

RESOLUTION NUMBER R- **316974**
DATE OF FINAL PASSAGE **OCT 12 2026**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DENYING THE APPEAL AND AFFIRMING THE
HEARING OFFICER'S DECISION TO APPROVE COASTAL
DEVELOPMENT PERMIT NO. PMT-3164687,
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-
3164688, AND SITE DEVELOPMENT PERMIT NO. PMT-
3407775, WITH A MODIFICATION, FOR THE 10509 VISTA
SORRENTO PARKWAY PROJECT - PROJECT NO. 1062368.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. LS Vista Sorrento II, LLC, a Delaware limited liability company,
Owner/Permittee, submitted an application with the City of San Diego for a Coastal
Development Permit, Neighborhood Development Permit, and Site Development Permit to
demolish an existing four-story building, trash enclosure, and mechanical equipment enclosure,
and construct a 112,400 square-foot, four-story building, an on-grade, 189,795 square-foot, six-
story parking garage, and associated site improvements (as described in and by reference to the
approved Exhibits "A" and corresponding conditions of approval) for the 10509 Vista Sorrento
Parkway project (Project).

B. The Project is located at 10509 Vista Sorrento Parkway in the Mira Mesa
Community Plan area, and in the IL-3-1 (Industrial-Light) zone, the Coastal Overlay Zone (Non-
appealable Area), the Parking Impact Overlay Zone, the Airport and Land Use Compatibility
Overlay Zone (Marine Corps Air Station [MCAS] Miramar, Review Area 1), the MCAS
Miramar Airport Land Use Compatibility Plan (ALUCP) Noise Contours (CNEL) MCAS
Miramar 60 - 65 CNEL, MCAS Miramar Accident Potential Zone II (APZ-II), the Federal
Aviation Administration (FAA) Part 77 Noticing Area, Complete Communities Mobility

Choices Mobility Zone 2, and Very High Fire Hazard Severity Zone (VHFSZ). The project site is legally described as THAT PORTION OF ACRE LOT 8 OF THE TOWN OF SORRENTO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 483, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 9, 1888, WHICH LIES NORTHWESTERLY OF THE LOCATION AND NORTHEASTERLY PROLONGATION OF A LINE, WHICH IS PARALLEL WITH AND 700.00 FEET NORTHWESTERLY, AT RIGHT ANGLES FROM THE SOUTHEASTERLY LINE OF SAID LOT 8.

C. The City of San Diego, through the Development Services Department, completed a California Environmental Quality Act (CEQA) Guidelines section 15162 consistency evaluation for the Project, and determined the Project is within the scope of the Mira Mesa Community Plan Update Program Environmental Impact Report SCH No. 2022090061, certified by the Council on December 14, 2022 (San Diego Resolution R-314479), and would not result in new impacts.

D. On June 10, 2026, the Hearing Officer of the City of San Diego approved Coastal Development Permit No. PMT-3164687, Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-3407775.

E. On June 23, 2026, Lozeau Drury, LLP, on behalf of Supporters Alliance for Environmental Responsibility (SAFER), appealed the Hearing Officer's decision approving the Project.

F. On October 12, 2026, the Council heard the appeal of the Project. The Council considered, in light of the whole record, written and oral presentations, evidence, and testimony

from all interested parties at the public hearing. The Council has fully considered and has been fully advised on this matter.

G. The Office of the City Attorney prepared this Resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete and accurate.

H. Under San Diego Charter section 280(a)(2), this Resolution is not subject to veto by the Mayor because this matter requires the Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council adopts the following findings with respect to Coastal Development Permit No. PMT-3164687, Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-3407775:

A. **COASTAL DEVELOPMENT PERMIT – San Diego Municipal Code (SDMC)
Section 126.0708**

1. **The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The property is located approximately two miles east of the Pacific Ocean, east of Interstate 805 (I-805) and is not located between the first public roadway and the ocean or shoreline for any body of water within the Coastal Overlay Zone. There is no public view or coastal access from the project site, as identified in the Mira Mesa Community Plan (MMCP). The project proposes a new commercial office building and a six-story parking garage with parking as a primary use and

associated site improvements, which include landscaping, hardscape, site furnishings, and site lighting.

Westerly views towards the Pacific Ocean are obstructed by the North Torrey Pines and Campus Point areas of the University Community Plan; as such, the proposed development will not obstruct any views to and along the ocean and other scenic coastal areas from any public vantage points within the Mira Mesa Community Plan.

Placement of the proposed buildings and the overall associated site improvements have been designed to respect the local topography to the greatest extent possible. Therefore, the proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in the Local Coastal Program; and the proposed coastal development due to its location and lack of coastal views is not subject to enhancing or protecting public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program.

2. The proposed coastal development will not adversely affect environmentally sensitive lands.

The site was previously graded and developed with an 84,000-square-foot four-story office building and associated site improvements. Vista Sorrento Parkway and Interstate 805 are immediately southwest of the project site, and an undeveloped hillside with a combination of native and non-native vegetation occurs to the northeast. The site is located on a hill sloping upward from Vista Sorrento Parkway to the northeast. Site elevation ranges from approximately 120 to 276 feet above mean sea level, with the highest elevation along the northwestern corner of the site, and the lowest elevation to the south along Vista Sorrento Parkway. A steep slope occurs along the northeastern boundary, including both a manufactured slope with landscaping and a natural slope densely vegetated with coastal sage scrub.

The project would be constructed in two phases. Phase 1 consists of demolishing a portion of the existing surface parking lot and accessory structures to construct a 6-story, 189,475-square-foot parking garage. Phase 2 consists of demolishing an existing four-story office building, completing demolition of the existing parking lot and the constructing a new four-story, 112,400-square-foot commercial office building for uses allowed within the IL-3-1 zone, including research and development (R&D) use, laboratory use, corporate headquarters and other office uses and associated site improvements to include landscaping, hardscape, site furnishings, and site lighting.

A 0.14-acre portion of the Multi-Habitat Planning Area (MHPA) occurs on the northeast corner of the Project site (see Attachment 10) and is located outside of the proposed impact area. The MHPA is the City's habitat preserve, established

by the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan, and was designed to protect and preserve native habitats for native animals and plants, sustaining the unique biodiversity of the San Diego region. The portion of MHPA that overlaps the project boundary at the northeast corner of the site includes an area that was previously developed in accordance with the 1984 site plan prior to the establishment of the MHPA. This segment of the MHPA extends from the project vicinity northwest to Lopez Canyon. No sensitive plant species were observed within the project area at the time of the field survey for the site-specific Biology Report prepared by Recon Environmental, Inc., dated July 1, 2025; therefore, no direct impacts to sensitive plant species are anticipated to result from the project.

