

**RECORDING REQUESTED BY  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES**

**PROJECT MANAGEMENT  
PERMIT CLERK  
MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-6079

**PLANNING COMMISSION  
PC-RESOLUTION NO.**

**PLANNED DEVELOPMENT PERMIT NO. 558012  
CONDITIONAL USE PERMIT NO. 312843  
SITE DEVELOPMENT PERMIT NO. 312846  
COASTAL DEVELOPMENT PERMIT NO. 312847**

**AMENDMENTS TO CONDITIONAL USE PERMIT NO. 86-0262  
COASTAL DEVELOPMENT PERMIT/HILLSIDE REVIEW PERMIT/  
PLANNED INDUSTRIAL PERMIT NO. 88-0244  
COASTAL DEVELOPMENT PERMIT/  
CONDITIONAL USE PERMIT NO. 92-0501  
COASTAL DEVELOPMENT PERMIT NO. 92-0506**

**SCRIPPS GREEN HOSPITAL CAMPUS (MMRP)  
PROJECT NO. 96361**

This Planned Development Permit (PDP) No. 558012; Conditional Use Permit (CUP) No. 312843; Site Development Permit (SDP) No. 312846; and Coastal Development Permit (CDP) No. 312847 would amend and consolidate the prior discretionary permits for the Scripps Green Hospital Campus: CUP No. 86-0262; CDP/Hillside Review Permit (HRP)/Planned Development Permit (PID) No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-0506, is granted by the Planning Commission of the City of San Diego to Scripps Health, a California non-profit Public Benefit Corporation, Owner/Permittee, pursuant to San Diego Municipal Code (SDMC) sections 126.0501, 126.0601, 126.0301 and 126.0701. The 34.7-acre site is located east and west of North Torrey Pines Road at John Jay Hopkins Drive in the IP 1-1 zone; Coastal Overlay zone (Appealable); Community Plan Implementation Overlay zone - Type B; Airport Environs Overlay zone (Accident Potential Zone 2); Airport Influence Area (MCAS – Miramar); First

Public Roadway; Parking Impact Overlay zone; Coastal Height Limitation Overlay zone, and is located within the University Community Plan area. The project site is legally described as Lot 7 of Map 8395, Lots 4 and 8 of Map 12960 and Parcels 1 and 2 of Parcel Map 11723.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the construction of an Outpatient Cancer Treatment and Research Facility and a four-level, 797 space employee only parking structure, described and identified by size, dimension, quantity, type and location on the approved exhibits [Exhibit "A"], dated \_\_\_\_\_, on file in the Development Services Department. Further, CUP No. 86-0262; CDP/HRP/PID No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-0506 shall remain in full force and effect except as described herein.

The project or facility shall include:

- a. Existing hospital, scientific research and medical facilities located on the west side of North Torrey Pines Road approved and built under CUP No. 86-0262; CDP/HRP/PID No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-0506.
- b. Maximum of 158 hospital beds. These beds are restricted to the west side of North Torrey Pines Road on Parcel 1 of Parcel Map 11723 per CUP No. 86-0262;
- c. Construction of a 125,007 square-foot outpatient cancer treatment and research facility. The facility is located on Lot 4 of Map 12960.
- d. Construction of a 255,055 square-foot four-level employee only parking structure. The parking structure consists of 797 parking spaces on Lot 8 of Map 12960.
- e. Deviation to the Land Development Code (LDC), Landscape Regulations. Chapter 14, Article 2, Division 4, Section 6(a) [Table 142-04D], Vehicular Use Area [VUA], trees are required to be planted within 30 feet of each parking space within parking lot areas and on top of roof level parking structures, in lieu the following is required:
  1. For the surface parking lot heavy planting; including large screening trees and shrubs, within the planter areas surrounding the VUA.
  2. For the roof level parking structure shade structures and/or trellis structures to provide a minimum of 50% shade over pavement.
- f. Amendments to PID Permit No. 88-0244, La Jolla Pines Technology Centre Design Manual.
  1. Section 2.2 - Allowable Building Area Site Development Matrix Figure 2.3 Maximum Surface Parking (Stalls). On Lot 4 the maximum surface parking permitted is 429, 520 are approved.

2. Section 2.4 – Site Coverage. On Lot 8 the maximum building coverage is 40%, 71% is approved.
  3. Section 2.6.A - Street Setbacks. On Lot 8 a 50 foot building setback from North Torrey Pines Road is required to be fully landscaped, 25 feet is approved.
  4. Section 2.6.F - Street Setbacks. On Lot 4 a 50 foot street setback from North Torrey Pines Road is required to be fully landscaped. A 26 foot wide drive aisle/fire lane is approved.
  5. Section 2.7.A - Interior Setbacks. On Lot 8 a 25 foot building setback is required from the interior property line, 15 feet is approved.
- g. Landscaping (planting, irrigation and landscape related improvements)
- h. Accessory improvements determined by the City Manager to be consistent with the land use plan and development standards in effect for this site per the adopted community plan, California Environmental Quality Act guidelines, public and private improvement requirements of the City Engineer, the underlying zone, conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

#### **STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.

5. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. 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.). In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.
8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
9. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit is required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

11. In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

12. The applicant 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 applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant 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, applicant 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 applicant 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 applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

#### **ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project

14. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Mitigated Negative Declaration No. 96361, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in MITIGATED NEGATIVE DECLARATION, NO. 96361, satisfactory to the Development Services Department and the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Paleontological Resources, Biological Resources and Transportation/Parking.

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

17. Prior to the recordation of the first final map and/or issuance of any grading permit, the 1,500 square feet (0.03 acre) of wart-stemmed ceanothus restoration site shall be placed within a conservation easement or covenant of easement, as shown on Exhibit A, granted in favor of the City.

#### **ENGINEERING REQUIREMENTS:**

18. Prior to building occupancy, the applicant shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

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

20. Prior to the issuance of any construction permits, the applicant shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.

21. Prior to the issuance of any building permits, the applicant shall assure the replacement of each of the four curb ramps on John Jay Hopkins Drive, as shown on Exhibit "A", to current City standards, satisfactory to the City Engineer. This work shall be shown on the grading plan and included in the grading permit.

22. The drainage system proposed for this development is private and subject to approval by the City Engineer.

23. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.

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

25. Prior to the issuance of any building permits, the applicant shall obtain an Encroachment Maintenance and Removal Agreement, for three (3) D-25 curb outlets (2 in Cray Court, 1 in John Jay Hopkins Drive) and a private walkway with handrails at the corner of Cray and John Jay Hopkins, as shown on Exhibit "A", all satisfactory to the City Engineer. This work shall be shown on the grading plan and included in the grading permit.

26. Prior to the issuance of any building permits, the applicant shall assure the replacement of the existing driveway on Cray Court with a new 30 foot driveway, as shown on Exhibit "A", and the installation of a new 15 foot driveway on John Jay Hopkins Drive and three (3) D-25 curb outlets (two on Cray and one on John Jay Hopkins). This work shall be shown on the grading plan and included in the grading permit.

