will be required to comply with the new CAP Consistency Regulations at the building permit stage. The project application was deemed complete when compliance with the CAP Consistency Checklist was the method for determining project-level impacts associated with GHG. Under Step 1 of the CAP Consistency Checklist, the project is consistent with the existing General Plan and MMCP land use designations and zoning for the site. Therefore, the project is consistent with the growth projections and land use assumptions used in the CAP. Furthermore, completion of Step 2 of the CAP Consistency Checklist demonstrates that the project would be consistent with applicable strategies and actions for reducing GHG emissions at the project level. This includes project features consistent with the energy and water efficient buildings strategy, such as cool roofing and low-flow plumbing fixtures. The project would also feature electric vehicle and bicycle parking spaces and carpool/vanpool/clean air vehicles parking and a Transportation Demand Program to incentivize the use of alternative transportation. These project features would be assured as a condition of project approval. Step 3 of the CAP

Consistency Checklist would not be applicable, as the project is not proposing a land use amendment or a rezone. Based on the project's consistency with the City's CAP Consistency Checklist, the project's contribution of greenhouse gases to cumulative emissions would be less than cumulatively considerable. Impacts would be less than significant.

#### Greenhouse Gas Reduction Plan Consistency

As discussed above, the project demonstrates compliance with the City's CAP. The project does not propose development that would generate GHG emissions that would have a significant impact on the environment. The project is also consistent with the land use designation and zoning, as discussed previously herein. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR greenhouse gas emissions analysis. The project would not create any new significant greenhouse gas impact, nor would it substantially increase the severity of greenhouse gas impacts from that described in the PEIR.

### **Historical Resources**

#### **PEIR**

Historical, Archaeological, and Tribal Cultural Resources impacts are evaluated in Section 5.5 of the PEIR.

#### Historic Structures

The PEIR identified that future development and redevelopment under the proposed MMCP could result in the alteration of a historical resource, where implementing the proposed MMCP would result in increased development potential. While the SDMC and policies in the proposed MMCP provide for the regulation and protection of designated and potential historical resources, it is not possible to ensure the successful preservation of all historic built environment resources within the MMCP area. Implementing future projects within the MMCP area could result in an alteration of a historic building, structure, object, or site where an increase in density is proposed beyond the adopted Community Plan or current zoning. The PEIR identified no feasible Mitigation Framework. Thus, the PEIR identified potential project and cumulative impacts on historic buildings, structures, or sites as significant and unavoidable.

#### Prehistoric or Historic Resources

The PEIR identified that implementation of future projects within the MMCP area could adversely impact prehistoric or historic archaeological resources, including religious or sacred use sites and human remains. While existing regulations, the SDMC and proposed MMCP policies would provide for the regulation and protection of archaeological resources and human remains and avoid potential impacts, it is not possible to ensure the successful preservation of all archaeological resources where new development may occur. The MMCP would be required to implement PEIR Mitigation Measure HIST-1, which requires future projects to evaluate the potential sensitivity of the future project site; conduct an evaluation report and tribal consultation if resources are likely at the future project site; avoid resources during construction if feasible; produce an archaeological

resource management report; and properly handle any resources uncovered during construction. However, even with the implementation of the Mitigation Framework, the protection of archaeological resources during future MMCP project construction cannot be guaranteed. Therefore, the PEIR identifies potential project and cumulative impacts on prehistoric or historic archaeological resources, religious or sacred use sites, and human remains from the implementation of the MMCP as significant and unavoidable.

#### Tribal Cultural Resources

In July 2022, in accordance with AB 52, project notification letters and the draft Cultural Resources Constraints & Sensitivity Analysis were sent to Ms. Lisa Cumper, Tribal Historic Preservation Officer (THPO) from the Jamul Indian Village; Mr. Clint Linton, Director of Cultural Resources from the Lipay Nation of Santa Ysabel; and Ms. Angelina Gutierrez, Tribal Historic Preservation Monitor from the San Pasqual Band of Mission Indians providing an opportunity to consult on the proposed CPU.

The City received a request for consultation from the Jamul Indian Village. Consultation with Jamul Indian Village was initially conducted on September 16, 2022, which addressed the CPU scope and the proposed mitigation framework in the Draft PEIR, including the specific procedures for project review, tribal consultation, and the proper treatment of Tribal Cultural Resources at the project level. Consultation was considered "on-going" in order to address questions related to the cultural sensitivity map and Draft PEIR mitigation framework. Subsequent consultation with Jamul Indian Village was conducted on October 20, 2022, to provide additional clarifying information regarding the development of the cultural Sensitivity map. Ultimately, no additional requirements or recommendations were requested to be incorporated into the Final PEIR, and consultation was concluded.

Based on consultation, the PEIR identified that the implementation of future projects within the MMCP area could adversely affect tribal cultural resources. While existing regulations, the SDMC, and proposed MMCP policies, including PEIR Mitigation Measure HIST-1 described above, would provide for the regulation and protection of tribal cultural resources, it is not possible to ensure the successful preservation of all tribal cultural resources. Therefore, the PEIR identified potential project and cumulative impacts on tribal cultural resources as significant and unavoidable.

Project

#### Historic Structures

The existing buildings at the project site were constructed in 1984 and do not qualify as historic structures. No impacts would occur to historic structures.

#### Prehistoric or Historic Resources

According to Figure 5.5-2 of the PEIR, the project site is in an area of high cultural resources sensitivity. In accordance with PEIR Mitigation Measure HIST-1, an initial investigation was conducted to determine if cultural resources are present on the project site. A record search of the California Historic Resources Information System (CHRIS) digital database was reviewed by qualified archaeological City staff to determine the presence or absence of potential archaeological resources

within the project site. The CHRIS search did not identify any recorded archaeological sites within or adjacent to the property. Additionally, the project proposes improvements within the existing developed footprint and per the Geotechnical Report, the project site is underlain with undocumented fill to depths ranging from about 3 to 30.5 feet below grade.

Most archaeological sites have some surface expression and some sites have been found within inches of the ground surface. The likelihood of encountering archaeological resources is greatest on sites that have been minimally disturbed in the past (e.g., undeveloped parcels, vacant lots, and lots containing surface parking). Previously excavated areas are generally considered to have a low potential for archaeological resources, since the soil containing the archaeological resources has been removed. Based upon the negative CHRIS search and the previously disturbed nature of the impact area, including the prior placement of the existing office structure, parking lot, and associated improvements and undocumented fill to depths ranging from about 3 to 30.5 feet below grade; qualified archaeological City staff determined that the project site has low potential for archaeological resources. The comprehensive archaeological evaluations and procedures required under PEIR Mitigation Measure HIST-1 would, therefore, not apply to the project. The project site is not within a cemetery or otherwise known to include human remains. Should human remains be uncovered during construction, the project would comply with State Health and Safety Code Section 7050.5 in which a temporary construction exclusion zone to be established surrounding the area of discovery, immediate notification of the San Diego County Coroner's office, and evaluation by a forensic anthropologist. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted to determine proper treatment and disposition of the remains in accordance with California Public Resources Code section 5097.98. Impacts would be less than significant.

