

RESOLUTION NUMBER R-288041

ADOPTED ON NOVEMBER 12, 1996

WHEREAS, the San Dieguito Partnership, Owner/Permittee, filed an application for Vesting Tentative Map, No. 96-0265, for a project known as the Corporate Research Park, located north of I-805 and west of Mira Mesa Blvd., more fully described as Map No. 12745 in the County of San Diego, in the proposed M1-B and M1-B (H.R.) zones; and

WHEREAS, the matter having been set for public hearing on November 12, 1996, 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 the reduced project alternative for Vesting Tentative Map No. 96-0265:

1. The proposed map is consistent with the amended Progress Guide and General Plan ("General Plan") and Mira Mesa Community Plan which designate the property for industrial uses.
2. The design and proposed improvements for the subdivision are consistent with the General Plan and Mira Mesa Community Plan, and with zoning/development regulations and State Map Act Section 66473.1 regarding solar access.
3. The site is physically suitable for industrial development.
4. The site is suitable for the proposed industrial density of development.
5. The design of the subdivision and the proposed improvements will not cause

substantial environmental damage, based upon the findings in Environmental Impact Report No. 96-0265.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as the map is consistent with the proposed M1-B zoning and conforms with City development regulations and with Resource Protection Ordinance Permit No. 96-0265.

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.

8. 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.

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

BE IT FURTHER RESOLVED, that based on the findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 96-0265 is hereby granted to the San Dieguito

Partnership, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By *Leslie J. Girard for*
Leslie J. Girard
Assistant City Attorney

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CITY COUNCIL CONDITIONS FOR
TENTATIVE MAP NO. 96-0265

1. This vesting tentative map will become effective on the effective date of the associated rezone and will expire three years thereafter. If the rezone or street vacations are denied, this vesting tentative map shall be deemed denied.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the first final map unless, otherwise noted.
3. The final map shall conform to the provisions of PID/RPO/CDP Permit No. 96-0265.
4. 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 vesting 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.

5. "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).
6. "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."
7. 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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8. The approval of this vesting 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.).
9. The subdivider has reserved the right to record multiple final maps over the area shown on the approved vesting 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 vesting 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.
10. 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.
11. The subdivider must provide a geologic 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.
12. 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.

Line "1" as shown on the vesting tentative map, is exempt from undergrounding requirements. The remaining 12KV lines transversing the property shall be undergrounded.
13. 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.
14. The subdivider shall provide a "Letter of Permission for Grading" from SDG&E for any work that is within, or affects access to or along, their easements.
15. Directors Place is classified an industrial street. The subdivider shall dedicate a 70-foot wide right-of-way with additional right-of-way at Vista Sorrento Parkway to provide a westbound left and right turn lane, with a 60-foot cul-de-sac right-of-way radius. The subdivider shall provide full pavement, curb, gutter, and 5-foot-wide sidewalk within a ten-foot curb-to-property-line distance, with a 50-foot cul-de-sac curb radius, satisfactory to the City Engineer.
16. Wateridge Vista Drive is classified as an industrial street. The subdivider shall dedicate a 70-foot-wide right-of-way, with a 60-foot cul-de-sac right-of-way radius and provide 50 feet of pavement, curb, gutter, and 5-foot-wide sidewalk within a ten-foot curb-to-property-line distance, with a 50-foot cul-de-sac curb radius, satisfactory to the City Engineer.

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The subdivider shall extend the curb, gutter and sidewalk off-site to meet existing improvements.

17. Vista Sorrento Parkway is classified as a four-lane collector street. The subdivider shall dedicate right-of-way adjacent to this subdivision to provide a 87-foot right-of-way with additional right-of-way at Directors Place to provide a northbound exclusive right-turn and a southbound left-turn lane. Offsite Vista Sorrento Parkway is classified as a modified four-lane collector street. The subdivider shall dedicate right-of-way northerly to the existing four-lane Vista Sorrento parkway south of Lusk Boulevard to provide a 74-foot right-of-way. The subdivider shall provide full pavement, curb, gutter and 5-foot wide sidewalk, on the east side of the street, within a ten-foot curb-to-propertyline distance and a 5-foot curb-to-propertyline distance on the west side of the street, satisfactory to the City Engineer.

Prior to the completion of the work, the subdivider may request the City Council to establish a reimbursement district to pay for a portion of the construction cost of this work, in accordance with Section 62.0208 of the Municipal Code, when the property within the reimbursement district is subdivided or otherwise developed.

18. The subdivider shall restripe Vista Sorrento Parkway at Sorrento Valley Boulevard to increase the length of the northbound left-turn pocket.
19. The subdivider shall deposit funds, with the City, for the half-width improvements, for the construction of Mira Sorrento Place, adjacent to this subdivision. Cost shall include parkway and full median landscape with appurtenances.
20. Mira Sorrento Place is classified as a four-lane collector street. The subdivider shall grant to the City an Irrevocable Offer of Dedication for a 92-foot right-of-way with slope easements, as required by the City Engineer.
21. The subdivider shall construct a traffic signal at the intersection of Vista Sorrento Parkway and Directors Place.
22. All retaining walls and their footings shall be located outside of the City right-of-way.
23. The subdivider shall enter into a bonded landscape maintenance agreement, for maintenance of all landscaping and appurtenances thereto, within the City right-of-way, adjacent to this subdivision until a Landscape Maintenance District, Property Owner's Association or other such mechanism is established and assumes maintenance responsibility, satisfactory to the City Engineer.
24. Water Requirements:
 - a. Prior to the preparation of any public improvement drawings, the subdivider shall provide a water study satisfactory to the Water Department Manager. The study shall plan the pressure zone(s) necessary to serve this development including pressure regulating station.

