



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: August 11, 2016 REPORT NO. PC-16-069

HEARING DATE: August 25, 2016

SUBJECT: WATERMARK AMENDMENT- Process Five Decision

PROJECT NUMBER: [443731](#)

REFERENCE: Planning Commission Report No. [PC-13-114](#)

OWNER/APPLICANT: Scripps Highlands Partners, LLC, Sudberry Properties

SUMMARY:

Issues: Should the Planning Commission recommend to the City Council approval of the General Plan and Community Plan to redesignate of two, 0.95-acre sites to incorporate additional commercial retail development on a 34.5-acre site located at 10137 and 10181 Scripps Gateway Court, within the Miramar Ranch North Community Planning Area?

Staff Recommendations:

Recommend the Approval:

1. Addendum No. 443731 to Environmental Impact Report No. 180357 and 92-0466 and associated Mitigation Monitoring and Reporting Program.
2. Amendments to the General Plan and Miramar Ranch North Community Plan No. 1560927.
3. Rezone No. 1560928.

Community Planning Group Recommendation: The project was approved unanimously at the December 1, 2015 meeting of the Miramar Ranch North Planning Committee without recommendations (Attachment 10).

Environmental Review: Addendum No. 443731 to EIR Nos. 180357 and 92-0466 have been prepared for the project in accordance with the California Environmental Quality Act (CEQA) Guidelines. Based upon a review of the current project, it has been determined that there are no new significant environmental impacts not considered under the previously adopted EIR, no substantial changes have occurred with respect to the circumstances under which

the project is under taken, and there is no new information of substantial importance to the project (Attachment 3).

Fiscal Impact Statement: None with this action. Project costs are paid by the applicant through a deposit account.

Code Enforcement Impact: None with this action.

Housing Impact Statement: None with this action.

BACKGROUND

The project site is located southeast of I-15 and Scripps Poway Parkway, south of Scripps Poway Parkway and east of I-15. The project site encompasses 1.9 acres located within the larger Watermark and MedImpact properties, which total 34.5 acres (22.5 acres for the Watermark property and 12 acres for MedImpact property). Access to the project site is provided off Scripps Poway Parkway. The proposed project is currently zoned CR-2-1 (Commercial-Regional) and IP-2-1 (Industrial-Park) within the Airport Influence Area Overlay Zone (MCAS Miramar) and the Airport Land Use Compatibility Overlay Zone.

The Scripps Gateway Planned Industrial Development (PID) Permit approved on September 29, 1998 by the City Council (LDR No. 92-0466) resulted in subdivision of the 242-acre property and zoning for residential, commercial retail, and industrial park. The PID was subsequently amended in 2001 to allow MedImpact Healthcare Systems to construct a 658,456 square-foot, seven building campus. An extension of time was approved in 2005. In 2008, the first MedImpact building was constructed. In 2009, a Substantial Conformance Review was approved to relocate buildings and reallocate square footage among the buildings.

On February 8, 2007, the Planning Commission approved, by a vote of 5-0, an initiation to amend the Miramar Ranch North Community Plan and the General Plan to redesignate approximately 30 acres from Industrial/Business Park to Commercial and Industrial designation (Reference, PC Report No. 07-019, Attachment 21). More information is provided in this report's Community Plan Analysis section, and responses to the Community Plan Amendment Initiation Issues have been provided in Attachment 9.

On December 16, 2013, the Watermark Project was approved at [City Council](#). That project entailed the development of approximately 22 acres of a 34.5-acre site for the construction of a variety of retail stores, restaurants, office buildings, a movie theater, parking structure and a hotel for a total of approximately 602,000 square feet. Grading permits have been issued, but construction has not begun.

DISCUSSION

Project Description:

The 0.95-acre site located within the Watermark property would be redesignated in the General Plan and the Community Plan from Regional/Commercial to Industrial/Business Park; whereas the 0.95-acre area within Scripps Gateway/MedImpact property would be redesignated from

Industrial/Business Park to Regional/Commercial. Additionally, the area located within the Watermark property would be rezoned from CR-2-1 to IP-2-1, and the area located within the Scripps Gateway/MedImpact property would be rezoned from IP-2-1 to CR-2-1. The land use changes would occur for each area to allow consistency between the Community Plan land use designations and the rezoned areas.

The proposed project requires the following discretionary actions to better incorporate additional commercial retail development of the larger Watermark project as indicated in the Table below. The change would not result in a reduction of future employment floor area on the MedImpact site.

1. An amendment to the General Plan to change the land use designation from Regional Commercial to Industrial on the Watermark site and to change the land use designation from Industrial to Regional Commercial on the Scripps Gateway/MedImpact site and to remove the Prime Industrial Lands identification on the 0.95-acres of the 34.5-acre site.
2. An amendment to the Miramar Ranch North Community Plan to change the land use designation from Regional Commercial to Industrial on the Watermark site and to change the land use designation from Industrial to Regional Commercial on the Scripps Gateway/MedImpact site and to apply the Prime Industrial Lands identification on the 0.95-acres.
3. A rezone of 0.95-acres rezoning the CR-2-1 (Commercial Regional) Zone to IP-2-1 (Industrial-Park) Zone from the Watermark site and rezoning 0.95-acres from the IP-2-1 Zone to the CR-2-1 Zone on the Scripps Gateway/MedImpact site (Attachment 7).

	Project Area (acres)	Zoning		Land Use Designation General/Community Plan	
		Existing	Proposed	Existing	Proposed
Watermark					
Parcel A	0.19	CR-2-1	IP-2-1	Regional/Commercial	Industrial/Business Park
Parcel B	0.76	CR-2-1	IP-2-1	Regional/Commercial	Industrial/Business Park
Total	0.95				
Scripps Gateway/MedImpact					
Parcel A	0.93	IP-2-1	CR-2-1	Industrial/Business Park	Regional/Commercial
Parcel B	0.02	IP-2-1	CR-2-1	Industrial/Business Park	Regional/Commercial
Total	0.95				

Environmental Analysis:

Addendum No. 443731 to EIR Nos. 180357 (certified in 2013) and 92-0466 (certified in 1998) have been prepared for the project in accordance with the California Environmental Quality Act (CEQA) Guidelines. Based on all available information, the analysis in the Addendum (Attachment 3) and pursuant to Section 15162 of the CEQA Guidelines, City staff has determined the following:

- A. There are no substantial changes to the project that will require major revisions to the EIR Nos. 180357 and 92-0466 due to new significant environmental impacts or a substantial increase in the severity of impacts identified in the EIR No. 180357 and 92-0466.
- B. Substantial changes have not occurred in the circumstances under which the project is being undertaken that will require major revisions of the EIR No. 180357 and 92-0466 to disclose new, significant environmental effects or a substantial increase in the severity of the impacts identified in the EIR Nos. 180357 and 92-0466.
- C. There is no new information of substantial importance not known at the time the EIR Nos. 180357 and 92-0466 was previously certified that shows any of the following:
 - 1. The project will have any new significant effects not discussed in the EIR No. 180357 and 92-0466.
 - 2. There are impacts that were determined to be significant in the EIR No. 180357 and 92-0466 that will be substantially more severe.
 - 3. There are additional mitigation measures or alternatives previously found not to be feasible that would substantially reduce one or more of the significant effects identified in the EIR No. 180357 and 92-0466 and the project proponent declines to adopt those measures or alternatives.
 - 4. There are additional mitigation measures or alternatives that were rejected by the project proponent that are considerably different from those analyzed in the EIR No. 180357 and 92-0466 that would substantially reduce any significant impact identified in the EIR No. 180357 and 92-0466.

In accordance with Section 15164 of the CEQA Guidelines, some changes or additions to EIR Nos. 180357 and 92-0466 are necessary, but none of the conditions described in Section 15162 calling for preparation of a new environmental document apply. Therefore, the Addendum to the previously certified EIR No. 180357 and 92-0466 is appropriate.

No public review of the Addendum is required and the project site is not located in the Coastal Zone. The Addendum to EIR Nos. 180357 and 92-0466 includes an analysis to demonstrate that potential environmental impacts associated with the proposed project are consistent with the findings of the EIR Nos. 180357 and 92-0466.

General Plan/Community Plan Analysis:

The project site is located at 10137 Scripps Gateway Court (Watermark property) and 10181 Scripps Gateway Court (Scripps Gateway/ MedImpact property) in the Miramar Ranch North Community Plan area. The proposed project would redesignate the plan designation boundary for parcels within the Watermark and Scripps Ranch Gateway/MedImpact projects to allow for more efficient use of property and better align with the approved development projects located in each respective development area. The Scripps Gateway/MedImpact property is designated Industrial/Business Park uses in the Miramar North Community Plan, and the Watermark property is designated for

Regional/Commercial uses. The Community Plan amendment would change the land use designations for the project site from Industrial/Business Park to Regional/Commercial for the 0.95-acre Scripps/Gateway portion and from Regional/Commercial to Industrial/Business Park for the 0.95-acre Watermark portion.

The General Plan amendment would change the land use designations for the project site from Industrial Employment to Regional Commercial for the 0.95-acre Scripps/Gateway portion and to remove the Prime Industrial Lands identification and from Regional/Commercial to Industrial Employment for the 0.95-acre Watermark portion and to apply the Prime Industrial Lands identification, consistent with the Community Plan Amendment. The General Plan Amendment reflects the Community Plan amendment.

The proposed action would not adversely affect either the General Plan or Miramar Ranch North Community Plan as there would be no net loss of either land use designation.

Conclusion:

In summary, staff has determined the proposed project complies with the applicable sections of the Municipal Code and adopted City Council Policies. Staff has determined the required findings would support the decision to approve the proposed project's General/Community Plan Amendments and Rezone.

ALTERNATIVES

1. Recommend to the City Council **approval** of Addendum No. 443731 to Environmental Impact Report No. 180357 and 92-0466 and associated Mitigation Monitoring and Reporting Program; Amendments to the General Plan, Miramar Ranch North Community Plan No. 1560927; and Rezone No. 1560928 **with modifications**.
2. Recommend to the City Council denial of Addendum No. 443731 to Environmental Impact Report No. 180357 and 92-0466 and associated Mitigation Monitoring and Reporting Program; Amendments to the General Plan, Miramar Ranch North Community Plan No. 1560927; and Rezone No. 1560928; if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Elyse Lowe
Deputy Director
Development Services Department



Renee Mezo
Development Project Manager
Development Services Department

Nancy Bragado

Deputy Director
Nancy Bragado
Planning Department

JM

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Addendum No. 443731 to Environmental Impact Report No. 180357 and 92-0466. This link provides the previous EIR's <https://www.sandiego.gov/development-services/industry/erp>
4. Draft General/Community Plan Amendment Ordinance
5. Draft Community Plan Amendment Documents
6. Draft Rezone Ordinance
7. Rezone - B Sheet
8. Copy of Recorded (existing) Permits
9. Planning Commission Initiation via this link:
<https://www.sandiego.gov/sites/default/files/legacy/planning-commission/pdf/pcreports/07019.pdf>
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement



Aerial Photo

**THE WATERMARK - 10137 & 10181 SCRIPPS GATEWAY COURT
PROJECT NO. 443731**



LEGEND:

PLANNING AREA
BOUNDARY



MUNICIPAL
BOUNDARY



RESIDENTIAL

LOW, VERY LOW



LOW-MEDIUM



MEDIUM



HIGH-MEDIUM



HIGH



COMMERCIAL AND OFFICE



INDUSTRIAL



INSTITUTIONAL



UNIVERSITY



SCHOOLS



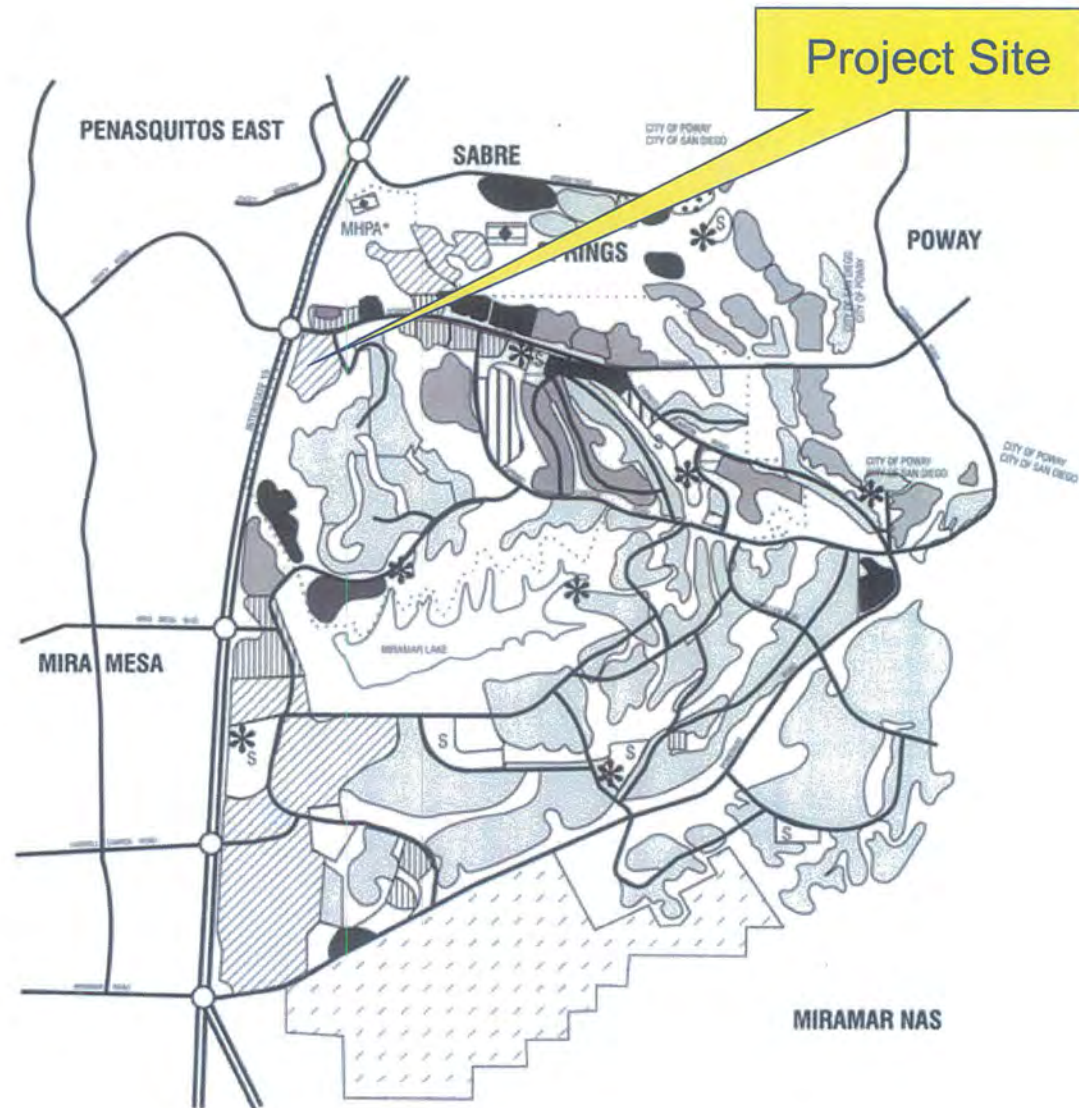
PARK



NOTES:

Alignment of roads shown may change
during final design.

*MHPA: Multi-species Habitat
Preservation Area



Land Use Map

THE WATERMARK - 10137 & 10181 SCRIPPS GATEWAY COURT
PROJECT NO. 443731





THE CITY OF SAN DIEGO

ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT

Project No. 443731

Addendum to EIR No. 180357/SCH No. 2010091079 &

EIR No. 92-0466/SCH No. 2010091079

SUBJECT: Watermark/MedImpact Rezone: An application for a COMMUNITY PLAN AMENDMENT, a GENERAL PLAN AMENDMENT, a REZONE are is being requested of four contiguous parcels within the approved Watermark and Scripps Gateway/MedImpact project areas. More specifically, 0.95 acre located within the Watermark property would be redesignated in the General Plan from Regional/Commercial to Industrial/Business Park; whereas the 0.95-acre area within Scripps Gateway/MedImpact property would be redesignated in the General Plan from Industrial/Business Park to Regional/Commercial. The Community Plan Amendment would redesignated the land use from Regional Commercial to Industrial on the Watermark site and from Industrial to Regional Commercial on the Scripps Gateway/MedImpact. Additionally, the area located within the Watermark property would be rezoned from CR-2-1 to IP-2-1 and the area located within the Scripps Gateway/MedImpact property would be rezoned from IP-2-1 to CR-2-1. The combined 1.9-acre project site is located at 10137 Scripps Gateway Court (Watermark property) and 10181 Scripps Gateway Court (Scripps Gateway/ MedImpact property). The area located in the Watermark property is designated Regional/Commercial, whereas the area located in the Scripps Gateway/MedImpact property is designated Industrial/Business Park within the Miramar Ranch North Community Plan area. The Watermark property is rezoned CR-2-1 and the Scripps Gateway/MedImpact property is rezoned IP-2-1. (LEGAL DESCRIPTION: Lots 1-6, 8, 10, and 11; Scripps Gateway Unit No. 2; Map No. 14004). Applicant: Sudberry Properties.

I. PROJECT DESCRIPTION

The project is requesting a GENERAL PLAN AMENDMENT, a COMMUNITY PLAN AMENDMENT, a REZONE of four contiguous parcels within the Watermark and Scripps Ranch Gateway/MedImpact project sites to better accommodate development approved for each individual project and to allow for more efficient use of property located in each respective development area. Figure 2, *Scripps Gateway/MedImpact and Watermark Proposed Rezone*, identifies the parcels that would be affected by the proposed Rezone. Table 1, *Scripps Gateway/MedImpact and Watermark Proposed Rezone/Community Plan Amendment*, summarizes the zone and land use changes for each parcel.

**Table 1. Scripps Gateway/MedImpact and Watermark Proposed Rezone/
Community Plan Amendment**

Community Plan Amendment					
	Project Area (acres)	Zoning		Land Use Designation	
		Existing	Proposed	Existing	Proposed
Watermark					
Parcel A	0.19	CR-2-1	IP-2-1	Regional/Commercial	Industrial/Business Park
Parcel B	0.76	CR-2-1	IP-2-1	Regional/Commercial	Industrial/Business Park
Total	0.95				
Scripps Gateway/MedImpact					
Parcel A	0.93	IP-2-1	CR-2-1	Industrial/Business Park	Regional/Commercial
Parcel B	0.02	IP-2-1	CR-2-1	Industrial/Business Park	Regional/Commercial
Total	0.95				

As shown in Table 1, Parcels A and B totaling 0.95 acre, which are currently located within the Watermark property, would be rezoned from CR-2-1 (Commercial-Regional) to IP-2-1 (Industrial-Park). The land use designation for those parcels would be changed from Regional/Commercial to Industrial/Business Park. Parcels C and D totaling 0.95 acre, which are located within the Scripps Gateway/MedImpact property, would be rezoned from IP-2-1 to CP-2-1, and the land use designation for those parcels would be changed from Industrial/Business Park to Regional/Commercial. Because the Community Plan would be amended, an Amendment to the General Plan would also be required.

The proposed project would not result in a change to the already approved development intensities for either Watermark or MedImpact. Additionally, the propose project would not result in any construction or development beyond that which has already been approved for the Watermark and MedImpact.

II. ENVIRONMENTAL SETTING

The project site is located in the southeast quadrant of I-15 and Scripps Poway Parkway. Situated south of Scripps Poway Parkway, east of I-15, a distance north of Mira Mesa Boulevard, and west of Scripps Highlands Drive, the project site encompasses 1.9 acres located within the larger Watermark and MedImpact properties, which total 34.39 acres (22.42 acres for the Watermark property and 11.97 for MedImpact property). Access to the project site is provided off Scripps Ranch Parkway. I-15 freeway ramps occur at Scripps Poway Parkway providing north- and south-bound access to the interstate.

Surrounding development includes the I-15 freeway to the west and Scripps Poway Parkway to the north, with commercial retail and office developments north of Scripps Poway Parkway. Single-family residential development within the Scripps Highlands neighborhood occurs east and south of the project site at elevations above the project site. Steep slopes vegetated in native habitat and preserved through an open space easement separate the Watermark site from the Scripps Highlands residential neighborhood on the south and east.

Marine Corps Air Station Miramar (MCAS Miramar) is located approximately 4.5 miles southwest of the project site. The project site is within the MCAS Miramar Airport Influence Area (AIA).

III. PROJECT BACKGROUND

Watermark Property

The Watermark property is the location of an approved project that will construct a mixed-use commercial development. Table 2, *Watermark Development Intensity*, shows the approved development for the Watermark project. A development range has been approved for the Watermark project in order to allow flexibility in the mix of regional commercial office and/or retail uses in a manner that is reflective of market conditions for employment and retail serving uses.

Existing approvals for the Watermark property include a Planned Development Permit (PDP No. 651597) Vesting Tentative Map (VTM No. 651698), and Conditional Use Permit (CUP No. 651699). An EIR was prepared for the Watermark project and certified by the San Diego City Council on December 16, 2013.

Table 2. *Watermark Development Intensity*

Use	Development Intensity Range
Commercial Office	400,000 – 658,456 sq. ft.
Commercial Retail	0 – 500,000 sq. ft.
Entertainment (Theater)	0 – 45,000 sq. ft.
Hotel (130 rooms)	0 – 100,000 sq. ft.

Scripps Gateway/MedImpact Property

The MedImpact property is part of previous approvals associated with the larger Scripps Gateway project. The Scripps Gateway project was approved in 1998 (LDR No. 92-0466) and subsequently amended in 2001, granting approval for MedImpact to construct its corporate campus on the project site (LDR No. 99-1027). The Scripps Gateway EIR was certified by the San Diego City Council in 1998.

Existing project approvals for the MedImpact property include an approved CUP, PID Permit, PDP, and Extension of Time (CUP/PID No. 99-1027; and CUP No. 174323/PDP No. 174234 Extension of Time). The existing approvals allow for the construction of two Class A office buildings, totaling 350,743 square feet for MedImpact Healthcare Systems, Inc. The first of the two buildings (approximately 155,000 square feet) and parking structure have been constructed.

IV. ENVIRONMENTAL DETERMINATION

The City previously prepared and certified the Watermark Environmental Impact Report (EIR) No. 180357/SCH No. 2010091079 and the Scripps Gateway EIR No. 92-0466/SCH No. 92101036. Based on all available information in light of the entire record, the analysis in this Addendum, and pursuant to Section 15162 of the State CEQA Guidelines, the City has determined the following:

- There are no substantial changes proposed in the project which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no 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 environmental document was certified as complete or was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous environmental document;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous environmental document;
 - 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 environmental 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 Sections 15162 and 15164 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 as a result of the project. Therefore, this Addendum has been prepared in accordance with Section 15164 of the CEQA State Guidelines. Public review of this Addendum is not required per CEQA.

V. IMPACT ANALYSIS

This subsequent impact analysis is to demonstrate that environmental impacts associated with the project are consistent with the previously certified EIR. The following includes the project-specific environmental review pursuant to the CEQA. The analysis in this document evaluates the adequacy of the EIR relative to the proposed project.

Impact Analysis Summary

The project, as previously identified in the Project Description above, proposes a Community Plan Amendment, a General Plan Amendment, and a Rezone of four contiguous parcels with a combine acreage of 1.9 acres within the approved Watermark (0.95 acre) and Scripps Gateway/MedImpact (0.95 acre) project areas. The land use changes would occur for each area to allow consistency between the Community Plan land use designations and the rezoned areas. The analysis provided below indicates that there would be no new significant impact, which would result from the project,

and there is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the EIRs. A comparison of the project to the certified EIRs is provided below in Table 3.

Table 3. Impact Assessment Comparison Summary

Environmental Issue Area	Previous EIR Finding		Impact Analysis	Project Resultant Impact (Mitigation Required)
	Impact Analysis Watermark EIR	Impact Analysis Scripps Gateway EIR		
Land Use	Less than Significant	Significant, unmitigated	No new impacts	Less than Significant (No)
Transportation/Traffic Circulation/Parking (Traffic)	Significant, unmitigated	Significant, unmitigated	No new impacts	Significant unmitigated (Yes, same mitigation measures as required in Watermark EIR)
Air Quality	Significant, but mitigated	Significant, unmitigated	No new impacts	Significant unmitigated (Yes, same mitigation measures as required in Watermark EIR)
Greenhouse Gas Emissions	Less than Significant	N/A	No new impacts	Less than Significant (No)
Noise	Less than Significant	Significant, but mitigated	No new impacts	Less than Significant (No)
(Historical Resources-Archaeology (Cultural Resources))	Less than Significant	Significant, but mitigated	No new impacts	Less than Significant (No)
Biological Resources	Less than Significant	Significant, unmitigated	No new impacts	Less than Significant (No)
Geology/Soils	Less than Significant	Significant, but mitigated	No new impacts	Less than Significant (No)
Hazards/ Hazardous Materials	Less than Significant	N/A	No new impacts	Less than Significant (No)
Paleontology	Less than Significant	Significant, but mitigated	No new impacts	Less than Significant (No)
Visual Quality	Less than Significant	Significant, unmitigated	No new impacts	Less than Significant (No)
Hydrology/Water Quality	Less than Significant	Significant, unmitigated	No new impacts	Less than Significant (No)
Public Services and Facilities	Less than Significant	Less than significant	No new impacts	Less than Significant (No)
Public Utilities	Less than Significant	Less than significant	No new impacts	Less than Significant (No)

LAND USE

WATERMARK EIR

Potential impacts to land use were analyzed in Section 5.1 of the Watermark EIR. The EIR concluded that implementation of the Watermark project would be consistent with goals and objectives of the Miramar Ranch North Community Plan that called for development of the project area with a range of commercial uses. The Watermark project would also retain a corporate office campus on a portion of the site and would therefore be consistent with the Community Plan's recommendation for light industrial uses. The Watermark project required a Community Plan Amendment to change

the land use designation from Industrial to Regional Commercial on Area A. The Watermark project required deviations for proposed project maximum building heights. However, the height deviation for the parking garage and the height deviations for project buildings were determined to not represent a significant environmental impact, as these deviations are relatively minor and would not be out of character with adjacent and nearby developments.

The Watermark project's proposal to remove the Prime Industrial Lands identification and the Industrial land use designation from a portion of the Watermark project site was determined to not result in significant environmental impacts associated with Land Use, because the actual change to the General/Community Plan did not create a physical change to the environment; and no significant direct environmental impacts would result from the General/Community Plan Amendment. However, secondary impacts were associated with the change in land use. Secondary effects associated with the Watermark project's proposal to remove the Prime Industrial Lands identification and develop on a portion of the Watermark project site as a mix of commercial uses would result in increased traffic and associated increase air quality emissions, greenhouse gas emissions, and noise levels.

SCRIPPS GATEWAY EIR

Potential impacts to land use were analyzed in Section A of the Scripps Gateway EIR. The EIR concluded that implementation of the development project is generally consistent with the environmental goals of the Progress Guide and General Plan and Miramar Ranch North Community Plan. The EIR did identify potential land use incompatibility with the Planned Residential Development (PRD) Permit area. The PRD was to convert eight acres of designated open space to development area, which would be inconsistent with the community plan and a significant land use impact. Construction of a two lane street bisecting the center of the Scripps Gateway project site south of Scripps Poway Parkway and associated grading was also not consistent with the designation as natural open space provided for in the community plan open space system and resulted in a significant unmitigated impact.

The Scripps Gateway EIR determined that the Planned Commercial Development (PCD), Planned Industrial Development (PID), and Planned Residential Development (PRD) would be consistent with the community plan goals for community design. While substantial landform modification would be necessary (and were determined to have an adverse visual impact), the EIR found the project to be consistent with other development within the community plan area and would not result in adverse impacts to community character. A street extension and the fill slope in the canyon in the center of the site however were found to have significant direct visual impacts. Visual impacts from the extension of the proposed street would be reduced by the proposed entry theme landscape concept. Visual impacts from the manufactured slopes in the canyon and along the edge of the uplands in the western portion of the site would be reduced by sensitive grading techniques. The visual impacts would still be significant and unmitigated. The Scripps Gateway project site plan and grading and landscaping plans were determined to be consistent with the intent of the Hillside Design and Development Guidelines of the Community Plan at the time. Mitigation for inconsistency with the City's Multiple Species Conservation Program Subarea Plan and City Biology Guidelines was required. Visual impacts and the conversion of open space lands were determined to be significant and unmitigated.

