

(R-93-1239)

RESOLUTION NUMBER R-281404

ADOPTED ON JANUARY 26, 1993

WHEREAS, Robert H. Hagey, Jr., Owner/Permittee, submitted an application to the Planning Department for an extension of time to Planned Industrial Development (PID) Permit and Resource Protection Overlay Zone (RPOZ) Permit No. 88-0481 (Golden Triangle Research Center) for the construction of two detached, two-story scientific laboratory and research buildings (one building will 40,800 square feet in size and the other will be 82,800 square feet in size) for various scientific research and laboratory tenant uses and related site improvements and facilities necessary to implement the proposed development, including landscaping and off-street parking, located on the south side of Eastgate Mall, between Towne Centre Drive and Interstate 805, and is described as a portion of Pueblo Lot 1307, Miscellaneous Map No. 36, in the University Community Plan Area, in the R-1-500/HR (proposed SR/HR) zone; and

WHEREAS, on December 10, 1992, the Planning Commission voted unanimously to recommend to the City Council to approve Planned Industrial Development/Resource Protection Overlay Zone Permit No. 92-0443, extending PID/RPOZ Permit No. 88-0481; and

WHEREAS, the matter was set for public hearing on January 26, 1993, 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/Resource Protection Overlay Zone Permit No. 92-0443, extenting PID/RPOZ Permit No. 88-0481:

1. The proposed use will fulfill a community need and will not adversely affect the General Plan or the University Community Plan. The proposed science and research buildings would be constructed in conformance with the relevant development guidelines or the adopted University Community Plan and SR zone for this site. The project includes outdoor eating/seating areas for the employees, and a focal point featuring enhanced paving, landscaping, a water element and an art sculpture.

2. The proposed use, because of 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. The proposed uses described by the project are restricted to those allowed by the SR zone. External effects associated with materials having a serious fire or explosive potential, toxic hazard, or radioactivity would not be allowed within the project. Additionally, total site building coverage is restricted to 25% by relevant NAS Miramar land use restrictions, and the project is proposing 18.7% coverage.

Therefore, the proposed development would be consistent with this coverage limitation and would not adversely affect other property in the vicinity or be detrimental to the health, safety and general welfare of persons residing or working in the area.

In addition, a number of conditions have been applied to the draft permit to assure project compliance with relevant requirements of the SR zone, including standards for off-street parking setbacks, building height and building coverage.

3. The proposed use will comply with the relevant regulations in the Municipal Code. The proposed project fulfills all relevant development regulations in the Municipal Code for this site, including referenced development standards and criteria of the SR zone and the University Community Plan.

4. The site is physically suitable for the design and siting of the proposed structures and will result in minimum disturbance of sensitive areas. The vacant project site has been previously disturbed and has been almost entirely graded with the construction of the Nexus Technology Centre. There is a very small community of chaparral identified on site, however, it is degraded and separated from other chaparral communities and the loss is considered to be insignificant.

Therefore, the site is physically suitable for the siting of the proposed structures and due to previous grading activities associated with this site, the development would result in the minimum disturbance of remaining sensitive areas.

5. The proposed development retains the visual quality of the site, the aesthetic qualities of the area and development on adjacent and surrounding properties. The proposed project is similar in design, bulk and scale to other constructed scientific research developments in the immediate area. The project would alter the existing contours of the landform, the site has been

previously disturbed with the construction of the Nexus Technology Centre. The proposed development would retain the aesthetic qualities of the surrounding area which is characteristically developed with similar scientific research land uses as evidenced by the construction of the Nexus Technology Centre.

6. The proposed development is in conformance with the qualitative guidelines and criteria as set forth in Ordinance No. 0-16939, "Resource Protection Overlay Zone," and is in conformance with the Open Space Element of the General Plan and all relevant regulations in the Municipal Code.

The proposed project proposes equal amounts of cut and fill and because the entire site has been previously disturbed, there are no sensitive slopes remaining. Therefore, no significant adverse impacts are anticipated to occur as a result of project implementation.


The proposed development would fully comply with the relevant regulations and slope encroachment guidelines and standards of the Resource Protection Overlay Zone Ordinance, and Open Space Element of the City's Progress Guide and General Plan, as well as any other relevant and applicable regulation of the Municipal Code in effect for this site and development.