27. Prior to the issuance of any building permits for Lot 4 (outpatient cancer treatment and research facility) the applicant shall obtain a grading permit for the grading for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

#### **LANDSCAPE REQUIREMENTS:**

28. Prior to issuance of construction permits for grading; the Permittee or Subsequent Owner shall ensure that all proposed landscaping, specifically landscaping adjacent to native habitat and/or MHPA, shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory and the prohibited plant species list found in "Table 1" of the Landscape Standards shall not be permitted.

29. Prior to issuance of any construction permits for public right-of-way improvements, the Permittee or Subsequent Owner shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall take into account 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.

30. Prior to issuance of any construction permits for buildings, "including shell," the Permittee or Subsequent Owner shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual 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 Office of the Development Services Department. Construction plans shall take into account a 40 square-foot area around each tree.

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

32. The Permittee or Subsequent Owner shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

33. The Permittee or Subsequent Owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

34. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Permittee or Subsequent Owner is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Certificate of Occupancy.

35. Prior to issuance of any construction permit for parking structures, the Permittee or Subsequent Owner shall submit on the planting and irrigation plans a signed statement by a Registered Structural Engineer indicating that supporting structures are designed to accommodate the necessary structural loads and associated planting and irrigation.

#### **PLANNING/DESIGN REQUIREMENTS:**

36. 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. 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.

38. Prior to the issuance of any grading or building permits, a fee shall be deposited with the Development Services Department for the Los Penasquitos Watershed Restoration and Enhancement Program. The enhancement fee shall be computed on the basis of site grading at a rate of \$0.005 per square foot for all areas graded, with an additional rate of \$0.03 per square foot for all impervious surfaces created by the development. The enhancement fee shall be computed by the Owner/Permittee and verified by the Development Services Department.

39. All signage associated with this development shall be consistent with the signage guidelines of the La Jolla Pines Technology Centre Design Manual, PID No. 88-0244.

40. Occupancy shall not exceed 250 in the Outpatient Cancer Treatment and Research Facility.



## **TRANSPORTATION REQUIREMENTS:**

41. Prior to the issuance of the first building permit for the construction of the outpatient cancer treatment and research facility on Lot 4, the Owner/Permittee shall provide a fair-share contribution in the amount of \$304,000 toward the planned Interstate 5/Genesee Interchange Reconstruction Project, satisfactory to the City Engineer. The fair share contribution shall be deposited to a separate interest earning account.
42. Prior to the issuance of the first building permit for Lot 4 (outpatient cancer treatment and research facility) the Owner/Permittee shall enter into a Deferred Improvement Agreement to construct a traffic signal at John Jay Hopkins Drive and Cray Court, including appropriate interconnect, satisfactory to the City Engineer at such time as a signal becomes warranted. As part of the Deferred Improvement Agreement, upon full occupancy of the proposed parking structure and the outpatient cancer treatment and research facility, the Owner/Permittee shall perform a traffic signal warrant analysis. If the signal is warranted, the Owner/Permittee shall construct the traffic signal within six months of the date the study is approved by the City Engineer. If the signal is not warranted, the Owner/Permittee shall perform additional traffic signal warrant analysis every five years. Once the signal is warranted, the Owner/Permittee shall construct the traffic signal within six months, satisfactory to the City Engineer.
43. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the widening of John Jay Hopkins Drive at the intersection of North Torrey Pines Road to provide an exclusive westbound right-turn lane, satisfactory to the City Engineer.
44. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the modification of the traffic signal at the intersection of North Torrey Pines Road and John Jay Hopkins Drive, satisfactory to the City Engineer.
45. Prior to the issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the construction of a minimum 3 foot wide raised center median along John Jay Hopkins Drive from North Torrey Pines to Cray Court, satisfactory to the City Engineer.
46. The sole driveway access for the new employee parking structure shall be on Cray Court, satisfactory to the City Engineer.
47. The employee parking structure shall be completed, prior to the issuance of any grading permits for the outpatient cancer treatment and research facility.
48. On Lot 8 of Map 12960 no fewer than 797 off-street automobile parking spaces (including 14 standard accessible parking spaces and 2 van accessible spaces), 16 bicycle parking spaces with racks, and 16 motorcycle parking spaces shall be maintained in the employee only parking structure, at all times, in the approximate location shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

49. On Lot 4 of Map 12960 no fewer than 520 off-street automobile parking spaces (including 14 standard accessible parking spaces and 2 van accessible spaces), 12 bicycle parking spaces with racks, and 12 motorcycle parking spaces shall be maintained on the property in the surface parking lot, at all times, in the approximate location shown on the approved Exhibit "A". Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the City Manager.

**WASTEWATER REQUIREMENTS:**

50. Prior to the issuance of any building permits, the Owner/Permittee shall grant adequate sewer, and/or access easements for all public sewer facilities that are not located within public rights of way, satisfactory to the Metropolitan Wastewater Department Director. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Metropolitan Wastewater Department Director.

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

52. No approved structures or landscaping, including private sewer facilities and enhanced paving, shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.

53. No trees or shrubs exceeding three feet in height at maturity shall be within ten feet of any public sewer facilities.

54. Prior to the submittal of public improvement plans, the Owner/Permittee shall submit a Deviation from Standards form to the Senior Engineer of the Wastewater Section for the nonstandard pavement sections of the required sewer access easements for this site.

55. Prior to the issuance of any building permits, the Owner/Permittee shall privatize the existing onsite public sewer mains that serves only this lot, satisfactory to the Metropolitan Wastewater Department Director. All associated public sewer easements shall be vacated, satisfactory to the Metropolitan Wastewater Department Director.

56. The Owner/Permittee shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

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

### **WATER REQUIREMENTS:**

58. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) and the removal of all existing unused services, within the rights-of-way adjacent to the project site, in a manner satisfactory to the Water Department Director and the City Engineer [Add water conditions here]

59. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Water Department Director and the City Engineer.

60. Prior to the issuance of any certificates of occupancy, all public water facilities shall be complete and operational in a manner the Water Department Director and the City Engineer.

61. The Owner/Permittee agrees to design and construct all irrigation services to use reclaimed water in a manner satisfactory to the Water Department Director and the City Engineer.

62. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities, and associated easements, as shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

### **INFORMATION ONLY:**

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on  
[date and resolution number] .

Permit Type/PTS Approval No.:

Date of Approval:

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

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Patricia Grabski, AICP  
Development Project Manager

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

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

**[NAME OF COMPANY]**  
Owner/Permittee

By \_\_\_\_\_  
NAME  
TITLE

**[NAME OF COMPANY]**  
Owner/Permittee

s

By \_\_\_\_\_  
NAME  
TITLE

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

PLANNING COMMISSION RESOLUTION NO. PC-.