PROJECT

The project proposes a rezone of approximately 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not result in a change in land use impacts different from those addressed in the Watermark and Scripps Gateway EIRs. No new land use impacts would occur, and no mitigation measures would be required. Therefore, the land use impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

TRANSPORTATION/CIRCULATIONWATERMARK EIR

The Watermark EIR examined the effects of the proposed Watermark project on the existing and planned circulation system based on development of the project and build-out of the community. The EIR estimated the proposed development would be expected to generate a maximum 18,551 cumulative ADT with 583 trips in the AM peak hour and 1,726 trips in the PM peak hour. Mitigation measures were detailed in the Watermark EIR which would reduce some impacts to a less than significant level; however, impacts to street segments, intersection, and ramp meters were found to be significant after implementation of mitigation measures. Impacts to freeway operations were found to be significant and unmitigable under all scenarios.

SCRIPPS GATEWAY EIR

The Scripps Gateway EIR analyzed traffic impacts for build-out of the entire Scripps Gateway project area based on the construction of 309 single-family homes, 135 multi-family homes, a 25.9-acre business park, and 12.8 acres of retail commercial. The EIR estimated Scripps Gateway would generate 19,510 primary trips and 6,450 pass-by trips. Mitigation measures were detailed in the EIR which would reduce some impacts to a less than significant level; however, impacts to certain roadways and intersections were found to be significant and unmitigable. Mitigation measures would reduce project impacts to below a level of significance in all segments except the cumulative impacts on Mira Mesa Boulevard or I-15, as these roadways operated at LOS E or worse even without project build out.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not result in impacts related to transportation and traffic circulation different from those addressed in the Watermark and Scripps Gateway EIRs. The Watermark EIR identified measures required to mitigate significant direct and cumulative impacts to street

segments and intersections, although not to below a level of significance (specifically to street segments). As identified, the project would not result in impacts beyond those that were identified and would be required to implement the mitigation measures outlined in the final Watermark EIR.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

AIR QUALITY

WATERMARK EIR

Impacts to air quality were analyzed in Section 5.4 of the EIR, which determined that the Watermark project would not exceed significance thresholds. However, the Watermark EIR determined that air quality impacts associated with construction, albeit temporary and for a short duration, would be significant, requiring mitigation in the form of standard dust control measures.

SCRIPPS GATEWAY EIR

Impacts to air quality were analyzed in Section J of the EIR, which determined that the entire Scripps Gateway project area would result in significant cumulative air quality impacts in operations-related emissions from vehicle traffic.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not result in a change in air quality impacts different from those addressed in the Watermark and Scripps Gateway EIRs. As presented in the Watermark EIR, significant air quality impacts would occur during construction. Mitigation measures presented in Section VI of this Addendum would be required for the proposed project. This mitigation measure, detailed in the MMRP, would reduce the potentially significant impact to below a level of significance.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

BIOLOGICAL RESOURCES

WATERMARK EIR

Biological resources were addressed in Section 5.8 of the EIR. The Watermark project site was previously graded in accordance with the approved Scripps Gateway project, leaving the project site essentially void of native habitats and sensitive species. Biological resources occurring on the project site were addressed as part of the EIR for the original Scripps Gateway project; and required mitigation measures were implemented with the Scripps Gateway project, fully mitigating impacts to biological resources that occurred on the Watermark project site. No impacts to biological resources were identified with the Watermark project.

SCRIPPS GATEWAY EIR

Biological resources within the Scripps Gateway project area were addressed in Section C of the EIR. The EIR identified Impacts to coastal sage scrub, southern mixed chaparral, non-native grassland and mule fat/southern willow scrub. Mitigation measures were identified to reduce direct impacts to biological resources to below a level of significance. These measures would also reduce to below a level of significance the project's incremental contribution to loss of upland habitats and biological resources. However, cumulatively significant impacts associated with the loss of wetlands and non-native grassland habitats when considered on a regional level, were found not be mitigated to below a level of significance. Mitigation for impacts to coastal sage scrub and other sensitive habitats were to be provided by conservation like-quality off-site habitat at ratios specified in the City Biology Guidelines at the time.

The Scripps Gateway project site included one parcel in the northeast corner of the project site designated as being within the City's Multiple Habitat Planning Area. This parcel was designated as open space and was dedicated to the City of San Diego. Sensitive habitat within this parcel was included as a portion of the biological mitigation for uplands, discussed above.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not result in impacts to biological resources. As stated in the Watermark EIR, project site has been previously graded in accordance with the approved Scripps Gateway project, leaving the project site essentially void of native habitats and sensitive species. No impacts associated with biological resources would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

GEOLOGY/SOILSWATERMARK EIR

Impacts to geology and from geologic hazards were analyzed in Section 5.10 of the EIR. The project area is located in a seismically active region of California, and therefore, the potential exists for geologic hazards, such as earthquakes and ground failure. The EIR states that the Watermark project site is underlain by compacted fill and Santiago Peak Volcanics. The project site has been graded in accordance with the approvals for the Scripps Gateway project. Previous mass grading of the Watermark site alleviated any unfavorable conditions, resulting in stable slopes and suitable conditions for the construction and support of the proposed development. The EIR determined the Watermark project would not expose people or property to potentially substantial effects including the risk of life, injury, or death due to hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazard. No significant environmental impacts would occur.

SCRIPPS GATEWAY EIR

Impacts to geology and from geologic hazards were analyzed in Section E of the EIR. The project area is located in a seismically active region of California, and therefore, the potential exists for geologic hazards, such as earthquakes and ground failure. The EIR states that the Scripps Gateway project site is underlain by the Cretaceous-aged granitic rock, Jurassic-aged rock of the Santiago Peak Volcanics, the Eocene-aged Stadium Conglomerate and Pomerado Conglomerate, and Quarternary-aged surficial landslides, alluvium, slopewash, topsoil, undocumented fill and compacted fills. The site is considered to have a low potential for liquefaction and seismically induced settlement. The four surficial landslides found on the property are within proposed fill areas and are not considered to pose a significant risk because of anticipated remedial grading as recommended in the mitigation section. Implementation of site-specific grading recommendations and proper engineering design of new structures would ensure that the potential for geologic impacts from regional hazards would be reduced to below a level of significance.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not result in a change in impacts associated with geology and soils different from those addressed in the Watermark and Scripps Gateway EIRs. No geology and soils impacts would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

GREENHOUSE GASESWATERMARK EIR

The Watermark EIR discussed Greenhouse Gas Emissions (GHG) within Section 5.5. GHG emissions associated with the Watermark project were estimated separately for five categories of emissions: (1) construction; (2) energy use, including electricity and natural gas usage; (3) water consumption; (4) solid waste handling; and (5) transportation.

Emissions of GHGs were quantified for both construction and operation of the Watermark Project. Operational emissions were calculated assuming a "business as usual" operational scenario as well as an operational scenario with GHG reduction measures employed. The EIR found that emissions would be reduced by more than 28.3% below "business as usual" levels. The Watermark project would, therefore, be consistent with the goals of AB 32. Additionally, the project was found to be consistent with the goal and policies of the City of San Diego General Plan. The Watermark project would not result in a significant impact relative to plans, policies, or regulations aimed at reducing GHG emissions.

SCRIPPS GATEWAY EIR

The environmental issue of greenhouse gas (GHG) emissions was not analyzed in the Scripps Gateway EIR pursuant to the CEQA Guidelines in effect at the time that the EIR was prepared.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not result in greenhouse emissions different from what is addressed in the Watermark EIR. No greenhouse gas impacts would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

HAZARDS AND HAZARDOUS MATERIALSWATERMARK EIR

Hazards and hazardous materials impacts were analyzed in Section 5.13 of the EIR. The EIR found the Watermark project site was not located on a list of hazardous materials sites. There were no sources of toxic or hazardous air contaminants, or toxic or hazardous substances within one-quarter mile of the project site. No significant impacts would result.

SCRIPPS GATEWAY EIR

Hazards and hazardous materials impacts were not analyzed in the Scripps Gateway EIR pursuant to the CEQA Guidelines in effect at the time the EIR was prepared. Human Health and Safety was discussed in the Effects Found Not to be significant section of the EIR. The EIR stated that the Scripps Gateway project site is not located adjacent to any exposed high-energy transmissions facilities nor are there any land uses within a quarter mile that would endanger future residents if upsets were to occur.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not result in changes to hazards or hazardous materials different from those addressed in the Watermark and Scripps Gateway EIRs. No impacts would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

HISTORICAL RESOURCES/ARCHAEOLOGY (CULTURAL RESOURCES)

WATERMARK EIR

Cultural resources were analyzed in the EIR in Section 5.9. The Watermark project site is a completely graded site. Grading has occurred in accordance with approvals associated with the original Scripps Gateway project. No historic or prehistoric resources have been encountered on the Watermark project site. The records searches conducted for the original Scripps Gateway project did not reveal any resources on the project site; and cultural resources that occurred in the project area have been adequately mitigated with the original Scripps Gateway project. Therefore, significant impacts associated with historical resources (archeological resources and historic resources) would not occur.

SCRIPPS GATEWAY EIR

Cultural resources were analyzed in the CIRP FEIR in Section F. Two previously recorded cultural resources (CA-SDI-10,780 and CA-SDI-13,186) were identified in the records search as being located on the Scripps Gateway project site. CA-SDI-10, 780 was described as two milling stations and possibly an associated camp. CA-SDI-13,186 consists of two loci: a rock feature in the form of a hunting blind and a bedrock milling slick. Mitigation of site CA-SDI-10,780 due to impacts from development of Miramar Ranch North was accomplished through excavations in 1989. The location of the site currently lies beneath Scripps Poway Parkway. Site CA-SDI-13,186 has added supportive evidence for existing regional settlement and subsistence theories. However, CA-SDI-13,186 is not a significant resource as defined by CEQA Section 21083.2. The site has been tested without results and the site's research potential is therefore, exhausted and no further work is required. If additional cultural resources exist in areas that were not adequately surveyed, grading in those areas could result in significant impacts to those resources. Implementation of mitigation measures reduced the potential archaeological impacts to below a level of significance.

PROJECT

The project proposed a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. The project site has been completely graded. The proposed project would not result in impacts to historical resources, as determined in the Watermark EIR. No impacts to historical resources would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

HYDROLOGY / WATER QUALITY

WATERMARK EIR

The EIR analyzed potential impacts to Hydrology and Water Quality in Section 5.12.

The evaluation of impacts associated with hydrology and water quality presented in the Watermark EIR was based on the results of the approved Drainage Study and the Preliminary Water Quality Technical Report. Additionally, the Watermark project was subject to Hydromodification Management Plan (HMP) requirements, per the City's Stormwater Standard Manual.

The Watermark EIR concluded that the Watermark project would introduce impervious surfaces to a previously graded site. However, a substantial increase in runoff beyond that which has been anticipated under existing project approvals would not occur. The storm drain system installed for the approved Scripps Gateway project would be adequate to handle runoff generated by the proposed project, with minor modifications. The Watermark project was found to not result in substantial alteration to on- and off-site drainage, runoff flow rates, or volumes. The Watermark project would not violate any water quality standards or waste discharge requirements. The project would implement LIDs and BMPs to control and treat urban runoff. No significant impacts relative to hydrology and water quality would occur.

SCRIPPS GATEWAY EIR

The EIR analyzed potential impacts to Hydrology and Water Quality in Section G. The EIR found that implementation of the Scripps Gateway project would affect the natural drainage system. The increase in on-site runoff volumes associated with the Scripps Gateway project was considered incremental and to be cumulatively significant and unmitigated. Mitigation measures were identified in order to ensure that the increased runoff and potential erosion generated from development within the Scripps Gateway Project did not adversely impact Los Penasquitos Creek. Those measures would reduce runoff and erosion impacts to less than a significant level.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. The proposed project would not result in impacts to hydrology and water quality different from those addressed in the Watermark and Scripps Gateway EIRs. No impacts would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

NOISE

WATERMARK EIR

Potential impacts from noise were addressed and disclosed in Section 5.7 of the EIR.

Noise impacts were analyzed for traffic, construction, stationary, exterior, and interior noise. The EIR concluded that for the Watermark project, impacts would be less than significant and no mitigation was required for exposure to traffic noise, construction, stationary noise and exterior noise levels.

SCRIPPS GATEWAY EIR

Potential impacts from noise were addressed and disclosed in Section D of the EIR. Noise impacts were analyzed for traffic, construction, stationary, exterior, and interior noise. The EIR concluded that for the Scripps Gateway project, impacts would be less than significant using special design and construction techniques for the residential properties.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not result in noise impacts different from those addressed in the Watermark and Scripps Gateway EIRs. No noise impacts would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

PALEONTOLOGICAL CONDITIONS

WATERMARK EIR

Paleontological resources were analyzed in the Section 5.11 of the EIR. The EIR identified the project site as being underlain by the Compacted Fill and Santiago Peak Volcanics formation, which is comprised of metavolcanic-type rock. Both of these formations have a zero potential to produce paleontological resources. Therefore, the EIR determined there was no potential for significant impacts to paleontological resources to occur and no mitigation measures were required.

SCRIPPS GATEWAY EIR

Paleontological resources were analyzed in the Section K of the EIR. The EIR identified the project site as being underlain by the Santiago Peak Volcanics (low paleontological resource sensitivity), Southern California Batholith (no sensitivity rating), Stadium Conglomerate (high paleontological sensitivity), Pomerado Conglomerate (moderate paleontological sensitivity), Quaternary Alluvium (low paleontological sensitivity). Most of the project site has no or low paleontological sensitivity and no adverse effects are anticipated. However, exposures of Pomerado conglomerate on the hilltop in the southern portion of the site and Stadium conglomerate along the northern boundary of the site – both of which are areas outside the MedImpact property – are of moderate to high potential to

contain late Eocene vertebrates, which would be of scientific interest. These areas would be graded which could result in adverse impacts if fossils occur in the formations. Therefore, the Scripps Gateway EIR determined that impacts to paleontological resources were potentially significant, as the Stadium conglomerate and Poway conglomerate formations that occur in the larger Scripps Gateway site may contain important fossils. Mitigation measures were required to reduce potential impacts associated with paleontological resources to below a level of significance

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not result in impacts to paleontological resources, as the project site is underlain by formations that do not exhibit resource value. No paleontological impacts would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

PUBLIC SERVICES AND FACILITIES

WATERMARK EIR

Impacts to public services (schools, libraries, and parks) were analyzed in Section 5.14 of the EIR. The EIR for the Watermark project focused on police protection and fire and emergency services since the project involved commercial and office uses. Other public services, such as parks and recreation, schools, and libraries would serve tenants, employees, and patrons in the communities in which they reside.

The Watermark project site is located in an urbanized area where police and fire protection services are already provided. The project would not adversely affect existing levels of police and fire protection services to the area, and would not require the construction of new or expanded governmental facilities. Impacts were found to be less than significant

SCRIPPS GATEWAY EIR

Impacts to public services (schools, libraries, and parks) were analyzed in Section H of the EIR. The Scripps Gateway project site is located in the San Diego Unified School District. The EIR identified a total of four neighborhood schools that could potentially serve the development area. The EIR concluded that, based upon the current and trending capacities of these schools, redevelopment would not generate enough students to necessitate the need for new schools or altered school facilities. No significant impacts or mitigation measures were identified. The EIR also determined there would not be a need to develop a new branch library to serve to the anticipated population increase. The EIR also stated that the project is providing contributions as outlined in the Public Facilities Financing Plan (PFFP) for recreation building and general park purposes. With the additional contributions towards park acquisition, the community will have adequate park facilities thus no significant impacts or mitigation measures were identified.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not affect public services and facilities and would not result in impacts different from those addressed in the Watermark and Scripps Gateway EIRs. No impacts to public services and facilities would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

PUBLIC UTILITIESWATERMARK EIR

Impacts to public utilities (water, sewer, storm water drainage and solid waste) were analyzed in Section 5.15 of the EIR. The EIR found that the Watermark project would not result in significant impacts to water, sewer, and storm water drainage. Additionally, the Watermark project would not result in significant direct impacts associated with solid waste. The project would exceed the City's threshold for cumulative solid waste impacts. Implementation of the project's waste management plan was determined to avoid cumulatively significant impacts associated with solid waste. No mitigation measures were required.

SCRIPPS GATEWAY EIR

Impacts to public utilities (water, sewer, and solid waste) were analyzed in Section H of the EIR. The EIR indicated that significant solid waste impacts would potentially occur within the area due to the demolition and construction activities. These impacts were mitigated through the implementation of project-specific Waste Management Plans. Water and sewer facilities for the Scripps Gateway project would not require new or substantial changes to the existing transmission facilities, potable water storage or waste treatment facilities. Impacts were found to be less than significant.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not affect public utilities and would not result in impacts different from those addressed in the Watermark and Scripps Gateway EIRs. No impacts to public utilities would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

VISUAL EFFECTS/NEIGHBORHOOD CHARACTER/AESTHETICS

WATERMARK EIR

Potential impacts to neighborhood character and aesthetics were analyzed in Section 5.3 of the EIR. The Watermark project site is situated in the northwestern portion of the Miramar Ranch North community. The EIR determined the Watermark projects impacts on the visual character and quality of the surrounding environment to be less than significant, and that the project would not result in a substantial degradation to the existing visual character or quality of the site or its surroundings. Deviations to maximum structure height included in the Watermark project were not great enough to cause a significant environmental impact and relative to community aesthetic, these deviations would provide a greater level of architectural detail to create the community gateway recommended in the community plan.

SCRIPPS GATEWAY EIR

Potential impacts to neighborhood character and aesthetics were analyzed in Section B of the EIR. The Scripps Gateway project is located within the Miramar Ranch Community Plan and new development must be consistent with the Community Plan guidelines related to neighborhood character/aesthetics. The areas of grading are generally consistent with the Community plan. Much of the Scripps Gateway project would be visible from the southbound lanes of the I-15. As such, the visual character of the site would shift from that of generally undisturbed, steeply sloping open space to developed land with single-family homes, commercial center, and industrial buildings. While these uses would be consistent with other developed areas in the I-15 corridor, the EIR determined that the development would be highly visible from public viewing corridors and would alter the existing visual appearance of the site. The impact to visual quality was considered directly and cumulatively significant and unmitigated.

As required by the City of San Diego, a brush management plan was incorporated into the design guidelines for the Scripps Gateway project. The selective thinning of native vegetation caused by implementation of a brush management program would alter the appearance of natural slopes adjacent to development, and the fuel load requirements for brush management would limit the extent to which the appearance of manufactured slopes can be remediated with landscaping. The EIR found that as most areas within the brush management zones, which was part of the public area also within manufactured slopes, the brush management program requirements would not contribute substantial additional impacts to visual quality. Hand thinning brush in zones two and three, which was incorporated into the Scripps Gateway project would mitigate visual impacts to non-graded areas to below a level of significance. Visual impacts from graded areas within brush management zones remain significant and unmitigated.

PROJECT

The project proposes a rezone of 0.95 acre within the Watermark property from CR-2-1 to IP-2-1 and a rezone of 0.95 acre on the Scripps Gateway/MedImpact property from CR-2-1 to IP-2-1. Land use designations in the Miramar Ranch North Community Plan would be changed from Regional/Commercial to Industrial/Business Park for the Watermark property and from Industrial/Business Park to Regional/Commercial for the MedImpact property. Implementation of the proposed project would not result in impacts different from those addressed in the Watermark

and Scripps Gateway EIRs. No impacts to visual effects/neighborhood character/aesthetics would occur, and no mitigation measures would be required.

Based on the foregoing analysis and information, there is no evidence that the project would require a major change to the EIRs. The project would not result in any new significant impacts, nor would a substantial increase in the severity of impacts from that described in the EIRs result.

VI. MITIGATION, MONITORING, AND REPORTING PROGRAM (MMRP) INCORPORATED INTO THE PROJECT

The project shall be required to comply with applicable mitigation measures outlined within the Mitigation Monitoring and Reporting Program of the previously certified EIR(s) (if applicable) and the project-specific subsequent technical studies. The following MMRP identifies measures that specifically apply to this project.

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

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

<http://www.sandiego.gov/development-services/industry/standtemp.shtml>
4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.
5. **SURETY AND COST RECOVERY** – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)

1. **PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT.** The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants: **Not applicable.**

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

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **RE** at the **Field Engineering Division – 858-627-3200**
 - b) For Clarification of ENVIRONMENTAL REQUIREMENTS, applicant is also required to call **RE and MMC at 858-627-3360**
2. **MMRP COMPLIANCE:** This Project, Project Tracking System (PTS) Number 443731 and/or Environmental Document Number 443731, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.).

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

3. **OTHER AGENCY REQUIREMENTS:** Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency: **Not Applicable**
4. **MONITORING EXHIBITS:** All consultants are required to submit, to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the **LIMIT OF WORK**, scope of that discipline's work, and notes indicating when in the construction schedule that

work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

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

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

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting
General	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Traffic	Traffic Reports	Traffic Features Site Observation
Air Quality	Consultant Construction Monitoring Exhibits	Prior to or at Preconstruction Meeting
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

TRANSPORTATION/TRAFFIC CIRCULATION

Prior to issuance of the first construction permit, owner/permittee shall assure by permit and bond the reconfiguration to shift the westbound through lanes on Scripps Poway Parkway to the north and provide additional queuing length for westbound traffic on Scripps Poway Parkway to the interchange. The "back-to-back" left turn lanes will be eliminated and additional queuing for traffic turning left from Scripps Poway Parkway to southbound I-15 will be provided. Reduction in the width of raised median on Scripps Poway Parkway east of the interchange will be required. All work to be done to the satisfaction of the City Engineer.

Prior to issuance of the first construction permit, owner/permittee shall assure by permit and bond the provision of a triple left-turn at Scripps Poway Parkway and Scripps Highlands Drive intersection by re-striping the northbound leg to take a thru-

lane and make a shared left-thru lane. The pedestrian crossing on the west leg of the intersection will be removed. Additionally, a northbound right-turn overlap will be provided. All work to be done to the satisfaction of the City Engineer.

AIR QUALITY

Standard dust control measures would be employed during construction. These standard dust control measures include the following:

- Watering active grading sites a minimum of three times daily
- Apply soil stabilizers to inactive construction sites
- Replace ground cover in disturbed areas as soon as possible
- Control dust during equipment loading/unloading (load moist material, ensure at least 12 inches of freeboard in haul trucks)
- Reduce speeds on unpaved roads to 15 mph or less
- Water unpaved roads a minimum of three times daily

The above Mitigation Monitoring and Reporting Program shall require additional fees and/or deposits to be collected prior a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, but not limited to, to ensure the successful completion of the monitoring program.

VII. SIGNIFICANT UNMITIGATED IMPACTS

The Watermark EIR identified significant environmental impacts in the following areas: transportation/traffic circulation/parking (direct and cumulative) and air quality (direct relative to construction). The EIR concluded significant impacts to air quality would be reduced to below a level of significance with incorporation of required mitigation measures. Relative to traffic/circulation/parking, the Watermark EIR concluded impacts would not be fully mitigated to below a level of significance. With respect to cumulative impacts, implementation of the Watermark EIR would result in significant unmitigated impacts to transportation/circulation/parking.

The Scripps Gateway EIR identified significant impacts in the following areas: land use, traffic/circulation and parking, air quality, biological resources, visual quality, hydrology/water quality, noise, cultural resources, geology and paleontological resources. The EIR concluded that impacts associated with noise, cultural resources, geology and paleontological resources would be substantially lessened or avoided with incorporation of required mitigation measures. The EIR determined that significant impacts related to land use, traffic/circulation and parking, air quality, biological resources, visual quality and hydrology/water quality would not be fully mitigated to below a level of significance. With respect to cumulative impacts, implementation of the Scripps Gateway EIR would result in significant unmitigated impacts to land use, visual quality, biology, water quality, urban runoff, traffic and air quality.

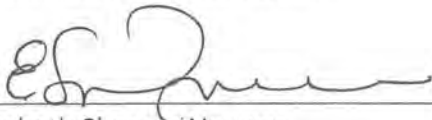
Because there were significant unmitigated impacts associated with the original project approval, the decision maker was required to make specific and substantiated "CEQA Findings" which stated: (a) specific economic, social, or other considerations which make infeasible the mitigation measures or project alternatives identified in the EIR(s), and (b) the impacts have been found acceptable

because of specific overriding considerations. Given that there are no new or more severe significant impacts that were not already addressed in the previous certified EIR, new CEQA Findings and or Statement of Overriding Considerations are not required.

The proposed project would not result in any additional significant impacts nor would it result in an increase in the severity of impacts from that described in the previously certified EIR(s).

VIII. CERTIFICATION

Copies of the addendum, the EIR(s), and associated project-specific technical appendices, if any, may be reviewed by appointment in the office of the Development Services Department, or purchased for the cost of reproduction.



Elizabeth Shearer-Nguyen
Senior Planner
Development Services Department

July 28, 2016

Date of Final Report

Analyst: E. Shearer-Nguyen

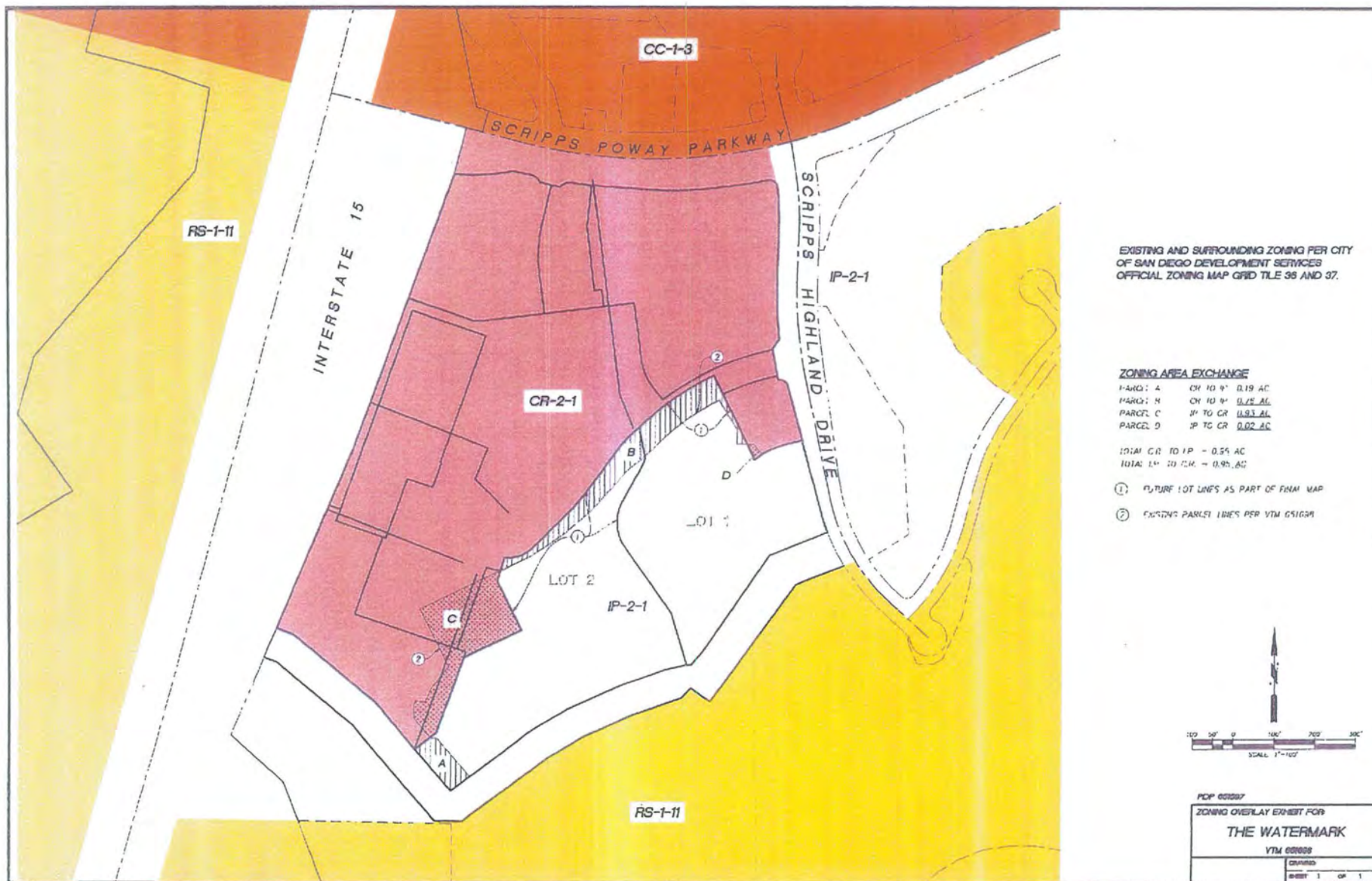
Attachments:

Figure 1: Location Map

Figure 2: Proposed Rezone

Figure 1. Location Map





EXISTING AND SURROUNDING ZONING PER CITY
OF SAN DIEGO DEVELOPMENT SERVICES
OFFICIAL ZONING MAP GRID TILE 35 AND 37.

