

RESOLUTION NUMBER R- 312196

DATE OF FINAL PASSAGE JAN 28 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING THE APPEAL AND AFFIRMING THE PLANNING COMMISSION'S DECISION TO APPROVE THE VESTING TENTATIVE MAP NO. 2078817 FOR 6th & OLIVE – PROJECT NO. 591198.

WHEREAS, Greystar GP II, a Delaware Limited Liability Corporation, Subdivider and Project Design Consultants, Engineer, submitted an application to the City of San Diego for a Vesting Tentative Map No. 2078817 for the mixed-use residential project known as 6th and Olive. The project site is located south of Olive Street, north of Nutmeg Street, between 5th and 6th Avenues, in the RM-4-10 and CC-3-9 zones of the Uptown Community Plan area. The property is legally described as Lots A, B, L and K in Block 306 of Horton's Addition, according to map thereof made by L.L. Locking, and Parcels 2 of Parcel Map No. 21586, filed on May 16, 2018; and

WHEREAS, in addition to Vesting Tentative Map No. 2078817, the application for the 6th and Olive project included a request for a Site Development Permit and Neighborhood Development Permit to demolish a sixteen-unit apartment complex, cathedral administrative offices and surface parking lot, and construct a 20-story mixed-use condominium tower with associated site improvements (Project); and

WHEREAS, the Map proposes the Subdivision of a 0.62-acre site (Olive Site) consisting of five lots into one lot for the development of a 20-story mixed-use building over five levels of subterranean parking containing 204 residential condominiums, including 18 very-low income affordable units, and four commercial condominiums; 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 section 144.0220; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 204 and the total number of commercial condominiums units is four; and

WHEREAS, under San Diego 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 City Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on November 8, 2018, the Planning Commission adopted Addendum No. 591198 to Environmental Impact Report No. 96101/SCH No. 2009101036 and adopted the Mitigation, Monitoring, and Reporting Program for the Project; and

WHEREAS, on November 8, 2018, the Planning Commission considered and approved Vesting Tentative Map No. 2078817, Site Development Permit No. 2078814 and Neighborhood Development Permit No. 2078816 with a modification to Permit Condition No. 46 to require the provision of trash compactors within the development; and

WHEREAS, on November 21, 2018, the Uptown Planners submitted an appeal of the Planning Commission's approval of Vesting Tentative Map No. 2078817, Site Development Permit No. 2078814 and Neighborhood Development Permit No. 2078816 (Appeal); and

WHEREAS, on January 28, 2019, the City Council of the City of San Diego considered the Appeal and Vesting Tentative Map No. 2078817 pursuant to San Diego Municipal Code

section 125.0440 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 denies the Appeal and adopts the following findings with respect to Vesting Tentative Map No. 2078817:

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

The proposed 6th and Olive project is an amendment to the 1.76-acre St. Paul's Cathedral and Residences project to modify the proposed development on the 0.62-acre Olive Site and increase overall density to 249 dwelling units in accordance with the City's Affordable Housing Regulations. The 0.62-acre project site is located south of Olive Street, north of Nutmeg Street, between 5th and 6th Avenues within the Uptown Community Plan (UCP) area. The project would demolish a 16-unit market rate apartment complex, Cathedral office building and surface parking lot, and construct a mixed-use condominium tower above a five-level subterranean parking garage. The 20-story tower would be approximately 223 feet tall and contain 204 residential condominiums encompassing 262,500 square feet, including eighteen very low-income restricted units, and Cathedral office spaces within four commercial condominiums encompassing 16,190 square feet. The project also proposes private recreational amenities including a fitness center, pool, terraces and lounge areas within the mixed-use building, a 10,600-square-foot courtyard with landscaping and benches shared with St. Paul's Cathedral, and additional associated site improvements including relocation of a transformer, replacement of a staircase, hardscape, landscaping, and public improvements. The project requests three development incentives in accordance with the provisions of the Affordable Housing Regulations for deviations to setback, loading space, and personal storage area requirements. The project also requests deviations from the recycle and refuse storage area and driveway width requirements pursuant to SDMC Section 143.0920.