The project has the potential to have direct impacts on sensitive wildlife species. Those species are described in the biology survey, with identified potential impacts to Coastal California gnatcatcher, Southern California rufous-crowned sparrow, Cooper's hawk and Crotch's bumblebee. The identified species have the potential to occur on-site and off-site adjacent to the project, but are not expected to occur within the proposed development area. Therefore, no direct impacts to sensitive species would occur. Permit conditions would address requirements for protecting sensitive resources associated with the proposed development.

The MSCP establishes specific guidelines that limit activities that occur within the MHPA. In general, activities occurring within the MHPA must conform to these guidelines and, wherever feasible, should be located in the least sensitive areas. The project was designed to avoid and limit impacts to environmentally sensitive lands, including the MHPA, and sensitive biological resources. Permit conditions will ensure compliance with the MHPA Land Use Adjacency Guidelines (LUAG) in Section 1.4.3 of the MSCP Subarea Plan to avoid indirect impacts on potential sensitive species and habitats within the adjacent MHPA, including the Coastal California gnatcatcher and Cooper's Hawk, specifically in the following areas:

- Grading/Land Development/MHPA Boundaries
- Drainage
- Toxics/Project Staging Areas/Equipment Storage
- Lighting
- Barriers
- Invasives
- Brush management
- Noise

The project would not substantially change the existing drainage. It is located downslope of the MHPA, and no runoff would enter the MHPA from the site. Therefore, the proposed project would not increase the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements into the MHPA. The project would also incorporate best management practices, such as

monitoring, flagging, staking, or biological fencing around sensitive areas, to ensure toxins from construction and project implementation do not cause indirect impacts to sensitive biological resources outside the project footprint, including those within the MHPA.

The existing parking structure and project lighting are separated from the adjacent MHPA by a manufactured slope that shields the MHPA, which occurs on natural and manufactured slopes above the grade of elevations associated with any proposed structures. This slope currently serves as a physical barrier to access to the MHPA. In addition, all new outdoor lighting adjacent to the MHPA shall be directed downward and adjusted to fall on the same premises where such lights are located, in accordance with the San Diego Municipal Code (SDMC) Section 142.0740. No light spill from outdoor lighting will occur within the MHPA.

Uses in or adjacent to the MHPA would be designed to minimize noise impacts. The project will be conditioned to monitor and mitigate noise impacts that exceed the maximum levels allowed, which shall be avoided during the breeding season for the coastal California gnatcatcher and Cooper's hawk (March 1–August 15).

New landscaping would be required to follow standard landscape guidelines and would not include any invasive plant species. Brush Management Zone 1 is within the on-site urban/developed portion and outside the MHPA. A total of 0.05 acres of Brush Management Zone 2 occurs inside the MHPA. Zone 2 impacts would occur within urban/developed land, which consists of a manufactured slope with irrigated landscape vegetation that was developed in accordance with the 1984 site plan prior to the establishment of the MHPA. In accordance with SDMC Section 142.0412, nonnative plants will be thinned preferentially over native plants.

The project is designed to avoid grading into the MHPA. Project grading occurs within the development footprint and does not encroach into the MHPA. Staff has reviewed and accepted a preliminary geotechnical report that concluded that the project adequately addresses soil and geologic conditions and drainage. Construction would involve a variety of heavy equipment associated with intensive earthwork, structural, and paving phases. Grading activities would be required to comply with the City's Grading Ordinance and Stormwater Standards, which would ensure soil erosion and topsoil loss are minimized to levels below significance. Furthermore, permanent postconstruction stormwater Best Management Practices (BMPs) would also be required, consistent with the City's regulations. Based on regional mapping and site-specific analysis evaluated in the Geotechnical Investigation, the potential for landslides, slope instability, and liquefaction are not a significant concern. Finally, the project would be required to comply with seismic requirements of the California Building Code (CBC) and use proper engineering design and standard construction practices, to be verified at the building permit stage.

The proposed project will not impact ESL located on the site. All proposed landscaping within the development area proposes native and non-native, non-invasive, and/or drought-tolerant plants. The project will be developed in accordance with current regulations of the Land Development Code, including brush management regulations and current drainage regulations and standards.

Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The 5.58-acre site is located at 10509 Vista Sorrento Parkway within the Mira Mesa Community Plan. The site is located in the IL-3-1 (Industrial-Light) zone and the Coastal Overlay Zone (Non-Appealable Area), the Parking Impact Overlay Zone, the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station [MCAS] Miramar, Review Area 1) the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) Noise Contours (CNEL) MCAS Miramar 60 - 65 CNEL, MCAS Miramar Accident Potential Zone II (APZ-II), the Federal Aviation Administration (FAA) Part 77 Noticing Area, Complete Communities Mobility Choices Mobility Zone 2, and a Very High Fire Hazard Severity Zone (VHFSZ).

The project is requesting an alternative calculation method for the maximum allowed intensity (people per acre) for the applicable MCAS Miramar Airport Land Use Compatibility Plan safety zone in accordance with SDMC 132.1515(d). No other deviations or variances from the applicable regulations are being requested for the proposed project.

The project site is designated for Technology Park uses within the MMCP and for Industrial Employment uses within the General Plan. The applicable zoning regulations and land use designation allow high technology uses related to applied sciences which include R&D uses consistent with the proposed project. A goal of the MMCP is the preservation of an adequate supply of industrial land to accommodate existing, new and the relocation of industrial uses for the City's Economic base, and the project supports this goal by redeveloping the site for R&D uses.

As previously described, the project site includes MHPA lands at the northeast corner of the project site which are partially within the deed-restricted area on the eastern hillside portion of the site to be conserved in favor of the California Coastal Commission in accordance with Coastal Development Permit No. 6-84-399, executed October 10, 1984. The deed-restricted portion of the site and the MHPA lands located on site shall support the MMCP and Local Coastal Program (LCP) goal of conserving environmentally sensitive lands and minimizing the

disturbance of hillsides by developing within previously disturbed lands and manufactured slopes. Additionally, the project will conform with brush management regulations and landscaping will consist of low water use plant materials suitable for the climate zone including native shrubs and grasses as well as low maintenance materials such as decomposed granite in accordance with the applicable landscape standards and regulations. In accordance with the MMCP the project will incorporate Stormwater construction and post-construction BMPs including the utilization of Low-Impact Development (LID) practices which will include bio-retention areas for the treatment and management of urban stormwater runoff.

