

RESOLUTION NUMBER R- 311626

DATE OF FINAL PASSAGE MAR 20 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING VESTING TENTATIVE MAP NO.
1499943 AND EASEMENT VACATION NO. 1499945 FOR
TOWN AND COUNTRY – PROJECT NO. 424475.

WHEREAS, HOTEL CIRCLE PROPERTY, LLC., a Delaware Limited Liability Company, Subdivider, and FUSCOE ENGINEERING, Engineer, submitted an application to the City of San Diego for a vesting tentative map (Vesting Tentative Map No. 1499943) and easement vacation (Easement Vacation No. 1499945) for a master plan development within a premises consisting of three project districts (River Park District, Hotel District and Residential District) that includes the consolidation and renovation of the hotel and convention center (hotel capacity reduced from 954 to 700 guest rooms and the conference facilities reduced from 212,762 to 177,137 gross square feet), construction of a total 840 residential units with incorporated parking structures on four lots, restoration of the San Diego River open space habitat, development of a new passive public park, and development of a multi-use San Diego River Pathway providing a link in the regional recreational corridor and the regional transit center, on a 39.72-acre parcel of land known as the Town and Country project (Project). The project site is located at 500 Hotel Circle North in the OF-1-1 Zone and the Mission Valley Planned District (MVPD) MV-M/SP zone within the Atlas Specific Plan and the Mission Valley Community Plan area, the Residential Tandem Parking Overlay Zone, and the Transit Area Overlay Zone. The project is located within the Airport Land Use Compatibility Overlay Zone for Montgomery Field, the Airport Influence Area for San Diego International Airport (SDIA) and Montgomery Field (Review Area 2) as depicted in the adopted Airport Land Use

Compatibility Plans (ALUCPs) and the Federal Aviation Administration Part 77 Notification Area for the SDIA and Montgomery Field; and

WHEREAS, the project site is legally described within attached Exhibit A; and

WHEREAS, the Map proposes the Subdivision of a 39.72 acre site into one (1) lot for 160 unit condominium development, one (1) lot for 275 unit condominium development, one (1) lot for 255 unit condominium development, one (1) lot for 150 unit condominium development, one (1) lot commercial hotel, two (2) lots for public recreational open space, one (1) lot for flood flowage easement and one (1) lot for private road purposes; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code (SDMC) Section 144.0220; and

WHEREAS, on June 15, 2017, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 1499943 and Easement Vacation No. 1499945, and pursuant to Planning Commission Resolution No. PC-4867, voted to recommend City Council approval of the project; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on March 20, 2018, the City Council of the City of San Diego considered Vesting Tentative Map No. 1499943 and Easement Vacation No. 1499945, and pursuant to SDMC Section(s) 125.0440 and 125.1040, and Subdivision Map Act section 66428, received for

its consideration written and oral presentations, evidence having been submitted, and testimony having been heard 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 City Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 1499943:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The 39.72-acre Project site is located at 500 Hotel Circle North, and is bounded to the south by Hotel Circle North and Camino De La Reina, to the west by Fashion Valley Road, to the north by Riverwalk Drive and Fashion Valley Mall, and to the east by the former San Diego Union-Tribune property. Interstate-8 is located immediately to the south of Hotel Circle North and Camino De La Reina. The site is in the MVPD MV-M/SP zone of the Mission Valley Planned District Ordinance (MVPDO) (proposed to be rezoned to MVPD-MV-M) and the northern portion of the site is zoned OF-1-1, and is within the Mission Valley Community Plan (MVCP) and the Atlas Specific Plan.

The Project proposes the consolidation, renovation, and infill redevelopment of the Town and Country Hotel and Convention Center site. The Project proposes a Master Plan that would guide the redevelopment of the site consisting of three project districts (River Park District, Hotel District and Residential District). Critical proposed elements of the Master Plan includes the consolidation and renovation of the hotel and convention center (hotel capacity reduced from 954 to 700 guest rooms and the conference facilities reduced from 212,762 to 177,137 gross square feet), construction of a total 840 residential units with incorporated parking structures on four lots, restoration of the San Diego River open space habitat, development of a new passive public park, and development of a multi-use San Diego River Pathway providing a link in the regional recreational corridor and the regional transit center.

The Map for the Project proposes the Subdivision of the 39.72 acre site into a total of nine lots consisting of: one lot for 160 unit condominium development, one lot for 275 unit condominium development, one lot for 255 unit condominium development, one lot for 150 unit condominium development, one lot commercial hotel, two lots for public recreational open space, one lot for flood flowage easement and one lot for private road purposes.

The land use designation, as amended to Multi-Use, would introduce multi-family residential development on a site that contains commercial, recreational, and hotel uses. The proposed amendment would establish parameters for site development that tie into a multi-modal circulation network by providing a pedestrian and bicycle bridge to the Fashion Valley Trolley Station, multimodal pathway along the river, and Class II bike facilities along Fashion Valley Road and Hotel Circle North. The proposed amendment would also identify park and open space uses along the San Diego River and include specific provisions for revegetation and enhancement opportunities, plaza and open space to create a front door to the River, and connect

to adjacent properties. The addition of residential development near public transit would be consistent with the goals and policies for transit-oriented development of the General Plan and Community Plan.