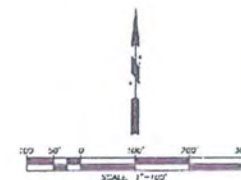
ZONING AREA EXCHANGE

PARCELS: A CH TO 9' 0.19 AC
PARCELS: B CH TO 9' 0.15 AC
PARCELS: C 1/4" TO CR 0.93 AC
PARCELS: D 1/4" TO CR 0.02 AC

TOTAL CR TO IP = 0.24 AC
TOTAL 1/4" TO CR = 0.95 AC

① FUTURE LOT LINES AS PART OF FINAL MAP

② EXISTING PARCEL LINES PER VTM 051639



PDF 001007

ZONING OVERLAY EXHIBIT FOR

THE WATERMARK

VTM 001008

DATE: 1/1/11

BY: 1/1/11

(R-2016-)

RESOLUTION NUMBER R-_____

ADOPTED ON _____

WHEREAS, on _____, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the General Plan and the Miramar Ranch North Community Plan Community Plan; and

WHEREAS, Scripps Highlands Partners, LLC, requested an amendment to the General Plan and the Miramar Ranch North Community Plan to General Plan to change the land use designation from Regional Commercial to Industrial on the Watermark site and to change the land use designation from Industrial to Regional Commercial on the Scripps Gateway/MedImpact site and to transfer the Prime Industrial Lands identification from one 0.95-acre site to the other 0.95-acre site of the Scripps Gateway/MedImpact sites and an amendment to the Miramar Ranch North Community Plan to make the same land use designation changes. The site is legally described as Lots 1-6 and A-C of Scripps Gateway Unit No. 2, Map No. 14004, City of San Diego, County of San Diego, State of California; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the General Plan; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts an amendment to the General Plan for the City of San Diego, a copy of which is on file in the office of the City Clerk as Document No. RR-_____.

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that it adopts the amendments to the Miramar Ranch North Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-_____.

APPROVED: JAN GOLDSMITH, City Attorney

By _____

Deputy City Attorney

MJL:pev

DATE

Or.Dept:DSD

R-2016-XXXX

Form=r-t.frm(61203wct)

Enlarged version of clarify land use. Not to be included in Final Amended Document

LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
VERY LOW RESIDENTIAL 0-3 DU/NET ACRE	
LOW RESIDENTIAL 3-6 DU/NET ACRE	
LOW-MEDIUM RESIDENTIAL 6-9 DU/NET ACRE	
MEDIUM RESIDENTIAL 9-12 DU/NET ACRE	
MEDIUM-HIGH RESIDENTIAL 12-24 DU/NET ACRE	
MODERATE INCOME HOUSING 12-24 DU/NET AC	
INDUSTRIAL/ BUSINESS PARK	
COMMERCIAL DEVELOPMENT	
ELEMENTARY SCHOOL	
JR. HIGH SCHOOL	
OTHER PUBLIC OR COMMUNITY FACILITY	
ACTIVE AND PASSIVE USE PARKS	
OPEN SPACE	

NOTES:

Alignment of roads shown may change during final design.

*Fire Station

**MHPIA: Multiple Habitat Planning Area

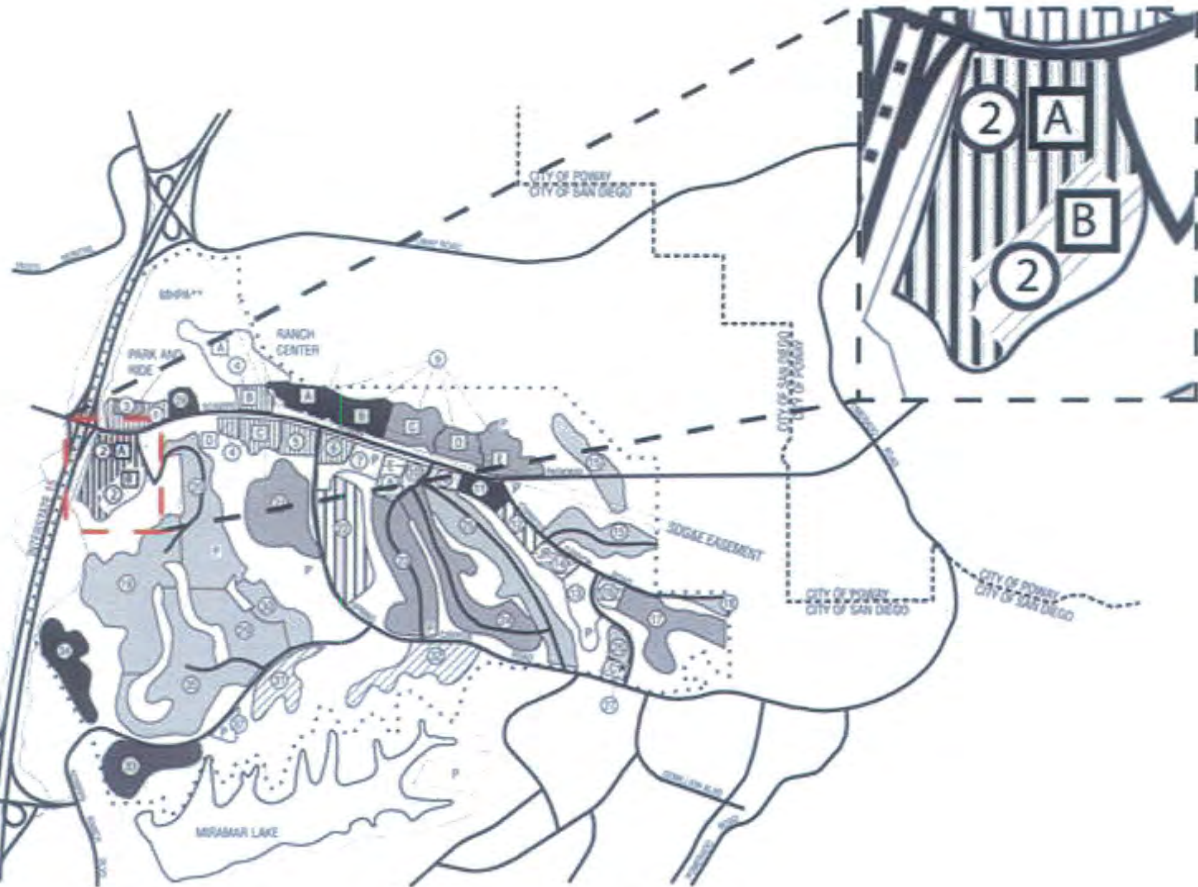


FIGURE 4

Land Use Plan - Existing MIRAMAR RANCH NORTH COMMUNITY PLAN

Rock Engineering Company 5620 Friars Road San Diego, California 92116 (619) 291-0707

May 21, 1987 Revised May 14, 1991 Revised April 29, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998



Enlarged version of clarify land use. Not to be included in Final Amended Document

LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
VERY LOW RESIDENTIAL 0-3 DU/NET ACRE	
LOW RESIDENTIAL 3-6 DU/NET ACRE	
LOW-MEDIUM RESIDENTIAL 6-9 DU/NET ACRE	
MEDIUM RESIDENTIAL 9-12 DU/NET ACRE	
MEDIUM-HIGH RESIDENTIAL 12-24 DU/NET ACRE	
MODERATE INCOME HOUSING 12-24 DU/NET AC.	
INDUSTRIAL/ BUSINESS PARK	
COMMERCIAL DEVELOPMENT	
ELEMENTARY SCHOOL	
JR. HIGH SCHOOL	
OTHER PUBLIC OR COMMUNITY FACILITY	
ACTIVE AND PASSIVE USE PARKS	
OPEN SPACE	

NOTES:

Alignment of roads shown may change during final design.

*Fire Station

**MHPA: Multiple Habitat Planning Area

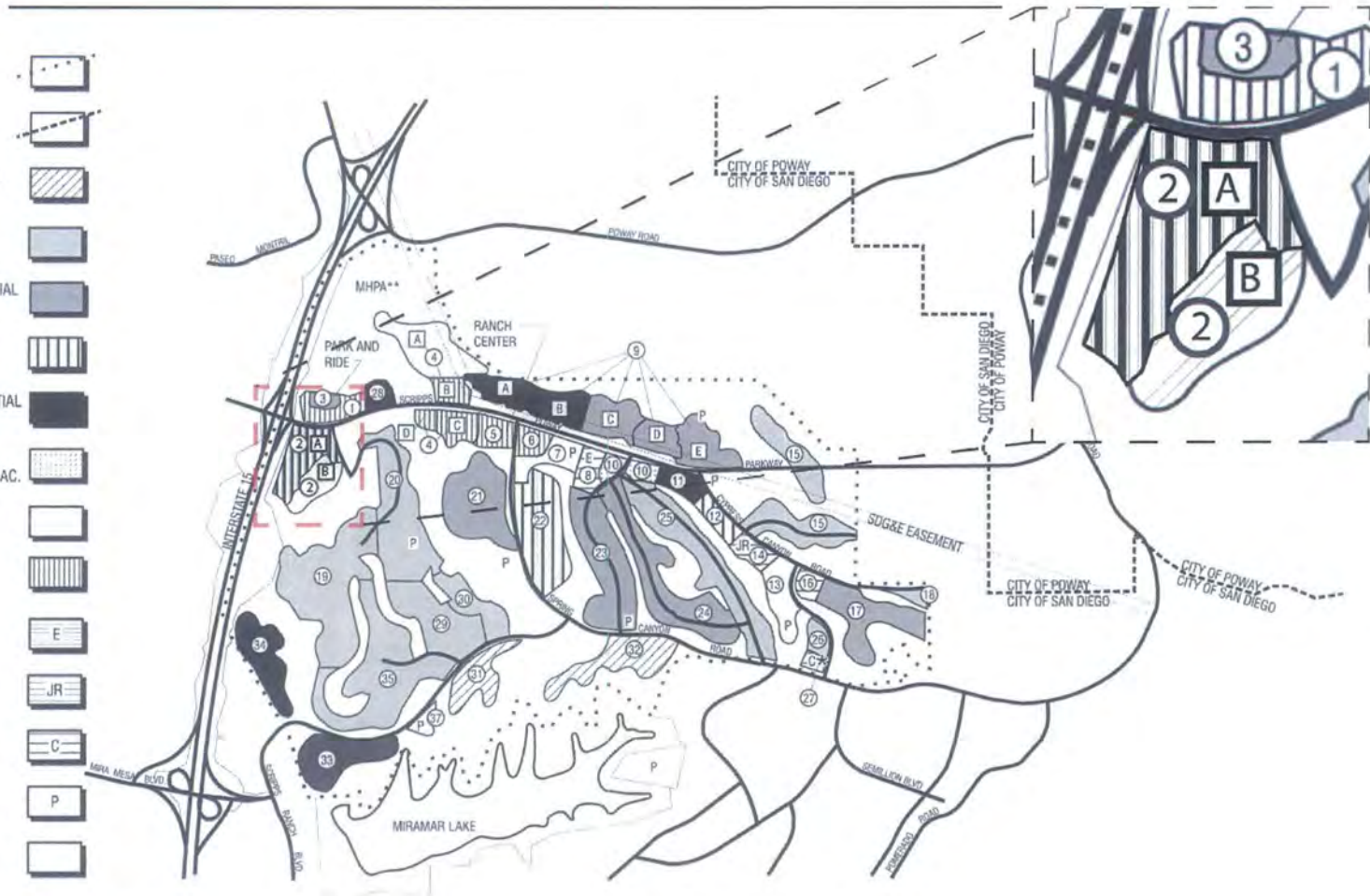


FIGURE 4
Land Use Plan - Proposed
MIRAMAR RANCH NORTH COMMUNITY PLAN

Rick Engineering Company 5620 Friars Road, San Diego, California 92110 (619) 291-0707

May 21, 1987 Revised May 14, 1991 Revised April 29, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998

Enlarged version of clarify land use. Not to be included in Final Amended Document

LEGEND:

PROPOSED
ZONE CHANGE



LOT	ACRES	EXISTING ZONE	PROPOSED ZONE
A	45.5	R-1500	
B	110.3	R1-10,000	
C	59.4	M-IP	CR-2-1 IP-2-1
D	11.9	CA	
E	18.9	R-1500	
F	130.8	M-IP	M-PCA, R-1500
G	114.6	R1-8000	
H	83.2	R-3000	
I	16.4	CALCR	CA
J	10.7	CR	
K	51.7	R1-5000	
L	279.9	R1-5000	
M	151.0	A-1-10	R1-8000
N	10.1	R1-6000	
O	63.3	R1-6000	
P	138.1	M-IP	R1-5000, R-1500
Q	29.9	R1-5000	
R	18.9	R1-5000	
S	15.4	R-3000	
T	24.3	R1-6000	
U	105.0	A-1-10	R1-6000
V	61.0	M-U	R-1500
W	35.0	A-1-10	R1-5000
X	38.5	S-B7	R1-6000
Y	54.0	A-1-10	R1-6000
Z	74.0	A-1-10	
AA	4.0	A-1-10	
BB	17.0	A-1-10	
CC	54.0	A-1-10	R1-6000

NOTES:

Alignment of roads shown may change
during final design.

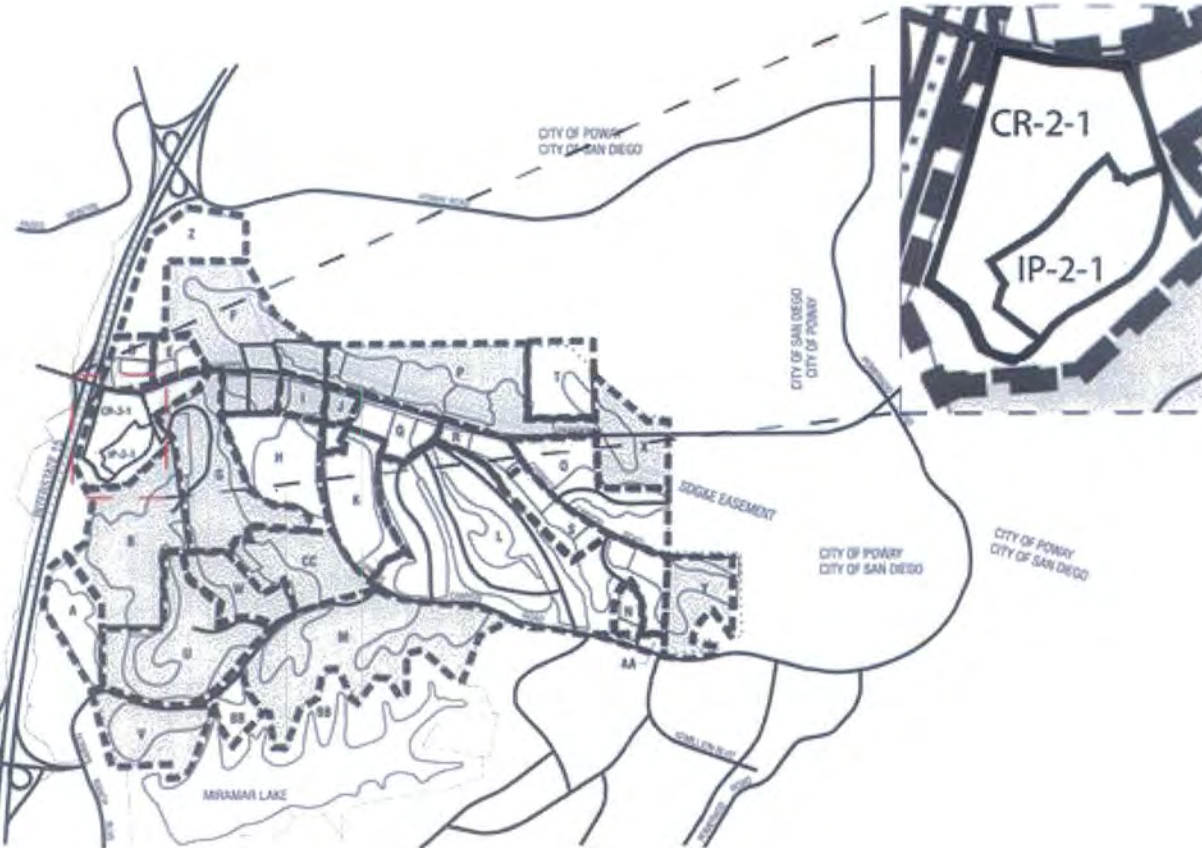


FIGURE 35

Zoning - Existing

MIRAMAR RANCH NORTH COMMUNITY PLAN

Rick Engineering Company 5620 Friars Road, San Diego, California 92110 (619) 291-0707

May 21, 1987 Revised May 14, 1991 Revised April 25, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998



Enlarged version of clarify land use. Not to be included in Final Amended Document

LEGEND:

PROPOSED
ZONE CHANGE



LOT	ACRES	EXISTING ZONE	PROPOSED ZONE
A	45.5	R-1500	
B	110.3	R1-10,000	
C	59.4	M-IP	CR-2-1 IP-2-1
D	11.9	CA	
E	18.9	R-1500	
F	130.8	M-IP	M-IPCA, R-1500
G	114.6	R1-8000	
H	83.2	R-3000	
I	16.4	CM,CR	CA
J	10.7	CR	
K	51.7	R1-5000	
L	279.9	R1-5000	
M	151.0	A-1-10 R-3000	R1-8000
N	10.1	R1-6000	
O	63.3	R1-6000	
P	138.1	M-IP	R1-5000, R-1500
Q	29.9	R1-5000	
R	18.9	R1-5000	
S	15.4	R-3000	
T	24.3	R1-6000	
U	105.0	A-1-10	R1-6000
V	61.0	M-L	R-1500
W	35.0	A-1-10	R1-5000
X	38.5	S-87	R1-6000
Y	54.0	A-1-10	R1-6000
Z	74.0	A-1-10	
AA	4.0	A-1-10	
BB	17.0	A-1-10	
CC	54.0	A-1-10	R1-6000

NOTES:

Alignment of roads shown may change
during final design.

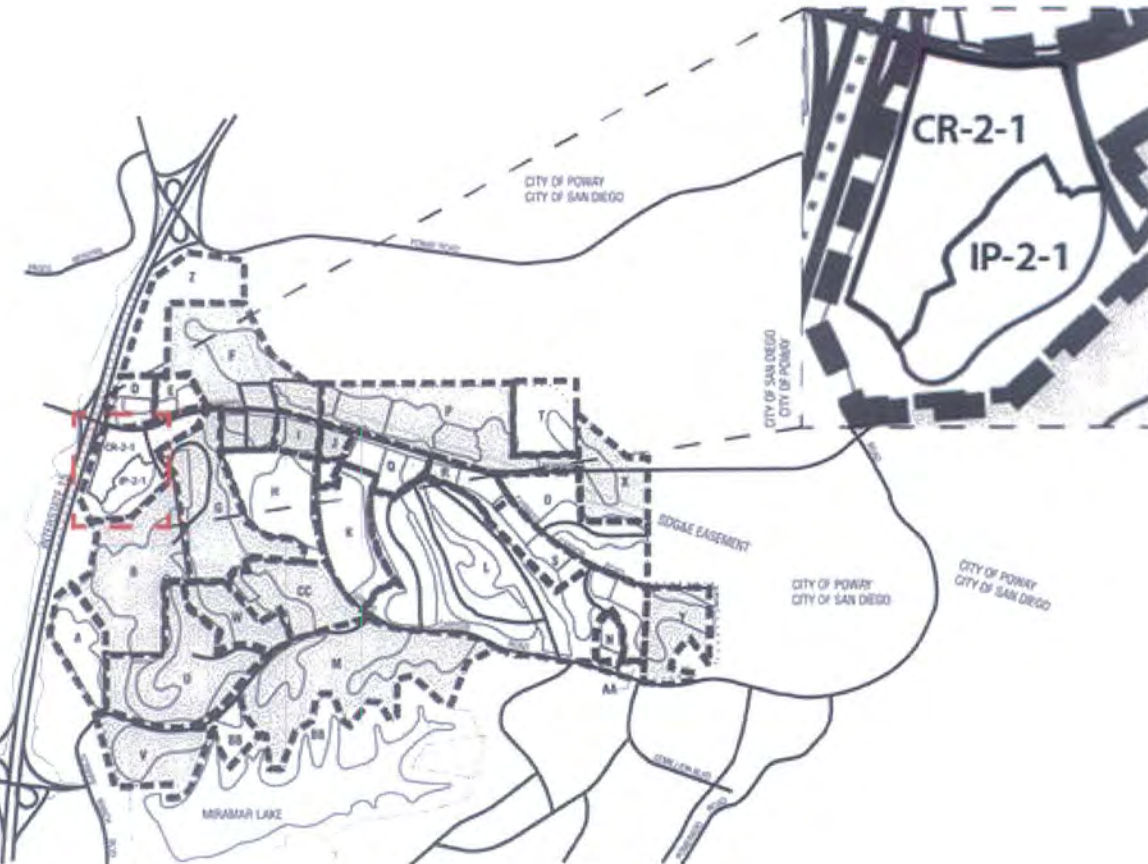


FIGURE 35
Zoning - Proposed
MIRAMAR RANCH NORTH COMMUNITY PLAN

Rick Engineering Company 5625 Friars Road San Diego, California 92110 (619) 291-0707

May 21, 1987 Revised May 14, 1991 Revised April 29, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998



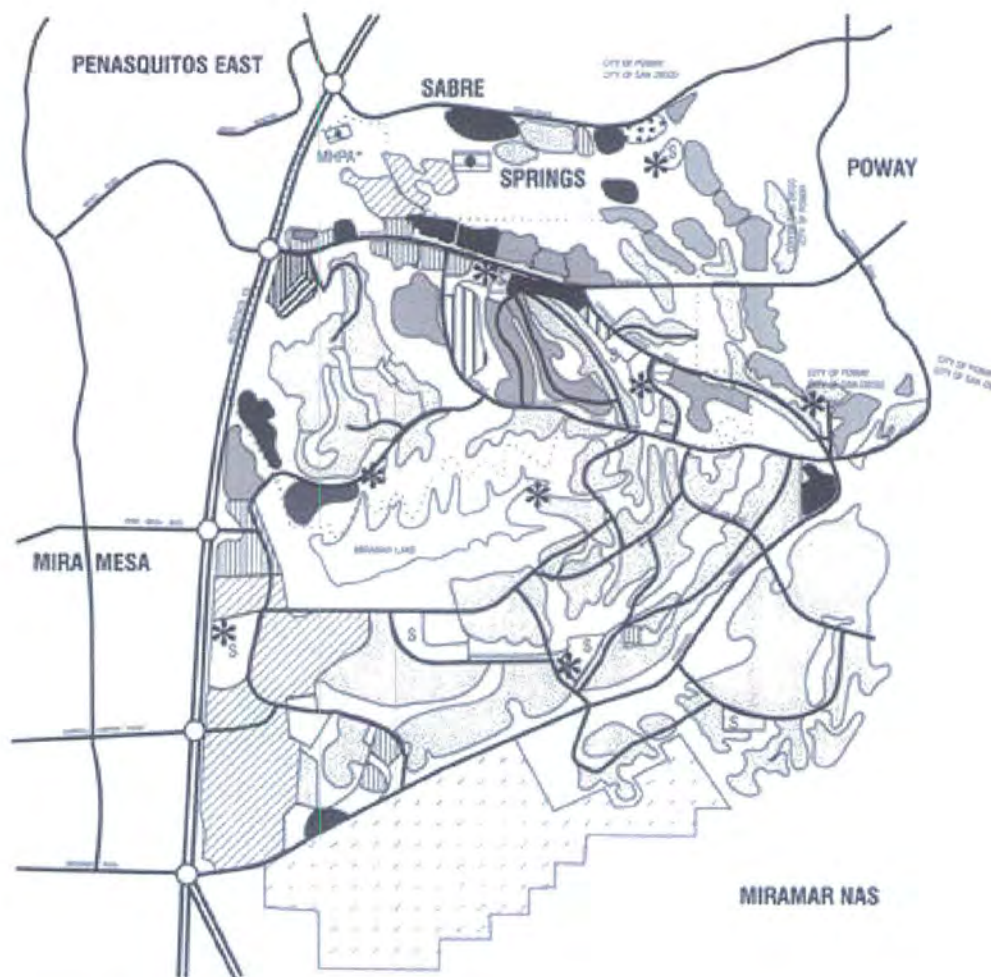
LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
RESIDENTIAL	
LOW, VERY LOW	
LOW-MEDIUM	
MEDIUM	
HIGH-MEDIUM	
HIGH	
COMMERCIAL AND OFFICE	
INDUSTRIAL	
INSTITUTIONAL	
UNIVERSITY	
SCHOOLS	
PARK	

NOTES:

Alignment of roads shown may change during final design.

*MHPA: Multi-species Habitat Preservation Area

**FIGURE 3**

Location of Twin Communities (Proposed)

MIRAMAR RANCH NORTH COMMUNITY PLAN

May 21, 1987 Revised May 14, 1991 Revised April 29, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998 Revised December 2013 Revised 2014



LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
RESIDENTIAL	
LOW/VERY LOW	
LOW-MEDIUM	
MEDIUM	
HIGH-MEDIUM	
HIGH	
COMMERCIAL AND OFFICE	
INDUSTRIAL	
INSTITUTIONAL	
UNIVERSITY	
SCHOOLS	
PARK	

NOTES:

Alignment of roads shown may change
during final design.

*MHPA: Multi-species Habitat
Preservation Area

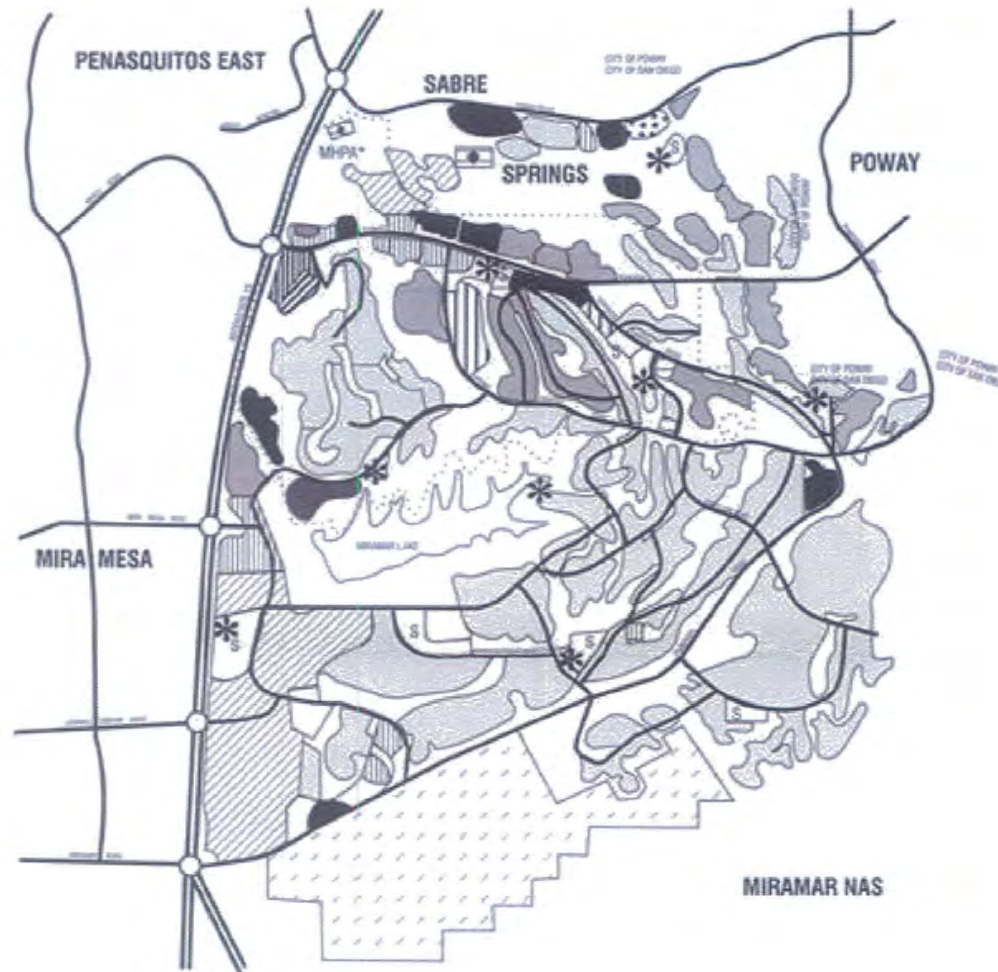


FIGURE 3
Location of Twin Communities (Proposed)
MIRAMAR RANCH NORTH COMMUNITY PLAN

LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
VERY LOW RESIDENTIAL 0-3 DU/NET ACRE	
LOW RESIDENTIAL 3-6 DU/NET ACRE	
LOW-MEDIUM RESIDENTIAL 6-9 DU/NET ACRE	
MEDIUM RESIDENTIAL 9-12 DU/NET ACRE	
MEDIUM-HIGH RESIDENTIAL 12-24 DU/NET ACRE	
MODERATE INCOME HOUSING 12-24 DU/NET AC.	
INDUSTRIAL/ BUSINESS PARK	
COMMERCIAL DEVELOPMENT	
ELEMENTARY SCHOOL	
JR. HIGH SCHOOL	
OTHER PUBLIC OR COMMUNITY FACILITY	
ACTIVE AND PASSIVE USE PARKS	
OPEN SPACE	

NOTES:

Alignment of roads shown may change during final design.

