

RESOLUTION NUMBER R- 316975

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 PUBLIC
SERVICE EASEMENT VACATION NO. PMT-3351728 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,
Applicant/Subdivider, and Latitude 33 Planning and Engineering, Engineer, filed an application
with the City of San Diego to vacate an existing four-foot wide, 4,313.76-square-foot (0.09-
acre), Sewer, Water, Drainage and Public Utilities Easement, Public Service Easement Vacation
No. PMT-3351728, in connection with Coastal Development Permit No. PMT-3164687,
Neighborhood Development Permit No. PMT-3164688, and Site Development Permit No. PMT-
3351728, for the 10509 Vista Sorrento Parkway Project (Project), located at 10509 Vista
Sorrento Parkway, 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. The Project 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), within the Mira Mesa Community Plan area.

B. California Streets and Highways Code section 8320, *et seq.* and San Diego Municipal Code (Municipal Code) section 125.1001, *et seq.* provide a procedure for the vacation of public service easements by Council resolution.

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 Public Service Easement Vacation No. PMT-3351728.

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 Public Service

Easement Vacation No. PMT-3351728:

PUBLIC SERVICE EASEMENT VACATION – SDMC SECTION [125.1040]

1. **There is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired or for any other public use of a like nature that can be anticipated.**

The project site currently contains a Sewer, Water, Drainage and Public Utilities Easement within a portion of Lot 8, Map Numbers 483 and 362, located at 10509 Vista Sorrento Parkway. The project proposes to vacate this easement, located along the northern and eastern property lines of the subject property, fully within the private parcel. The existing easement does not contain any active public utility facilities (sewer, water, drainage or public utilities). Redevelopment of the project site is currently being proposed to include the demolition of an existing four-story office building and the construction of a new four-story building, a six-story parking structure, landscaping, hardscape, drainage facilities and associated site improvements. Removal of the existing easement will allow the construction of the proposed improvements and will maximize utilization of the project site. Therefore, there is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

2. The public will benefit from the action through improved utilization of the land made available by the vacation.

The public will benefit from this action by eliminating unnecessary and unproductive encumbrances on the subject property. The proposed vacation will allow for the redevelopment of the project site that is currently being proposed to include the demolition of an existing four-story office building and the construction of a new four-story building, a six-story parking structure, landscaping, hardscape, drainage facilities and associated site improvements, consistent with the Technology Park Land Use designation of the Mira Mesa Community Plan. Therefore, the public will benefit from the action through improved utilization of the land made available by the vacation.

3. The vacation is consistent with the applicable land use plan.

The site is zoned IL-3-1 (Industrial-Light), designated for Technology Park uses within the Mira Mesa Community Plan and designated as Industrial Employment uses within the San Diego General Plan. The easement vacation is located fully within private property and will not negatively impact the existing or future use of the property. No portion of the easement vacation is within the public right-of-way, and removing the existing encumbrance on the project site would allow for maximized utilization of the project site consistent with the adopted Mira Mesa Community Plan and the applicable zoning regulations. Therefore, the vacations would be consistent with and not adversely affect any applicable land use plans.

4. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacations or the purpose for which the easement was acquired no longer exists.

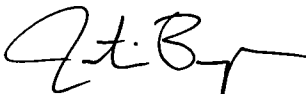
The proposed easement vacation will not negatively impact existing public utility services or facilities. The original purpose for establishing the easement no longer exists because all necessary public utilities (sewer, water, drainage) are provided through alternate easements or public rights-of-way that will remain in service. All essential public utilities for the proposed project will be accommodated within dedicated public rights-of-way adjacent to the site or in existing and newly dedicated easements on the property that have been reviewed and approved by the City Engineer and all utility providers. Redevelopment of the project site is currently being proposed to include the demolition of an existing four-story office building and the construction of a new four-story building, a six-story parking structure, landscaping, hardscape, drainage facilities and associated site improvements. Vacation of the referenced easement will remove an existing encumbrance and allow the construction of the proposed improvements, thus maximizing utilization of the project site. Therefore, the purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists.

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

3. Based upon these findings adopted by the Council, Easement Vacation No. PMT-3351728, as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 102639, marked as Exhibit "B", incorporated by this reference, and made a part of this Resolution, is ordered vacated.

4. The Development Services Department shall record a quitclaim deed with a certified copy of this Resolution with attached exhibits, attested by the City Clerk under seal, in the Office of the County Recorder.

