

(R-87-124)

RESOLUTION NUMBER R- 265414
ADOPTED ON APR 8 1986

BE IT RESOLVED, by the Council of The City of San Diego that it be, and it is hereby certified, that the information contained in ENVIRONMENTAL MITIGATED NEGATIVE DECLARATION NO. EMND-85-0315 in connection with Conditional Use Permit No. CUP-85-0315, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council.

APPROVED: John W. Witt, City Attorney

By Frederick C. Conrad
Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:600
07/14/86
Case No.CUP-85-0315
Or.Dept:Clerk
R-87-124
Form=r.neg

CORRECTION

**The foregoing document is
rephotographed to insure legibility.**

RESOLUTION NUMBER R-265413

ADOPTED ON APRIL 8, 1986

WHEREAS, the Planning Commission of The City of San Diego held a public hearing on January 9, 1986, to consider the Hazard Center Amendment (II) to the FIRST SAN DIEGO RIVER IMPROVEMENT PROJECT SPECIFIC PLAN; and

WHEREAS, the Planning Commission of The City of San Diego has considered all maps, exhibits, written documents and materials contained in the file regarding this project on record in The City of San Diego and oral presentations given; and

WHEREAS, the Planning Commission of The City of San Diego approved and recommended to the City Council that the Hazard Center Amendment (II) to the FIRST SAN DIEGO RIVER IMPROVEMENT PROJECT SPECIFIC PLAN be adopted with the following conditions: that the Specific Plan be amended to include the financing and/or construction of a pedestrian bridge across Friars Road from the project site to the north side of Friars Road, in the vicinity of Frazee Road, and to include that prior to the issuance of any building permits, the Hazard Center owners shall agree to sign documents, to the City's satisfaction, that will provide the aforementioned pedestrian overcrossing; and

WHEREAS, the Hazard Center Amendment (II) adoption is further conditioned upon the financing and/or construction of necessary Light Rail Transit (LRT) facilities on site (as determined by the Metropolitan Transit Development Board (MTDB) and the project

owners), to the satisfaction of The City of San Diego, to include: reservation of adequate right-of-way, funding of preliminary studies, construction of the LRT line and the LRT station, and one-half of the necessary off site facilities; i.e.: the grade separations over Mission Center Road and State Route 163. This would include that prior to the issuance of any building permits the Hazard Center owners shall agree to sign documents to the City's satisfaction, that will provide the aforementioned LRT facilities; and

WHEREAS, the Planning Commission of The City of San Diego further recommended that as an alternate to the applicant funding the LRT and pedestrian bridge, the City Council direct that these items be included in the Mission Valley Financing Plan and that costs be assessed to benefitting property owners; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Hazard Center Amendment (II) to the FIRST SAN DIEGO RIVER IMPROVEMENT PROJECT, on file in the office of the City Clerk as Document No. RR- 265413, be, and it is hereby approved with the condition that the financing of the pedestrian bridge and LRT facilities be included in the community-wide Mission Valley financing plan as recommended, as an alternative, by the Planning Commission.

BE IT FURTHER RESOLVED, by said Council that the timing and dedication of right-of-way for the LRT shall be provided as follows:

1. Timing of LRT Right-of-way.

a. A thirty-five (35) foot reservation to be granted at the time of recordation of the first final subdivision map for Hazard Center pursuant to TM No. 85-0362. Dedication of an easement will take place upon commencement of construction of the Mission Valley LRT only if the final alignment of the LRT has been approved by the Metropolitan Transit District through Hazard Center. The precise dedication of the LRT right-of-way will depend on final engineering and design. In no event shall it be greater than the thirty-five (35) foot reservation. The original reservation, that becomes excess after the final engineering and design, shall revert back to Hazard Center.

b. Reservation of an urban LRT station, similar to the existing station on "C" Street between Sixth and Seventh Avenues to be granted at the time of approval of the first final subdivision map pursuant to TM No. 85-0362. If Hazard Center chooses to commercially develop the air rights above the LRT station, the developer shall pay fair market rent for said air rights to the Metropolitan Transit District.

c. The alignment for the LRT right-of-way shall be at grade along the south side of Hazard Center Drive.

d. The thirty-five (35) foot reservation described in 1.a. and 1.b. above, shall expire at the end of ten (10) years if the reservation do not become publicly dedicated easement pursuant to the terms in 1.a. above. The reservation may be extended for an additional period of five (5) years if the San Diego City Council makes a finding that the Mission Valley LRT is progressing toward commencement of construction.

e. By making these offers to dedicate, Hazard Center shall have no further responsibilities, financial or otherwise for the LRT.

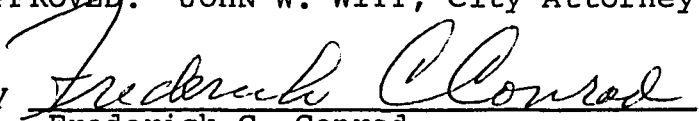
2. Increase in Hazard Center Building Area.

Because the reservation and dedication of the LRT right-of-way and station will have a positive impact by reducing traffic in Mission Valley, Hazard Center shall receive a ten percent (10%) increase in the allowable building square footage, in the form of any land use in Hazard Center, in exchange for said reservation and dedication. The increase in allowable building square footage may take place after dedication of the LRT right-of-way and station and in any phase of Hazard Center.

3. Driveway access to Phase Three is guaranteed at three (3) locations along Hazard Center Drive.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:mem
03/03/86
08/12/86 REV. 1
Or.Dept:Plan.
R-86-1639 REV. 1
Form=r.none

Passed and adopted by the Council of The City of San Diego on APR 8 1986,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

ED STRUIKSMA

Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Barbara Bate*, Deputy.



Office of the City Clerk, San Diego, California

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Frederick C. Conrad
Chief Deputy City Attorney

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333a

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Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

ED STRUIKSMA
Deputy Mayor of The City of San Diego, California.

(Seal)

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

By Barbara Bayler, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-265414 Adopted APR 8 1986