*Fire Station

**MHPA: Multiple Habitat Planning Area

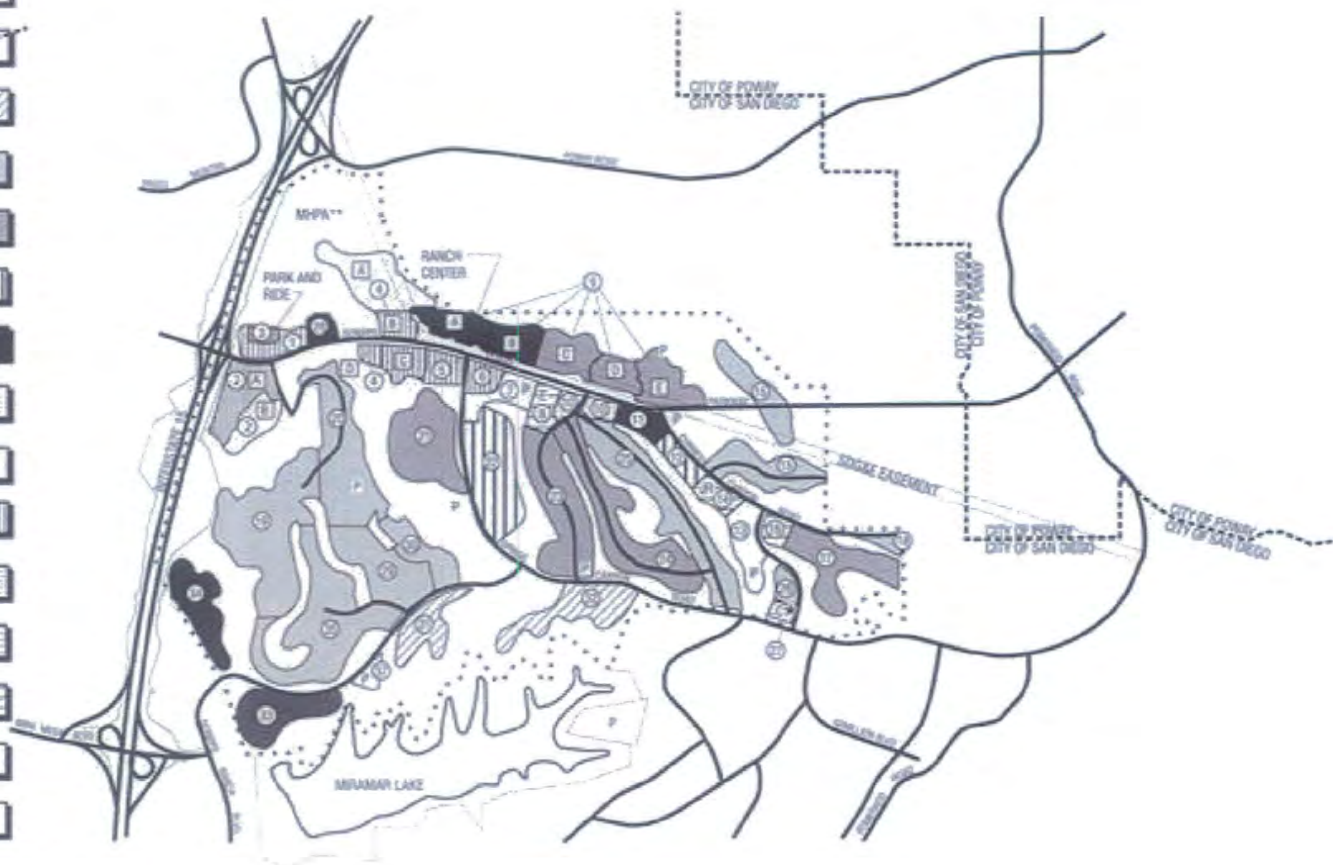


FIGURE 4
Land Use Plan (Proposed)
MIRAMAR RANCH NORTH COMMUNITY PLAN

May 21, 1987 Revised May 14, 1991 Revised April 29, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998 Revised December 2013 Revised _____, 2016

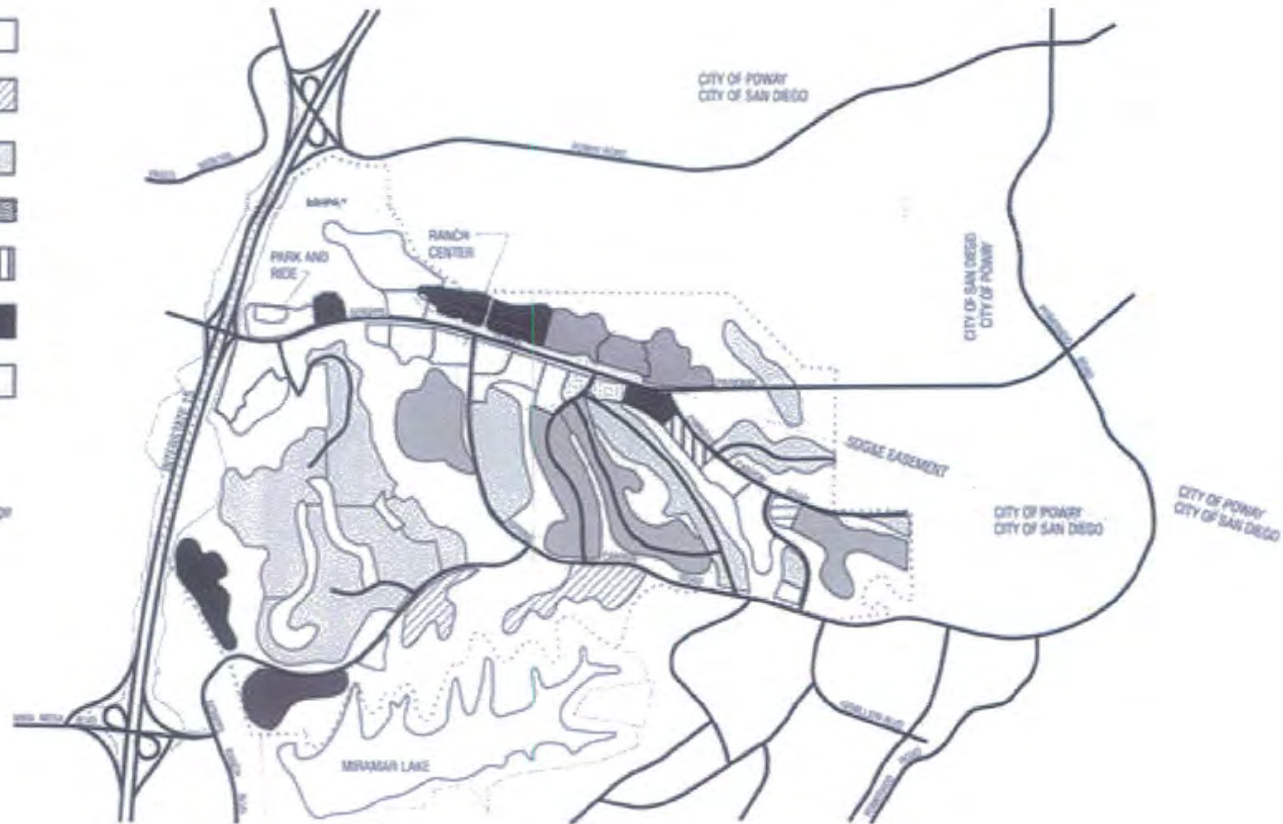
LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
VERY LOW RESIDENTIAL 0-3 DU/NET ACRE	
LOW RESIDENTIAL 3-6 DU/NET ACRE	
LOW-MEDIUM RESIDENTIAL 6-9 DU/NET ACRE	
MEDIUM RESIDENTIAL 9-12 DU/NET ACRE	
MEDIUM-HIGH RESIDENTIAL 12-24 DU/NET ACRE	
MODERATE INCOME HOUSING 12-24 DU/NET AC.	

NOTES:

Alignment of roads shown may change during final design.

*MHPA: Multiple Habitat Planning Area

**FIGURE 11**

Location of Residential Development (Proposed)

MIRAMAR RANCH NORTH COMMUNITY PLAN

May 21, 1987 Revised May 14, 1991 Revised April 29, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998 Revised December 2013 Revised _____, 2016





LEGEND:

PLANNING AREA
BOUNDARY
NEIGHBORHOOD
COMMERCIAL
COMMUNITY
COMMERCIAL
REGIONAL
COMMERCIAL
GENERAL
COMMERCIAL
COMMERCIAL
RECREATION

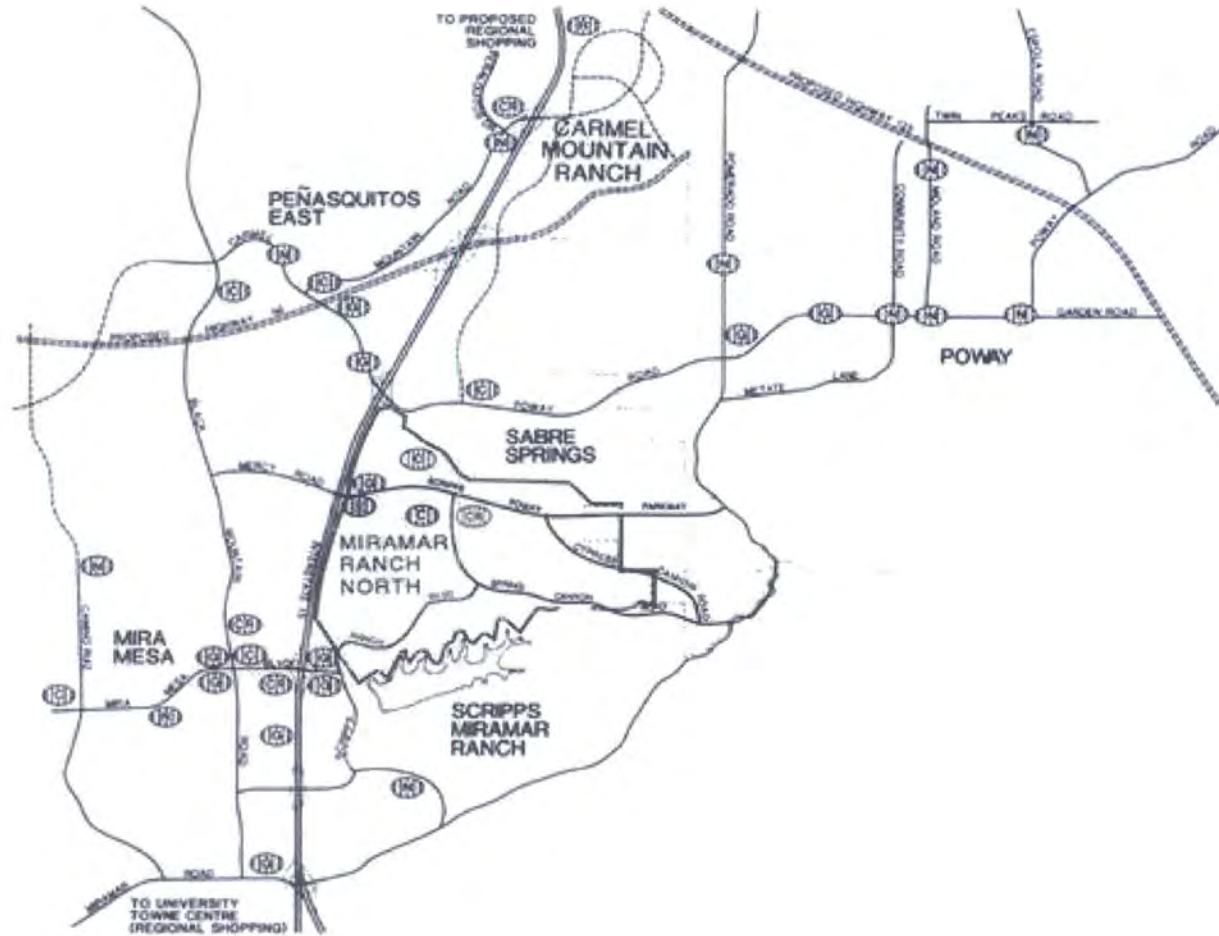


FIGURE 16
Areawide Commercial Facilities (Proposed)
MIRAMAR RANCH NORTH COMMUNITY PLAN



LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
COMMERCIAL SHOPPING CENTER	
OPTIONAL COMMERCIAL OFFICE	
COMMERCIAL RECREATION	
REGIONAL COMMERCIAL	

NOTES:

Alignment of roads shown may change during final design.

*MHPA: Multiple Habitat Planning Area

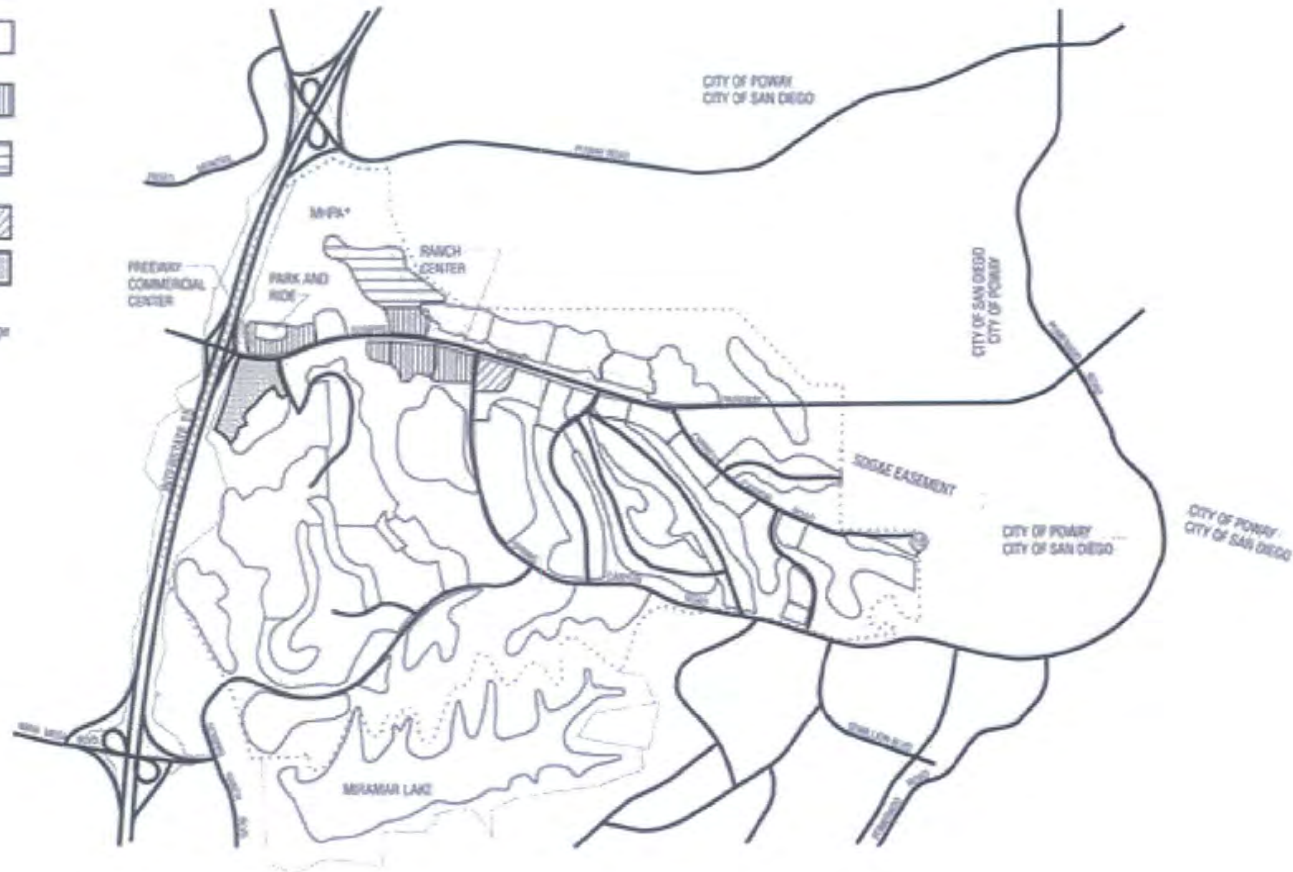





FIGURE 17
Location of Commercial Development (Proposed)
MIRAMAR RANCH NORTH COMMUNITY PLAN

LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
ACTIVE USE PARKS	
PASSIVE USE OR POCKET PARKS (LOCATION APPROX.)	
OPTIONAL PRIVATE RECREATION	
SCHOOL RECREATION FACILITY	

NOTES:

Alignment of roads shown may change during final design.

*MHPA: Multiple Habitat Planning Area

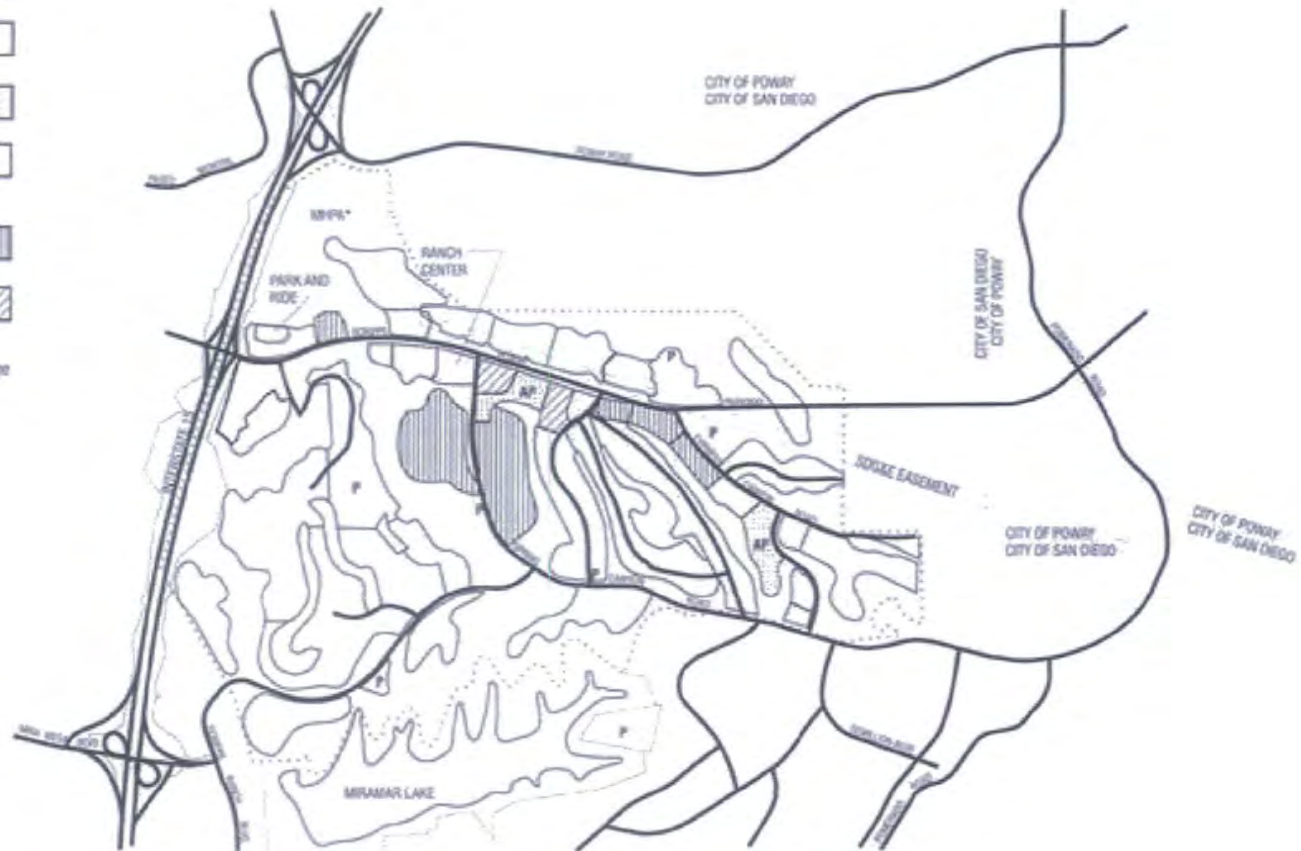


FIGURE 18
Parks and Recreation System (Proposed)
MIRAMAR RANCH NORTH COMMUNITY PLAN



FIGURE 32
Open Space System (Proposed)
MIRAMAR RANCH NORTH COMMUNITY PLAN

LEGEND:

1. Freeway Commercial Center
2. Watermark / MedImpact Site
 - A. Regional Commercial
 - B. Industrial
3. Mercy Park and Ride
 - A. Industrial
 - B. Commercial
 - C. Commercial
 - D. Commercial
5. Community Commercial
6. Commercial Recreation
7. Spring Canyon Park
8. Ranch Center Elementary School
 - A. Medium-High Residential
 - B. Medium-High Residential
 - C. Low-Medium Residential
 - D. Low-Medium Residential
 - E. Low-Medium Residential
10. Medium-High Residential
11. Medium-High Residential
12. Medium Residential
13. Scripps Community Park
14. Eastern Elementary School
15. Low Residential
16. Religious Building Site
17. Low-Medium Residential
18. Low Residential
19. Low Residential
20. Low Residential
21. Medium Residential
22. Medium Residential
23. Low-Medium Residential
24. Low-Medium Residential
25. Low Residential
26. Low Residential
27. Fire Station
28. Medium-High Residential
29. Low Residential
30. Low Residential
31. Very Low Residential
32. Very Low Residential
33. Medium-High Residential
34. Medium-High Residential
35. Low Residential
37. Lakeview Park
38. Special Open Space Preserve

NOTES:

Alignment of roads shown may change during final design.

*MHRP: Multiple Habitat Planning Area

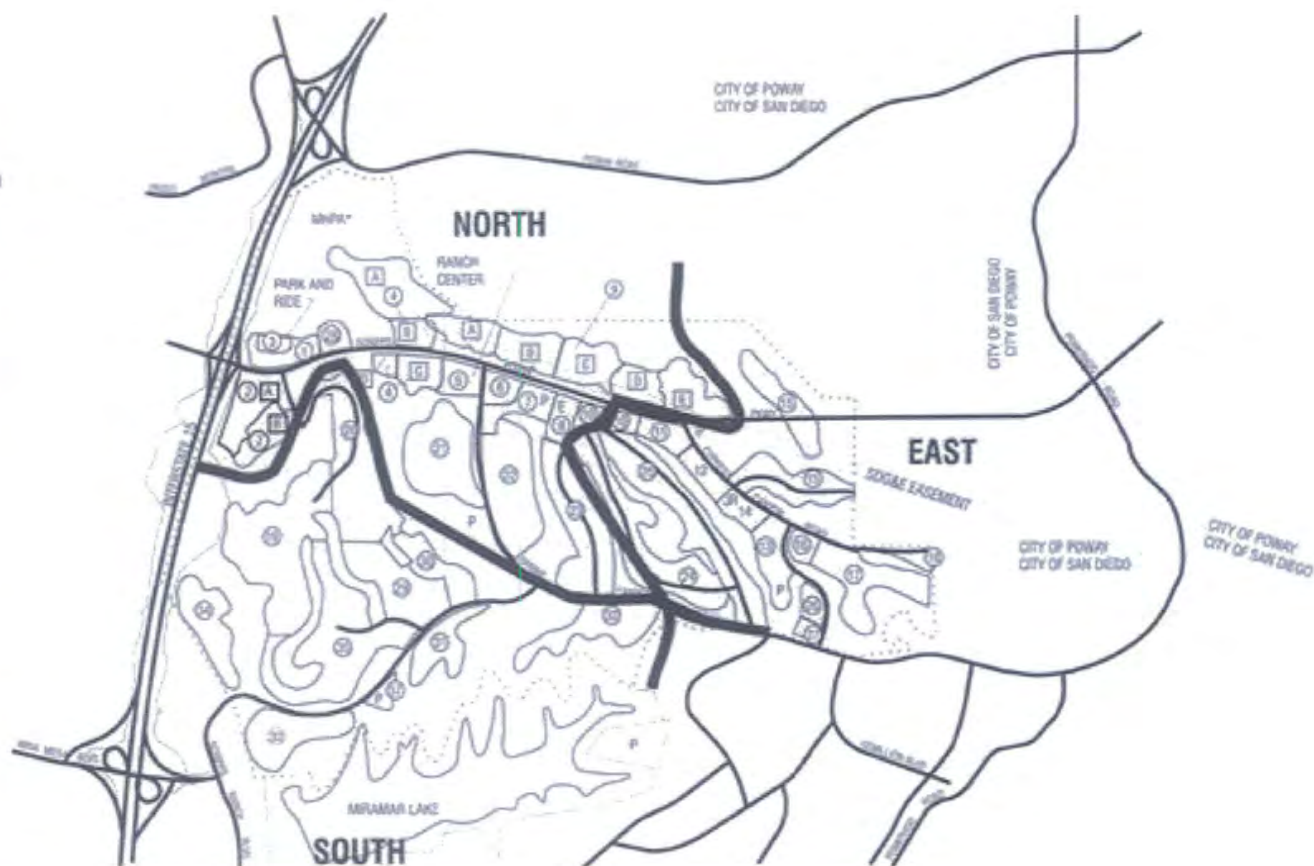


FIGURE 34
Phasing Index (Proposed)
MIRAMAR RANCH NORTH COMMUNITY PLAN

LEGEND:PROPOSED
ZONE CHANGE

LOT	ACRES	EXISTING ZONE	PROPOSED ZONE
A	45.5	R-1500	
B	110.3	R1-10,000	
C	59.4	CR-2-1	
		IP-2-1	
D	11.9	CA	
E	18.9	R-1500	
F	130.8	M-P	M-IPCA, R-1500
G	114.6	R1-8000	
H	83.2	R-3000	
I	16.4	CN, CR	CA
J	10.7	CR	
		R1-5000	
K	51.7	R-3000	
L	279.9	R1-5000	
M	151.0	A-1-10	R1-8000
		R-3000	
N	10.1	R1-6000	
O	63.3	R1-6000	
P	138.1	M-P	R1-5000, R-1500
Q	29.9	R1-5000	
R	18.9	R1-5000	
S	15.4	R-3000	
T	24.3	R1-8000	
U	105.0	A-1-10	R1-6000
V	61.0	M-L	R-1500
W	35.0	A-1-10	R1-5000
X	38.5	S-87	R1-6000
Y	54.0	A-1-10	R1-6000
Z	74.0	A-1-10	
AA	4.0	A-1-10	
BB	17.0	A-1-10	
CC	54.0	A-1-10	R1-6000

NOTES:

Alignment of roads shown may change
during final design.