The proposed development would incorporate current public park space and development guidelines and policies to be consistent with the River Park Master Plan. The River Park Master Plan establishes a vision, principles and recommendations for areas near the San Diego River and identifies river corridor area and sensitive development area adjacent to the River floodway. Therefore, with the adoption of the Land Use Plan Amendment (LUPA) and Rezone, the proposed subdivision and its design or improvements are consistent with the policies, goals, and objectives of the applicable land use plans.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The following are the proposed 19 deviations, code sections, and justifications for the deviations:

1) Minimum Lot Area within the OF-1-1 zone (Open Space-Floodplain)- A deviation from San Diego Municipal Code (SDMC) Section 131.0231 and Table 131-02C, which requires a minimum lot area of 10 acres. This request allows the project a lot area of 1.70-acres for Lot B, 8.26-acres for Lot C, and 1.61-acres for Lot D;

2) Minimum Lot Width within the OF-1-1 zone (Open Space-Floodplain) – A deviation from SDMC Section 131.0231 and Table 131-02C, which requires a minimum lot width of 500 feet. This request allows the Project a minimum lot width of less than 500 feet for Lots C and D (lot width varies);

3) Street Frontage within the OF-1-1 zone (Open Space-Floodplain) – A deviation from SDMC Section 131.0231 and Table 131-02C, which requires a minimum street frontage of 500 feet. This request allows the Project a minimum street frontage less than 500 feet for Lot C and Lot D;

4) Lot Depth within the OF-1-1 zone (Open Space-Floodplain) – A deviation from SDMC Section 131.0231 and Table 131-02C, which requires a minimum lot depth of 500 feet. This request allows the Project a minimum lot depth of less than 500 feet for Lot B from Private Drive E;

5) Structures within Floodways (River Park District) – A deviation from SDMC Section 143.0145(e)(2), which does not permit permanent structures within the floodway. This request allows for specific existing permanent structures, and substantial improvements within the floodway associated with the passive public park, Private Drive E, the parking lot of the hotel, including fences, picnic tables, posts, informational signage, benches, and directional signage;

6) Flowage Easement (River Park District) – A deviation from SDMC Section 143.0146(a)(4), which requires that a flowage easement to the City shall be granted for that portion of the property within a floodway. This request allows the existing hotel/convention center structures that are located within the currently defined floodway to be designated outside of the flowage easement;

7) River Corridor Area (River Park District) – A deviation from SDMC Section 1514.0302(c), which requires the alignment of the River Pathway to be within the Path Corridor. This request allows the following within the River Corridor Area: Existing Hotel buildings with certain improvements that includes parking and Private Drive E, the River Pathway outside of the Path Corridor and within the floodway, construction of new residential building and site improvements on Lot 4 within the Path Corridor, and shielded lighting along the River Pathway within the floodway directed away from the river and Multi-Habitat Planning Areas;

8) River Influence Area Lot Coverage (River Park District) – A deviation from SDMC Section 1514.0302(d) (1), which requires a maximum of 65-percent lot coverage for any development on a lot wholly or partially within 115 feet of the River Corridor Area. This request allows the project an 85-percent lot coverage for development on Residential Lot 4;

9) River Influence Area Building Height (River Park District) – A deviation from SDMC Section 1514.0302(d)(2), which requires a series of tiers that establish a minimum set back and maximum building height from the River Corridor Area per SDMC Table 1514-03C and Diagram 1514-03C. This request allows the Project to use the same setbacks and height within the regulations for Residential Lot 4, except the implementation would be from edge of floodway instead of edge of the River Corridor Area as illustrated in Master Plan Figure 5-2;

10) River Influence Area Massing (River Park District) – A deviation from SDMC Section 1514.0302(d)(2), which requires a maximum massing setback from the edge of the River Corridor Area per SDMC Table 1514-03C. This request allows the setback massing to be measured from edge of floodway instead of edge of the River Corridor Area for Residential Lot 4. The deviation allows a maximum 50 percent of a building's wall to be located at the setback measured from the floodway; and at or above 90 ft. in height above finished grade, a building's wall shall be at least 30 percent narrower than the width of the building wall on the ground floor within the River Influence Area as illustrated in Master Plan Figure 5-2;

11) Fences (River Park District) – A deviation from SDMC Section 1514.0302(d)(13), which limits fences within 10 feet of outer limit of the River Corridor Area. This request allows the proposed fences for Residential Lot 4 building entrances and terraces, and along Riverwalk Drive within River Corridor Area;

12) Sidewalks/Parkways (River Park District) – A deviation from SDMC Section 1514.0402(b)(1), which requires minimum average widths for sidewalks and parkways per SDMC Table 1514-04A. This request allows for a 8-foot clear corridor sidewalk and a 6-foot landscaped parkway along Fashion Valley Road (new construction only) and Camino de la Reina, and 10-foot multi-modal River Pathway outside of the right-of-way in lieu of pedestrian sidewalk on south side of Riverwalk Drive;

13) Street Frontage (Residential District) – A deviation from SDMC Section 1514.0304(d)(1), which requires a minimum of 70 feet of public street frontage. This request allows for no public street frontage for Lot 3 and 4, since Lot 3 would provide a 366-foot private drive frontage and Lot 4 would provide a 448-foot private drive frontage;

14) Street Yard Area (Residential District) – A deviation from SDMC Section 1514.0304(e)(1), which requires a minimum street yard area of 25 feet multiplied by the street frontage length plus an incremental factor of 0.25 feet for each foot of building elevation over 24 feet. This request allows for a minimum yard street factor to be 15-foot street yard area multiplied by the length of street frontage for new construction;