PLANNED DEVELOPMENT PERMIT NO. 558012  
CONDITIONAL USE PERMIT NO. 312843  
SITE DEVELOPMENT PERMIT NO. 312846  
COASTAL DEVELOPMENT PERMIT NO. 312847

AMENDMENTS TO CONDITIONAL USE PERMIT NO. 86-0262  
COASTAL DEVELOPMENT PERMIT/HILLSIDE REVIEW PERMIT/  
PLANNED INDUSTRIAL PERMIT NO. 88-0244  
COASTAL DEVELOPMENT PERMIT/CONDITIONAL USE PERMIT NO. 92-0501  
COASTAL DEVELOPMENT PERMIT NO. 92-0506

**SCRIPPS GREEN HOSPITAL CAMPUS  
PROJECT NO. 96361**

WHEREAS, SCRIPPS HEALTH, Owner/Permittee, filed an application with the City of San Diego for a permit to construct of an outpatient cancer treatment and research facility and a four-level, 797 space employee only parking structure (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permits: Planned Development Permit (PDP) No. 558012; Conditional Use Permit (CUP) No. 312843; Site Development Permit (SDP) No. 312846; and Coastal Development Permit (CDP) No. 312847) on portions of a 34.57-acre site;

WHEREAS, the project site is located at 10660 John Jay Hopkins Drive, 3506 Cray Court, and 10596 and 10710 North Torrey Pines Road in the IP-1-1 (Industrial—Park) Zone within the University Community Plan, Coastal Overlay Zone (Appealable), Coastal Height Limitation Overlay Zone, Local Coastal Program, Community Plan Implementation Overlay Zone – Type B, Parking Impact Overlay Zone, Residential Tandem Parking Overlay Zone, Marine Corps Air Station Miramar Airport Influence Area and Airport Environs Overlay Zone (Accident Potential Zone 2);

WHEREAS, the project site is legally described as Lot 7 of Torrey Pines Research Park, according to Map thereof No. 8395; Lots 4 and 8 of La Jolla Pines Technology Center, according to Map thereof No. 12960; and Parcels 1 and 2 of Parcel Map No. 11723 (APN 342-160-01; 340-190-04 and -08; 340-010-41 and -42);

WHEREAS, on October 23, 2008, the Planning Commission of the City of San Diego considered PDP No. 558012; CUP No. 312843; SDP No. 312846; CDP No. 312847, 312847, and consolidation of the prior discretionary permits for the Scripps Green Hospital Campus (CUP No. 86-0262; CDP/Hillside Review Permit (HRP)/Planned Development Permit (PID) No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-0506), pursuant to the Land Development Code of the City of San Diego;  
NOW, THEREFORE,

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

That the Planning Commission adopts the following written Findings, dated October 23, 2008.

## **§126.0504 Findings for Site Development Permit Approval**

### **(a) Findings for all Site Development Permits**

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

The 34.7-acre site is located east and west of North Torrey Pines Road at John Jay Hopkins Drive. On the west side of North Torrey Pines Road there currently there is a hospital, scientific research and medical facilities, parking, landscaping and associated public improvements. The facilities include: Scripps Green Hospital with 158 licensed beds; Anderson Outpatient Pavilion; Molecular Biology Building; Immunology Building; MRI Building; Beckman Center; Stein Research Center, and on the east side of North Torrey Pines Road the Gluck Daycare Facility. These facilities are collectively known as the “Scripps Green Hospital Campus.” These facilities were approved under CUP No. 86-0262; CDP/HRP/PID No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-502.

The University Community Plan (UCP) designates the project site Industrial. The Industrial Element more specifically designates the site Scientific Research. The Development Intensity Element of the UCP establishes guidelines for the intensity of development in the community. The community was divided into smaller subareas and assigned land uses and development intensities in accordance with the goals of the community plan. An allocation of building square footage or dwelling units per net acre or both is assigned to each subarea in the community and is listed in Table 3 of the Development Intensity Element. The proposed project is located in both subarea 5 (Scripps Clinic) and subarea 9 (Scallop Nuclear - [Gentry]) of Figure 26/Table 3 (Attachment 2). Subarea 5 allocates a total of 320 hospital beds, 567,000 square feet of scientific research use, 404,000 square feet of medical office, and a 52,000 square foot aerobic center on 25.17 gross acres. Subarea 9 allocates 20,000 square feet per acre of scientific research on 56.41 gross acres for the Scallop Nuclear (Gentry) development area.

The proposed project would consolidate prior discretionary permit approvals for the entire Scripps Green Hospital Campus and include new development on Lot 4 and 8 of Parcel Map 15492 which is located in subarea 9. The proposed Cancer Treatment and Research Center on Lot 4 would be consistent with the UCP land use and development intensity for the site and the previous discretionary permit approval. The construction of the parking structure on Lot 8 would not adversely affect the goals and recommendations of the community plan as it would provide the necessary parking for the Scripps Green Hospital Campus. The consolidation of all prior discretionary permit approvals for the entire Scripps Green Hospital Campus would restrict uses and intensities within each subarea consistent with the Development Intensity Element of the UCP, i.e., the 320 allowable hospital beds and 404,000 square feet of medical office uses would be restricted to the west side of the campus which is located in subarea 5 and scientific research uses would be allowed in both subarea 5 and 9.

The project site is located in the Community Plan Implementation Overlay Zone – Type B (CPIOZ-B) and is within the Torrey Pines Subarea of the UCP. CPIOZ-B is applied to sites where zoning is consistent with the land use designation in the community plan, but where special design considerations apply. The areas identified by the UCP for application of CPIOZ-B are those where the development regulations of the existing zone are not adequate to ensure that new development is consistent with the goals, objectives and proposals of the UCP or compatible with surrounding development. The discretionary review of these sites will ensure that new development is consistent with the design

guidelines contained in the Urban Design Element of the community plan, MCAS Miramar ALUCP restrictions and that the architecture, grading, lot coverage, height, bulk and orientation of buildings are compatible with surrounding development. The proposed development has also been found to be consistent with the Airport Land Use Compatibility Plan for MCAS Miramar based upon the current AICUZ.

The Urban Design Element divides the community into four major Subareas. The project site is located within the Torrey Pines Subarea. The Urban Design Element identifies several objectives for the Torrey Pines Subarea which include: 1) Protect and take maximum advantage of the Subarea's topography and unique natural vegetation; 2) Minimize the total amount of impervious surfaces such as parking, driveways, terraces, patios, tennis courts and other similar facilities; 3) Insure visual and physical access to natural canyons, resource areas and scenic vistas; and 4) Insure that the massing of structures and design details of new buildings contribute to a visually coherent streetscape. The UCP provides numerous recommendations to achieve these objectives and the proposed development on Lots 4 and 8 have been designed to implement these recommendations. The proposed deviations to the San Diego Municipal Code, Landscape Regulations and amendments to PID 88-0244, La Jolla Pines Technology Centre Design Manual, would not adversely affect the design objectives for the Torrey Pines Subarea.

