

(R-87-1030)

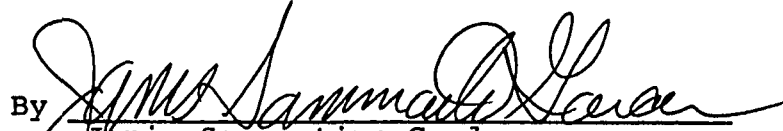
RESOLUTION NUMBER R-266880

ADOPTED ON OCTOBER 28, 1986

BE IT RESOLVED, by the Council of The City of San Diego that pursuant to California Public Resources Code, Section 21081, the City Council's findings made with respect to the feasibility of the mitigating measures and project alternatives contained in the ENVIRONMENTAL IMPACT REPORT for the OTAY INTERNATIONAL CENTER, on file in the office of the City Clerk as EQD No. 84-0297, are those findings attached hereto as Exhibit A.

APPROVED: John W. Witt, City Attorney

By

  
Janis Sammartino Gardner  
Deputy City Attorney

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11/19/86  
Or.Dept:Clerk  
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## FINDINGS FOR THE OTAY INTERNATIONAL CENTER PRECISE PLAN

The following findings are made relative to the conclusions of the Final Environmental Impact Report (EIR) for the Proposed Otay International Center Specific Plan and Tentative Subdivision Map and the Final Supplemental EIR for the Otay International Center Precise Plan (EQD No. 84-0297). The proposed precise plan encompasses an area of approximately 449 acres which surrounds the second international border crossing in the south-central portion of Otay Mesa. The actions associated with the proposed project include a precise plan and amendments to the Otay Mesa Community Plan and the Otay Mesa Development District. These findings have been prepared pursuant to Sections 15091 and 15093 of Title 14 of the California Administrative Code and Section 21081 of the California Public Resources Code.

### FINDINGS

A. The San Diego City Council, having reviewed and considered the information contained in the final EIRs for the Otay International Center and the record, finds that changes have been incorporated into the project which mitigate or avoid some of the significant environmental effects thereof, as identified in the final EIRs. Specifically:

#### 1. Traffic Circulation

Impact. The City of San Diego Engineering and Development Department estimates that implementation of the proposed action will generate 64,300 average daily trips. If roadway improvements are not proposed and constructed in a manner that will accommodate these traffic volumes, the project will represent a significant impact to both internal and external circulation patterns.

Finding. Mitigation of potentially significant internal traffic impacts will be provided by the roadway improvements listed in Section IV.D.2 of the Otay International Center Precise Plan. In order to provide for mitigation of potentially significant off-site traffic impacts, the Otay Mesa Community Plan will be amended to upgrade SR-117 from a six-lane to an eight-lane freeway, if future traffic studies indicate that this amendment is necessary.

#### 2. Public Facilities

Impact. Development of the precise plan area would require improvements to and the extension of water, sewer, gas, and electrical facilities. In addition, police and fire protection services would have to be provided to the project area.

Finding. The availability of adequate public facilities to serve the project area will be assured through a combination of a development agreement and development improvements, as specified in Section V.C of the Otay International Center Precise Plan. Development agreements have already been adopted to provide sewer service to the project area. These include (1) a construction and operation agreement between the City of San Diego, the City of Chula Vista, the Otay Water District, Otay International Center, and the Montgomery Sanitation District (City Council Resolution No. R-260277) and (2) a reimbursement agreement between the City of San Diego and Otay International Center (City Council Resolution No. R-260279). Water service will be provided by the Otay Water District, and police and fire protection services will be provided by the City of San Diego.

### 3. Visual Aesthetics

Impact. The ultimate appearance of the future developments within the precise plan area is an important consideration due to the proximity of the planning area to an international border crossing. As a result of the variety of uses permitted within the precise plan area, and in particular along the main transportation corridor, there is a potential for significant visual impacts to travelers.

Finding. The inclusion of specific development regulations and standards in the text of the precise plan and the requirement for subsequent site plan review represents adequate mitigation for potential visual impacts.

### 4. Noise

Impact. Hotel/motel facilities constructed within the precise plan area could be subject to significant noise impacts.

Finding. In order to insure adequate mitigation for potential impacts to hotel/motel facilities, the Otay International Center Precise Plan requires the preparation of an acoustical study and the development of specific mitigating measures prior to the approval of development permits for such facilities.

