

(R-91-1153)

RESOLUTION NUMBER R-277063

ADOPTED ON DECEMBER 11, 1990

WHEREAS, on June 18, 1990, the Subdivision Board recommended approval of Tentative Map No. 89-1096 submitted by Jung Ngoon Tom for a one lot subdivision of a 3.2 acre site for University Plaza, a neighborhood shopping center, located on the western corner of University Avenue and Chollas Parkway and described as Lots 1, 2, 3, and 4 of Map No. 6711, Lot 2 of Map No. 5764, a portion of Lot 29 of Map No. 734, a portion of Lot 12 of Map No. 748, and a portion of Lea Street and Chollas Parkway, in the Mid-City Community Plan area, in the CA zone; and

WHEREAS, the matter was set for public hearing on December 11, 1990, 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. 98-1096:

1. The map proposes the subdivision of a 3.2-acre site into one parcel for commercial development. This type of development is consistent with the General Plan and the Mid-City Community Plan which designate the area for commercial use. The proposed

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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 CA zone in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, only as allowed under a planned commercial development (PCD) permit.

b. All lots meet the minimum dimension requirements of the CA zone, only as allowed under a PCD.

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 PCD.

d. Development of the site is controlled by Planned Commercial Development Permit No. 89-1096.

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 nature heating and/or cooling opportunities.

4. The site is physically suitable for commercial 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 residential 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 in Negative Declaration No. 89-1096 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.

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 recommendation of the Subdivision Board is sustained; and Tentative Map No. 89-1096 is

hereby granted to Jung Ngoon Tom, 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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03/20/91
Or.Dept:Clerk
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CITY COUNCIL CONDITIONS
TENTATIVE MAP NO. 89-1096

1. This tentative map will become effective with City Council approval of the associated street vacation and will expire three years after such approval. If the street vacation is denied, this tentative map shall be deemed denied.
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. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
4. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
5. Every final map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as

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ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

6. 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.
7. 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.
8. 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.
9. The subdivider shall install curb ten feet from the property line, a five-foot-wide concrete sidewalk along University Avenue, and a pedestrian ramp at Chollas Parkway and University Avenue, satisfactory to the City Engineer.
10. Chollas Parkway is classified as a four-lane major street within a 98-foot-wide right-of-way. The subdivider shall install a new concrete curb ten feet from the property line and provide a five-foot-wide sidewalk, along Chollas Parkway, satisfactory to the City Engineer.
11. The subdivider shall provide a left-turn pocket, 250 feet long, with a 120-foot transition at Chollas Parkway to Lea Street, satisfactory to the City Engineer.
12. The subdivider shall provide, for Lea Street, 36 feet of pavement, transitioning to existing improvements on Lea Street, curb, gutter, and a four-foot-wide sidewalk, satisfactory to the City Engineer.
13. The subdivider shall provide a 25-foot right-of-way radius and a 35-foot curb radius at the corner of Chollas Parkway and University Avenue, satisfactory to the City Engineer.
14. 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 tentative map must be approved by the City Council.

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15. Prior to recordation of the final map, the developer shall sign and deliver easements satisfactory to those companies having utility franchise for distribution facilities, including, but not limited to, San Diego Gas & Electric and Pacific Bell, for their existing facilities within the area(s) to be vacated. The developer may otherwise satisfy the companies through relocation of their facilities within the public rights-of-way or other new or existing easements.

15. Water and Sewer Requirements:

a. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.

b. The subdivider shall grant 15-foot sewer easements over the eight-inch and the 15-inch sewer mains that cross this development. No structures of any kind shall be built in or over the easements without first obtaining an Encroachment Removal Agreement.

16. This subdivision is in a community plan area designated in the General Plan as Planned 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 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.

17. 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.

18. The final map shall conform to the provisions of Planned Commercial Development Permit No. 89-1096.

19. This subdivision may be subject to payment of School Impact Fees at the time of issuance of building permits as provided

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by California Government Code Section 53080(b) (Statutes of 1986, Chapter 887) in accordance with procedures established by the Director of Building Inspection.

20. This community may be subject to impact fees as established by the City Council at the time of issuance of building permits.
21. The lower level shall be gated for the security of the employees and neighbors.

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Passed and adopted by the Council of The City of San Diego on.....**DEC 11 1990**.....
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 *Maureen L. O'Connor* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-277063** Adopted **DEC 11 1990**