

RESOLUTION NUMBER R-298420

ADOPTED ON SEPTEMBER 23, 2003

WHEREAS, the City of San Diego, Owner/Permittee, filed an application with the City of San Diego for a Site Development Permit No. 8318 to relocate and construct a new Canine/SWAT Police Facility, and construct a new Central Police Vehicle Maintenance Facility, known as the Central Police Facility project, located at the corner of Home Avenue and Federal Boulevard, as known as 4002-4008 Federal Boulevard, and legally described as portions of the west half of Lot 20, Horton's Purchase of Ex-Mission Lands, Map No. 283; Lots 1-9, Block 35 of Marilou Park, Map 517; portions of Blocks 40 and 41, Marilou Park, Map 517; Lots 15, 16 and 24-38, Block 32, Marilou Park, Map 517, in the Mid-City Communities Plan area, in the RS-1-7, RM-1-1 and OR-1-1 Zones, a portion of which is proposed to be rezoned from RS-1-7 to the OR-1-1 Zone; and

WHEREAS, on July 24, 2003, the Planning Commission of the City of San Diego considered Site Development Permit No. 8318, and pursuant to Resolution No. 3396-PC, voted to recommend City Council denial of the permit; and

WHEREAS, the matter was set for public hearing on September 23, 2003, 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 Site Development Permit No. 8318:

I. SITE DEVELOPMENT PERMIT

A. The proposed development will not adversely affect the applicable land use plan. The proposed project, Central Police Facility, will include the relocation and construction of a new Canine/SWAT Police Facility and construction of a new Police Vehicle Maintenance Facility on portions of a 16.8-acre site at Home Avenue and Federal Boulevard. The proposed vehicle maintenance facility would be constructed at the existing location of the Canine/SWAT facility which is designated for Park. The Canine/SWAT facility is proposed for a vacant portion of the site which is designated for Open Space uses. Both of these portions of the site and the land under the existing Police Pistol Range would be redesignated to Institutional. The redesignation is proposed to make the designation consistent with the existing and proposed public uses.

The proposed facility would be constructed to replace the Central Police Garage Facility at 12th Avenue and "K" Street, which has been designated as the site for the new main library. The construction of the new main library facility to replace the existing inadequate facility would implement the goals and objectives found in the Facilities and Safety Element of the Progress Guide and General Plan.

The designation of 6.0 acres of land as Open Space, located northeast of the existing shooting range, would implement the Open Space section of the Natural Resources and Cultural Element's goal of preserving hillside areas and areas of native vegetation, protecting biological, visual and topographic resources.

The proposed project would also enhance and restore the adjacent Auburn Creek Branch of Chollas Creek to implement the Natural and Cultural Resources Element's goals of improving and enhancing riparian habitat in Chollas Creek through the implementation of the Chollas Creek Enhancement Plan (CCEP). These efforts would include maintaining adequate setbacks from the creek, preserving indigenous plant species, removing non-native vegetation, planting riparian tree species, providing educational signage to teach citizens about the Creek's importance, as well as incorporating a thematic public arts component and implementing the design and development guidelines found in the CCEP.

The Mid-City Communities Plan places a strong emphasis on incorporating pedestrian orientation into new development projects where feasible. According to the Transportation Element of the Plan, the goal of providing adequate sidewalks and paths is necessary to support pedestrian circulation as a significant mode of transportation. The proposed project accommodates this goal by providing new curb, gutter and sidewalk along Federal Boulevard where no public improvements currently exist. The provision of these public improvements should greatly increase pedestrian travel at this location as well as expand the sidewalk system along Federal Boulevard.

The Neighborhood Links section of the Urban Design Element recommends that improvements serve to reinforce Federal Boulevard as an enhanced pedestrian link between the neighborhoods of Fairmount Park and Ridgeview. As an enhanced link, the

plan encourages the development of shade-producing street trees, pedestrian-oriented street lights along with enhanced crosswalks. The proposed project would incorporate new curb, gutter and sidewalks, along with street lighting, shade-producing street trees within the right-of-way and a newly painted crosswalk at the intersection of Home Avenue and Federal Boulevard.

