

RESOLUTION NUMBER R-284191

ADOPTED ON JUNE 28, 1994

WHEREAS, on May 19, 1994, the Planning Commission in recommended approval of Vesting Tentative Map No. 93-0557 submitted by Gordon-Lucky Joint Venture, applicant, and Stuart Engineering, Engineer, for an 8-lot vesting tentative map for the Southcrest Park Plaza located west of 43rd Street and north of 42nd Street, and described as portion of Lot 32 of Map 1793, Lots 10 through 31 of Map 2208, portions of Blocks "C," "F," "G" and "H," of Map 1793, portion of Lot 68 of Ex-Mission lands of Map 283, in the Southeast San Diego Community Plan area, in the SF-5000 (proposed CT-2) zone; and

WHEREAS, the matter was set for public hearing on June 28, 1994, 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. 93-0557:

1. The map proposes the subdivision of a 15.36-acre site into 8 lots for commercial development. This type of development is consistent with the General Plan and the Southeast San Diego 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 CT-2 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 Southeast Development/Planned Commercial Development (SED/PCD) Permit.

b. All lots meet the minimum dimension requirements of the CT-2 zone, as allowed under a SED/PCD 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 SED/PCD Permit.

d. Development of the site is controlled by Southeast Development/Planned Commercial Development Permit No. 93-0557.

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 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.

7. 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.

8. The developer will continue to be required to underground any new service run to the proposed structures within the subdivision.

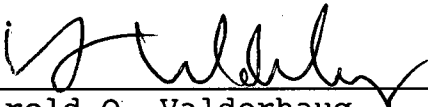
9. The design of the proposed, privately-owned underground utilities that will be constructed within the subdivision are consistent with accepted engineering practices and meet the requirements of Municipal Code section 102.0404 and Council Policy No. 600-25.

10. The property contains a street right-of-way which must be vacated to implement the final map in accordance with San Diego Municipal Code section 102.0307. The tentative map must be approved by the City Council.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained; and Vesting Tentative Map No. 93-0557 is hereby granted to Gordon-Lucky Joint Venture, Inc., 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
08/31/94
Or.Dept:Clerk
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CITY COUNCIL CONDITIONS FOR
VESTING TENTATIVE MAP NO. 93-0557

1. This tentative map will become effective with City Council approval, and will expire three years thereafter.
2. The final map shall conform to the provisions of Southeast San Diego and Planned Commercial Permit No. 93-0557.
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 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.).

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8. 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.
9. 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.
10. The subdivider must provide a geological reconnaissance 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.
11. Undergrounding of existing and proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
12. Prior to the recordation of the first final map, the property owner shall enter into a mutual-access and reciprocal-parking agreement, satisfactory to the Planning Director and the City Engineer.
13. The Transportation Demand Management (TDM) Plan, on file with the TDM Administrator, shall be implemented as directed by the TDM Administrator.
14. 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.
15. Prior to the recordation of the first final map, the subdivider shall obtain CalTrans approval of this project.
16. Keeler Court is classified as a residential cul-de-sac within a 50-foot-wide right-of-way. The subdivider shall dedicate additional right-of-way as necessary to provide a 50-foot-wide right-of-way with a 45-foot cul-de-sac radius and shall provide 30 feet of pavement with a 35-foot curb cul-de-sac radius, curb, gutter, and four-foot-wide sidewalk, satisfactory to the City Engineer.
17. Alpha Street is classified as a two-lane collector street within a 60-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way, transitioning to a 64-foot-wide right-of-way at 43rd Street to accommodate turn lanes, and shall provide 40 feet of pavement, curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, transitioning to 50 feet of pavement at 43rd Street, with curb, gutter, and five-foot-wide sidewalk within a seven-foot curb-to-property-line distance, satisfactory to the City Engineer.