The project conforms with the relevant regulations of the Land Development Code (LDC), parking, grading, landscaping, floor area ratio (FAR), and intensity with the proposed alternative compliance methodology being requested. Conditions of approval for the proposed project require compliance with all applicable regulations including the allowed alternative calculation method for allowed intensity. As previously stated, the project site is located within the MCAS Miramar Airport Protection Zone II (APZ-II) and Scientific R&D uses are a compatible use within the APZ-II overlay zone.

The project site is located over two miles east of the Pacific Ocean and not within the First Public Roadway. There is no public view or coastal access from the project site, as identified in the Community Plan. Therefore, the development conformity confirms with the certified LCP land use plan and complies with all regulations of the certified Implementation Program.

4. **For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.**

The project site is located over two miles east of the Pacific Ocean and is not within the First Public Roadway. Therefore, this finding is not applicable to the proposed project.

B. NEIGHBORHOOD DEVELOPMENT PERMIT – (SDMC) Section 126.0404(a)

1. **The proposed development will not adversely affect the applicable land use plan.**

The project is described in Finding A.III above, incorporated herein by reference. As previously described, the proposed land use for the project site is consistent with the MMCP and General Plan land use designations. Additionally, the project supports the goals and policies of the MMCP as described above. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The project is described in Finding A.III above, incorporated herein by reference. As previously described the proposed land use for the project site is consistent with the MMCP and General Plan land use designations. A preliminary geotechnical report was prepared for the site which provided recommendations for the proposed project that would adequately addresses the site's soil and geologic conditions.

The project is located within the APZ-II safety zone as depicted in the MCAS Miramar ALUCP. Per SDMC Table 132-15G, R&D use is a "limited use" within APZ II and is conditionally compatible if development is limited to a floor area ratio (FAR) of 0.34 (R&D Land Use type in accordance with Table MIR-2 Safety Compatibility Criteria for MCAS Miramar) or have a maximum intensity of more than 50 people per acre. The intent of this regulation is to limit the intensity (people per acre) in the APZ II and the SDMC acknowledges that FAR may not accurately predict the intensity for certain land uses. To accommodate this, the SDMC allows alternative methods of calculation to demonstrate compliance with the maximum intensity (people per acre) through an NDP in accordance with, SDMC 132.1515(d). The project site is 5.44-acres therefore 272 people (50 x 5.44) are allowed.

The Vehicle Occupancy designation shown in Appendix D of the MCAS Miramar ALUCP identifies that R&D, light industrial facilities require a range of 300 to 500 square feet per occupant (employee). The project proposes dividing the upper bound limit by 1.05 which equals 476 square feet per person. This works out to a maximum building floor area of 129,472 square feet (272 x 476) of total allowed gross floor area per SDMC Section 132.1515(c)(2)(E)(II). Non-Residential Accessory Uses permitted in accordance with SDMC Section 131.0125 may exempt up to 10 percent of the total floor area from the people per acre calculation where the accessory use is neither an assembly room designed to accommodate more than 650 people, nor an institutional use identified as "Not Permitted" in the designated Safety Zone. The project proposes 112,400 square feet of floor area which is below the allowed floor area of 129,472 square feet.

The project proposes a floor area ratio (FAR) that is below the 2.0 FAR allowed by the underlying zoning regulations for the IL-3-1 zone but exceeds the maximum floor area ratio of 0.34 allowed by the MCAS Miramar ALUCP APZ-II designation and is requesting an alternative calculation method for maximum allowed intensity thus allowing the proposed FAR of 0.47 (112,400/236,966 SF) described in detail above. The project would be conditioned to limit occupancy for the proposed commercial office building to 272 occupants.

The proposed permit conditions contain specific requirements to ensure compliance with the applicable regulations of the current Building Codes and

Land Development Code (LDC), including those adopted to protect public health, safety, and welfare. Additionally, the project would be conditioned to conform to the City's current stormwater regulations for construction and post-construction Best Management Practices (BMPs), including a Stormwater Management and Discharge Control Maintenance Agreement for ongoing permanent BMP maintenance. Therefore, the proposed development will not be detrimental to public health, safety, and welfare.

3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project is described in Finding A.III above, incorporated herein by reference. The project, in accordance with SDMC 132.1515(d), is requesting an alternative calculation method for the maximum allowed intensity (people per acre) for the applicable MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) safety zone designation.

In accordance with the IL-3-1 zone requirements, the project would comply with setback requirements by providing a front/street-side setback of 25 feet, a side setback of 10 feet, and a rear setback of 10 feet. The project is located within the Coastal Overlay Zone but is not located within the Coastal Height Limit Overlay Zone; therefore, the project is not subject to a height limit for the proposed structures in accordance with the industrial zone regulations.

The project is located within the APZ-II safety zone for MCAS Miramar as described above and is utilizing an alternative method of calculation to demonstrate compliance with the maximum intensity (people per acre) through an NDP in accordance with, SDMC 132.1515(d). The project site is 5.44-acres therefore 272 people (50 x 5.44) are allowed. The project proposes 112,400 square feet of floor area which is below the allowed floor area of 129,472 square feet (272 x 476 square feet per person).

The proposed floor area ratio (FAR) is below the 2.0 FAR allowed by the underlying zoning regulations for the IL-3-1 zone but exceeds the maximum floor area ratio of 0.34 allowed by the MCAS Miramar ALUCP APZ-II designation. By utilizing an alternative calculation method for maximum allowed intensity, the proposed FAR of 0.47 (112,400/236,966 SF) described in detail above is allowed. No other deviations or variances from the applicable regulations are being requested for the proposed project. Therefore, the proposed development project will comply with the applicable regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

C. SITE DEVELOPMENT PERMIT – (SDMC) Section 126.0505(a)

1. The proposed development will not adversely affect the applicable land use

plan.

See Finding B.I. above incorporated herein by reference. Therefore, the proposed development will not adversely affect the applicable land use plan.

- 2. The proposed development will not be detrimental to the public health, safety, and welfare.**

See Finding B.II. above incorporated herein by reference. Therefore, the proposed development will not be detrimental to public health, safety, and welfare.