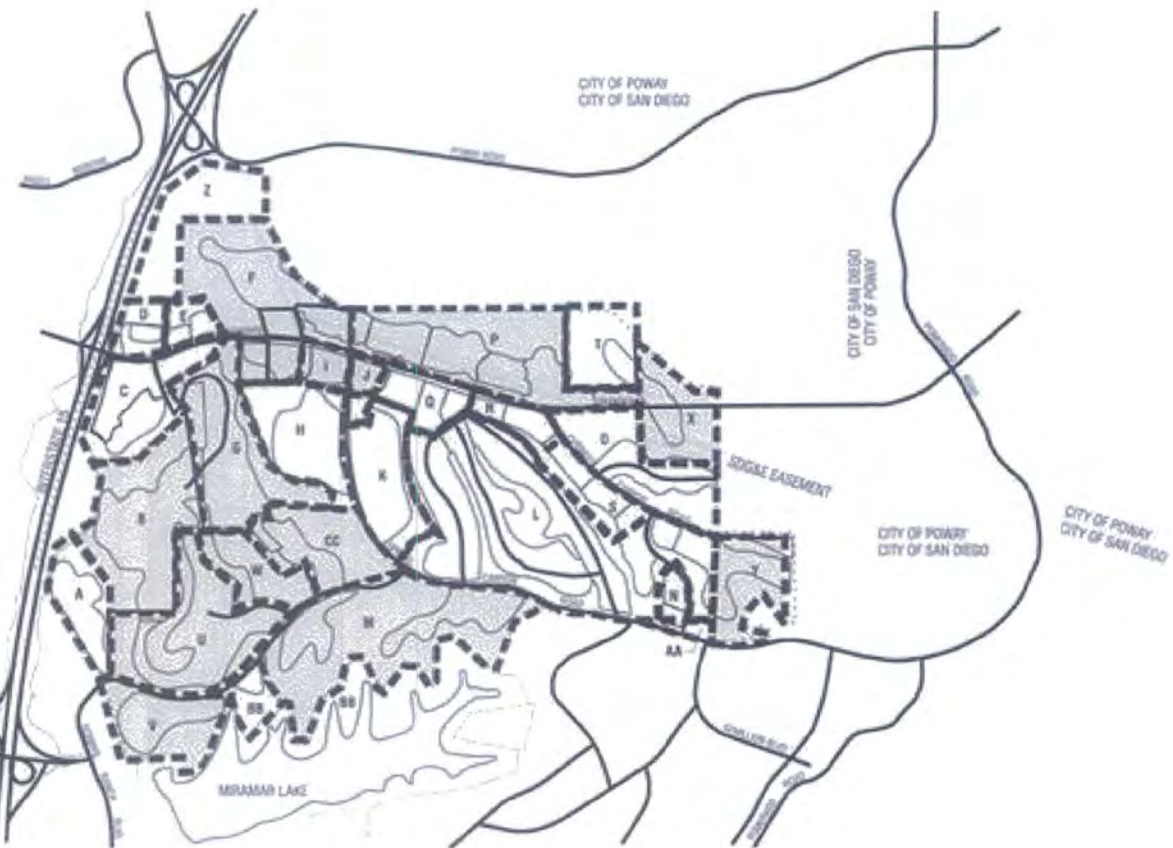


FIGURE 35
Zoning (Proposed)
MIRAMAR RANCH NORTH COMMUNITY PLAN

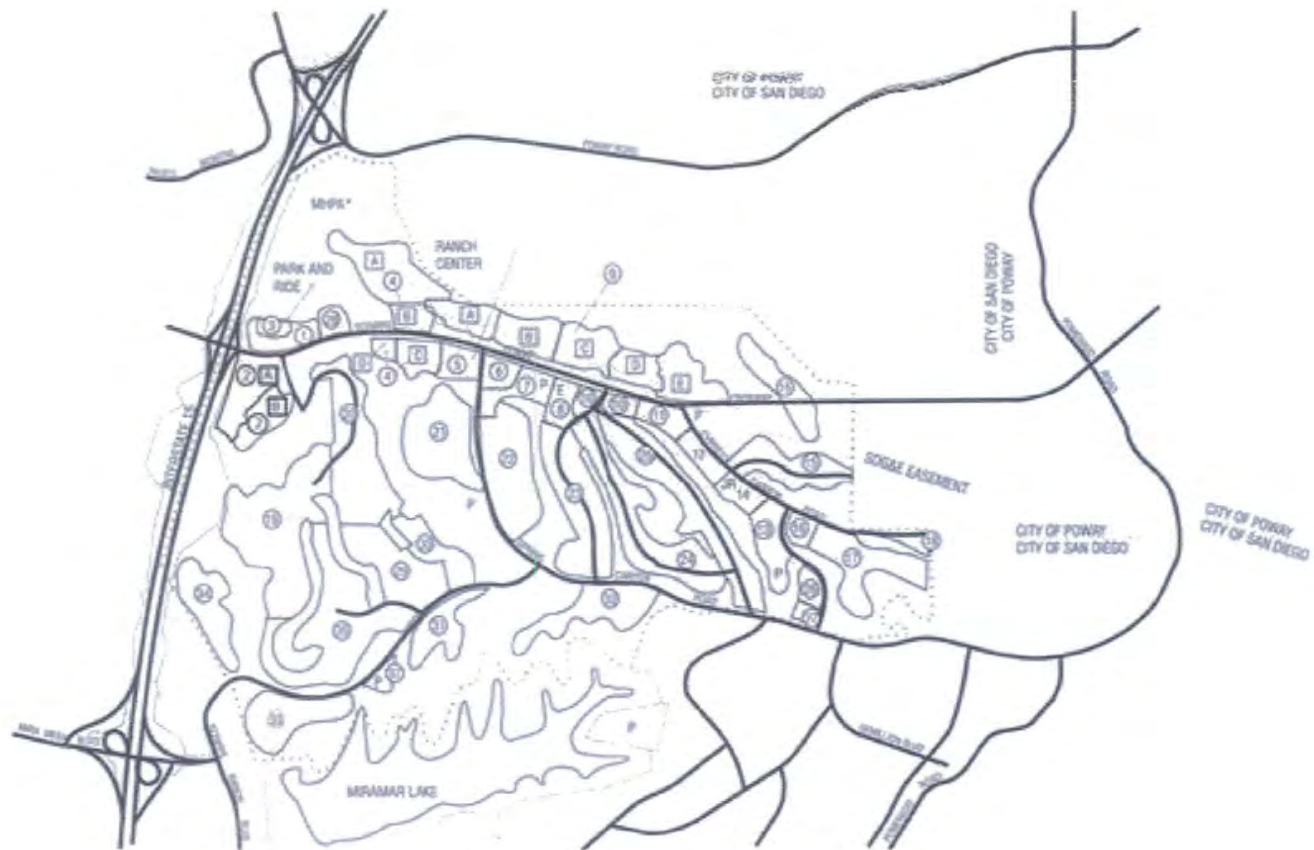
LEGEND:

1. Freeway Commercial Center
2. A. Regional Commercial
B. Industrial
3. Mercy Park and Ride
4. A. Industrial
B. Commercial
C. Commercial
D. Commercial
5. Community Commercial
6. Commercial Recreation
7. Spring Canyon Park
8. Ranch Center Elementary School
9. A. Medium-High Residential
B. Medium-High Residential
C. Low-Medium Residential
D. Low-Medium Residential
E. Low-Medium Residential
10. Medium-High Residential
11. Medium-High Residential
12. Medium Residential
13. Scripps Community Park
14. Eastern Elementary School
15. Low Residential
16. Religious Building Site
17. Low-Medium Residential
18. Low Residential
19. Low Residential
20. Low Residential
21. Medium Residential
22. Medium Residential
23. Low-Medium Residential
24. Low-Medium Residential
25. Low-Medium Residential
26. Low Residential
27. Fire Station
28. Medium-High Residential
29. Low Residential
30. Low Residential
31. Very Low Residential
32. Very Low Residential
33. Medium-High Residential
34. Medium-High Residential
35. Low Residential
37. Lakeview Park
38. Special Open Space Preserve

NOTES:

Alignment of roads shown may change during final design.

*MHPA: Multiple Habitat Planning Area

FIGURE 36**Project Index (Proposed)****MIRAMAR RANCH NORTH COMMUNITY PLAN**

LEGEND:PLANNING AREA
BOUNDARYMUNICIPAL
BOUNDARY

RESIDENTIAL



LOW, VERY LOW



LOW-MEDIUM



MEDIUM



HIGH-MEDIUM



HIGH



COMMERCIAL AND OFFICE



INDUSTRIAL



INSTITUTIONAL



UNIVERSITY



SCHOOLS



PARK

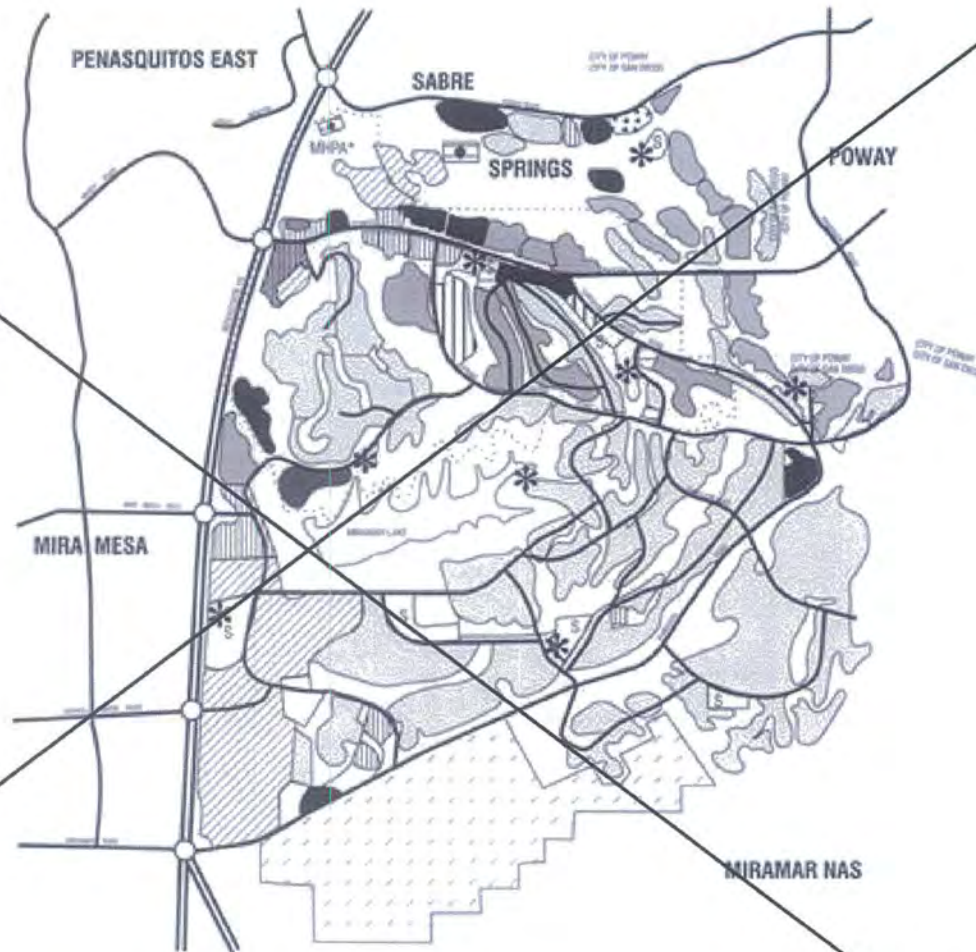
**NOTES:***Alignment of roads shown may change during final design.***MHPA: Multi-species Habitat Preservation Area*

FIGURE 3
Location of Twin Communities (Existing)
MIRAMAR RANCH NORTH COMMUNITY PLAN

May 21, 1987 Revised May 14, 1991 Revised April 25, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998 Revised December 2013

LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
VERY LOW RESIDENTIAL 0-3 DU/NET ACRE	
LOW RESIDENTIAL 3-6 DU/NET ACRE	
LOW-MEDIUM RESIDENTIAL 6-9 DU/NET ACRE	
MEDIUM RESIDENTIAL 9-12 DU/NET ACRE	
MEDIUM-HIGH RESIDENTIAL 12-24 DU/NET ACRE	
MODERATE INCOME HOUSING 12-24 DU/NET AC.	
INDUSTRIAL/ BUSINESS PARK	
COMMERCIAL DEVELOPMENT	
ELEMENTARY SCHOOL	
JR. HIGH SCHOOL	
OTHER PUBLIC OR COMMUNITY FACILITY	
ACTIVE AND PASSIVE USE PARKS	
OPEN SPACE	

NOTES:

Alignment of roads shown may change during final design

★ Fire Station

**MHPA: Multiple Habitat Planning Area

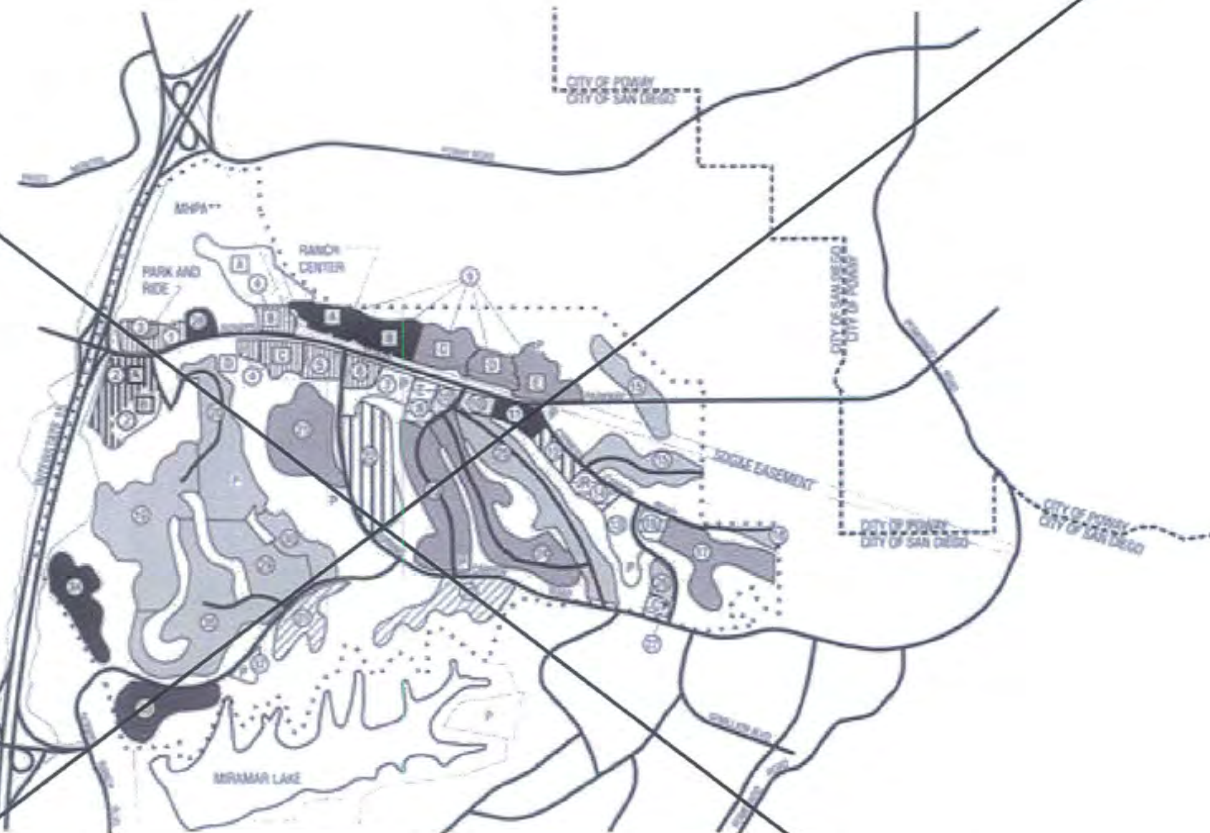






FIGURE 4

Land Use Plan (Existing)

MIRAMAR RANCH NORTH COMMUNITY PLAN

LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
VERY LOW RESIDENTIAL 0-3 DU/NET ACRE	
LOW RESIDENTIAL 3-6 DU/NET ACRE	
LOW-MEDIUM RESIDENTIAL 6-9 DU/NET ACRE	
MEDIUM RESIDENTIAL 9-12 DU/NET ACRE	
MEDIUM-HIGH RESIDENTIAL 12-24 DU/NET ACRE	
MODERATE INCOME HOUSING 12-24 DU/NET AC	

NOTES:

Alignment of roads shown may change during final design.

*MHPA: Multiple Habitat Planning Area

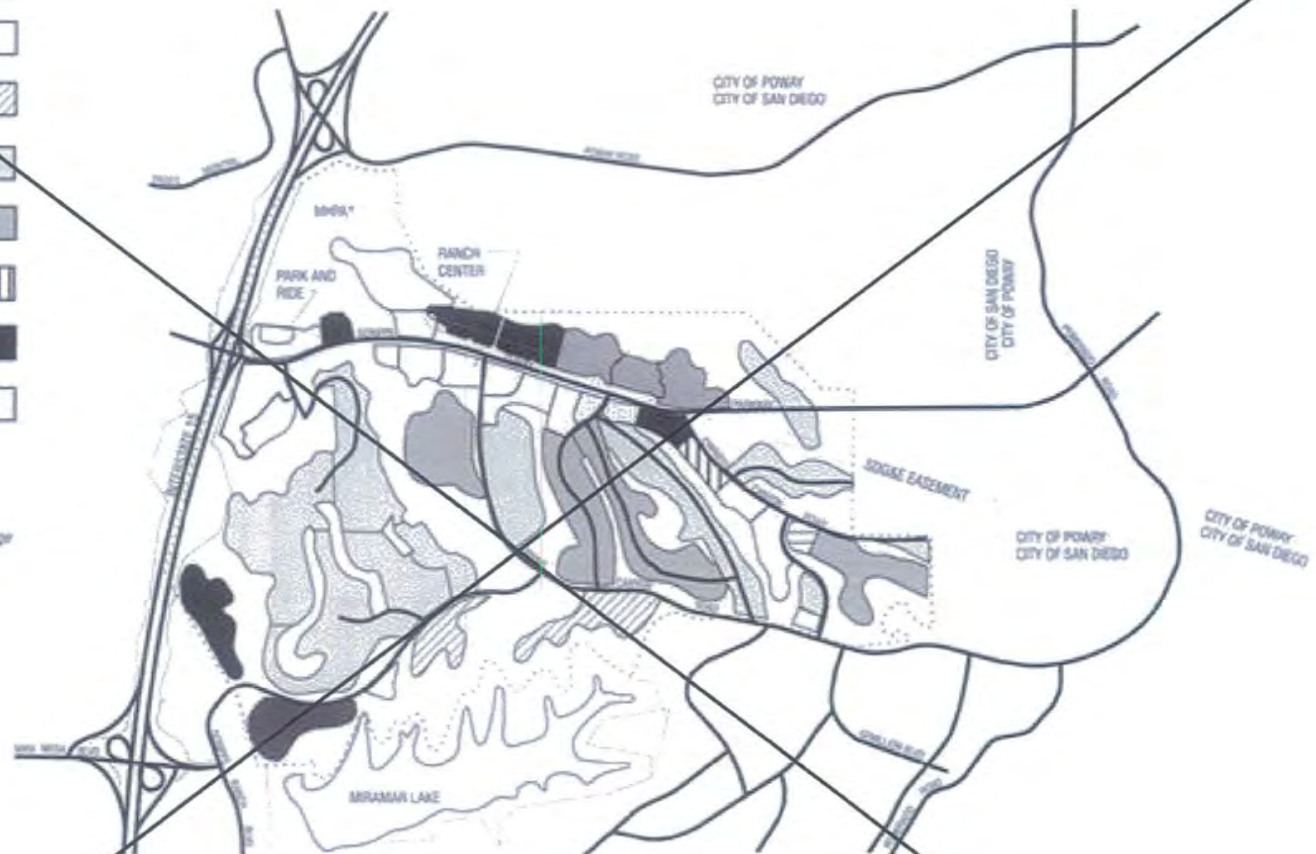
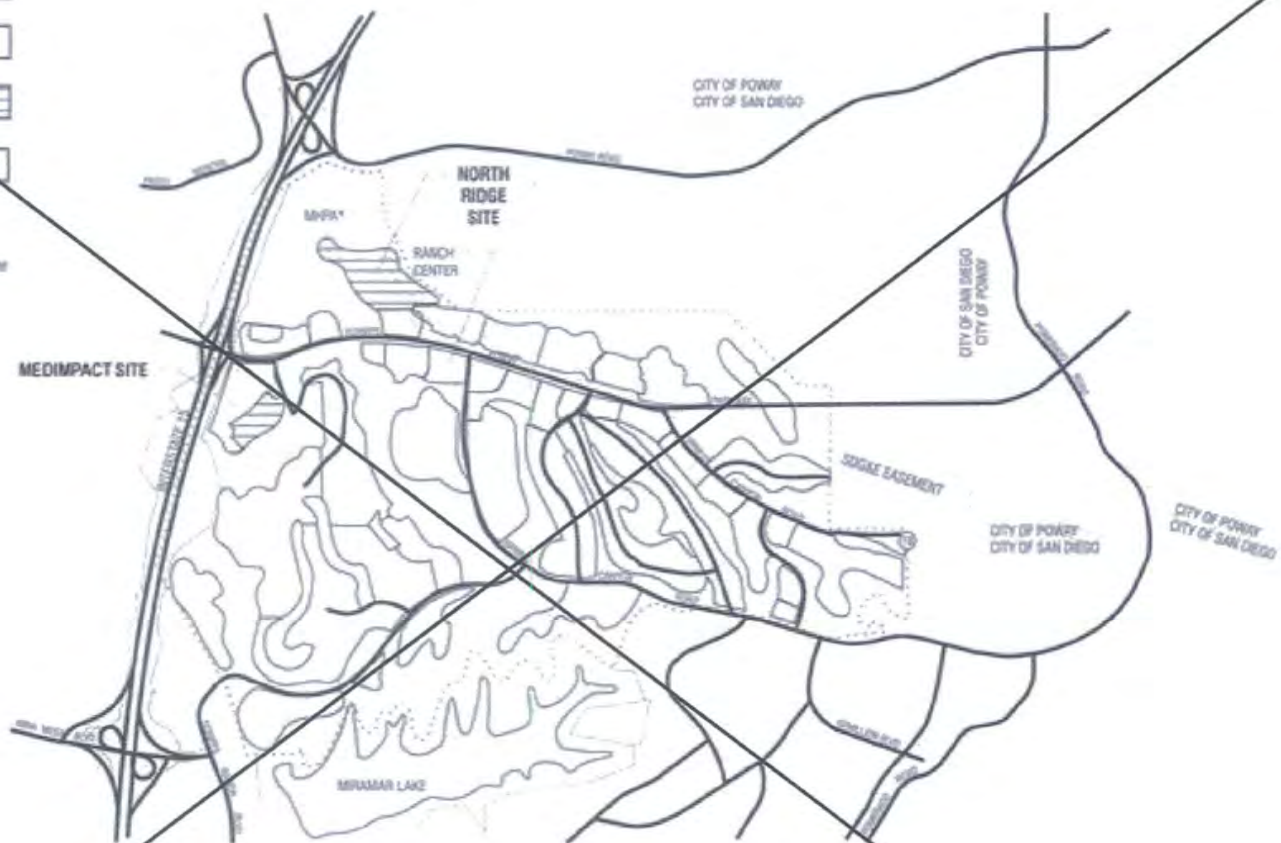


FIGURE 11
Location of Residential Development (Existing)
MIRAMAR RANCH NORTH COMMUNITY PLAN

LEGEND:PLANNING AREA
BOUNDARYMUNICIPAL
BOUNDARYINDUSTRIAL/
BUSINESS PARKPOWER
EASEMENT**NOTES:**

Alignment of roads shown may change
during final design.

*MHPA: Multiple Habitat
Planning Area

**FIGURE 15**

Location of Industrial Development (Existing)

MIRAMAR RANCH NORTH COMMUNITY PLAN

May 21, 1987 Revised May 14, 1991 Revised April 29, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998 Revised December 2011



LEGEND:

PLANNING AREA
BOUNDARY
NEIGHBORHOOD
COMMERCIAL
COMMUNITY
COMMERCIAL
REGIONAL
COMMERCIAL
GENERAL
COMMERCIAL
COMMERCIAL
RECREATION

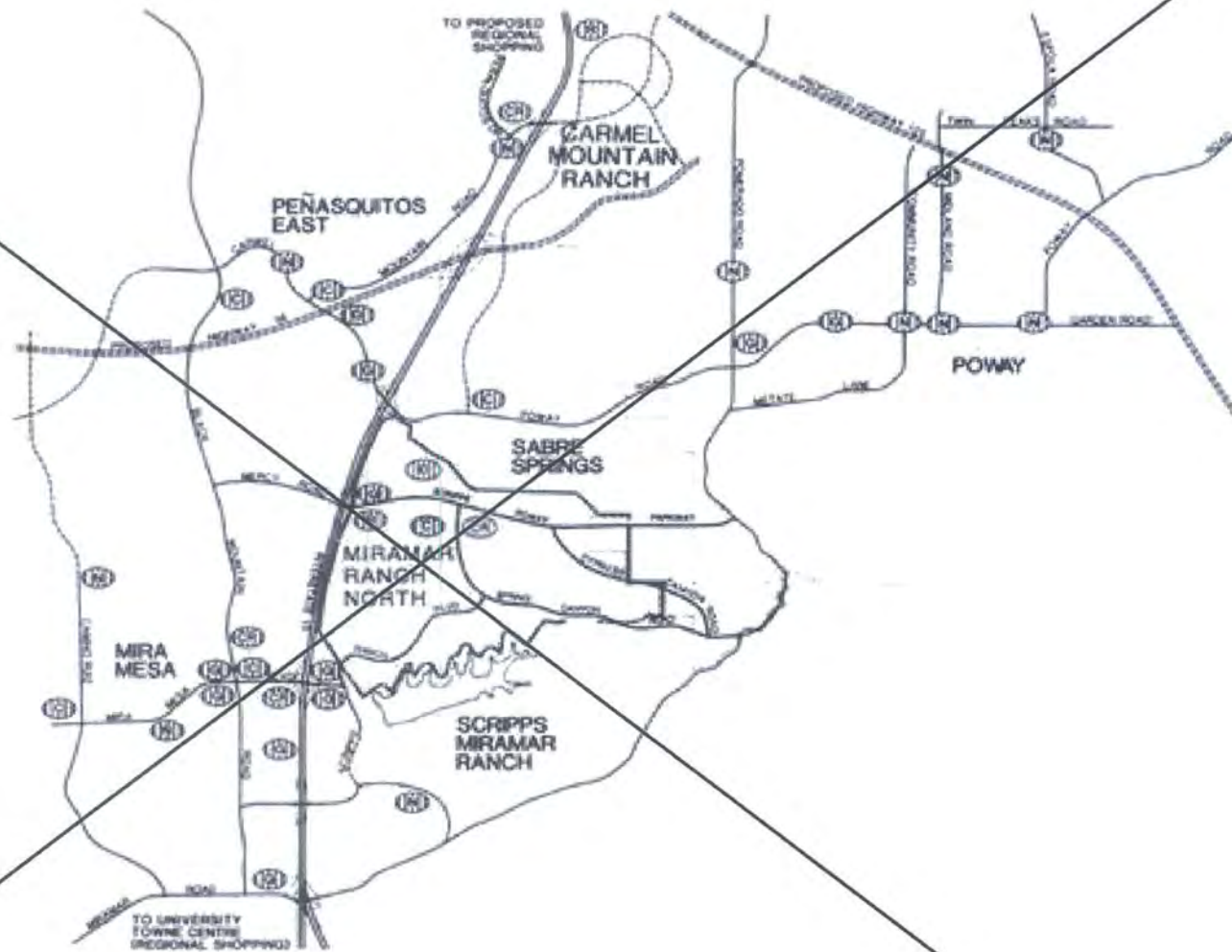
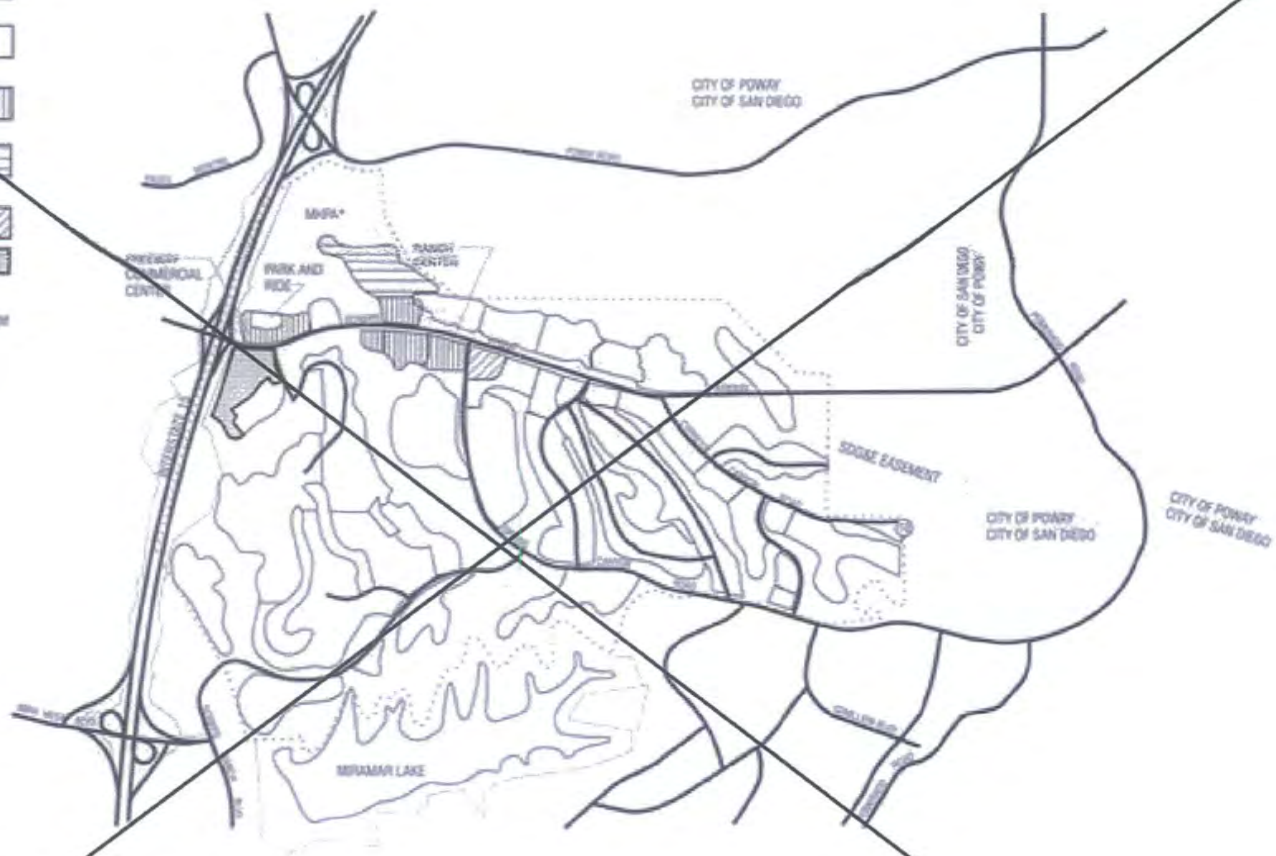


FIGURE 16

Areawide Commercial Facilities (Existing)

MIRAMAR RANCH NORTH COMMUNITY PLAN

LEGEND:PLANNING AREA
BOUNDARYMUNICIPAL
BOUNDARYCOMMERCIAL
SHOPPING CENTEROPTIONAL
COMMERCIAL OFFICECOMMERCIAL
RECREATIONREGIONAL
COMMERCIAL**NOTES:**Alignment of roads shown may change
during final design.*MHPA: Multiple Habitat
Planning Area**FIGURE 17**







Location of Commercial Development (Existing)

MIRAMAR RANCH NORTH COMMUNITY PLAN

May 21, 1987 Revised May 14, 1991 Revised April 25, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998 Revised December 2011



LEGEND:

- PLANNING AREA BOUNDARY 
- MUNICIPAL BOUNDARY 
- ACTIVE USE PARKS 
- PASSIVE USE OR POCKET PARKS (LOCATION APPROX.) 
- OPTIONAL PRIVATE RECREATION 
- SCHOOL RECREATION FACILITY 

NOTES:

Alignment of roads shown may change during final design.

