

(R-92-875)

RESOLUTION NUMBER R-279057

ADOPTED ON NOVEMBER 26, 1991

WHEREAS, on September 12, 1991, the Planning Commission of The City of San Diego recommended approval of Coastal Development Permit No. 90-0519 (Mira Mesa Hubsite project) submitted by PACIFIC BELL, a corporation, Owner/Permittee, to construct a 352 square-foot concrete equipment building to house electronics equipment and to install a microwave receiver antenna on a 0.173 acre site located at 4488 Sorrento Valley Road on the north side, west of the future alignment of Camino Santa Fe, further described as a portion of Lot 21 of Map No. 12029, within the Mira Mesa Community Planning area, in the A-1-10 zone; and

WHEREAS, the matter was set for public hearing on September 12, 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 Coastal Development Permit No. 90-0519:

1. The proposed development is not located on or near any existing or proposed physical accessway either publicly or privately utilized. Therefore, this project will not encroach upon any of these accessways, as identified in the adopted Mira Mesa Community Plan and Local Coastal Program. In addition, the project is not located near any public vantage points nor near

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any other scenic coastal areas, therefore it will not obstruct any views.

2. The proposed development is not located on a site containing any marine resources, environmentally sensitive areas, or archaeological or paleontological resources. Therefore, it will not adversely affect these resources.

3. The proposed development is not located on property with biologically sensitive lands, significant prehistoric and/or historic resources. Therefore, it is not required to comply with the requirements related to the Resource Protection Ordinance, Section 101.0462 of the San Diego Municipal Code.

4. The proposed development is not located near any recreational or visitor-serving facilities or coastal scenic resources and will therefore not adversely affect these resources.

5. The proposed development is not located on any environmentally sensitive areas, and is sited in a manner to prevent any adverse impacts to the adjacent Los Penasquitos Canyon Reserve. Therefore, it will not affect these resources.

6. The proposed development is located on a flat, previously graded site. Minimal grading will occur on the site, therefore the possibility of undue risks from geologic and erosional forces will be reduced.

7. The proposed development has been designed, through use of building materials, to be compatible with future residential developments to occur in the area. The proposed building will be provided with landscape and wall screens to reduce any visual


impact to the surrounding area. However, the building is only a single-story stucco and tile roof structure which would not cause any visual impacts even without the screening.

8. The proposed development conforms to the Mira Mesa Community Plan and Local Coastal Program and the relevant sections of the Municipal Code.

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 that Coastal Development Permit No. 90-0519 is hereby granted to PACIFIC BELL, Owner/ Permittee, in the form and with the conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:pev
01/08/92
Or.Dept:Clerk
R-92-875
Form=r.permit

COASTAL DEVELOPMENT PERMIT/CONDITIONAL USE PERMIT NO. 90-0519
MIRA MESA HUBSITE

CITY COUNCIL

This Coastal Development Permit and Conditional Use Permit is granted by the Council of The City of San Diego to PACIFIC BELL, a corporation, Owner/Permittee, pursuant to Section 105.0201 of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to Owner/Permittee to construct a Coastal Development with a Conditional Use Permit located at 4488 Sorrento Valley Road, described as a portion of Lot 21 of Map No. 12029, in the A-1-10 Zone.
2. The facility shall consist of the following:
 - a. One (1) single-story, 352 square-foot building;
 - b. One (1) microwave dish (8 foot diameter antenna) on an 18-foot high pole;
 - c. One (1) soundwall (5 feet high) and one (1) screening wall (5 feet high);
 - d. Landscaping;
 - e. Off-street parking; and
 - f. Accessory uses as may be determined incidental and approved by the Planning Director.
3. Not fewer than two (2) off-street parking spaces shall be maintained on the property in the location shown on Exhibit "A," dated November 26, 1991, on file in the office of the Planning Department. Parking spaces shall comply with Chapter X, Article 1 Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking space dimensions shall conform to zoning standards. Parking areas shall be clearly marked at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.
4. No permit shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
 - a. The Permittee signs and returns the permit to the Planning Department; and

- b. The Coastal Development Permit is recorded in the office of the County Recorder.
5. Before issuance of any building permits, complete grading and working drawings shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated November 26, 1991, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.
 6. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated November 26, 1991, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended and is to be maintained in a disease, weed and litter free condition at all times.
 7. The property included within this coastal 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.
 8. This Coastal Development Permit and Conditional Use Permit may be cancelled or revoked if there is a 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.
 9. This Coastal Development Permit and Conditional Use 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 in this permit and all referenced documents.
 10. The use of texture or enhanced paving shall be permitted only with the approval of the City Engineer and Planning Director, and shall meet standards of these departments as to location, noise and friction values, and any other applicable criteria.
 11. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or

construction, it shall be repaired and/or replaced in kind per the approved plans.

12. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.
13. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
14. Prior to the issuance of any building permits, the applicant shall assure adequate site distance from the driveway to Sorrento Valley Road, satisfactory to the City Engineer.
15. The driveway shall be a standard driveway; curb returns are not allowed.
16. The applicant shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
17. Providing water and sewer for this project is dependent upon the prior construction of certain water and sewer mains in previously approved subdivisions in this area. If they have not been constructed when required for this project, 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 project.
18. Prior to the issuance of any building permits, the applicant shall:
 - a. Ensure that building address numbers are visible and legible from the street (Uniform Fire Code (UFC) 10.208).
 - b. Show the location of all fire hydrants on the plot plan (UFC 10.301).
 - c. Comply with the City of San Diego Landscaping Technical Manual regarding brush and landscaping.
19. This project 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 approval of the building plans, the applicant 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.

20. This community may be subject to impact fees as established by the City Council at the time of issuance of building permits.
21. This Coastal Development Permit and Conditional Use Permit shall become effective following the decision of the City Council.
22. This Coastal Development Permit and Conditional Use 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 as set forth in Section 105.0216 of the Municipal Code.
23. In the event that any condition of this permit, on a legal challenge by the Owner/Permittee of this permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this permit shall be void.

APPROVED by the Council of The City of San Diego on November 26, 1991, by Resolution Nos. R-279057 and R-279058.

AUTHENTICATED BY:

MAUREEN O'CONNOR, Mayor
The City of San Diego

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

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this _____ day of _____, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

Notary Public in and for the County
of San Diego, State of California

The undersigned Permittee, by execution hereof, agrees to each and every condition of this permit and promises to perform each and every obligation of Permittee hereunder.

PACIFIC BELL
Owner/Permittee

By _____

By _____

NOTE: Notary acknowledgments
must be attached per Civil
Code Section 1180, et seq.
Form=p.ack

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NOV 26 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 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"/> |
| Tom Behr | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 *Linda Luzano*, Deputy.

Office of the City Clerk, San Diego, California

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