

(R-94-502)

RESOLUTION NUMBER R-282641

ADOPTED ON SEPTEMBER 14, 1993

WHEREAS, on June 24, 1993, the Planning Commission recommended approval of Tentative Map No. 89-0508 submitted by Golden Triangle Partners and Leppert Engineering for a three-parcel tentative subdivision map for the development of the Golden Triangle Business Center, located east of Nobel Drive and east of Shoreline Drive, and described as a portion of Pueblo Lot 1277 and a portion of Lot 6, Map No. 11505, in the University Community Plan area, in the R1-5000 (proposed SR) zone; and

WHEREAS, the matter was set for public hearing on September 14, 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. 89-0508:

1. The map proposes the subdivision of a 7.63-acre site into three parcels for industrial and residential development. This type of development is consistent with the General Plan and the University Community Plan which designate the area for industrial and residential 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.

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2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the SR zone in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Planned Industrial Development/Planned Residential Development/Resource Protection Ordinance (PID/PRD/RPO) permit.

b. All lots meet the minimum dimension requirements of the SR zone, as allowed under a PID/PRD/RPO permit.

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, as allowed under a PID/PRD/RPO permit.

d. Development of the site is controlled by PID/PRD/RPO Permit No. 89-0508.

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 industrial and residential 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 industrial and residential uses.

6. The design of the subdivision and the proposed improvements would result in a significant, unmitigated, cumulative impact and unavoidably injure fish or wildlife or their habitat based upon the findings in Environmental Impact Report ("EIR") No. 89-0508 which is included herein by this reference. However, a finding has been made pursuant to Public Resources Code section 21081(c) that specific economic, social, or other considerations make infeasible project alternatives identified in the EIR. Adoption of the Mitigation Monitoring and Reporting Program would mitigate all direct impacts identified in the EIR.

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.


9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by

the City Engineer, in accordance with financing and environmental policies of the City Council.

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. 89-0508 is hereby granted to Golden Triangle Partners and Leppert Engineering, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold O. Valderhaug  
Chief Deputy City Attorney

HOV:lc  
10/25/93  
Or.Dept:Clerk  
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CITY COUNCIL CONDITIONS FOR  
TENTATIVE MAP NO. 89-0508

1. This tentative map will expire September 14, 1996.
2. The final map shall conform to the provisions of Planned Industrial Development/Planned Residential Development/Resource Protection Ordinance Permit No. 89-0508.
3. 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.

4. "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).
5. "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."
6. 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

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

7. The approval of this tentative map by the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
8. Prior to the recordation of any final map or the issuance of a grading or pre-grading permit for any portion of the project site, proof of an "incidental take" permit under Section 7 or Section 10a of the Federal Endangered Species Act relative to the California gnatcatcher shall be provided to the Planning Director. If such permit is not required, written verification to that effect from the U.S. Fish and Wildlife Service shall be provided.
9. 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 62.0415 et seq.
10. 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.
11. 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.
12. Nobel Drive is classified as a six-lane primary arterial within a 122-foot-wide right-of-way. The subdivider shall provide dedication and improvements for Nobel Drive of a minimum half-width of 44 feet of pavement, curb, gutter, five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and either grading for full-width improvements or half of a 14-foot-wide raised, landscaped, center median, satisfactory to the City Engineer.
13. Street "A" is classified as an industrial street within a 64-foot-wide right-of-way. The subdivider shall dedicate a

64-foot-wide right-of-way within this subdivision boundary and a 60-foot right-of-way radius for the cul-de-sac, and shall provide 44 feet of pavement, curb, gutter, and five-foot-wide sidewalk on both sides of the street within a ten-foot curb-to-property-line distance, and a 50-foot curb radius for the cul-de-sac, satisfactory to the City Engineer. The subdivider shall dedicate off site a minimum 40-foot-wide right-of-way and shall provide a minimum of 26 feet of pavement, curb, gutter, and five-foot-wide sidewalk on the south side and an asphalt berm on the north side, satisfactory to the City Engineer. The subdivider shall obtain all appropriate permits and shall obtain all the necessary right-of-way to satisfy this condition.

14. Water Requirements:

- a. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
- b. The subdivider shall install a 12-inch water main in Nobel Drive from Shoreline Drive to Street "A," satisfactory to the Water Utilities Director.
- c. The subdivider shall install dual ten-inch water mains from the existing dual ten-inch mains, west of this development to the western property line, satisfactory to the Water Utilities Director.
- d. This development is located within the 610 HGL zone and, therefore, the subdivider shall install on-site pressure regulators, satisfactory to the Water Utilities Director.

15. Sewer Requirements:

- a. The subdivider shall install a system of gravity sewer mains, of adequate capacity to serve this development, connecting to the 15-inch sewer main south of the railroad, satisfactory to the Water Utilities Director.
  - b. The subdivider 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.
16. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.