15) Parking and Building Setbacks and Incremental Building Setback (Residential District) – A deviation from SDMC Section 1514.0304(e)(2) and (3), which requires incremental setback for the street, side, and rear setbacks per SDMC Table 1514-03H. This request allows for a 15 foot street yard setback for Lot 1 and Lot 2 with no additional incremental setback, and a 10 foot street yard setback for Lot 3 and Lot 4 with no additional incremental setback. This requests allows a side yard setback for Lot 1 of 10-foot with no additional incremental setback, and for Lot 2, Lot 3, and Lot 4 a 10-foot side yard setback with no additional incremental setback, except Lot 3 has a 5-foot side yard setback with no additional incremental setback along the eastern side yard. In addition, the request allows for Lots 1, 2, and 3 a 10-foot rear yard setback with no additional incremental setback, and for Lot 4 a 10-foot rear yard setback facing river with incremental setback as illustrated in Master Plan Figure 5-2. This request also allows architectural projection and encroachments into street yard, side yard or rear yard setbacks that shall project or encroach to a maximum of 4 ft. and includes: projecting balconies above the first story; projecting entries, either at grade or elevated with accompanying stairs and cover; roof projections such as eave, cornice, and eyebrow; bay windows, and turrets; openly supported architectural projections including trellises (there shall be a minimum 6-ft., 8-inch clearance between proposed grade and the lowest horizontal portion of the projection, not including the supports); entry roofs, porches, entry arbors, and patio structures; unroofed structures not in excess of 3 ft. above proposed grade, with a safety railing not exceeding 42 inches in height; trellises with plant material or screening panels on parking structures;

16) Exterior Usable Open Space (Residential District) – A deviation from SDMC Section 1514.0304(f)(2), which requires a minimum of 156 square feet of usable open area per dwelling unit. This request allows for a minimum 100 square feet of usable open area per dwelling unit, including exterior and interior usable common active or passive recreation space;

17) Structural Development Coverage (Residential District) – A deviation from SDMC Section 1514.0304(g), which allows a maximum of 50-percent structural development coverage. This request allows for a 55-percent maximum structural development coverage (calculated over gross acreage of residential zone);

18) Maximum Structural Coverage (Hotel District) – A deviation from SDMC Section 1514.0304(g), which allows a maximum of 50-percent structural development coverage. This request allows for a 60-percent structural development coverage, excluding any fence wall,

retaining wall, pier, post, sign, parking space, terrace, deck, paved area, pool cabana, spa, or swimming pool;

19) Yards and Setback Requirements (Hotel District) – A deviation from SDMC Section 1514.0305(e)(1), which requires a minimum 20-foot street yard factor multiplied by the length of street frontage, and a building setbacks of 15 feet street yard, 10 feet side yard, and 15 rear yard. All setbacks have additional incremental setback of 0.2 feet for every foot of building elevation of 24 feet. This request allows for a minimum 15-foot street yard factor multiplied by the length of street frontage for new construction. In addition, the request allows for a side yard and rear yard building setback of 10 feet with no additional incremental setback.

Each of the requested deviations has been reviewed as they relate to the proposed design of the Project, the property configuration, and the surrounding development. The deviations are appropriate and will result in a more desirable Project that efficiently utilizes the site and achieves the revitalization and re-use of the existing underutilized hotel structure for residential use, while meeting the purpose and intent of the development regulations. Other than the requested deviations, the Project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the SDMC. In addition, the proposed development will assist in accomplishing the goal of the City by providing market-rate housing opportunities in transit-friendly areas near employment centers. Therefore, with the approval of the requested deviations, the proposed development is in conformance with the applicable regulations of the Land Development Code (LDC).

3. The site is physically suitable for the type and density of development.

The topography of the Project site is relatively flat and ranges from an elevation of about 19 feet above mean sea level (AMSL) to about 29 feet AMSL. The northern portion of the Project site is within the Federal Emergency Management Agency (FEMA) Regulatory Floodway of the San Diego River (FIRM Map Number 06073C1618G, revised May 16, 2012). The floodway covers the northern 13.31-acres of the Project site. Existing wetland buffers and habitat areas cover approximately 7-acres. The majority of this area is undeveloped open space, and a portion is currently developed as parking in support of the hotel and convention center. The Project site is entirely within the floodplain of the San Diego River (Zone AE).

The existing site conditions include surface parking within the floodway. The Project proposes to retain a portion of the surface parking and develop the remainder of this area with public recreation facilities including a new public park with trails and passive recreation areas. The remaining portion of the Project site is currently within the 100-year floodplain Zone AE. The Project proposes to construct all new residential structures and new hotel buildings such that the lowest finished floor elevation of all new habitable structures is two feet or more above the Base Flood Elevation (BFE) (water surface elevation for a 100-year flood event). The Project proposes to construct all new residential parking structures attached to habitable structures such that the finished floor elevation of the lowest level of parking structure is at or above the BFE per FEMA requirements.

The Project proposes to construct a new parking structure for hotel use that is not attached to any habitable structures. The finished floor elevation of the lowest level of parking of this structure is below the BFE but includes flood proofing measures and elevation of electrical equipment above BFE; thus it is permitted per FEMA requirements. To accommodate the construction of new structures within the floodplain, on March 15, 2017, FEMA issued a Conditional Letter of Map Revision (CLOMR) for the Project. No certificates of occupancy will be granted or bonds released for the development associated with this project until a Letter of Map Revision (LOMR) is obtained by FEMA.