### 5. Archaeology

Impact. Project implementation could result in indirect impacts to an off-site archaeological site.

Finding. In order to mitigate potential indirect impacts to SDI-9100, Section IV.C.6.e of the precise plan requires that a qualified archaeologist be present to monitor all grading within 50 meters of the identified site.

### 6. Hydrology and Water Quality

Impact. Clearing and grading associated with project implementation plus the construction of acres of impervious surface could impact water quality. Incremental amounts of industrial wastes will also

be added to runoff and will contribute to downstream pollution of the Tia Juana River. Although it is anticipated that the site will ultimately be served by sewers, soil conditions will allow use of septic tanks and leach fields for sewage disposal. If temporary septic tanks are to be used (such as in parcel 3), adequate areas of undisturbed land surrounding each building must be set aside to accommodate such a use.

Finding. Adherence to the landscaping requirements specified in the city's grading ordinance and Section IV.C of the Otay International Center Precise Plan would reduce water quality impacts to a level of insignificance. In addition, Health Department standards shall be met in order to utilize septic tanks and leach fields on a temporary basis.

#### 7. Geology and Soils

Impact. Soil conditions on the site are considered somewhat unstable; therefore, appropriate measures must be taken to correct these conditions.

Finding. Recommendations included in the Preliminary Geotechnical Investigation and Percolation Testing Report, prepared by GEOCON, shall be implemented in the course of project development and will adequately mitigate potential geological and soils impacts.

Further, loose topsoils shall be excavated; expansive soils shall be undercut and replaced; and site-specific percolation tests for septic tanks, vertical seepage pits, and leach fields will be carried out at each prospective site. A geotechnical study for lot 10 must be completed before development can commence.

B. The San Diego City Council, having reviewed and considered the information contained in the final EIRs and the record, finds that one of the significant environmental effects anticipated as a result of the proposed action is, in part, within the responsibility of another jurisdiction. Specifically:

1. Public Facilities: Water

Impact. The implementation of the specific plan as currently proposed would result in an overall water demand of about 2.2 million gallons per day (MGD). Although the Otay Water District has agreed to provide water service to the plan area, some improvements to the water system will be necessary as development proceeds.

Finding. Adequate water supplies are available to meet the anticipated demand from this project; however, in accordance with California Department of Health regulations, it is the Otay Water District's responsibility to carry out phased improvements to the existing water storage facilities.

C. The San Diego City Council, having reviewed and considered the information contained in the final EIRs and the record, finds that specific economic, social or other considerations make infeasible the project alternatives identified in the final EIRs. Specifically:

1. Growth Inducement

Impact. The OIC Precise Plan project, a product of already existing growth-inducing pressures, will further encourage growth by requiring the extension and utilization of all the public services customarily found in urban-industrialized areas.

Alternative. The only alternative which would eliminate the growth-inducing effect of the proposed project and the growth-inducing impacts associated with the extension of services, particularly sewer service, is the adoption of the No Project alternative, which would not allow development of the subject property under the jurisdiction of the City of San Diego.

Finding. While the No Project alternative would not allow development of the subject property under the jurisdiction of the City of San Diego, it would not preclude development of the subject property under the jurisdiction of the County of San Diego in accordance with the adopted Otay International Center Specific Plan. Since the land uses in the proposed precise plan are the same as those in the county's adopted specific plan for the subject property, the growth-inducing impacts associated with the No Project alternative are essentially the same as if the No Project alternative were adopted and development were to proceed under the jurisdiction of the County of San Diego.

During the public hearings conducted for the Otay Subregional General Plan Amendment (GPA 83-01, Item 4), for the City of San Diego's Otay Mesa Community Plan and EIR (77-07-12), for the Otay International Center Specific Plan and Tentative Subdivision Map (EAD Log #82-19-25), and for the Otay Mesa Development District (84-0344), the following economic and social benefits were identified:

a. Otay Mesa contains opportunities due to its size, topography, lot size, and proximity to the international border for industrial and commercial uses. The area (the unincorporated portion of the mesa) is projected as providing 70,000 jobs and \$14.7 million in annual income to the San Diego governments.

b. It is considered not feasible economically and socially to totally disregard the potential of this region for industrial and commercial uses.

c. The City of San Diego has adopted a plan that would designate large portions of Otay Mesa for industrial and commercial uses.

d. The City of San Diego has indicated a desire to annex Otay Mesa.

e. The second international border crossing is currently under construction and is expected to be in operation in the near future. Operation of this facility will generate a natural demand for shopping, office, and industrial/manufacturing uses in close proximity to the border. The Otay International Center will provide lands for these purposes and, thereby, increase opportunities for employment within the San Diego region.

f. A state prison site has been proposed for Otay Mesa.

g. These and other forces have created pressure for the urbanization of Otay Mesa.

h. Adoption by the city of a community plan for Otay Mesa will provide for orderly industrial and commercial development (Resolution No. 254072 of the San Diego City Council adopting the Otay Mesa Community Plan and Environmental Impact Report).