The Economic Prosperity Element of the General Plan identifies the eastern portion of the project site as Prime Industrial Lands. Prime industrial land is comprised of areas designated as an industrial use in the community plan and predominately developed or potentially developable with industrial uses and structures which support base sector industries such as warehousing, heavy or light manufacturing, and research and development uses. Prime industrial lands areas are part of larger areas which provide a significant benefit to the regional economy and meet General Plan goals and objectives to encourage a strong economic base. The proposed Cancer Treatment and Research Center would support and help retain the surrounding scientific research and development uses in the Torrey Pines Subarea. Furthermore, the intensity of development from a traffic generation perspective is consistent with the intensities assumed in the Community Plan. Therefore the development will not adversely affect the applicable land use plan.

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

The project proposal is to demolish the existing surface parking lots on Lots 4 and 8 and to construct a 125,007 square-foot, three-level Outpatient Cancer Treatment and Research Center (OCTRC) and 255,055 square-feet, four-level employee only parking structure (Attachment 5). Approval of the proposed project would also consolidate the prior discretionary permits for the Scripps Green Hospital Campus (CUP No. 86-0262; CDP/HRP/PID No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-0506). The approvals prepared for this project include various conditions and exhibits of approval relevant to achieving compliance with the regulations of the Municipal Code in effect for the project site: and such conditions have been determined by the decision-maker necessary to avoid adverse impacts upon the health, safety and welfare of persons residing or working in the area. These conditions include standards that pertain to best management practices, engineering and landscaping. If approved, the project would be required to obtain Building Permits to demonstrate that all construction would comply with the applicable Building and Fire Code requirements.

The Mitigated Negative Declaration prepared for this project determined that there would be no significant, unmitigated environmental impacts resulting from project implementation. Therefore, the project will not result in a significant health or safety risks to the surrounding area.

### **3. The proposed development will comply with the applicable regulations of the Land Development Code.**

The proposed use will comply with the relevant regulations in the Land Development Code except for landscaping. A Planned Development Permit (PDP) is requested for a deviation to the San Diego Municipal Code (SDMC), Landscape Regulations. Per SDMC §142.0406(a) [Table 142-04D], Vehicular Use Area (VUA) Requirements, trees are required to be planted within 30 feet of each parking space within parking lot areas and on the roof level of parking structures. The project would not meet the 30-foot planting requirement for both the proposed surface parking lot (Lot 4) and the roof level of the proposed parking structure (Lot 8). In lieu of the requirements set forth in SDMC §142.0406(a), a deviation is requested to provide heavy planting for the surface parking lot within the planter areas surrounding the VUA, which would include large screening trees and shrubs, and to provide a minimum of 50 percent shade cover on the roof level of the parking structure through the use of shade structures and/or trellis structures.

The deviations are supported because by providing larger plantings and trellis structures, the “purpose and intent” of the landscape regulations [LDC 142.0401] to provide 50 percent “shade over pavement” would be achieved.

#### **Planned Development Permit - Section 126.0604**

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

The 34.7-acre site is located east and west of North Torrey Pines Road at John Jay Hopkins Drive. On the west side of North Torrey Pines Road there currently there is a hospital, scientific research and medical facilities, parking, landscaping and associated public improvements. The facilities include: Scripps Green Hospital with 158 licensed beds; Anderson Outpatient Pavilion; Molecular Biology Building; Immunology Building; MRI Building; Beckman Center; Stein Research Center, and on the east side of North Torrey Pines Road the Gluck Daycare Facility. These facilities are collectively known as the “Scripps Green Hospital Campus.” These facilities were approved under CUP No. 86-0262; CDP/HRP/PID No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-502.

The University Community Plan (UCP) designates the project site Industrial. The Industrial Element more specifically designates the site Scientific Research. The Development Intensity Element of the UCP establishes guidelines for the intensity of development in the community. The community was divided into smaller subareas and assigned land uses and development intensities in accordance with the goals of the community plan. An allocation of building square footage or dwelling units per net acre or both is assigned to each subarea in the community and is listed in Table 3 of the Development Intensity Element. The proposed project is located in both subarea 5 (Scripps Clinic) and subarea 9 (Scallop Nuclear - [Gentry]) of Figure 26/Table 3 (Attachment 2). Subarea 5 allocates a total of 320 hospital beds, 567,000 square feet of scientific research use, 404,000 square feet of medical office, and a 52,000 square foot aerobic center on 25.17 gross acres. Subarea 9 allocates 20,000 square feet per acre of scientific research on 56.41 gross acres for the Scallop Nuclear (Gentry) development area.



The proposed project would consolidate prior discretionary permit approvals for the entire Scripps Green Hospital Campus and include new development on Lot 4 and 8 of Parcel Map 15492 which is located in subarea 9. The proposed Cancer Treatment and Research Center on Lot 4 would be consistent with the UCP land use and development intensity for the site and the previous discretionary permit approval. The construction of the parking structure on Lot 8 would not adversely affect the goals and recommendations of the community plan as it would provide the necessary parking for the Scripps Green Hospital Campus. The consolidation of all prior discretionary permit approvals for the entire Scripps Green Hospital Campus would restrict uses and intensities within each subarea consistent with the Development Intensity Element of the UCP, i.e., the 320 allowable hospital beds and 404,000 square feet of medical office uses would be restricted to the west side of the campus which is located in subarea 5 and scientific research uses would be allowed in both subarea 5 and 9.

The project site is located in the Community Plan Implementation Overlay Zone – Type B (CPIOZ-B) and is within the Torrey Pines Subarea of the UCP. CPIOZ-B is applied to sites where zoning is consistent with the land use designation in the community plan, but where special design considerations apply. The areas identified by the UCP for application of CPIOZ-B are those where the development regulations of the existing zone are not adequate to ensure that new development is consistent with the goals, objectives and proposals of the UCP or compatible with surrounding development. The discretionary review of these sites will ensure that new development is consistent with the design guidelines contained in the Urban Design Element of the community plan, MCAS Miramar ALUCP restrictions and that the architecture, grading, lot coverage, height, bulk and orientation of buildings is compatible with surrounding development. The proposed development has also been found to be consistent with the Airport Land Use Compatibility Plan for MCAS Miramar based upon the current AICUZ.

The Urban Design Element divides the community into four major Subareas. The project site is located within the Torrey Pines Subarea. The Urban Design Element identifies several objectives for the Torrey Pines Subarea which include: 1) Protect and take maximum advantage of the Subarea's topography and unique natural vegetation; 2) Minimize the total amount of impervious surfaces such as parking, driveways, terraces, patios, tennis courts and other similar facilities; 3) Insure visual and physical access to natural canyons, resource areas and scenic vistas; and 4) Insure that the massing of structures and design details of new buildings contribute to a visually coherent streetscape. The UCP provides numerous recommendations to achieve these objectives and the proposed development on Lots 4 and 8 have been designed to implement these recommendations. The proposed deviations to the San Diego Municipal Code, Landscape Regulations and amendments to PID 88-0244, La Jolla Pines Technology Centre Design Manual, would not adversely affect the design objectives for the Torrey Pines Subarea.

