

(R-90-1028)

RESOLUTION NUMBER R-274826

ADOPTED ON DECEMBER 5, 1989

WHEREAS, on September 11, 1989, Subdivision Board of The City of San Diego recommended approval of Tentative Map No. TM-89-0844 submitted by H. G. Fenton Material Company and HCH Partners for subdividing a 15.4-acre site into four parcels for industrial business development, on Lots 17 through 23, Mission Valley Heights, Map No. 11034, located on the northwest side of Mission Valley Road and immediately east of Highway 163, in the Mission Valley Community Plan area, in the M-1B zone; and

WHEREAS, the matter was set for public hearing on December 5, 1989, 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-89-0844:

1. The map proposes to subdivide a 15.4-acre site into four parcels and to vacate Mission Valley Court for industrial use. This type of development is consistent with the General Plan, the Mission Valley Community Plan and the Mission Valley Heights Specific Plan, which designate the area for business and industrial park use. The proposed map will retain the

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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-1B (Mission Valley Specific Plan) zone in that:

a. All lots have minimum frontage on a dedicated street, only as allowed under a Planned Industrial Development (PID) permit.

b. All lots meet the minimum dimension requirements of the M-1B zone, only as allowed under a PID.

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, only as allowed under a PID.

d. Development of the site is controlled by Planned Industrial Development Permit No. 40-0118-0.

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 business and industrial park uses.

6. The design of the subdivision and 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 Exemption No. 89-0844, 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 property contains a street which must be vacated to implement the final map in accordance with San Diego Municipal Code section 102.0307.

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 decision of the Subdivision Board is sustained, and Tentative Map No. 89-0844 is hereby granted to H. G. Fenton Material Company and HCH Partners, 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

FCC:pev  
12/28/89  
Or.Dept:Clerk  
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12/13/89

CITY COUNCIL CONDITIONS  
FOR TENTATIVE MAP NO. 89-0844

1. This tentative map will expire December 5, 1992.
2. 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.

3. 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.
4. Undergrounding of proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
5. Water and Sewer Requirements:
  - a. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and to the City Engineer
  - b. The subdivider shall provide evidence, satisfactory to the Water Utilities Director, indicating that each parcel will have its own water service and sewer lateral.
  - c. Providing water and sewer for this development is dependent upon prior construction of certain water and sewer mains in previously approved developments in this area. If they have not been constructed when required for this development, then the construction of certain portions of these previously approved water and sewer mains, as required by the City Engineer, will become off-site improvements required for this development.
  - d. Developer shall install certain improvements for which the City will reimburse the developer for actual cost of design and construction, in accordance with City regulations and practices pertaining thereto. Agreement for work shall be executed prior to recordation of final map.

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6. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing. As such, special financing plans have been 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 an agreement for the payment of the assessment, paying a facilities benefit assessment, or such other means as may have been established by the City Council.

7. Concurrent with the recordation of the final map, a reciprocal access and parking agreement shall be created by separate instrument to the satisfaction of the Planning Director.
8. The final map shall conform to the provisions OF PID No. 40-018-0.
9. This map shall comply with the standards, policies and requirements of all ordinances in effect at the time of approval of this map.
10. This subdivision may be 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.
11. 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 DEC 05 1989,  
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"/> |
| Ron Roberts            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| John Hartley           | <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"/> |
| Linda Bernhardt        | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| J. Bruce Henderson     | <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"/> |
| Bob Filner             | <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 Jana Martin, Deputy.

Office of the City Clerk, San Diego, California

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