The proposed project is consistent with the goals and policies of the General Plan and UCP. The project site has a land use designation of Residential Very High (74-109 du/ac) and Community Commercial (0-109 du/ac) in the UCP, and is located within the Community Plan's Mixed-Use Corridor, which promotes very-high residential densities along major commercial transit corridors, including 5th and 6th Avenues. The St. Paul's Cathedral and Residences total site acreage of 1.76 acres consists of three sites (0.62-acre Olive, 0.68-acre Cathedral, and 0.46-acre Nutmeg), and would allow for a maximum of 192 dwelling units. The Nutmeg site has been approved and constructed with 45 multi-family dwelling units, allowing for a maximum of 147 dwelling units on the Olive and Cathedral sites. The proposed project includes 18 affordable housing units and would utilize the Affordable Housing Density Bonus program to allow for an additional 39 market-rate units on the project site, resulting in a total of 204 residential units with a density of 157 du/ac. The project proposes a very high density mixed-use development along a

transit corridor with high frequency bus service consistent with the General Plan City of Villages strategy. The project incorporates ground floor office uses along 5th Avenue and Olive Street consistent with the uses allowed in the Community Commercial land use designation, and residential uses along 6th Avenue and Olive Street consistent with the Residential land use designation. The proposed project would help implement the policies of the Community Plan and Housing Element by providing both affordable and market rate housing integrated with commercial development.

The proposed project would help implement the goals and policies of the UCP Urban Design Element by providing a mixed-use development with pedestrian-oriented building frontages that contribute to a vibrant public realm. Consistent with the Streetscape and Public Realm policies of the Urban Design Element, the proposed project would include non-contiguous sidewalks with landscaped parkways on 6th Avenue and Olive Street to provide a buffer between pedestrians and the street edge. The proposed project implements the Street Tree Plan by incorporating the Chinese Elm within the parkway to provide shade and add visual interest to the public realm. Additionally, some of the existing mature palm trees along 6th Avenue would be retained consistent with the Urban Forestry policies of the Urban Design Element. To maintain a clear path of travel along 6th Avenue, the project proposes to locate the electrical utilities outside of the sidewalk pedestrian zone consistent with the Public Utilities policies.

The proposed project's design would help implement the Development Form policies of the Urban Design Element. The ground level uses combine changes in depth with a change in material, including stone and glass, which contribute to a pedestrian scale environment. The project maintains a consistent street wall along the commercial corridor of 5th Avenue and provides building entrances that are level with the adjacent public sidewalk. The project incorporates façade articulation using balconies and upper-story setbacks along Sixth Avenue to minimize view obstructions to Balboa Park and provide a transition in scale from St. Paul's Cathedral. The project incorporates windows along all walls visible from the public realm and includes balconies with glass railings that add visual variety and interest to the building façade. Additionally, the project incorporates an outdoor terrace on the building façade setback to provide on-site amenities and commons space.

The proposed project site is located within the Community Plan Implementation Overlay Zone (CPIOZ) Type A - Building Heights (UCP, Figure 4-12). The CPIOZ identifies areas within the community where ministerial approval is granted for proposed development projects with buildings or structures that do not exceed 65 feet in Hillcrest and Bankers Hill/Park West. Proposed development projects that exceed the height limitations require a Site Development Permit (SDP), and may be approved to the maximum allowed floor area of the base zone for zones without a maximum height limit if they comply with the applicable regulations of the Municipal Code and are consistent with the applicable policies in the General Plan and Uptown Community Plan. The project proposes a 20-story residential tower approximately 223 feet in height within a zone that does not have a maximum height limit. The project's proposed floor area of 311,730 square feet is less than the maximum 365,001 square-foot floor area allowed in the CC-3-9 and RM-4-10 zones. The proposed project incorporates a combination of upper-story setbacks, varied roof lines, and articulated sub-volumes are employed to provide a transition in scale with St. Paul's Cathedral consistent with the Community Plan Urban Design Element.