#### *Tribal Cultural Resources*

As stated above, the PEIR previously addressed Tribal Cultural Resources through the AB 52 consultation process which ultimately concluded. The consultation required that future projects conduct an initial analysis to determine if there is evidence that the project site could contain archaeological resources.

The project's initial archaeological investigation, including a CHRIS search, confirmed that there are no known cultural resources on the project site. The project site is underlain with undocumented fill to depths ranging from about 3 to 30.5 feet below grade. There are no known tribal cultural resources on the project site, and the comprehensive archaeological evaluations and procedures required under PEIR Mitigation Measure HIST-1 would therefore not apply to the project. No impact would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR historical resources analysis. The project would not create any new significant historical resource impact, nor would it substantially increase the severity of historical resource impacts from that described in the PEIR.

#### ***Hazards and Hazardous Materials***

## **PEIR**

Hazards and Hazardous Materials impacts are evaluated in Section 5.6 of the PEIR.

### Wildland Fires

The PEIR identified that future development implemented in accordance with the proposed MMCP would be subject to regulatory requirements related to fire hazards and prevention, including standards associated with vegetative (brush) management, such as selective removal/thinning and planting of fire-resistant plantings to create appropriate buffer zones around development, as well as incorporating applicable fire-related design elements, including fire-resistant building materials, fire/ember/smoke barriers, automatic alarm and sprinkler systems, and provision of adequate water flow for fire protection and emergency access. Therefore, the PEIR identified project and cumulative impacts associated with wildfire hazards as less than significant, with no mitigation required.

### Hazardous Substances

The PEIR identified that future development implemented in accordance with the proposed MMCP would be subject to applicable regulatory/industry and code standards and requirements related to health hazards from hazardous materials, including as they relate to proximity to schools. For any new schools that could be constructed within 0.25 miles of a facility that emits hazardous emissions or handles hazardous or acutely hazardous materials, substances, or waste, the school district or private school entities would be responsible for planning, siting, building, and operating the schools. It would be the responsibility of the school district to perform an in-depth analysis of any potential hazards at the project level. Therefore, the PEIR identified project and cumulative impacts on schools from hazardous materials, substances, or waste as less than significant, with no mitigation required.

### Emergency Response Plans

The PEIR identified that the implementation of the proposed MMCP would not impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan, including the County's Multi-Jurisdictional Hazard Mitigation Plan and Emergency Operations Plan; therefore, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

### Hazardous Sites

The PEIR identified that future development implemented in accordance with the proposed MMCP would be required to adhere to applicable regulatory/industry and code standards related to health hazards from hazardous materials. In accordance with City, State, and federal requirements, any new development that involves contaminated property would necessitate the cleanup and/or remediation of the property in accordance with applicable requirements and regulations. This includes obtaining clearance from the applicable regulatory agencies for remediation efforts at applicable locations, including the three listed open cases within and adjacent to the MMCP area. Therefore, the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

### Airport Safety

The PEIR identified that future development projects within the MMCP area would be subject to the requirements of the MCAS Miramar Airport Land Use Consistency Plan (ALUCP), including safety compatibility and airspace protection criteria, as well as applicable sections of the SDMC. Through compliance with these requirements and the implementation of the policies that require future projects to be reviewed for compatibility with the safety zones, noise contours, and airspace protection surfaces identified in the applicable ALUCP, potential hazards from airport operations would not expose people or structures to a significant risk of loss, injury, or death, from off-airport aircraft operational accidents. Therefore, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

## **Project**

### Wildland Fires

The project site is located within a Very High Fire Hazard Severity Zone. However, the implementation of the project would not increase wildland fire risk at the site over existing conditions. The project would replace the existing commercial office uses with an R&D building and parking structure within the existing developed footprint that are consistent with the site's zoning and land use designation. The project would install standard fire safety features and all buildings would be constructed in compliance with the fire regulations in the CBC. In addition, the project would comply with brush management requirements as outlined in the City's Brush Management Regulations. Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant.

### Hazardous Substances

The proposed project is not located within one-quarter mile of an existing or proposed school. Regardless, the project would comply with all applicable regulations regarding hazardous materials and no impact would occur. No impact would occur.

### Emergency Response Plans

The project is consistent with the site's land use designation in the MMCP and does not propose street improvements. The project would reconstruct the existing driveway off Vista Sorrento Parkway to City Standard for vehicular access. As such, the project would not result in interference with emergency response access or evacuation. Impacts would be less than significant.

### Hazardous Sites

A hazardous waste site records search was completed in February 2026 using Geo Tracker and EnviroStor, online websites which disclose hazardous clean-up sites pursuant to Government Code section 65962.5: <http://geotracker.waterboards.ca.gov/>; <https://www.envirostor.dtsc.ca.gov/public/> The records search identified that no hazardous materials sites pursuant to Government Code section 65962.5 exist onsite or in the surrounding area. Therefore, the project would not create a significant hazard to the public or environment resulting from being included on a list of hazardous materials sites. Impacts would be less than significant.

### Airport Safety

The proposed project is located approximately three miles northwest of the MCAS Miramar Airport. The project site is located within the Airport Land Use Compatibility Overlay Zone (ALUCOZ) (MCAS Miramar), ALUCP Airport Influence Area (AIA) (MCAS Miramar - Review Area 1), ALUCP Safety Zone (MCAS Miramar-Accident Potential Zone 2), and FAA Part 77 Noticing Area. The project would be consistent with alternative compliance for the APZ 2 zone by maintaining a density limit of 50 persons per acre and would not conflict with the airport overlays. As such, the project would not result in land uses that are incompatible with an adopted ALUCP. The project would be consistent with the designated MMCP land uses and zoning. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR hazards analysis. The project would not create any new significant hazards impact, nor would it substantially increase the severity of hazards impacts from that described in the PEIR.

### ***Hydrology/Water Quality***

#### **PEIR**

Hydrology and Water Quality impacts are evaluated in Section 5.7 of the PEIR.

#### **Flooding and Drainage Patterns**

The PEIR identified that future development projects implemented within the MMCP area would be subject to the requirements of the NPDES, the City's Stormwater Standards Manual, and the SDMC Stormwater Runoff and Drainage Regulations. In addition, the proposed MMCP includes policies that encourage development with sustainable design elements to capture and infiltrate water on-site. Through adherence to the regulatory framework, augmented by the proposed MMCP policies regarding sustainable design features, the PEIR identified project and cumulative impacts related to flooding from surface runoff as less than significant, and no mitigation is required.

#### **Flood Zones**

The PEIR identified that future development in accordance with the proposed MMCP would be subject to applicable SDMC and Federal Emergency Management Agency (FEMA) requirements to ensure protection from flooding. Future development projects located within the mapped 100-year floodplain would undergo project-level analysis to determine the effects to base flood elevations and ensure that no flooding, erosion, or sedimentation impacts occur on-or off-site. Thus, the PEIR identified project and cumulative impacts related to flood hazard areas as less than significant, and no mitigation is required.