An Environmental Impact Report (EIR) No. 424475/SCH No. 2015121066, has been prepared for the Project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring, and Reporting Program (MMRP) would be implemented with this Project, which would reduce some of the potential impacts to below a level of significance. The applicant has provided Draft Candidate Findings and Statement of Overriding Considerations to allow the decision-maker to approve the Project with significant and unmitigated direct impacts related to Historical Resources and Transportation/Circulation and Parking. Therefore, the site is physically suitable for the type and density of development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Critical proposed elements of the subdivision includes the restoration of the San Diego River open space habitat, development of a new passive public park, and development of a multi-use San Diego River Pathway providing a link in the regional recreational corridor. Approximately 6.98-acres of the Project are located within the City's Multiple Species Conservation Program (MSCP) Subarea, and a portion of the Multi-Habitat Planning Area (MHPA) bisects the northern portion of the Biological Study Area (BSA) developed for the site.

The Project has a potential for indirect impacts to the MHPA along the northern and eastern boundaries. The MSCP Subarea Plan provides Land Use Adjacency Guidelines to avoid or reduce significant indirect impacts to MHPAs from adjacent land uses. The Land Use Adjacency Guidelines include drainage, lighting, noise, barriers, and slope grading recommendations for adjacent development, as well as recommendations for avoiding or redirecting toxic chemicals (e.g., from landscape or agricultural fertilization) and prohibition of the planting of invasive species. Due to the site's location in relation to the MHPA, the Project would be required to comply with the Land Use Adjacency Guidelines as discussed in the Biological Resources Section 4.4 and included within the MMRP.

5. The design of the subdivision or the type of improvement will not be detrimental to the public health, safety, and welfare.

EIR No. 424475/SCH No. 2015121066, has been prepared for the Project in accordance with CEQA Guidelines. An MMRP would be implemented with this Project, which would reduce some of the potential impacts to below a level of significance. The applicant has provided Draft Candidate Findings and Statement of Overriding Considerations to allow the decision-

maker to approve the Project with significant and unmitigated direct impacts related to Historical Resources and Transportation/Circulation and Parking.

The permit for the Project includes various conditions and referenced exhibits relevant to achieving project compliance with the applicable regulations of the SDMC in effect for this Project. Such conditions are necessary to avoid adverse impacts to the health, safety and general welfare of persons residing or working in the surrounding area. The Project will comply with the development conditions in effect for the subject property as described in Vesting Tentative Map No. 1499943 and Easement Vacation No. 1499945, and other regulations and guidelines pertaining to the subject property per the SDMC. Prior to issuance of any building permits for the proposed development, the plans will be reviewed for compliance with all Building, Electrical, Mechanical, Plumbing and Fire Code requirements, and the Owner/Permittee will be required to obtain a grading and public improvement permit. Therefore, the design of the subdivision or the type of improvement would not be detrimental to the public health, safety and welfare.

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.

The northern portion of the subdivision currently contains pedestrian and non-motorized vehicular easements along Riverwalk Drive, and an easement to the Metropolitan Transit Development Board for the Mission Valley Transit Line. All of these existing access easements shall remain; however, the proposed subdivision would grant additional public access easements. The River Park District would include a 14-foot-wide San Diego River Pathway (10-foot-wide concrete path with 2-foot-wide decomposed granite on each side). The conceptual alignment of the San Diego River Pathway would align with the Pathway to the east on the former Union Tribune site, through the passive population based park, and connect to the pedestrian bridge that crosses the San Diego River. The San Diego River Pathway would also be constructed on-site parallel to the northern property line on the north side of the River outside of the MHPA area. Pedestrian access would be provided and would align with sidewalk ramps at the intersections along Riverwalk Drive.

The River Park District would result in approximately 2,500 linear feet of San Diego River Pathway plus interconnecting pedestrian trails, adding to the emerging pathway system along the San Diego River and providing a variety of trail experiences. The San Diego River Pathway would also include new lighting and a fence (two-rail peeled log with a maximum height of 42-inches) along Riverwalk Drive to keep cars from driving and parking in this area. The design for the San Diego River Pathway unpaved portion includes planting of native flora. In addition, the existing pedestrian bridge over the San Diego River would be replaced by a multi-use bridge in the existing location and at the same elevation. The new multi-use bridge (suitable for use by both pedestrians and bicycles) would be 10 feet wide. It would allow users of the San Diego River Pathway to cross from one side of the River to the other.

The Project is required to provide 3.31-acres of population-based parks. In compliance with the San Diego River Park Master Plan, the park space would be designed for passive recreation. Park space may include passive lawn areas, and signage and benches along the San

Diego River Pathway for wildlife viewing and educational purposes, as well as resting points along the trail. The park space also includes the improvement of an existing picnic area that is currently located within the MHPA. Therefore, the design of the subdivision and the type of improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, in fact, the public access through and use of property would be greatly increased with the proposed subdivision.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The residential buildings would be designed to be consistent with U.S. Green Building Council Leadership in Energy and Environmental Design (USGBC LEED) Silver standards or equivalent. The residential land uses would be configured as four lots located in the southern and eastern portions of the site, Residential Lot 1 through Residential Lot 4. With the independent design of the proposed subdivision, each structure will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials, to provide to the extent feasible, for future passive or natural heating and cooling opportunities.

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.

The decision maker has reviewed the administrative record including the Project plans, technical studies, environmental documentation and heard public testimony to determine the effects of the proposed subdivision on the housing needs of the region and within the Mission Valley community; that those needs are balanced against the needs for public services and the available fiscal and environmental resources and found that the addition of 840 residential units is consistent with the housing needs anticipated for the Mission Valley community. Furthermore, by locating new residential and park uses in a Transit Priority Area immediately adjacent to the Fashion Valley Transit Station, the proposed transit-oriented, mixed-use project fulfills the integrated use approach as recommended in the MVCP and the General Plan City of Villages strategy, and will help achieve the mode share goals of the Climate Action Plan.