*MHPA: Multiple Habitat Planning Area

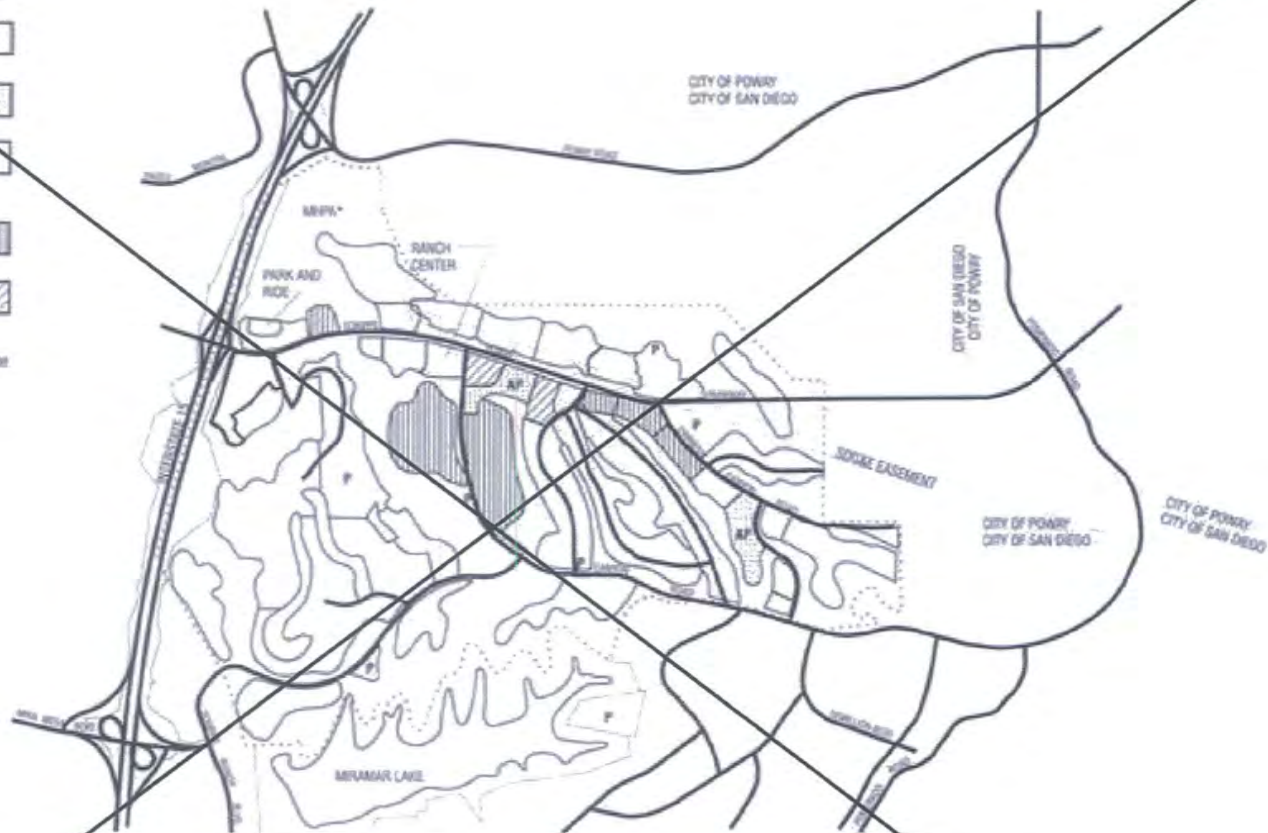


FIGURE 18
Parks and Recreation System (Existing)
MIRAMAR RANCH NORTH COMMUNITY PLAN

May 21, 1987 Revised May 14, 1991 Revised April 29, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998 Revised December 2013



LEGEND:

PLANNING AREA BOUNDARY	
MUNICIPAL BOUNDARY	
NATURAL OPEN SPACE	
TRANSITION	
SLOPES > 30°	
SPECIAL OPEN SPACE RESERVE	
SPECIAL BIOLOGICAL STUDY	
OPTIONAL WILDLIFE CATCHMENTS	
PARK AND PARK OPEN SPACE	

ACRES OF OPEN SPACE	
NATURAL	671
TRANSITION	129
SLOPES > 30°	110
PARKS/FIELDS	41
TOTAL	951



FIGURE 32
Open Space System (Existing)
MIRAMAR RANCH NORTH COMMUNITY PLAN

May 21, 1987 Revised May 14, 1991 Revised April 25, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1996 Revised December 2013



LEGEND:

1. Freeway Commercial Center
2. Watermark / MedImpact Site
 - A. Regional Commercial
 - B. Industrial
3. Mercy Park and Ride
 - A. Industrial
 - B. Commercial
 - C. Commercial
 - D. Commercial
5. Community Commercial
6. Commercial Recreation
7. Spring Canyon Park
8. Ranch Center Elementary School
 - A. Medium-High Residential
 - B. Medium-High Residential
 - C. Low-Medium Residential
 - D. Low-Medium Residential
 - E. Low-Medium Residential
10. Medium-High Residential
11. Medium-High Residential
12. Medium Residential
13. Scripps Community Park
14. Eastern Elementary School
15. Low Residential
16. Religious Building Site
17. Low-Medium Residential
18. Low Residential
19. Low Residential
20. Low Residential
21. Medium Residential
22. Medium Residential
23. Low-Medium Residential
24. Low-Medium Residential
25. Low Residential
26. Low Residential
27. Fire Station
28. Medium-High Residential
29. Low Residential
30. Low Residential
31. Very Low Residential
32. Very Low Residential
33. Medium-High Residential
34. Medium-High Residential
35. Low Residential
37. Lakeview Park
38. Special Open Space Preserve

NOTES:

Alignment of roads shown may change during final design.

*MHPA: Multiple Habitat Planning Area

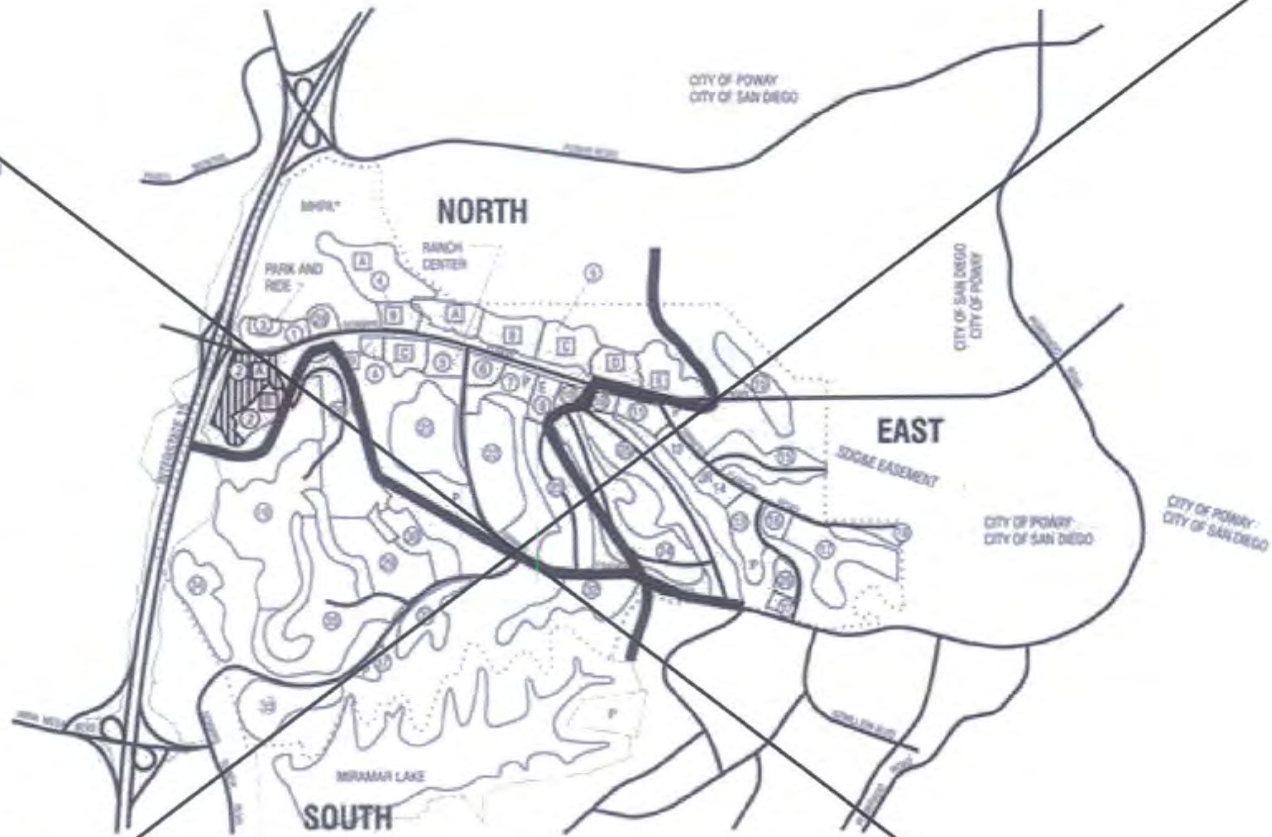


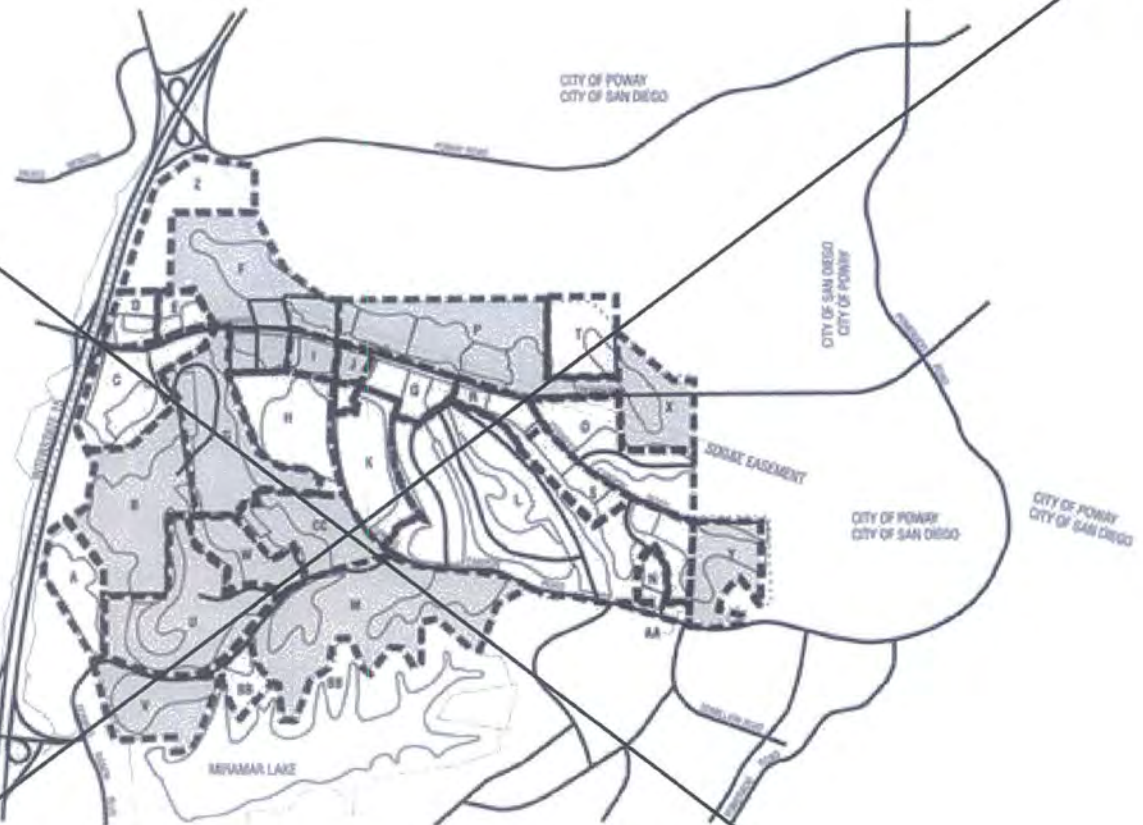
FIGURE 34
Phasing Index (Existing)
MIRAMAR RANCH NORTH COMMUNITY PLAN

LEGEND:PROPOSED
ZONE CHANGE

LOT	ACRES	EXISTING ZONE	PROPOSED ZONE
A	43.5	R-1500	
B	110.3	R-10,000	
C	59.4	CR-2-1	
		IP-2-1	
D	11.9	CA	
E	18.9	R-1500	
F	130.8	M-IP	M-REC R-1500
G	114.6	R1-8000	
H	83.2	R-3000	
I	16.4	CHLR	CA
J	10.7	CR	
		R1-5000	
K	51.7	R-3000	
L	279.9	R1-5000	
M	151.0	A-1-10	R1-8000
		R-3000	
N	10.1	R1-6000	
O	63.3	R1-6000	
P	138.1	M-IP	R1-5000, R-1500
Q	29.9	R1-5000	
R	18.9	R1-5000	
S	15.4	R-3000	
T	24.3	R1-6000	
U	105.0	A-1-10	R1-6000
V	61.0	M-IP	R-1500
W	35.0	A-1-10	R1-5000
X	38.5	S-87	R1-6000
Y	54.0	A-1-10	R1-6000
Z	74.0	A-1-10	
AA	4.0	A-1-10	
BB	17.0	A-1-10	
CC	54.0	A-1-10	R1-6000

NOTES:

Alignment of roads shown may change during final design.

**FIGURE 35****Zoning (Existing)****MIRAMAR RANCH NORTH COMMUNITY PLAN**

May 21, 1987 Revised May 14, 1991 Revised April 25, 1994 Revised October 11, 1994 Revised June, 1995 Revised January 1998 Revised December 2011



LEGEND:

1. Freeway Commercial Center
2. Watermark / MedImpact Site
3. Regional Commercial
4. Industrial
5. Mercy Park and Ride
6. A. Industrial
7. B. Commercial
8. C. Commercial
9. D. Commercial
10. Community Commercial
11. Commercial Recreation
12. Spring Canyon Park
13. Ranch Center Elementary School
14. A. Medium-High Residential
15. B. Medium-High Residential
16. C. Low-Medium Residential
17. D. Low-Medium Residential
18. E. Low-Medium Residential
19. Medium-High Residential
20. Medium-High Residential
21. Medium Residential
22. Scripps Community Park
23. Eastern Elementary School
24. Low Residential
25. Religious Building Site
26. Low-Medium Residential
27. Low Residential
28. Low Residential
29. Low Residential
30. Low Residential
31. Medium Residential
32. Medium Residential
33. Low-Medium Residential
34. Low-Medium Residential
35. Low-Medium Residential
36. Low Residential
37. Fire Station
38. Medium-High Residential
39. Low Residential
40. Low Residential
41. Very Low Residential
42. Very Low Residential
43. Medium-High Residential
44. Medium-High Residential
45. Low Residential
46. Lakewood Park
47. Special Open Space Preserve

NOTES:

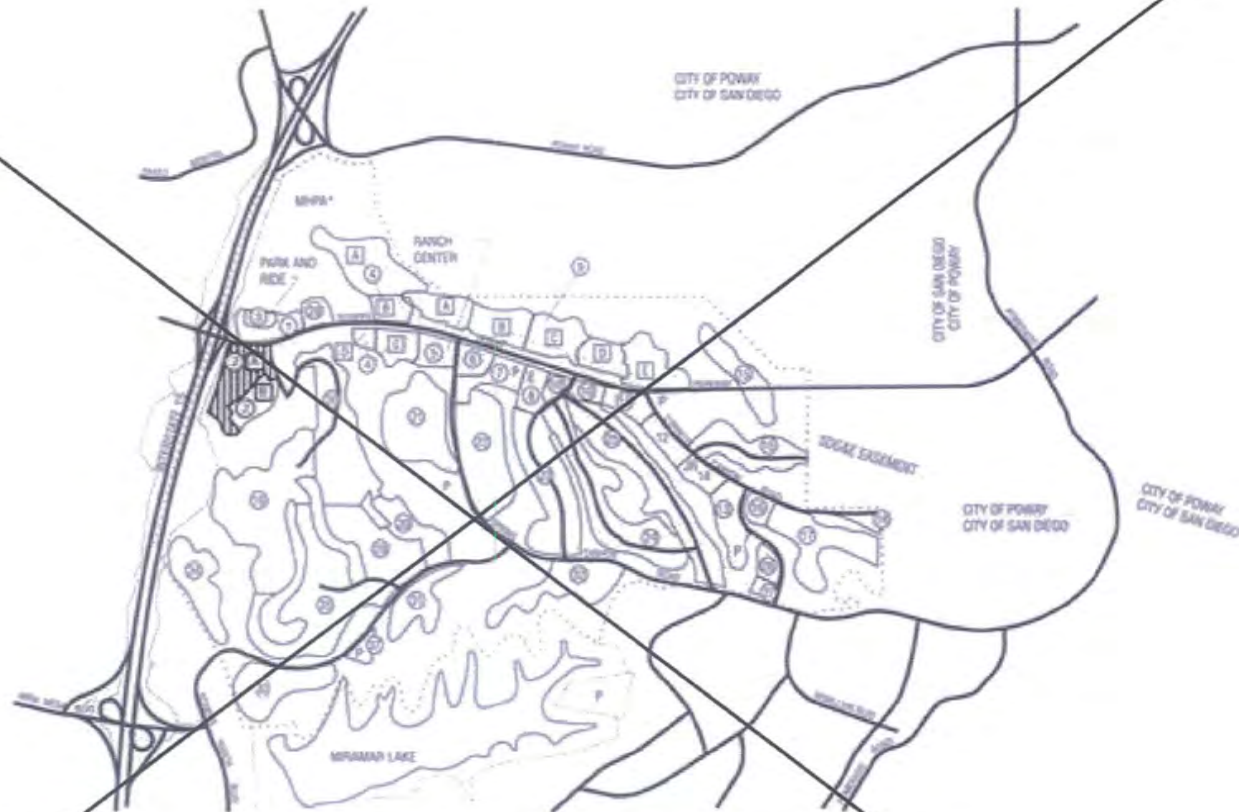
Alignment of roads shown may change during final design.

*MHPA: Multiple Habitat Planning Area

FIGURE 36

Project Index (Existing)

MIRAMAR RANCH NORTH COMMUNITY PLAN



Rezone Ordinance

(O-INSERT~)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 0.95-ACRES LOCATED AT 10137 SCRIPPS GATEWAY COURT, WITHIN THE MIRAMAR RANCH NORTH COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CR-2-1 ZONE INTO THE IP-2-1 ZONE AND 0.95-ACRES LOCATED AT 10181 SCRIPPS GATEWAY COURT, WITHIN THE MIRAMAR RANCH NORTH COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO FROM THE IP-2-1 ZONE INTO THE CR-2-1 ZONE; AND REPEALING ORDINANCE NO. 15612 (NEW SERIES), ADOPTED NOVEMBER 16, 1981, OF THE ORDINANCES OF THE CITY OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICT HEREWITH.

WHEREAS, under Charter section 280(a)(2) this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on evidence presented; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That 0.95-acres located at 10137 Scripps Gateway Court, within the Miramar Ranch North community plan area, and legally described as Lots 1-6 and A-C of Scripps Gateway Unit No. 2, Map No. 14004, in the City of San Diego, California, as shown on Zone Map Drawing No. B-39518 filed in the office of the City Clerk as Document No. OO-_____, (Rezone No. 1560928) are rezoned from the CR-2-1 zone into the IP-2-1 zone.

Section 2. That 0.95-acres located at 10181 Scripps Gateway Court, within the Miramar Ranch North community plan area, and legally described as Lots 1-6 and A-C of Scripps Gateway Unit No. 2, Map No. 14004, in the City of San Diego, California, as shown on Zone Map Drawing No. B-39518 filed in

the office of the City Clerk as Document No. OO- _____, (Rezone No. 1560928) are rezoned from the IP-2-1 zone into the CR-2-1 zone.

Section 3. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 3. That Ordinance No. 15612 (New Series), adopted November 16, 1981, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

Section 4. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

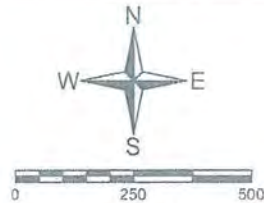
Section 5. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: JAN GOLDSMITH, City Attorney

By _____
Shannon Thomas
Deputy City Attorney

Initials~
Date~
Or.Dept: INSERT~
Case No. 443731
O-XXXX

EXHIBIT "A"



ZONING AREA SUMMARY

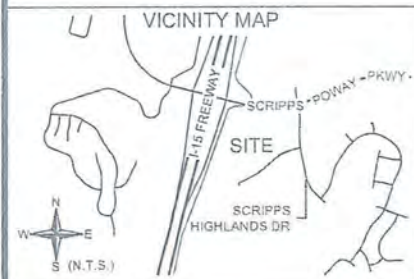
PARCEL A	CR TO IP	0.19 AC
PARCEL B	CR TO IP	0.76 AC
PARCEL C	IP TO CR	0.93 AC
PARCEL D	IP TO CR	0.02 AC

TOTAL C.R. TO I.P. = 0.95 AC
 TOTAL I.P. TO C.R. = 0.95 AC

- (1) FUTURE PARCEL LINES AS PART OF FINAL MAP
 (2) EXISTING PARCEL LINES PER VESTING TENTATIVE MAP 651698

LEGEND

- EXISTING PARCEL LINES PER MAP NO. 14004
 --- PROPOSED PARCEL LINES
 --- VESTING TENTATIVE MAP 651698 PARCEL BOUNDARY
 --- PROPOSED REZONING BOUNDARY
 [Hatched Box] AREAS REZONED TO CR DESIGNATION
 [Diagonal Lines Box] AREAS REZONED TO IP DESIGNATION
 (X) EXISTING PARCEL NUMBER
 CR COMMERCIAL REGIONAL ZONE
 IP INDUSTRIAL PARK ZONE



Gregory W. Lang
 GREG W. LANG RCE 68075

PASCO LARET SUITER

535 North Highway 101, Ste A, Solana Beach, CA 92075
 ph 858.259.8212 | fx 858.259.4812 | plsaeengineering.com



REZONING EXHIBIT

PORTION OF LOTS 1 AND 2 OF SCRIPPS GATEWAY UNIT NO. 2, ACCORDING TO MAP THEREOF NO. 14004

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO SHEET 1 OF 1	I.O.# 24006180 P.T.S.# 443731
ORIGINAL	MDB	✓	7/13/16		<i>For City Engineer</i> FOR CITY ENGINEER	1920-6295 CCS 83 COORD
					DATE 7/13/16	280-1735 LAMBERT COORD
Complete						39518-1-B
STATUS						

ORDINANCE NUMBER O- 20335 (NEW SERIES)DATE OF FINAL PASSAGE JAN 14 2014

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REZONE OF 22.42 ACRES LOCATED AT 10137 SCRIPPS GATEWAY COURT, WITHIN THE MIRAMAR RANCH NORTH COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE IP-2-1 ZONE INTO THE CR-2-1 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0503; AND REPEALING ORDINANCE NO. 15612 (NEW SERIES), ADOPTED NOVEMBER 16, 1981, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HERewith.

WHEREAS, Scripps Highland Partners, LLC, Applicant, requested a rezone for the purpose of changing 22.42 acres, located at 10137 Scripps Gateway Court, and legally described as Lots 1-6 and A-C of Scripps Gateway Unit No. 2, Map No. 14004, in the Miramar Ranch North Community Plan area, in the City of San Diego, California, from the IP-2-1 zone to the CR-2-1 zone, as shown on Zone Map Drawing No. B-4296, on file in the Office of the City Clerk as Document No. OO- 20335 (Rezone No. 651700), and

WHEREAS, on October 24, 2013, the Planning Commission of the City of San Diego considered Rezone No. 651700, and voted 4-1-2 to recommend City Council approval of Rezone No. 651700; and

WHEREAS, the matter was set for public hearing on DEC 16 2013, testimony having been heard, evidence having been submitted and the City Council having full considered the matter and being fully advised concerning the same; and

WHEREAS, under Charter section 280(a)(2), this ordinance is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on evidence presented; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

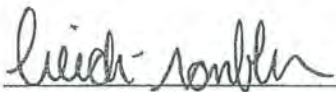
Section 1. That the 22.42-acre site located at 10137 Scripps Gateway Court, and legally described as Lots 1-6 and A-C of Scripps Gateway Unit No. 2, Map No. 14004, in the Miramar Ranch North Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4296, on file in the Office of the City Clerk as Document No. OO- 20335 is rezoned from the IP-2-1 zone to the CR-2-1 zone, as the zone is described and defined by San Diego Municipal Code Section 131.0503. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. 15612 (New Series), adopted November 16, 1981, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:nja
11/13/13
Or.Dept:DSD
Doc. No. 673127

Passed by the Council of The City of San Diego on JAN 14 2014, by the following vote: **ATTACHMENT 8**

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 14 2014

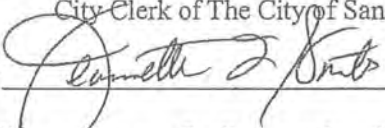
AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By , Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 16 2013

, and on JAN 14 2014

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- **20335**

RESOLUTION NUMBER R- 308659DATE OF FINAL PASSAGE DEC 16 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO ADOPTING AN AMENDMENT TO THE GENERAL PLAN AND MIRAMAR RANCH NORTH COMMUNITY PLAN TO REDESIGNATE A 22.42 ACRE AREA LOCATED AT 10137 SCRIPPS GATEWAY COURT FROM INDUSTRIAL TO REGIONAL COMMERCIAL AND TO REMOVE THE PRIME INDUSTRIAL LAND DESIGNATION FROM THE AREA FOR THE WATERMARK PROJECT.