Additionally, the building height is concentrated in the northern portion of the site, resulting in an overall narrower mass than similar buildings along 5th and 6th Avenues. Based on the above, the proposed subdivision and its design and improvements are consistent with the policies, goals, and objectives of the applicable land use plan.

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 proposed 6th and Olive project is an amendment to the 1.76-acre St. Paul's Cathedral and Residences project to modify the proposed development on the 0.62-acre Olive Site and increase overall density to 249 dwelling units in accordance with the City's Affordable Housing Regulations. The project proposes to demolish a 16-unit market rate apartment complex, Cathedral office building and surface parking lot, and construct a mixed-use condominium tower above a five-level subterranean parking garage consisting of 204 residential condominiums, including eighteen very low-income restricted units, and Cathedral office spaces within four commercial condominiums encompassing 16,190 square feet. The project also proposes private recreational amenities, a 10,600-square-foot courtyard with landscaping and benches shared with St. Paul's Cathedral, and additional associated site improvements including relocation of a transformer, replacement of a staircase, hardscape, landscaping, and public improvements.

The Project complies with the regulations of the Land Development Code (LDC), including requirements for floor area ratio, parking, landscaping, and all other requirements of the development criteria for its zoning, except where deviations are allowed as development incentives in accordance with the Affordable Housing Regulations, and through the Neighborhood Development Process pursuant to San Diego Municipal Code (SDMC) Section 143.0920. The project includes three development incentives to allow zero-foot setback on Olive Street, to allow one loading space off-site and within the public right-of-way, and to allow the provision of personal storage area for half of the residential units. The project requests two deviations through the Neighborhood Development Permit process to allow reduced driveway width, and to allow a reduced exterior refuse and recyclables material storage area. The requested incentives and deviations are consistent with the intent of the State's Density Bonus Law, the City's Affordable Housing Regulations and the Affordable Housing, In-fill Projects, and Sustainable Buildings Development Regulations by providing high density housing in a prime infill location and thereby providing additional market rate and affordable housing opportunities in the Uptown community near transit and higher volume traffic corridors. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the LDC.

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

The proposed 6th and Olive project is an amendment to the 1.76-acre St. Paul's Cathedral and Residences project to modify the proposed development on the 0.62-acre Olive Site and increase overall density to 249 dwelling units in accordance with the City's Affordable Housing Regulations. The 0.62-acre project site is located south of Olive Street, north of Nutmeg Street, between 5th and 6th Avenues within the UCP area. The site is located within an urbanized community and is characterized by flat topography. Surrounding development consist of a mix of multi-family residential, office and retail uses to the north, a mix of commercial and retail uses to the west, St. Paul's Cathedral and "Vue of 5th" mixed use development to the south, and Balboa Park to the east. The site was previously graded and improved with 16-unit market rate apartment complex (Park Chateau), constructed in 1939, and a 4,973 square-foot Cathedral office building and a 20-space surface parking lot constructed in 1968. A geotechnical investigation report has been prepared for the project, which adequately evaluates the soil and geologic conditions potentially affecting the proposed project for the purposes of environmental review and indicates the site is physically suitable for the design and siting of the proposed development.

A maximum of 192 dwelling units is allowed on the 1.76-acre project site based on the UCP land use designations of Residential-Very High (74-109 du/ac) and Community Commercial (0-109 du/ac), and the underlying CC-3-9 and RM-4-10 Zones, which allow a density of one dwelling unit per 400 square feet. The Nutmeg Site has been developed with 45 multi-family dwelling units, allowing for a maximum of 147 dwelling units on the Olive and Cathedral sites. The project proposes on-site affordable housing equivalent to 12 percent of the remaining base density units on the Cathedral and Olive Sites. Pursuant to the City's Affordable Housing Regulations, the inclusion of the 18 very low income affordable units allows for a housing density bonus of 38.75 percent. The density bonus results in 57 additional units for a total of 204 residential units (including the affordable units) on the Olive Site, yielding residential density of 157 du/ac on the Cathedral and Olive Sites, and an overall total of 249 residential units on the 1.76-acre site.