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

BE IT FURTHER RESOLVED, that portions of a Sewer and Water easement, located within the Project boundaries as shown in Vesting Tentative Map No. 1499943, shall be vacated, contingent upon the recordation of the approved Final Map for the Project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

9. There is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.1040(a)).

The site has been previously graded and developed with the Town and Country Hotel and Convention Center. The site contains a 260-foot long x 15-foot wide sewer easements with an active eight inch sewer main within the property boundary. The existing public utility main is located under the existing Golden Pacific Ballroom building and connect to the Royal Palm Tower. The existing 15-foot wide sewer easement is only serving the Project site and is proposed to be converted to a private system as part of the redevelopment of the site since the main is located under the existing structures and will be maintained by the subdivider. Therefore, there is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

10. The public will benefit from the abandonment through improved utilization of the land made available by the abandonment. (San Diego Municipal Code § 125.1040(b)).

The site has been previously graded and developed with the Town and Country Hotel and Convention Center. The site contains a 260-foot long x 15-foot wide sewer easements with an active eight inch sewer main within the property boundary. The existing public utility main is located under the existing Golden Pacific Ballroom building and connect to the Royal Palm Tower. The existing 15-foot wide sewer easement is only serving the Project site and is proposed to be converted to a private system as part of the redevelopment of the site since the main is located under the existing structures and will be maintained by the subdivider. Therefore, the public would benefit through improved utilization of the land and no longer have to maintain the public utilities facilities within the property boundary that are only servicing this parcel of land.

11. The abandonment is consistent with any applicable land use plan. (San Diego Municipal Code § 125.1040(c)).

As outlined within Vesting Tentative Map Finding No. 1 listed above, with the adoption of the LUPA and Rezone, the proposed subdivision and its design or improvements are consistent with the policies, goals, and objectives of the applicable land use plans. All of the utilities servicing the redevelopment of the Project site shall be private. Therefore, the vacation of the easement would not adversely affect any applicable land use plan.

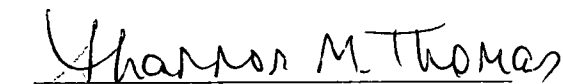
12. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists. (San Diego Municipal Code § 125.1040(d)).

The site has been previously graded and developed with the Town and Country Hotel and Convention Center. The site contains a 260-foot long x 15-foot wide sewer easements with an active eight inch sewer main within the property boundary. The existing public utility main is located under the existing Golden Pacific Ballroom building and connect to the Royal Palm Tower. The existing 15-foot wide sewer easement is only serving the Project site and is proposed to be converted to a private system as part of the redevelopment of the site since the main is

located under the existing structures and will be maintained by the subdivider. Therefore, the public facility for which the easements were originally acquired will not be detrimentally affected by this vacation.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council that Vesting Tentative Map No. 1499943 and Easement Vacation No. 1499945 are hereby granted to HOTEL CIRCLE PROPERTY, LLC., a Delaware Limited Liability Company, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
07/21/2017
03/21/2018 Rev. Copy
Or.Dept:DSD
Doc. No.: 1545020_2

Attachments: Exhibit A – Legal Description
Exhibit B – Vesting Tentative Map Conditions

EXHIBIT A
LEGAL DESCRIPTION

Parcel A: All that Portion of Lot 2 of Mission Valley Ball Park, in the City of San Diego, County of San Diego, State of California, According to Map Thereof No. 3755, filed in the Office of the County Recorder of San Diego County, December 6, 1957, described as follows: Beginning at the Southwest corner of said Lot 2; thence along the Westerly line of said Lot 2, North $14^{\circ} 55' 19''$ West -record North $15^{\circ} 20' 48''$ West- 254.05 feet to a point in the southerly boundary of Fashion Valley, Map No. 6170, on file in the Office of said County Recorder, said point being also on a 5,000 foot radius curve, concave northerly, a radial line to said point bears South $19^{\circ} 14' 14''$ East; thence easterly along said curve and along said southerly boundary of Fashion Valley through a central angle of $01^{\circ} 45' 56''$ an arc distance of 154.08 feet; thence tangent to said curve North $68^{\circ} 59' 50''$ East, along said southerly boundary, 508.97 feet, more or less, to a point in the westerly line of Lot 8, E. W. Morse's Subdivision, Map No. 103, on file in the Office of the County Recorder of said County, being also a point in the boundary of said Mission Valley Ball Park; thence along said boundary the following courses: South $14^{\circ} 50' 59''$ East -record South $15^{\circ} 20' 48''$ East- 105.41 feet; South $74^{\circ} 55' 10''$ West- record South $74^{\circ} 39' 12''$ West- 65.00 Feet; South $14^{\circ} 50' 59''$ East- Record South $15^{\circ} 20' 48''$ East- 224.68 feet; South $75^{\circ} 52' 53''$ West 594.22 Feet- Record South $75^{\circ} 24' 12''$ West, 594.20 feet- to the point of beginning;