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 recommendation of the Planning Commission is sustained, and Planned Industrial Development/Resource Protection Overlay Zone Permit No. 92-0443

extending PID/RPOZ No. 88-0481, is hereby granted to Robert H. Hagey, Jr., Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 

Harold O. Valderhaug
Chief Deputy City Attorney

HOV:lc
03/17/93
Or.Dept:Clerk
R-93-1239
Form=r.permit

PLANNED INDUSTRIAL DEVELOPMENT (PID) AND
RESOURCE PROTECTION OVERLAY ZONE (RPOZ) PERMIT NO. 92-0443
(EXTENSION OF TIME FOR PID AND RPOZ PERMIT NO. 88-0481)

GOLDEN TRIANGLE RESEARCH CENTER

CITY COUNCIL

This permit is granted by the Council of The City of San Diego to Robert H. Hagey, Jr., Owner/Permittee, pursuant to Section 101.0920 of the Municipal Code of The City of San Diego.

1. Permission is hereby granted by the City Council to Owner/Permittee to implement various scientific research land uses and related site improvements and facilities on the subject vacant property located south of Eastgate Mall, between Towne Center Drive and Interstate 805, described as Portion of Pueblo Lot 1307, Miscellaneous Map No. 36, in the SR (portions in the Hillside Review Overlay) zone.
2. The permit shall consist of the following facilities and site improvements:
 - a. One two-story, 40,800-square-foot science and research building; and one two-story, 82,800-square-foot science and research building and related site facilities and various improvements as identified by size, dimension and location on the approved Exhibit "A," dated January 17, 1989, on file in the Planning Department;
 - b. Site Landscaping;
 - c. Off-street parking (see Condition No. 4); and
 - d. Incidental accessory uses as may be determined incidental and approved by the Planning Director.
3. Prior to the issuance of any building permits, a final subdivision map (No. 92-0433) shall be recorded on the subject property. Rezoning of the subject property from R1-5000 (HR) to SR (HR) shall be approved by the City Council and become effective with the recordation of the subdivision map associated with this development.
4. Not fewer than 360 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated January 17, 1989, on file in the office of the Planning Department. Of that total number, 120 spaces shall be allocated for Lot 1 and 240 spaces for Lot 2. Parking spaces shall be consistent with Chapter X, Article 1, 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

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Department standards. Parking areas shall be clearly marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.

5. 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 permit is recorded in the office of the County Recorder.
6. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated January 17, 1989, 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.
7. 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 January 17, 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.
8. 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.
9. The effective date of this permit shall be the date of final action by the City Council. The permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted by the Planning Director, as set forth in Section 101.0920(M) of the Municipal Code. Any such extension of time must meet all the Municipal Code requirements and applicable guidelines in effect at the time the extension is considered by the Planning Director.
10. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

11. 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 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.

The property included within this development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.

12. This permit may be canceled or revoked if there is a material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by The City of San Diego or Permittee.
13. This 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.
14. The use of texture or enhanced paving shall be permitted only with the approval of the City Engineer and Planning Director, and shall meet standards of these departments as to location, noise and friction values, and any other applicable criteria.
15. 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.
16. Prior to obtaining building permits, the applicant shall submit, for the approval of the Planning Director, detailed drawings of the outdoor eating/seating area proposed for both lots.
17. The property owner shall participate in and not oppose the University City Shuttle Assessment District upon implementation.
18. Uses occurring on the site associated with materials having a serious fire or explosive potential, toxic hazard or radio activity shall not be allowed.
19. The applicant shall provide bicycle racks, lockers and shower facilities for bicycle riders working at or visiting this development.

20. The applicant shall adhere to all relevant requirements of the U.S. Navy which pertain to this project site.
21. The applicant shall dedicate the three foot pedestrian easements illustrated on Executive and Judicial Drives to the City.
22. Prior to the issuance of building permits, the applicant shall provide for the approval of the Planning Director, a revised site plan and appropriate cross-sections illustrating Judicial Drive designed with a seven-foot parkway, a six-foot sidewalk and a four foot utility easement.
23. Prior to the issuance of building permits, the applicant shall provide for the approval of the Planning Director, a revised landscape plan illustrating the following:
 - a. The parkway on Judicial Drive shall be planted with liquid amber trees 35 feet on center.
 - b. The median on Judicial Drive shall be planted with Canary Island Pine trees.
24. This permit may be developed in phases. Each phase shall be constructed prior to the sale or lease to individual owners or tenants to ensure that all development is consistent with conditions and exhibits submitted to and approved by the Planning Director.

APPROVED by the Council of The City of San Diego on January 26, 1993, by Resolution No. R-281404.

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Passed and adopted by the Council of The City of San Diego on JAN 26 1993
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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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"/>
District 8 - VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING
Mayor of The City of San Diego, California.

(Seal)

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

By Mary Cepeda Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 281004 Adopted JAN 26 1993