

(R-88-2164)

RESOLUTION NUMBER R-270727

ADOPTED ON APRIL 12, 1988

WHEREAS, Lusk-Smith/Mira Mesa North, by Terry R. Plowden, appealed the decision of the Planning Commission in denying Planned Industrial Development Permit No. 84-0667 submitted by Lusk-Smith/Mira Mesa North, Owner/Permittee, for approximately 13.42 acres described as a portion of Lot 1, El Camino Memorial Park, Map 4719, located in the northeast portion of El Camino Memorial Park, south of the Lusk Mira Mesa Business Park East, in the Mira Mesa Community Plan area, in the M-1B and Hillside Review Overlay Zones; and

WHEREAS, the matter was set for public hearing on April 12, 1988, 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 this Council adopts the following findings with respect to Planned Industrial Development Permit No. 84-0667:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Mira Mesa Community Plan.

2. The proposed use, because of the conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity.

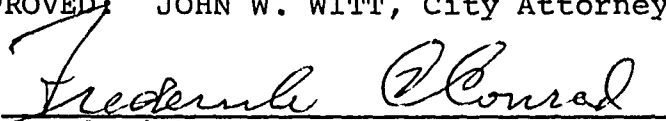
3. The proposed use will comply with the relevant regulations in the Municipal Code. The project fulfills all requirements of the Municipal Code relevant to planned industrial developments and tentative maps and meets the criteria and guidelines of the adopted Mira Mesa Community Plan.

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

BE IT FURTHER RESOLVED, that the appeal of Lusk-Smith/Mira Mesa North, by Terry R. Plowden, is granted; the decision of the Planning Commission is overruled, and Planned Industrial Development Permit No. 84-0667 is hereby granted to Lusk-Smith/Mira Mesa North, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By

  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:ta  
05/03/88  
Or.Dept:Clerk  
R-88-2164  
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SAN DIEGO, CALIF.

PLANNED INDUSTRIAL DEVELOPMENT PERMIT NO. 84-0667  
(OLD CASE PID NOS. 82-0440 AND 87-0060)  
CITY COUNCIL

This Planned Industrial Development Permit Amendment is granted by the Planning Commission of The City of San Diego to LUSK-SMITH/MIRA MESA NORTH, a Limited partnership, Owner/Permittee", for the purposes and under the terms and on the conditions as set forth herein pursuant to the authority contained in Section 101.0920 of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to Owner/Permittee to add 13.4 acres and make other modifications to an approved planned industrial development (total 443.4 acres), located on the north and south sides of Mira Mesa Boulevard between Interstate 805 Freeway and Camino Santa Fe, described as Lots 1-33, Lusk Mira Mesa Business Park East I, Map No. 11024, Lots 34-40, Unit 2, Map No. 11025, Lots 41-42, 44-48, Unit 3, Map No. 13071, Parcels 1, 2 and 5 of Parcel Map No. 13071, and Portion of Section 3, T15S, R3W, SBM (Portion of Lot 1, El Camino Memorial Park, Map No. 4719) in the A-1-10, M-1B, Portion HR (proposed M-LI, M-1B portions HR) Zones.

2. The Project shall consist of the following:

- a. 84 industrial lots, individually graded and padded on approximately 390 acres (Approved PID No. 87-0060);
- b. One open space lot of approximately 40 acres (Approved PID No. 87-0060);
- c. Two industrial lots, individually graded and padded, on approximately 13.4 acres, subject to Condition 30 of this permit (PID Amendment No. 84-0667);
- d. Redesignation of Lot 48, Lusk Mira Mesa Business Park East I, Unit 3, Map No. 11437, from M-1B uses to "Restricted" M-1B uses - no multi-tenant offices (PID Amendment No. 84-0667);
- e. Extension of Mesa Rim Road through future Lot 49, to provide access to Lusk Unit 5 (PID Amendment No. 84-0667);
- f. Extension of Mesa Ridge Road to connect Mesa Rim Road to Camino Santa Fe (PID Amendment No. 84-0667);
- g. Light industrial and office uses not to exceed an F.A.R. of 0.5 in the M-LI zone and 0.6 in the M-1B zone; and

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h. Incidental accessory uses as may be determined incidental and approved by the Planning Director.

3. The number of parking spaces shall conform to regulations of the underlying zones. Parking spaces shall be consistent with Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked. Five percent of the parking located nearest to building entrances shall be designated as preferred parking for ride-sharers. This parking shall be indicated on development plans, to be approved by the Planning Director.