- b. The subdivider shall install all facilities as required by the accepted water study necessary to serve this development. Facilities, as shown on the approved vesting tentative map, may not be acceptable.
- c. The subdivider shall provide individual predesign reports for each pressure regulating station, satisfactory to the Water Department Manager, necessary to serve this development.
- d. 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 looped system shall be installed.

25. Sewer Requirements:

- a. Prior to the preparation of any public improvement drawings, the subdivider shall provide a sewer study, satisfactory to the Metropolitan Wastewater Department Manager, for the sizing of gravity sewer main and to show that the existing and proposed facilities will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies.
- b. The subdivider shall install all facilities as required by the accepted sewer study, necessary to serve this development. Facilities, as shown on the approved vesting tentative map, may not be acceptable.
- c. The Peñasquitos Trunk Sewer is approaching its ultimate capacity. If any wastewater from this development flows into the Peñasquitos Trunk Sewer then connections may be limited.

26. Water and Sewer Requirements:

- a. The subdivider shall design all water and sewer facilities to the most current edition of the City of San Diego's Water & Sewer Design Guide. If facilities do not meet the current standards, then such facilities shall be private.
- b. The subdivider shall grant adequate, water and/or sewer easements, including paved vehicular access, for all water and sewer facilities that are not located within a paved public right-of-way, satisfactory to the Water and Metropolitan Wastewater Department's Managers. Water meters shall be located within vehicular travel ways or ramps to garages. No structures of any kind shall be built in or over the easements without first obtaining an encroachment removal agreement.
- c. The subdivider shall provide evidence, satisfactory to the Water and Metropolitan Wastewater Department's Managers, indicating that each parcel will have its own water service and sewer lateral or provide CC&Rs for the operation and maintenance of on-site private water and sewer mains that serve more than one lot. Also, provide private easements for the private mains.

27. The drainage system proposed for this subdivision, as shown on the approved vesting vesting tentative map, is subject to approval by the City Engineer.
28. 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.
29. 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.

30. Open Space:
 - a. Lot "D" to have a negative open space easement for brush management and shall be owned and maintained by the Property Owner's Association.
 - b. Lots "A", "B" and "C" shall have building restricted easements and be owned and maintained by the Property Owners' Assosiation.
 - c. Lot 10 shall be dedeed to the City, in fee simple, at no cost, for open space purposes.
31. 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 Planning Director. 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.

32. This vesting tentative map is a vesting vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Development Services Department for each final map processed in connection with this vesting vesting tentative map.
33. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 96-0265, satisfactory to the Development Services Manager and the City Engineer, which is included herein by this reference.
34. The following are required environmental mitigation measures for the Corporate Research Park project that the subdivider must implement to comply with the Mitigation Monitoring and Reporting Program (MMRP) as specified in the Environmental Impact Report No 96-0265, satisfactory to the Development Services Manager, the City Engineer and EAS. In addition to the measures listed below, condition numbers 16, 18, 21, 22, 31c and 32 are required by the MMRP and the City Engineer.
 - a. The project landscaping plans shall include native revegetation of manufactured slopes in Lot D adjacent to existing Coastal Sage Scrub habitat within the open space lot with compatible hydroseed mix and container stock.
 - b. The following temporary erosion-control measures shall be shown on the grading plans and shall be implemented during the construction phase of the project as a condition of the future grading permit; planting of disturbed and manufactured slopes within 90 days, grading to facilitate drainage away from slope faces, use of hay bales and swales at the top of slopes and construction of the on-site desilting basins. Hay bales should only be used if necessary after all other erosion control measures have been included. If hay bales are necessary, then they shall be sterilized or rice straw shall be used to minimize the potential for introduction of invasive, non-native plant material to the site.
 - c. Special site preparation and grading techniques, as described in the geotechnical reconnaissance and in any additional geotechnical investigation performed for the project, shall be shown on the grading plans and implemented as a condition of the grading permit.
 - d. Prior to issuance of a grading permit for the project site, the applicant shall present a letter to the City of San Diego Development Services Department indicating that a qualified paleontologist has been retained to carry out the required mitigation as described in the EIR. A qualified paleontologist shall be present at the pregrading meeting to consult with the grading and excavation contractors. A paleontological monitor shall be on-site at all times during the original cutting of formations with a known potential to contain fossils. Periodic inspections of the cuts should also be made. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the abundance of fossils. The paleontologist shall be allowed to temporarily direct, divert or halt grading procedures to allow recovery of fossil remains in a timely fashion

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- 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 development may be subject to impact fees, as established by the City Council.
- 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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