Parcel B: That portion of Lot 4 of partition of Pueblo Lot 1105, in the City Of San Diego, County of San Diego, State of California, according to Referee's Map No. 1029 made in the action of *Thomas J. Daley vs. Arpad Haraszthy, et al*, in the Superior Court of the County of San Diego, filed in the County Clerk's Office, described as follows: Commencing at the southeasterly corner of said Lot 4; thence along the easterly line of said lot North $15^{\circ} 25'$ West -record North $15^{\circ} 15''$ West- 1485.00 feet; thence leaving said easterly line South $75^{\circ} 20'$ West 275.10 feet to the true point of beginning; thence continuing South $75^{\circ} 20'$ West 74.90 feet to a tangent 233.12 foot radius curve to the left; thence southwesterly along the arc of said curve 307.43 feet, more or less, through a central angle of $75^{\circ} 33' 34''$ to the southerly line of that parcel of the land described in the Deed to E. A. Wittmer, recorded March 20, 1947, as File No. 30506, in Book 2349, Page 466 of Official records; thence South $75^{\circ} 20'$ West along said southerly line and its westerly prolongation 497.20 feet, more or less, to the easterly line of the westerly 30 feet of said Lot 4; thence along said easterly line North $15^{\circ} 30' 45''$ West 89.12 feet to a tangent 60.00 foot radius curve, the center of which bears North $74^{\circ} 29' 15''$ East from the point of tangency; thence southeasterly along the arc of said curve 93.36 feet, through a central angle of $89^{\circ} 09' 15''$ thence tangent to said curve North $75^{\circ} 20'$ East 14.47 feet to a tangent 25 foot radius curve to the left; thence northeasterly along the arc of said curve 19.93 feet, through a central angle of $45^{\circ} 41'$; thence tangent to said curve North $29^{\circ} 39'$ East 210.51 Feet 43030662P - U50 to a tangent 500 foot radius curve to the right; thence northeasterly along the arc of said curve 148.60 feet, more or less, through a central angle of $17^{\circ} 01' 43''$ to a line which bears South $15^{\circ} 30' 45''$ East from the southeasterly corner of a parcel of land described in Deed to Dr. Norman C. Roberts, Et Ux, recorded North 4, 1949 as File No. 102379 in Book 3376, Page 102 of Official Records; thence North $15^{\circ} 30' 45''$ West 127.13 feet, more or less, to a line which is parallel with and 25 feet southerly at right angles from the southerly line of said Roberts land;

thence along said parallel line North $74^{\circ} 29' 15''$ East 440.61 feet, more or less, to a line which bears North $15^{\circ} 25'$ West from the true point of beginning thence South $15^{\circ} 25'$ East along said line 236.25 feet, more or less, to the true point of beginning;

Parcel C: All that portion of Lot 4 of partition of Pueblo Lot 1105, in the City of San Diego, County of San Diego, State of California, according to Referee's Map No. 1029, made in action of *Thomas J. Daley vs. Arpad Haraszthy, et al*, in the Superior Court of the County of San Diego, filed in the County Clerk's Office described as follows: beginning at a point in the easterly line of said Lot 4 distant along said line North $14^{\circ} 55' 19''$ West-record North $15^{\circ} 15' 00''$ West- 1485.00 feet from the southeasterly corner of said Lot 4; thence continuing along said easterly line, North $14^{\circ} 55' 19''$ West 254.05 feet to a point in the southerly boundary of Fashion Valley, Map No. 6170 filed in the Office of the Recorder of said County, said point being also on a 5,000 foot radius curve, concave northerly, a radial line to said point bears South $19^{\circ} 14' 14''$ East; thence westerly along said curve, and along said southerly boundary through a central angle of $04^{\circ} 15' 04''$ an arc distance of 370.98 feet- record 370.10 feet; thence tangent to said curve, along said southerly boundary, South $75^{\circ} 00' 50''$ West, 734.57 feet to the southwest corner of said Map No. 6170; thence leaving said boundary South $14^{\circ} 59' 10''$ East along the westerly line of said Lot 4, 399.06 feet, more or less, to the northwest corner of that parcel of land described in Parcel I in Deed to Town And Country Development, Inc., recorded August 16, 1961 as File No. 140984 of Official Records; thence easterly along the northerly line of said Parcel L, North $75^{\circ} 51' 31''$ East -record North $75^{\circ} 20' 00''$ East- 530.32 feet to a point in a non-tangent 233.12 foot radius curve, concave southeasterly, said point being the southeasterly corner of land described in Deed to Everett C. Davis And Ellen S. Davis recorded August 31, 1961 as File No. 151988 of Official Records: thence northerly and easterly along said curve and along the boundary of said Davis' land an arc distance of 304.40 feet, more or less, thence continuing along said boundary of Davis' land, North $75^{\circ} 00' 50''$ East- record North $75^{\circ} 20' 00''$ East- 330.00 feet, more or less, to a point which lies 20.00 feet, measured at right angles, from said easterly line of Lot 4; thence southerly, parallel with said easterly line of Lot 4, 175.00 feet; thence easterly, at right angles, to the last described course 20.00 feet to a point in said easterly line of Lot 4; thence northerly along said easterly line of Lot 4; 75.00 feet to the point of beginning. Excepting therefrom the above described Parcel C all that portion included within that Parcel I described in Deed to Betty Fowler, recorded February 6, 1952 In Book 4364, Page 164 of Official Records. Also excepting therefrom all that land described above as Parcel B. Also excepting therefrom that portion lying within Fashion Valley Road. Said land is shown on Record of Survey No. 2595, recorded January 25, 1951;

Parcel D: That portion of Lot 4 of partition of Pueblo Lot 1105, in the City of San Diego, County of San Diego, State of California, according to Referee's Map No. 1029, made in action of *Thomas J. Daley vs. Arpad Haraszthy, et al*, in the Superior Court of the County of San Diego, filed in the County Clerk's Office described as follows: Commencing at a point in the easterly line of said Lot 4, distant along said line, North $15^{\circ} 25'$ West- record North $15^{\circ} 15'$ West- 1485.00 feet from the southeasterly corner of said Lot 4; thence South $75^{\circ} 20'$ West, 54.61 feet to the true point of beginning said point being the beginning of a tangent 30 foot radius curve, concave southwesterly, having a radius of 30.00 feet; thence easterly and southeasterly along said curve, through a central angle of $89^{\circ} 15'$, a distance of 46.73 feet; thence South $15^{\circ} 25'$ East, 145.39 feet to a point in the southerly line of Parcel I of that land described in the Deed to

