

(R-92-872)

RESOLUTION NUMBER R-278814

ADOPTED ON OCTOBER 8, 1991

WHEREAS, the Planning Commission recommended approval of Vesting Tentative Map No. 91-0251 submitted by Pardee Construction Company, a California corporation, for subdividing an 8.5 acre site into 6 lots for the construction of a commercial, retail and restaurant building resulting in 35,450 square feet, located west of Sabre Springs Parkway, north of Evening Creek Drive North, and described as a portion of Rancho Los Penasquitos, according to map accompanying the Patent to said Rancho, Book 2, Page 385 of Patents, in the Sabre Springs Community Plan area, in the CA-RR and A-1-10 zones; 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 Vesting Tentative Map No. 92-0251:

1. The map proposes the subdivision of a 8.5-acre site into six lots for commercial and park and ride development. This type of development is consistent with the General Plan and the Sabre Springs Community Plan which designate the area for commercial and park and ride 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 CA-RR and A-1-10 zones 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-RR and A-1-10 zones, 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. 91-0251.

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 cooling opportunities.

4. The site is physically suitable for commercial and park and ride 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 commercial park and ride uses.

6. The design of the subdivision and the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Mitigated Negative Declaration No. 91-0251 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 Planning Commission is sustained; and Vesting Tentative Map

No. 92-0251 is hereby granted to Pardee Construction Company,
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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01/08/92
Or.Dept:Clerk
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CITY COUNCIL CONDITIONS FOR
VESTING TENTATIVE MAP NO. 91-0251

1. This tentative map will expire October 8, 1994.
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 ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

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6. This property may be subject to the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Sabre Springs Community Plan area.
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 provide walkways from the Park & Ride to the public sidewalk and bus stop, satisfactory to the City Engineer.
10. The driveways shall be standard City driveways; curb returns are not allowed.
11. The subdivider shall provide mutual-access easements for all lots except Lot 6, satisfactory to the Planning Director and the City Engineer.
12. The guard rail on Sabre Springs Parkway shall be located so as not to obstruct the access to the bus stop, satisfactory to the City Engineer.
13. Concurrently with the recordation of the final map, Lot 6 shall be deeded to the City as open space, without cost to the City, satisfactory to the City Engineer.
14. A portion of this subdivision has been identified as being within a floodway or floodplain fringe area. Portions of this project are located in the floodplain of Chicarita Creek, as delineated on Panel 0054C of the Flood Insurance Rate Map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA). In connection with Council approval of the final map:
 - a. The developer shall submit a Hydraulic and Hydrologic Study of the area within the floodway for approval by the City Engineer.
 - b. Any development within the floodplain fringe area will require either the property to be graded to an elevation two feet above the 100-year frequency flood elevation or provide floodproofing of all structures to that same elevation.

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- c. The developer shall grant a flowage easement, satisfactory to the City Engineer, over the property within the floodway.
 - d. The developer shall denote on the final map and the improvement plans "Subject to Inundation" for those areas at an elevation lower than the 100-year frequency flood elevation plus one foot.
 - e. The developer shall provide slope protection, as required by the City Engineer, where the velocity exceeds 5 MPH.
 - f. Permits or exemptions must be obtained from the California Department of Fish and Game and the U.S. Army Corps of Engineers before City permits will be issued for work within the floodplain fringe areas.
 - g. No permits will be issued for grading in the floodplain of Chicarita Creek until the developer obtains a Conditional Letter of Map Revision (Conditional LOMR) from FEMA. The request for the Conditional LOMR must be submitted through the City of San Diego Floodplain Management Section. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
 - h. When as-built grading plans are available, the developer must submit a request for a map revision or map amendment, as applicable, to FEMA via the Floodplain Management Section. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
 - i. The bond for this project will not be released until the map revision or map amendment is issued by FEMA.
 - j. Notes provided by the Floodplain Management Section concerning work in designated floodplains shall be included on all grading and improvement plans.
15. Water Requirements:
- a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
 - b. The developer shall install a 12-inch water main, on-site, satisfactory to the City Engineer.
16. Sewer Requirements:

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- a. The developer shall install a system of gravity sewer mains of adequate capacity to serve this development.
 - b. 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 velocities.
17. Water and Sewer Requirements:
- a. All common areas and/or open spaces that require irrigation shall be irrigated with reclaimed water as specified in City Council Ordinance O-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 systems.
 - b. 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.
18. The final map shall conform to the provisions of Planned Commercial Development No. 91-0251.
19. 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.
20. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the

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Engineering & Development Department for each final map processed in connection with this vesting tentative map.

21. 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.
22. 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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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 *Blonde L. Burner*, Deputy.

Office of the City Clerk, San Diego, California

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