#### **Pollutants**

The PEIR identified that future construction activities associated with the MMCP would be subject to applicable requirements in the General Construction Permit or a Stormwater Pollution Prevention Program/Water Pollution Control Plan, which would address the potential for the transport of pollutants in runoff water during construction activities. Future projects in the MMCP area would also be subject to the requirements in the City's stormwater regulations, Stormwater Standards Manual, Jurisdictional Runoff Management Plan, and Municipal Separate Storm Sewer System

Permit, which would require that all future projects meet minimum stormwater requirements to protect water quality. Thus, through compliance with the existing regulatory framework addressing protection of water quality, the PEIR identified project and cumulative impacts related to water quality as less than significant, and no mitigation is required.

#### Groundwater

The PEIR identified that current stormwater regulations, which encourage the infiltration of stormwater runoff and the protection of water quality, would allow for groundwater recharge and would protect the quality of groundwater resources. As such, it is not anticipated that the proposed MMCP would deplete groundwater supplies, degrade groundwater quality, or interfere with groundwater recharge. Thus, the PEIR identified project and cumulative impacts related to groundwater as less than significant, and no mitigation is required.

#### **Project**

A Storm Water Quality Management Plan (SWQMP) was prepared for the project by Latitude 33 Planning & Engineering (December 2025) and a Preliminary Drainage Study was prepared for the project by Latitude 33 Planning & Engineering (December 2025).

#### Flooding and Drainage Patterns

The proposed onsite drainage system, consisting of a detention basin and vault system and storm drain connections, would be engineered to adequately manage site stormwater. Additionally, per the Drainage Report, the project would not significantly alter drainage patterns on the site, the ultimate discharge points would not be changed, graded areas would be landscaped to reduce or eliminate sediment discharge, and post development flows would be less than existing flows. The project would be conditioned to comply with the City's Storm Water Regulations during and after construction, and appropriate BMPs would be utilized. Implementation of project-specific BMPs would preclude violations of any existing water quality standards or discharge requirements. As such, impacts would be less than significant and no mitigation is required.

#### Flood Zones

The project is not within the mapped 100-year floodplain, nor does it propose housing. No impact would occur.

#### Pollutants

Through the incorporation of liners, subdrains, BMPs, and low impact development design practices, the project would not result in significant runoff, as stated in the project's SWQMP. A SWQMP was prepared for the project, which includes construction and post-construction BMPs such as source control and hydromodification designs, which would prevent pollutant discharge to receiving waters. Impacts would be less than significant.

#### Groundwater

There is no groundwater extraction occurring or planned at the project site; therefore, there would be no disruption to any existing groundwater levels or well production. In relation to impervious surfaces that could interfere with groundwater recharge, the project would occur within the footprint of the existing developed portion of the site. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR hydrology/water quality analysis. The project would not create any new significant hydrology/water quality impact, nor would it substantially increase the severity of hydrology/water quality impacts from that described in the PEIR.

### **Land Use**

#### **PEIR**

Land Use impacts are evaluated in Section 5.8 of the PEIR.

#### **Land Use Plan Consistency**

The PEIR identified that the proposed MMCP would serve to implement General Plan policies at a local level, specific to the community character and needs, and is generally consistent with the goals and policies of each element of the General Plan. Additionally, the MMCP is consistent with the applicable land use planning documents that address land use, resource management, and development in the Mira Mesa community. Development that implements the proposed MMCP would be required to comply with the Historical Resources Regulations. The amendment to the Historical Resources Guidelines included with the MMCP that will add Tier 2 and Tier 3 communities to the list of areas exempted from review of structures 45 years old or older is supported by the findings of the Focused Reconnaissance Survey and is permitted by Section 143.0212 of the Historical Resources Regulations and the Historical Resources Guidelines. Thus, the implementation of the MMCP would not conflict with the City's Historical Resources Regulations. As such, the MMCP would result in less-than-significant environmental impacts related to conflicts with applicable planning documents. Thus, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### **Habitat Conservation Plan Consistency**

The PEIR identified that the majority of open space in the Community Plan area is within the MHPA area. The proposed MMCP would incorporate the goals of resource protection outlined in the MSCP Subarea Plan and the VPHCP. In addition, the MMCP would facilitate future development, which would be required to comply with the MHPA Land Use Adjacency Guidelines to prevent conflict with preservation of the MHPA. The PEIR identified project and cumulative impacts as less than significant with no mitigation required.

#### **Airport Land Use Compatibility Plans**

The PEIR identified that the entirety of the MMCP area is within either Airport Influence Area (AIA) Review Area 1 or Review Area 2 for MCAS Miramar. Future development associated with the proposed MMCP would be required to comply with all requirements of the Airport Land Use Compatibility Overlay Zone and would be reviewed by the City and/or the Airport Land Use

Commission (ALUC) for consistency with the ALUCP requirements on a project-by-project basis. Compliance with land use compatibility regulations would ensure the MMCP would not conflict with an adopted ALUCP, and the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

#### *Divide an Established Community*

The PEIR identified that the proposed MMCP would encourage future physical development to occur in mixed-use Urban Villages centered around existing development areas. The MMCP would be consistent with the existing development pattern by maintaining residential neighborhoods and industrial areas, while facilitating connectivity of employment opportunities, commercial centers along major thoroughfares, and residential or mixed-use neighborhoods. As such, the MMCP would not physically divide a community, and the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

### **Project**

#### *Project Land Use Plan Consistency*

The project site is within the MMCP area and has a General Plan land use designation of Industrial Employment. The project site is designated Technology Park and zone IL-3-1, which allows high technology uses related to applied sciences, including R&D consistent with the proposed project. The proposed project is located approximately three miles northwest of the MCAS Miramar Airport. Implementation of the proposed project would not cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. No impact would occur.

#### *Habitat Conservation Plan Consistency*

The project site contains 0.14 acre of MHPA. However, the project proposes development within the existing developed footprint on the site, outside of the MHPA. The MMCP and zoning for the site allows for the proposed development and the project would not conflict with any local policies and/or ordinances protecting biological resources. Project impacts related to MHPA adjacency will be precluded through project compliance with the Land Use Adjacency Guidelines. The project will be required to comply with the Land Use Adjacency Guidelines as permit conditions through the project conditions of approval. As a result, the project would not be inconsistent with or conflict with the MSCP Subarea Plan. No impact would occur.

#### *Airport Land Use Compatibility Plans*

The project is located approximately three miles northwest of the MCAS Miramar Airport. The project site is located within the Airport Land Use Compatibility Overlay Zone (ALUCOZ) (MCAS Miramar), ALUCP Airport Influence Area (AIA) (MCAS Miramar - Review Area 1), ALUCP Safety Zone (MCAS Miramar-Accident Potential Zone 2), and FAA Part 77 Noticing Area. The project would be consistent with alternative compliance for the APZ 2 zone by maintaining a density limit of 50 persons per acre and would not conflict with the airport overlays. As such, the project would not result in land uses that are incompatible with an adopted ALUCP. The project would be consistent with the designated MMCP land uses and zoning. Impacts would be less than significant.

*Divide an Established Community*

The project involves the redevelopment of a site with an existing commercial office building with R&D and parking uses consistent with the MMCP land uses. No impact would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR land use analysis. The project would not create any new significant land use impact, nor would it substantially increase the severity of land use impacts from that described in the PEIR.

**Noise**

**PEIR**

Noise impacts are evaluated in Section 5.9 of the PEIR.