The Economic Prosperity Element of the General Plan identifies the eastern portion of the project site as Prime Industrial Lands. Prime industrial land is comprised of areas designated as an industrial use in the community plan and predominately developed or potentially developable with industrial uses and structures which support base sector industries such as warehousing, heavy or light manufacturing, and research and development uses. Prime industrial lands areas are part of larger areas which provide a significant benefit to the regional economy and meet General Plan goals and objectives to encourage a strong economic base. The proposed Cancer Treatment and Research Center would support and help retain the surrounding scientific research and development uses in the Torrey Pines Subarea. Furthermore, the intensity of development from a traffic generation perspective is consistent with the intensities assumed in the Community Plan. Therefore the development will not adversely affect the applicable land use plan.

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

The project proposal is to demolish the existing surface parking lots on Lots 4 and 8 and to construct a 125,007 square-foot, three-level Outpatient Cancer Treatment and Research Center (OCTRC) and 255,055 square-foot, four-level employee only parking structure (Attachment 5). Approval of the proposed project would also consolidate the prior discretionary permits for the Scripps Green Hospital Campus (CUP No. 86-0262; CDP/HRP/PID No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-0506). The approvals prepared for this project include various conditions and exhibits of approval relevant to achieving compliance with the regulations of the Municipal Code in effect for the project site; and such conditions have been determined by the decision-maker necessary to avoid adverse impacts upon the health, safety and welfare of persons residing or working in the area. These conditions include standards that pertain to best management practices, engineering and landscaping. If approved, the project would be required to obtain Building Permits to demonstrate that all construction would comply with the applicable Building and Fire Code requirements.

The Mitigated Negative Declaration prepared for this project determined that there would be no significant, unmitigated environmental impacts resulting from project implementation. Therefore, the project will not result in a significant health or safety risks to the surrounding area.

**3. The proposed development will comply with the regulations of the Land Development Code;**

A Planned Development Permit (PDP) is requested for a deviation to the San Diego Municipal Code (SDMC), Landscape Regulations. Per SDMC §142.0406(a) [Table 142-04D], Vehicular Use Area (VUA) Requirements, trees are required to be planted within 30 feet of each parking space within parking lot areas and on the roof level of parking structures. The project would not meet the 30-foot planting requirement for both the proposed surface parking lot (Lot 4) and the roof level of the proposed parking structure (Lot 8). In lieu of the requirements set forth in SDMC §142.0406(a), a deviation is requested to provide heavy planting for the surface parking lot within the planter areas surrounding the VUA, which would include large screening trees and shrubs, and to provide a minimum of 50 percent shade cover on the roof level of the parking structure through the use of shade structures and/or trellis structures.

The deviations are supported because by providing larger plantings and trellis structures, the “purpose and intent” of the landscape regulations [LDC 142.0401] to provide 50 percent “shade over pavement” would be achieved.

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

The proposed new development includes a parking structure and an outpatient cancer treatment and research center. The parking structure will assure sufficient parking for existing hospital, scientific research and outpatient facilities on the Scripps Green campus. In addition the outpatient cancer treatment and research center will provide space for oncology services to serve the community. Therefore both aspects of the new development will benefit the community.

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

A Planned Development Permit (PDP) is requested for a deviation to the San Diego Municipal Code (SDMC), Landscape Regulations. Per SDMC §142.0406(a) [Table 142-04D], Vehicular Use Area (VUA) Requirements, trees are required to be planted within 30 feet of each parking space within parking lot areas and on the roof level of parking structures. The project would not meet the 30-foot planting requirement for both the proposed surface parking lot (Lot 4) and the roof level of the proposed parking structure (Lot 8). In lieu of the requirements set forth in SDMC §142.0406(a), a deviation is requested to provide heavy planting for the surface parking lot within the planter areas surrounding the VUA, which would include large screening trees and shrubs, and to provide a minimum of 50 percent shade cover on the roof level of the parking structure through the use of shade structures and/or trellis structures.

The deviations are supported because by providing larger plantings and trellis structures, the “purpose and intent” of the landscape regulations [LDC 142.0401] to provide 50 percent “shade over pavement” would be achieved.

#### **Coastal Development Permit - Section 126.0708**

**1. The proposed coastal development will not encroach upon any existing physical access way 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; and**

Neither the existing hospital campus nor the proposed parking structure and Outpatient Cancer Treatment and Research Center are located adjacent to any public accessway identified in an adopted Local Coastal Program Land Use Plan or a public vantage point.

**2. The proposed coastal development will not adversely affect environmentally sensitive lands; and**

A biological resources study entitled, *Biological Report and Impact Analysis for the Scripps Green Hospital Lot 8 Parking Structure, San Diego, California* (February 14, 2006) was prepared by RECON for potential sensitive biological resources occurring on Lot 8. Subsequent revised biological reports entitled, *Updated Biological Report and Impact Analysis for the Scripps Green Hospital Lot 8 Parking Structure, San Diego, California* (February 7 and February 27, 2008) and *Mitigation Plan for Wart-stemmed Ceanothus on Scripps Green Hospital Lot 8 Parking Structure* (February 27, 2008) were prepared by RECON to include a revegetation/restoration plan for impacts which would occur to the sensitive plant species on-site known as wart-stemmed ceanothus. A biological survey was not conducted for Lot 4 due to the entire area of the lot having been previously developed and landscaped.

The proposed project would result in impacts to 0.37 acre of southern maritime chaparral. Southern maritime chaparral is considered a rare upland habitat with a Tier 1 classification per the City of San Diego Biology Guidelines (2001). Impacts to Tier I habitats are required to be mitigated at a ratio of 1:1 when the impacted habitat is located outside of the MHPA and the location of preservation will occur inside of the MHPA. Therefore, the applicant would be required to mitigate for a total of 0.37 acre.

Since less than five acres of sensitive vegetation would be impacted on the project site, impacts could be mitigated through one of two options: (1) monetary compensation or (2) off-site restoration of southern maritime chaparral.

The applicant has chosen to mitigate for impacts to 0.37 acre of southern maritime chaparral through monetary compensation. The amount of compensation required would be determined by the City of San Diego Planning and Development Review Department based on an estimate of the average per acre land cost multiplied by the current mitigation ratio, plus an additional amount for administrative costs. The monies would be deposited in the City of San Diego's Habitat Acquisition Fund (Fund #10571).

The proposed project would also impact approximately 53 wart-stemmed ceanothus plants. The wart-stemmed ceanothus plant is a covered species under the Multiple Species Conservation Program (MSCP), which would require species-specific mitigation per the City of San Diego's Biology Guidelines (2001). Since this sensitive plant species is not considered adequately conserved by the MSCP, translocation or restoration of this species must be provided at the project level. Translocation was not considered a viable option as the project biologist informed City environmental staff that wart-stemmed ceanothus plants have a low survival rate when translocated. As a result, a restoration plan entitled, *Mitigation Plan for Wart-stemmed Ceanothus on Scripps Green Hospital Lot 8 Parking Structure (February 27, 2008)* was prepared by RECON. Species-specific mitigation for the impacts to wart-stemmed ceanothus would be accomplished by planting individuals of this species at a 2:1 ratio, for a total of 106 wart-stemmed ceanothus individuals. To achieve this goal, 158 wart-stemmed ceanothus plants would be planted on-site within a conservation/covenant of easement to be located between Torrey Pines Road and the west building façade of the proposed parking structure. The additional number of plants would allow for an estimated 20 percent mortality rate, which would result in a minimum of 106 wart-stemmed ceanothus plants being reestablished on the project site. The restoration plan outlines the guidelines and success criteria for wart-stemmed ceanothus mitigation.

