

(R-92-870)

RESOLUTION NUMBER R-278812

ADOPTED ON OCTOBER 8, 1991

WHEREAS, on June 6, 1991, the Planning Commission recommended approval of Planned Commercial Development (PCD) Permit No. 91-0283 amending PCD Permit No. 88-0408 submitted by Pardee Construction Company, a California corporation, Owner/Permittee, for the purpose redesignating a 1.3-acre undeveloped park and ride site to community commercial use, located on the northeast side of Poway Road and Sabre Springs Parkway, and is more particularly described as a portion of the north half of the northwest quarter of Section 21, Township 14 South, Range 2 West, SBM, in the Sabre Springs Community Plan area, in the CA-RR Zone; and

WHEREAS, the matter was set for public hearing on October 8, 1991, 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 Planned Commercial Development Permit No. 91-0283 (amendment to PCD Permit No. 88-0408):

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Sabre Springs Community Plan. The project proposes to relocate a park and ride site from Parcel 16 to an open space lot

to the north and adjacent to Parcel 1. Both parcels are within the Sabre Springs Community Planning area. A concurrent plan amendment will bring the project into conformance with the Land Use Element of the Sabre Springs Community Plan and still fulfill the need of a park and ride site within the community 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 relocation of the park and ride site would be located in the extreme northwest corner of the Sabre Springs Community on the west side of Sabre Springs Parkway immediately south of North City Parkway. The proposed relocation of the park and ride site would benefit the community by combining it with a specialty commercial site adjacent to North City Parkway and the I-15 high occupancy vehicle entrance.

3. The proposed use will comply with the relevant regulations in the Municipal Code and will be in conformance with the amended Sabre Springs Community Planning area. The proposed Sabre Springs Community Plan Amendment also benefits the Sabre Springs Community by expanding the number of acres of community commercial use by 1.3 acres, resulting in a total of 21.3 acres combined community and neighborhood commercial.

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 Planning Commission is sustained and Planned Commercial

Development Permit No. 91-0283 amending PCD Permit No. 88-0408 is hereby granted to Pardee Construction Company, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

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

FCC:lc
01/08/92
Or.Dept:Clerk
R-92-870
Form=r.permit

PLANNED COMMERCIAL DEVELOPMENT (PCD) PERMIT NO. 91-0283
AMENDMENT TO PCD PERMIT NO. 88-0408

CITY COUNCIL

This planned commercial development permit amendment is granted by the Council of The City of San Diego to PARDEE CONSTRUCTION COMPANY, a California Corporation, Owner/Permittee, pursuant to in Section 101.0910 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to delete Parcel 16 from Planned Commercial Development Permit No. 88-0408 located on the north side of Poway Road, east of Sabre Springs Parkway, described as the north half of the northwest quarter of Section 21, Township 14 South, Range 2 West, SBM, in the CA-RR Zone.
2. The facility shall consist of the following:
 - a. A 155,257-square-foot commercial shopping center as previously approved under PCD 88-0408 and as illustrated on Exhibit "A," dated August 29, 1988. Included in this amendment is the deletion of a 1.3-acre Park and Ride site shown as Parcel 16 from Planned Commercial Development Permit No. 88-0408;
 - b. Off-street parking;
 - c. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No fewer than 774 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated October 8, 1991, on file in the office of the Planning Department. Parking spaces shall be consistent with Chapter X, Article 1, Division 8 of the Municipal 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. The effective date of this permit shall be the date of final action following all appeal dates and proceedings or the effective date of a concurrent rezoning case. The permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted by the Planning Director, as set forth in Section 101.0910(M) of the Municipal Code. Any such extension of time must meet all the Municipal Code requirements and applicable guidelines in effect at the time the extension is considered by the Planning Director.

5. After establishment of the project, the property shall not be used for any other purposes unless:
 - a. Authorized by the Planning Director; or
 - 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.

The property included within this planned commercial development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.

