

RESOLUTION NUMBER R-288146

ADOPTED ON DECEMBER 3, 1996

WHEREAS, P.T.R. HOMESTEAD VILLAGE INCORPORATED, A MARYLAND CORPORATION, Permittee, and LEPPERT ENGINEERING, Engineer, filed an application for a 6.84 acre 3 parcel, tentative parcel map, located on the southwest corner of Mira Mesa Boulevard and Pacific Heights Boulevard, and described as a portion of Lot 1 of Mira Mesa Business Park Map 11183 in the M-1B Zone for which Parcel 1 (3.50 acres) is proposed to have a Zone designation changed from M-1B Zone to CV (Commercial Visitor); and

WHEREAS, on December 3, 1996, the City Council of the City of San Diego considered Tentative Parcel Map 96-0336, Homestead Village, pursuant to Section 102.0307 of the Municipal Code of the City of San Diego, and received for its consideration written and oral presentations, and heard from all interested parties present at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, that the City Council of the City of San Diego makes the following findings:

1. The map proposes the subdivision of a 6.84 acre site into 3 Parcels; the zone designation for Parcel 1 (3.50 acres) shall change from M-1B to CV for hotel development. Parcel 2 (1.78 acres) and Parcel 3 (1.56 acres) shall remain under the present zone designation as M-1B. This type of development is consistent with the General Plan and the Mira Mesa Community Plan. 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 Parcel 1 of the map is consistent with the zoning/development regulations of the CV Zone and the design and

improvement for Parcel 2 and Parcel 3 of the map are consistent with the zoning/development regulations of the M-1B Zone in that:

- a. All parcels have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Planned Industrial Development Amendment (PID [AM]), Planned Commercial Development (PCD).
 - b. All parcels meet the minimum dimension requirements of the CV & M-1B Zones as allowed under a PID/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 PID/PCD permit.
 - d. Development of the site is controlled by Planned Industrial Development (Amendment)/Planned Commercial Development permit 96-0336.
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 or cooling opportunities.
 4. The site is physically suitable for industrial/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 industrial/commercial uses.
 6. The design of the subdivision or the proposed improvements could have a significant environmental effect in the areas of vehicular and airplane noise. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Mitigated Negative Declaration DEP No. 96-0336, 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.

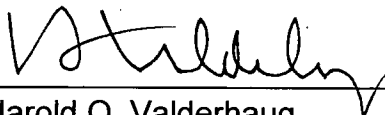
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision, as demonstrated by the City Engineer's request for public dedications and adequate 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, based on the findings hereinbefore adopted by the City Council, Tentative Parcel Map 96-0336, Homestead Village, is hereby approved, subject to the conditions attached hereto.

APPROVED: CASEY GWINN, City Attorney

By



Harold O. Valderhaug
Deputy City Attorney

HOV:cdk
12/24/96
Or.Dept:Clerk
R-97-654
Reviewed by John Fisher

**CITY COUNCIL CONDITIONS FOR
TENTATIVE MAP NO. 96-0336**

1. This tentative parcel map becomes effective on the effective date of the rezone and will expire three years thereafter. If the rezone is not approved, then this Tentative Parcel 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 parcel map unless, otherwise noted.
3. The parcel map shall conform to the provisions of Planned Industrial Development (Amendment)/Planned Commercial Development permit 96-0336.
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 tentative parcel 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.
8. The approval of this tentative parcel 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. 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. The subdivider must provide a geologic (geotechnical) investigation 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. Prior to the recordation of the parcel map, the subdivider shall enter into an agreement to contribute \$70,282 to the City of San Diego, Community and Economic Development Department, Comprehensive Planning Division, Facility Financing Section, as the subdivision's pro rata share, to reimburse Pacific Corporate Center and Lusk Mira Mesa Business Park East I and II subdivisions on a pro rata share based upon parcel acreage. Payments shall be due prior to issuance of any building permits for each parcel. The agreement shall be recorded on the title of each parcel and run with the title until satisfied, this is to reimburse expenses incurred in

the construction of:

- a. The widening and realignment of the northerly portion of the existing northbound offramp from I-805 to Mira Mesa Boulevard, as required by the City Engineer, in order to provide for a dual right-turn movement onto Mira Mesa Boulevard.
 - b. The construction of on and offramps (hook ramps) between northbound I-805 and Vista Sorrento Parkway located northerly of Mira Mesa Boulevard, including needed widening of Vista Sorrento Parkway, as required by the City Engineer.
 - c. The widening of the west side of Scranton Road northerly of Mira Mesa Boulevard to an 81-foot wide curb-to-curb roadway with a seven-foot wide distance on the west side. The length of this widening shall be as required by the City Engineer.
 - d. The widening of the existing portion of Camino Santa Fe northerly of Carroll Road to six lanes. This work shall be done generally within the existing right-of-way by the narrowing of the median and/or the reconstruction of curb and sidewalk.
 - e. The improvements at the intersection of Camino Ruiz and Calle Cristobal, as required by the City Engineer, to provide for increased capacity.
12. The slope easement adjacent to Mira Mesa Boulevard may be abandoned as determined by the Real Estate Assets Department. Fair Market Value may be assessed if required by Real Estate Assets Department.
 13. The subdivider shall provide a sight distance easement from the proposed driveway to the intersection of Pacific Heights Boulevard and Mira Mesa Road, satisfactory to the City Engineer.
 14. The landscaping shall be designed and constructed in accordance with the Landscape Technical Manual.
 15. The subdivider shall provide an access easement for Parcels 1 & 2, and over Parcel 3, satisfactory to the City Engineer and the Development Services Manager.

16. Prior to the recordation of the parcel map, the subdivider shall enter into a bonded landscape maintenance agreement, agreeing to maintain all landscaping, and appurtenances thereto, within the City right-of-way within this subdivision, until such time a landscape maintenance district is or other such mechanism is established and assumes maintenance responsibility, satisfactory to the City Engineer.
17. The subdivider shall assure by permit and bond the installation of a 24 foot-wide driveway and the closure of the exiting driveway, with full height curb, gutter and sidewalk on Pacific Heights Boulevard, satisfactory to the City Engineer.
18. The drainage system proposed for this project, as shown on the approved tentative parcel map, is subject to approval by 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 acknowledgment 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. Water Requirements:
 - a. Prior to the issuance of any building permits, the developer shall install a 12-inch water main, on-site, satisfactory to the Water Utilities Manager, within a minimum 24 foot-wide fully paved water easement from the 16-inch water main in Mira Mesa Boulevard to the 12-inch water main in Pacific Heights Boulevard. No structures

of any kind shall be built in or over the easement without first obtaining an encroachment removal agreement. Water facilities proposed for this project as shown on the approved tentative map are subject to approval by the Water Utilities Department.

- b. 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.
- c. Prior to the issuance of any building permits, the developer shall process an easement exchange, satisfactory to the Water Utilities Manager.

21. Sewer Requirements:

- a. Prior to the preparation of any building permits, the developer shall provide a sewer study, satisfactory to the Metropolitan Wastewater 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 accepted sewer study necessary to serve this development. Sewer facilities proposed for this project as shown on the approved tentative parcel map are subject to approval by the Water Utilities Department.

22. Water and Sewer Requirements:

- a. The developer shall design all water and sewer facilities to the most current editions of the Water Utilities Department's *Water and Sewer Design Guide*. If facilities do not meet the current standards, then such facilities shall be private.

23. Park & Recreation Requirements:

- a. The developer will reimburse the "Mira Mesa Landscape Maintenance District", \$11,260.98 which the district has spent on median improvements.

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 Development Services Manager.
- This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.