

RESOLUTION NUMBER R- 311610

DATE OF FINAL PASSAGE MAR 13 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING TENTATIVE MAP NO. 1814806, FOR THE ARE ILLUMINA CAMPUS AMENDMENT – PROJECT NO. 498142

WHEREAS, ARE-SD REGION NO. 32, LLC, a Delaware limited liability company, Subdivider, and RICK ENGINEERING COMPANY, Engineer, submitted an application to the City of San Diego for a tentative map for the re-subdivision of the property from fifteen lots into nine lots for the ARE Illumina Campus Amendment project. The project site is located at 5200 Illumina Way in the IP-1-1 Zone and the Community Plan Implementation Overlay Zone (CPIOZ) Type A within the Central Subarea of the University Community Plan. The project site is legally described as Lots 1 through 15 inclusive, and Lot C of Amended Map of Nobel Research Park, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 14847, filed in the Office of the County Recorder of San Diego County, August 2, 2004; and

WHEREAS, the tentative map proposes the re-subdivision of a 42.6-acre site from fifteen lots into nine lots for industrial development; and

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

WHEREAS, on December 14, 2017, the Planning Commission of the City of San Diego considered Tentative Map No. 1814806, and pursuant to Resolution No. 4913-PC, the Planning Commission voted to recommend City Council approval of the map; and

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

WHEREAS, the City Council of the City of San Diego considered Tentative Map No. 1814806, pursuant to San Diego Municipal Code Section 125.0440 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 1814806:

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

The Alexandria Illumina Campus, formerly known as Nobel Research Park, is a master planned development located in the eastern portion of the University Community Plan (UCP) area that developed over 15 lots. The site is currently developed with industrial uses consistent with the Nobel Research Park entitlements, Planned Industrial Development (PID)/Resource Protection Ordinance (RPO) Permit No. 99-0034. The property is designated Scientific Research by the UCP and the uses contemplated by the community plan are research laboratories, supporting facilities, headquarters or administrative offices and personnel accommodations, and related manufacturing activities.

The proposed tentative map will allow for the re-subdivision of the existing 15 lots into nine lots. The proposed subdivision would allow the existing building and new structures to be designated on separate lots and to preserve the existing open space and conservation easements lots on the project site, which were established as part of the Nobel Research Park entitlements.

The proposed expansion of the campus would include 351,446 square feet of mixed corporate headquarters and research and development uses, and 100,386 square feet of ancillary mechanical and accessory uses on previously disturbed land currently occupied by surface

parking. Supporting the additional uses, the existing parking structure would be expanded to include an additional 2,750 parking spaces. The project includes a Land Use Plan Amendment (LUPA) to the UCP to allow the transfer of 987 unused average daily trips (ADTs) from Subarea 47 to Subarea 37, to increase the maximum allowable development intensity at the site to 8,657 ADTs. The proposed amendment would increase the allowable development intensity of Scientific Research use on-site by approximately 123,000 square feet and would not result in inconsistencies with the existing land use designation. The Industrial Element of the UCP emphasizes the city-wide importance of and encourages the retention and growth of Scientific Research use in the community because of its proximity to the University of California San Diego (UCSD). Increased intensity would be consistent with this emphasis and the community plan policies regarding retention and growth of Scientific Research in areas designated for industrial development.

The site is included in the General Plan's Economic Prosperity Element as Prime industrial land on Figure EP-1 which identifies areas that support export-oriented base sector activities such as warehouse distribution, heavy or light manufacturing, research and development uses. These areas are part of even larger areas that provide a significant benefit to the regional economy and meet General Plan goals and objectives to encourage a strong economic base. The General Plan provides several policies which are intended to protect base sector industrial uses and those areas identified as prime industrial lands. These include Policies EP-A.1 through A.5 and EP-A.12 through A.15.

Adding additional square footage in the UCP for Scientific Research use would allow for retention and expansion of important business activities at a location close to the UCSD campus and related research facilities that contribute significantly to the City's overall economy as export-oriented business activities. In addition, the increase of square footage would make better use of the site's designation as Prime Industrial Land and the increase in the number of quality employment opportunities in the City. The proposed project is therefore consistent with these UCP policies; thus the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

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

The proposed expansion of the campus would include 351,446 square feet of mixed corporate headquarters and research and development uses, and 100,386 square feet of ancillary mechanical and accessory uses on previously disturbed land currently occupied by surface parking. Supporting the additional uses, the existing parking structure would be expanded to include an additional 2,750 parking spaces. The project includes a LUPA to the UCP to allow the transfer of 987 unused ADTs from Subarea 47 to Subarea 37, to increase the maximum allowable development intensity at the site to 8,657 ADTs. The proposed amendment would increase the allowable development intensity of Scientific Research use on-site by approximately 123,000 square feet and would not result in inconsistencies with the existing land use designation.

