

RESOLUTION NUMBER R-292054

ADOPTED ON AUGUST 3, 1999

WHEREAS, San Dieguito Partnership, L.P., Applicant, and Rick Engineering Co., Engineer, submitted an application to The City of San Diego for a 19-lot vesting tentative map for the Nobel Research Park project, located north of Nobel Drive, west of Interstate 805, and south of La Jolla Village Drive, and legally described as a portion of Pueblo lands 1304 and 1306, in the University Community Plan area, in the R-1-5 zone (proposed SR zone); and

WHEREAS, on July 15, 1999, the Planning Commission of The City of San Diego considered Vesting Tentative Map No. 99-0034, and pursuant to Resolution No. 2816-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on August 3, 1999, 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. 99-0034:

1. The map proposes the subdivision of a 42.61 acre site into 15 lots for industrial development and four non-building lots. This type of development is consistent with the General Plan and the University Community Plan, which designate the area for industrial 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 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 Planned Industrial Development [PID] Permit No. 99-0034.

b. All lots meet the minimum dimension requirements of the SR zone, as allowed under PID Permit No. 99-0034.

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 PID Permit No. 99-0034.

d. Development of the site is controlled by Planned Industrial Development Permit/Resource Protection Ordinance Permit No. 99-0034.

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 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 uses.

6. The design of the subdivision or the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Mitigated Negative Declaration No. 99-0034, 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, in as much 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.

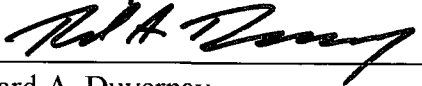
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision, as demonstrated by the City Engineer's request for public dedications and adequate 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 the recommendation of the Planning Commission is sustained, and Vesting Tentative Map No. 99-0034 is hereby granted to San Dieguito Partnership,

L.P., Applicant and Rick Engineering Co., Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

RAD:lc:pev
10/12/99
Or.Dept:Clerk
R-2000-181
Form=tmr.frm
Reviewed by John Fisher

CITY COUNCIL CONDITIONS TO VESTING TENTATIVE MAP NO. 99-0034
ADOPTED BY RESOLUTION NO. R-292054 ON AUGUST 3, 1999

1. This VTM will become effective 30 days after being heard by the Council of the City of San Diego and will expire three years thereafter. Should the rezone be denied then this Tentative Map shall be deemed denied. Rezoning of the subject property shall become effective with the recordation of the corresponding final subdivision map for the project site.
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 Planned Industrial Development Permit/Resource Protection Ordinance No. 99-0034.
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 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. 769830.

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. The 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. 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. Undergrounding of proposed public utility systems and service facilities is required according to San Diego Municipal Code [SDMC] section 102.0404, Subsection 2.

R- 292054

9. 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 SDMC section 62.0415 et seq.
10. 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.).
11. The subdivider shall install pedestrian ramps at all street intersections.
12. The subdivider shall submit a letter of approval from Caltrans for any construction within the existing or future Caltrans right-of-way.
13. The subdivider shall assure the dedication of 15 foot wide access easements and 12 foot wide roadways not exceeding a grade of 15% in order to provide access to all public storm drain outlet systems.
14. Judicial Drive is classified as a four lane major street. The subdivider shall dedicate and improve a 104 foot wide right-of-way widening to 114 feet at Street "A" to allow for an exclusive northbound to eastbound right turn lane and provide a 78 foot curb to curb width, a 14 foot wide median except at Street "A" where the curb to curb width is 88 feet including a 24 foot wide median. In addition provide curb, gutter, and a 6 foot sidewalk within a 13-foot curb-to-property line distance.
15. Street "A" is classified as a modified four lane collector street. The subdivider shall dedicate a 108-foot wide right-of-way including 74 feet of pavement with a 14 foot wide median, curb, gutter, and 5 foot wide sidewalks within a ten-foot curb-to-property line distance.
16. Street "B" is classified as a two lane industrial collector street. The subdivider shall dedicate a 70-foot wide right-of-way and a 65-foot right-of-way radius for the cul-de-sacs, and provide 50 feet of pavement, curb, gutter, and 5 foot wide sidewalks within a ten-foot curb-to-property line distance, and a 55-foot curb radius for the cul-de-sacs.
17. The subdivider shall assure by permit and bond, the construction of the following improvements at the project's access to Judicial Drive: A traffic signal, a southbound dual left-turn lane and a northbound right turn-lane.
18. The subdivider shall assure by permit and bond the construction of a traffic signal at the intersection of Judicial Drive and Noble Drive.
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. The drainage system for this project shall be subject to approval by the City Engineer.
21. The subdivider shall obtain a bonded grading permit from the City Engineer for the grading proposed for this project. All grading shall conform to requirements of the Municipal Code.
22. The area at the north end of the project and called out as open space shall have an open space easement and will not be accepted in fee.
23. WATER REQUIREMENTS:
 - A. The subdivider shall install a 12-inch water main in Judicial Drive from the westerly subdivision boundary to Nobel Drive in a manner satisfactory to the Water Department Director.
 - B. The subdivider shall install a 12-inch water main in Nobel Drive from Judicial Drive to Shoreline Drive in a manner satisfactory to the Water Department Director.
 - C. The subdivider shall install system of 12-inch water mains in Streets 'A' and 'B' connecting to the proposed water main in Judicial Drive in a manner satisfactory to the Water Department Director. Parallel water facilities located within a street shall have a minimum separation of 20-feet.
 - D. The subdivider shall install a 12-inch water main within a 20-foot-wide water easement, from Judicial Drive to Toscana Way in a manner satisfactory to the Water Department Director.
 - E. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two fire hydrants are located on a dead end facility, the subdivider shall install a redundant water system.
24. SEWER REQUIREMENTS:

