

(R-93-1897)

RESOLUTION NUMBER R-281916

ADOPTED ON MAY 4, 1993

WHEREAS, MIP Properties, Inc., and Fehlman Labarre, filed an application for a ten-lot tentative subdivision map, located north of Camino de la Reina between Mission Center Road and Camino del Este, and described as portions of Lots 1107 and 1173, Map 26, a portion of Lot 3, Map 7125, a portion of Lot 2, Map 4244, and Lot 9, Map 7797, in the Mission Valley Community Plan area, in the MV-M/SP Zone; and

WHEREAS, the matter was set for public hearing on May 4, 1993, 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. 92-0608:

1. That the map proposes the subdivision of a 39.8-acre site into ten lots for commercial development. This type of development is consistent with the General Plan and the Mission Valley Community Plan, which designate the area for multiple

uses. 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. That the design and proposed improvements for the map are consistent with the zoning/development regulations of the MV-M/SP zone in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic.

b. All lots meet the minimum dimension requirements of the MV-M/SP zone.

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.

3. That 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 or cooling opportunities.

4. That 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. That the site is physically suitable for the proposed density of development. This is consistent with the community plan, which provides for multiple uses.

6. That the design of the subdivision or the proposed improvements will not cause substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat, and there are no new significant impacts, based upon the findings of Addendum No. 92-0608 to Environmental Impact Report No. 80-0341, which is included herein by this reference.

7. That 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. That 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.

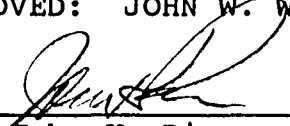
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the application of MIP Properties, Inc. and Fehlman Labarre, is approved; the decision of the Planning Commission is sustained, and Tentative Map

No. 92-0608 is hereby granted to MIP Properties, Inc. and Fehlman Labarre, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By



John K. Riess
Deputy City Attorney

JKR:pev
05/14/93
Or.Dept:Clerk
R-93-1897
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CITY COUNCIL CONDITIONS FOR
TENTATIVE MAP NO. 92-0608

1. This tentative map will expire May 4, 1996.
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. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
7. The subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
8. 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.
9. 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.
10. Prior to issuance of any building permits, the subdivider shall contribute \$25,000 as his/her fair share towards the cost of a Traffic Facilities Phasing Study for Mission Valley.
11. Prior to the issuance of building permits, a Transportation Demand Management (TDM) Plan shall be submitted to, and approved by, the TDM Administrator.
12. The subdivider shall comply with the (First San Diego River Improvement Project) FSDRIP Transportation Phasing Plan, satisfactory to the City Engineer.
13. Prior to recordation of the final map for Unit 3, the subdivider shall assure the construction of a pedestrian bridge across Camino de la Reina, satisfactory to the City Engineer. A signalized intersection may be provided in lieu of the pedestrian bridge, if warranted, satisfactory to the City Engineer.
14. Camino de la Reina is classified as a four-lane major street. The subdivider shall dedicate additional right-of-way to provide a centerline-to-property-line distance of 57

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feet and shall construct a 12-foot-wide raised-center median, 31 feet from new curb face, 43 feet from centerline to new curb, gutter, and additional pavement with transition to the existing westerly improvements, and eight-foot-wide sidewalk within a 14-foot curb-to-property-line distance, satisfactory to the City Engineer.

15. The Camino de la Reina median improvements shall be required prior to recordation of the final map for Unit 3, satisfactory to the City Engineer.
16. The subdivider shall dedicate additional right-of-way to allow for a 20-foot property-line corner radius for the northwest corner of Camino de la Reina and Camino del Este, satisfactory to the City Engineer.
17. Mission Center Road is classified as a six-lane major street. The subdivider shall grant a street reservation ultimately to provide a centerline-to-property-line distance of 70 feet, as follows, satisfactory to the City Engineer:
 - a. from the northerly property line southerly for 300 feet;
 - b. then transition 130 feet southerly to 65 feet from centerline;
 - c. then transition at a ratio of fifty-five to one (55:1) to 70 feet from centerline;
 - d. then continue 70 feet from centerline to the southerly property line.

The above dimensions are required to accommodate dual left-turn lanes on Mission Center Road at Camino de la Reina and at Hazard Center Road and to provide an 14-foot curb-to-property-line distance, required for major streets in Mission Valley.

18. Center median curb openings shall only be allowed at specific locations that align with the driveways on the south side of Camino de la Reina, satisfactory to the City Engineer.
19. Camino del Este is classified as a four-lane collector. The subdivider shall dedicate additional right-of-way to provide a centerline-to-property-line distance of 50 feet and shall construct 36 feet of pavement, curb, gutter, and eight-foot-wide sidewalk within a 14-foot curb-to-property-line distance, satisfactory to the City Engineer.

