

(R-90-517)

RESOLUTION NUMBER R-274251

ADOPTED ON AUGUST 8, 1989

WHEREAS, July 13, 1989, the Planning Commission recommended approval of Conditional Use/Hillside Review/Resource Protection Overlay Zone Permit No. 87-1096 (Children's Hospital and Health Center, Owner/Permittee, expansion project) submitted by Children's Hospital and Health Center for a patient wing addition of 144,141 square feet, a diagnostic and treatment expansion of 31,800 square feet, a medical office building of 80,000 square feet and a parking structure of 250,000 square feet on a Portion of Block 1199, Pueblo Lands, Miscellaneous Map No. 36, located within the 127-acre Kearny Mesa Health-Institutional complex bounded by SR-163 on the west, I-805 on the east, and Frost Street on the north, in the Serra Mesa Community Plan area, in the R1-5000 zone; and

WHEREAS, the matter was set for public hearing on August 8, 1989, 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 CUP/HR/RPOZ Permit No. 87-1096:

1. Conditional Use Permit Findings

a. The proposed amendment will not adversely affect the neighborhood, the General Plan or the adopted Serra Mesa Community Plan, and will not be detrimental to the health, safety, and general welfare of persons working or residing in the area. The request to construct 505,931 square feet of hospital additions is an appropriate and needed project which will increase the level of service to the Serra Mesa community and the City of San Diego. This long range plan will facilitate coordinated planning for further development in the Kearny Mesa Health Institutional Complex.

b. The proposed amendment will comply with all relevant regulations in the Municipal Code. Section 101.0510C.3.i of the Municipal Code grants the Planning Commission authority, under conditions, to approve hospitals, intermediate care facilities and nursing homes by conditional use permit. Further, Section 101.0225 allows the Planning to rule on projects which would otherwise be considered by the Zoning Administrator, Subdivision Board, or the Planning Director. Therefore, the Planning Commission has the authority to approve the Hillside Review/Resource Protection Overlay Zone/Tentative Map with the approval of the Conditional Use Permit. However, the City Council will be the final decision maker on this project due to Provision "M" of the Resource Protection Overlay Zone, which states that conditional use permits within RPOZ are subject to approval by the City Council. This development, with the conditions that have

been applied to it, will be consistent with the Municipal Code requirements in every respect.

2. Hillside Review Findings

a. The site is physically suitable for the design and siting of the proposed development and will result in the minimum disturbance of sensitive areas. The proposal meets the encroachment criteria of the Resource Protection Overlay Zone and mitigates issues of the landform alteration by extensively landscaping manufactured slopes.

b. The grading and excavation proposed in connection with the development will not result in soil erosion, silting of lower slopes, slide damage, flooding, severe scaring or any other geological instability which would affect health, safety and general welfare and approved by the City Engineer. Disturbed slopes are planted with native and self sufficient vegetation. The City Engineer has reviewed the grading plan proposed with this development and has no objections to the proposal.

c. The proposed development retains the visual quality of the site, the aesthetic qualities of the area and the neighborhood characteristics by utilizing proper structural scale and character, varied architectural treatments, and appropriate plant material because the project proposes a Spanish variation design incorporating towers, arches, punch-windows, balconies, courtyards and awnings. Building materials include stucco exterior, metal roof, decorative tile and Spanish block. The Mission Style design expresses

the character of the San Diego region. Extensive site landscaping will be provided with the development. Further, a combination of eucalyptus trees and shrubs is proposed for the eastern hillside portion of the site to screen the parking garage.

d. The proposed development is in conformance with the Open Space Element of the General Plan, the Open Space and Sensitive Land Element of the community plan, any other adopted applicable plan, and the zone. The applicant has discussed the feasibility of open space dedications or easements with appropriate City staff. Section 101.0510 of the Municipal Code allows hospitals to be sited in residential zones provided they first obtain a conditional use permit. There are no open space dedications or easements proposed for this project.

e. The proposed development is in conformance with the qualitative guidelines and criteria as set forth in Document No. RR-262129, "Hillside Design and Development Guidelines," because the parking garage incorporates a design which steps down the hillside. Further, the minimum amount of grading possible has been proposed for the extension of Berger Avenue. Cribwalls are used extensively on the site to minimize grading.

