

RESOLUTION NUMBER R- 265815

ADOPTED ON MAY 27 1986

WHEREAS, on March 3, 1986, the Subdivision Board of The City of San Diego, subject to certain conditions, approved Tentative Map No. TM-85-0851; and

WHEREAS, the decision of the Subdivision Board to approve TM-85-0851 was appealed to the Planning Commission of The City of San Diego; and

WHEREAS, on April 24, 1986, the Planning Commission heard the appeal of the Subdivision Board's decision to approve TM-85-0851 and voted 6 to 0 to uphold the decision of the Subdivision Board and approve Tentative Map No. TM-85-0851, subject to certain conditions; and

WHEREAS, on May 5, 1986, pursuant to the provisions of San Diego Municipal Code Section 102.0308, D. BARRY SIMONS appealed the decision of the Planning Commission in approving the proposed tentative map submitted by OTAY INTERNATIONAL CENTER and RICK ENGINEERING COMPANY for a 129-lot industrial subdivision on a 248.4-acre site on Lots 1, 2, 4, 5 and 7, Otay International Center, Map No. 11163, located south of Airway Road, between Harvest Road and Enrico Firme Drive (adjacent to the second border crossing), in the Otay Mesa Community Plan area, in the Otay International Center Subdistrict Basic Use Zone; and

WHEREAS, said appeal was set for public hearing on May 27, 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 adopts the findings of the Planning Commission as follows:

1. The map proposes the subdivision of 248.4 gross acres of land into 129 lots for industrial development. This type of development is consistent with the General Plan and Otay Mesa Planned District which designate the area for industrial use. The proposed subdivision map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding, existing and future land development.

2. The design and proposed improvements for the subdivision are consistent with the zoning/development regulations of the OMDD-IC Zone, 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, minimum street frontage, minimum width, and minimum depth for the OMDD-IC Zone.

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.

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 opportunities.

4. The site is physically suitable for industrial development. The harmony in scale, height, bulk, density and coverage of development creates 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. This is consistent with the community plan which provides for this density.

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-85-0851, an addendum to EIR-84-0297, which is made a part hereof by this reference.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available/or required by condition of this map to provide for


water and sewage facilities as well as other related public services.

8. The design of the subdivision and the type of improvements are such that they will not likely 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 D. BARRY SIMONS is denied; the decision of the Planning Commission to deny the appeal is sustained, and Tentative Map No. TM-85-0851 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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Or.Dept:Clerk
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TENTATIVE MAP NO. TM-85-0851

CONDITIONS

1. This tentative map will expire 36 months from that date of City Council Approval.
2. The "General Conditions of Approval for Tentative 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. 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. 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 Municipal Code Section 62.0410 et seq.
5. Parcels A, B, C, and D shall be created as shown on the approved tentative map and labeled "Not a Building Site."
6. Siempre Viva Road is classified as a six-lane major street with a 122-foot-wide right-of-way between Harvest Road and a point 400 feet east of Paseo de las Americas; and as a four-lane major street from that point easterly to the subdivision boundary. The subdivider shall fully improve the street with curbs, five-foot-wide sidewalks, raised median and paving. The above dedication and improvements shall also extend off-site across the excluded parcels located northeasterly of Harvest Road and Siempre Viva Road.
7. Harvest Road is classified as a four-lane major street with a 98-foot-wide right-of-way. The subdivider shall improve the portion of Harvest Road within the subdivision and construct transitions in a manner satisfactory to the City Engineer where required. Improvements southerly of Otay Center Drive will consist of curb, five-foot-wide sidewalk and a minimum of 36 feet of paving, or the construction of 32 feet of paving curb and five-foot-wide sidewalk and a 14-foot-wide raised median to complete the full improvement of the road depending upon the status of improvements required with Tentative Map 85-0159. No median breaks will be allowed. No street work is required adjacent to the excluded parcels northeasterly of Harvest Road and Siempre Viva Road. Northerly of Otay Center Drive, the subdivider shall dedicate and grade 49 feet of right-of-way and improve this right-of-way with curb, five-foot-wide sidewalk, with 36 feet of paving and a temporary industrial cul-de-sac located as shown on the approved tentative map. Additional paving may be required at the Otay Center Drive intersection in order to construct the traffic signal system.