6. This planned commercial development permit may be cancelled or revoked if there is any material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by The City of San Diego or Permittee.
7. This planned commercial development permit is a covenant running with the subject property 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.
8. The permittee/applicant shall comply with all requirements of the Uniform Building Code (UBC) and secure all necessary building permits prior to construction.
9. The permittee/applicant shall comply with all other requirements of PCD 88-0408.
10. The permittee/applicant shall submit a planned commercial development amendment for the area between Creekview Drive and the mid-block driveway along Poway Road, as illustrated on Exhibit "A," dated October 8, 1991. This area, which is currently vacant, shall be temporarily landscaped with hydroseed material to be approved by the Principal Planner of the Landscape Section and shall remain in good growing condition until such time of issuance of building permits.
11. The access roadway across the eastern portion of Parcels 15 and 16 as illustrated on Exhibit "A," dated October 8, 1991, shall be constructed prior to obtaining final occupancy permits for PCD 88-0408 to allow for a connection from the proposed buildings to the traffic signal located at Poway Road and Creekview Drive.

12. A final subdivision map shall be processed for the area between Creekview Drive and the mid-block driveway however, no building permits shall be issued for Parcels 15 or 16 until a new PCD amendment is approved.
13. The amended PCD site plan for Parcels 15 and 16 must reflect the design of the proposed development in PCD 88-0408. The architectural style and materials on both parcels shall be the same as Exhibit "A," dated August 29, 1988 in PCD 88-0408.
14. No building permits shall be permitted for the portion of Parcel 15 and 16 between Creekview Drive and the mid-block on Poway until a PCD has been approved for Parcel 1.
15. The driveway on Poway Road shall be restricted to right in and right out; no median break shall be allowed on Poway Road for the driveway. The driveway shall be a minimum of 20 feet wide.
16. The driveway on Sabre Springs Parkway shall align with the traffic signal. The driveway adjacent to Parcel 1 shall align with the traffic signal at Creekview Drive.
17. Prior to the issuance of any building permits, the applicant shall provide an improved acceptable bike path to the City Engineer, within a dedicated public right-of-way or it is to be a private facility, the applicant shall provide a public access easement and maintenance agreement.
18. Prior to the issuance of any building permits, the applicant shall assure the construction of a traffic signal system or fair-share contribution for the traffic signal at Poway Road and Creekview Drive satisfactory to the City Engineer.
19. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
20. The developer shall install a 16-inch water main in an easement from the 20-inch water main in Sabre Springs Parkway, along the northerly bounds of this development, to the 12-inch main located at Poway Road and Creekview Drive, satisfactory to the Water Utilities Director.
21. The developer shall install a ten-inch water main in Creekview Drive from the 12-inch main in Poway Road south to the 16-inch main in Sabre Springs Parkway, satisfactory to the Water Utilities Director.
22. The developer shall install a system of gravity sewer mains of adequate capacity to serve this development.

23. The developer shall provide calculations, satisfactory to the Water Utilities Director, to show that the size and grade of the sewer will provide adequate capacity and cleansing velocity.
24. The developer shall install a trunk sewer, parallel to the Pomerado Outfall No. 2 Trunk Sewer, between Pomerado Relief Trunk Sewer in Pomerado Road and the Penasquitos Canyon Trunk Sewer at Interstate 15, satisfactory to the Water Utilities Director.
25. The developer shall provide evidence, satisfactory to the Water Utilities Director, showing that each parcel will have its own water service and sewer lateral.
26. All common areas and/or open spaces that require irrigation shall be irrigated with reclaimed water, as specified in City Council Ordinance 0-17327. The subdivider shall design and install a reclaimed water distribution system within the subdivision, in accordance with "Rules and Regulations for Reclaimed Water Use and Distribution within the City of San Diego." The irrigation system shall initially be supplied from the potable water system until reclaimed water is available. The system shall be designed to allow the conversion from potable to reclaimed water service and avoid any cross connections between the two system.
27. The developer shall provide CC&R's for the operation and maintenance of on-site private water and sewer mains that serve more than one lot. The developer shall provide private easements for the private mains or show easement locations in the CC&R's.
28. Providing water and sewer for this development is dependent upon the 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 improvement requirements for this development.
29. 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 an agreement for the payment of the assessment, paying a Facilities Benefit Assessment (FBA) or such other means as may have been established by the City Council.

30. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.

APPROVED by the Council of The City of San Diego on October 8, 1991, by Resolution No. R-278812.

0402

OCT 08 1991

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"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<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 *Blondel R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-278812* Adopted *OCT 08 1991*