### 3. Resource Protection Overlay Zone Findings

a. The proposed development will be sited, designed, and constructed to minimize, if not preclude, adverse impacts upon sensitive natural resources and environmentally

sensitive areas. The development meets the encroachment criteria of the Resource Protection Overlay Zone. Adverse impacts on the eastern portion of the site have been minimized through the use of cribwalls, sensitive grading and planting on all manufactured slopes.

b. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and resources located in adjacent parks and recreation areas and will provide adequate buffer areas to protect such resources. There are no parks or sensitive natural resources located adjacent to this development.

c. The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geological and erosional forces and/or flood and fire hazards. The proposal meets the encroachment criteria of the Resource Protection Overlay Zone. Further, the Engineering Department has reviewed the plans for this development and identified no erosional or geological hazards.

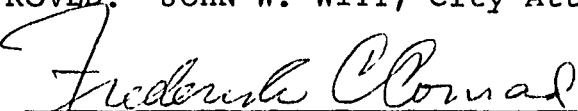
d. The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance the visual quality in visually degraded areas. Proposed building materials include stucco exterior, metal roofing, decorative tile and Spanish block. Mission style design expresses the character of the San Diego region. The architecture fits well with that of the San Diego Mission and Old Town.

e. The proposed development will conform with The City of San Diego's Progress Guide and General Plan, and Local Coastal Program, or any other applicable adopted plans and programs. This development, with conditions that have been applied to it, will be consistent with Municipal Code requirements in every respect.

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 Planning Department's recommendation is sustained; that Conditional Use/Hillside Review/Resource Protection Overlay Zone Permit No. 87-1096 is hereby granted to Children's Hospital and Health Center, 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:lc  
10/26/89  
Or.Dept:Clerk  
No. 87-1096  
R-90-517  
Form=r.permit

# CORRECTED COPY

CONDITIONAL USE/HILLSIDE REVIEW/RESOURCE  
PROTECTION OVERLAY ZONE PERMIT NO. 87-1096  
AMENDMENT TO CUP NO. 86-0234

## CITY COUNCIL

This Conditional Use/Hillside Review/Resource Protection Overlay Zone Permit Amendment is granted by the City Council of The City of San Diego to CHILDREN'S HOSPITAL AND HEALTH CENTER, a California corporation, Owner/Permittee, pursuant to Sections 101.0510, 101.0454, and 101.0462 of the San Diego Municipal Code.

1. Permission is granted to Owner/Permittee to construct a total of 505,931 square feet of additions to the existing Children's Hospital and Health Center, located within the 127-acre Kearny Mesa Health-Institutional Complex bounded by SR-163 on the west, I-805 on the east, and Frost Street on the north, described as a portion of Block 1199, Pueblo Lands, Misc. Map No. 36, in the City of San Diego, County of San Diego, State of California, in the R1-5000 Zone.
2. The facility shall consist of the following:
  - a. A 100-bed children's hospital;
  - b. A 31,790-square-foot diagnostic and treatment facility expansion;
  - c. A 144,141-square-foot patient wing with 120 beds;
  - d. A 13,624-square foot child convalescent hospital;
  - e. An 80,000-square-foot medical office building;
  - f. An 8,280-square-foot fiscal services building;
  - g. A 1,688-square-foot office building;
  - h. Twelve modular buildings totalling 58,988 square feet;
  - i. A 13,000-square-foot energy plant;
  - j. Off-street parking; and
  - k. Accessory uses as may be determined incidental and approved by the Planning Commission.
3. No fewer than 1,595 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated August 8, 1989, on file in the office

of the Planning Department. Parking spaces shall be consistent with Division 8 of the Zoning Regulations 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 at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use. The applicant may charge for use of the parking spaces within the proposed parking structure only, subject to the following conditions:

- a. For validated emergencies and outpatient use: No charge for the first two hours; thereafter fifty cents per hour, with a maximum charge of two dollars per 24-hour period;
  - b. For other validated parking: No charge for the first hour; thereafter, fifty cents per hour, with a maximum charge of two dollars per 24-hour period;
  - c. For non-validated parking: A flat two dollars per hour may be charged;
  - d. Signage for the parking charges will be approved by the Planning Director prior to imposition of the parking control system; and
  - e. Use fees may be adjusted to recover cost of maintenance and operation of parking facilities.
4. No permit for 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 Conditional Use Permit is recorded in the office of the County Recorder.
5. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated August 8, 1989, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications, findings of substantial conformance or amendment of this permit shall have been granted.
6. 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 August 8, 1989, 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 and is to be maintained in a disease-, weed- and litter-free condition at all times.

7. 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.
8. This Conditional Use/Hillside Review/Resource Protection Overlay Zone Permit must be used within 36 months after the date of City approval or the permit shall be void. An Extension of Time may be granted as set forth in Section 101.0510.k. of the Municipal Code. Any extension of time shall be subject to all standards and criteria in effect at the time the extension is applied for.
9. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
10. After establishment of the project, the property shall not be used for any other purposes unless:
  - a. Authorized by the Planning Commission; or
  - b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
  - c. The permit has been revoked by the City.
11. This Conditional Use Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.
12. This Conditional Use Permit is a covenant running with the subject property 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 in this permit and all referenced documents.
13. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.

