

RESOLUTION NUMBER R-295253

ADOPTED ON JULY 31, 2001

WHEREAS, San Dieguito Partnership, L.P., Applicant, and Rick Engineering Company, Engineer, submitted by an application to the City of San Diego for a 2-lot vesting tentative map (Vesting Tentative Map No. 99-0036 for the Headquarters Point Research Park project), located between Wateridge Circle and Lusk Boulevard, and legally described as a Portion of Lot 10 of Corporate Research Park II, Map No. 13605, filed July 27, 1998, in the Mira Mesa Community Plan area, in the RS-1-1 zone (previously referred to as the R1-40000 zone) which is proposed to be rezoned to the IL-2-1 zone (previously referred to as the M1-B zone); and

WHEREAS, on December 7, 2000, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 99-0036, and pursuant to Resolution No. 3060-PC voted to recommend denial of the map; and

WHEREAS, the matter was set for public hearing on July 31, 2001, 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. 99-0036:

1. The map proposes the subdivision of a 10.3-acre site into 2 lots for industrial development. This type of development is consistent with the City of San Diego's Progress Guide and General Plan and the Mira Mesa 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 and development regulations of the RS-1-1 zone (previously referred to as the R1-40000 zone)

which is proposed to be rezoned to the IL-2-1 zone (previously referred to as the M1-B zone) in that:

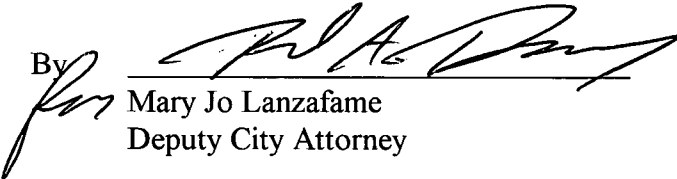
- a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Planned Industrial Development/Coastal Development [PID/CD] permit.
 - b. All lots meet the minimum dimension requirements of the RS-1-1 zone (previously referred to as the R1-40000 zone) which is proposed to be rezoned to the IL-2-1 zone (previously referred to as the M1-B zone), as allowed under a PID/CD 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/CD permit.
 - d. Development of the site is controlled by Planned Industrial Development/Coastal Development Permit No. 99-0036.
3. The design and proposed improvements for the subdivision are consistent with California Government Code 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 residential 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 residential uses.
 6. 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 based upon the findings of Subsequent Environmental Impact Report No. 99-0036, which is included herein by this reference. However, a finding has been made pursuant to Public Resources Code section 21081(c) that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Subsequent Environmental Impact Report.
 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 the recommendation of the Planning Commission is overruled, and Vesting Tentative Map No. 99-0036 is granted to San Dieguito Partnership, L.P., Applicant, and Rick Engineering Company, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

MJL/mdw/lc
10/02/01
Or.Dept:Clerk
R-2002-435
Form=tmr.frm
Reviewed by John Fisher

CITY COUNCIL CONDITIONS TO VESTING TENTATIVE MAP NO. 99-0036
HEADQUARTERS POINT RESEARCH PARK
ADOPTED BY RESOLUTION NO. R-295253 ON JULY 31, 2001

1. This vesting tentative map will become effective on the effective date of the associated rezone and expire three years thereafter. Should the rezone be denied then this VTM 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 recording the first final map, unless otherwise noted.
3. The final map shall conform to the provisions of Planned Industrial Permit/Coastal Development [PID/CD] Permit No. 99-0036.
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. 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

R- 295253

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 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 Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 *et seq.*).
9. 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.*
10. Undergrounding of proposed public utility systems and service facilities is required according to San Diego Municipal Code section 102.0404(2).
11. The subdivider shall comply with the Mitigation, Monitoring and Reporting Program [MMRP] as specified in the Subsequent Environmental Impact Report, LDR No. 99-0036, satisfactory to the City Manager and the City Engineer. Prior to issuance of the first grading permit and/or recording the first final map, all mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

- Land Use
- Biology
- Hydrology/Water Quality
- Traffic/Circulation
- Paleontological Resources

Mitigation for impacts to biological resources shall be located within the Coastal Zone within the Multiple Habitat Preservation Area at a site acceptable to the Environmental Review Manager.