In addition to the revegetation of wart-stemmed ceanothus, the restoration plan would include the planting of native plant species such as Black sage (100 plants), Chamise (110 plants), Bushrue (100 plants) and Laurel sumac (12 plants) within the restoration area. All non-native plant species existing within the restoration area would be removed prior to the 120-day plant establishment period outlined in the restoration plan. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

**3. 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; and**

The University Community Plan and Local Coastal Program designate the site for Industrial use and the property is zoned IP-1-1. Hospital uses are allowed with a CUP and research uses are allowed by right in the IP-1-1 zone. Therefore, the proposed coastal development is in conformance with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

**4. 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 proposed coastal development is not within the area between the first public road and the sea or shoreline of any body of water within the Coastal Overlay Zone. All development would occur on private property; therefore, the proposed project will not encroach upon the existing physical access way used by the public. Therefore, the proposed coastal development will conform to the public access and public recreation policies of Chapter 3 of the California Coastal Act.

### **Conditional Use Permit - Section 126.0305**

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

The 34.7-acre site is located east and west of North Torrey Pines Road at John Jay Hopkins Drive. On the west side of North Torrey Pines Road there currently there is a hospital, scientific research and medical facilities, parking, landscaping and associated public improvements. The facilities include: Scripps Green Hospital with 158 licensed beds; Anderson Outpatient Pavilion; Molecular Biology Building; Immunology Building; MRI Building; Beckman Center; Stein Research Center, and on the east side of North Torrey Pines Road the Gluck Daycare Facility. These facilities are collectively known as the “Scripps Green Hospital Campus.” These facilities were approved under CUP No. 86-0262; CDP/HRP/PID No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-502.

The University Community Plan (UCP) designates the project site Industrial. The Industrial Element more specifically designates the site Scientific Research. The Development Intensity Element of the UCP establishes guidelines for the intensity of development in the community. The community was divided into smaller subareas and assigned land uses and development intensities in accordance with the goals of the community plan. An allocation of building square footage or dwelling units per net acre or both is assigned to each subarea in the community and is listed in Table 3 of the Development Intensity Element. The proposed project is located in both subarea 5 (Scripps Clinic) and subarea 9 (Scallop Nuclear - [Gentry]) of Figure 26/Table 3 (Attachment 2). Subarea 5 allocates a total of 320 hospital beds, 567,000 square feet of scientific research use, 404,000 square feet of medical office, and a 52,000 square foot aerobic center on 25.17 gross acres. Subarea 9 allocates 20,000 square feet per acre of scientific research on 56.41 gross acres for the Scallop Nuclear (Gentry) development area.

The proposed project would consolidate prior discretionary permit approvals for the entire Scripps Green Hospital Campus and include new development on Lot 4 and 8 of Parcel Map 15492 which is located in subarea 9. The proposed Cancer Treatment and Research Center on Lot 4 would be consistent with the UCP land use and development intensity for the site and the previous discretionary permit approval. The construction of the parking structure on Lot 8 would not adversely affect the goals and recommendations of the community plan as it would provide the necessary parking for the Scripps Green Hospital Campus. The consolidation of all prior discretionary permit approvals for the entire Scripps Green Hospital Campus would restrict uses and intensities within each subarea consistent with the Development Intensity Element of the UCP, i.e., the 320 allowable hospital beds and 404,000 square feet of medical office uses would be restricted to the west side of the campus which is located in subarea 5 and scientific research uses would be allowed in both subarea 5 and 9.

The project site is located in the Community Plan Implementation Overlay Zone – Type B (CPIOZ-B) and is within the Torrey Pines Subarea of the UCP. CPIOZ-B is applied to sites where zoning is consistent with the land use designation in the community plan, but where special design considerations apply. The areas identified by the UCP for application of CPIOZ-B are those where the development regulations of the existing zone are not adequate to ensure that new development is consistent with the

goals, objectives and proposals of the UCP or compatible with surrounding development. The discretionary review of these sites will ensure that new development is consistent with the design guidelines contained in the Urban Design Element of the community plan, MCAS Miramar ALUCP restrictions and that the architecture, grading, lot coverage, height, bulk and orientation of buildings is compatible with surrounding development. The proposed development has also been found to be consistent with the Airport Land Use Compatibility Plan for MCAS Miramar based upon the current AICUZ.

The Urban Design Element divides the community into four major Subareas. The project site is located within the Torrey Pines Subarea. The Urban Design Element identifies several objectives for the Torrey Pines Subarea which include: 1) Protect and take maximum advantage of the Subarea's topography and unique natural vegetation; 2) Minimize the total amount of impervious surfaces such as parking, driveways, terraces, patios, tennis courts and other similar facilities; 3) Insure visual and physical access to natural canyons, resource areas and scenic vistas; and 4) Insure that the massing of structures and design details of new buildings contribute to a visually coherent streetscape. The UCP provides numerous recommendations to achieve these objectives and the proposed development on Lots 4 and 8 have been designed to implement these recommendations. The proposed deviations to the San Diego Municipal Code, Landscape Regulations and amendments to PID 88-0244, La Jolla Pines Technology Centre Design Manual, would not adversely affect the design objectives for the Torrey Pines Subarea.

The Economic Prosperity Element of the General Plan identifies the eastern portion of the project site as Prime Industrial Lands. Prime industrial land is comprised of areas designated as an industrial use in the community plan and predominately developed or potentially developable with industrial uses and structures which support base sector industries such as warehousing, heavy or light manufacturing, and research and development uses. Prime industrial lands areas are part of larger areas which provide a significant benefit to the regional economy and meet General Plan goals and objectives to encourage a strong economic base. The proposed Cancer Treatment and Research Center would support and help retain the surrounding scientific research and development uses in the Torrey Pines Subarea. Furthermore, the intensity of development from a traffic generation perspective is consistent with the intensities assumed in the Community Plan. Therefore the development will not adversely affect the applicable land use plan.

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

The project proposal is to demolish the existing surface parking lots on Lots 4 and 8 and to construct a 125,007 square-foot, three-level Outpatient Cancer Treatment and Research Center (OCTRC) and 255,055 square-feet, four-level employee only parking structure (Attachment 5). Approval of the proposed project would also consolidate the prior discretionary permits for the Scripps Green Hospital Campus (CUP No. 86-0262; CDP/HRP/PID No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-0506). The approvals prepared for this project include various conditions and exhibits of approval relevant to achieving compliance with the regulations of the Municipal Code in effect for the project site: and such conditions have been determined by the decision-maker necessary to avoid adverse impacts upon the health, safety and welfare of persons residing or working in the area. These conditions include standards that pertain to best management practices, engineering and landscaping. If approved, the project would be required to obtain Building Permits to demonstrate that all construction would comply with the applicable Building and Fire Code requirements.