14. Before the approval of any signage for the site, the applicant must submit to the Planning Director a comprehensive sign program addressing all signage on site.
15. Building platforms shall be screened by landscaping or an architectural feature.
16. The collection and disposal of waste accumulation shall be on a daily basis.
17. All plant materials shall be maintained in a healthy growing condition at all times.
18. Improvements (buildings, parking lots, hardscape, etc.) shall be maintained in good condition at all times.
19. This permit shall supersede CUP No. 86-0234 and all previously approved Conditional Use Permits on the subject property.
20. Prior to the issuance of any building permits for Traffic Generating Buildings within the Children's Hospital and Health Center, excluding the parking structure located east of Berger Avenue, the following improvements shall be constructed, bonded for construction, or otherwise assured, and shall be completed prior to the issuance of and certificate of occupancy for those buildings.

- a. The applicant shall design and construct the Birmingham Drive and Berger Avenue loop road, Street "A" (connecting link between Berger Avenue and Meadowlark Drive), including the southerly cul-de-sac on Berger Avenue, in a manner satisfactory to the City Engineer. If this loop road system is to be constructed over an underground parking structure, a City Council approved Encroachment Permit will be required.

The intersection of Street "A"/Birmingham Drive shall be designed in a manner satisfactory to the City Engineer. The loop road and its appurtenances shall be constructed and open to traffic within one year from the issuance of building permits for the first Traffic Generating Building.

- b. The applicant shall design and construct a traffic signal at the intersection of Health Center Drive and Frost Street and interconnect with the traffic signal at Health Center Drive and Mesa College Drive. The estimated total cost of the project is approximately \$110,000. It is tentatively scheduled for CIP construction in FY '91. The applicant shall enter into an agreement with the City for credits and/or

reimbursement in an amount satisfactory to the City Engineer.

- c. The applicant shall pay to the City a deposit in the amount of \$21,250, as this represents the applicant's estimated 25 percent share in the design and construction of an additional westbound through lane at the SR-163 northbound on-ramp/Cardinal Street intersection. The estimated total cost of the project is \$85,000. The City's responsibility will be 50 percent, and Sharp Memorial Hospital's (CUP 88-1297) responsibility will be 25 percent. The applicant shall enter into an agreement for its payment of 25 percent of the final cost of this transportation improvements as determined by the City Engineer, reduced by any sums previously paid.
- d. The applicant shall enter into an agreement with the City for the modification of the SR-163 northbound off-ramp at Genesee Avenue, the dual left-turn pocket at the northbound SR-163 on-ramp, and the additional through lane on eastbound Genesee Avenue, in a manner satisfactory to the City Engineer. This work is to be included with the construction of the additional westbound lane with a City responsibility at 50 percent, Sharp Memorial Campus at 25 percent, and Children's Hospital and Health Center at 25 percent.
- e. The applicant shall arrange with the City for removal of parking along Health Center Drive between Vista Hill Avenue and Mesa College Drive.
- f. The applicant shall assure the following water and sewer requirements, in a manner satisfactory to the Water Utilities Director:
  - (1) Water Requirements:
    - (a) Provide a water study;
    - (b) Install all facilities required in the approved study; and
    - (c) Install fire hydrants at locations satisfactory to the Fire Department and to the City Engineer.
  - (2) Sewer Requirements:
    - (a) Provide a sewer study; and
    - (b) Install all facilities required in the approved study; and

(3) No structures shall be built in or over any easements.

21. The parking garage shall incorporate:
  - a. Articulation of all facades to reduce apparent size and bulk;
  - b. A retaining wall design which allows the growth of vegetation over and through the wall;
  - c. A landscape and hillside revegetation plan that provides naturalized vegetation for graded areas and screening for the structure; and
  - d. A three-year maintenance program to ensure satisfactory establishment of revegetated areas.
22. Final action on this project is subject to the approval of the City Council of the City of San Diego.
23. In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this Permit shall be void.

Passed and adopted by the Council of The City of San Diego on August 8, 1989.

FCC:lc  
10/26/89  
12/07/89 COR.COPY  
r-90-517-p



3356

Passed and adopted by the Council of The City of San Diego on.....**AUG 8 1989**.....  
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<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.....*June A. Becknell*....., Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number .....	<b>R-274251</b> Adopted .....
	<b>AUG 8 1989</b>