

(R-2001-1012)

RESOLUTION NUMBER R-294283

ADOPTED ON NOVEMBER 21, 2000

WHEREAS, International Gateway Associates, LLC, an affiliate of LandGrant Development and Border Prospects, LLC, and Baja Mex Insurance Services, Owners, and Parsons Transportation Group, Engineer, filed an application with the City of San Diego for a 17-lot tentative map and street vacations, located on the south side of Camino De La Plaza, west of Virginia Way, and described as those portions of the east half of the east half of Lot 1 of Section 2, Township 19 South, Range 2 West, SBM, plus the west half of the west half of Lot 4 of Section 1, Township 19 South, Range 2 West, SBM, plus Lot A of Map 13372, plus Parcel 1 of P.M. 11307, plus Lot 2 of P.M. 8940, plus all of blocks 11 to 14, plus portions of blocks 15 and 16 south of Camino de la Plaza and portions of blocks 25 to 30 and lots 9, 10 and 11 of Map 562-refiled north of the Flood Control Channel described in Orders of Condemnation File 79-363927 O.R. 8-29-79, File 79-527564 O.R. and File 79-527565 O.R., and the north half of Tia Juana Street between the center of Virginia Avenue and Camiones Way as shown on Record of Survey 14733, in the San Ysidro Community Plan area, in the CT-2-3 Zone; and

WHEREAS, on October 26, 2000, the Planning Commission of the City of San Diego considered Tentative Map No. 40-0338, and pursuant to Resolution No.3040-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on November 21, 2000, 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. 40-0338:

1. The map proposes the subdivision of a 57.67-acre site into 17 lots for commercial development. This type of development is consistent with the General Plan and the San Ysidro 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 and development regulations of the CT-2-3 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 Site Development Permit [SDP].

b. All lots meet the minimum dimension requirements of the CT-2-3 zone, as allowed under an SDP.

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 an SDP.

d. Development of the site is controlled by Coastal Development Permit/Site Development Permit No. 40-0338.

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 geotechnical consultant has adequately addressed the geologic conditions potentially affecting the proposed development including faulting.

7. The design of the subdivision and the proposed improvements are likely to 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 for the International gateway of the Americas Project Disposition and Development agreement, previously certified by the City Council (Resolution No. R-290105), which is included herein by this reference.

8. 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.

9. 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.

10. The property contains right-of-way which must be vacated to implement the final map in accordance with San Diego Municipal Code section 125.0430.

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

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434(g), portions of Boston Avenue, Willow Road, New York Avenue, New Orleans Avenue, National Avenue, Louisiana Avenue, Tia Juana Street, and alleys located within the project boundaries as shown in Tentative Map No. 40-0338, shall be vacated, contingent upon the recordation of the approved final map for the project.

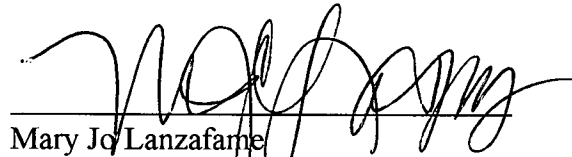
BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Tentative Map No. 40-0338 is granted, including the additional conditions listed

below, to International Gateway Associates, LLC, an affiliate of LandGrant Development and Border Prospects, LLC, and Baja Mex Insurance Services, Owners, and Parsons Transportation Group, Engineer, subject to the conditions attached hereto and made a part hereof.

1. Include the alternative landscaping plan, consistent with the Border Patrol requirements.
2. Allow the sign on a lot to be contiguous to Lot 17 and to the satisfaction of the City Engineer.

APPROVED: CASEY GWINN, City Attorney

By


Mary Jo Lanzafame
Deputy City Attorney


MJL:lc
02/13/01
Or.Dept:Clerk
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Form=tmr.frm
Reviewed by Linda Marabian

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 40-0338
INTERNATIONAL GATEWAY OF THE AMERICAS
ADOPTED BY RESOLUTION NO. R-294283 ON NOVEMBER 21, 2000

1. This tentative map will expire November 14, 2003.
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. Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this tentative map, may protest the imposition within 90 days of the approval of this tentative map by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
4. The final map shall conform to the provisions of Coastal Development/Site Development Permit No. 40-0338.
5. 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.

6. "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).
7. "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."
8. 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.