- 3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.**

See Finding B.III. above incorporated herein by reference. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

D. SITE DEVELOPMENT PERMIT – SUPPLEMENTAL FINDINGS – ENVIRONMENTALLY SENSITIVE LANDS – (SDMC) Section 126.0505(b)

- 1. 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 project is described in Finding A.III above, incorporated herein by reference. The project site is located east of Interstates 5 and 805 within the Coastal Overlay Zone and contains MHPA lands at the northeastern corner of the project site. The eastern portion of the project site comprises a manufactured sloped hillside. The proposed improvements are within the previously developed portion of the project site. The proposed improvements are located outside the on-site MHPA. Additionally, the site includes a deed-restricted area on the eastern hillside portion of the site to be conserved in favor of the California Coastal Commission in accordance with Coastal Development Permit No. 6-84-399, executed October 10, 1984. The deed-restricted portion of the site and the MHPA lands located on site shall support the MMCP and Local Coastal Program (LCP) goal of conserving environmentally sensitive lands and minimizing the disturbance of hillsides by developing within previously disturbed lands and manufactured slopes.

As previously described Findings A.II. and A.III. above a preliminary geotechnical report was prepared for the site that concluded that the project adequately addresses the site's soil and geologic conditions and drainage. All grading activities within the site would be required to comply with the City of

San Diego Grading Ordinance, which ensures soil erosion and topsoil loss is minimized through the issuance of a Grading Permit. Development of the Project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities. A Stormwater Quality Management Plan (SWQMP) that includes storm water construction BMPs, ongoing permanent BMP maintenance, on-site biofiltration and hydromodification features, has been developed to maintain natural drainage features and minimize potential impacts to storm drain facilities. Any short-term erosion and sedimentation impacts associated with project development would be addressed through conformance with applicable elements of the City's storm water program and related National Pollutant Discharge Elimination System (NPDES) standards. Additionally, the Project would implement an approved SWPPP and related plans, and BMPs, including appropriate measures, to address erosion and sedimentation.

Based on regional mapping and site-specific analysis evaluated in the Geotechnical Investigation, the potential for landslides, slope instability, and liquefaction are not considered a significant concern for the project. The project would be required to comply with seismic requirements of the CBC and use proper engineering design and standard construction practices, which are verified at the ministerial construction permit stage.

All proposed landscaping within the development area proposes the utilization of native and non-native, non-invasive, and/or drought-tolerant plants. The project as proposed will be developed in accordance with current regulations of the land development code including brush management regulations and current drainage regulations and standards. The eastern portion of the site which contains existing irrigated vegetation which will be part of Brush Management Zone 2. Therefore, 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.

- 2. 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 project is described in the findings above, incorporated herein by reference. As previously described the proposed development is located within the previously developed portions of the existing site. The project proposes alterations to the existing manufactured slopes located along the northern portion of the project site. As previously described above, a preliminary geotechnical report was prepared for the site that concluded that the project adequately

addresses the site's soil and geologic conditions and drainage. The proposed grading will not result in undue risk from geologic and erosional forces with the implementation of construction and post-construction BMPs. Additionally, the project would be required to comply with the CBC's seismic requirements and to use proper engineering design and standard construction practices, which are verified at the ministerial construction permit stage.

The project site is within a Very High Fire Hazard Severity Zone per the City Very High Fire Hazard Severity Zone Map. Therefore, the natural environment of the project site would be prone to wildfires and downslope or downstream flooding as a result of runoff, post-fire instability or drainage. The project would be reviewed by the City Fire Marshal to ensure that the project would be in compliance with local, state, and federal standards for land use, zoning, and construction. Adherence to County and City regulations, and emergency and evacuation plans (including the countywide Multi-Jurisdiction Hazard Mitigation Plan that identifies risks and ways to minimize damage by natural and manmade disasters) would reduce the potential for impacts to people or structures from significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

The project site is not located within an area prone to flood hazards. All proposed landscaping within the development area proposes the utilization of native and non-native, non-invasive, and/or drought-tolerant plants. The project, as proposed, will be developed in accordance with current regulations of the land development code, including brush management regulations and current drainage regulations and standards. The eastern portion of the site, which contains existing irrigated vegetation, will be part of Brush Management Zone 2. Site-specific requirements are identified to address the potential for fire hazards including the use of non-combustible, fire-rated or fire-retardant materials to reduce the potential for fire hazards.

Overall, the project will be conditioned to adhere to all recommendations included in the Geotechnical Report and comply with all relevant SDMC and the latest version of the California Building Code, the California Fire Code, the California Wildland Urban Interface Code, and all applicable fire safety regulations. Therefore, 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.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The project is described in the findings above incorporated herein by reference. The proposed structures are located within previously developed areas and will be located outside of the on-site MHPA area located at the northeast portion of the project site. The proposed improvements will direct drainage away from

environmentally sensitive lands and will incorporate Stormwater construction and post-construction BMPs, including the utilization of Low-Impact Development (LID) practices, which will include bio-retention areas for the treatment and management of urban stormwater runoff. The project also includes a landscape design that consists of plant material that is compatible with existing vegetation, and as proposed, would be in conformance with the landscape regulations, which include regulations related to invasive species and non-native vegetation for proposed landscape areas. The project-specific geotechnical study includes recommendations that will not result in undue risk from geologic and erosional forces. Therefore, the proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and Vernal Pool Habitat Conservation Plan (VPHCP).

The project is described in the findings above, incorporated herein by reference. As previously described, a 0.14-acre portion of MHPA occurs on the northeast corner of the project site and is located outside of the proposed impact area. The MHPA is the City's habitat preserve established by the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan and was designed to protect and preserve native habitats for native animal and plant species to sustain the unique biodiversity of the San Diego region. The portion of MHPA that overlaps the project boundary at the northeast corner of the site includes an area that was previously developed in accordance with the 1984 site plan prior to the establishment of the MHPA. This segment of the MHPA extends from the project vicinity northwest to Lopez Canyon. No sensitive plant species were observed within the project area at the time of the field survey for the site-specific Biology Report prepared by Recon Environmental, Inc., dated July 1, 2025; therefore, no direct impacts to sensitive plant species are anticipated to result from the project. The project site has potential direct impacts to sensitive wildlife species. Those species are described in the project's biology survey and identified potential impacts to Coastal California gnatcatcher, Southern California rufous-crowned sparrow, Cooper's hawk and Crotch's bumble bee. The identified species have a potential to occur on-site and off-site adjacent to the project site but not expected to occur within the project's proposed development area. Therefore, no direct impacts to sensitive species would occur. The project's permit conditions would address requirements for the protection of sensitive resources associated with the proposed development.