- A. Prior to the submittal of any public improvement drawings, the subdivider shall provide a sewer study, satisfactory to the Metropolitan Wastewater Department Director, for the sizing, grade and alignment of public sewer facilities and to show that the existing and proposed public sewer facilities will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies. The study shall include a plan for vehicular access to all appurtenances located within easements.
- B. The subdivider shall install all facilities, as required by the accepted sewer study, necessary to serve this development. Sewer facilities, as shown on the approved tentative map, may require modification based on the accepted sewer study.

25. WATER AND SEWER REQUIREMENTS:

- A. The subdivider agrees to design all proposed public water and sewer facilities in accordance with established criteria in the most current edition of the "City of San Diego Water & Sewer Design Guide." Proposed facilities that do not meet the current standards shall be redesigned or private.
- B. The subdivider shall grant adequate water, sewer, and/or access easements, including vehicular access to each appurtenance (meters, blow offs, air valves, manholes, etc.), for all public water and sewer facilities that are not located within public rights-of-way, satisfactory to the Water and Metropolitan Wastewater Departments' Directors. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the appropriate Department Director. Minimum easement widths: water mains with services or fire hydrants - 24 feet, sewer mains with manholes - 20 feet. The easements shall be located within single lots. No structures or trees shall be installed in or over any easement prior to the applicant obtaining an encroachment removal agreement. No trees, shrubs, or structures of any kind shall be allowed in or over any access easement.
- C. The subdivider shall provide evidence, satisfactory to the Water and Metropolitan Wastewater Departments' Managers, indicating that each lot 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.
- D. 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 within the City of San Diego" satisfactory to the Metropolitan Wastewater Department Manager. 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.

26. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing or Future 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 Development Services Manager. 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.

27. The subdivider shall obtain a right of entry permit for all work on City of San Diego property west of Judicial Drive, to the satisfaction of the Real Estates Assets Department.
28. Improvement plans for the design and construction of Judicial Drive shall not include landscape improvements along the westerly curb to right-of-way line.
29. Environmental Mitigation Requirements:

The applicant shall comply with the Mitigation Monitoring and Reporting Program (MMRP) as specified in Mitigated Negative Declaration, LDR No. 99-0034, satisfactory to the City Manager and the City Engineer. Prior to issuance of the first grading permit and/or recordation of the first final map, all mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

1. Biology
 2. Hydrology/Water Quality
 3. Paleontology
30. The subdivider shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the City easement, satisfactory to the permit-issuing authority.
31. Prior to the recordation of the final map, a negative open space easement shall be recorded on twenty-six (26) acres of City property south of the easterly extension of Nobel Drive and west of Interstate 805 used for purposes of the Nobel Research Park project. No development rights shall exist on the twenty-six acres after recordation of the easement.
32. The applicant may be required to properly up-size the downstream facilities or provide on-site detention facilities to mitigate for the impact of the project, to the satisfaction of the City Engineer.

FOR INFORMATION:

- This development may be subject to the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the University Community Plan area.

R-292054

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