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- 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.
9. 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 U.S.C. § 1531 et seq.).
10. The subdivider is permitted to file up to five final maps. 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 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. The City Engineer may impose reasonable conditions relating to the filing of multiple final maps, in order to provide for orderly development, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
12. The geologic consultant will be required to evaluate faulting during site development, including examination of all cuts in natural materials.
13. Undergrounding of existing and proposed public utility systems and service facilities is required according to San Diego Municipal Code section 102.0404, Subsection 2.


TRANSPORTATION

14. Camino De La Plaza between the western edge of the project and Virginia Avenue is classified as a 4-lane collector roadway. Prior to the recordation of the first final map, subdivider shall dedicate 46 feet of right of way and shall assure, by permit and bond, the construction of 36 feet of pavement, curb, gutter and a 5-foot wide sidewalk within a 10-foot curb-to-property-line distance, satisfactory to the City Engineer.
15. Camino De La Plaza between Virginia Avenue and Camiones Way is classified as a 4-lane major roadway. Prior to the recordation of the first final map, subdivider shall dedicate 49

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feet of right of way and shall assure, by permit and bond, the construction of 36 feet of pavement, curb, gutter and a 5-foot wide sidewalk within a 13-foot curb-to-property-line distance, satisfactory to the City Engineer.

16. Virginia Avenue between Camino De La Plaza and the southern edge of Lot 17 is classified as a 2-lane collector roadway. Prior to the recordation of the first final map, subdivider shall dedicate 70 feet of right of way and shall assure, by permit and bond, the construction of 50 feet of pavement, curb, gutter and a 5-foot wide sidewalk within a 10-foot curb-to-property-line distance on both sides of the street, satisfactory to the City Engineer.
17. Virginia Avenue between the southern edge of Lot 17 and the southern edge of Lot 16 is classified as a 2-lane collector roadway. Prior to the recordation of the first final map, subdivider shall dedicate 35 feet of right of way and shall assure, by permit and bond, the construction of 25 feet of pavement, curb, gutter and a 5-foot wide sidewalk within a 10-foot curb-to-property-line distance, satisfactory to the City Engineer.
18. Prior to the recordation of the first final map, subdivider shall assure, by permit and bond, the construction a traffic signal at the following intersections, satisfactory to the City Engineer.
 - * West San Ysidro Boulevard / Interstate 5 northbound ramps (N)
 - * Dairy Mart Road / Interstate 5 southbound ramps
 - * Camino De La Plaza / Willow Road / Project driveway
 - * Camino De La Plaza / Driveway 5 (Via National)
19. Prior to the recordation of the first final map, subdivider shall assure, by permit and bond, modification of the traffic signal and improvement of the intersection of Camino De La Plaza / Interstate 5 southbound ramps to provide one left turn lane, one through lane, one right turn lane for all approaches, satisfactory to the City Engineer.
20. Prior to the recordation of the first final map, subdivider shall assure, by permit and bond, in addition to constructing a traffic signal, improvement of the intersection of Camino De La Plaza / Willow Road / Project driveway to provide the following, satisfactory to the City Engineer
 - * One shared through/right lane, one through lane and one left turn lane for eastbound and westbound traffic.
 - * One shared through/right lane and one left turn lane for northbound and southbound traffic.