4. Grading and padding plans for the Planned Industrial Development Permit shall conform to Hillside Review Permit Nos. 82-0440 and 82-0441; and Tentative Map Nos. 82-0440, 82-0441, and 84-0667.

5. Grading of the site, prior to recordation of a final subdivision map may occur if approved by the Planning Director and Engineering and Development Department and approved by the City Council in areas affected by the Hillside Review Overlay Zone.

6. Prior to the issuance of any building permits, a development plan package for each lot or group of lots shall be submitted to the Planning Director for approval. This development plan package shall include the following:

- a. A completed Planned Industrial Development Permit Supplemental Application Form for each lot or group of lots proposed for development;
- b. One (1) plot plan drawn in accordance with instructions contained in Planned Industrial Development Permit Supplemental Application Form;
- c. One (1) copy of drawing showing exterior elevations and building materials of all sides of all buildings, including signs;
- d. One (1) set of floor plans depicting general use of the building(s); and
- e. One (1) copy of a landscape/irrigation plan.

7. Properties shall be developed in conformance with guidelines contained in the document "LUSK MIRA MESA BUSINESS PARK EAST PLANNED INDUSTRIAL DEVELOPMENT" dated April 12, 1988, and as modified per Condition 34 of this permit.

16. The development shall encourage:

- a. Outdoor eating areas to be developed as attractive functional parks;
- b. Secured bicycle parking; and
- c. Locker and shower areas for employees.

17. Any eating facilities permitted as an accessory use within this Planned Industrial Development shall be oriented to or located in the interior of each lot. Signing for these food facilities shall be minimal and off-site signage shall be prohibited.

18. Prior to the use of occupancy of any lot, all of the lot not devoted to buildings, structures, driveways, sidewalks, parking, outdoor storage, or loading areas shall be suitably landscaped.

19. A condition of this Planned Industrial Development is the recordation of a final Subdivision Map, prior to the issuance of any building permits.

20. Before issuance of any building permits for a phase or unit, complete grading and building plans for that phase or unit shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A" dated April 12, 1988 and as modified per Conditions 33 and 34 of this permit, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.

21. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The Plans shall be in substantial conformity to Exhibit "A" dated April 12, 1988, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended.

22. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.

23. The portion of this Planned Industrial Development Permit approved under PID No. 82-0440 and extended by PID No. 87-0060 must be used on or before February 22, 1990, or that portion of the permit shall be void. The portion of the development added by PID Amendment No. 84-0667 (Portion of Section 3, T15S, R3W, SBM, Portion of Lot 1, El Camino Memorial Park, Map No. 4719) must be used on or before October 22, 1990 or that portion of the permit shall be void. An Extension of Time may be granted as set

forth in Section 101.0920 of the Municipal Code. Any such extension is subject to all Municipal Code requirements, and applicable guidelines in effect at the time the extension is granted.

24. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

25. After establishment of the project, the property shall not be used for any other purposes unless:

- a. Authorized by the Planning Director; or
- b. The permit has been revoked by the City.

26. This Planned Industrial Development Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

27. No permit for grading or construction of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

- a. The Permittee signs and returns the permit to the Planning Department;
- b. The Planned Industrial Development Permit is recorded in the office of the County Recorder.

28. This Planned Industrial Development Permit is subject to appeal within 10 days to the City Council as provided for in Section 101.0920 of the Municipal Code.

29. This Planned Industrial Development Permit is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.

30. The development of Portion of Section 3, T15S, R3W, SBM (deleted from Lot 1, El Camino Memorial Park, Map No. 4719) is subject to the following conditions:

- a. Tentative Subdivision Map No. 84-0667, amended as shown April 12, 1988, shall record prior to the issuance of grading or building permits for the property;
- b. The development of the 13.4-acre site shall be with industrial uses in accordance with the "Restricted" M-1B provisions of the PID;
- c. Should one or more of the related requests listed herein are denied; this PID Amendment is deemed denied and CUP

No. 86-0947 and PID No. 87-0060 will control the property:

- 1) Conditional Use Permit Amendment No. 84-0667;
  - 2) Rezoning Case No. 84-0667;
  - 3) Tentative Subdivision Map No. 84-0667; and
  - 4) Community Plan/Progress Guide and General Plan (Mira Mesa Community Plan) to redesignate the 13.4-acre property from cemetery use to industrial use.
- d. In order to mitigate direct impacts to the circulation system, the following measures shall be conditions of the Planned Industrial Development Permit:
- 1) Extension of Mesa Ridge Road from its terminus in Mesa Rim Industrial Park east to Camino Santa Fe;
  - 2) Prohibition of parking on Mesa Rim Road; and
  - 3) Preparation of a study to determine the need of a traffic signal at Camino Santa Fe and the proposed extension of Mesa Ridge Road.
- e. Manufactured slopes shall be contour graded and relandscaped in accordance with the Lusk Mira Mesa Business Park East PID.
- f. As a condition of approval of the project's Tentative Map, construction machinery shall be forbidden to use the southfacing slopes between the slope easements and outside the site boundary as crosstrails, so that disturbance of vegetation would be confined to the project site and grading easements. The proposed PID shall extend the specifications for planting and maintenance of external slopes with native vegetation to include those of Unit 5.
- g. The following measures shall be implemented to mitigate the potential for increased erosion:
- 1) The detention basin for Lusk Mira Mesa Business Park East is designed to control runoff from the business park and would accommodate the very small relative increase in runoff volume caused by the project's implementation;
  - 2) Since the proposed project will be subject to the City's Hillside Review process, a geological reconnaissance for the project shall be performed



prior to approval of final grading plans. If the reconnaissance indicates unforeseen problems, a more detailed geological report will be required.

Impacts of such problems shall be identified, and recommendations shall be made to avoid or mitigate the impacts; and

- 3) Potential for erosion during construction shall be controlled by standard engineering practices and governed by the City's Land Development Ordinance.

31. This Planned Industrial Development Permit shall supersede PID Nos. 82-0440 and 87-0060.

32. No commercial or retail-oriented uses, except for products manufactured on site, shall be located on any lots located in the Lusk Mira Mesa Business Park, as approved by Planned Industrial Development Permit Nos. 84-0440 and 87-0060 or any subsequent amendments to these permits.

33. Slope areas abutting open space areas on Lots 53, 54 and 55, as depicted in Exhibit "A," dated April 12, 1988, shall be placed in a "Non-Building Area" easement and shall be maintained as open space. Prior to the issuance of grading permits for these lots, landscaping and irrigation plans for the referenced slopes shall be submitted to the Planning Director for approval. The developer shall initiate and complete such landscaping within 90 days of the completion grading.

34. Development criteria for Lots 53, 54 and 55 shall be submitted to the Planning Director for approval which implement siting criteria of the Mira Mesa Community Plan. This Plan requires the sensitive development of lots adjacent to Carroll Canyon and the El Camino Memorial Park. These criteria shall become part of the "LUSK MIRA MESA BUSINESS PARK EAST PLANNED INDUSTRIAL DEVELOPMENT" standards which must be amended to add these criteria prior to the issuance of grading or building permits for these lots.

Passed and adopted by the City Council of The City of San Diego on April 12, 1988.

AUTHENTICATED BY:

MAUREEN O'CONNOR, Mayor  
The City of San Diego

CHARLES G. ABDELNOUR, City Clerk  
The City of San Diego

STATE OF CALIFORNIA )  
                                                          ) ss.  
COUNTY OF SAN DIEGO )

On this \_\_\_\_\_ day of \_\_\_\_\_, 198\_\_\_\_, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

Notary Public in and for the County  
of San Diego, State of California

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

LUSK-SMITH/MIRA MESA NORTH  
(Permittee)

By\_\_\_\_\_

By\_\_\_\_\_

NOTE: Notary acknowledgments must be attached per Civil Code Section 1180, et seq.

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Passed and adopted by the Council of The City of San Diego on APR 12 1988,  
by the following vote:

| Council Members        | Yeas                                | Nays                     | Not Present              | Ineligible               |
|------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Abbe Wolfsheimer       | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ron Roberts            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Gloria McColl          | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| H. Wes Pratt           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ed Struiksmma          | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| J. Bruce Henderson     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Judy McCarty           | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bob Filner             | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Maureen O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By Ellen Howard, Deputy.

*[Faint handwritten notes and illegible text]*

|                                                 |                            |
|-------------------------------------------------|----------------------------|
| Office of the City Clerk, San Diego, California |                            |
| Resolution Number <u>R-270727</u>               | Adopted <u>APR 12 1988</u> |