Consequently, the adoption of the No Project alternative is found to be infeasible, since the adoption of such an alternative would be inconsistent with the goals and findings set forth during these public hearings which established the need for shopping, office, and industrial manufacturing uses in close proximity to the second border crossing station and the desire of the City of San Diego to annex Otay Mesa.

## 2. Air Quality

Impact. The proposed project will contribute to the cumulative impacts on air quality in the South Bay region.

Alternative. Adoption of the No Project alternative would eliminate the cumulative impact resulting from development of this project within the jurisdiction of the City of San Diego on the regional air quality. However, it would not necessarily preclude cumulative impacts on air quality, since development could still occur under the jurisdiction of the County of San Diego in accordance with the adopted Otay International Center Specific Plan.

Finding. The infeasibility of the No Project alternative is discussed in the growth inducement section of these findings.

## 3. Agriculture

Impact. Development of the OIC property would result in the elimination of prime agricultural lands.

Alternative. Adoption of the No Project alternative would eliminate the loss of the prime agricultural land on the property resulting from development of the property under the jurisdiction of the City of San Diego.

Finding. The City of San Diego, in its adoption of the Otay Mesa Community Plan, did not consider the loss of agricultural lands on Otay Mesa to be a significant, unmitigated impact. Subsequent to the

approval of the Otay Mesa Community Plan, the issue of the loss of agricultural lands on Otay Mesa was addressed as a part of the Otay Subregional General Plan Amendment EIR in 1982 and was found to be significant. The preservation of some agricultural resources was recommended as an appropriate mitigation measure. The Board of Supervisors did not concur, but made social and economic findings that preservation of the agricultural lands was not economically feasible. Industrial development of prime agricultural land within the project area was anticipated when the changes to the Otay Subregional Plan were adopted and when the city's Otay Mesa Community Plan was adopted. The findings outlined previously that were adopted by the Board of Supervisors for the Otay Subregional General Plan Amendment also apply with respect to this issue. Furthermore, the board also adopted additional findings related primarily to the loss of agricultural lands. These findings are outlined below:

a. A major expansion of existing farming of Otay Mesa cannot be expected under current economic conditions because of rising labor costs and high water costs.

b. The retention of major portions of Otay Mesa for agricultural use would impact any financing mechanisms for public services. Regardless of the ultimate use of Otay Mesa, it will require the extension of public services and development of roads. Designation of large portions of Otay Mesa as low-intensity uses would cause a greater burden upon property owners who will develop their land.

c. There is enough land on Otay Mesa for both industrial and agricultural uses on an interim and permanent basis (A Resolution of the San Diego County Board of Supervisors Adopting General Plan Amendment [GPA] 83-01, County of San Diego, May 18, 1983).

#### 4. Traffic

Impact. Development of the OIC Precise Plan project could result in significant impacts to traffic circulation for which adequate mitigation has not been provided as part of the proposed project.

##### Alternatives

a. Adoption of the No Project alternative would eliminate traffic impacts resulting from development of the OIC property under the jurisdiction of the City of San Diego.

b. Adoption of the alternative to amend the circulation element of the Otay Mesa Community Plan after conducting an updated computerized traffic forecast would mitigate traffic impacts by amending the circulation element to upgrade the classification of roadways as necessary to accommodate the increased traffic volumes.

c. The potential for significant traffic impacts could be eliminated by the adoption of the alternative to allow development of the OIC property in accordance with the land uses designated in the Otay Mesa Community Plan, which would result in the same trip generation that



utilized in the city's travel forecast for Otay Mesa, upon which the circulation system for Otay Mesa was formulated.

d. Traffic impacts could be mitigated through the adoption of the reduced land use intensity alternative, which would allow development of the same types of land uses as proposed in the OIC Precise Plan but would restrict the intensity of the development such that the trip generation from the project area would not exceed that which was anticipated in the travel forecast for Otay Mesa.

