

(R-88-1263)

RESOLUTION NUMBER R-269879

ADOPTED ON DECEMBER 1, 1987

WHEREAS, Atlantic Richfield Company, by Lynne L. Heidel of Peterson, Thelan and Price, appealed the decision of the Planning Commission in denying Planned Industrial Development Permit No. 87-0145 submitted by Miramar Industrial Partners, a general partnership, Owner, described as Lot 3, Oliver McMillan Industrial Park, Map 11620, located at the northeast corner of the intersection of Miramar Road and Camino Santa Fe, in the Mira Mesa Community Plan area, in the M-1B Zone; and

WHEREAS, the matter was set for public hearing on December 1, 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 City Council adopts the following findings with respect to Planned Industrial Development Permit No. 87-0145:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Mira Mesa Community Plan. The proposed use fulfills the community need for a service station and convenience store serving users of the industrial and commercial developments in western Mira Mesa. The Community Plan states that such commercial uses should be permitted when the need for such uses

is established. Inasmuch as there is only one (1) service station between Interstate 5 and the stations at Interstate 15 along Miramar Road, there is clearly a need for the proposed use. Development along Miramar Road is a mixture of industrial and commercial uses. Service stations such as the one proposed are needed as support uses for the area.

2. The proposed use, because of the conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. The project will be developed pursuant to, and is consistent with, the "Guidelines for Automobile Service Stations" and the planned industrial development design criteria. A high standard of design for the site's development will be ensured by the conditions of the Conditional Use Permit and Planned Industrial Development Permit. The proposed use will be beneficial to the health, safety and general welfare of persons residing and working in the area by providing needed commercial and industrial uses that are also consistent with the development along Miramar Road.


3. The proposed use will comply with the relevant regulations in the San Diego Municipal Code. Section 101.0512(2.1) of the San Diego Municipal Code authorizes the Planning Director to grant conditional use permits for automobile service stations in any zone except the R-1 Zones, subject to the locational and operational standards contained within the document entitled "Guidelines for Automobile Service Stations,"

adopted by resolution of the City Council. The proposed project complies with the San Diego Municipal Code concerning conditional use permits for automobile service stations, subject to the conditions of the permit. Section 101.0920 of the San Diego Municipal Code authorizes the Planning Director to grant Planned Industrial Development Permits subject to the standards contained within that section. The proposed project complies with the San Diego Municipal Code concerning Planned Industrial Development Permits, subject to the conditions of the permit.

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 Atlantic Richfield Company, by Lynne L. Heidel of Peterson, Thelan and Price, is granted; the decision of the Planning Commission is overruled, and Planned Industrial Development Permit No. 87-0145 is hereby granted to Miramar Industrial Partners, a general partnership, under the terms and conditions set forth in the planned industrial development permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ta
02/29/88
Or.Dept:Clerk
R-88-1263
Form=r.permit

PLANNED INDUSTRIAL DEVELOPMENT PERMIT NO. 87-0145
(AMENDS PLANNED INDUSTRIAL DEVELOPMENT PERMIT NO. 85-0282)

CITY COUNCIL

This Planned Industrial Development Permit ("Permit") is granted by the Council of The City of San Diego to MIRAMAR INDUSTRIAL PARTNERS, a general partnership ("Owner"), and ATLANTIC RICHFIELD COMPANY, a Delaware corporation ("Permittee"), under the conditions in Section 101.0920 of the Municipal Code of The City of San Diego ("Code").

1. Permission is hereby granted to Owner/Permittee to redesignate a 0.73 acre portion of a 1.404 acre parcel from light industrial use to automobile service station use, and to construct and operate a Light Industrial Development on the remaining 0.67 acre portion located at the northeast corner of the Camino Santa Fe and Miramar Road intersection, described as Lot 3, Oliver McMillan Industrial Park, Map No. 11620, in the M-1B Zone.

2. The project shall consist of the following:

a. A seven thousand (7,000) square foot light industrial building.

b. Landscaping.

c. Off-street parking.

d. Incidental accessory uses as may be determined incidental and approved by the Planning Director.

3. No fewer than twenty-three (23) off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated December 1, 1987, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked.

4. A condition of this Planned Industrial Development is the recordation of a final Subdivision Map. Parcel Map No. 87-0145 shall be recorded prior to the issuance of grading or building permits for this property, and development shall be in accordance with all conditions of the map.