*Ambient Noise Level*

The PEIR identified that the primary source of noise in the MMCP area is traffic. Implementation of the proposed MMCP would introduce new land uses that would generate traffic that would result in substantial noise generation. No feasible Mitigation Framework exists for the increase in traffic noise generated by the MMCP. Because the implementation of the MMCP would result in a substantial increase in ambient noise due to traffic and noise sensitive land uses (NSLUs) could be exposed to vehicular traffic noise levels in excess of the City's Land Use-Noise Compatibility Guidelines, the PEIR identified project and cumulative impacts as significant and unavoidable. Ambient noise level impacts associated with non-traffic generated noise are addressed under Municipal Code Compatibility below.

*Traffic Noise*

Refer to the Ambient Noise Level discussion above.

*Airport Land Use Compatibility*

The PEIR found that noise-sensitive land uses, including new residential, as well as urban employment village and business park, and other land use designations that allow for residential uses are proposed within the 60 CNEL contours associated with MCAS Miramar. The PEIR identified that although the General Plan Noise Element has an exterior noise compatibility level of 60 CNEL or less for residential uses, noise levels up to 70 CNEL for multifamily residential are considered conditionally compatible, as long as interior noise levels can be attenuated to 45 CNEL or less. The PEIR found that new residential development may be exposed to exterior noise levels from aircraft associated with MCAS Miramar that exceed the Land Use - Noise Compatibility Guidelines. No feasible Mitigation Framework exists to reduce the exposure of sensitive receptors to aircraft noise. Therefore, the PEIR identified project and cumulative impacts as significant and unavoidable for noise-sensitive land uses, including residential land uses.

*Municipal Code Compatibility*

The PEIR identified that the City regulates specific noise level limits allowable between land uses, including the requirement for noise studies, limits on hours of operation for various noise-

generating activities, and standards for the compatibility of various land uses with the existing and future noise environment. Through enforcement of the Noise Abatement and Control Ordinance, the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

#### Construction Noise

The PEIR identified that construction noise attributed to future projects in the MMCP area would be regulated by the SDMC, and construction noise impacts due to the implementation of the MMCP would be determined by a specific future project's compliance with the limits specified in the SDMC. Future infill projects, such as those allowed under the proposed MMCP, may be located in close proximity to existing and future NSLUs. Construction activities related to the implementation of the MMCP could potentially generate short-term noise levels in excess of 75 A-weighted decibel energy equivalent level (12-hour) at adjacent properties. Future projects in the MMCP area would be required to implement PEIR Mitigation Measure NOI-1, which requires construction contractors to implement measures, such as noise attenuation techniques and construction notices to nearby sensitive receptors, to minimize construction noise. However, the ability for future projects to conform to the noise ordinance cannot be determined at the programmatic level. Noise impacts from construction activities are therefore identified as significant and unavoidable in the PEIR. Cumulative impacts, however, would be less than significant because construction activities would be temporary and short-term in nature and would not combine with construction activities around the MMCP area to result in a cumulatively considerable impact.

#### Groundborne Noise and Vibration

New development in the MMCP area could include future construction activities that would use vibratory construction equipment and could expose future sensitive receptors to substantial vibration levels. The MMCP would be required to implement PEIR Mitigation Measure NOI-2, which requires vibration reduction measures to minimize construction-related vibration impacts. However, the ability for future projects in the MMCP area to conform to the vibration ordinance cannot be determined at the programmatic level. The PEIR identified impacts due to groundborne vibration as significant and unavoidable. Cumulative impacts, however, would be less than significant because construction activities would be temporary and short-term in nature and would not combine with construction activities around the MMCP area to result in a cumulatively considerable impact.

### **Project**

#### Ambient Noise Level

The project proposes to replace the existing commercial office structure with an R&D structure and parking structure. The project is anticipated to generate 617 more average daily trips (ADT) than the existing land use. The addition of project-generated traffic would not result in a significant change in traffic noise levels and there are no sensitive receptors in the vicinity. The project proposes uses consistent with the MMCP and zoning. Considering the scope of the project and distance from residential uses, the project would not cause noise impacts related to collocation. The project would comply with City's Noise Abatement and Control Ordinance, and noise impacts would be less than significant.

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#### Traffic Noise

Refer to the Ambient Noise Level discussion above. Traffic noise impacts would be less than significant.

#### Airport Land Use Compatibility

The adopted ALUCP for MCAS Miramar specifies that noise levels of up to 70 dB CNEL are compatible with R&D land uses, and noise levels between 70 and 80 dB CNEL are conditionally compatible provided interior noise levels do not exceed 50 dB CNEL. The project site is located within the 60-65 dB CNEL contour for MCAS Miramar, does not propose noise-sensitive land uses, and would not be subject to incompatible noise levels from aircraft noise, as defined by the ALUCP for R&D land uses. Impacts would be less than significant.

#### Municipal Code Compatibility

Operation of the project would include features such as heating, ventilation, and air conditioning (HVAC) systems that could create noise levels from stationary sources that would exceed property line limits. HVAC noise would be controlled in accordance with the property line limits established by the Noise Abatement and Control Ordinance. Impacts would be less than significant.

#### Construction Noise

Proposed Project construction noise would be generated by diesel engine driven construction equipment used for site preparation and grading, building construction, loading, unloading, and placing materials and paving. Construction noise is regulated by Section 59.5.0404 of the City's Noise Abatement and Control Ordinance. Construction would be restricted to between the hours of 7:00 a.m. and 7:00 p.m., and construction noise levels would not exceed a 12-hour equivalent noise level of 75 dB(A) Leq as assessed at or beyond the property line of a property zoned residential, given that there are no properties zoned residential in the vicinity of the Project site. Construction activities would be temporary and short-term in nature and would not combine with construction activities around the MMCP area, so cumulative impacts would be less than significant without mitigation. Therefore, construction noise impacts would be less than significant and the implementation of PEIR Mitigation Measure NOI-1 is not required.

#### Groundborne Noise and Vibration

Off-site exposure to ground-borne vibration would be temporary as it would be limited to the short-term construction period. Therefore, even though vibration may be perceptible, temporary impacts associated with equipment would be less than significant and implementation of PEIR Mitigation Measure NOI-2 is not required. As a R&D land use, the project would not generate excessive ground-borne vibration during operations. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR noise analysis. The project would not create any new significant noise impact, nor would it substantially increase the severity of noise impacts from that described in the PEIR.

#### **Public Services and Facilities**

## PEIR

Public Services and Facilities impacts are evaluated in Section 5.1 O of the PEIR.

### *New Public Facilities*

The PEIR identified that the implementation of the proposed MMCP would not result directly in the construction of new or expanded facilities; however, future facilities that are proposed in the MMCP, as well as the MMCP's policy framework and supplemental development regulations (SDRs), which support the expansion of public services and facilities in order to adequately serve the growing population in the community, would facilitate the future construction of new or expanded police stations, fire stations, libraries, schools, and parks and recreational facilities. Buildout of the proposed MMCP would result in population growth which could increase demand on existing facilities and necessitate the construction of new or expanded facilities in order to maintain public services at the desired performance standards. Environmental review would occur at the time of future project review and approval for each future facility. As the location and need for potential future facilities cannot be determined at this time, it is unknown what specific impacts may occur associated with the future construction and operation of such facilities, and, as such, no feasible Mitigation Framework exists. Thus, as it cannot be ensured all impacts associated with the construction and operation of potential future facilities would be mitigated to less than significant, the PEIR identified project and cumulative impacts as significant and unavoidable.