17. The developer shall provide a downstream drainage study, satisfactory to the City Engineer, that demonstrates that no adverse impacts will occur to downstream properties as a result of the increased runoff from this development or, if substantial impacts are anticipated, what measures must be taken to mitigate such impacts.
18. The storm drains shown on the tentative map shall be extended further down the slope to allow for no erosion; there shall be no concentrated drainage discharged over the side of the slope; satisfactory to the City Engineer.
19. 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-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

20. Open Space Requirements:
  - a. Prior to the recordation of the final map, the subdivider shall acquire a private sewer easement through City-owned open space Lot 7. This shall be negotiated with the Property Department.
  - b. Prior to or concurrently with the recordation of the final map, the subdivider shall deed Lot 3 to the City in fee title for open space purposes, without cost to the City.
21. Environmental Mitigation Measures:
  - a. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in

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Environmental Impact Report No. 89-0508, satisfactory to the Planning Director and the City Engineer.

b. Biological Resources

- i. Mitigation is required for the loss of 0.50 acres of on-site and 0.02 acres of off-site Diegan Sage Scrub (moderate quality) and the 0.30 acres of off-site Diegan Sage Scrub (fair to poor quality). Potential mitigation plans include enhancement of land in the region with Diegan Sage Scrub already present but degraded or purchase and dedication as open space of land containing Diegan Sage Scrub. Because the Diegan Sage Scrub being disturbed could be considered habitat for the California gnatcatcher, a two-to-one (2:1) off-site replacement ratio for the Diegan Sage Scrub is necessary. Approximately 1.31 acres of Diegan Sage Scrub would need to be acquired. (NOTE: a 0.8 habitat value factor was utilized in determining the acreage to be acquired.)

The project applicant would be required to acquire and preserve an off-site area. Criteria for the selection of an off-site mitigation area are:

- (1) the quality of the habitat would be equal to or better than the habitat quality of the project, and
  - (2) the off-site area is not already protected by land use restrictions, such as an open space easement.
- ii. The mitigation program for the off-site habitat would consist of the following action by the applicant:
    - (1) Prior to the recordation of the final map, the subdivider shall identify and purchase a mitigation site that is reviewed and approved by Planning Director. A negative open space easement over the area containing the habitat to be recorded shall be acquired by the subdivider. The easement shall provide that the use of the property would be limited to activities compatible with the preservation of the sensitive biological resources. The property owner shall be responsible for long-term maintenance of the easement.

- (2) The applicant shall provide fee title as proof that the property has been purchased prior to obtaining land development permits.

c. Drainage and Hydrology

- i. An 18-inch drain and catch basins have been included in the drainage plan to collect runoff from the site. The drainage shall be discharged through rip-rap energy dissipators to minimize erosion. A rip-rap energy dissipator shall also be installed at the terminus of the drainage pipes that would carry runoff from the area north of the project site to Rose Canyon.
- ii. The grading plan shall incorporate a maintenance program for erosion and runoff control measures which shall be approved by the City Engineer. The erosion- and runoff-control measures shall be designed and bonded prior to recordation of the final map; erosion-control measures shall be implemented prior to acceptance of the grading plan and public improvements by the City. The project applicant shall be responsible for the specified maintenance program and shall maintain records of the maintenance.
- iii. Sediment basins, desilting basins, or silt traps shall be installed in conjunction with the initial grading operations and shall be maintained through the development process as well as during the operation period, as necessary, to remove sediment from runoff waters draining from the land undergoing development.

The above measures shall be noted on grading plans. Prior to the issuance of grading permits, the Planning Director shall review plans to ensure the measures have been provided. The applicant shall retain a soils engineer to monitor the grading, construction, installation of runoff-control devices, and revegetation of the project and shall submit in writing to the City Engineer with a copy to the Planning Director certification that the project has complied with the required notes on the grading plans addressing erosion/runoff controls. Implementation of these measures would reduce the impact of runoff and erosion on Rose Creek to a level less than significant.

- iv. To reduce short-term water quality impacts, pollution-control devices, including rip-rap energy dissipators, shall be installed to intercept flow before discharge into the natural drainage system to the extent determined feasible by the City Engineer. In addition, such practices as adequate drainage provisions, restorative measures for revegetation, and slope stabilization shall be implemented to further reduce impacts.

The Planning Director and the City Engineer shall review the plans to ensure the measures have been designed to the satisfaction of the City Engineer. The subdivider shall notify the Planning Director upon installation of the pollution-control devices.

- d. The subdivider shall implement the following mitigation measures, satisfactory to the Deputy Director of the Development & Environmental Planning Division of the Planning Department, to reduce potentially adverse impacts of the proposed project on paleontological resources to a level below significant:
  - i. Prior to the issuance of a Land Development Permit (LDP), the requirement for paleontological monitoring shall be noted on the grading plans.
  - ii. Grading plans and schedule shall be provided to a qualified paleontologist in advance of actual development. The paleontologist shall attend any preconstruction meetings to consult with the excavation contractor.
  - iii. A qualified paleontologist shall be retained to perform periodic inspections of excavations and, if necessary, salvage exposed fossils. The paleontologist shall be on-site during the original cutting of previously undisturbed sediments of potential fossil bearing formations. The frequency of inspections would depend on the rate of excavation and the abundance of fossils.
  - iv. In the event that well-preserved fossils are found, the paleontologist shall be allowed to divert, direct, or temporarily halt grading in the area of any exposed fossil remains to facilitate evaluation and to allow recovery of any fossil remains.

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- v. All fossils collected shall be donated to a public non-profit institution with a research interest in the materials, such as the San Diego Natural History Museum.
  - vi. Prior to the issuance of any building permits, the a report shall be submitted to the Deputy Director of the Development & Environmental Planning Division of the Planning Department summarizing the results of the monitoring program, even if negative.
22. This subdivision is in a community plan area designated in the General Plan as Planned 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.

FOR INFORMATION:

- This development 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.
- 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.
- 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.....**SEP 14 1993**  
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 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"/>
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 *Maybell G. Portocarrero*....., Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R* **282641** Adopted **SEP 14 1993**