The project is an infill development located in a portion of the Uptown community with a variety of building types and densities. The project site is located within the Community Plan's Mixed-Use Corridor, which promotes very-high residential densities along major commercial transit corridors, including 5th and 6th Avenues. The project proposes a very high density mixed-use development along a transit corridor with high frequency bus service consistent with the General Plan City of Villages strategy. The project incorporates ground floor office uses along 5th Avenue and Olive Street consistent with the uses allowed in the Community Commercial land use designation, and residential uses along 6th Avenue and Olive Street consistent with the Residential land use designation.

The proposed project site is located within the CPIOZ-Type A - Building Heights (UCP, Figure 4-12). The CPIOZ identifies areas within the community where ministerial approval is granted for proposed development projects with buildings or structures that do not exceed 65 feet in Hillcrest and Bankers Hill/Park West. Proposed development projects that exceed the height limitations require a SDP, and may be approved to the maximum allowed floor area of the base zone for zones without a maximum height limit if they comply with the applicable regulations of the Municipal code and are consistent with the applicable policies in the General Plan and UCP.

The project proposes a 20-story residential tower approximately 223 feet in height within a zone that does not have a maximum height limit. The project proposes a development that is articulated and designed to reduce massing and bulk and use high-quality materials including glass, metal, and stone to retain the iconic look of St Paul's Cathedral, and incorporates a combination of upper-story stepbacks, varied roof lines, and articulated sub-volumes to provide a transition in scale with St. Paul's Cathedral consistent with the Community Plan Urban Design Element. Additionally, the building height is concentrated in the northern portion of the site, resulting in an overall narrower mass than similar buildings along 5th and 6th Avenues. The project would not result in a substantial obstruction of any vista or scenic view from a public viewing area that is identified in the UCP. There are no public viewshed or public view corridors identified from the project site or on the immediately surrounding streets. Based on the above, 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.

The project site has been previously graded and improved with a 16-unit market rate apartment complex (Park Chateau), constructed in 1939, and a 4,973 square-foot Cathedral office building and a 20-space surface parking lot constructed in 1968. No biological resources are present on the project site or in the surrounding area. Nor is the project site located in or adjacent to the Multiple Species Conservation Program's Multi-Habitat Planning Area. Furthermore, based on the St. Paul's Cathedral and Residences Project EIR (No. 96101/SCH No. 2009101036) and the Addendum to that EIR prepared for the 6th and Olive project, no potential impacts to biological resources were identified. Therefore, there is no potential for the project to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

The design of the subdivision and improvements area consistent with the relevant City of San Diego's codes, policies, and regulations whose primary focus is the protection of the public's health, safety, and welfare. The permit for the project includes various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the SDMC in effect for this project. Such conditions within the permit have been determined necessary to avoid adverse impact upon the public health, safety, and general welfare of persons residing or working in the surrounding area. The project shall comply with the development conditions in effect for the subject property and other regulations and guidelines pertaining to the subject property per the SDMC.

Prior to issuance of any building permit for the proposed development, the plans shall be reviewed for compliance with all building, electrical, mechanical, plumbing and fire Code requirements, and the owner/permittee shall be required to obtain grading and public improvement permits. Compliance with these regulations during and after construction will be enforced through building inspections completed by the City's building inspectors. Furthermore, this project has been reviewed pursuant to the California Environmental Quality Act, and the environmental analysis did not find any significant impacts to the public health and safety.

Therefore, the proposed development will 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.