### *Recreational Demand*

The PEIR identified that the proposed MMCP would result in a buildout of approximately 58,741 dwelling units and a population of approximately 143,000 residents by 2050. In order to maintain the Value Standard established by the City for parks and recreational facilities, the community of Mira Mesa would be required to provide park facilities totaling 14,300 Recreational Value Points upon buildout under the proposed MMCP. The existing and planned park facilities at this time total 11,196 Recreational Value Points, leaving a deficit of recreational facilities. Due to the increase in population and the existing deficit of appropriate recreational facilities, it is possible the increased use of the facilities could result in substantial physical deterioration. The proposed MMCP contains policies and SD Rs that support the maintenance of existing facilities, as well as the provision of new facilities as the community grows, which would serve to reduce the impact; however, it is unknown to what extent these potential future facilities would be able to accommodate increases in demand for recreational facilities, and no feasible Mitigation Framework exists. Thus, the PEIR identified project and cumulative impacts as significant and unavoidable.

### *Expanded Recreational Facilities*

The PEIR identified that the implementation of the proposed MMCP would result in a deficit of population-based recreation facilities. While the proposed MMCP contains policies and SDRs that would support and require the development of future park/recreational facilities and includes planned park facilities in the community, the proposed MMCP would not directly result in the construction of these planned facilities. Nonetheless, the proposed MMCP's policies and SD Rs would facilitate the future development of parks and recreational facilities, the construction of which could result in physical environmental impacts. While these impacts would be assessed during project-level environmental review, it cannot be ensured the impacts would be less than significant,

and no feasible Mitigation Framework exists. Therefore, the PEIR identified project and cumulative impacts as significant and unavoidable.

## **Project**

### **New Public Facilities**

The proposed project would not change the existing demand for police or fire protection services because the operation of the project would not result in a substantial increase in employees or population. The project would replace the existing office uses with R&D uses and parking that are consistent with the site's zoning of IL-3-1 and land use designation of Industrial Employment /Technology Park. Therefore, the project would not substantially increase the need for new police or fire department staff or facilities. Additionally, the project would not introduce inhabitants to the project area which would require additional schools, parks, or other recreational facilities. Impacts would be less than significant.

### **Recreational Demand**

The proposed project involves the replacement of existing office uses with R&D uses and parking. The project would not introduce inhabitants or visitors that would use existing recreational facilities or create the need for new facilities. The proposed project would not result in physical deterioration of an existing open space area or any recreation facilities. Impacts would be less than significant.

### **Expanded Recreational Facilities**

The proposed project does not involve or require the construction or expansion of recreational facilities, and no impact will occur. No impact would occur.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR public services and facilities analysis. The project would not create any new significant public services and facilities impact, nor would it substantially increase the severity of public services and facilities impacts from that described in the PEIR.

## **Public Utilities**

### **PEIR**

Public Utilities impacts are evaluated in Section 5.11 of the PEIR.

### **Water Supply**

The PEIR identified that according to the water supply assessment, which utilized the City's Urban Water Management Plan based upon SANDAG's Series 14 Forecast land use, there is sufficient water supply to serve the proposed MMCP's estimated annual usage of 1,149 acre-feet per year and future water demands within the Public Utilities Department's (PU D's) service area in normal, single-dry year, and multiple-dry year forecasts. Therefore, the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

### **New Facilities**

### **Stormwater Infrastructure**

The PEIR identified that systematic improvements and replacement of the public stormwater facilities throughout the MMCP area are expected to take place as needed due to aging and substandard infrastructure. Upgrades such as increasing capacity and replacement of existing stormwater pipelines are an ongoing process performed by the City's Stormwater Department under its Municipal Waterways Maintenance Plan. The proposed MMCP also includes policy 6.15 which calls for improvements to existing storm drain outfalls and drain discharge systems. Future stormwater improvement projects, as well as future development projects proposed within the MMCP area, would be reviewed by the City to identify and determine any significant adverse effects to the City's stormwater system, as well as any significant environmental impacts associated with the installation of new stormwater infrastructure. Given the programmatic nature of the proposed MMCP, and the lack of site-specific information regarding potential new stormwater infrastructure at this time, no feasible Mitigation Framework exists. The PEIR identified project and cumulative impacts as significant and unavoidable.

### **Sewer Infrastructure**

The PEIR identified that systematic improvements to sewer facilities throughout the MMCP area are expected to be provided as gradual replacement of aging and substandard infrastructure is needed. Upgrades such as increasing the capacity and replacement of existing sewer pipelines and mains are an ongoing process. Upgrades to sewer infrastructure are administered by the City's PUD and are handled on a project-by-project basis. Future development projects proposed within the MMCP area would be reviewed by the City to identify and determine any significant adverse effects to the City's sewer facilities, as well as any significant environmental impacts associated with the installation of new sewer facilities. Given the programmatic nature of the proposed MMCP and the lack of site-specific information regarding improvements to existing sewer infrastructure and potential new sewer facilities, no feasible Mitigation Framework exists. The PEIR identified project and cumulative impacts as significant and unavoidable.

### **Water Infrastructure**

The PEIR identified that systematic improvements to water facilities throughout the MMCP area are expected to be provided as gradual replacement of aging and substandard infrastructure is needed. Upgrades such as increasing the capacity and replacement of existing water pipelines and mains are an ongoing process. Upgrades to water infrastructure are administered by the City's PUD and are handled on a project-by-project basis. Future development projects proposed within the MMCP area would be reviewed by the City to identify and determine any significant adverse effects to the City's water distribution system, as well as any significant environmental impacts associated with the installation of new water infrastructure. Nevertheless, given the lack of site-specific information regarding potential new water facilities, no feasible Mitigation Framework exists. The PEIR identified project and cumulative impacts as significant and unavoidable.

### **Communication Systems**

The PEIR identified that no specific communications systems improvements are proposed as part of the MMCP; however, certain policies may encourage the future development of communications infrastructure, such as proposed MMCP Policies 3.42 and 3.43 which direct the City to facilitate the implementation of Intelligent Transportation Systems and emerging technologies, and Policy 4.6 which directs the City to work with utility providers to accelerate the undergrounding of overhead communication lines and electrical distribution lines within residential neighborhoods. As individual development projects are initiated under the proposed MMCP, coordination with communications utility providers would occur as part of the project design and review process to identify any needed improvements to communication facilities. Future communications systems infrastructure would undergo a project-level review by the City to determine any significant environmental impacts associated with the installation of this infrastructure. Nevertheless, given the lack of site-specific information regarding potential new communications systems infrastructure, no feasible Mitigation Framework exists. The PEIR identified project and cumulative impacts as significant and unavoidable.

