

RESOLUTION NUMBER R- 265648

ADOPTED ON MAY 6 1986

WHEREAS, on March 3, 1986, the Subdivision Board of The City of San Diego, denied Tentative Map No. TM-85-0631; and

WHEREAS, the decision of the Subdivision Board to deny TM-85-0631 was appealed to the Planning Commission of The City of San Diego; and

WHEREAS, on March 20, 1986, the Planning Commission heard the appeal of the Subdivision Board's decision to deny TM-85-0631 and voted 7 to 0 to uphold the decision of the Subdivision Board and deny Tentative Map No. TM-85-0631, subject to certain conditions; and

WHEREAS, on March 31, 1986, pursuant to the provisions of San Diego Municipal Code Section 102.0308, McKELLAR DEVELOPMENT OF LA JOLLA, by Christopher S. McKellar, President, appealed the decision of the Planning Commission in denying the proposed tentative map submitted by McKELLAR DEVELOPMENT OF LA JOLLA and VTN ENGINEERING for a 13-lot subdivision of Parcel 3 of Parcel Map PM-13841 and a portion of Lot 3, Section 4, Township 15 South, Range 3 West, SBBM, located east of I-805, between Lusk Boulevard and Rancho Los Penasquitos, in the Mira Mesa Community Plan area in the A-1-10 Zone; and

WHEREAS, said appeal was set for public hearing on May 6, 1986, 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 San Diego 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, that the City Council makes the following findings:

1. The map proposes the subdivision of 58.84 gross acres of land into 14 lots for industrial development which is consistent with the General Plan and Mira Mesa Community Plan which designate the property for industrial use. The proposed subdivision will fulfill an individual and community need and will not adversely affect the General Plan or the Community Plan.

2. The design and proposed improvements for the subdivision are consistent with Zoning/Development Regulations of the proposed M-1A and M-1B Zones in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic.

b. All lots meet the minimum lot area requirements of minimum street frontage, minimum width, and minimum depth requirements for the proposed M-1A and M-1B Zones.

c. All lots are designed so that required improvements do not result in nonconforming lots with respect to building area, setbacks, side yard and rear yard regulations.

d. Development of the site is controlled by Planned Development Permit Nos. PID-85-0631, PID-85-870 and PID-85-0378.

3. The design and proposed improvements for the subdivision are consistent with State Map Act Section 66473.1 regarding the design of the subdivision for future passive or natural heating and/or cooling.

4. The site is physically suitable for industrial development. The harmony in scale, height, bulk, density and coverage of development does not create a compatible physical relationship to surrounding properties for which this area has been planned.

5. The site is suitable for the proposed industrial density of development.

6. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife, or their habitat, in that the proposed subdivision will not endanger known rare biological resources or will not create undesirable environmental impact based upon the findings of Environmental Impact Report No. EIR-85-0631, an addendum to EIR-83-0378, which is incorporated herein by reference.

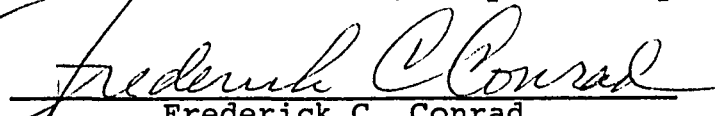
7. The design of the subdivision and the type of improvements will not likely cause serious public health problems and will not be detrimental to the health, safety and general welfare of persons residing or working in the area and will adversely affect other property in the vicinity.

8. 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 as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

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

BE IT FURTHER RESOLVED, that the appeal of McKELLAR DEVELOPMENT OF LA JOLLA, By Christopher S. McKellar, President, is granted; the decision of the Planning Commission to deny the appeal is overruled, and Tentative Map No. TM-85-0631 is hereby granted, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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09/09/86
Or.Dept:Clerk
R-86-2172
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TENTATIVE MAP NO. TM-85-0631
CONDITIONS

1. 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.
2. 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 Section 62.0410 et seq.
3. 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.
4. Lusk Blvd. is classified as a 4-lane major street. Additional right-of-way shall be dedicated for Lusk Blvd. adjacent to the subdivision on the north side to provide a 98-foot-wide right-of-way, and the roadway shall be widened to 78 feet of full-depth paving with curbs and 5-foot-wide sidewalks, as shown on the approved tentative map.
5. Pacific Center Blvd. between Lusk Blvd. and Pacific Heights Blvd. shall be dedicated and fully improved as a major street with curbs, 5-foot-wide sidewalks, paving and the raised median as shown on the approved tentative map, within a 98-foot-wide right-of-way. Full-depth paving is required where raised median is not constructed. Full-width dedication and improvements are required adjacent to the area designated "Not a Part."

