

RESOLUTION NUMBER R-292326

ADOPTED ON OCTOBER 19, 1999

WHEREAS, Raphael and Kitty Silverman, Trustees, of the Silverman Family Trust, Applicants, and J.P. Engineering, Inc., Engineer, submitted an application to The City of San Diego for a 2-lot tentative map (Tentative Map No. 98-0283 for the Raphael's Party Rentals project), located northerly of Miramar Road, westerly of Camino Ruiz and easterly of Cabot Drive at 8806 Miramar Road, and legally described as portion of the southeast quarter of Section 1, Township 15 South, Range 3 West, San Bernardino Meridian, in the Mira Mesa Community Plan area, in the A-1-10 (proposed M-1B) zone; and

WHEREAS, on September 16, 1999, the Planning Commission of The City of San Diego considered Tentative Map No. 98-0283, and pursuant to Resolution No. 2845-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on October 19, 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 Tentative Map No. 98-0283:

1. The map proposes the subdivision of a 5.76-acre site into two lots for commercial development. This type of parcel creation is consistent with the General Plan and the Mira Mesa 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 creation of parcels and improvements for the map are consistent with the zoning and development regulations of the M-1B 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 [PID] permit.

b. All lots meet the minimum dimension requirements of the M-1B, as allowed under a PID 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 permit.

d. Development of the site is controlled by Planned Industrial Development Permit No. 98-0283.

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/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/Industrial uses.

6. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat based upon the findings of Exemption/Negative Declaration LDR No. 98-0283, 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.

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 Government Code section 66412.3, 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.

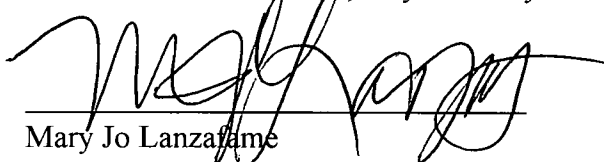
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Tentative Map No. 98-0283 is hereby granted to Raphael and Kitty Silverman Trustees, of the Silverman Family Trust, Applicants and J.P. Engineering, Inc., Engineer, subject to the conditions attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66499.20 ½, the street reservation and the 10-foot drainage easement, as shown on Tentative Parcel Map No. 98-0283, shall be vacated, contingent upon the recordation of the approved final map for the project.

APPROVED: CASEY GWINN, City Attorney

By

  
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Mary Jo Lanza  
Deputy City Attorney

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Or.Dept:Clerk  
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Reviewed by Liesa Lukes

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 98-0283  
ADOPTED BY RESOLUTION NO. R-292326 ON OCTOBER 19, 1999

1. This tentative map will expire October 19, 2002.
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 Permit No. 98-0283.
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 Sections 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. 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

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

8. Undergrounding of existing and proposed public utility systems and service facilities is required according to San Diego Municipal Code section 102.0404, Subsection 2.
9. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
10. The existing 18-inch A.C.P. shall be relocated and replaced to the satisfaction of the City Engineer.
11. All grading shall conform to requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
12. The subdivider must provide a mutual access and parking agreement for this tentative map.
13. WATER AND SEWER REQUIREMENTS:
  - a. Prior to the recordation of the final map, 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 systems that serve more than one lot. Also, provide private easements for the private mains.
  - b. The subdivider shall grant adequate water, sewer, and/or access easements, including paved vehicular access to each appurtenance (meters, blow offs, air valves, manholes, etc.), for all public water and sewer facilities located outside of paved public rights-of-way, satisfactory to the Water and Metropolitan Wastewater Departments' Managers. Vehicular access roadbeds shall be surfaced with suitable approved material satisfactory to the appropriate Department Manager. Minimum easement widths: water with services or fire hydrants - 24 feet, sewer with manholes - 20 feet. No structures of any kind shall be installed in or over any easement prior to the applicant obtaining an encroachment removal agreement. No structures or landscaping of any kind shall be installed in or over any access easement

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- c. The subdivider shall design all proposed public water and sewer facilities to the most current edition of the "City of San Diego Water & Sewer Design Guide." If proposed facilities do not meet the current standards, then such facilities shall be private.
14. Prior to recordation of the parcel map, the subdivider shall submit complete landscape construction documents, including plans, details and specifications (including a permanent automatic irrigation system unless otherwise approved), for the required street tree improvements and the erosion control for new slope areas. The landscape construction documents shall be in substantial conformance with Exhibit "A," dated October 19, 1999, Landscape Concept Plan, on file in the Office of Planning and Development Review.
15. Prior to recordation of the parcel map, the applicant shall assure by permit and bond the construction of landscaping per the above condition.
16. In connection with Council approval of the final map, the subdivider shall comply with the provisions of the Public Facilities Financing Plan then in effect, in a manner satisfactory to the Development Services Manager. This compliance shall be achieved by paying a Facilities Benefit Assessment (FBA), entering into an agreement for the payment of the fee, or such other means as may have been established by the City Council.
17. 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.

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 Mira Mesa Community Plan area.
- 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 impact fees, as established by the City Council, at the time of issuance of building permits.

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