

(R-92-1793)

RESOLUTION NUMBER R-279868

ADOPTED ON APRIL 28, 1992

WHEREAS, on February 13, 1992, the Planning Commission recommended approval of Tentative Map No. 90-0435 submitted by J. L. Elder and Craig, Bulthuis & Stelmar for a two parcel tentative parcel map (Canyon Hills Commercial Center) for the subdivision of a 2.23-acre site into two parcels for commercial development, located at on the northwest corner of I-15 and Mercy Road, and described as Lot 125 and Lot A of Map No. 11833, in the Mira Mesa Community Plan area, in the CA zone; and

WHEREAS, the matter was set for public hearing on April 28, 1992, 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. 90-0435:

1. The map proposes the subdivision of a 2.23-acre site into two parcels for commercial development. This type of development is consistent with the General Plan and the Mira Mesa Community Plan which designate the area for commercial 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 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. 90-0435.

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 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 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 effect based upon the findings in Mitigated Negative Declaration No. 90-0435, 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 Tentative Map No. 90-0435

is hereby granted to J. L. Elder and Craig, Bulthuis & Stelmar,
subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
05/22/92
Or.Dept:Clerk
R-92-1793
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CITY COUNCIL CONDITIONS FOR
TENTATIVE MAP NO. 90-0435

1. This tentative map will become effective with the effective date of Rezoning Case No. 90-0435 and will expire three (3) years thereafter. If the rezoning 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

R-279868

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

6. The subdivider must provide a geological report on the subject property to discover and address potential geological hazards. The report must be prepared in accordance with the most recent edition of the City of San Diego "Technical Guidelines for Geotechnical Reports." All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0410 et seq.
7. 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.
8. 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.
9. The subdivider shall dedicate additional right-of-way along Mercy Road, adjacent to this site and from this site east to the I-15 right-of-way, to allow for a half-width, from centerline, of 61 feet at the I-15 right-of-way, transitioning west to 49 feet from centerline, and shall provide pavement, curb, gutter, and five-foot-wide sidewalk, within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
10. The driveways shall be standard City driveways; curb returns are not allowed.
11. The subdivider shall dedicate additional right-of-way on Alemania Road, to allow for a 60-foot-wide right-of-way, and shall provide 40 feet of pavement, curb, gutter, and five-foot-wide sidewalk, satisfactory to the City Engineer.
12. Water and Sewer 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 system of gravity sewer mains of adequate capacity to serve this development.

R-279868

- c. 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.
 - d. 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.
- 13. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
 - 14. Prior to the issuance of building permits, a Transportation Demand Management (TDM) Plan shall be submitted to, and approved by, the TDM Administrator.
 - 15. The final map shall conform to the provisions of Planned Commercial Development Permit No. 90-0435.
 - 16. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
 - 17. 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.

- 18. 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.

R- 279868

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

R-279868

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Passed and adopted by the Council of The City of San Diego on APR 28 1992
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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

By:  Deputy.

Office of the City Clerk, San Diego, California

Resolution R-279868 APR 28 1992
Number..... Adopted.....