The project has been conditioned to comply with the Land Use Adjacency Guidelines (LUAG) contained in Section 1.4.3 of the MSCP Subarea Plan to avoid indirect impacts to potential sensitive species and habitats within the adjacent MHPA, including the Coastal California gnatcatcher and Cooper's hawk. The proposed project would not substantially change the existing drainage patterns within the project boundary. The proposed project occurs downslope of

the MHPA, and no runoff would enter the MHPA from the proposed project. As such, the proposed project would not increase the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements into the MHPA. The project would incorporate best management practices, such as monitoring, flagging, staking, or biological fencing around sensitive areas, to ensure toxins from construction and project implementation do not cause indirect impacts to sensitive biological resources outside the project footprint, including those within the MHPA.

The MHPA occurs on natural and manufactured slopes that are above-grade of the elevations associated with any proposed structures. Thus, the existing parking structure and project lighting are separated from the adjacent MHPA by a manufactured slope that shields the MHPA. The existing slopes currently provide a physical barrier for access into the MHPA. All new outdoor lighting adjacent to the MHPA shall be directed downward and adjusted to fall on the same premises where such lights are located, in accordance with the City Municipal Code 147.0740. Thus, per the City's Municipal Code regulation, no light spill from outdoor lighting will occur within the MHPA.

Uses in or adjacent to the MHPA would be designed to minimize noise impacts. The proposed project would be conditioned to monitor and mitigate noise impacts that exceeds the maximum levels allowed shall be avoided during the breeding season for the coastal California gnatcatcher and Cooper's hawk (March 1–August 15). Any new landscaping would be required to follow standard landscape guidelines and would not include any invasive plant species.

Project impacts to urban/developed land would be less than significant and would not require mitigation. The project would also not impact any jurisdictional areas or wildlife movement corridors; therefore, no mitigation would be required. Potential impacts to nesting birds, including coastal California gnatcatcher and Cooper's hawk, will be minimized and avoided through incorporating the MHPA Land Use Adjacency Guidelines and MSCP Conditions of Coverage. The project would be designed and conditioned to comply with all aspects of the Land Use Adjacency Guidelines listed in Section 1.4.3 of the MSCP (City of San Diego 1997), specifically in the following areas:

- Grading/Land Development/MHPA Boundaries
- Drainage
- Toxics/Project Staging Areas/Equipment Storage
- Lighting
- Barriers
- Invasives
- Brush management
- Noise

The site-specific Biology Study did not indicate any vernal pools on-site therefore due to the lack of vernal pools the project is not subject to the VPHCP. Therefore, the proposed development will be consistent with the City of San Diego's MSCP Subarea Plan guidelines, and the project would include mitigation measures to address any significant impacts as stated above; and consistency is not required with the Vernal Pool Habitat Conservation Plan [VPHCP] as the Project site does not contain jurisdictional wetlands.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The project is described in the findings above incorporated herein by reference. While the Project site is located within the coastal overlay zone, it is approximately two miles inland from the Pacific Ocean, public beaches and local shoreline. The project would implement construction and post-construction BMPs in compliance with the City Storm Water Manual and Regional Water Quality Control Board (RWQCB) regulations. Typical construction BMPs are anticipated to include silt fencing, gravel bag barriers, street sweeping, solid waste management, stabilized construction entrance/exits, water conservation practices, and spill prevention and control. The project would also include operational BMPs by constructing an on-site biofiltration basin in order to remove pollutants from runoff. Additionally, the project would implement source control and site design BMPs. Implementation of these BMPs, along with regulatory compliance, would preclude any violations of applicable standards and discharge regulations. The proposed Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant.

The Project would comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a SWPPP shall be implemented concurrently with the commencement of grading activities. A SWQMP that includes storm water construction BMPs, ongoing permanent BMP maintenance, on-site biofiltration and hydromodification features, has been developed to maintain natural drainage features and minimize potential impacts to storm drain facilities. Any short-term erosion and sedimentation impacts associated with Project development would be addressed through conformance with applicable elements of the City's storm water program and related NPDES standards. The Project would implement an approved SWPPP and related plans, and BMPs, including appropriate measures, to address erosion and sedimentation. Therefore, the proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. 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.

Impacts to urban/developed land would be less than significant and would not require mitigation. The project would also not impact any jurisdictional areas or wildlife movement corridors; therefore, no mitigation would be required. Potential impacts to nesting birds, including the coastal California gnatcatcher and Cooper's hawk, will be minimized and avoided through incorporating the MHPA Land Use Adjacency Guidelines and MSCP Conditions of Coverage, which will be implemented as permit conditions and included on the construction plans and related documents.

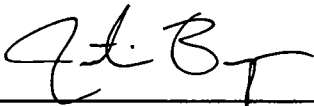
The project site is located within the Mira Mesa Community Plan area which provides community-specific policies that further implement the General Plan with respect to the distribution and arrangement of land uses and the local street and transit network; implementation of urban design guidelines; recommendations preserving and enhancing natural open space and historical and cultural resources; and prioritization and provision of public facilities within the Mira Mesa community. The Mira Mesa Community Plan Update Program Environmental Impact Report (PEIR) State Clearinghouse Number (SCH No.) 2022090061 conducted a program-level analysis that would require the implementation of Mitigation Framework containing Mitigation Measures for air quality (air quality plans, Regional Air Quality Strategy [RAQS]), historical resources, and noise (construction and vibration). In accordance with PEIR Mitigation Measure HIST-1, an initial investigation was conducted to determine if cultural resources are present on the project site. The project's initial archaeological investigation, including a California Historic Resources Information System search, confirmed that there are no known cultural resources on the project site. The project site is underlain with undocumented fill to depths ranging from about 3 to 30.5 feet below grade. There are no known tribal cultural resources on the project site, and the comprehensive archaeological evaluations and procedures required under PEIR Mitigation Measure HIST-1 would therefore not apply to the project.

Consistent with the PEIR mitigation framework, the Project will incorporate noise mitigation measures MM-NOI-1 and MM-NO-2 as a construction specification/condition of approval to minimize short-term construction noise and vibration. Implementation of MM-NOI-1 requires construction contractors to implement measures, such as noise attenuation techniques and construction notices to nearby sensitive receptors, to minimize construction noise is required and included in the Mitigation Monitoring and Reporting Program (MMRP). Noise mitigation measure MM-NOI-2 requires vibration reduction measures to minimize construction-related vibration impacts. With implementation of Mitigation Measure NOI-2, construction-related vibration would not result in a new significant vibration impact or substantially increase the severity of vibration impacts previously analyzed in the PEIR. Therefore, 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.