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18. Alpha Street between 40th Street and the western subdivision boundary, shall be repaired and shall have temporary AC walkways installed, satisfactory to the City Engineer.
19. Forty-third Street is classified as a four-lane major street. The subdivider shall dedicate the necessary right-of-way to provide for half of a major street with dual left-turn lanes plus transitions, and shall provide the full-width improvements of pavement, median, curb, gutter and a five-foot sidewalk on both sides of the street within a ten-foot curb-to-property-line distance, as shown on the VTM, including the relocation of the curb and gutter on the east side of 43rd Street, satisfactory to, and determined by, the City Engineer and CalTrans.

The subdivider may request cost reimbursement for the improvements on the east side of 43rd Street from the City Engineer, from CIP No. 52-534.0.

20. The subdivider shall construct the bus stops in accordance with MTDB Design Standards, satisfactory to the MTDB and the City Engineer.
21. The subdivider shall construct a fully interconnected traffic signal system at the intersection of Alpha Street/Boston Avenue and 43rd Street, satisfactory to the City Engineer.
22. The subdivider shall provide traffic signal and intersection modifications at the main entrance on 43rd Street and the I-805 on/off ramps and shall assure proper lane alignment, satisfactory to CalTrans and the City Engineer.
23. The most westerly driveway on Alpha Street, for Lot 8, shall be provided with a sight-distance easement adequate to provide a 300-foot line-of-sight visibility. Landscaping within the easement shall be limited to 30 inches in height for shrubs and a minimum ten-foot ground clearance for tree foliage. Street parking shall be restricted on Alpha Street adjacent to Lot 8 between both proposed driveways. This condition shall be accomplished in a manner satisfactory to the City Engineer.
24. The subdivider shall modify the approved traffic study to reflect the proposed Alpha Street alignment.
25. The subdivider shall modify the I-805 on/off ramps to accommodate the southbound dual left-turn lanes from 43rd Street, satisfactory to CalTrans and the City Engineer.
26. The subdivider shall grant to the City a pedestrian-access easement through the northeast corner of Lot 8 for public access to Southcrest Park, satisfactory to the Park and Recreation Director and the City Engineer.
27. The subdivider shall provide a pedestrian-access easement from Keeler Court to Alpha Street, satisfactory to the City Engineer.
28. The subdivider shall provide pedestrian walkways on both sides of the signalized driveway at 43rd Street and construct pedestrian ramps at the drive aisles, satisfactory to the City Engineer.

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29. Water Requirements:

- a. The subdivider shall install a 12-inch water main in Alpha Street from the westerly subdivision boundary to 43rd Street, satisfactory to the Water Utilities Director.
- b. The subdivider shall install a 12-inch water main on site from the 12-inch main in Alpha Street to the eight-inch main in Beta Street, satisfactory to the Water Utilities Director.
- c. The subdivider shall install a 12-inch water main on site from the 12-inch main in Alpha Street to the 12-inch main in 43rd Street just north of Beta Street, satisfactory to the Water Utilities Director.
- d. The developer 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 (EDUs) are located on a dead-end main, then a dual-fed system shall be installed.

30. Sewer Requirements:

- a. The developer shall provide a sewer study, satisfactory to the Water Utilities Director, for the sizing of gravity sewer mains and to show that existing and proposed mains will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies.
- b. The developer shall install all facilities, as required by the approved sewer study.

31. Water and Sewer Requirements:

- a. The developer 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 developer shall provide private easements for the private mains or show easement locations in the CC&R's.
- b. The subdivider shall abandon existing facilities that will not be utilized (including all cast-iron and concrete pipe), satisfactory to the Water Utilities Director.
- c. The subdivider shall grant adequate water and sewer easements, satisfactory to the Water Utilities Director. No structures of any kind shall be built in or over the easement without first obtaining an Encroachment Removal Agreement from the City Engineer.
- d. The final map(s) shall show all existing water, sewer, and/or general utility easements to remain, satisfactory to the Water Utilities Director.

32. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer. That portion of the drainage system which is to be within Southcrest Park shall be subject to approval by both the Park and Recreation Director and the City Engineer.
33. 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.
34. 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.

35. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 93-0557, satisfactory to the Planning Director and the City Engineer, which is included herein by this reference.
36. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Engineering & Development Department for each final map processed in connection with this vesting tentative map.

FOR INFORMATION:

- This development 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 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.

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- This development 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 vesting 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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