12. 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 or joint-use agreements for major transmission facilities.
13. The subdivider 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

R-295253

conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

14. Street "A" (Headquarters Point) is classified as modified two lane industrial local cul-de-sac street. The subdivider shall dedicate a 59 foot right-of-way and provide 44 feet of pavement, curb, gutter and a 5 foot wide sidewalk within a 10 foot curb-to-property-line distance on the south side of the street. There will be no sidewalk and a 5 foot curb-to-property-line distance on the north side of the street.
15. The subdivider shall construct the roadway modifications including striping and median modifications at the intersection of Street "A" (Headquarters Point) and Wateridge Circle, satisfactory to the City Engineer.
16. The subdivider shall provide a fair share contribution of 15.4 percent towards the cost of a new traffic signal at the intersection of Lusk Boulevard and Morehouse Drive.
17. The subdivider shall construct pedestrian ramps at the intersection of Wateridge Circle and Street "A" (Headquarters Point).
18. The subdivider shall construct a ten foot wide by twenty-five foot long concrete sidewalk on the south side of the intersection of Wateridge Circle and Street "A" (Headquarters Point). The location and design of these improvements shall be to the satisfaction of the Metropolitan Transit Development Board and City Engineer.
19. The City Council shall concurrently with approval of the final map dedicate and name to public use the Street Reservation per Map No. 10602.
20. The subdivider shall enter into a bonded landscape maintenance agreement, agreeing to maintain all landscaping, and appurtenances, within the City right-of-way adjacent to and within this subdivision, until such time a landscape maintenance district or other such mechanism is established and assumes maintenance responsibility, satisfactory to the City Engineer. The subdivider shall construct pedestrian ramps at Wateridge Court and Street "A."
21. **WATER REQUIREMENTS:**
 - a. The subdivider shall install a looping system of 12-inch water mains in Headquarters Point and an easement connecting to the 610 HGL 12-inch water mains in Wateridge Circle and Lusk Boulevard in a manner satisfactory to the Water Department Director.

R-295253

- b. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.

22. **SEWER REQUIREMENTS:**

- a. Prior to the submittal of any public improvement drawings, the subdivider shall provide a sewer study, satisfactory to the Director of the Metropolitan Wastewater Department, 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.

23. **WATER AND SEWER REQUIREMENTS:**

- a. Proposed facilities that do not meet the current standards shall be redesigned or private.
- b. The subdivider shall grant adequate water, sewer, 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 Directors of the Water and Metropolitan Wastewater Departments. The vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the appropriate Department Director. The minimum easement widths are as follows: 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 Directors of the Water and Metropolitan Wastewater Departments, indicating that each lot will have its own water service and sewer lateral or provide Covenants, Conditions and


R-295253

Restrictions [CC&Rs] for the operation and maintenance of on-site private water and sewer mains that serve more than one lot.

24. The drainage system proposed for this subdivision, is subject to approval by the City Engineer. The drainage discharge points will terminate at a point determined by the City Engineer.
25. 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.
26. The subdivider shall use all feasible Best Management Practices [BMPs] to control erosion and pollutants during construction activities including and not limited to those BMPs identified by Caltrans Storm Water Quality Handbooks Construction Contractors Guide Specifications, April 1997, satisfactory to the City Engineer. The Storm Water Pollution Prevention Plan [SWPPP] shall also include appropriate post construction Best Management Practices, satisfactory to the City Engineer.
27. 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.

28. 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 erosion control for new slope areas. The landscape construction documents shall be in substantial conformance with Exhibit "A," Landscape Concept Plan, dated July 31, 2001, on file in the Development Services Department.

 295253

29. 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 Director of the Development Services Department. 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.

30. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Director of the Development Services Department for each final map processed in connection with this vesting tentative map.

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 Building Inspection.
- 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.