

RESOLUTION NUMBER R- 258663

Adopted on JUN 14 1983

WHEREAS, GENSTAR DEVELOPMENT, INC., by Bruce H. Warren, appealed the decision of the Planning Commission in denying the proposed Tentative Map for UNIVERSITY CENTER, located on the south side of La Jolla Village Drive between I-5 and Lebanon Drive, in the CO Zone, in the University Community Plan area; and

WHEREAS, on April 28, 1983, the Planning Commission voted 3 to 2 to grant the appeal, approve the Tentative Map and overrule the decision of the Subdivision Board but due to the lack of four affirmative votes, this was deemed a denial of the Tentative Map; and

WHEREAS, on May 2, 1983, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, GENSTAR DEVELOPMENT, INC., by Bruce H. Warren, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on June 14, 1983, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council in considering said appeal is empowered by the provisions of Municipal Code, Section 102.0308, to affirm, reverse or modify in whole or in part any determination of the Planning Commission subject to the limitations as are placed upon the Planning Commission by the

Municipal Code; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That the City Council adopts the following findings:

1. The proposed map is consistent with the General Plan and University Community Plan which designate the property for commercial use.
2. The design and proposed improvements for the subdivision are consistent with the General Plan, University Community Plan, CO Zoning/Development Regulations and State Map Act Section 66473.1 regarding solar access.
3. The site is physically suitable for mixed commercial development.
4. The site is suitable for the proposed commercial density of development.
5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, based upon the findings of the Environmental Impact Report EQD No. 82-0544.
6. The design of the subdivision and the types of improvements will not likely cause serious public health problems inasmuch as the map is consistent with CO zoning and conforms with City development regulations and with Planned Commercial Development Permit No. 82-0544.
7. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. That said findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

9. If a developer is required to use a Development Agreement to provide this subdivision's share of the community-wide public improvements, then the approval of this Tentative Map and the timing and phasing of the development by means of this Development Agreement will not jeopardize the achievement of the Progress Guide and General Plan objectives of assuring adequate public facilities at the time of the development of the community.

BE IT FURTHER RESOLVED, that the appeal of GENSTAR DEVELOPMENT, INC., by Bruce H. Warrent is granted; the decision of the Planning Commission to deny the appeal is overruled, and said Tentative Map is hereby granted, subject to the following conditions:

1. This map shall become effective with the effective date of rezoning case 82-0544 and expire concurrently with the expiration date of the same.

2. The "General Conditions for Tentative Subdivision Maps," filed in the office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized.

3. The subdivider must provide a geological reconnaissance on the subject property to determine the stability of the soil. All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code,

Sections 62.0410 et seq.

4. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code, Section 102.0404, subsection 2.

5. La Jolla Village Drive adjacent to the subdivision between Interstate 5 and Lebon Drive shall be improved as a primary arterial street by providing a five-foot-wide sidewalk behind the existing curb, a raised median as required by the City Engineer, and three eastbound travel lanes with an eight-foot wide shoulder. At the intersection with Lebon Drive, the paving, curb, sidewalk and median shall be modified, as required by the City Engineer, to also provide a free right-turn lane/deceleration lane.

6. Access rights to La Jolla Village Drive shall be revested to provide for the right-turn entrance-only driveway into Parcel 1.

7. Nobel Drive shall be dedicated and improved through the subdivision as a 122-foot-wide primary arterial street, to the alignment and width as shown on the approved Tentative Map. The centerline shall match the centerline of the dedicated Nobel Drive right-of-way east of Lebon Drive, and the centerline of the I-5 bridge and dedicated Nobel Drive right-of-way on the west.

This right-of-way shall be fully improved with curbs, five-foot-wide sidewalks, paving and a raised median, as shown on the approved Tentative Map.

8. The subdivider shall relinquish access rights to Nobel Drive except at locations authorized by the City Engineer.

9. Lebon Drive shall be dedicated and improved adjacent to the subdivision as a major street.

The ultimate dedicated right-of-way of Lebon Drive between Nobel Drive and La Jolla Village Drive subject to improvement will vary between 98 feet wide and 108 feet wide, as shown on the approved Tentative Map.

A portion of the existing 35-foot-wide dedicated right-of-way will be surplus right-of-way. This realigned dedicated right-of-way will be improved with curbs, five-foot-wide sidewalks and paving as shown on the approved Tentative Map. Portions of the existing easterly curb and sidewalk will be removed. The two 500-foot centerline radius curves are approved. This section will be designed for a 40 mph design speed and will be constructed with six percent super-elevation on the southerly curve.

The dedicated right-of-way of Lebon Drive southerly of Nobel Drive will be widened to 113 feet southerly of Nobel Drive, with a transition back to the existing 98-foot right-of-way in a manner satisfactory to the City Engineer. Improvements consisting of curb, five-foot-wide sidewalk, paving and a raised median shall be constructed adjacent to the subdivision within this portion of Nobel Drive, modifying the improvements required in connection with the map of La Jolla International Gardens, as required by the City Engineer, so as to result in the street section and

raised median as shown on the approved Tentative Map.