The proposed subdivision would re-subdivide the existing 15 lots into nine lots to allow for the existing building and new structures to be designated on separate lots and to preserve the existing open space and conservation easements lots on the project site. The proposed development will be located on private property and has been designed to address height, bulk and scale, materials, colors, sustainable features, and signage as required through application of CPIOZ-A and the project Design Guidelines. The project is not requesting nor does it require any deviations or variances from the applicable regulations and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Therefore, the proposed subdivision is in conformance with the applicable regulations of the Land Development Code (LDC).

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

The site is currently developed with industrial uses consistent with the Nobel Research Park entitlements, Planned Industrial Development/Resource Protection Ordinance Permit No. 99-0034. Specifically, the existing industrial development on-site includes 844,216, square feet of research and development, light manufacturing, corporate office and accessory uses within six buildings. Other existing uses include a parking structure, surface parking lots, and athletic fields. The property is designated Scientific Research by the UCP and the uses contemplated by the community plan are research laboratories, supporting facilities, headquarters or administrative offices and personnel accommodations, and related manufacturing activities.

The proposed expansion of the campus would include 351,446 square feet of mixed corporate headquarters and research and development uses, and 100,386 square feet of ancillary mechanical and accessory uses on previously disturbed land currently occupied by surface parking. Supporting the additional uses, the existing parking structure would be expanded to include an additional 2,750 parking spaces. The project includes a LUPA to the UCP to allow the transfer of 987 unused ADTs from Subarea 47 to Subarea 37, to increase the maximum allowable development intensity at the site to 8,657 ADTs.

Mitigated Negative Declaration (MND) No. 498142 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines, which address potential impacts to Paleontological Resources. A Mitigation, Monitoring and Reporting Program (MMRP) will be implemented with this project, which will reduce the potential impacts to below a level of significance.

The project site contains Environmentally Sensitive Lands (ESL) in the form of sensitive biological resources. A total of five vegetation types were located on-site, as shown in MND No. 498142 Table 4 and Figure 6. The City of San Diego Biology Guidelines identifies four tiers of sensitivity with Tiers I, II, and III considered sensitive and Tier IV not considered sensitive. The sensitive habitats on-site consist of Diegan coastal sage scrub, disturbed Diegan coastal sage scrub, chamise chaparral, non-native grassland, and San Diego mesa hardpan vernal pools. The Diegan coastal sage scrub and disturbed Diegan coastal sage scrub is located within an open space lot (Lot 1) located at the northernmost point of the project site. The chamise chaparral, non-native grassland, and San Diego mesa hardpan vernal pools are located within a conservation easement (Lot 9) in the southeastern portion of the project site. Both the open space lot (Lot 1) and conservation easement (Lot 9) were established as part of the Nobel Research

Park entitlements PID/RPO Permit No. 99-0034. The project is estimated to impact 9.2 acres of Developed Land (Tier IV) within the project site. Per the City's Biology Guidelines, impacts to Tier IV habitat do not require mitigation. The associated grading and construction activities will not impact the existing open space and conservation easement portions of the site, as grading and construction activities will not occur adjacent to or within these lots containing the vegetation and habitats. All of the proposed development will occur within the previously disturbed and developed portion of the site and there will be no encroachment into, or impacts on, any ESL located on the site. Therefore, site is physically suitable for the type and density of development.

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

The project site is located approximately 225 feet away from the closest Multi-Habitat Planning Area (MHPA) designated land. Although the project site is 225 feet away from the closest MHPA, it is separated from it by I-805 and Nobel Drive. Due to these physical barriers, the City's Land Use Adjacency Guidelines would not be applicable to this project. No toxins or drainage would flow into the MHPA from the project and no immediate noise, invasive plant, or grading/land development concerns from the project would affect the MHPA due to I-805 and Nobel Drive buffering the MHPA from these issues. Any brush management that would occur on-site would not affect MHPA lands, thus, the proposed subdivision would be consistent with the City's Multiple Species Conservation Program (MSCP) Subarea Plan.

MND No. 498142 has been prepared for the project in accordance with CEQA Guidelines, which addresses potential impacts to Paleontological Resources. An MMRP will be implemented with this project, which will reduce the potential impacts to below a level of significance. Therefore, the proposed development has been designed to minimize the alteration of natural land forms and would not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The proposed expansion of the campus includes a new 351,446 square feet of mixed corporate headquarters and research and development uses, and 100,386 square feet of ancillary mechanical and accessory uses on previously disturbed land that is currently occupied by surface parking. Supporting the additional uses, the existing parking structure would be expanded to include an additional 2,750 parking spaces.

MND No. 498142 has been prepared for the project in accordance with CEQA Guidelines, which address potential impacts to Paleontological Resources. An MMRP will be implemented with this project, which will reduce the potential impacts to below a level of significance.