2. The appeal of the 10509 Vista Sorrento Parkway project is denied; the decision of the Hearing Officer is affirmed, with a modification to permit condition number 47 to correctly identify the street name "Sorrento Vista Parkway" instead of the incorrect "Sorrento Valley Road;" and Coastal Development Permit No. PMT-3164687, Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-3407775 are granted to LS Vista Sorrento II, LLC, a Delaware limited liability company, Owner/Permittee, under the terms and conditions set forth in the attached permit, which is made a part of this Resolution.

APPROVED: HEATHER FERBERT, City Attorney

By 
Justin R. Bargar
Deputy City Attorney

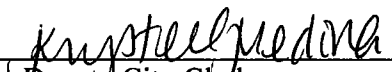
JRB:nja
October 12, 2026
Or. Dept: DSD
Doc. No.: 4572205

ATTACHMENTS:

Exhibit A - Coastal Development Permit No. PMT-3164687, Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-3407775

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
OCT 12 2026

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
DSD-1A

WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

INTERNAL ORDER NUMBER: 24009283

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. PMT-3164687
NEIGHBORHOOD DEVELOPMENT PERMIT NO. PMT-3164688
SITE DEVELOPMENT PERMIT NO. PMT-3407775
10509 VISTA SORRENTO PARKWAY - PROJECT NO. PRJ-1062368 [MMRP]
CITY COUNCIL

This Coastal Development Permit No. PMT-3164687, Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-3407775 is granted by the Council of the City of San Diego to LS VISTA SORRENTO II, LLC, a Delaware limited liability company, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0708, 126.0404 and 126.0505. The 5.58-acre site is located at 10509 Vista Sorrento Parkway within the Mira Mesa Community Plan. The site is located in the IL-3-1 (Industrial-Light) zone and the Coastal Overlay Zone (Non-Appealable Area), the Parking Impact Overlay Zone, the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station [MCAS] Miramar, Review Area 1) the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) Noise Contours (CNEL) MCAS Miramar 60 - 65 CNEL, MCAS Miramar Accident Potential Zone II (APZ-II), the Federal Aviation Administration (FAA) Part 77 Noticing Area, Complete Communities Mobility Choices Mobility Zone 2, and a Very High Fire Hazard Severity Zone (VHFSZ). The project site is legally described as THAT PORTION OF ACRE LOT 8 OF THE TOWN OF SORRENTO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 483, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 9, 1888, WHICH LIES NORTHWESTERLY OF THE LOCATION AND NORTHEASTERLY PROLONGATION OF A LINE, WHICH IS PARALLEL WITH AND 700.00 FEET NORTHWESTERLY, AT RIGHT ANGLES, FROM THE SOUTHEASTERLY LINE OF SAID LOT 8.

Subject to the terms and conditions set forth in this Permit, permission is granted to LS VISTA SORRENTO II, LLC, a Delaware limited liability company, Owner/Permittee to demolish an existing four-story building, trash enclosure, telecommunications structure, mechanical equipment enclosure, and site improvements for the construction of a four-story building totaling 112,400 square feet, an on-grade six-story parking garage totaling 189,795-square-feet, and associated site improvements described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 10, 2026, on file in the Development Services Department.

The project shall include:

- a. The demolition of a four-story 84,000-square-foot building, an existing trash enclosure structure, an existing telecommunications structure, an existing mechanical equipment enclosure, and existing site improvements to include landscaping, paved parking areas and site lighting;
- b. The construction of a four-story, 112,400-square-foot commercial office building for uses allowed within the IL-3-1 zone, including research and development (R&D) use, laboratory use, corporate headquarters and other offices uses;
- c. Construction of a 189,795-square-foot six-story parking garage accommodating 577 parking stalls (182 parking stalls allocated for the proposed four-story building) and surface parking area for 99 parking stalls accommodating a total of 676 parking stalls on-site;
- d. The vacation of a public service easement (Public Service Easement Vacation No. PMT-3351728);
- e. Landscaping (planting, irrigation and landscape related improvements);
- f. Terraced retaining walls adjacent to the parking garage, two outdoor seating areas with wood decking, an overhead shade structure for the seating area adjacent to the parking garage, an outdoor dining terrace with flagstone paving, three flagstone seating areas with concrete seat walls, an emergency generator enclosure, a mechanical equipment enclosure, a trash enclosure structure, associated site furnishings, paving and site lighting; and
- g. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by October 12, 2029.
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 Owner/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. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The 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 Owner/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 Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited 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 were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If 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. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

11. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase per the approved Exhibit "A."

CLIMATE ACTION PLAN REQUIREMENTS:

12. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

AIRPORT REQUIREMENTS:

13. Prior to the issuance of any building permits, the Owner/Permittee shall provide a copy of the signed agreement [Development Services Department (DSD) Form DS-503] and show certification on the building plans verifying that the structures do not require Federal Aviation Administration [FAA] notice for Determination of No Hazard to Air Navigation, or provide an FAA Determination of No Hazard to Air Navigation as specified in Information Bulletin 520.

14. The project site is located within Accident Potential Zone II (APZ-II) of the MCAS Miramar Airport Land Use Compatibility Plan (ALUCP) shall be limited to an occupancy of 50 people per acre or 272 persons for the proposed commercial office building.

ENGINEERING REQUIREMENTS:

15. Prior to the issuance of any building permit, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement (EMRA) for the storm drain connection, landscaping and irrigation, within the right-of-way, satisfactory to the City Engineer.