The Mitigated Negative Declaration prepared for this project determined that there would be no significant, unmitigated environmental impacts resulting from project implementation. Therefore, the project will not result in a significant health or safety risks to the surrounding area.

**3. The proposed development will comply with the maximum extent feasible with the regulations of the Land Development Code; and**

A Planned Development Permit (PDP) is requested for a deviation to the San Diego Municipal Code (SDMC), Landscape Regulations. Per SDMC §142.0406(a) [Table 142-04D], Vehicular Use Area (VUA) Requirements, trees are required to be planted within 30 feet of each parking space within parking lot areas and on the roof level of parking structures. The project would not meet the 30-foot planting requirement for both the proposed surface parking lot (Lot 4) and the roof level of the proposed parking structure (Lot 8). In lieu of the requirements set forth in SDMC §142.0406(a), a deviation is requested to provide heavy planting for the surface parking lot within the planter areas surrounding the VUA, which would include large screening trees and shrubs, and to provide a minimum of 50 percent shade cover on the roof level of the parking structure through the use of shade structures and/or trellis structures.

The deviations are supported because by providing larger plantings and trellis structures, the “purpose and intent” of the landscape regulations [LDC 142.0401] to provide 50 percent “shade over pavement” would be achieved.

**4. The proposed use is appropriate at the proposed location.**

The proposed outpatient treatment and research use and parking structure associated with those uses have been located on a portion of the property since the 1970’s. Locating additional ancillary outpatient, research and parking uses in close proximity to one another creates efficiency in operation of the medical facility and synergies with nearby research facilities. Therefore. The proposed uses are appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, PDP No. 558012; CUP No. 312843; SDP No. 312846; CDP No. 312847, are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in PDP No. 558012; CUP No. 312843; SDP No. 312846; CDP No. 312847 which amend and consolidates the prior discretionary permits for the Scripps Green Hospital Campus (CUP No. 86-0262; CDP/HRP/PID No. 88-0244; CDP/CUP No. 92-0501 and CDP No. 92-0506), a copy of which is attached hereto and made a part hereof.

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Patricia Grabski, AICP  
Development Project Manager  
Development Services

Adopted on: October 23, 2008

Job Order No. 42-6079

cc: Legislative Recorder, Planning Department



# UNIVERSITY COMMUNITY PLANNING GROUP

University Towne Center – Forum Hall

Executive Committee Monthly Meeting - Tuesday, February 13, 2007

Minutes (Final)

**Directors Present:** Linda Colley (Chair), Petr Krysl (Vice Chair), Pat Wilson (Secretary), Milt Phegley (Membership Secretary), Charlie Herzfeld, Deryl Adderson, Harry Walker, Sherry Jones, George Lattimer, Alice Tana, Tom Tighe, Brian Wilson, Sid Schipper, Marilyn Dupree, Sherry Rappoport, James Mayfield, and Juan Ilas.

**Directors Absent:** Marge Stevens

1. **Call Meeting to Order:** – Chair, Linda Colley at 6:05 PM.
2. **Pledge of Allegiance followed by Moment of Silence**
3. **Agenda changes:** Bridge Pointe Phase IV SCR – PTS#100396 off agenda as was already approved through ministerial review. **Scripps Green Hospital moved in front of Monte Verde. Motion:** Motion to approve by Petr Krysl and seconded by Charlie Herzfeld with changes as above. **Motion passed unanimously. Vote: 14-0-0.**
4. **Approve of Minutes – January 2007:** Motion to approve by Sherry Rappoport and seconded by Deryl Adderson with date change. **Motion passed unanimously. Vote: 14-0-0.**
5. **Announcements – Chair**
  - UCPG agendas now on San Diego web site. Questions to City Planning & Community Investment at 619-235-5200  
<http://www.sandiego.gov/planning/community/cpg/agendas.shtml>
  - Congressman Brian Bilbray, 50<sup>th</sup> District meeting Thursday, February 22, 2007, at 4-7 PM. RSVP: Marc Patrick Schaefer at 858-350-1150, 462 Stevens Avenue, Ste. 107, Solana Beach, CA 92075.
  - Community Dialogue with Mayor Sanders, Tuesday, February 20, 2007, 6-7:30 PM, Claremont High School Cafeteria, 4150 Ete Street. Contact: Stephen Lew at 619-236-7174.
  - TransNet Update 2007 available.
  - Community Planners Committee (CPC) meeting, January 23, 2007 on Indemnification Ordinance – report by Abby Wolfsheimer, City Attorney's Office. Will indemnify based on criteria including that committee members attend City training.
  - Brown Act Training took place on January 25, 2007 Mayor's State of City address, January 25, 2007 at Golden Hall.
  - Notice of Public Hearing on proposed increases in water and sewer rates and charges on February 26, 2007, 2 PM, 12<sup>th</sup> floor City Council Chambers. Information: 619-515-3500.
  - San Diego Unified School District, Annual Proposition MM Fact Sheet at [www.sandi.net/propmm](http://www.sandi.net/propmm) or 858-637-3603.
  - New MCAS Miramar representative as Major Dan Burton deployed: Mr. Juan Lias, Community Land Use Planner at MCAS.
6. **Reports**

**Mayor Jerry Sanders Office – Stephen Lew**

  - Will attend UCPG meetings bimonthly

- Inviting all to Mayor Community Dialogue meeting to address city and community issues, Q&A.

#### **Planning Department – Dan Monroe**

- Scripps Memorial Hospital parking structure approved at Planning Commission, 1/25/07.

#### **Membership – Milt Phelgey**

- Deadline to register as member, midnight February 13, 2007.
- Request for volunteers to assist in election: 5 to 8 PM on March 13, 2007.

#### **UCSD – Milt Phelgey – no comments**

### **7. Public Comment: Non-Agenda Items**

- **Dale Disharoon:** UCSD Shuttle important item, haven't met this year; SuperLoop EIR – should review; should invite SANDAG to UCPG, new project manager; City Engineers met onsite 2/22/07 on pedestrian access at intersections around Torrey Pines Road.
- **Loretta Spano:** neighborhood code violations at Town Park/University City Village during construction including no parking, no lighting, and no laundry.
- **Herb Handy:** Applaud Linda Colley and Board's stand against density.
- **Janay Kruger:** La Jolla Village Association against large RV; quality of live crimes in area including smashing passenger windows, taking radios; towing abandoned cars.

### **8. UCPG Executive Committee Presentations**

**Business 3 – Alice Tana:** Public Relations and Marketing in community for 27 years, Chair of Committee 1988, Chair of Transportation Committee including Coaster and UCSD for two years. Executive Director of Golden Triangle Chamber of Commerce.