The Civic Spaces and Buildings section of the Urban Design Element recommends clustering public facilities so they have greater use over time. The clustering of the Police Vehicle Facility, administrative offices, Canine and SWAT facilities from two locations into one will facilitate the construction of the new Main Library. Further, the Police and Public Safety section of the Public Facilities Element encourages maintaining a high level of police presence throughout the Mid-City community in order to create an atmosphere where residents and visitors are safe and can feel secure in their daily activities. The proposed project would retain and enhance the police presence at this location.

B. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed project, Central Police Facility, will include the relocation and construction of a new Canine/SWAT Police Facility and construction of a new Police Vehicle Maintenance Facility on portions of a 16.8-acre site at Home Avenue and Federal Boulevard.

The project proposes approximately 154 new parking spaces and the creation of new impervious surfaces which may result in potential water quality impacts to Chollas Creek, an already impaired water body. The proposed project is required to implement Best Management Practices (BMPs) in compliance with the City's Storm Water Regulations. As a result, the project would be designed to utilize appropriate post construction BMPs to ensure that runoff and storm flows being diverted to inlets are treated on site before being directed to the existing storm drain system along Federal Boulevard. In addition, BMP's are required during construction to reduce potential water quality impacts. The project would have certified and approved engineering drawings that identify appropriate pre and post construction BMPs to ensure compliance with the City's Stormwater Regulations.

The proposed project is the continuation of existing, and construction of new police facilities at this location. All proposed facilities, including the fueling station, would comply with Local, State and Federal standards of safety in the storage of any hazardous materials and for the operation of these facilities.

In addition, prior to the preconstruction meeting, the applicant would be required to provide verification, that the County of San Diego, Department of Environmental Health has reviewed and approved the proposed work plan for the treatment and disposal of hazardous materials or contaminated soils that may be encountered within the project site. In addition, an archaeological monitoring program will be implemented in the event of a historic discovery during grading activities. Therefore, implementation of the Mitigation, Monitoring and Reporting Program would reduce potential impacts to below a level of

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

C. The proposed development will comply with the applicable regulations of the Land Development Code. The proposed Central Police Facility project would comply with the Environmentally Sensitive Lands Ordinance through obtaining this Site Development Permit, and through all mitigation required as a part of the Mitigated Negative Declaration that has been prepared for this project.

Public facilities are not required to comply with the zoning regulations however, with the exception of structure height, the proposed project does comply with the underlying RM-1-1 Zone. The structure height of the proposed Police Vehicle Maintenance Facility has been mitigated due to the slope of the site. The proposed structure is approximately 150 feet from the closest residential property which is approximately 27 feet higher than the subject area.

D. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. The proposed project, Central Police Facility, will include the relocation and construction of a new Canine/SWAT Police Facility and construction of a new Police Vehicle Maintenance Facility on portions of a 16.8-acre site at Home Avenue and Federal Boulevard. The majority of the project would be constructed on already disturbed land at the existing Canine/SWAT facility location. Approximately two-acres of vacant land that contains environmentally sensitive lands would be impacted. This area is generally flatter than the remaining vacant land on site.

The project proposes to redesignate 6.0 acres of Multi-Family Residential to Open Space and rezone the acreage from RS-1-7 to OR-1-1. The area of redesignation has steep sloping terrain and environmentally sensitive lands which would minimize any development potential in the future. A Conservation Easement would also be placed on the 6.0 acres. The redesignation, rezoning, and Conservation Easement of this area would preserve the land and resources from development.

E. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards. The proposed Central Police Facility project will be constructed mostly on previously impacted portions of the site. The proposed Canine/SWAT facility would be located close to Federal Boulevard on a flatter area of vacant land.

The proposed project site is located on gently to moderately sloping terrain that descends from the south. Elevation ranges across the project site from a low of 100 feet above mean sea level (AMSL) to a high of approximately 200 feet AMSL. Geologic units encountered included fill, topsoil, alluvium, and the San Diego Formation. The project site is considered to be located in a seismically active area.