The raised median at Streets "A" and "B" shall include a left-turn pocket for left turns from northbound to westbound on "A" Street and to preclude left turns from southbound to eastbound on "B" Street. The median shall be designed to accommodate truck turning radii.
6. Pacific Heights Blvd. adjacent to the subdivision shall be dedicated and fully improved as a major street with curbs, 5-foot-wide sidewalks, raised median and paving within a 98-foot-wide right-of-way. Full-depth paving is required where raised median is not constructed.
7. "A" Street and "B" Street shall be dedicated and fully improved as collector streets with curbs, sidewalks and a 50-foot-wide paved roadway within a 70-foot-wide right-of-way with industrial cul-de-sacs at the ends as shown on the approved tentative map.

8. The subdivider shall construct traffic signal systems with interconnections in a manner satisfactory to the City Engineer at:

- a. Pacific Center Blvd. and Pacific Heights Blvd.
- b. Lusk Blvd. and Pacific Center Blvd.

Both of these traffic signal systems are also requirements of Pacific Corporate Center, T.M. 85-0830.

9. Water Requirements:

- a. Install parallel 12" water mains in "A" and "B" Streets.
- b. Install 12" water mains in Pacific Center Blvd. and in Pacific Heights Blvd.
- c. Install fire hydrants at locations satisfactory to the City Engineer.

10. Sewer Requirements:

- a. Install a system of 10" gravity sewer mains adequate to serve Lots 7 through 12 connecting to the Lopez Canyon sewer.
- b. Install a system of 10" gravity sewer mains adequate to serve Lots 1 through 6 and connecting off-site to the existing sewer main in Barnes Canyon Road.
- c. Provide access easements, in a manner satisfactory to the Water Utilities Director, to all easement manholes.

11. Lots 12 and 13 shall be deeded to the City for open space purposes. The deed conveying the property to the City of San Diego is to be submitted to the City Council for acceptance concurrently with the filing of the final subdivision map. No park fee credits will be given because of this land transfer.

12. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing or Future Urbanizing. As such, special financing plans have been, or will be, established to finance the public facilities required for the community plan area.

Therefore, in connection with Council approval of the final map, the subdivider shall comply with the provisions of the financing plan then in effect for this community plan area, in a manner satisfactory to the City Engineer. This compliance shall be achieved by entering into a development agreement, paying a facilities benefit assessment, or such other means as may have been established by the City Council.

13. The subdivider shall contribute cash, in an amount to be determined by the City Engineer, as this subdivision's share of the costs of funding certain community and regional transportation improvements. This contribution shall be made in connection with the development agreement for the subdivision. These improvements will be constructed in accordance with the phasing plan adopted by the City Engineer on December 11, 1984.

14. A two-year landscaping maintenance program, including plant replacement, will be implemented in lieu of the typical six-month maintenance period in a manner satisfactory to the Deputy Director of the EQD.

15. The subdivider proposes to provide meandering sidewalks adjacent to certain streets within the subdivision. Where the meandering sidewalks will leave the dedicated right-of-way, the subdivider shall grant additional right-of-way as required by the City Engineer in the form of a pedestrian and non-motor vehicle easement to provide for the construction of the sidewalks. The granting of the easement shall allow for use by the public for pedestrian purposes.

16. The drainage system proposed for this subdivision shown on the approved tentative map is subject to approval by the City Engineer.

Adopted by the Council of The City of San Diego, May 6, 1986.

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Passed and adopted by the Council of The City of San Diego on MAY 6 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 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"/>
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 Byter, Deputy.



(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-265648 Adopted MAY 6 1986