#### Solid Waste

The PEIR identified that it is anticipated that the implementation of the proposed MMCP would increase the solid waste management needs within the MMCP area due to increased population and development. The proposed MMCP would provide more concentrated land uses within portions of the MMCP area which would result in an increase in solid waste generated. When land uses are more concentrated, per-unit environmental impacts associated with solid waste management, such as collection truck miles per ton collected, are reduced. Greater efficiencies and expanded opportunities for the recycling of marginally marketable items becomes more feasible. Future development projects implemented within the MMCP area would be required to comply with the solid waste regulations of the SDMC. In addition, any future discretionary development exceeding the City's 60-ton solid waste threshold must prepare a waste management plan targeting a 75 percent waste reduction. Implementation of WMPs at the project level would ensure consistency with Assembly Bill 341 and the City's CAP. Therefore, the PEIR identified project and cumulative impacts on solid waste management from the implementation of the proposed MMCP as less than significant, with no mitigation required.

#### Project

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#### Water Supply

The project would be consistent with the existing land use and zoning designations for the project site, and, therefore, would be consistent with existing water demand projections contained in the PEIR's water supply assessment. Additionally, the project does not meet thresholds for a new water supply assessment. Therefore, the project would not use excessive amounts of water beyond projected available supplies. Impacts would be less than significant.

#### New Facilities

The project involves the replacement of the existing office uses with R&D uses, consistent with the project's existing zoning of IL-3-1 and land use designation of Industrial Employment/ Technology

Park. The project site is currently served by existing underground water, stormwater, and sewer lines located within the adjacent streets. Infrastructure improvements would be limited to connections with these underground utility lines located within the adjacent streets, and no off-site improvements are required to serve the project. Impacts would be less than significant.

#### Solid Waste

A Waste Management Plan (WMP) was prepared for the project (RECON August 2024) because the project would exceed the City's CEQA thresholds for requiring the preparation of a WMP for projects involving the construction, demolition, and/or renovation of 40,000 square feet or more of building space. As stated in the project's Waste Management Plan, the project would exceed the Construction & Demolition diversion threshold of 75 percent in Assembly Bill 341. The project would comply with the City Recycling Ordinance and the SDMC. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR Public Utilities analysis. The project would not create any new significant Public Utilities impact, nor would it substantially increase the severity of Public Utilities impacts from that described in the PEIR.

#### ***Transportation/Circulation***

#### **PEIR**

Transportation impacts are evaluated in Section 5.12 of the PEIR.

#### Transportation Policy Compliance

#### **Pedestrian Facilities**

The PEIR identified that the proposed MMCP would be consistent with and would implement the General Plan's safety and accessibility, connectivity, and walkability policies. Pedestrian-focused policies contained in the proposed MMCP include enhancements to pedestrian travel within the MMCP area, such as implementing the multi-use urban pathway system, constructing sidewalk and intersection improvements, and installing missing sidewalks and curb ramps. In addition, the impact fee study for the MMCP would include planned pedestrian improvements to install curb ramps, sidewalks, and audible pedestrian signals to meet Americans with Disability Act standards. Implementation of the MMCP would not restrict or impede pedestrian connectivity and would not conflict with any adopted policies or plans addressing pedestrian facilities. Thus, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### **Bicycle Facilities**

The PEIR identified that the proposed MMCP includes facilities that build on those identified in the San Diego Regional Bicycle Plan and City of San Diego Bicycle Master Plan, while also identifying new recommendations and improving upon existing facilities through an emphasis on protected facilities

such as multi-use paths and cycle tracks. Bicycle-focused policies contained in the proposed MMCP are consistent with current Regional and City plans that include providing and supporting a continuous network of safe, convenient, and attractive bicycle facilities throughout the community, and enhancing safety, comfort, and accessibility for all levels of bicycle riders. The MMCP supports improvements such as wayfinding marking, bicycle signals, buffered bicycle lanes, and protected bicycle facilities. Implementation of the proposed MMCP would not restrict or impede bicycle connectivity and would not conflict with any adopted policies or plans addressing bicycle facilities. Thus, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

### **Transit Facilities**

The PEIR identified that the General Plan includes policies for supporting the provision of higher-frequency transit services and implementing transit priority measures to help bypass congested areas. Transit-focused policies contained in the proposed MMCP support the implementation of the transit improvements identified in the Regional Plan by prioritizing the transit system and improving the efficiency of transit services. The MMCP includes the implementation of transit priority signals on key transit corridors and roadway right-of-way specifically for high-quality transit facilities. In addition, the MMCP provides for a complete bicycle and pedestrian network connecting with and improving access to transit. Thus, the implementation of the proposed MMCP would not interfere with the implementation of planned transit improvements and would provide policy support for their implementation. The PEIR identified project and cumulative impacts related to conflicts with plans or policies addressing existing or planned transit facilities as less than significant, with no mitigation required.

### **Roadway Facilities**

The PEIR identified that the proposed MMCP would support goals and policies included in the General Plan, to provide a balanced, multimodal transportation network where each travel mode can contribute to an efficient network of services meeting varied user needs. The General Plan advocates for interconnected street networks within and between communities, and the MMCP would support this effort by creating a walkable and bicycle-friendly environment and supporting transit as a primary mode of travel for many users. Roadway improvements include but are not limited to, re purposing vehicle travel lanes to provide protected bicycle facilities and flexible lanes for SMART corridors, signal operational improvements for corridor management, reserving right-of-way to implement multi-use paths, and providing bicycle and pedestrian signal enhancements to improve safety. Implementation of the proposed MMCP would not conflict with any adopted policies or plans addressing roadway facilities. Thus, the PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

### **Design Hazards**

The PEIR identified that the design of roadways in the MMCP area would be required to conform with applicable Federal, State, and City design criteria, which contain provisions to minimize roadway hazards. Compliance with these standards and design to the satisfaction of the City of San Diego's City Engineer would avoid roadway hazards. As further described in the PEIR, the proposed MMCP

project would provide higher quality bicycle facilities and improving pedestrian connectivity with the closure of facility gaps. These multimodal enhancements are intended to improve safety for bicycles and pedestrians on the roadway. The PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### VMT

The PEIR analyzed residential, employment, and retail land use VMT. The residential and retail analyses are not applicable to the proposed project. For employment land uses, the PEIR identified that the average VMT per employee for Mira Mesa is greater than the 85% threshold under the Base Year (2012) conditions. The VMT per employee for the Mira Mesa community is 120.2% of the Base Year (2012) regional average.

By Horizon Year 2050, with the implementation of the proposed MMCP, the VMT efficiency of Mira Mesa would be expected to substantially improve. In Year 2050, the VMT per employee for the Mira Mesa community improves to 92.4% of the Base Year (2012) regional average. However, the employment land use would exceed the 85% threshold, and therefore, the VMT transportation impacts related to employment uses in the MMCP are considered significant. No feasible Mitigation Framework exists to reduce the MMCP's employee VMT impacts. Overall, the proposed MMCP's horizon year lower VMT/employee compared to the 2012 Base Year is largely because the proposed MMCP was designed to self-mitigate by increasing the transportation efficiency in the community guided by the General Plan and Climate Action Plan. The proposed MMCP is also consistent with the City of San Diego's Complete Communities: Mobility Choices ordinance, which includes planning strategies that work together to create incentives to build homes near transit, provide more mobility choices, enhance opportunities for places to walk, bike, relax and play, and more quickly bring neighborhood benefits where needed the most. As a result, the MMCP improves not only the community's VMT efficiencies, but also the citywide VMT/employee efficiency. Nevertheless, the PEIR identified project and cumulative impacts as significant and unavoidable.