The geotechnical investigation identified several potentially active faults on the eastern portion of the site. However, the likelihood of these faults having potential for ground surface rupture due to faulting on the site is considered low. Habitable structures associated with the proposed project would be set back greater than 200 feet from these on-site faults, which is a considerably greater distance than the standard recommended setback of 50 feet for active faults. The geotechnical investigations concluded that no landslides or indications of deep-seated landsliding are present on-site. However, on-site soils are considered unstable. In order to reduce potential impacts from lateral spreading, subsidence, liquefaction or collapse, the proposed project would be required to implement remedial measures defined by the geologic investigation and incorporated into the approved construction documents. Because the majority of the proposed project would be constructed in areas that are currently developed, and no geologic impacts would result, mitigation is not required.

F. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. The proposed project, Central Police Facility, will include the relocation and construction of a new Canine/SWAT Police Facility and construction of a new Police Vehicle Maintenance Facility on portions of a 16.8-acre site. The proposed vehicle maintenance facility falls within the existing footprint of the existing Canine and SWAT training facility area. Therefore, there would be no impact on the surrounding slopes. The existing police pistol range would not be impacted as part of this project and the slopes adjacent to the range would not be impacted. The relocation of the Canine and SWAT facilities to the eastern portion of the site would be sited at the base of the slope to minimize the impact to the slopes. Approximately 40,000 square feet of land to the north of the Canine and SWAT facility would be graded and turfed for use as the Canine training field. The residual 9.35 acres to the north of the training field would remain undisturbed.

The proposed project has the potential to impact biological resources. A biological survey was required which evaluated potential project related impacts and to provide measures necessary to mitigate those impacts to below a level of significance. Sensitive species were observed inside the project area and mitigation is required per the Mitigation, Monitoring and Reporting Program. A focused survey also revealed that at least two pairs of coastal California gnatcatcher, a federally listed threatened species, occur immediately outside of the project footprint and up slope to the north. The certification of the Mitigated Negative Declaration and the implementation of the Mitigation, Monitoring and Reporting Program would require monitoring of these resources in addition to the proposed mitigation of preservation of habitat through the redesignation and rezoning of 6.0 acres of the project site.

G. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The proposed Central Police Facility project is not located within the Multiple Habitat Planning Area and therefore is not required to be consistent with the Multiple Species Conservation Program Subarea Plan. The certification of the Mitigated Negative Declaration and the implementation of the Mitigation, Monitoring and Reporting Program would require monitoring of resources in addition to the proposed mitigation of preservation of habitat through the redesignation and rezoning of the north 6.0 acres of the project site.

H. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The proposed Central Police Facility project is located approximately 2.5 miles from the San Diego Bay and is not near any public beach or local shoreline. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

I. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development. A Mitigated Negative Declaration has been prepared for this project and a Mitigation, Monitoring and Reporting Program would be implemented to

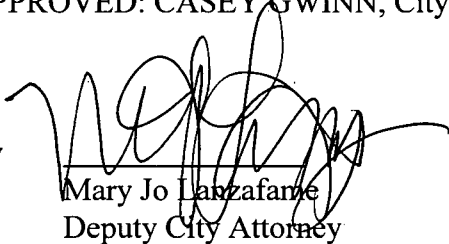
reduce potential impacts to biological resources, historical resources (archeology), human health/public safety/hazardous materials, paleontological resources, and water quality to a level below significance. All of the proposed mitigation is directly related to and appropriate for the proposed development.

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 overruled, and Site Development Permit No. 8318 is granted to the City of San Diego, Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By



Mary Jo Lanzafame
Deputy City Attorney

MJL:cdk

09/16/03

Or.Dept.:DSD

R-2004-164

Reviewed by Jeannette Temple

PLANNING/DESIGN REQUIREMENTS:

34. Approximately 225 off-street parking spaces for the existing and proposed police facilities shall be maintained on the property at all times in the approximate locations shown on the approved Exhibits "A," dated September 23, 2003, on file in the Office of the Development Services Department. Parking spaces shall comply at all times with requirements of the Land Development Code and shall not be converted for any other use unless otherwise authorized by the City Manager.
35. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.
36. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.
37. Prior to a certificate of occupancy for the vehicle maintenance facility, the Police Department will present the pistol range buildings to the Historic Resources Board for possible designation as a historic resource.
38. The vehicle maintenance facility shall be situated on the site so that the two-story office portion be the prominent feature at the corner of Home Avenue and Federal Boulevard.
39. Police Department canines shall be prohibited from entering the open space habitat area.
40. Prior to the issuance of any occupancy permits for this project, the applicant shall demonstrate compliance with the following requirements consistent with the Mid-City Communities Plan and the Chollas Creek Enhancement Plan [CCEP], in a manner satisfactory to the Planning Department in conjunction with a focus group made up out of one member each from the communities of Webster, City Heights, Fairmount Park, Ridgeview, Islenair, the Sierra Club, and the California Native Plant Society:
 - a. The final project design shall place an emphasis on incorporating a plaza area with a combination of enhanced landscaping, lighting, public artwork and a community identification entry monument at the intersection of Home Avenue and Federal Boulevard, in a manner satisfactory to the Planning Department, and will implement the purpose and intent of the adopted Community Plan.
 - b. The project shall be set-back a minimum of twenty (20) feet from the existing rim of Chollas Creek (as determined by Planning Department staff), and shall assure restoration of the creek's basin and edges through replanting of the area with the recommended list of plants found in the Chollas Creek Enhancement Plan (CCEP).

- c. The project shall utilize landscaping concepts (in accordance with recommendations found in the Chollas Creek Enhancement Plan) along the western portion of the project site to provide enhanced screening of vehicle maintenance bays and surface parking areas, and shall include fast growing riparian trees in addition to plant species that are typical of wetland creek environments, native to the San Diego area, and/or drought tolerant. The selection and location of such landscape enhancements and features shall be to the satisfaction of the Planning and Development Services Departments in coordination with the Focus Group, shall be implement the Chollas Creek Enhancement Plan and shall be coordinated with the community. Further, trees in accordance with the recommendations of the Chollas Creek Enhancement Plan shall be planted along the base of the northern slope of the project site.
- d. All landscaping for the project shall be designed and utilized to avoid long expanses of surface parking on site.
- e. The project shall enhance pedestrian movement along Home Avenue and Federal Boulevard by providing minimum of five (5) foot wide sidewalks, pedestrian ramps and a crosswalk at the street corner, shade-producing street trees and enhanced landscaping along the project frontage. Further, the design of the sidewalks for this project shall be in substantial conformance with the historic design of sidewalks on adjacent properties including location, width, elevation, scoring pattern, texture, color, and material. The preservation of the historic design shall include the saw cutting of any historic sidewalk stamp and re-use of the stamped blocks in the new sidewalks.
- f. Community space for neighborhood meetings and activities shall be incorporated within the project site itself.
- g. For purposes of public safety, hazardous materials and/or flare storage shall not be located in a visually prominent location within the project site, nor located within close proximity to Home Avenue and Federal Boulevard.
- h. The applicant shall provide city staff with certified and approved engineering drawings that identify appropriate pre- and post-construction Best Management Practices (BMP's) to ensure compliance with the City's Storm Water Regulations.
- i. The applicant shall be responsible for completing the undergrounding of all overhead utilities within the project site boundaries.
- j. All publicly-owned land shall be managed by an open space district and shall be maintained through the San Diego Police Department.

- k. In an effort to implement the land use plans in effect for this area, all landscaping and site development plans for this project shall be submitted to the Planning Department for review.
- l. Any revisions to the project shall be presented before the City Heights Area Planning Committee for their recommendation, and prior to implementation of any such revisions.

41. The use of textured or enhanced paving shall meet applicable City standards as to location, noise and friction values.

42. Prior to the issuance of building permits, construction documents shall fully illustrate compliance with the Citywide Refuse and Recyclable Materials Storage Regulations (Land Development Code Section 142.0801) to the satisfaction of the City Manager. All exterior storage enclosures for trash and recyclable materials shall be located in a manner that is convenient and accessible to all occupants of and service providers to the project, in substantial conformance with the conceptual site plan marked Exhibit "A."

STORMWATER REQUIREMENTS:

43. All runoff from the vehicle wash-bay shall be diverted with full containment and recycled with zero discharge to the storm drain of untreated water.

44. The project shall have secondary containment (trench drains), for the vehicle bays so that any materials that could spill shall be captured. The trench drains shall have oil/water separator and captured water shall be treated via the tertiary system.