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21. Prior to the recordation of the first final map, subdivider shall pay 61.6 percent of the cost for the future traffic signal modification and construction of a second southbound left turn pocket at the intersection of Camino De La Plaza / Willow Road, satisfactory to the City Engineer. This will result in two left turn lanes and one shared through/right turn lane for southbound traffic. (In accordance with the Second Implementation Agreement between Subdivider and the Redevelopment Agency of the City of San Diego [Agency], authorized by Agency Resolution No. R-03272, and the Cooperation Agreement between the City of San Diego and the Agency, authorized by City Council Resolution No. R-294278 and Agency Resolution No. R-03273, the Agency will perform this condition.)
22. Prior to the recordation of the first final map, subdivider shall pay 46.6 percent of the cost for the traffic signal modification and construction of a second southbound (I-5 SB off-ramp) right turn lane at the intersection of Camino De La Plaza / Interstate 5 southbound ramps, satisfactory to the City Engineer. This will result in one left turn lane, one through lane and two right turn lanes for southbound traffic. (In accordance with the Second Implementation Agreement between Subdivider and the Redevelopment Agency of the City of San Diego [Agency], authorized by Agency Resolution No. R-03272, and the Cooperation Agreement between the City of San Diego and the Agency, authorized by City Council Resolution No. R-294278 and Agency Resolution No. R-03273, the Agency will perform this condition.)
23. Prior to the recordation of the first final map, subdivider shall pay 65 percent of the cost for the traffic signal modification and construction of one exclusive eastbound (I-5 SB off-ramp) left turn lane at the intersection of Dairy Mart Road / Interstate 5 southbound ramps, satisfactory to the City Engineer. This will result in one left turn lane, one shared through/left lane and right turn lane for eastbound traffic. (In accordance with the Second Implementation Agreement between Subdivider and the Redevelopment Agency of the City of San Diego [Agency], authorized by Agency Resolution No. R-03272, and the Cooperation Agreement between the City of San Diego and the Agency, authorized by City Council Resolution No. R-294278 and Agency Resolution No. R-03273, the Agency will perform this condition.)
24. Prior to the recordation of the first final map, subdivider shall pay 50.2 percent of the cost for the traffic signal modification and re-striping to provide one left turn lane, one shared through/right turn lane and one right turn lane for northbound traffic at the intersection of San Ysidro Boulevard / Beyer Boulevard, satisfactory to the City Engineer. (In accordance with the Second Implementation Agreement between Subdivider and the Redevelopment Agency of the City of San Diego [Agency], authorized by Agency Resolution No. R-03272, and the Cooperation Agreement between the City of San Diego and the Agency, authorized by City Council Resolution No. R-294278 and Agency Resolution No. R-03273, the Agency will perform this condition.)



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25. Prior to the recordation of the first final map, all unsignalized project driveways on Camino De La Plaza east of Willow Road shall be designed and signed for right turn egress only (no left turn out allowed), satisfactory to the City Engineer.
26. Dairy Mart Road between Interstate 5 southbound ramps and Camino De La Plaza is classified as a 4-lane collector roadway. Prior to the recordation of the first map exceeding 407,000 square feet of building, subdivider shall assure, by permit and bond, the construction of 68 feet of pavement and AC berm on both sides of the roadway within the existing 80-foot right-of-way, satisfactory to the City Engineer.
27. Prior to the recordation of the first map exceeding 407,000 square feet of building, subdivider shall assure, by permit and bond, the construction of a traffic signal at the following intersection, satisfactory to the city Engineer.

* Camino De La Plaza / Driveway 1 (Tia Juana Street)

28. Subdivider/developer shall re-evaluate the function of all unsignalized project driveways on Camino De La Plaza five years after issuance of the last certificate of occupancy on the project. If this study, satisfactory to the City Traffic Engineer, shows a need for further turn restrictions, subdivider/developer shall install appropriate channelization at that time.
29. Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 769830, filed January 30, 1997) and the amendment to Council Policy 200-18 approved by City Council on January 10, 2000.

LANDSCAPING

30. Prior to the recordation of the final 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 right-of-way and median (if applicable) improvements, slope revegetation and hydroseeding of all disturbed land in accordance with the Land Development Manual and to the satisfaction of the City Manager. The landscape construction documents shall be in substantial conformance with Exhibit "A," dated November 21, 2000, Landscape Concept Plan, on file in the Office of the Development Services Department. The applicant shall assure by permit and bond the installation of landscaping per the landscape construction documents.



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WATER

31. Prior to the approval of any public improvement drawings, the subdivider shall provide a water study satisfactory to the Water Department Director. The study shall plan the public water facilities necessary to serve this development, including a public water main adjacent to the "remainder" parcel. The study shall include a phasing plan consistent with the proposed phasing of construction.
32. The subdivider shall design and construct all public water facilities as required in the accepted water study, necessary to serve this development in a manner satisfactory to the Water Department Director. Water facilities, as shown on the approved tentative map, will require modification based on the accepted water study and final engineering.
33. The subdivider shall demolish the existing public water facilities located within the Louisiana Avenue right-of-way south of Camino de la Plaza in a manner satisfactory to the Water Department Director and the City Engineer.
34. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director and the City Engineer. If more than two (2) fire hydrants are located on a dead-end main then the subdivider shall design and construct a redundant water system satisfactory to the Water Department Director.
35. The subdivider agrees to design and construct all public water facilities in accordance with established criteria in the most current editions of the City of San Diego Water and Sewer Design Guides. Proposed facilities that do not meet the current standards shall be redesigned. Existing public water facilities, including easements, to which this development proposes connections, must be brought up to current standards.
36. The subdivider shall grant adequate water easements, including vehicular access to each appurtenance (meters, fire hydrants, blow offs, valves, manholes, etc.), for all public water facilities that are not located within fully improved public rights-of-way, satisfactory to the Water Department Director and the City Engineer. Minimum easement width for water mains with services or fire hydrants is 24 feet fully paved. No structures or landscaping 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 easement utilized for vehicular access.
37. The subdivider shall provide evidence, satisfactory to the Water Department Director, indicating that each lot will have its own water service or provide CC&Rs for the operation and maintenance of on-site private water facilities that serve more than one lot.