#### Emergency Access

The PEIR identified that a Traffic Control Plan/Permit would be implemented on a future project-by-project basis for any lane closures in the public right-of-way or driveway closures, which would ensure access at all times, including emergency service providers. Site design of future development would be subject to the emergency access requirements of the City's Fire Code and review by the San Diego Fire-Rescue Department to ensure adequate emergency access during operation of any given project. Additionally, the proposed MMCP aims to improve circulation and mobility throughout the MMCP area. This includes the development and implementation of a comprehensive Intelligent Transportation System, which would help better manage and improve the local transportation system, including incident and emergency response. Therefore, the MMCP would not create significant impediments for emergency access, and the PEIR identified project and cumulative impacts as less than significant with no mitigation required.

#### Project

A VMT Assessment was prepared for the project (CR Associates, December 2025).

### Transportation Policy Compliance

The project involves the replacement of existing office uses with R&D and parking uses that would be consistent with the land use designation of Industrial Employment/ Technology Park and zoning of IL-3-1. The project does not propose any changes to transportation facilities. The project would not conflict with an adopted program, plan, ordinance, or policy addressing the transportation system, including transit, roadways, bicycle, and pedestrian facilities. Impacts would be less than significant.

### Design Hazards

There would be no hazardous design features or incompatible uses introduced as a result of the project; the proposed R&D and parking uses would be compatible with the site's land use designation and zoning. The project's paved internal roadways would not include sharp curves. Impacts would be less than significant.

### VMT

In 2020, the City of San Diego certified the Complete Communities: Housing Solutions and Mobility Choices Program Environmental Impact Report (PEIR), which included amendments to the San Diego Municipal Code (SDMC) to implement the Complete Communities: Mobility Choices Program. The purpose of the Mobility Choices Program is to ensure that new development mitigates transportation-related VMT impacts to the extent feasible while incentivizing growth within the City's urbanized areas (Mobility Zones 1, 2, and 3).

The Project is located in Mobility Zone 2 and is therefore subject to the Mobility Choices regulations. Pursuant to SDMC §143.1103(b)(1), development in Mobility Zone 2 must provide VMT Reduction Measures totaling at least five (5) points. Based on the information provided, the Project meets this requirement through the following measure identified in Appendix T – Mobility Choices Regulations: Implementation Guidelines:

- *VMT Reduction Measure 17 – Long-Term Bicycle Parking Beyond Minimum Requirements*  
The Project is required to provide 14 long-term bicycle parking spaces. The Project proposes 34 long-term spaces, approximately 143% above the minimum requirement, resulting in 29 points under this measure (2 points per 10% increment above the minimum).

Based on the VMT Reduction Measure described above, the Project exceeds the minimum 5-point requirement and is therefore in compliance with the Mobility Choices Program. The VMT reduction measure would be included as a condition of approval for the project. Although the Project will implement all applicable Mobility Choices requirements and feasible VMT Reduction Measures, its VMT generation would continue to exceed the City's VMT significance threshold. While the Project's transportation impact remains significant and unavoidable, this is consistent with the VMT transportation impacts related to employment uses in the MMCP, which were also considered significant and unavoidable.

### Emergency Access

The existing driveway off Vista Sorrento Parkway would be rebuilt to current standards per City Standard Drawings with appropriate widths, sight distance, curb returns, spacing, permitted turn movements, and accommodation of delivery vehicles. Therefore, the project would provide adequate emergency access. In conclusion, no project-specific significant effects that are peculiar to the project or its site would occur, and there would be no cumulative impact. Impacts would be less than significant, and no additional analysis is necessary.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR Transportation analysis. The project would not create any new significant Transportation impact, nor would it substantially increase the severity of Transportation impacts from that described in the PEIR.

### ***Visual Effects and Neighborhood Character***

#### **PEIR**

Visual Effects and Neighborhood Character impacts are evaluated in Section 5.13 of the PEIR.

#### **Scenic Vistas**

The PEIR identified that the proposed MMCP identifies future trail improvements/extensions and new pocket parks, linear parks, parklets, and scenic overlooks that will provide public access to scenic views of the MMCP area's canyons and natural resources and includes policies that emphasize views to the MMCP area's natural resources, coastal views, and open space areas. Although development in the MMCP area is anticipated to be concentrated in the proposed Urban Village areas and would occur within existing developed areas, it cannot be known at this program level of analysis without site-specific plans whether future redevelopment will result in a substantial obstruction of the scenic overlooks identified in the proposed MMCP. Thus, the PEIR identified impacts as significant and unavoidable, and no feasible Mitigation Framework is available at this time. However, cumulative development and projects in surrounding communities would not contribute to localized visual impacts, and cumulative impacts would be less than significant.

#### **Visual Character**

The PEIR identified that the proposed MMCP includes policies intended to direct future development in a manner that improves the community's sense of place by transitioning towards a pedestrian-friendly community with unique districts and villages. The proposed MMCP-planned Urban Villages are primarily focused on infill development with a mix of compact uses, and mobility improvements support a pedestrian-oriented area with connections to transit and employment. This shift in character from a predominantly commercial and industrial employment center to a higher density, mixed-use Urban Village and employment hub would not substantially adversely alter the existing neighborhood character of the MMCP area as a whole. The PEIR identified project and cumulative impacts as less than significant, with no mitigation required.

#### **Existing Landforms**

The PEIR identified that it is anticipated that future development in accordance with the proposed MMCP would not result in substantial landform alteration because the MMCP area is largely

developed with existing urban land uses concentrated on the relatively flat mesa top that characterizes most of the MMCP area. While the proposed MMCP would intensify some uses, the proposed MMCP contains policies to ensure that redevelopment takes into account existing landforms. As future development projects within the MMCP area are proposed, they would be reviewed to determine whether grading plans demonstrate compliance with the City's SDMC regarding grading and if a permit is required. Thus, the PEIR identified project and cumulative impacts related to landform alteration as less than significant, with no mitigation required.

#### Light and Glare

The PEIR identified that with adherence to the City's outdoor lighting and glare regulations, the MHPA Land Use Adjacency Guidelines, and MCAS Miramar ALUCP's lighting and glare regulations, project and cumulative impacts associated with lighting and glare would be less than significant with no mitigation required.

#### Landmark Trees

The PEIR identified that no designated distinctive or landmark trees occur within the MMCP area. Mature stands of trees can be found on the floor of canyon areas; however, such areas are not proposed for development. The proposed MMCP includes policies that promote the planting of new trees, and future development within the MMCP area would be subject to City Council Policy 900-19, which provides for the protection of street trees. Therefore, the PEIR identified project and cumulative impacts related to the loss of distinctive or landmark trees as less than significant with no mitigation required.