45. Filtration for the project shall be a tertiary process with the sub-surface water and surface water going from underground piping or surface to:

- a. Grassy Swales
- b. CDS Pumps with synthetic pillow inserts
- c. Storm drain inlets with synthetic pillow inserts

46. All of the infrastructure associated with the underground fuel storage tanks must meet the standards established by Assembly Bill 2481 and receive a hazardous materials permit from the County Department of Environmental Health and the Fire Department. The tanks must be tested yearly.

47. Flows from the dog kennel washings shall be funneled into the sewage collection system. Officers shall clean up wastes on the grassy walking field. Dog run areas shall be contained so that runoff is treated.

48. The Police Department shall be responsible for proper maintenance of site Best Management Practices.

INFORMATION ONLY:

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

APPROVED by the City Council of the City of San Diego on September 23, 2003, by Resolution No. R-298420.

AUTHENTICATED BY THE CITY MANAGER

By _____

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.

City of San Diego
Owner/Permittee

By _____

By _____

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**

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

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SITE DEVELOPMENT PERMIT NO. 8318
CENTRAL POLICE FACILITY - PROJECT NO. 4955 (MMRP)
CITY COUNCIL

This Site Development Permit is granted by the Council of the City of San Diego to City of San Diego, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0504. The 16.8-acre site is located at 4002-4008 Federal Boulevard in the in the RS-1-7, RM-1-1 and OR-1-1 Zones of the Central Urbanized Planned District within the Mid-City Communities Plan area. The project site is legally described as portions of the west half of Lot 20, Horton's Purchase of Ex-Mission Lands, Map No. 283; Lots 1-9, Block 35 of Marilou Park, Map 517; portions of Blocks 40 and 41, Marilou Park, Map 517; Lots 15, 16 and 24-38, Block 32, Marilou Park, Map 517.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to relocate and construct a new Canine/SWAT Police Facility and construct a new Central Police Vehicle Maintenance Facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits, dated September 23, 2003, on file in the Development Services Department. The exhibits are identified as follows:

- I-1: Code Evaluation
- I-2: Code Occupancy Exit Plans
- C1: Concept Civil Site Plans
- A1-4: Architectural Site Plans
- A5-8: Vehicle Maintenance Facility Plans
- A9-10: SWAT/Canine Facility Plans

The project or facility shall include:

- a. The relocation and construction of a new Canine/SWAT Police facility, including a 6,500 square foot one-story office building, an approximately 40,000 square-foot training field, 6,000 square feet of kennel space and sixty-six (66) surface parking spaces;

- b. The construction of a new Police Vehicle Maintenance facility, including an approximately 28,000 square foot, two-story structure containing administrative offices, storage space, a repair and body shop, and an oil lubrication site. The facility will also include a fuel station, two 10,000 gallon underground storage tanks, an emergency generator, vehicle wash bay and an eighty-eight (88) space surface parking lot;
- c. Construction of a new 900 square foot community meeting room.
- d. Landscaping (planting, irrigation and landscape related improvements);
- e. Off-street parking facilities; and
- f. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. Construction, grading or demolition must commence and be pursued in a diligent manner within thirty-six months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within thirty-six months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.
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. The Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the City Manager.

4. 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.

5. The utilization and continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the 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.).

7. The Owner/Permittee shall secure all necessary building permits. The applicant is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

8. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to the approved exhibits, dated September 23, 2003, on file in the Office of the Development Services Department. No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

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

10. This Permit may be developed in phases. Each phase shall be constructed prior to lease to individual tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase (per the approved exhibits, dated September 23, 2003).

11. The temporary modular offices for the Canine/SWAT facility shall be replaced with the permanent planned office structure by September 23, 2009.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

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

13. As conditions of Site Development Permit No. 8318, the mitigation measures specified in the MMRP, and outlined in the Mitigated Negative Declaration No. 4955 shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

14. The Permittee/City Department shall comply with the MMRP as specified in the Mitigated Negative Declaration No. 4955 satisfactory to the City Manager and the City Engineer. All MMRP requirements shall be shown on the construction plans and specifications. Prior to the issuance of Notice to Proceed with construction, all conditions of the MMRP shall be adhered to to the satisfaction of the City Manager and City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

- Biological Resources
- Noise
- Historical Resources
- Paleontological Resources
- Hydrology/Water Quality
- Human Health/Public Safety/Hazardous Materials

15. A Job Order number open to the Land Development Review Division of the Development Services Department shall be required to cover the Land Development Review Division's cost associated with the implementation of the MMRP.