APPROVED: HEATHER FERBERT, City Attorney

By 
Justin R. Bargar
Deputy City Attorney

JRB:nja
October 13, 2026
Or. Dept: DSD
Doc. No.: 4572204

ATTACHMENTS:

Exhibit A – Legal Description
Exhibit B – Drawing No. 102639

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

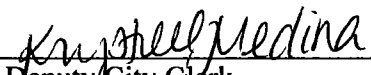
By 
Deputy City Clerk

EXHIBIT 'A'

LEGAL DESCRIPTION

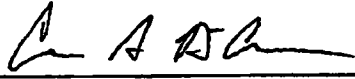
SEWER, WATER, DRAINAGE AND PUBLIC UTILITIES EASEMENT VACATION

A PORTION OF THAT CERTAIN EASEMENT FOR SEWER, WATER, DRAINAGE AND PUBLIC UTILITIES GRANTED TO THE CITY OF SAN DIEGO PER RESOLUTION NO. 131222, RECORDED FEBRUARY 9, 1956 IN BOOK 5971, PAGE 200 OF OFFICIAL RECORDS, LYING WITHIN A PORTION OF ACRE LOT 8 OF SORRENTO LANDS AND TOWNSITE, 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. SAID PORTION OF ACRE LOT 8 IS SPECIFICALLY DESCRIBED IN DEED DOCUMENT NO. 2022-0043498, RECORDED 1/28/2022 OF OFFICIAL RECORDS IN SAID COUNTY.

CONTAINING AN AREA OF 4,313.76 SQUARE FEET (0.099 ACRE), MORE OR LESS.

ATTACHED HERETO IS DRAWING NO. 102639-B, LABELED EXHIBIT "B", AND BY THIS REFERENCE MADE A PART HEREOF.

THIS LEGAL DESCRIPTION WAS PREPARED BY, OR UNDER THE DIRECTION OF:

 1/26/2026
CHRISTOPHER S. D'AMBROSIO P.L.S. 9829 DATE

PRJ-1062368
PMT-3351728
DWG NO. 102639-B



EXHIBIT "B"

ASSESSOR'S PARCEL NO.

340-090-15

REFERENCE DWG.'S

MAPS 483 & 362, MAP 13604, ROS 11628
RESO. 131222 IN BOOK 5971, PAGE 200 O.R.
CDP & NDP (PRJ-1062368)

LEGEND

 PORTION OF THAT CERTAIN SEWER, WATER, DRAINAGE & PUBLIC UTILITIES EASEMENT GRANTED TO CITY OF SAN DIEGO PER RESOLUTION NO. 131222, RECORDED 2-09-1956 IN BOOK 5971, PAGE 200 O.R.; VACATED HEREON.

AREA = 4,313.76 SQ. FT. (0.099 ACRE)

—— RIGHT-OF-WAY LINE

- - - EXISTING LOT/PARCEL LINE

- - - EASEMENT LINE

() INDICATES RECORD DATA PER ROS 11628

(A) HIGHWAY SLOPE EASEMENT TO THE STATE OF CALIFORNIA RECORDED 04-03-1970 AS FILE NO. 57984 O.R.

(B) ROAD EASEMENT TO CITY OF SAN DIEGO RECORDED 03-29-1985 AS DOC. NO. 85-106726, O.R.

(C) DEED RESTRICTION RECORDED 10-25-1984 AS DOC. NO. 84-403698 O.R.

(D) 4' WIDE SEWER, WATER, DRAINAGE & PUBLIC UTILITIES EASEMENT GRANTED TO CITY OF SAN DIEGO PER RESO. NO. 131222, RECORDED 2-09-1956 IN BOOK 5971, PAGE 200 O.R.

(E) UTILITY EASEMENT TO PACIFIC BELL RECORDED 11-20-1985 AS DOC. NO. 85-439336 O.R.

(F) LANDSCAPE AND MAINTENANCE AGREEMENT RECORDED 08-31-2011 AS DOC. NO. 2011-0450462 O.R.