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38. Providing water for this development is dependent upon prior construction of certain water facilities in previously approved developments in this area. If they have not been constructed when required for this development, then the construction of certain portions of these previously approved water facilities, as required by the City Engineer and the Water Department Director, will become off-site improvements required for this development.

SEWER

39. Prior to the submittal of any public improvement drawings, the subdivider shall submit a sewer study satisfactory to the Metropolitan Wastewater Department Director, for the sizing, grade and alignment of public gravity sewer mains and to show that the existing and proposed public sewer facilities will provide adequate capacity and have cleansing velocities necessary to serve the proposed development and the drainage basin in which it lies and adjacent areas that cannot gravity sewer to an existing sewer system.
40. The subdivider shall install all facilities, as required by the accepted sewer study, necessary to serve the proposed development including vehicular access roadways within easements. Sewer facilities, as shown on the approved tentative map, will require modification based on the accepted sewer study.
41. The subdivider shall design and construct all proposed public sewer facilities according to the criteria in the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be private or re-designed.
42. All proposed private sewer facilities that serve more than one lot shall have pipe sizes and slopes designed per the California Uniform Plumbing Code but shall be constructed per the most current City of San Diego sewer design guide.
43. The subdivider shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot will have its own sewer lateral or provide CC&Rs for the operation and maintenance of on-site private sewer mains that serve more than one lot.
44. Prior to submittal of any improvement drawings, including grading plans, the subdivider shall provide evidence satisfactory to the Metropolitan Wastewater Department Director that the existing 15-inch trunk sewer located along Willow Road does not convey offsite flows. If the sewer main located in Willow Road cannot be abandoned, a sewer easement shall be granted prior to the vacation of Willow Road.

ENGINEERING

45. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer. All drainage systems not located in a public street shall be private.

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46. The project proposes a changeable message/animated/diamond vision sign up to 50 feet high, 336 square feet on Lot 17 as shown on Tentative Map No. 40-0338 of the project. The placement of the sign is subject to a lot tie agreement between Lot 17 and Lot 16 as shown on Tentative Map No. 40-0338 or that lot which is contiguous to Lot 17 and is included within the project limits to the satisfaction of the City Engineer.
47. The construction of a changeable message/animated/diamond vision sign within Parcel 17 was authorized by the City Council. The applicant shall provide a design and adequate analysis for improvement of the drainage channel to clearly demonstrate that the installation of the sign within the drainage channel would not impact the existing drainage system and would not cause flooding of the adjacent properties. The drainage channel within Parcel 17 shall be improved to City standards and to the satisfaction of the City Engineer.
48. Prior to recordation of the map, the CC&R containing a reciprocal access agreement to all lots, along with the site plan and other related exhibits, shall be recorded.
49. Prior to the issuance of any building permits, the applicant shall obtain a bonded grading permit from the City Engineer (referred to as an "engineering permit") for the grading proposed for this project. All grading shall conform to the requirements of the San Diego Municipal Code in a manner satisfactory to the City Engineer.
50. 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.

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ENVIRONMENTAL

51. The applicant shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the Environmental Impact Report for the San Ysidro Redevelopment Project, previously certified by the Council of the City of San Diego (Resolution No. R-287149), and the Mitigated Negative Declaration for the International Gateway of the Americas Project Disposition and Development Agreement, previously certified by the Council of the City of San Diego (Resolution No. R-290105), 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 where applicable: Noise and Vibration, Traffic/Circulation, Air Quality, Displacement Impacts, Utilities, Geology/Soils, Water Resources, Human Health and Public Safety, Aesthetic, and Paleontological Resources.

STREET VACATION

52. The Community Plan Amendment shall approve of the vacation of Tia Juana Street.

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 the Development Services Department.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.