A slope setback as shown on the approved tentative map shall be established in Lots 100, 101, and 102.

8. Airway Road is classified as a four-lane major street with a 98-foot-wide right-of-way. In connection with this subdivision, the subdivider shall construct curb, five-foot-wide sidewalk and a minimum of 39 feet of full-depth paving with no raised median.
9. Paseo de las Americas is classified as a four-lane major street with a 98-foot-wide right-of-way. The subdivider shall complete the full improvement of the street between Via de la Amistad and Siempre Viva Road and shall provide full improvements northerly of Siempre Viva Road. Full improvements will consist of curbs, five-foot-wide sidewalk, and a 78-foot-wide paved roadway with a 14-foot-wide raised median.
10. Otay Center Drive is classified as a four-lane collector street with a 84-foot-wide right-of-way. The subdivider shall provide full improvements consisting of curbs, five-foot-wide sidewalks and 64 feet of paving at the alignment shown on the approved tentative map. The intersection with Siempre Viva Road shall provide for truck-turning radii in a manner satisfactory to the City Engineer.

On Otay Center Drive between Siempre Viva Road and Customhouse Plaza, the outside ten feet on each side shall be P.C.C. paving.

11. Customhouse Plaza is designated as a two-lane collector street to be improved within an 84-foot-wide right-of-way. Westerly of Otay Center Drive, improvements will consist of curbs, sidewalks, and a 64-foot-wide paved roadway with the outside ten feet on each side being PCC paving. The 475-foot centerline radius is approved.

East of Otay Center Drive, the subdivider shall install sidewalks in back of the existing curb.

12. Roll Drive is classified as a collector street with a 70-foot-wide right-of-way. The subdivider shall fully improve Roll Drive with curbs, sidewalks, and a 50-foot-wide paved roadway. No median break will be allowed at Siempre Viva Road.

The subdivider shall also provide street reservations as shown on the approved tentative map in order to provide for the construction of a cul-de-sac in the future if, and when, the connection to Siempre Viva Road is removed.

13. Via de la Amistad is designated as a four-lane collector street with an 84-foot-wide right-of-way. Between Roll Drive and Paseo de las Americas, the subdivider shall improve the right-of-way with curbs, five-foot-wide sidewalks and a 64-foot-wide paved roadway with transitions as required by the City Engineer.
14. Enrico Fermi Drive is classified as a four-lane major street and shall be dedicated and graded 49-foot-wide. This right-of-way shall be improved adjacent to the subdivision with curb and 5-foot-wide sidewalk on the west side, 36 feet of paving and a three-foot shoulder to ultimate center line. No median shall be constructed. Median will be constructed when the adjacent property develops. At that time, median breaks may not be allowed at Street "B".

15. Michael Faraday Drive is classified as a four-lane major street adjacent to Lots 14 and 37, and then shall transition to a two-lane collector street as shown on the approved tentative map. The subdivider shall construct full improvements consisting of curbs, sidewalks and paving varying in width from 78 feet southerly of Airway Road to the 50-foot-wide roadway shown on the approved tentative map. No median shall be constructed.
16. Street "B" is classified as a four-lane collector with an 84-foot wide right-of-way from Airway Road to east of Paseo de las Americas and then transition to a two-lane collector street with a 70-foot-wide right-of-way as shown on the approved tentative map. The subdivider shall provide full improvements consisting of curbs, sidewalks, and a 64-foot-wide paved roadway transitioning to a 50-foot-wide paved roadway in a manner satisfactory to the City Engineer.

At Airway Road, the centerline of Street "B" shall meet the centerline of Street "A" of T.M. 85-0578.