10. "A" Street shall be dedicated and fully improved as a collector street with curbs, five-foot-wide sidewalk and paving to the alignment and cross-section as shown on the approved Tentative Map. The dedicated right-of-way width will vary from 60 feet to 84 feet, as shown on the approved Tentative Map.

11. "C" Drive shall be improved to local street standards as a 36-foot-wide, curb-to-curb, named, non-dedicated, privately maintained, private street with sidewalks on at least one side and 20-foot-wide paved roadway on each side of all medians, to the alignment as shown on the approved Tentative Map.

12. "B" Drive and "D" Drive, and the one-way driveway from La Jolla Village Drive, shall be improved as unnamed, non-dedicated, privately maintained driveways to the alignment shown on the approved Tentative Map. The westerly intersection of "D" Drive and Nobel Drive may be improved with curb returns. A 20-foot-wide paved roadway shall be constructed on each side of all medians.

13. The subdivider shall obtain an encroachment removal agreement for the pedestrian over-crossing proposed to be constructed over "A" Street.

14. The subdivider shall construct inter-connected traffic signal systems at the following locations, in a manner satisfactory to the City Engineer:

- a. The intersection of Nobel Drive and Lebon Drive. The developer of La Jolla International

Gardens subdivision has paid \$18,750.00 to the City as that subdivision's share of the cost of this traffic signal system. Also, the developer of La Jolla Gardens Villa (PRD 152) is required to pay \$18,750.00 before any additional building permits are issued in connection with that Planned Residential Development permit. This money will be available to the subdivider of this subdivision to offset the cost of constructing this traffic signal system.

b. Lebon Drive and "A" Street.

c. La Jolla Village Drive and Lebon Drive. In designing this signal, the subdivider will be allowed to offset the centerline of Lebon Drive as shown on the approved Tentative Map, and the subdivider shall construct a raised median in La Jolla Village Drive easterly of Lebon Drive, as required by the City Engineer, for channelization through the intersection. If requested by the subdivider and approved by the City Council, a reimbursement district encompassing the undeveloped property located southeasterly of La Jolla Village Drive and Lebon Drive will be established to help pay for a portion of the construction cost of this signal when the property within the reimbursement district is developed.

d. The Nobel Drive intersection with "C" Drive/"D" Drive.

15. The subdivider shall provide right-of-way in Lot

10 for the construction of a north-bound off-ramp from I-5 to Nobel Drive, as required by both CALTRANS and the City Engineer.

16. Permits will be required from CALTRANS for any work within the State right-of-way.

17. North University City FBA project, NUC 46, provides for the widening of the off-ramp from southbound I-5 to eastbound on La Jolla Village Drive in order to provide for a dual left turn. When traffic in the community exceeds the level of the 1980 Travel Forecast, a triple-left-turn movement (or approved alternative) will be required at this location. When the University Center Project traffic generation would exceed that in the 1980 Travel Forecast, no further building permits will be issued until funding for and scheduling of the triple-left-turn improvement is assured.

18. The developer shall comply with the conditions of the financing plan adopted by the City Council for this Community Plan area. If this financing plan becomes inoperative, the developer may, at the time of Council approval of the final map, enter into a Development Agreement as provided for in Section 102.0301 of the Municipal Code. The Development Agreement shall provide for the financing of public improvements associated with the Council-approved financing plan and the payment of estimated Facilities Benefit Assessment fees at the time of issuance of building permits for this development. The agreement shall specify the amount of such fees and shall

be recorded with the County Recorder.

19. Water Requirements:

a. Install a 12-inch water main in Nobel Drive and "A" Street.

b. Install a 10-inch water main in La Jolla Village Drive westerly from the end of the existing 10-inch water main near Lebon Drive to the westerly subdivision boundary.

c. Install three-way fire hydrants at the locations shown on the approved Tentative Map.

20. Sewer Requirements:

a. Install sewer main paralleling the existing sewer main in La Jolla Village Drive between Lebon Drive and Villa La Jolla Drive, as required by the City Engineer.

b. Improve the sewer pump station located in La Jolla Village Drive westerly of Interstate 5, as required by the City Engineer.

c. Install a system of gravity sewer mains adequate to serve all the lots, and provide calculations, satisfactory to the City Engineer, for the sizing of these sewer mains.

21. Utility reimbursement agreements are possible for the off-site water and sewer facilities. If the subdivider desires to be reimbursed for a portion of the cost of construction of the off-site facilities, he must provide detailed utilities reimbursement plats to the City of San Diego Utilities Department.

22. Some of the work required of the subdivider in connection with this subdivision is included in the proposed Facilities Benefit Assessment work for this community plan area. Subject to approval by the City Council, the subdivider is eligible for credits against his FBA assessment for this work. In order to establish the amount of this credit, the subdivider shall provide an estimate of this FBA work to the City Engineer for approval.

23. The subdivider must provide school availability letters from the San Diego Unified School District prior to recordation of any final map.

APPROVED: John W. Witt, City Attorney

By 

Frederick C. Conrad
Chief Deputy City Attorney

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06/21/83
Rev.1 07/14/83
Rev.2 9/08/83
Or.Dept:Clerk
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JUN 14 1983

Passed and adopted by the Council of The City of San Diego on _____, by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

(Seal)

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

By James A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

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