5. The development of the 0.73 acre portion of the parcel designated for automobile service station and mini-market use is subject to Conditional Use Permit No. 87-0145. The development of the remaining 0.62 acre portion of the parcel shall be an industrial use in accordance with the Planned Industrial Development, under the "restricted" M-1B Zone provisions as follows:

a. Only light industrial uses and offices accessory to those uses shall be permitted. Specifically prohibited uses are multi-tenant offices, general offices, corporate headquarters offices, and retail-commercial uses typically permitted in the M-1B Zone.

b. Offices accessory to light industrial uses shall be required to provide insulation to ensure that interior noise levels do not exceed sixty-five (65) decibels SENEL from overflight operations at NAS Miramar. Building plans must be reviewed and approved by the Noise Abatement and Control Officer prior to the issuance of building permits.

c. Prospective tenants shall be provided with adequate information on noise impacts from NAS Miramar operations in order to minimize potential noise complaints.

6. Prior to the issuance of any building permits, a complete development plan shall be submitted to the Planning Director for approval and shall include the following:

a. A completed Planned Industrial Development Permit Supplemental Application Form.

b. A site plan drawn in accordance with instructions contained in Planned Industrial Development Permit Supplemental Application Form.

c. A plan showing the exterior elevations and building materials of all sides of all buildings, including signs.

d. A set of floor plans depicting general use of the building(s).

e. A complete landscape and irrigation plan.

7. Properties shall be developed in conformance with guidelines contained in the document "Miramar Santa Fe Business Park."

8. The development plans shall become a part of Exhibit "A," dated December 1, 1987, on file in the office of the Planning Department.

9. All uses shall be conducted within an enclosed building. Outdoor storage of materials is permitted, provided the storage is completely enclosed by walls, fences, buildings, landscape screening or a combination thereof. Walls or fences shall be solid and not less than six (6) feet in height; no merchandise, material or equipment shall be stored to a height greater than any screening. Landscape screening proposals shall require approval of the Planning Director, or on appeal, the Planning Commission.

10. No mechanical equipment, tank, duct, elevator enclosure, cooling tower or mechanical ventilator or air conditioner shall be erected, constructed, converted, established, altered or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed structure whose top and sides may include grillwork, louvers and latticework or suitable landscape screening.

11. No merchandise, supplies or equipment shall be stored on the roof of any building.

12. At the discretion of the Planning Director, screening walls or solid materials or landscape screening may be required for boundaries of the Planned Industrial Development not immediately adjoining dedicated and improved public streets and highways. The height and design of such walls or landscape screening and the materials utilized shall be determined by the Planning Director.

13. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated December 1, 1987, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications or amendment of this Permit shall have been granted.

14. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated December 1, 1987, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this Permit has been amended.

15. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.

16. This Permit must be used within thirty-six (36) months after the date of City approval or the Permit shall be void. An extension of time may be granted as set forth in Section 101.0920 of the Code.

17. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

18. After establishment of the project, the property shall not be used for any other purposes unless:

a. Authorized by the Planning Director.

b. The proposed use meets every requirement of the zone existing for the property at the time of conversion.

c. The Permit has been revoked by the City.

19. This Permit may be revoked by the City if there is a material breach or default in any of the conditions of this Permit.

20. No permit for construction or operation of any facility shall be granted nor shall any activity authorized by this Permit be conducted on the premises until:

a. The Permittee signs and returns the Permit to the Planning Department.

b. The Permit is recorded in the office of the County Recorder.

If the signed Permit is not received by the Planning Department within thirty (30) days of the City Council decision, the Permit shall be void.

21. Should either the related Conditional Use Permit or Parcel Map be denied, the Planned Industrial Development amendment is deemed denied and Planned Industrial Development No. 85-0282 shall remain in force and effect and shall control the property.

22. This Permit is subject to appeal as provided for in Section 101.0920 of the Code.

23. This Permit is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.

PASSED AND ADOPTED by the City Council on December 1, 1987.

AUTHENTICATED BY:

MAUREEN O'CONNOR, Mayor
The City of San Diego

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

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this _____ day of _____, 198____, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

Notary Public in and for the County
of San Diego, State of California

The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

ATLANTIC RICHFIELD COMPANY
(Permittee)

By _____

By _____

NOTE: Notary acknowledgments must be attached per Civil Code Section 1180, et seq.

00953 R-269879

DEC 1 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
District 4	<hr/>			
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"/>
Celia Ballesteros	<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"/>

VACANT

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.

By *Bhanda R. Barnes*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution *R-269879* Adopted *DEC 1 1987*
 Number Adopted