Finding. While mitigation of potentially significant traffic impacts could be accomplished by implementation of any one of the four project alternatives, none of these alternatives are considered to be feasible, since they would involve delaying annexation of the subject property and other portions of Otay Mesa to the city and also delaying development of the property to provide the necessary range of support services to the border crossing station, as discussed below.

a. The adoption of the No Project alternative is found to be infeasible, since it would be inconsistent with the goals and findings set forth during these public hearings which established the desire of the City of San Diego to annex the subject property and the need for shopping, office, and industrial/manufacturing uses in close proximity to the second border crossing station.

b. Adoption of the alternative to amend the circulation element of the Otay Mesa Community Plan is found to be infeasible, since implementation of this alternative at the present time would delay annexation of Otay Mesa to the city and development of the project site to provide support services for the second border crossing station. Therefore, adoption of this alternative would not be consistent with the city's goals set forth at previous public hearings regarding the desire to annex Otay Mesa and the need for supportive services in proximity to the border crossing station.

However, approval of the proposed project would not preclude the preparation of a computerized traffic forecast in the near future to determine if the circulation system is adequate to accommodate traffic generated by the proposed project and other proposed land uses on Otay Mesa. Since virtually no development or improvements have occurred on Otay Mesa, it would be physically feasible to upgrade the proposed circulation on Otay Mesa subsequent to the approval of the proposed precise plan.

c. The alternative to allow development in accordance with the industrial and institutional uses allowed for in the adopted Otay Mesa Community Plan is not considered to be feasible, since it would not provide for necessary uses supportive of the border crossing, such as insurance offices, hotels, and restaurants. Therefore, adoption of this alternative would be inconsistent with previously adopted goals and findings relating to the need for these types of service in proximity to the border crossing station.

d. The adoption of the reduced land use intensity alternative is found to be infeasible, since it would jeopardize the annexation of the OIC property to the City of San Diego and, therefore, would be inconsistent with the desire of the city to annex the subject property. The OIC Specific Plan, which was adopted by the Board of Supervisors on November 23, 1983, allows for development of the subject property with the same land uses and the same intensity of uses as is proposed by the OIC Precise Plan. Therefore, if the intensity of development allowed for the property under the jurisdiction of the City of San Diego were reduced below what is currently allowed in the County of San Diego, then it is likely that the property would develop under the jurisdiction of the county and remain in the county until such time that annexation of the property to east of the project site occurs.

D. Statement of Overriding Considerations. The San Diego City Council, having reviewed and considered the information contained in the final EIRs and the record, makes the following statement of overriding considerations:

Although the project represents a significant and unmitigable impact to agriculture, air quality, and growth inducement, as well as potentially significant impacts to traffic circulation for which adequate mitigation has not been provided as part of the proposed project, the finding has been made that specific social and economic benefits would result from the ultimate development of the OIC Precise Plan which outweigh its unavoidable environmental effects. The proposed action will benefit the City of San Diego as follows:

1. The distinguishing characteristic of the site and Otay Mesa as a whole, which is the availability of large parcels at lower market prices than other areas of the county, is anticipated to attract large, labor-intensive industrial firms. Firms such as assembly-type operations and twin plant operations would consider the area a suitable location for their operations, especially in light of the establishment of the second border crossing. The establishment of such firms would result, at full buildout, in the availability of approximately 6,300 manufacturing jobs for unemployed and underemployed individuals in the Central and South Bay areas of the city, areas with unemployment rates above the regional average. Additional jobs associated with commercial development would also be created.
2. The development of the project site at this time is essential to the efficient functioning of the new border crossing station. Some development on the site will be devoted entirely to the operation of the border crossing, including the construction of custom brokers services, short-term warehousing, and freight forwarding services.
3. Industrial development at this location will provide the city with the opportunity to counter some of the substantial pressure being experienced in the north county.
4. Upon full buildout of the precise plan area, the San Diego local governments would receive a \$2.12 million fiscal benefit (revenues less net cost); therefore, the city would receive relatively large revenues while incurring relatively low service costs.

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Passed and adopted by the Council of The City of San Diego on **OCT 28 1986**,  
by the following vote:

Council Members	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 Struikma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

**MAUREEN O'CONNOR**  
Mayor of The City of San Diego, California.

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

(Seal)

By *June G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-266890** Adopted **OCT 28 1986**