

(R-89-785)

RESOLUTION NUMBER R-271923

ADOPTED ON SEPTEMBER 20, 1988

WHEREAS, on September 20, 1988, the City Council considered Tentative Map No. 88-0227, submitted by Oliver McMillian Hillcrest Square, Ltd., for a 2.15-acre, 1-lot subdivision for commercial development on property located on the south side of Washington Street between Fifth and Sixth Avenues, and further described as Lots 2 through 9 inclusive and Lots 16 through 23 inclusive and portions of Lots 2 and 23 in Block 1, of Northside Addition, Map No. 666, together with portions of Lots 3, 4, 5 and 6 of G. A. Bush Addition, Map No. 1915, in the Uptown Community Plan area, in the C Zone; and

WHEREAS, the matter was set for public hearing on September 20, 1988, 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. 88-0227:

1. The map proposes a 2.15-acre, 1-lot subdivision for commercial developments including retail, restaurant, a bank, a 110-bed rehabilitation hospital, and residential use. This type of development is consistent with the General Plan and the Uptown Community Plan which designate the area for commercial mixed 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 C 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 commercial 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 Commercial Development and Conditional Use Permit Nos. 88-0227.

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 commercial and residential 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 or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of Environmental Impact Report No. 88-0227, which is included herein 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 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.

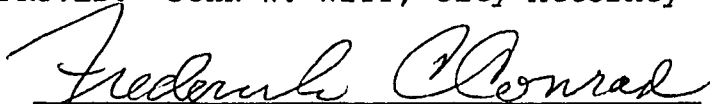
9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that Tentative Map No. 88-0227, is hereby granted to Oliver McMillian Hillcrest Square, Ltd., 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

FCC:ta
10/13/88
Or.Dept:Clerk
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CITY COUNCIL TENTATIVE MAP CONDITIONS FOR TM 88-0227

1. This tentative map will expire September 20, 1991.
2. Approval of this tentative map is conditioned upon City Council approval of the vacation of Sixth Street as shown on the tentative map.
3. Prior to or concurrent with the recordation of the final map, the subdivider shall obtain a City Council approved Encroachment Permit for the underground parking structure located within the public right-of-way.
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.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769635.

5. This property is subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code Section 102.0406 et seq. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code Section 96.0401 et seq.
6. 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.
7. Washington Street is classified as a six-lane major within a 121-foot-wide right-of-way. The subdivider shall assure 60 feet of dedicated right-of-way south of the existing centerline and full half-width improvements, including curb, sidewalk, and a modified raised-center median adjacent to this site, satisfactory to the City Engineer. The existing median break west of the Sixth Street Extension bridge may be modified to provide/enlarge turn pockets.
8. Sixth Street extension is classified as a major street within a modified right-of-way. The subdivider shall provide additional dedication as shown on the approved tentative map constructing curb as necessary with the ramp to the parking garage constructed satisfactory to the City Engineer. A sidewalk will not be required.
9. Fifth Avenue is classified as a major street within an 80-foot-wide right-of-way. The subdivider shall reconstruct the sidewalk as

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required by the Planning Director and construct the parking garage ramps satisfactory to the City Engineer.

10. Water Requirements:

- a. Abandon the existing eight-inch cast-iron water main in Sixth Avenue between the south end of vacated Sixth Avenue and Washington Street.
- b. Replace the six-inch cast-iron water main in Washington Street with a twelve-inch water main, connecting to the existing 24-inch CICAL water main in Fifth Avenue extending to the existing eight-inch AC water main in Washington Street.
- c. Install fire hydrants at locations satisfactory to the Fire Department and to the City Engineer.

11. Sewer Requirements:

- a. Provide a sewer study of the existing six-inch or eight-inch water main satisfactory to the Water Utilities Director.
 - b. Install all facilities recommended by the approved study and as required to provide capacity to this development.
 - c. Abandon the existing on-site six-inch sewer main and five-foot sewer easement, providing for any sewer laterals that may connect to it, satisfactory to the Water Utilities Director.
12. Prior to the recordation of the final map, the subdivider shall pay to the City cash in the amount of \$25,000 for the proposed transit study in Hillcrest, as required in PCD Permit No. 88-0227.
13. All rights-of-way required to be dedicated with this map must be free and clear of all encumbrances and prior easements. The subdivider must secure from an easement grantee a subordination agreement for distribution facilities located within the dedication or, in the case of major transmission facilities, a joint-use agreement.
14. Prior to recordation of any final subdivision map by the City Council, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
15. The final map shall conform to the provisions of PCD and CUP Nos. 88-0227.
16. Prior to the recordation of a final map, a phasing plan shall be submitted to the satisfaction of the Planning Director which ties development to: (a) the allocation schedule of the Community Plan, as set forth in Schedule A of the Interim Development Ordinance, adopted by the City Council on July 21, 1987, and any successor plan or policy

imposing the same or similar requirements; and (b) the construction and actual installation of all public facilities specified in the Capital Improvement Program portion of the applicable community plan that would be required for this project approval.

17. This map shall comply with the standards, policies and requirements of all ordinances in effect at the time of approval of this map, including the Interim Development Ordinance adopted by the City Council on July 21, 1987, and any successor ordinance, plan or policy imposing the same or similar requirements upon environmentally sensitive habitats, floodplains, hillsides, wetlands or coastal bluffs, which approval shall be binding upon all subsequent approvals and permits required for the development.
18. This subdivision is subject to payment of School Impact Fees at the time of issuance of building permits as provided by California Government Code Section 53080(b) (Statutes of 1986, Chapter 887) in accordance with procedures established by the Director of Building Inspection.
19. This community may be subject to impact fees as established by the City Council at the time of issuance of building permits.

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Passed and adopted by the Council of The City of San Diego on..... SEP 20 1988
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

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

By *Jana Martin*, Deputy.

Office of the City Clerk, San Diego, California

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