### **Project**

#### Scenic Vistas

The project site is currently occupied by office land uses and does not include a public viewing area of the open space west of the site. Implementation of the project would replace the existing office building with R&D and a parking structure, and the project would not encroach upon or otherwise impact the open space west of the site. The project would be consistent with the designated MMCP land uses and zoning and height regulations. In conclusion, the proposed project and the associated impacts were addressed in the PEIR analysis. No project-specific significant effects would occur, and the project would not contribute to the significant cumulative impact identified in the MMCP PEIR. Impacts would be less than significant.

#### Visual Character

The project involves the replacement of an existing office land use with an R&D building and a parking structure. Therefore, the character of the site would be similar to existing conditions. Additionally, the project would be consistent with the site's zoning of IL-3-1 and land use designation of Industrial Employment/ Technology Park. Impacts would be less than significant.

#### Existing Landforms

The project involves the replacement of an existing office land use with an R&D building and a parking structure. Therefore, the landform of the site would be similar to existing conditions.

Additionally, the project would be consistent with the site's zoning of IL-3-1 and land use designation of Industrial Employment/ Technology Park. Impacts would be less than significant.

Light and Glare

The project site is located in an area that is developed with primarily commercial and industrial uses, with open space to the west. The existing light conditions in the project area include building lights, security lights, and adjacent commercial and industrial uses. The project would include lighting typical of industrial park land uses; such lighting would not create a new source of substantial light that would adversely affect daytime or nighttime views in the area. The project would adhere to the City's light and glare regulations. Additionally, the project would comply with MSCP land use adjacency guidelines regarding light and glare. The project would be consistent with the designated MMCP land uses and zoning. Impacts would be less than significant.

Landmark Trees

Project implementation may result in the removal of onsite cultivated trees; however, the project would not result in the loss of any distinctive or landmark trees or stand of mature trees as identified in the MMCP. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a substantial change to the PEIR Visual Effects and Neighborhood Character analysis. The project would not create any new significant Visual Effects and Neighborhood Character impact, nor would it substantially increase the severity of Visual Effects and Neighborhood Character impacts from that described in the PEIR.

## **CONCLUSION**

Overall, implementation of the proposed would not result in any significant direct, indirect or cumulative impacts over and above those disclosed in the previously certified PEIR.

Section 15162 of the CEQA Guidelines states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

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- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Section 15162 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts because of the project. This evaluation, therefore, supports the use of the previously certified PEIR, under CEQA Guidelines Section 15162, in that both environmental documents adequately covers the proposed project.

Marlene Watanabe  
Associate Planner

MW/mw

cc: Martin Mendez, Development Project Manager, Development Services Department

Attachments:

- Figure 1 – Project Vicinity
- Figure 2 – Project Site

Appendices (provided under separate cover):

- Biology Study Report, Recon, 2025.
- Drainage Study, Latitude 33 Planning & Engineering, December 2025

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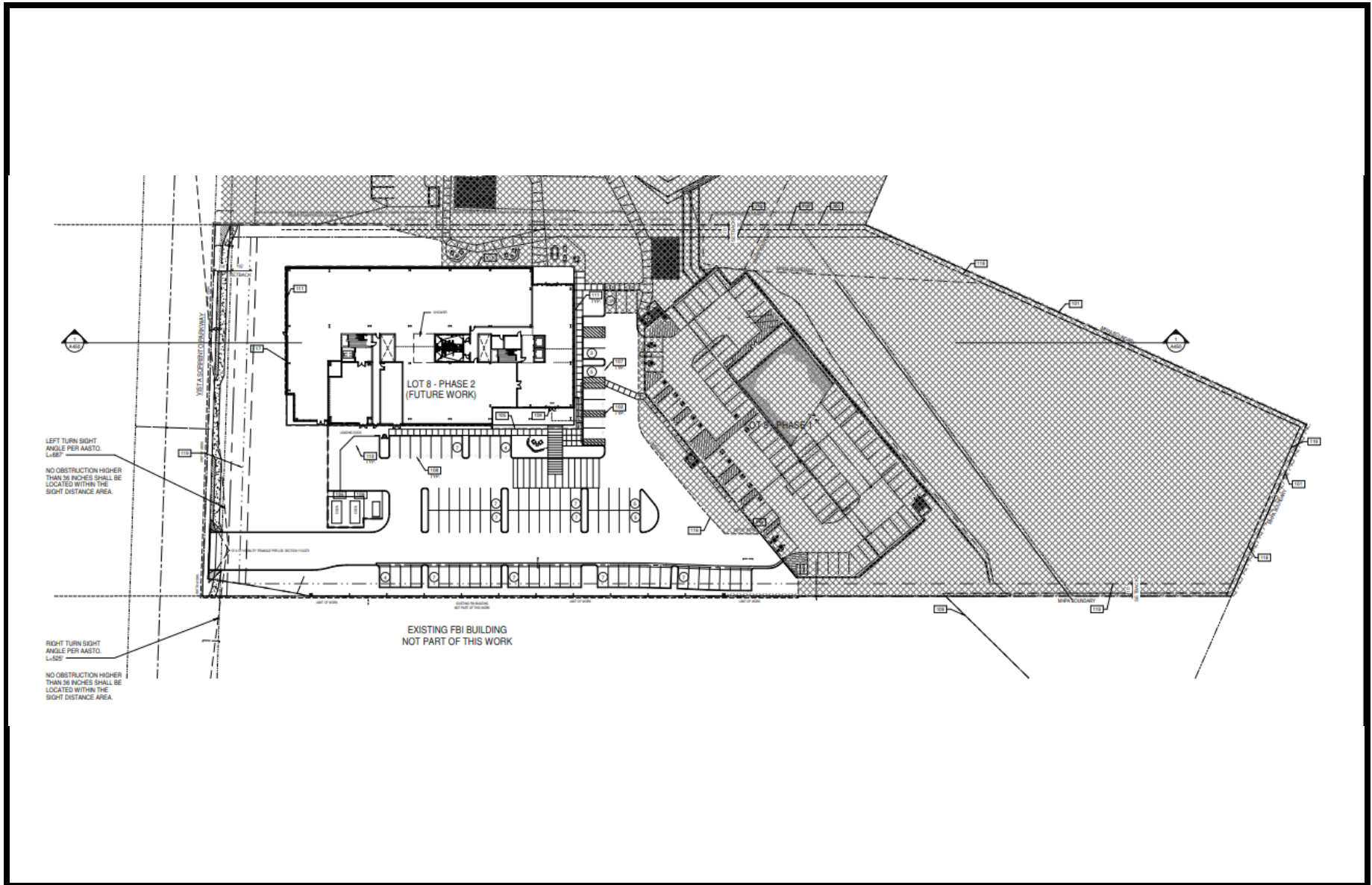
Geotechnical Investigation Report and Addendum, GEOCON Incorporated, March 2024,  
August 2024  
Storm Water Quality Management Plan, Latitude 33 Planning & Engineering, December 2025  
VMT Analysis, CR Associates, December 2025  
Climate Action Plan Consistency Checklist, Latitude 33 Planning & Engineering, January 2023



## Project Location

10509 Vista Sorrento/PRJ-1062368  
Development Services Department

**FIGURE  
No. 1**



## Site Plan

10509 Vista Sorrento/PRJ-1062368

Development Services Department

**FIGURE  
No. 2**