17. Streets "C," "D" and "F" shall be dedicated 70 feet wide and fully improved as two-lane collector streets with curbs, sidewalks, and 50 feet of paving with fully improved industrial cul-de-sacs as shown on the approved tentative map.
18. The subdivider shall construct traffic signal systems in a manner satisfactory to the City Engineer at:
 - a. Siempre Viva Road and Harvest Road (also a requirement of T.M. 85-0159).
 - b. Siempre Viva Road and Otay Center Drive.
 - c. Siempre Viva Road and Paseo de las Americas (also a requirement of T.M. 84-0743).
 - d. Airway Road and SR 125 (also a requirement of T.M. 85-0159 and T.M. 85-0578).
 - e. Airway Road and Street "B" (also a requirement of T.M. 85-0578).
 - f. Harvest Road and Otay Center Drive.
19. The construction of traffic signal systems at the following locations has been assured in connection with T.M. 84-0743 through a bonded six-year agreement whereby the signals will be constructed when required by the City Engineer or at the end of the six-year period, whichever comes first:
 - a. Siempre Viva Road and Enrico Fermi Drive.
 - b. Paseo de las Americas and Via de la Amistad.

20. In connection with the final map of the required unit, the subdivider shall pay cash as listed below as this subdivision's share of the costs of constructing the traffic signal systems in the future by others:
 - a. \$55,000 for the traffic signal system at Airway Road and Michael Faraday Drive with the final map of Unit I.
 - b. \$27,500 for the traffic signal system at Airway Road and Enrico Fermi Drive with the final map of Unit II.
 - c. \$27,500 for the traffic signal system at Airway Road and Harvest Road with the final map of Unit VI.
21. Water Requirements:
 - a. Water shall be provided by the Otay Water District.
 - b. Install fire hydrants at locations satisfactory to the City Engineer.
22. Sewer Requirements:
 - a. Provide a sewer study for sizing of the sewer mains within this subdivision. Capacity shall be provided for and provisions made to accommodate sewage flows from adjacent drainage area III-A, as defined in the Otay Mesa Sewer Master Plan dated April 1984. Show in the study that flows from the subdivision will be within the limits of the Otay Mesa Sewer Master Plan.
 - b. Install a system of gravity sewer mains adequate to serve the subdivision in accordance with the approved sewer study.
 - c. Provide vehicular access easements as required by the Water Utilities Director to all easement sewer manholes.
23. Providing sewer for this subdivision is dependent upon the prior construction of certain sewer mains in previously approved subdivisions in this area. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved sewer mains, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
24. Prior to Council approval of the first final map, the subdivider shall provide evidence satisfactory to the Deputy Director of the EQD showing that the subdivider will:
 - a. Adhere to the Otay International Center Lots 1, 2, 4, 5 and 7 Landscape Concept Plan when requesting Development District permits.
 - b. Comply with the archeological monitoring program determined in the addendum to the EIR for this subdivision during the grading of the affected portions of the subdivision.
 - c. Provide an acoustical study for Lots 100 through 127 satisfactory to the Deputy Director of the EQD and abide by the provisions of this study, if hotels and motels are included as proposed uses in requested Development District permits.

25. The drainage system proposed for this subdivision shown on the approved tentative map is subject to approval by the City Engineer.
26. 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.

27. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
28. The drainage as shown on the approved tentative map is subject to approval by the City Engineer. The design, location, and size of the detention basins shown on the approved tentative map is subject to approval by the City Engineer. The design shall be such that the drainage during the 100-year storm will be no more than the drainage would be from the land in the unimproved state.
29. The City Engineering Department will be making a drainage study of the Otay Mesa Border area. The extent of the area to be studied shall be determined by the City Engineer. The study shall propose a method to control run-off across the international border. A method of financing the design, construction, and maintenance of these facilities will be established and this subdivider may be required to contribute money for this purpose, either through a development agreement or other means as determined by the City Engineer.
30. The Otay International Center Specific Plan calls for a contribution from the owners of the lots of Map 11163 included within this subdivision, for the construction of a grade separation at Siempre Viva Road and SR 125. The costs of this grade separation shall include the costs of traffic signal systems at the on/off ramps on Siempre Viva Road on both sides of the interchange. This item will be addressed in the Development Agreement for this subdivision which will be approved concurrently with Council approval of the first final map.
31. Slope setbacks shall be established in Lots 71 through 74, 82 and 83, 109, 122 and 123 as shown on the approved tentative map.
32. A final landscape plan shall be submitted and approved by the Planning Department (Environmental Quality Division) prior to final map recordation.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON MAY 27, 1986.

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Passed and adopted by the Council of The City of San Diego on MAY 27 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 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.

(Seal)

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

By Barbara Bayter Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-265815 Adopted MAY 27 1986