WHEREAS, Scripps Highlands Partners, LLC, requested an amendment to the General Plan and the Miramar Ranch North Community Plan to redesignate 22.42-acres located at 10137 Scripps Gateway Court site from Industrial to Regional Commercial and to remove the Prime Industrial Lands designation from the site (General Plan/Community Plan Amendment); and

WHEREAS, the site is legally described as Lots 1-6 and A-C of Scripps Gateway Unit No. 2, Map No. 14004, City of San Diego, County of San Diego, State of California; and

WHEREAS, a copy of the General Plan/Community Plan Amendment is on file in the Office of the City Clerk as Document No. RR- 308659; and

WHEREAS, under Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on DEC 16 2013, the City Council of the City of San Diego held a public hearing for the purpose of considering the General Plan/Community Plan Amendment; and

WHEREAS, on October 24, 2013, the Planning Commission of the City of San Diego considered the General Plan/Community Plan Amendment and voted 4-1-2 to recommend approval of the General Plan/Community Plan Amendment; and

WHEREAS, the Council has considered the following factors with respect to the General Plan/Community Plan Amendment: 1) consistency with the goals and policies of the General Plan and the Miramar Ranch North Community Plan; 2) additional public benefits to the community as compared to the plans; 3) availability of public facilities to serve the proposed increase in density/intensity, or their provision is addressed as part of the Community Plan Amendment; 4) the level and diversity of community support; 5) appropriateness of the size and boundary for the amendment site; 6) the provision of additional benefit to the community; 7) implementation of major General Plan and Miramar Ranch North Community Plan goals; and 8) the provision of public facilities; and

WHEREAS, the General Plan/Community Plan Amendment is supported by an evaluation of the prime industrial land criteria in General Plan Appendix C, EP-1, the collocation/conversion suitability factors in General Plan Appendix C, EP-2, and the potential contribution of the area to the local and regional economy, as set forth in The Watermark Final Environmental Impact Report No. 180357, on file in the Office of the City Clerk as Document No. RR- 308658; and

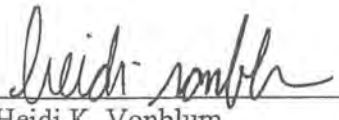
WHEREAS, the City Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it adopts the General Plan/Community Plan Amendment, a copy of which is on file in the Office of the City Clerk as

Document No. RR- 308659, contingent upon final passage of O- 20335

rezoning a portion of the site from the existing IP-2-1 zone into the CR-2-1 zone.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:nja
11/21/13
Or.Dept:DSD
Doc. No. 676160

Passed by the Council of The City of San Diego on DEC 16 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 16 2013.

(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT

as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 308659

RESOLUTION NUMBER R- 308661DATE OF FINAL PASSAGE DEC 16 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING PLANNED DEVELOPMENT
PERMIT NO. 651597 AND CONDITIONAL USE PERMIT
NO. 651699 FOR THE WATERMARK PROJECT - PROJECT
NO. 180357.

WHEREAS, Scripps Highlands Partners, LLC, a Delaware Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a Planned Development Permit No. 651597 and Conditional Use Permit No. 651699 (amendment to CUP No. 174323 and PDP No. 17234 and PDP No. 99-1027) to construct of a variety of retail stores, restaurants, stand alone market, office, movie theater and hotel totaling approximately 602,000 square feet, known as the Watermark project. The 34.5-acre site is located at 10137 Scripps Gateway Court in the IP-2-1 Zone (to be rezoned to the CR-2-1 Zone concurrent with this Permit), the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area within the Miramar Ranch North Community Plan and is legally described as: Lots 1-6 and A-C of Scripps Gateway Unit No. 2, Map No. 14004; and

WHEREAS, on October 24, 2013, the Planning Commission of the City of San Diego considered Planned Development Permit No. 651597 and Conditional Use Permit No. 651699 (amendment to CUP No. 174323 and PDP No. 17234 and PDP No. 99-1027) and voted to recommend approval of the Permit; and

WHEREAS, under Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the

decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on DEC 16 2013, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 651597 and Conditional Use Permit No. 651699 (amendment to CUP No. 174323 and PDP No. 17234 and PDP No. 99-1027):

**I. PLANNED DEVELOPMENT PERMIT - SAN DIEGO MUNICIPAL CODE
SECTION 126.0604**

A. Findings for all Planned Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The project site is located at 10137 Scripps Gateway Court in the IP-2-1 Zone and the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area Zone within the Miramar Ranch North Community Plan. The development includes a Rezone from the IP-2-1 zone to the CR-2-1 zone, General Plan and Community Plan amendments, a Vesting Tentative Map including easement and public right-of-way vacations, a Planned Development Permit, and a Conditional Use Permit for the development of a variety of commercial uses, offices, movie theater, and hotel. Approval of the permits, plan amendments and rezone would be processed concurrently.

The proposal would implement the General and Community plan goals by various means including through the location of the site itself, being immediately adjacent to a small neighborhood commercial shopping center to the north of the subject site that could be expanded, as it has significant potential for a village according to Figure LU-1 in the General Plan. Also, its location immediately adjacent to the I-15 would implement a General Plan goal for the City of Villages to connect mixed-use villages by transit, as well as the Commercial objective to locate commercial uses in relation to the circulation system. As an expansion of the freeway center to the north of the subject site, the proposal would implement a Community Plan commercial objective to locate commercial land uses to best serve consumer needs, especially in relation to the circulation system and the overall land use pattern of the community. The proposal would also integrate public gathering spaces into a village design. A movie theatre and a market would also be included, uses which are identified in the community plan for the freeway commercial center to the north of Scripps Poway Parkway and the subject site but which are non-existent at the freeway center site.

According to the Miramar Ranch North Community Plan (MRNCP) Industrial Element adopted in 1980, the planning area should provide employment opportunities within its boundaries. Employment centers inside the community should supplement other industrial/business park developments in the I-15 corridor. It is proposed that Miramar Ranch North could accommodate around 60 acres of industrial/business park development. Manufacturing, scientific and corporate headquarters uses would probably be emphasized, drawing employees from surrounding residential areas. However, servicing, warehousing and wholesaling uses are also possible. Except as noted, areas designated for industrial park development in the MRNCP should be protected from encroachment by unacceptable uses, in order to preserve industrial acreage and employment opportunities. Community and business support facilities and services should be permitted in the industrial parks. Examples of such facilities are private schools, daycare centers and healthcare facilities; however, such uses should not exceed 15 percent of the industrial land allocation. Approximately 12 acres of the subject site are currently entitled for corporate headquarters use from a previous action, implementing this MRNCP goal by leaving a remainder of approximately 38 acres, or 63% of the original 60 acres identified in the MRNCP that could accommodate base sector use.

The General Plan identifies the project site as Prime Industrial Land in the Economic Prosperity Element. The project proposes to redesignate approximately 22.42 acres of the 34.5-acre site from Industrial/Business Park to Regional Commercial to allow development of retail, restaurants, a market, offices, movie theatre and a hotel. The General Plan requires evaluation of Prime Industrial Land Criteria plus Collocation/Conversion Suitability Factors analysis for any proposal to remove the Prime Industrial identification on a property. Evaluation of the Prime Industrial Land Criteria of General Plan Appendix C, EP-1 concluded that the site is not within proximity to resources of extraordinary value, as the major educational institution is some 12 miles to the west and the port is 18 miles to the south-west. Also, there are engineering workers at the nearby North Ridge site but neither that site nor the subject site are within proximity to other resources of extraordinary value, eliminating any possible creation of a technology, campus environment. Evaluation of the Collocation/Conversion Suitability Factors concluded that, because the site is previously entitled for a day care center, a sensitive receptor use, the potential for future base sector development, beyond the existing or other corporate head quarters, is now less likely. The proposed commercial development would implement the Regional Commercial designation, which is intended for development which serves the community at-large with retail, service, civic, and office uses within three to six miles. The remaining approximate 12 acres would remain consistent with the Industrial/Business Park designation as that portion of the site was previously entitled for base sector use, including corporate offices.

In a memo dated September 13, 2013, and revised September 17, 2012, staff analyzed the comparison of economic impacts between the entitled project and the proposed project. In summary, the entitled project would create 258 construction jobs, 1,222 permanent jobs, and an annual payroll of approximately \$96,346,286. The proposed project would create 534 construction jobs, 1,502 permanent jobs, and an annual payroll of approximately \$68,784,700.

The applicant has submitted a Fiscal Revenue Generation Study which concluded that there is an identified demand for added retail space of 1,096,076 square feet in the Primary Market Area by

2012, providing the justification for a redesignation of land use from Industrial-Business Park to Regional Commercial and implementing the Commercial goal for commercial use of the MRNCP to encourage attractive, accessible commercial development meeting community shopping and services requirements of the community.

In addition to the Collocation/Conversion Suitability factors and the Prime Industrial Land criteria, the City requested the applicant submit a market study and new fiscal impact study for evaluation. The Fiscal Revenue Generation Study submitted by the applicant did not include the cost of General Fund services to the site. City staff estimates the cost of General Fund services to this developed and occupied site, on an annual basis, as \$244,490. In addition, City staff estimates the development and use of this site will generate \$1,967,206 in tax revenue, on an annual basis. City staff estimates that the development and use of this site will generate approximately \$1.7 million in new General Fund revenue on an annual basis. All revenue and cost information discussed above are in constant 2012 dollars.

To conclude, the location of the proposed project adjacent to the I-15 and within the Mercy Interchange Gateway, the lack of proximity to resources of extraordinary value, the reduced potential for future base sector use on-site, the potential contribution of the area to the local economy and the Fiscal Revenue Generation Study have combined to provide a basis to remove the Prime Industrial identification and redesignate 22.42 acres of the 34.5-acre site from industrial to commercial use in conjunction with General Plan policies LU-A.3 and LU-A.4 and objectives for industrial supplemental employment and commercial development to meet community shopping and service needs in the MRNCP. This conclusion furthermore meets the requirement for having complied with the focused strategy from the Economic Prosperity Element of the General Plan to evaluate and preserve critically-located base sector areas but to allow, through comprehensive analysis, consideration or conversion of mixed-use or industrial land if it is not critical to the City's or region's base sector employment goals. Therefore, the proposed development will not adversely affect either the General Plan or the Miramar Ranch North community plan.

The project is located within the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area; however, the project has received clearance from the all of necessary agencies that the proposed project is not a hazard to air navigation. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The project site is located at 10137 Scripps Gateway Court in the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area Zone within the Miramar Ranch North Community Plan. The development includes a Rezone from the IP-2-1 to CR-2-1, General Plan and Community Plan amendments, a Vesting Tentative Map, Easement Abandonments, a Vesting Tentative Map including easement and public right-of-way vacations, a Planned Development Permit, and a Conditional Use Permit for the development of a variety of commercial uses, offices, movie theater, and hotel. Approval of the permits, plan amendments and rezone would be processed concurrently.

The project is located within the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area; however, the project has received clearance from the all of necessary agencies that the proposed project is not a hazard to air navigation.

All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code and City regulations governing the constructions and continued operation of the development apply to this project to prevent adverse affects to those persons or properties in the vicinity of the project. Therefore, the project will not be detrimental to the public health, safety and welfare.

The permits for the project contains specific conditions addressing project compliance with the City's codes, policies, regulations and other regional, State and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any proposed deviations pursuant to Section 126.0602(b)(1) that are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone; and any allowable deviations that are otherwise authorized pursuant to the Land Development Code. The project site is located at 10137 Scripps Gateway Court in the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area Zone within the Miramar Ranch North Community Plan. The development includes a Rezone from IP-2-1 to CR-2-1, General Plan and Community Plan amendments, a Vesting Tentative Map including easement and public right-of-way vacations, a Planned Development Permit and a Conditional Use Permit for the development of a variety of commercial uses, offices, movie theater and hotel. Approval of the permits, plan amendments and rezone would be processed concurrently.

The project will comply with all density, floor area ratio, parking, street design, open space, grading, landscape and other applicable development regulations of the CR-2-1 Zone, implemented and conditioned by the Planned Development Permit/Conditional Use Permit with the exception of height. The project proposes nine deviations to the height of various structures and for architectural projections including the hotel, the market, theater, and parking structure.

The proposed CR-2-1 Zone specifies a maximum height of 60 feet. The deviations have been requested to allow implementation of building heights, architectural elements, and to accommodate height of the parking structure and its shade/canopy elements. A deviation for structure height on the plaza enables the development of a landmark architectural feature, such as a clock tower, bell tower, or other architectural features to designate the gateway to the community. The architectural features are complementary to the project's architecture and the architecture of the existing MedImpact office buildings. This will assist in achieving an objective of the Community Plan to develop the Mercy Interchange area as an attractive gateway to the community. Such a feature will provide a visible landmark to I-15 travelers, as well as persons

entering Miramar Ranch North. All other development regulations for the underlying zone shall apply to the project.

Below is a list of the deviations for each proposed building. Some of the buildings meet the height requirement but add an architectural detail that exceeds the overall structure height.

Zone CR-2-1				
Building	Allowed Height	Max. Structure Height	Max. Height Architectural Features	Deviation
Building C (Market)	60 feet	60 feet	70 feet	10 feet
Building E	60 feet	70 feet	70 feet	10 feet
Building F	60 feet	70 feet	70 feet	10 feet
Building G	60 feet	70 feet	70 feet	10 feet
Building H (Theater)	60 feet	85 feet	100 feet	40 feet
Building K	60 feet	60 feet	85 feet	25 feet
Building L (Hotel)	60 feet	85 feet	100 feet	40 feet
Building M (Office)	60 feet	95 feet	103 feet	43 feet
Building P (Garage)	60 feet	85 feet	100 feet	40 feet
Note: the elevations are conceptual and the heights of the buildings will vary but will not exceed the height indicated in Table 1.				

The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code with the final passage of the proposed rezone, and the deviations approved with the Planned Development Permit. Therefore, the proposed development will comply with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

II. CONDITIONAL USE PERMIT- SAN DIEGO MUNICIPAL CODE SECTION 126.0305

A. Findings for all Conditional Use Permits

1. The proposed development will not adversely affect the applicable land use plan. The project site is located at 10137 Scripps Gateway Court in the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area Zone within the Miramar Ranch North Community Plan. The development includes a Rezone from the IP-2-1 to CR-2-1, General Plan and Community Plan amendments, a Vesting Tentative Map including easement and public right-of-way vacations, a Planned Development Permit, and a Conditional Use Permit for the development of a variety of commercial uses, offices, movie theater, and hotel. Approval of the permits, plan amendments and rezone would be processed concurrently.

The proposal would implement the General and Community plan goals by various means including through the location of the site itself, being immediately adjacent to a small neighborhood commercial shopping center to the north of the subject site that could be expanded, as it has significant potential for a village according to Figure LU-1 in the General Plan. Also, its location immediately adjacent to the I-15 would implement a General Plan goal for the City of Villages to connect mixed-use villages by transit, as well as the Commercial objective to locate commercial uses in relation to the circulation system. As an expansion of the

freeway center to the north of the subject site, the proposal would implement a Community Plan commercial objective to locate commercial land uses to best serve consumer needs, especially in relation to the circulation system and the overall land use pattern of the community. The proposal would also integrate public gathering spaces into a village design. A movie theatre and a market would also be included, uses which are identified in the community plan for the freeway commercial center to the north of Scripps Poway Parkway and the subject site but which are non-existent at the freeway center site.

According to the MRNCP Industrial Element adopted in 1980, the planning area should provide employment opportunities within its boundaries. Employment centers inside the community should supplement other industrial/business park developments in the I-15 corridor. It is proposed that Miramar Ranch North could accommodate around 60 acres of industrial/business park development. Manufacturing, scientific and corporate headquarters uses would probably be emphasized, drawing employees from surrounding residential areas. However, servicing, warehousing and wholesaling uses are also possible. Except as noted, areas designated for industrial park development in this Plan should be protected from encroachment by unacceptable uses, in order to preserve industrial acreage and employment opportunities. Community and business support facilities and services should be permitted in the industrial parks. Examples of such facilities are private schools, daycare centers and healthcare facilities; however, such uses should not exceed 15 percent of the industrial land allocation. Approximately 12 acres of the subject site are currently entitled for corporate headquarters use from a previous action, implementing this MRNCP goal by leaving a remainder of approximately 38 acres, or 63% of the original 60 acres identified in the MRNCP that could accommodate base sector use.

The General Plan identifies the project site as Prime Industrial Land in the Economic Prosperity Element. Evaluation of the Prime Industrial land criteria of General Plan Appendix C, EP-1 concluded that the site is not within proximity to resources of extraordinary value, as the major educational institution is some 12 miles to the west and the port is 18 miles to the south-west. Also, there are engineering workers at the nearby North Ridge site but neither that site or the subject site are within proximity to other resources of extraordinary value, eliminating any possible creation of a technology, campus environment. Evaluation of the Collocation/Conversion Suitability Factors concluded that, because the site is previously entitled for a day care center, a sensitive receptor use, the potential for future base sector development, beyond the existing corporate head quarters, is now less likely. The evaluation of the potential contribution of the area to the local and regional economy concluded that the total tax revenue estimated to be generated annually, in 2012 dollars, is \$1,967,206; the estimated annual cost of providing essential services, including water and sewer to the proposed development is \$244,490; and the proposed entitlements when fully constructed would annually generate approximately \$1.7 million in net new General Fund Revenue.

The applicant has submitted a Fiscal Revenue Generation Study which concluded that there is an identified demand for added retail space of 1,096,076 square feet in the Primary Market Area by 2012, providing the justification for a redesignation of land use from Industrial-Business Park to Regional Commercial and implementing the Commercial goal for commercial use of the MRNCP to encourage attractive, accessible commercial development meeting community shopping and services requirements of the community.

To conclude, the location of the proposed project adjacent to the I-15 and within the Mercy Interchange Gateway, the lack of proximity to resources of extraordinary value, the reduced potential for future base sector use on-site, the potential contribution of the area to the local economy and the Fiscal Revenue Generation Study have combined to provide a basis to remove the Prime Industrial identification and redesignate 22.42 acres of the 34.5-acre site from industrial to commercial use in conjunction with General Plan policies LU-A.3 and LU-A.4 and objectives for industrial supplemental employment and commercial development to meet community shopping and service needs in the MRNCP. This conclusion furthermore meets the requirement for having complied with the focused strategy from the Economic Prosperity Element of the General Plan to evaluate and preserve critically-located base sector areas but to allow, through comprehensive analysis, consideration or conversion of mixed-use or industrial land if it is not critical to the City's or region's base sector employment goals. Therefore, the proposed development will not adversely affect either the General Plan or the Miramar Ranch North community plan.

The project is located within the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area; however, the project has received clearance from the all of necessary agencies that the proposed project is not a hazard to air navigation. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The project site is located at 10137 Scripps Gateway Court in the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area Zone within the Miramar Ranch North Community Plan. The development includes a Rezone from the IP-2-1 to CR-2-1, General Plan and Community Plan amendments, a Vesting Tentative Map including easement and public right-of-way vacations, a Planned Development Permit, and a Conditional Use Permit for the development of a variety of commercial uses, offices, movie theater, and hotel. Approval of the permits, plan amendments and rezone would be processed concurrently.

The project is located within the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area; however, the project has received clearance from the all of necessary agencies that the proposed project is not a hazard to air navigation.

All Uniform Building, Fire, Plumbing, Electrical, Mechanical Code and City regulations governing the constructions and continued operation of the development apply to this project to prevent adverse affects to those persons or properties in the vicinity of the project. Therefore, the project will not be detrimental to the public health, safety and welfare.

The permits for the project contains specific conditions addressing project compliance with the City's codes, policies, regulations and other regional, State and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working

in the area. Therefore, the proposed development will not be detrimental to the public health, safety and welfare.

3. **The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.** The project site is located at 10137 Scripps Gateway Court in the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area Zone within the Miramar Ranch North Community Plan. The development includes a Rezone from the IP-2-1 to CR-2-1, General Plan and Community Plan amendments a Vesting Tentative Map including easement and public right-of-way vacations, a Planned Development Permit, and a Conditional Use Permit for the development of a variety of commercial uses, offices, movie theater, and hotel. Approval of the permits, plan amendments and rezone would be processed concurrently.

The proposal is requesting a rezone from the IP-2-1 zone to the CR-2-1 zone. The project will comply with all density, floor area ratio, parking, street design, open space, grading, landscape and other applicable development regulations of the CR-2-1 zone, implemented and conditioned by the Planned Development Permit/Conditional Use Permit with the exception of height. The project proposes nine deviations to the height of various structures and for architectural projections including the hotel, the stand alone market, theater, and parking structure. Approval of the permits, plan amendments and rezone would be processed concurrently.

The proposed CR-2-1 zone specifies a maximum height of 60 feet. The applicant proposes nine deviations to the maximum height of the zone. The deviations have been requested to allow implementation of building heights, architectural elements, and to accommodate height of the parking structure and its shade/canopy elements. A deviation for structure height on the plaza enables the development of a landmark architectural feature, such as a clock tower, bell tower, or other architectural features to designate the gateway to the community. The architectural features are complimentary to the project's architecture and the architecture of the existing MedImpact office buildings. This will assist in achieving an objective of the Community Plan to develop the Mercy Interchange area as an attractive gateway to the community. Such a feature will provide a visible landmark to I-15 travelers, as well as persons entering Miramar Ranch North. All other development regulations for the underlying zone shall apply to the project.

Below is a list of the deviations for each proposed building. Some of the buildings meet the height requirement but add an architectural detail that exceeds the overall structure height. Therefore, with the final passage of the proposed rezone, the project will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

Zone CR-2-1				
Building	Allowed Height	Max. Structure Height	Max. Height Architectural Features	Deviation
Building C (Market)	60 feet	60 feet	70 feet	10 feet
Building E	60 feet	70 feet	70 feet	10 feet
Building F	60 feet	70 feet	70 feet	10 feet
Building G	60 feet	70 feet	70 feet	10 feet
Building H (Theater)	60 feet	85 feet	100 feet	40 feet
Building K	60 feet	60 feet	85 feet	25 feet
Building L (Hotel)	60 feet	85 feet	100 feet	40 feet
Building M (Office)	60 feet	95 feet	103 feet	43 feet
Building P (Garage)	60 feet	85 feet	100 feet	40 feet
Note: the elevations are conceptual and the heights of the buildings will vary but will not exceed the height indicated in Table 1.				

4. **The proposed use is appropriate at the proposed location.** The project site is located at 10137 Scripps Gateway Court in the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area Zone within the Miramar Ranch North Community Plan. The development includes a Rezone from IP-2-1 to CR-2-1, General Plan and Community Plan amendments a Vesting Tentative Map including easement and public right-of-way vacations, a Planned Development Permit, and a Conditional Use Permit for the development of a variety of commercial uses, offices, movie theater, and hotel. Approval of the permits, plan amendments and rezone would be processed concurrently.

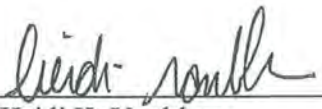
Originally, the existing Conditional Use Permit was to allow a childcare center to serve the MedImpact campus. The potential use of the childcare center will remain for the proposed MedImpact building. The Watermark project is additionally proposing a theater in the northwest portion of the site, wrapped with retail stores at the base. The size of the theater could range from 5,000 to up to 45,000 square feet. Any theater over 5,000 square feet requires a CUP in accordance with San Diego Municipal Code Section 141.0623. With final passage of the proposed rezone, the theater would be located within the CR-2-1 zone which allows for the application of a CUP. The existing CUP is required to be amended to include the theater use. The location of the theater will be situated amongst other retail and commercial uses and comply with the underlying zone, and therefore it is an appropriate use at the proposed location.

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

BE IT FURTHER RESOLVED, that Planned Development Permit No. 651597 and Conditional Use Permit No. 651699 are hereby granted to Scripps Highland Partners, LLC, Owner/Permittee, under the terms and conditions set forth in the attached permit, which is made a

part of this resolution, contingent upon final passage of O- 20335 rezoning a
portion of the site from the existing IP-2-1 zone into the CR-2-1 zone.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Heidi K. Vonblum
Deputy City Attorney

HKV:nja
11/21/13
Or.Dept:DSD
Doc. No. 678608

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 23432396

PLANNED DEVELOPMENT PERMIT NO. 651597
CONDITIONAL USE PERMIT NO. 651699
(AMENDMENT TO CONDITIONAL USE PERMIT NO. 174323, PLANNED
DEVELOPMENT PERMIT NO. 174234 AND
PLANNED DEVELOPMENT PERMIT NO. 99-1027)
THE WATERMARK, PROJECT NO. 180357 [MMRP]
CITY COUNCIL

This Planned Development Permit (PDP) No. 651597 and Conditional Use Permit (CUP) No. 651699 (amendment to CUP No. 174323 and PDP 17234 and PDP 99-1027), is granted by the City Council of the City of San Diego to Scripps Highlands Partners, LLC, a Delaware Limited Liability Company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 141.0623 and 126.0602. The 34.5-acre site is currently located at 10137 Scripps Gateway Court in the IP-2-1 Zone and the Federal Aviation Administration (FAA) Notification Area for the Marine Core Air Station (MCAS), the MCAS Airport Land Use Compatibility and the MCAS Airport Influence Area within the Miramar Ranch North Community Plan. The project site is legally described as: Lots 1-6 and A-C of Scripps Gateway Unit No. 2, Map No. 14004.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a variety of retail stores, restaurants, stand alone market, office, movie theater and hotel uses totaling approximately 602,000 square feet, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated **DEC 16 2013**, on file in the Development Services Department.

The project shall include:

- a. Maintenance of the existing office building (Med-Impact 1) and the construction of the proposed office building (Med-Impact 2) as described in CUP No. 174323 and PDP No. 174324;

- b. Construction of a variety of commercial uses, including retail stores, restaurants, office, movie theater, and hotel, totaling approximately 602,000 square feet;
- c. Construction of a parking structure with 1,727 parking spaces;
- d. Deviation for structure height and architectural projections as described in Condition No. 61;
- e. Landscaping (planting, irrigation and landscape related improvements included in the Retail Design Guidelines as shown in Exhibit "A");
- f. Off-street parking outside of the parking structure;
- g. Pedestrian plaza, retaining walls, fences, signs and lighting; and
- h. 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 DEC 16 2013.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. Ordinance No. O- 20335 rezoning a portion of the site from the existing IP-2-1 zone to the CR-2-1 zone is finally passed and becomes effective.
- b. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- c. 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. The existing office building and accessory development on Lot 1 (Med-Impact 1) and the previously entitled office building and accessory development on Lot 2 (Med-Impact 2) are subject to all the conditions of CUP No. 174323 and PDP No. 174324 and are not required to satisfy any new conditions of this amended permit. All other development on all other lots are subject to the conditions of this amended permit.
5. 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.
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.).
8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
10. 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. 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 there.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

12. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program No. 180357 [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

13. The mitigation measures specified in the MMRP and outlined in Environmental Impact Report No. 180357, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

14. The Owner/Permittee shall comply with the MMRP as specified in Environmental Impact Report No. 180357, 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:

Transportation/Traffic Circulation/Parking (direct and cumulative) and Air Quality

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

- An appropriate destination for soils has been identified;
- An appropriate destination for concrete and asphalt has been identified;
- Grubbed material is separated and taken to Miramar Landfill Greenery;
- Contract documents have recycling specifications included;
- Materials purchase documents demonstrate that approximately 12,750 tons of recycled base material (minimum 50% post-consumer content) was used for the project; concrete pavers are recycled/post consumer content products, recycled mulch is used in all planting areas.
- A solid waste coordinator has been identified;
- An appropriate number of bins are provided with appropriate signage;
- Bins are appropriately used and contamination levels are minimized;
- The Construction and Demolition Debris Diversion Deposit Program deposit has been paid;

- An appropriate diversion rate has been included on the deposit form (the WMP targets 89%, with 75% as the minimum); and
- Materials are being taken to the appropriate facility.

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

- Inspect and approve a storage area that has been provided consistent with San Diego Municipal Code Chapter 14: General Regulations, Article 2: General Development Regulations Division 8: Refuse and Recyclable Materials Storage Regulations;
- Ensure that a hauler has been retained to provide recyclable materials collection and yard waste collection;
- Inspect and approve the education materials for building tenants/owners that are required pursuant to the City's Recycling Ordinance; and
- Identify a contact person for follow-up on food waste collection/composting.

AIRPORT REQUIREMENTS:

17. Prior to issuance of any grading permits, the Owner/Permittee shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration.

GEOLOGY REQUIREMENTS:

18. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

19. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

ENGINEERING REQUIREMENTS:

20. Prior to the issuance of any building permits, 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 City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

21. The project proposes to export 65,000 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2009 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

22. The drainage system proposed for this development, as shown on the site plan, is public and private and all subject to approval by the City Engineer.