E. A. Widmer, recorded on March 20, 1947 as Document No. 30506, in Book 2349, Page 466 of Official Records: thence along the southerly line of said Parcel I, South 75° 20' West, 250.10 feet; thence North 15° 25' West, 175.00 feet to an intersection with a line bearing South 75° 20' West, from the true point of beginning; thence North 75° 20' East, 220.49 feet to the true point of beginning;

Parcel E: That portion of Lot 4 of partition of Pueblo Lot 1105, in the City of San Diego, County of San Diego, State of California, according to Referee's Map No. 1029, made in action of *Thomas J. Daley vs. Arpad Haraszthy, et al*, in the Superior Court of the County of San Diego, filed in the County Clerk's Office described as follows: Commencing at a point in the easterly line of said Lot 4 distant along said line North 15° 25' West (record North 15° 15' West) 1310 feet from the southeasterly corner of said Lot 4; thence continuing along said easterly lot line, North 15° 25' West 175 feet; thence South 75° 20' West 350 feet to the beginning of a 233.12 foot radius curve concave southeasterly, a radial line at said point bearing North 15° 25' West, being also the true point of beginning of the property herein described; thence southwesterly along said curve 307.43 feet- record 304.40 feet - more or less, to the southerly line of that Parcel I of the land described in the Deed To E. A. Wittmer, recorded March 20, 1947 as Document No. 30506, in Book 2349, Page 466 of Official Records; thence along said southerly line of Wittmer's Parcel I, North 75° 20' East 302.95 Feet - record North 75° 30' East 300 feet - more or less, to the southwesterly corner of that parcel of land described in the Deed to Arthur H. Marx Et Ux, recorded March 19, 1951 as Document No. 34219 in Book 4016, Page 207 of Official Records; thence North 15° 25' West along said Marx Land, 175 feet to the northwesterly corner thereof; thence South 75° 20' West 74.90 feet to the true point of beginning;

Parcel F: That portion of Lot 4 of partition of Pueblo Lot 1105, in the City of San Diego, County of San Diego, State of California, according to Referee's Map No. 1029, made in action of *Thomas J. Daley vs. Arpad Haraszthy, et al*, in the Superior Court of the County of San Diego, filed in the County Clerk's Office described as follows: Commencing at a point on the easterly line of Lot 4 distant thereon North 15° 25' 00" West 1485.00 feet from the southerly corner thereof; thence South 75° 20' West 54.61 feet to a tangent 30.00 foot radius curve concave southwesterly and being the true point of beginning; thence southeasterly along the arc of said curve 46.73 feet; thence leaving the arc of said curve South 15° 25' 00" East 145.39 feet; thence North 75° 20' 00" East to a point which bears South 75° 20' 00" West 20.00 feet from said easterly line; thence North 15° 25' 00" West- record thence along said easterly line -175.00 feet; thence South 75° 20' 00" West record thence leaving said easterly line- to the true point of beginning ;

Parcel G: That portion of Lot 4 of partition of Pueblo Lot 1105, in the City of San Diego, County of San Diego, State of California, according to Referee's Map No. 1029, made in action of *Thomas J. Daley vs. Arpad Haraszthy, et al*, in the Superior Court of the County of San Diego, filed in the County Clerk's Office described as follows: Commencing at the southeasterly corner of said Lot 4; thence along the easterly line of said lot North 15° 25' West -record North 15° 15' West-1725.31 feet to a line which is parallel with and 25 feet southerly at right angles from the location and prolongation of the southerly line of that parcel of land described in Deed to Dr. Norman C. Roberts, Et Ux, recorded November 4, 1949 as Document No. 102379 in Book 3376, Page 102 of Official Records; thence along said parallel line South 74° 29' 15" West

715.69 feet to an intersection with a line which bears South 15° 30' 45" East from the southeasterly corner of said Roberts land; said intersection being the true point of beginning of the property herein described: thence continuing along said parallel line South 74° 29' 15" West, 360.14 feet to the easterly line of the westerly 30 feet of said Lot 4; thence along said easterly line South 15° 30' 45" East 310.32 feet to the beginning of a tangent 60 foot radius curve, concave northeasterly; thence southerly, southeasterly and easterly along said curve, 93.36 feet through an angle of 89° 09' is"; thence tangent to said curve North 75°20' East 14.47 feet to the beginning of a tangent 25 foot radius curve, concave northwesterly; thence northeasterly along said curve 19.93 feet through an angle of 45° 41'; thence tangent to said curve North 29° 39' East 210.51 feet to the beginning of a tangent 500 foot radius curve, concave southeasterly; thence northeasterly along said curve 148.60 feet through an angle of 17°01'43"- record northeasterly along said curve 140 feet - more or less, to a line which bears South 15° 30' 45" East from the true point of beginning; thence North 15° 30' 45" West 127.13 feet- record 121 feet- more or less to the true point of beginning;

Parcel H: Lot 1 of Town and Country Hotel, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 6274, filed in the Office of the County Recorder of San Diego County, January 24, 1969; and

Parcel I: Lots 1 and 2 of Seven Inns Subdivision, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 5671, filed in the Office of the County Recorder of San Diego County, December 30, 1965.

