

RESOLUTION NUMBER R- 267518

ADOPTED ON JAN 20 1987

WHEREAS, JOSEPH DEVELOPMENT CO. appealed the decision of the Planning Commission in approving Tentative Map No. TM-86-0387 submitted by JB-OS PARTNERSHIP and BUSS SILVERS HUGHES & ASSOCIATES to subdivide a 16.6-acre site into seven (7) lots on Lot 3, Prospect Acres, Map No. 3803, located on the south side of Eastgate Mall, between Genesee Avenue and Towne Centre Drive, in the University Community Plan area, in the M1-A Zone; and

WHEREAS, said appeal was set for public hearing on January 20, 1987, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Tentative Map No. TM-86-0387:

1. The map proposes a 7-lot subdivision of a 16.6-acre site for industrial development. This type of development is consistent with the General Plan and University Community Plan which designate the area for industrial use. The proposed 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 map are consistent with the zoning/development regulations of the M-1A 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 dimension requirements of the M-1A Zone.

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

d. Development of the site is controlled by Planned Industrial Development Permit No. PID-86-0387.

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 physically suitable for the proposed 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-86-0387, 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 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 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. The notices required by Municipal Code Section 101.0993, paragraph A. have been given in the manner required therein.

The above 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 JOSEPH DEVELOPMENT CO. is denied; the decision of the Planning Commission is sustained, and Tentative Map No. TM-86-0387 is hereby granted JB-OS PARTNERSHIP and BUSS SILVERS HUGHES & ASSOCIATES, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

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

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02/19/87
Or.Dept:Clerk
R-87-1507
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CONDITIONS TO TENTATIVE MAP NO. TM-86-0387

1. **This tentative map will become effective with either the effective date of the required Community Plan Amendment, or with the date of Council approval of the associated street vacation, whichever occurs later. The tentative map will expire 3 years after the date of approval of the street vacation. If the community Plan Amendment or the street vacation is denied, this tentative map shall be deemed denied.**
2. **Approval of this tentative map is subject to Council approval of a Community Plan Amendment for this project.**
3. **Approval of this tentative map is subject to Council approval of the vacating of a portion of the existing right-of-way of Eastgate Mall adjacent to the subdivision.**
4. **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.**
5. **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.**
6. **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.**
7. **Eastgate Mall is classified as a 4-lane major street with a 92-foot wide right-of-way. In connection with approval of the final map for the unit adjacent to Eastgate Mall, or when required by the City Engineer, the subdivider shall complete the full improvement of Eastgate Mall adjacent to the subdivision by holding the existing northerly curb and constructing the southerly curb and 5-foot wide sidewalk and paving as required for a 72-foot wide roadway with a 12-foot wide raised median in a manner satisfactory to the City Engineer. These improvements shall match the improvements shown on Drawing No. 21075-D on the east and the existing improvements on the west in a manner satisfactory to the City Engineer. A median break with left-turn pockets will be allowed at the intersection with Easter Way and the westerly driveway. No median breaks will be allowed at the easterly driveway.**

8. Executive Drive is classified as a 4-lane collector street with a 92-foot wide right-of-way. In connection with this subdivision, the subdivider shall provide a fully improved street between the easterly and westerly subdivision boundaries with curbs, 5-foot wide sidewalks and a 72-foot wide paved roadway with no raised median, as shown on the approved tentative map. Some of this work is also a requirement of Tentative Map 84-0772. These improvements shall meet the existing improvements on the west in a manner satisfactory to the City Engineer.
9. Executive Way is classified as a 4-lane collector street with a 92-foot wide right of way. In connection with this subdivision, the subdivider shall assure the full improvement of Executive Way with curbs, 5-foot wide sidewalks and a 72-foot wide paved roadway with no raised median, as shown on the approved tentative map and in a manner satisfactory to the City Engineer. The 400-foot centerline radius is approved.
10. The subdivider shall construct a traffic signal system in a manner satisfactory to the City Engineer, at Executive Drive and Executive Way. This traffic signal system shall be interconnected with the traffic signal system at Executive Way and La Jolla Villa Drive in a manner satisfactory to the City Engineer.
11. In connection with Council approval of a final map for the unit adjacent to Eastgate Mall, the subdivider shall design and construct a traffic signal system at Eastgate Mall and Easter Way when required by the City Engineer.
12. The subdivider shall provide an additional right-turn lane, off-site at Genesee Avenue and La Jolla Village Drive for northbound to eastbound or westbound to northbound right turns in a manner satisfactory to the City Engineer.
13. In the event a final map is recorded prior to the Facilities Benefit Assessment District revisions prepared in conjunction with the University Community Plan Update, or prior to such community plan update, the subdivider shall assure contribution of his fair share of the cost of providing community-wide traffic improvements for any such final map, including public transit improvements required to mitigate the potential cumulative traffic impacts associated with this subdivision. The community-wide traffic improvements are generally those listed on pages 30 and 31 of EIR-86-0387. The scope of some of these improvements may be modified by the Engineering & Development Department and public transit improvements may be added by MTDB. The amount of this fair share contribution assurance shall be determined by the City Council based upon recommendation of the Deputy Director of the Transportation and Traffic Engineering Division of the Engineering & Development Department.

14. WATER REQUIREMENTS:

- a. Install a 12-inch water main in Executive Way.
- b. Install a 12-inch easement water main through the subdivision, northerly from Executive Drive connecting to the existing 12-inch water main in Eastgate Mall, in a manner satisfactory to the Water Utilities Director.
- c. Install a 12-inch water main in Executive Drive.
- d. Install fire hydrants at locations satisfactory to the City Engineer.

15. SEWER REQUIREMENTS:

- a. Install a system of gravity sewer mains (10-inch minimum size) adequate to serve the subdivision.
- b. The subdivider shall provide calculations, satisfactory to the Water Utilities Director, to show that the size and the grade of the sewer mains will provide cleansing velocities.

- 16. 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.

- 17. The final map shall conform to the conditions of Planned Industrial Development 86-0387.**
- 18. The subdivider shall grant a non-building area easement over Parcel A.**
19. The subdivider shall enter into an agreement with the City waiving the right to oppose formation of a special assessment initiated for financing, implementing and operating a transit loop shuttle service and/or light rail transit service.
- 20. Any right-of-way dedications and/or reservations along Executive Drive for light rail transit purposes, required in connection with the approved PID permit, shall be shown on the final map in a manner satisfactory to the City Engineer.**
21. The subdivider shall provide 24-hour pedestrian access as required by PID-86-0387. The width and alignment of such access shall be satisfactory to the City Engineer and the Planning Director, and the walkway shall be improved in a manner satisfactory to the City Engineer.

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JAN 20 1987

Passed and adopted by the Council of The City of San Diego on.....
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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

(Seal)

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

By: *Barbara Baxter*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-267518** Adopted **JAN 20 1987**