16. The project biologist shall submit a final report to the Environmental Review Manager [ERM] at the end of the 120-day establishment period which provides an assessment and quantification of the success of the transplantation of the snake cholla plants impacted. If the required 1:1 ratio is not met, a new report shall be issued at the end of each subsequent 120-day establishment period until the success criteria are met. If at the end of three years, a 100 per cent success rate has not been achieved, the applicant shall coordinate with City biology staff to identify an appropriate alternative transplantation location within the property boundaries. If this occurs, a new establishment period shall be implemented until the success rate has been achieved.

17. The project biologist shall monitor the coyote access to the site during construction and identify alternatives, if needed to preserve coyote access.

ENGINEERING REQUIREMENTS:

18. The Owner/Permittee shall address all engineering issues including water quality Best Management Practices. The Capital Improvement Project Manager shall also coordinate the FEMA issues with the Drainage and Floodplain Management section of Engineering and Capital projects Department.

19. The Owner/Permittee shall provide permeable surface and landscaping breaks in the parking lots and fully implement energy savings/LEED standards.

20. A Conservation Easement shall be granted and recorded over the approximately 6.0 acres of created Open Space designated and OR-1-1 zoned property and the approximately 3.35 acres of existing Open Space.

21. The Owner/Permittee shall reserve an easement over the required sight visibility area for the westerly driveway as shown on plans. The easement will restrict any future installation of walls, landscaping, street trees that are over two (2) feet in height.

22. The Owner/Permittee shall improve the street portion along the frontage at Federal Boulevard to create forty (40) feet of pavement width and install standard sidewalk, curb and gutter, street lights on the north and south sides in accordance with the City's Street Design Manual, satisfactory to the City Engineer. The south side improvements shall be phased as funding is available.

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

24. The developer shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be re-designed.

LANDSCAPE REQUIREMENTS:

25. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit has been granted by the City. All plan specifications and notes mentioned in the conditions below shall be consistent with SDMC section 142.0401 and Landscape Standards, Landscape Development Plan, Brush Management Plan, Details and Notes on file in the Office of the Development Services.

26. All required landscape plant materials shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
27. If any required landscape improvements (including existing or new planting, hardscape, landscape features, etc.) are damaged or removed during demolition or construction, they shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager, within thirty days of damage and prior to any Certificate of Occupancy.
28. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape and irrigation plans on duplicates of improvement plans shall be submitted to the City Manager for approval. Plans, details and specifications (including maintenance specifications), and landscape Improvement plans shall indicate each street tree by station points and staking in the field with a lodge pole tree stake prior to any utilities stub-outs. Tree stakes shall remain in place until trees are planted. Street trees shall be provided adjacent to the site on Home Avenue and adjacent to the site on Federal Boulevard and continuing past to the Sunshine Bernadini Field.
29. All tree locations shall have a 40 square feet minimum area around each tree's root zone, which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of any tree. During improvement activities the locations of all trees shall be identified with a lodge pole tree stake and inspected by the field engineer prior to the installation of any wet or dry utility stub-outs and placement of any pavement.
30. Prior to issuance of any engineering permits for grading, landscape construction documents (including irrigation plans) for slope planting, erosion control, re-vegetation and hydroseeding shall be submitted to the City Manager for approval.
31. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation plans, details and specifications (including maintenance specifications), shall be submitted to the City Manager for approval.
32. Prior to building permit approval, the Owner/Permittee shall submit a site plan, improvement plan, landscape and irrigation plan (detail and specification) that indicate significant landscape screening in front of proposed 3 foot solid and 3 foot open fence.
33. Prior to building permit approval, the Owner/Permittee shall submit a site plan, improvement plan, landscape and irrigation plan (detail and specification) that indicate one 24-inch box street trees every 30 feet in the right of way along the two street frontages. Provide a five (5) foot width and 40 square feet of growing area required for tree root zone.