16. Prior to the issuance of any building permit, the Owner/Permittee shall dedicate and improve six feet (6'-0") of right-of-way, adjacent to the site on Vista Sorrento Parkway, per Exhibit 'A', satisfactory to the City engineer.
17. Prior to the issuance of any building permit, the Owner/Permittee shall vacate the four-foot (4'-0") wide sewer, water, drainage and public utilities easement, per Exhibit 'A', satisfactory to the City engineer.
18. Prior to the issuance of any building permit, the Owner/Permittee shall submit a Drainage Study detailing the pre-development and post-development 100-year peak flows from the project site, as well as peak flow attenuation calculations to ensure no peak flow increases from the project site to the satisfaction of the City Engineer. Peak flow attenuation calculations shall include 100-year, six-hour inflow and outflow hydrographs to each detention facility, account for County of San Diego Conjunctive Use guidelines, and report the 100-year pre-development peak flow, the 100-year unmitigated peak flow, and the 100-year mitigated peak flow for each facility, as well as the maximum 100-year water surface elevation in each facility.
19. Prior to the issuance of any building permit, the Owner/Permittee shall submit a Stormwater Quality Management Plan (SWQMP) to provide detailing treatment control Best Management Practices (BMPs) sizing, hydromodification management, and volume retention compliance with the City's Stormwater Standards Manual in effect at the time of permit issuance, to the satisfaction of the City Engineer.
20. Prior to the issuance of any building permit, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the SDMC in a manner satisfactory to the City Engineer.
21. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications.
22. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2022-0057-DWQ and a copy shall be submitted to the City.
23. Prior to the issuance of any Construction Permit, the Owner/Permittee shall enter into a Stormwater Management and Discharge Control Maintenance Agreement (SWMDCMA) detailing the ongoing maintenance of permanent Best Management Practices (BMP), to the satisfaction of the City Engineer.
24. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit Order No. 2022-0057-DWQ. In accordance with Order No. 2022-0057-DWQ or subsequent order, a Risk Level Determination shall be calculated for the site and

a Storm water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.

GEOLOGY REQUIREMENTS:

25. Prior to the issuance of any construction permits (either grading or building permit), the Owner/Permittee shall submit a geotechnical investigation report prepared in accordance with the City's Guidelines for Geotechnical Reports that specifically addresses the proposed construction plans. The geotechnical investigation report shall be reviewed for adequacy by the Geology Section of Development Services prior to the issuance of any construction permit.

LANDSCAPE REQUIREMENTS:

26. Prior to issuance of any grading permit, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City of San Diego Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A' on file in the Development Services Department.

27. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

28. Prior to issuance of any building permit (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are consistent with the Landscape Standards, to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A', Landscape Development Plan, on file in the Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per SDMC Section §142.0403(b)6.

In the event that a "Foundation Only" permit is requested by the Owner/Permittee, a site plan or staking layout plan, shall be submitted to the Development Services Department identifying all landscape areas consistent with Exhibit 'A', Landscape Development Plan, on file in the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions, and labeled as "landscaping area." The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or 'topping' of trees is not permitted. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed, the Owner/Permittee shall repair and/or replace in kind and

equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

29. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit 'A' on file in the Development Services Department:

- The Brush Management Program shall consist of a modified Brush Management Zone One, ranging in width from forty-five-feet-six-inches to fifty-four-feet-two-inches (45'-6" to 54'-2") from the face of the proposed parking garage to the deed restricted boundary (CDP No. 84-403698) and a Brush Management Zone Two extending out fifty-seven-feet-three-inches (57'-3") from the structure towards the native/naturalized vegetation located within the existing MHPA boundary, consistent with SDMC Section 142.0412 and Exhibit 'A'.
- Alternative Compliance for reduced brush management zone(s):
 - Where Zone One is reduced, Type IV Heavy Timber construction, Non-Combustible construction and one-hour (1-hr) fire-rated structures are required, consistent with SDMC Section 142.0412(g) and Exhibit 'A'.

30. Prior to issuance of any grading permit, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit 'A'.

31. Prior to issuance of any Building Permits, a complete Brush Management Plans shall be submitted for approval to the Development Services Department and shall be in substantial conformance with Exhibit 'A' on file in the Development Services Department. The Brush Management Plans shall comply with the City of San Diego's Landscape Regulations and the Landscape Standards.

Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while accessory structures of non-combustible, one-hour fire-rated, and/or Type IV heavy timber construction may be approved within the designated Zone One area subject to Fire Marshal's approval.

32. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

MULTIPLE SPECIES CONSERVATION PROGRAM:

33. Prior to the issuance of any construction permits, the Owner/Permittee shall grant the on-site Multiple Habitat Planning Area [MHPA] to the City's Multiple Species Conservation Program [MSCP] preserve through a covenant of easement granted in favor of the City and the U.S. Fish and Wildlife Service [USFWS] and the California Department of Fish and Wildlife [CDFW], as shown on Exhibit "A." The Owner/Permittee shall maintain in perpetuity any MHPA lands granted by covenant of easement unless otherwise agreed to by the City.

34. Prior to the issuance of a construction permit, the following biological resource protection measures shall be provided on the construction documents:

I. Prior to Construction

- A) **Biologist Verification** -The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (20128), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- B) **Preconstruction Meeting** - The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- C) **Biological Documents** - The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.
- D) **BCME** -The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.
- E) **Avian Protection Requirements** - To avoid any direct impacts to any species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the

pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report in conformance with the City's Biology Guidelines (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report are in place prior to and/or during construction.

- F) Resource Delineation - Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.
- G) Education -Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

II. During Construction

- A) Monitoring- All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

Subsequent Resource Identification - The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

- A) In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

35. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the Owner/Permittee shall depict the following MSCP Land Use Adjacency Guidelines on the construction documents and plans for Project Site under the heading "Environmental Requirements":

- **Grading/Land Development/MHPA Boundaries** - Within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
- **Drainage** - All staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention / desilting basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- **Toxics/Project Staging Areas/Equipment Storage** - Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactful to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the CD's that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."
- **Lighting** - All lighting within or adjacent to the MHPA is directed away/shielded from the MHPA or limited to the immediate area and is in compliance with City Outdoor Lighting Regulations per LDC Section 142.0740.
- **Barriers** - Existing fences/walls; and/or signage along the MHPA boundaries shall remain and or be added to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
- **Invasives** - No invasive, non-native plant species shall be introduced into areas within or adjacent to the MHPA.

