

RESOLUTION NUMBER R-300180

ADOPTED ON MARCH 1, 2005

WHEREAS, Lawrence M. Cushman, Applicant/Subdivider, and William A. Steen, Engineer, submitted an application with the City of San Diego for Tentative Map, No. 2761, for the subdivision of a 22.2-acre site into two parcels. The project site is located at the northwest terminus of Towne Centre Drive in the RS-1-7 zone of the University Community Planning Area. The project site is legally described as Lot "A" of Pueblo Lot 1320, Pueblo Lands of San Diego, in the City of San Diego, State of California, according to referee's partition map of said pueblo map filed in action no. 17622 in Superior Court of California, entitled *San Diego Realty Company vs. the City of San Diego*; and

WHEREAS, the Map proposes the subdivision of a 22.2-acre site into two lots for commercial office development. All improvements will occur on Parcel 1 and Parcel 2 will be vacant, almost entirely designated as an open space easement; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to the Subdivision Map Act and San Diego Municipal Code [SDMC] section 144.0220; and

WHEREAS, on August 26, 2004, the Planning Commission of the City of San Diego considered Tentative Map No. 2761, and pursuant to Resolution No. 3564-PC voted to recommend City Council approval of the tentative map; and

WHEREAS, on March 1, 2005, the Council of the City of San Diego considered Tentative Map No. 2761, and pursuant to SDMC Section 125.0440 and Subdivision Map Act

section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, 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 it adopts the following findings with respect to Tentative Map No. 2761:

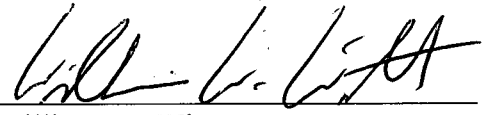
1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code [LDC] section 125.0440.a and State Map Action sections 66473.5, 66474(a), and 66474(b)).
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (LDC section 125.0440.b).
3. The site is physically suitable for the type and density of development (LDC section 125.0440.c and State Map Act sections 66474(c) and 66474(d)).
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (LDC section 125.0440.d and State Map Act section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (LDC section 125.0440.e and State Map Act section 66474(f)).
6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (LDC section 125.0440.f and State Map Act section 66474(g)).
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (LDC section 125.0440.g and State Map Act section 66473.1).

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. 2761 is granted to Lawrence M. Cushman, Applicant/

Subdivider, and William A. Steen, Engineer, subject to the attached conditions which are made a part of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
William W. Witt
Deputy City Attorney

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05/02/05
Or.Dept:Clerks
R-2005-859
MMS #1228
MAPS Tentative Map 11-01-04

CONDITIONS FOR TENTATIVE MAP NO. 2761

TOWNE CENTRE CORPORATE PLAZA PROJECT

ADOPTED BY RESOLUTION NO. R-300180 ON MARCH 1, 2005

GENERAL

1. This Tentative Map will expire March 1, 2008.
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. Prior to the Tentative Map expiration date, a Parcel Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
4. A Parcel Map shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.
5. The Parcel Map shall conform to the provisions of Rezone No. 2759, Coastal Development Permit No. 117798, and Site Development Permit No. 2758.
6. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

WASTEWATER REQUIREMENTS

7. The developer shall install all facilities, as required by the accepted sewer study, necessary to serve the proposed development. Sewer facilities, as shown on the approved Tentative Map, will require modification based on the accepted sewer study.
8. The developer shall relocate on-site public sewer mains, satisfactory to the Director of the Metropolitan Wastewater Department. Any associated public easements shall be vacated, satisfactory to the Director of the Metropolitan Wastewater Department.
9. The developer shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.
10. The developer shall grant adequate sewer, and/or access easements, including vehicular access to each manhole, for all public sewer facilities

that are not located within public rights of way, satisfactory to the Director of the Metropolitan Wastewater Department. Minimum easement width for sewer mains with manholes is 20 feet. The easements shall be located within single lots. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Director of the Metropolitan Wastewater Department.

11. Vehicular access roadbeds to sewer mains with laterals shall be a minimum 24-foot wide and paved full width. An additional 5 feet of width per additional utility is required for easements containing more than one utility. For sewer mains more than 10 feet deep, 2 feet of additional easement width for each foot of depth over 10 feet shall be required.
12. All on-site sewer facilities that serve only this lot will be private.

TRANSPORTATION REQUIREMENT

13. Prior to recordation of the first final parcel map, the applicant shall dedicate and assure by permit and bond the improvement of Towne Centre Drive from its existing terminus to the project's southeasterly boundaries with a street cross-section of 50 feet of pavement within 70 feet of right-of-way [ROW], including a cul-de-sac with radius of 55 feet of pavement within 65 feet of ROW. All street improvements shall include full-height curb, gutter and sidewalk to the satisfaction of the City Engineer.
14. Prior to issuance of the first building permit, the applicant shall dedicate and assure by permit and bond the improvement of Towne Centre Drive from its existing terminus to the project's southeasterly boundaries with a street cross-section of 50' of pavement within 70' of ROW, including a cul-de-sac with radius of 55' of pavement within 65' of ROW. All street improvements shall include full-height curb, gutter, and sidewalk, to the satisfaction of the City Engineer.
15. The project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document # 769830, filed January 30, 1997), and the amendment to City Council Policy 200-18 approved by the City Council on January 10, 2000.
16. Each proposed building shall be limited to one tenant per minimum of 40,000 square-feet of gross floor area, pursuant to Table 131-066 of the Land Development Code (Use Regulations Table for Industrial Zones), Footnote No. 1.

ENGINEERING

17. The applicant shall construct a standard curb, gutter and sidewalk at the cul-de-sac satisfactory to the City Engineer.

18. The developer will continue to be required to underground any new service run to the proposed structures within the subdivision.
19. Compliance with all conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
20. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.
21. 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.

MAPPING

22. "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).
23. "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."
24. Every Parcel 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.

25. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.

SEWER AND WATER

26. Prior to building occupancy, the applicant shall conform to Municipal Code provisions for "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 public right-of-way, satisfactory to the City Engineer.

GEOLOGY

27. Prior to the issuance of a grading permit, a geotechnical report shall be submitted and approved by the City Engineer in accordance with the City of San Diego's Technical Guidelines for Geotechnical Reports."

INFORMATION:

- The approval of this Tentative Map by the City Council of 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.).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- This development may be subject to payment of a park fee prior to the filing of the Parcel Map in accordance with San Diego Municipal Code.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code section 66020.