**Business 2 – Harry Walker:** Live and work in UC 28 years, owner/agent Kona Travel Agency. Wants to be productive and get reelected.

**Business 2 – Tracie Hager:** Appointed to Board previously, works at Equity Office, which manages 2.1 million sq. ft. of real estate.

**Business 2 – Open seat:** no candidate

**Business 1 – Nan Madden:** Lived in UC since 1974, Director of Montessori Academy, 22 years in South UC, part of community.


**Resident 3 – William Beck:** Volunteer for associations: President of Renaissance and La Florentine, Retired Senior Patrol member, work to meet goals of community plan, residents and businesses can co-exist, open minded.

**Resident 3 – Sid Schipper:** On Committee 3 years, pre-conceived against density based on experience from NYC where over density affects quality of life.

**Resident 2 – Lorraine Stein:** 20 years in UC, bikes to Judicial, wants clean beaches, maintain roads and area for pedestrians, technical writing and journalism help her to ask questions, research.

**Resident 2 – Wendy Peveri:** Could not attend

**Resident 1 – Charles Herzfeld:** San Diego for 33 years, 4 years in UC, difficult issues, differences to work together to resolve, resist community plan changes, assess UCSD future needs.

-  **9.** Scripps General Hospital – PTS# 96361 – Lynn Heidel  
Site Development Permit, Coastal Development Permit and CUP (Process 3) to consolidate CUP 94-0395 for Scripps Green Hospital to construct an accessory hospital building and parking structure on a 34.57 acre site at 10666 N. Torrey Pines Rd.

- Scripps Green agrees to an occupancy limitation of 250 people for safety.
- 2,555 people now in APZ2 during peak hours.
- No danger of radiation: no radiation being generated, no isotopes or radioactive material. Only radiation exposure when X-ray is turned on.

- One tunnel: Lot 4 will continue to be used for parking with net increase of 24 parking spaces

**Motion:** Motion made by Charlie Herzfeld and seconded by Alice Tana to support application with maximum occupancy of 250 people in cancer treatment building due to APZ2. **Motion passes unanimously: Vote: 14-0-0.**

**10. Monte Verde – PTS#6563 – Final EIR – Stuart Posnack, Garden Communities**

Amendment to University Community Plan and Costa Verde Specific Plan to allow development of 800 multi-family dwelling units in four, high-rise towers (30-40 stories in height) on a 4.77-acre site designated for a 400-room hotel at southwest corner of La Jolla Village Drive and Genesee Avenue.

- History: 400 room hotel, but if not financially feasible, go to residential project with 1,100 ADT's on 4.77 acres.
- Guiding principle: tall and slender instead of small, more generous set backs, move pedestrian bridge with access to UTC, public access to urban areas.
- Community benefits: sewer line, accelerate fire station, affordable housing for 80 people, pedestrian bridge, bus shuttle, improving 4 traffic intersections.
- Have density trips as not using 1,700 from Costa Verde, not another piece of land – perfect for parcel, 2 decades, project has improved, met with UCPG and subcommittee.

**Presentation by Sub-Committee Chair, Linda Colley**

- Monte Verde Project proposes amendment to convert 400-room hotel to 800 multi-family units to four, high rise towers (2-32 story and 2-35 story) on 4.77 acres at SW corner of La Jolla Village Drive and Genesee.
- Politics has no place in public polity. UCPG is guardian of plan and it's implementation.
- Requires extensive steps to amend Costa Verde Specific Plan and University Community Plan, tentative maps, public right-of-way, easements, and permits for sewer construction.
- Costa Verde Development Agreement expired.
- Increases residential density: dwelling units from 45-75 in '88 to 167.7 units per acre (on 4.77 acre lot).
- Numerous environmental impacts including parks, police, fire, library, traffic and circulation, visual effects/neighborhood character, noise, light, glare, and shading.
- Growth inducement with more community plan amendments to come before UCPG.
- Overriding considerations weak: new pedestrian bridge, enhancing existing bridge, causes negative impacts on intersections and freeway ramps, affordable housing not on premises, SuperLoop will replace shuttle, FBA will build fire station, public areas will have negligible benefit to community due to shade, wind and noise.
- Project vastly out of scale, negative unmitigatable impact on neighborhood, expired trips transfer, set back puts front doors on street, failing intersections and freeway ramps.
- 
- Broad-based Community opposition to project.

**Public Comments:**

**Dale Disharoon:** La Jolla Commons already at 32 story buildings, 216 units.

**Charlie Pratt:** Big money in project, Executive Committee democratically elected, keep faith in process and Executive Committee, and don't give up on political process

**Deb Knight:** Strongly oppose, change in neighborhood character, change in scale concentrated in one area with 2 times height of neighbors, highest towers on setback, open doors for other Community Plan amendments, EIR packed with smoke and



THE CITY OF SAN DIEGO

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

## Ownership Disclosure Statement

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

**Project Title**

Scripps Green Hospital

**Project No. For City Use Only**

**Project Address:**

10666 N. Torrey Pines Road, La Jolla CA 92037

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

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

**Additional pages attached** ☒ Yes ☐ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

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Signature :

Date:

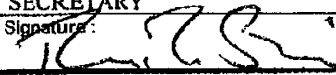
<b>Project Title:</b> SCRIPPS GREEN HOSPITAL - CONDITIONAL USE PERMIT	<b>Project No. (For City Use Only)</b>
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**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

☒ Corporation    ☐ Limited Liability -or- ☐ General    What State? CA    Corporate Identification No. C0111020  
☐ Partnership

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

<b>Corporate/Partnership Name (type or print):</b> <hr/> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> <b>Street Address:</b> 4275 CAMPUS POINT CT. <hr/> <b>City/State/Zip:</b> SAN DIEGO, CA 92121 <hr/> <b>Phone No:</b> (858) 678-7226 <b>Fax No:</b> (858) 678-7231 <hr/> <b>Name of Corporate Officer/Partner (type or print):</b> RICHARD R. SHERIDAN <hr/> <b>Title (type or print):</b> SECRETARY <hr/> <b>Signature:</b>  <b>Date:</b> MAY 15, 2008	<b>Corporate/Partnership Name (type or print):</b> <hr/> <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee <hr/> <b>Street Address:</b> <hr/> <hr/> <b>City/State/Zip:</b> <hr/> <hr/> <b>Phone No:</b> <b>Fax No:</b> <hr/> <hr/> <b>Name of Corporate Officer/Partner (type or print):</b> <hr/> <hr/> <b>Title (type or print):</b> <hr/> <hr/> <b>Signature :</b> <b>Date:</b>
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**ATTACHMENTS TO OWNER DISCLOSURE STATEMENT**

Scripps Health is a California non-profit public benefit corporation. As of May 15, 2008, the Corporate Officers as follows:

Richard Vortmann	Chairman
Robert Tjosvold	Vice Chairman
Chris Van Gorder	President / CEO
Richard Rothberger	Treasurer, CFO
Richard Sheridan	Secretary