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20. Driveway access for Lot 6 onto Camino de la Reina shall be provided by a joint driveway through Lot 5.
21. The subdivider shall provide a mutual-access agreement for all lots within Units 1, 2, and 3 for better location of future driveways and access, satisfactory to the Planning Director and the City Engineer.
22. The subdivider shall contribute 25 percent as his/her share for the construction of the traffic signal at Camino de la Reina and Camino del Este.
23. The subdivider shall reserve a 35-foot-wide right-of-way, required slope easements, and station site for Light Rail Transit (LRT), in accordance with design criteria in the Metropolitan Transit Development Board (MTDB) standards and in accordance with the terms of the specific plan and the Development Agreement.

The subdivider shall reserve to MTDB a 30-foot pedestrian access easement from the LRT station to Camino de la Reina.

24. The subdivider shall redesign grades on Lot 8 for mutual access with Lot 3 for potential future traffic signal access, to align with the existing driveway on the south side of Camino de la Reina, satisfactory to the City Engineer.
25. The subdivider shall provide fire hydrants on Camino de la Reina, satisfactory to the Fire Department and the City Engineer.
26. Water Requirements:
 - a. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants and/or thirty (30) Equivalent Dwelling Units are located on a dead-end main, then a dual-fed system shall be installed.
 - b. The subdivider shall install any on-site water mains south of the future LRT right-of-way in minimum 15-foot-wide water easements with vehicular access, satisfactory to the Water Utilities Director.
27. Sewer Requirements:
 - a. The subdivider shall provide a sewer study, satisfactory to the Water Utilities Director, for

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the sizing of gravity sewer mains and to show that the existing and proposed mains will provide adequate capacity and have cleansing velocities.

- b. The subdivider shall install all facilities, as required by the approved sewer study.

28. Water and Sewer Requirements:

- a. The subdivider shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral or provide CC&R's for the operation and maintenance of on-site private water and sewer mains that serve more than one lot. The subdivider shall provide private easements for the private mains or show easement locations in the CC&R's.
- b. 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 with 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. Where reclaimed-water-use areas contain potable and reclaimed water piping, the potable water piping shall also be identified in accordance with the said "Rules and Regulations."

29. Open Space Requirements:

- a. Prior to the start of construction, a reinforced six-foot, chain-link fence is to be installed along the southern edge of the FSDRIP sidewalk or MTDB right-of-way, whichever is more southerly. No construction equipment or related activity is permitted on walkway or adjacent norther buffer area. Any damage to FSDRIP amenities will be repaired or replaced by the subdivider at his/her cost.
- b. The subdivider shall provide a 20-foot river buffer, in accordance with the FSDRIP Development Agreement.
- c. Project ornamental landscape and irrigation shall be brought up to the southern edge of the MTDB right-of-

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way. Long-term maintenance shall be provided by the subdivider. Ornamental landscape shall be compatible with those specified by the FSDRIP biological consultant. The subdivider is to purchase and install, at his/her expense, FSDRIP plantings originally intended for buffer areas. Plant selection and placement shall be approved by the FSDRIP biological consultant and the Deputy Director of the Open Space Division of the Park and Recreation Department.

In the event the LRT is not constructed, the subdivider shall be responsible for providing landscape and irrigation to the southern edge of the FSDRIP sidewalk, in accordance with the above conditions.

30. A portion of this subdivision has been identified as being within a floodway or floodplain fringe area. In connection with Council approval of the final map:
- a. Portions of the project are located in the floodplain of San Diego River, as delineated on Panel 134 of the Flood Insurance Rate Map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA).
 - b. The existing FEMA map shows this area shows this tentative map in the flood hazard area (Zone A20). However, the FSDRIP is in process for a Letter of Map Revision (LOMR) to FEMA. The proposed flood zone for this tentative map is in Zone "B" if FEMA amends the map.
 - c. The following items apply only to the area within the FSDRIP floodway:
 - i. 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.
 - ii. The developer shall grant flowage and drainage easements, satisfactory to the City Engineer, over the property within the floodway.
 - iii. 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.

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- iv. 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.
31. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity*. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgement from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWG, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

FOR INFORMATION:

- This property may be 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.
- This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued, all in accordance with the FSDRIP Specific Plan and Development Agreement (DOC. #00-15868).
- This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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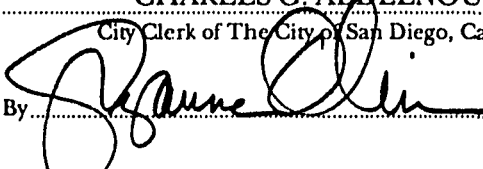
Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

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"/>
George Stevens	<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"/>
Valerie Stallings	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING
Mayor of The City of San Diego, California.

(Seal)

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

Office of the City Clerk, San Diego, California

Resolution **R2 81916** MAY 04 1993
Number..... Adopted.....