23. The Owner/Permittee shall ensure that all onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Owner/Permittee shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
24. The Owner/Permittee shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
25. Prior to the issuance of any building permits, the Owner/Permittee shall dedicate a 15-foot wide and 66-foot wide Storm Drain Easements adjacent to the site on Scripps Poway Parkway and Scripps Highlands Drive in accordance with Exhibit 'A,' satisfactory to the City Engineer.
26. Prior to the issuance of any building permits, the Owner/Permittee shall dedicate additional right-of-way on Scripps Poway Parkway and Scripps Highland Drive in accordance with Exhibit 'A,' satisfactory to the City Engineer.
27. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of public improvements on Scripps Poway Parkway and Scripps Highland Drive in accordance with Exhibit 'A,' satisfactory to the City Engineer.
28. Whenever street rights-of-way are required to be dedicated, the Owner/Permittee shall provide the right-of-way free and clear of all encumbrances and prior easements. The Owner/Permittee shall secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
29. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of current City Standard curb ramps at the southwest corner of Scripps Poway Parkway and Scripps Highland Drive and all corners for the access driveways on Scripps Poway Parkway and Scripps Highland Drive, with current City standard curb ramp Standard Drawing SDG-130 and SDG-132 with truncated domes, satisfactory to the City Engineer.
30. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard storm drain cleanout in the Scripps Poway Parkway Right-of-Way, satisfactory to the City Engineer.
31. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a current City Standard public storm drain system, in accordance with Exhibit 'A, within the proposed 15-foot wide Storm Drain Easement, satisfactory to the City Engineer.
32. Prior to the issuance of any building permits, the Owner/Permittee shall enter into an Encroachment Maintenance Removal Agreement with the City for the private storm drain connections into the City of San Diego Public Storm Drain in the Scripps Poway Parkway Right-of-Way and proposed 15-foot wide Public Storm Drain Easement, satisfactory to the City Engineer.
33. Prior to the issuance of any building permit, per the City of San Diego Street Design Manual-Street Light Standards, and Council Policy 200-18, the Owner/Permittee shall assure, by

permit and bond, the installation of new street lights adjacent to the site on Scripps Poway Parkway, satisfactory to the City Engineer.

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

35. 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 San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.

36. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 2009-0009 DWQ and the San Diego Regional Water Quality Control Board (SDRWQCB) Order No. R9-2007-001, 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.

37. 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. 2009-0009-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 2009-0009-DWQ.

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

LANDSCAPE REQUIREMENTS:

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

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

41. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall

be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall provide for a 40 sq-ft permeable area unencumbered by hardscape and utilities around each tree unless otherwise approved per LDC 142.0403(b)(5).

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

43. Prior to issuance of any Certificate of Occupancy or Final Inspection, the Owner/Permittee shall 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.

44. All required landscape shall be maintained in a disease, weed- and litter-free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

45. The Owner/Permittee shall maintain all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

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

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

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

48. Brush Management for existing buildings shall continue per previously issued permits. Brush Management associated with this Permit shall be provided for all new structures on or adjacent to Lot 3 that will be within 100-ft of native/naturalized vegetation. The Brush Management Program shall be based upon a standard Zone One of 35 feet in width with zone Two of 65 feet in width, extending out from the structure towards the native/naturalized vegetation, consistent with the Brush Management Regulations of the Land Development Code, section 142.0412. The Zone Two width may be decreased by 1 1/2 feet for each 1 foot of increase in Zone One width over the standard 35-ft.

49. Prior to issuance of any Engineering Permits for grading, 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.'
50. Prior to issuance of any Building Permits associated with Lot 3, a complete set of Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall be in substantial conformance with Exhibit 'A' and shall comply with the Landscape Standards and Brush Management Regulations as set forth under Land Development Code Section 142.0412.
51. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while non-combustible and/or one-hour fire-rated accessory structures may be approved within the designated Zone One area subject to the Fire Marshal's approval.
52. The following note shall be provided on the Brush Management Construction Documents: 'It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program.'
53. Within Zone One, plant material shall be selected to visually blend with the existing hillside vegetation. No invasive plant material shall be permitted.
54. Prior to final inspection and/or issuance of any Certificate of Occupancy, the approved Brush Management Program shall be implemented.
55. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

56. 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.
57. 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."
58. A Substantial Conformance Review (SCR), Process 1 is required prior to the issuance of any building permits to ensure conformance with the "Design Guidelines for Project No. 180357" and shall include distribution to the Community Planning Group as well as LDR-Transportation, LDR- Planning, LDR-Landscaping and Long-Range Planning.
59. All signs associated with this development shall be consistent with City-wide sign regulations unless a Comprehensive Sign Program is prepared and approved by the City.

60. 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.

61. The deviations have been included to allow implementation of building heights, architectural elements, and to accommodate height of the parking structure and its shade/canopy elements. A deviation for structure height on the plaza enables the development of a landmark architectural feature, such as a clock tower, bell tower, or other architectural features to designate the gateway to the community. Below is a list of the deviations allowed under this Permit for each proposed building. Some of the buildings meet the height requirement but add an architectural detail that exceeds the overall structure height:

Zone CR-2-1				
Building	Allowed Height	Max. Structure Height	Max. Height Architectural Features	Deviation
Building C (Market)	60 feet	60 feet	70 feet	10 feet
Building E	60 feet	70 feet	70 feet	10 feet
Building F	60 feet	70 feet	70 feet	10 feet
Building G	60 feet	70 feet	70 feet	10 feet
Building H (Theater)	60 feet	85 feet	100 feet	40 feet
Building K	60 feet	60 feet	85 feet	25 feet
Building L (Hotel)	60 feet	85 feet	100 feet	40 feet
Building M (Office)	60 feet	95 feet	103 feet	43 feet
Building P (Garage)	60 feet	85 feet	100 feet	40 feet
Note: the elevations are conceptual and the heights of the buildings will vary but will not exceed the height indicated in Table 1.				

TRANSPORTATION REQUIREMENTS:

62. A minimum of 1,982 (2,191 provided) automobile parking spaces (including 40 standard accessible spaces and 5 van accessible spaces), 40 carpool spaces, 40 motorcycle spaces, 11 bicycle spaces with racks, and 16 off-street loading/unloading spaces are required by the Land Development Code. 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 Development Services Director. Minimum required parking per Land Development Code shall be provided at each stage in the project's phasing if the project is phased.

63. Prior to the issuance of the first building permit, the Owner/Permitee shall provide a shared parking agreement among all parcels for the proposed parking spaces located on site, satisfactory to the City Engineer.

64. Prior to the issuance of the first building permit, the Owner/Permitee shall provide a shared access agreement among all parcels for the proposed driveways on site, satisfactory to the City Engineer.

65. Prior to the issuance of the first construction permit, the Owner/Permitee shall assure by permit and bond the reconfiguration of the Scripps Poway Parkway/I-15 Interchange to shift the westbound through lanes on Scripps Poway Parkway to the north and provide additional queuing

length for westbound traffic on Scripps Poway Parkway. The "back-to-back" left turns shall be eliminated and additional queuing for traffic turning left from Scripps Poway Parkway to southbound I-15 shall be provided. Reduction in the width of raised median on Scripps Poway Parkway east of interchange shall be required. All work shall be completed to the satisfaction of the City Engineer.

66. Prior to the issuance of the first construction permit, the Owner/Permittee shall assure by permit and bond the provision of a triple left-turn lane at Scripps Poway Parkway and Scripps Highland Drive intersection by re-striping the northbound leg to take a thru lane and make it a shared left-thru lane. The pedestrian crossing on the west leg of the intersection shall be removed. Additionally a northbound right-turn overlap shall be provided. All work shall be done to the satisfaction of the City Engineer.

67. Prior to issuance of the first building permit, the Owner/Permittee shall assure, by permit and bond, provision of a Class I bicycle path and 12-foot non-contiguous sidewalk on Scripps Poway Parkway along the project's frontage, satisfactory to the City Engineer. The improvements shall be completed and accepted by the City prior to issuance of the first certificate of occupancy.

68. The Owner/Permittee shall provide two secure bicycle racks and/or storage onsite.

69. The Owner/Permittee shall provide showers and changing facilities within commercial buildings.

70. The Owner/Permittee shall provide electrical plugs in the parking garage for electric/electric hybrid vehicles.

71. The Owner/Permittee shall provide preferred parking for carpools or vanpools.

72. The Owner/Permittee shall provide a kiosk or bulletin board onsite that displays information on transit use, carpooling, and other forms of ridesharing.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

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

74. All proposed private water and sewer facilities located within a single lot 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.

75. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond the design and construction of reclaimed water irrigation service(s), in a manner

satisfactory to the Director of Public Utilities and the City Engineer. All irrigation systems must be designed to utilize reclaimed water.

76. 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 Director of Public Utilities 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.

77. The Owner/Permittee shall install fire hydrants at locations satisfactory to the Fire Marshal, the Director of Public Utilities and the City Engineer. If more than two (2) fire hydrants or thirty (30) dwelling units are located on a dead-end water main then the Owner/Permittee shall install a redundant water system satisfactory to the Director of Public Utilities.

78. The Owner/Permittee shall grant adequate water easements, including vehicular access to each appurtenance (meters, blow offs, valves, fire hydrants, etc.) for all public water facilities that are not located within fully improved public right-of-ways. Grants of water easements shall have a the following minimum widths: water mains with no appurtenances including valves 15 feet; water mains with appurtenances - 24 feet of paving and full height curbs. Easements, as shown on the approved vesting tentative map, will require modification based on standards and final engineering.

79. The Owner/Permittee shall enter into encroachment maintenance and removal agreements with the City, for all acceptable encroachments into the water easement, including but not limited to structures, enhanced paving, or landscaping to the satisfaction of the City Engineer. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.

80. For any portion of the subdivision which will have gated access, the Owner/Permittee shall provide keyed access to the Water Operations Division of the Public Utilities in a manner satisfactory to the Director of Public Utilities. The City will not be responsible for any issues that may arise relative to the availability of keys.

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

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

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

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

APPROVED by the City Council of the City of San Diego on DEC 16 2013 by Resolution No. R 308661.

Passed by the Council of The City of San Diego on DEC 16 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 16 2013.

(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT

as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By 

, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 308661

PLANNING COMMISSION
CONDITIONS FOR TENTATIVE MAP NO. 1732775

BALLPARK VILLAGE TM - PROJECT NO. 494621

ADOPTED BY RESOLUTION NO. R-_____ ON _____
DRAFT

GENERAL

1. This Tentative Map will expire September 1, 2019.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the recordation of the Final Map taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AFFORDABLE HOUSING

5. Prior to the recordation of the Final Map, the Subdivider shall enter into an affordable housing agreement with the San Diego Housing Commission to provide affordable housing units in compliance with the City's Inclusionary Affordable Housing Regulations (San Diego Municipal Code §§ 143.0301 et seq.).

ENGINEERING

6. The Subdivider shall grant Easements to the City of San Diego for water and sewer purposes.
7. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private encroachments into the Park Boulevard and 12th Avenue right-of-way.

ATTACHMENT 4

8. The Subdivider shall construct current City Standard street improvements adjacent to the site on Park Boulevard and 12th Avenue per the approved Improvement Plan 38153-D and PTS 374481.
9. The Subdivider shall install current City Standard street lights adjacent to the site on Park Boulevard and 12th Avenue per approved Improvement Plan 38153-D and PTS 374481.
10. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) (BFPD), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPD's shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
11. The Subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.
12. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
13. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
14. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

15. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
16. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.

- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24006472

PLANNING COMMISSION RESOLUTION NUMBER R-_____

TENTATIVE MAP NO. 1732775, BALLPARK VILLAGE TM
PROJECT NO. 494621
DRAFT

WHEREAS, Bosa Development California II, Incorporated, Subdivider, and Kettler and Leweck, Engineer submitted an application to the City of San Diego for Tentative Map No. 1732775 for the creation of 713 residential condominium units and six (6) commercial condominiums (under construction) within a 678,779-square-foot mixed use building. The 3.99-acre project site is located at 100-101 Park Plaza and 189-201 Park Boulevard in the CCPD-BP (Centre City Planned District Ballpark Mixed-Use) zone within the Downtown Community Plan Area. The property is legally described as Parcels 1-4 of Parcel Map No. 20943; and

WHEREAS, the Map proposes the subdivision of a 3.99-acre site into one (1) lot for a 713 unit residential condominium development and a six (6) unit commercial condominium development and;

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

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of residential condominium units is 713 with six (6) commercial condominium units; and

WHEREAS, on August 25, 2016, the Planning Commission of the City of San Diego considered Tentative Map No. 1732775, and pursuant to San Diego Municipal Code section 125.0440 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the

public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 1732775:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The project proposes the creation of 713 residential condominium units and six commercial condominiums (under construction) within a 678,779-square-foot mixed use building. The 3.99-acre project site is located at 100-101 Park Plaza and 189-201 Park Boulevard in the CCPD-BP (Centre City Planned District Ballpark Mixed-Use) zone within the Downtown Community Plan. On March 25, 2015, Centre City Development Permit and Planned Development Permit No. 2013-21 was approved for the construction of a residential mixed-use project containing 720 dwelling units and approximately 57,000 square feet of commercial use.

The CCPD-BP zone accommodates mixed-use development that supports major sporting facilities and visitor attractions. A broad array of other uses are also permitted, including eating and drinking establishments, hotels, offices, research and development for office and retail use complies with the policies, goals and objectives of the applicable land use plan and underlying zones.

The proposed project site is located within the Downtown Community Plan area and is designated for mixed-use. The subdivision of land for residential and commercial development complies with the policies, goals and objectives of the applicable land use plan and underlying zone.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The proposed subdivision is consistent with the development regulations of the underlying zone and complies with setbacks, floor area ratio and landscaping and no deviations to the Land Development Code are requested with this action. The structures under construction were previously approved under a ministerial building permit and found to be in conformance with the approved Centre City Development Permit and Planned Development Permit No. 2013-21.

3. The site is physically suitable for the type and density of development.

The project proposes the creation of 713 residential condominium units and six commercial condominiums (under construction) within a 678,779-square-foot mixed use building. The 3.99-acre project site is located at 100-101 Park Plaza and 189-201 Park Boulevard in the CCPD-BP (Centre City Planned District Ballpark Mixed-Use) zone within the Downtown Community Plan Area. On March 25, 2015, Centre City Development Permit and Planned Development Permit No. 2013-21 was approved for the construction of a residential mixed-use project containing 720 dwelling units and approximately 57,000 square feet of commercial use.

The proposed site is flat and the development is being constructed in compliance with all geologic and engineering requirements including applicable building code requirements. Utility services would be provided through existing utility infrastructure in the surrounding area. The structures under construction were previously approved under a ministerial building permit and found to be in conformance with the approved entitlements as referenced above in regards to density.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project proposes the creation of 713 residential condominium units and six commercial condominiums (under construction) within a 678,779-square-foot mixed use building. The 3.99-acre project site is located at 100-101 Park Plaza and 189-201 Park Boulevard in the CCPD-BP (Centre City Planned District Ballpark Mixed-Use) zone within the Downtown Community Plan Area. The site is within an existing, developed, in-fill area and does not contain nor is adjacent to any fish or wildlife habitats, environmentally sensitive lands or Multiple Habitat Planning Area lands.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

The project has been reviewed and is in compliance with the San Diego Municipal Code (SDMC) and the Subdivision Map Act. The Tentative Map includes conditions and corresponding exhibits of approvals relevant to adequate parking, public improvements, and paying applicable fees in order to achieve compliance with the regulations of the SDMC. On March 25, 2015, Centre City Development Permit and Planned Development Permit No. 2013-21 was approved for the construction of a residential mixed-use project containing 720 dwelling units and approximately 57,000 square feet of commercial use. Currently, the site is under construction under a ministerial building permit and found to be in conformance with the approved entitlements as referenced above. The proposed subdivision is consistent with all Uniform Building, Fire, Plumbing, Electrical and Mechanical Code regulations and permitting requirements continue to govern this project. Therefore, the design of the subdivision or the type of improvements will not be detrimental to the public, health, safety, and welfare.

6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

Other than the subdivision to allow condominiums ownership, no other changes are requested and the project does not include additional development of the property. Existing public easements for public-rights of way, drainage and utility purposes will remain and the associate improvements will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The project proposes the creation of 713 residential condominium units and six commercial condominiums (under construction) within a 678,779-square-foot mixed use building and will not

impede or inhibit any future passive or natural heating and cooling opportunities. On March 25, 2015, Centre City Development Permit and Planned Development Permit No. 2013-21 was approved for the construction of a residential mixed-use project containing 720 dwelling units and approximately 57,000 square feet of commercial retail. The design of the subdivision has taken into account the best use of the land to minimize grading. Conditions of the above referenced development permit have been adopted and the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials provide to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

Other than the subdivision to allow condominiums ownership, no other changes are requested and the project does not include additional development of the property. The subdivision has been conditioned to comply with the City-wide Affordable Housing Regulations and is providing 23 affordable units on site. The decision maker has reviewed the administrative record including the project plans, environmental documentation and public testimony to determine the effects of the proposed subdivision on the housing needs of the region. Those needs were balanced against the needs for public services and the available fiscal and environmental resources and found that the proposed subdivision will not adversely impact the housing needs of the Downtown Community Plan area.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Tentative Map No. 1732775, is hereby granted to Bosa Development California II, Incorporated subject to the attached conditions which are made a part of this resolution by this reference.

By _____
Renee Mezo
Development Project Manager
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24006472

Miramar Ranch North Planning Committee (MRNPC) Meeting Minutes

Tuesday, December 1, 2015

Scripps Ranch Civic Association Community Center

<http://www.scrippsranch.org/committees/advisory-committees/mrnpc.html>

Meeting called to order at 7:00 pm w/ quorum (of 7 seated members) established at 7:03pm

Members present (8 present; 12 seated) Lorayne Burley (Chair), Tom Meissner, Lou Segreti, Russell Shon, George Pecoraro, Bill Crooks, Jan Kane, Tom Ward.

Guests: Wally Wulfeck (Chair, SMRPG), Alex Vivona (City Council D5), Sandy Wetzel-Smith (Vice Chair, SMRPG), Paul Sirous (City MAD Assistant Director), Erika Ferreira (MRN MAD Manager), Mike Rasmusson (MRN GMM), Midori Wong (SDUSD), Gene Fuller (SDUSD), Janay Kruger (Monarch Developer Representative and Sudberry Properties Representative), Sarah Kurer Jager (Monarch Group), Pat Kurer (Monarch Group), Rob Stone (Monarch Group), Colton Sudberry (Sudberry Properties), Robert Raber (MRN Resident), Chandra (resident) – see attached sign in sheet for additional attending residents.

Introductions: Committee members introduced themselves.

Public Comment (non-agenda items): None

Modifications to the agenda: None

Agenda approved as presented by vote: Approved 8-0-0 (Meissner, Kane)

COMMUNICATIONS:

1. **City Council District 5:** *Alex Vivona* reported. City Council voted to raise water rates by 16%. Infrastructure finance measure moves forward with ballot measure to increase funding.
2. **State/Federal/County/Caltrans/City of SD Planning Dept:** No Report.
3. **Scripps Miramar Ranch Planning Group (SMRPG):** *Wally Wulfeck* reported. Regular SMRPG meeting on Thursday, Dec 3rd. The committee recommended approval of the Glen senior living community. Planning Commission voted to approve. City Council vote pending on 12/15. Chabad project along Pomerado Road is starting to build; Committee will hear a report on the Carroll Canyon Mixed Use project at the 12/03 meeting.
4. **Scripps Ranch Civic Association (SRCA):** No reported.

PRESENTATION/DISCUSSION/ACTION ITEMS:

1. **MRN MAD Budget Approval for FY 2017:** *Paul Sirois, Erika Ferreria, Mike Rasmusson* presented. The MAD Ad Hoc meeting for the budget review was at 6:00pm prior to this meeting. Paul Sirous shared that the presented FY17 budget has a staff reduction on the land crew saving money for the landscaping contract; water costs were reduced and the \$160,000 General Benefit Offset applied again this year. Mike Rasmusson shared this landscaping plans for the next year; update landscape, continue maintenance; pruning trees; mini park improvements, details included on project list attached to MAD Ad Hoc meeting minutes. Tom Meissner presented the ad hoc meeting recommendation to maintain the current assessment rates and add \$2,500 additional funds to the white fence repairs. The current assessments rates are **\$52.92** for zone 1 business areas and **\$229.92** for zone 2 residential areas. The assessment rates have been maintained at a steady range of \$50-60 for zone 1 and range of \$230-270 for zone 2 dating back to the FY 2008. ***A motion to recommend approval of the draft FY 2017 budget version #1/11-17-15 was unanimously approved (8-0-0) w/ change in fencing repair from \$2,500 to \$5,000.***
A copy of the FY 2017 budget is posted on the MRNPC webpage.

2. **SDUSD Joint Occupancy Development at Scripps Mesa Conference Center:** *Midori Wong, Gene Fuller, Rob Stone, Sarah Kurer Jager & Janay Kruger* presented the proposed joint occupancy development plans located at 10380 Spring Canyon Road. (South east corner of Spring Canyon Road and Scripps Poway Parkway)

Over 30 Scripps Ranch residents attended the meeting to voice many concerns regarding the proposed project. The project development specifics were reviewed – as outlined in the current 2015 issue of the SRCA Newsletter. The developer discussed the project plans and newly provided traffic report. The district shared STEAM classroom plans and addressed the SR school enrollment projections.

Concerns ranged from: size of project, too dense, too tall for area, “monstrosity” and “outrageous in size”; Commercial Visitor (CV) zone not equivalent to Commercial Recreation (CR) zone; no requested City staff preliminary review with the Land Development Review; additional traffic and congestion; parking impacts for Spring Canyon Park and weekend recreation parking; impact on SR Farmer’s Market; impact on Innovations Academy; emergency and fire evacuation issues with additional resident units; impact on school enrollment numbers; educational code compliance with the STEAM component; lack of public transportation or mobility plans; MRN MAD zone designation change; should not use public school money in private real estate ventures; not consistent with the Corky McMillin Scripps Ranch Villages master plan.

City staff has not made a determination at this point as to whether a ministerial permit (non discretionary) or discretionary permit will be required for this site since the project is now under Preliminary Review with the Land Development Review staff. The proposed development project still requires final SDUSD school board approval. The action item is expected to be placed on the school board agenda by the end of January 2016.

The committee is dark in January 2016 but can hold a meeting if needed.

3. **Watermark/MedImpact Rezone (Project #443731) & Project Update–** *Colton Sudberry & Janay Kruger* presented. The MedImpact Property and Watermark Commercial and Retail Property are the land development sites, at the southeast corner of Scripps Poway Parkway/Mercy Road and I-15. **On the rezone:** City staff requested review of a revised zoning overlay to rezone .95 acres of the MedImpact property from Industrial Prime (IP-2-1) to Commercial Retail (CR-2-1) and rezone .95 acres of the Watermark property from CR-2-1 to IP-2-1. This resulted in swapping the zones of .95 acres between the two properties with no net change. MedImpact requested the rezone to move driveway access for the pending building 2, move building 2 over to the east, and remove an accessory building 4 from the plans. The revised zoning overlay is posted online for review. **A motion was made by Kane with a second by Crooks to recommend approval of the Watermark/MedImpact project application, #443731, new zoning overlay as presented with the October 1, 2013 agreement letter to remain unchanged. Motion passed by vote of 8-0-0.** **On the Watermark Project Update:** The Whole Foods Market is still a confirmed anchor tenant for the project. It will be located at the site of the Christmas tree lot. Sudberry Properties is actively seeking additional tenants for the project.
4. **Monthly Meetings for 2016:** Continued to the Feb 2016 agenda.

CONSENT AGENDA:

1. **November 3, 2015 minutes:** Continued to the Feb 2016 agenda.

COMMITTEE REPORTS:

1. **Chair Report:** Posted online.
2. **Community Planners Committee (CPC) Report:** No report.
3. **MRN MAD:** GMM report posted online, agenda item above.

4. **Public Facilities Financing Plan (PFFP):** No report.
5. **YMCA, Open Space, Parks & Recreation:** No reports.
6. **Round Table:** No comments.
7. **Other Business:** None.

Adjourned at 8:49pm.

Next regular meeting is scheduled for Tuesday, February 2, 2015

MTG TO ORDER. 7:00 PM
QUORUM 7:03 PM

ATTACHMENT 10
12/1/2015

MRNPC Seated Members – December 2015

STOP: 8:49 PM

1. Michelle Abella-Shon absent
2. Lorayne Burley YES
3. Bill Crooks YES
4. Michelle Defilippi absent
5. Jan Kane YES
6. Tom Meissner YES
7. Chuck Mitchell absent
8. Lou Segreti YES
9. Russell Shon YES
10. Pat Wright ABSENT
11. George Pecoraro YES
12. Tom Ward YES

Open Seats
TOTAL 12
PRESENT 8
13. ABSENT 4
14. ABSENT 4

MAN MAD BUDGET

MOTION: JAN K.
SECOND: TOM M.
YES 8
NO 0 } UNANIMOUS

WATER MARK/MCO IMPACT

MOTION: JAN K.
SECOND: BILL C.
YES 8
NO 0 } UNANIMOUS

Pending new candidate members:

1. Jesse Adams (attended: 8/15)

~~2. Ellen Caprio~~

Candidates for membership need documented attendance at two meetings of the MRNPC's last 12 meetings prior to election in March or appointment until March.

Seated members = 12

Quorum = 7 (12/2=6 – for majority, more than half = 7)

Majority of seated members = 7

2/3 majority = 8 (12*(2/3 or .666)) = 8

APPROVE AGENDA

YES = 8 UNANIMOUS
MOTION: TOM M.
SECOND: JAN K.

MIRAMAR RANCH NORTH PLANNING COMMITTEE (MRNPC)

Voluntary Sign In

Date: December 1st, 2015

Name	Affiliation	Email Address
Lorayne Burley	MRNPC	onfile
Vally Whitefish	SRPP	"
Sarah Witzel Smith	SRPP	"
Robert Raber	Resident	r.r.raber@yahoo.com
RUSSELL SAN	MRNPC	onfile
Lou Seguel	MRNPC	onfile
CHANDRA	RESIDENT	
RAS	RESIDENT	
MAGESH	Resident	
SRINIVAS SAMAVEPAM	Resident	VASU2K@GMAIL.COM
Emily Bueck	RESIDENT	ebung1@san.rr.com
Shay Schweinfurter	Resident	shaymandrake@gmail.com
Veronica Kops	Resident	
P. PHERN	"	
TIM O'CONNELL	RESIDENT	TIMOCONNELLNSAN@AOL.COM
CHRISTY TOWNSEND	"	Ctownsend@ngridlaw.com
PAUL STROGS	OUT STATE MD	ps1015@sandiego.gov
BRUCE BACHAND	RESIDENT	
John Clevenger	resident	jdclev@live.com
COREY GASS	RESIDENT	COREYGASS@HOTMAIL.COM
Gene Fuller	SDUSD	gfuller@sandi.net
Hedy Witham	RESIDENT	HWITHAM1@SAR.RR.COM
Michael Kelly	RESIDENT	
Midori Wong	SDUSD	midori.wong@sandi.net
Denise Hampton	Resident	deniseh@san-rr.com
Clark Hampton	resident	clarkdhampton@gmail.com
Charles Hammer	Resident	HC@SAN.RR.COM

MIRAMAR RANCH NORTH PLANNING COMMITTEE (MRNPC)

Voluntary Sign In

Date: DECEMBER 1, 2015

Name	Affiliation	Email Address
ROD STONE	MONARCH GROUP	
SARAH KROER JAGER	Monarch Group	
Pat Kroer	Monarch Group	
Jennifer Cesaro	MRN Resident	
MICHAEL CESARO	MRN RESIDENT	
MIKE SHREY	RESIDENT	
PEGGY SHREY	RESIDENT	
ARUN SAMANTHAN	RESIDENT	
Kim Campillo	Resident	
RAY ROGGE	Resident	
Bill Crooke	Resident mch.	



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

Watermark / MedImpact Community Plan Amendment and Rezone

Project No. For City Use Only

Project Address:

Scripps Gateway Court

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

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

Additional pages attached ☐ Yes ☐ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:


Project Title:	Project No. (For City Use Only)
----------------	---------------------------------

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

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

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

Corporate/Partnership Name (type or print): <u>SCRIPPS HIGHLAND WATERMARK LLC</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: <u>5465 MOREHOUSE DR., STE. 260</u> City/State/Zip: <u>SAN DIEGO CA 92121</u> Phone No: <u>858-546-3000</u> Fax No: _____ Name of Corporate Officer/Partner (type or print): <u>MARK RADELOW</u> Title (type or print): <u>VICE PRESIDENT</u> Signature:  Date: <u>9-4-15</u>	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____
Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____
Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____	Corporate/Partnership Name (type or print): _____ <input type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: _____ City/State/Zip: _____ Phone No: _____ Fax No: _____ Name of Corporate Officer/Partner (type or print): _____ Title (type or print): _____ Signature : _____ Date: _____