- **Brush Management** - Brush management zones will not be greater in size that is currently required by the City's regulations (this includes use of approved alternative compliance). Within Zone 2 the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area will be the responsibility of a homeowner's association (HOA) or other private party.
- **Noise** - Construction noise that exceeds the maximum levels allowed (60 dB or greater at the beginning edge of the habitat) shall be avoided during the breeding seasons for the following: Coastal California Gnatcatcher and Cooper's Hawk (March 1 through August 15). If construction is proposed during the breeding season for the species the following measures are required:

Coastal California Gnatcatcher (Federally Threatened):

- A. Prior to the issuance of any grading permit, the City Environmental designee shall verify that the MHPA boundaries and the following project requirements regarding the Coastal California Gnatcatcher are shown on the construction plans:
 1. No clearing, grubbing, grading, or other construction activities shall occur between March 1 and August 15, the breeding season of the Coastal California Gnatcatcher, until the following requirements have been met to the satisfaction of the City Environmental Designee:
 - i. A qualified biologist [possessing a valid Endangered Species Act section 10(a)(1)(A) recovery permit] shall survey those habitat areas within the MHPA that would be subject to construction noise levels exceeding 60 decibels [dB(A)] hourly average for the presence of the Coastal California Gnatcatcher. Surveys for these species shall be conducted pursuant to the protocol survey guidelines established by the U.S. Fish and Wildlife Service within the breeding season prior to the commencement of construction. If the Coastal California Gnatcatcher is present, then the following conditions must be met:
 - a. Between March 1 and August 15, no clearing, grubbing, or grading of occupied Coastal California Gnatcatcher habitat shall be permitted. Areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; and
 - b. Between March 1 and August 15, no construction activities shall occur within any portion of the site where construction activities would result in noise levels exceeding 60 dB(A) hourly average at the edge of occupied Coastal California Gnatcatcher Habitat. An analysis showing that noise generated by construction activities would not exceed 60

dB(A) hourly average at the edge of occupied habitat must be completed by a qualified acoustician (possessing current noise engineer license or registration with monitoring noise level experience with listed animal species) and approved by the City Environmental Designee at least two weeks prior to the commencement of construction activities.

- c. Prior to the commencement of any of construction activities during the breeding season, areas restricted from such activities shall be staked or fenced under the supervision of a qualified biologist; or
- d. At least two weeks prior to the commencement of construction activities, under the direction of a qualified acoustician, noise attenuation measures (e.g., berms, walls) shall be implemented to ensure that noise levels resulting from construction activities will not exceed 60 db(a) hourly average at the edge of habitat occupied by the Coastal California Gnatcatcher. Concurrent with the commencement of construction activities and the construction of necessary noise attenuation facilities, noise monitoring* shall be conducted at the edge of the occupied habitat area to ensure that noise levels do not exceed 60 dB(a) hourly average. If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician or biologist, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved or until the end of the breeding season (August 16). *

* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB (A) hourly average or to the ambient noise level if it already exceeds 60 dB (A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Environmental Designee, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.

- ii. If the Coastal California Gnatcatcher is not detected during the protocol survey, the qualified biologist shall submit substantial evidence to the City Environmental Designee and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary between March 15 and August 15 as follows:
 - a. If this evidence indicates the potential is high for Coastal California Gnatcatcher to be present based on historical records or site

conditions, then Condition A.(1)(i).(d.) shall be adhered to as specified above.

- b. If this evidence concludes that no impacts to this species are anticipated, no mitigation measures would be necessary.

Cooper's Hawk (MSCP Covered Species) Conditions of Coverage:

- B. Establishment of the 300-foot impact avoidance area around active nests identified by the pre-construction survey.

PLANNING/DESIGN REQUIREMENTS:

36. The automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

37. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

38. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

39. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

40. Processing, manufacturing, or storage of bulk quantities of hazardous materials (greater than 10,000 gallons) is not permitted in accordance with the applicable regulations in the SDMC.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

41. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water and sewer service(s) outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Department and the City Engineer.

42. Prior to the issuance of any building permit Owner/Permittee shall installed of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Department and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-

way. Prior to the issuance of any building permits, the Owner/Permittee shall assure construction of the proposed water meters, within public right-of-way, for all proposed water services.

43. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

44. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

TRANSPORTATION REQUIREMENTS

45. All automobile parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls shall be in compliance with the requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose unless otherwise authorized in writing by the appropriate City decision-maker in accordance with the SDMC.

46. Prior to issuance of the first building permit, the Owner/Permittee shall assure by permit and bond to reconstruct the existing driveway on Vista Sorrento Parkway per current City standards, as shown on Exhibit 'A', satisfactory to the City Engineer. All improvements shall be completed and operational prior to the first occupancy.

47. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of a five-foot (5'-0") wide non-contiguous sidewalk on Vista Sorrento Parkway per current City standards as shown on Exhibit 'A', to the satisfaction of the City Engineer. All improvements shall be completed and operational prior to the first occupancy.

48. The Owner/Permittee shall provide and maintain a sight visibility area on each side of the driveway measured along the property line on Vista Sorrento Parkway per Exhibit 'A'. No obstacles higher than 36 inches shall be located in this area, e.g., shrubs, landscape, walls, columns, monument signs, etc.

49. Prior to first occupancy, the Owner/Permittee shall provide and maintain onsite the following Vehicle Miles Traveled (VMT) reduction measure totaling at least 5 points as shown in Exhibit 'A', satisfactory to the City Engineer:

- Thirty-four (34) long-term bicycle spaces are at least 10% beyond the minimum requirements of 14 long-term bicycle spaces (2 points per 10 % increment above the minimum).

WASTE MANAGEMENT REQUIREMENTS:

50. The Owner/Permittee shall comply with the Waste Management Plan prepared by RECON Environmental, Inc., dated August 20, 2024, and shall be enforced and implemented to the satisfaction of the Environmental Services Department.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

51. Mitigation requirements in the Mitigation Monitoring and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.

52. The mitigation measures specified in the MMRP, which is attached to the 10509 Vista Sorrento / Project No. PRJ-1062368 California Environmental Quality Act – Section 15162 Evaluation, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

53. The Owner/Permittee shall comply with the MMRP, which is attached to the 10509 Vista Sorrento / Project No. PRJ-1062368 California Environmental Quality Act – Section 15162 Evaluation, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

- Noise and Vibration

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or commence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this 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.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Council of the City of San Diego on October 12, 2026, and R- 316974 .

Coastal Development Permit No. PMT-3164687
Neighborhood Development Permit No. PMT-3164688
Site Development Permit No. PMT-3407775
Date of Approval: October 12, 2026

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Martin R. Mendez
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

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

**LS Vista Sorrento II, LLC a Delaware
limited liability company**
Owner/Permittee

By _____
Denis J. Sullivan Jr.
Senior Vice President –
Managing Director Lab Investments

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

Passed by the Council of The City of San Diego on **OCT 12 2026**, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☐	☐	☒	☐
Marni von Wilpert	☐	☐	☒	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☐	☐	☒	☐
Vivian Moreno	☐	☐	☒	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage **OCT 12 2026**

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By *Kristell Medina*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **316974**