CITY COUNCIL
CONDITIONS FOR VESTING TENTATIVE MAP NO. 1499943
EASEMENT VACATION NO. 1499945,
TOWN AND COUNTRY - PROJECT NO. 424475
ADOPTED BY RESOLUTION NO. R-**311626** ON **MAR 20 2018**

GENERAL

1. This Vesting Tentative Map will expire March 19, 2021.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Vesting Tentative Map expiration date, a Final Map shall be recorded in the Office of the San Diego County Recorder.
4. Prior to the recordation of the Final Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
5. The Subdivider shall conform to the provisions of Master Planned Development Permit No. 1499941, Site Development Permit No. 1499942, and Conditional Use Permit No. 1904584, amendment to Planned Commercial Development/Conditional Use Permit No. 88-0585 and Site Development Permit No. 400602.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.
7. The following will be conditions of the Tentative Map Resolution that the Subdivider will need to satisfy/assure before the Final Map is recorded.

ENGINEERING

8. The Subdivider shall dedicate 4 feet of Right-of-Way, and grant 19 feet of Irrevocable Offer of Dedication (IOD) along Lot 1 and Lot A, 23 feet of IOD along Lot 5, and additional IOD area from the north edge of Lot 5 to Riverwalk Drive on Fashion Valley Road to provide a 4-Lane Major future roadway per approved Exhibit "A," satisfactory to the City Engineer.
9. 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 and/or "joint-use agreements" for major transmission facilities.
10. The Subdivider shall underground existing and/or proposed public utility systems and service facilities in accordance with the San Diego Municipal Code.
11. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
12. The Subdivider shall denote on the final map "Subject to Inundation" all areas lower than the base flood elevation plus two (2) feet
13. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) (BFPDs), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.
14. The Subdivider shall provide a letter, agreeing to prepare CC&Rs for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot
15. 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 Vesting 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. RR-297376.

MAPPING

16. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).

17. "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."
18. 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 First Order accuracy. 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.

PUBLIC UTILITIES DEPARTMENT

19. The Subdivider shall process encroachment maintenance and removal agreements (EMRA), for all acceptable encroachments into public right-of-way, including but not limited to improvements, enhanced paving, or landscaping. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.
20. The Subdivider shall provide a 10 feet minimum (edge to edge) separation between the water and sewer mains, and provide a 5 feet minimum separation between the water main and face of curb, per the Water and Sewer Design Guide.
21. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Marshal, the Public Utilities Director and the City Engineer.
22. Prior to the first issuance of occupancy for the residential building permits, all public water and sewer facilities shall be completed and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

PLANNING

23. Prior to the recordation of the Final Map, the Subdivider shall execute and record a Covenant of Easement which ensures preservation of the Environmentally Sensitive Lands that are outside the allowable development area on the premises as shown on Exhibit "A" for Sensitive Biological Resources and Special Flood Hazard Areas, in accordance with San Diego Municipal Code section 143.0152. The Covenant of Easement shall include a legal description and an illustration of the premises showing the development area and the Environmentally Sensitive Lands that will be preserved as shown on Exhibit "A."

LANDSCAPE

24. Prior to issuance of any construction permits for grading, the Subdivider shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit "A," on file in the Office of the Development Services Department.
25. Prior to issuance of any construction permits for right-of-way improvements, the Subdivider shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40 square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees

MSCP

26. Prior to the recordation of the Final Map, the Subdivider shall grant the on-site Multiple Habitat Planning Area (MHPA) to the City's Multiple Species Conservation Program (MSCP) preserve through either fee title to the City, or a covenant of easement granted in favor of the City and the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG), as shown on Exhibit "A." Any on-site MHPA lands that are not dedicated in fee title to the City shall grant a covenant of easement in favor of the City and USFWS and CDFG. The Subdivider shall maintain in perpetuity any MHPA lands granted by covenant of easement, unless otherwise agreed to by the City.
27. Prior to the recordation of the Final Map, documentation demonstrating the remainder MHPA would be adequately managed and monitored in a manner consistent with the City's MSCP Preserve Management Framework shall be submitted and approved by the Development Services Department and Planning Department/MSCP Section. Documentation shall consist of either a Habitat Management Plan (HMP) or Covenant of Easement and either document would identify the responsible entity, Habitat Manager, and funding source for long term-maintenance and management.

PARKS AND RECREATION

28. Prior to recordation of the Final Map, the Subdivider shall provide a recreation easement over Lot B (1.70 acres) and Lot D (1.61 acres) for a total of 3.31 useable acres of population-based park land.
29. Prior to recordation of the Final Map, the Subdivider shall provide a recreation easement over Lot A, and Lot 5 for public access.


INFORMATION:

- The approval of this Vesting 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 § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), 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.
- Subsequent applications related to 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.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Vesting Tentative Map, may protest the imposition within ninety days of the approval of this Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

Internal Order No. 24005875

Office of
The City Attorney
City of San Diego

MEMORANDUM

DATE: March 22, 2018
TO: Elizabeth Maland, City Clerk
FROM: Shannon M. Thomas, Deputy City Clerk, 
SUBJECT: Item #330 – Town and Country – Project No. 424475 – Council Meeting of
March 20, 2018

We are submitting a revised Resolution Nos. R-2018-75, R-2018-76, R-2018-77, and R-2018-78 to indicate the change on the hearing date from September 18, 2017 to March 20, 2018.

Thank you.

SMT:als
Doc. No.: 1714633

Passed by the Council of The City of San Diego on MAR 20 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

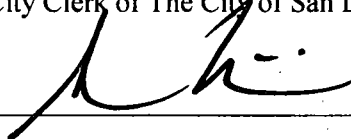
Date of final passage MAR 20 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R- 311626