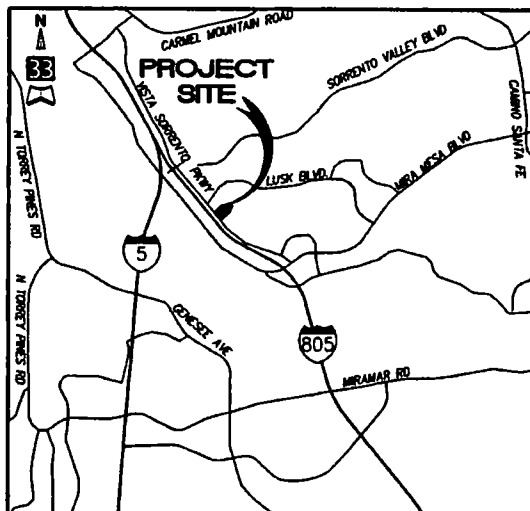
(G) DRIVEWAY ACCESS AGREEMENT RECORDED 08-31-2011 AS DOC. NO. 2011-0450461 O.R.

(H) 10' WIDE STORM DRAIN EASEMENT TO CITY OF SAN DIEGO RECORDED 1-17-1985 AS DOC. NO. 85-106726 O.R.

(I) 15' DRAINAGE EASEMENT RECORDED 03-30-1984 AS DOC. NO. 84-118636 AND RE-RECORDED ON 10-18-1984 AS DOC. NO. 85-16109 O.R.

VICINITY MAP

NOT TO SCALE



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD83), CALIFORNIA COORDINATE SYSTEM 1983 (CCS83), ZONE 6 (0406). THIS IS DETERMINED BY A LINE BETWEEN POINT NO. 123 AND POINT NO. 123B OF SAN DIEGO COUNTY RECORD OF SURVEY NO. 14492.

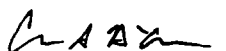
BEARING = SOUTH 46° 22' 38" EAST.

NON-PLOTTABLE EASEMENTS

1) EASEMENT FOR PUBLIC UTILITIES GRANTED TO SDG&E RECORDED 6-28-1985 AS DOC. NO. 85-233844 O.R.

2) EASEMENT FOR PUBLIC UTILITIES GRANTED TO SDG&E RECORDED 10-24-2000 AS DOC. NO. 2000-572396 O.R.

LATITUDE 33 PLANNING & ENGINEERING
10731 TREENA STREET
SAN DIEGO, CA 92131 (858) 751-0633

 1/24/2022
CHRISTOPHER S. D'AMBROSIO DATE
P.L.S. 9829



DOCUMENT No. _____

RECORDED _____

RESOLUTION No. _____

ADOPTED _____

SEWER, WATER, DRAINAGE, AND PUBLIC UTILITIES EASEMENT VACATION

WITHIN A PORTION OF LOT B MAP NO'S 483 AND 362 AS DESCRIBED IN DEED DOC. NO. 2022-0043498, REC. 1/28/2022 O.R.

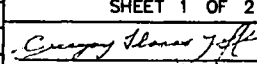
DESCRIPTION	BY	APPROVED DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PRJ. 1062368
ORIGINAL	L33			SHEET 1 OF 2 SHEETS	PMT. 3351728
				 10/14/2028	1906-6263
				FOR CITY ENGINEER DATE	CCS 83 COORDINATES
					266-1703
					NAD 27 COORDINATES
STATUS				102639-1-B	B001

EXHIBIT "B"

LOT 10
MAP NO. 13604

LOT 2
MAP NO. 10607

ROS 11628
POR. LOT 8
SORRENTO LANDS
AND TOWNSITE
MAP NO.'S 483 & 362

POR. LOT 8

VISTA SORRENTO PARKWAY

DEED DOC NO.
2022-0043498 REC.
1/28/2022

PARCEL 5

PARCEL 4

Parcel 3

Parcel 2

Parcel 1

Parcel 6

Parcel 7

Parcel 8

Parcel 9

Parcel 10

Parcel 11

Parcel 12

Parcel 13

Parcel 14

Parcel 15

Parcel 16

Parcel 17

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Parcel 262

A circular professional seal for Christopher S. D'Ambrosio, a Licensed Surveyor in the State of California. The seal features the text "LICENSED SURVEYOR" at the top and "STATE OF CALIFORNIA" at the bottom, separated by two stars. In the center, the name "Christopher S. D'Ambrosio" and the license number "No. 9829" are printed.

ADOPTED

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA		PRJ. 1062368
ORIGINAL	L33				SHEET 2 OF 2 SHEETS		PMT. 3351728
					<i>Gregory S. Jones</i> 10/14/2026		1906-6263
					FOR CITY ENGINEER	DATE	CCS 83 COORDINATES
							266-1703
							NAD 27 COORDINATES
STATUS						102639-2-B	B002

OCT 12 2026

Passed by the Council of The City of San Diego on _____, 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- **316975**