The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the San Diego Municipal Code (SDMC) in effect for this project. Such conditions are necessary to avoid

adverse impacts to the health, safety and general welfare of persons residing or working in the surrounding area. The project will comply with the development conditions in effect for the subject property as described in Tentative Map No. 1814806, and other regulations and guidelines pertaining to the subject property per the SDMC. Prior to issuance of any building permits for the proposed development, the plans will be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements, and the Owner/Permittee will be required to obtain a grading and public improvement permit. Therefore, the proposed subdivision would not be detrimental to the public health, safety and welfare.

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

The site is currently developed with industrial uses consistent with the Nobel Research Park entitlements, PID/RPO Permit No. 99-0034. An open space lot (Lot 1) and conservation easement (Lot 9) were established as part of the Nobel Research Park entitlements, and shall remain as part of the proposed subdivision. The proposed subdivision does not contain any easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The site is currently developed with industrial uses consistent with the Nobel Research Park entitlements, PID/RPO Permit No. 99-0034. Specifically, the existing industrial development on-site includes 844,216, square feet of research and development, light manufacturing, corporate office and accessory uses within six buildings. Other existing uses include a parking structure, surface parking lots, and athletic fields.

The proposed expansion of the campus would include 351,446 square feet of mixed corporate headquarters and research and development uses, and 100,386 square feet of ancillary mechanical and accessory uses on previously disturbed land currently occupied by surface parking. Supporting the additional uses, the existing parking structure would be expanded to include an additional 2,750 parking spaces. The project includes a LUPA to the UCP to allow the transfer of 987 unused ADTs from Subarea 47 to Subarea 37, to increase the maximum allowable development intensity at the site to 8,657 ADTs. In addition, the Project would achieve a Leadership in Energy and Environmental Design (LEED) Silver Certification.

The proposed tentative map will allow for the re-subdivision of the existing 15 lots into nine lots. The proposed subdivision would allow the existing building and new structures to be designated on separate lots and to preserve the existing open space and conservation easements lots on the project site, which were established as part of the Nobel Research Park entitlements.

The design of the subdivision and related site improvements, will provide, to the extent feasible, for future passive or natural heating and cooling opportunities. With the design of the proposed subdivision, the new structures have incorporated through building materials, site orientation, articulation and offsetting planes, balconies, and other architectural treatments, and

the placement and selection of plant materials to provide to the extent feasible, for future passive or natural heating and cooling opportunities.

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

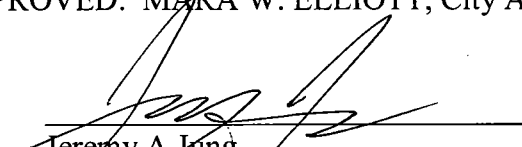
The site is currently developed with industrial uses consistent with the Nobel Research Park entitlements, Planned Industrial Development/Resource Protection Ordinance Permit No. 99-0034. The property is designated Scientific Research by the UPC and the uses contemplated by the community plan are research laboratories, supporting facilities, headquarters or administrative offices and personnel accommodations, and related manufacturing activities. The proposed expansion of the campus includes the addition of mixed corporate headquarters and research and development uses, and the re-subdivision of the existing 15 lots into nine lots. The project would not decrease or increase the amount of land designated for residential use and would; therefore, have a neutral impact on housing needs of the region.

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

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council that Tentative Map No. 1814806 is hereby granted to ARE-SD REGION NO. 32, LLC, a Delaware limited liability company, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Jeremy A King
Deputy City Attorney

JAJ:jdf
02/20/18
Or.Dept:DSD
Doc. No.: 1691554

Attachment(s): Tentative Map Conditions

ATTACHMENT

CITY COUNCIL
CONDITIONS FOR TENTATIVE MAP NO. 1814806, FOR THE ARE ILLUMINA
CAMPUS AMENDMENT - PROJECT NO. 498142

ADOPTED BY RESOLUTION NO. R- 311610 ON MAR 13 2018

GENERAL

1. This Tentative Map will expire on three years from the date of the City Council decision.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.
4. The Tentative Map shall conform to the provisions of Planned Development Permit No. 1748815 and Site Development Permit No. 1748818.
5. Prior to the expiration of the Tentative Map, a final map to re-subdivide properties into 9 lots shall be recorded in the office of the County Recorder.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

ENGINEERING

7. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
8. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.

ATTACHMENT

9. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

10. Prior to the expiration of the Tentative Map, if approved, a Final Map to re-subdivide the properties into nine lots shall be recorded in the office of the San Diego County Recorder.
11. Prior to the recordation of the Final Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.
12. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS '83), Zone 6, pursuant to section 8801 through 8819 of the California Public Resources Code.
13. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

LANDSCAPE

14. Prior to recordation of the Final Map, the Subdivider shall identify on a separate sheet titled 'Non-title Sheet' the brush management areas in substantial conformance with Exhibit "A." These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the 'Non-Title Sheet' to identify the hatched areas: "Indicates fire hazard zone(s) per §142.0412 of the Land Development Code."

ATTACHMENT

INFORMATION:

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

Internal Order No. 24006808

Passed by the Council of The City of San Diego on MAR 13 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 13 2018


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

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 311610