No public easements have been identified within the boundary of the proposed subdivision and therefore there are no conflicts with easements. As such, the design of the subdivision and the type of improvements will not conflict with any easements acquired by the public at large for access through or use of the property within 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 proposed subdivision of a 0.62-acre site for the development of 20-story mixed use development will not impede or inhibit any future passive or natural heating and cooling opportunities. The design of the subdivision has taken into account the best use of the land including the future development of the mixed-use building. Through building setbacks, overall structural envelope, building materials, site orientation, architectural treatment, placement and selection of plant materials, the design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating cooling opportunities. The project employs smart growth techniques by providing sustainable features consistent with or exceeding the requirements in the Climate Action Plan checklist. The project will include roofing materials with a minimum of 3-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under CGBSC. As such, the design of the proposed subdivision provides, 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 proposed 6th and Olive project is an amendment to the 1.76-acre St. Paul's Cathedral and Residences project to modify the proposed development on the 0.62-acre Olive Site and increase overall density to 249 dwelling units in accordance with the City's Affordable Housing Regulations. The project would subdivide the 0.62-acre Olive Site to consolidate and create 204 residential condominiums and 4 commercial condominiums. The remaining 1.14-acre site area of the St. Paul's Cathedral and Residences project is not included within the proposed subdivision; however, the total area is included for purposes of calculating maximum site density as detailed below.

A maximum of 192 dwelling units is allowed on the 1.76-acre project site based on the UCP land use designations of Residential-Very High (74-109 du/ac) and Community Commercial (0-109 du/ac), and the underlying CC-3-9 and RM-4-10 Zones, which allow a density of one dwelling unit per 400 square feet. The Nutmeg Site has been developed with 45 multi-family dwelling units, allowing for a maximum of 147 dwelling units on the Olive and Cathedral sites. The project proposes on-site affordable housing equivalent to 12 percent of the


remaining base density units on the Cathedral and Olive Sites. Pursuant to the City's Affordable Housing Regulations, the inclusion of the 18 very low-income affordable units allows for a housing density bonus of 38.75 percent. The density bonus results in 57 additional units for a total of 204 residential units (including the affordable units) on the Olive Site, yielding residential density of 157 du/ac on the Cathedral and Olive Sites, and an overall total of 249 residential units on the 1.76-acre site.

All necessary public services (including fire, police, medical, schools, public parks, and libraries) and utilities (electricity, water, and sewer) will be available to and adequate for the project prior to occupancy. 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; that those needs are balanced against the needs for public services and the available fiscal and environmental resources and found that the addition 204 residential condominiums, including 18 very-low income dwelling units, results in a net increase of 188 dwelling units and contributes to overall housing needs.

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 Appeal of Uptown Planners is denied, the decision of the Planning Commission is affirmed, and based on the Findings hereinbefore Vesting Tentative Map No. 2078817 is hereby granted to Greystar GP II, a Delaware Limited Liability Corporation subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Corrine L. Neuffer
Deputy City Attorney

CLN:als
01/31/2019
Or.Dept:DSD
Doc. No.: 1919860

Attachment: Vesting Tentative Map Conditions

CITY COUNCIL
CONDITIONS FOR VESTING TENTATIVE MAP NO. 2078817
6TH & OLIVE - PROJECT NO. 591198

Adopted by Resolution No. R-312196 on January 28, 2019

GENERAL

1. This Vesting Tentative Map will expire January 28, 2022.
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 to consolidate and subdivide the properties into four (4) commercial condominium units and two hundred four (204) residential condominium units 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 Vesting Tentative Map and Final Map shall conform to the provisions of Site Development Permit No. 20788814 and Neighborhood Development Permit No. 2078816.
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.

AIRPORT

7. Prior to recordation of the Final Map, the Subdivider shall provide a valid "Determinations of No Hazard to Air Navigation" issued by the Federal Aviation Administration (FAA) for the building and temporary crane structure.

8. Prior to the recordation of the Final Map, the Subdivider shall grant and record an avigation easement to the San Diego County Regional Airport Authority as the operator of the San Diego International Airport (SDIA) for the purposes of aircraft operations, noise and other effects caused by the operation of aircraft, and for structure height if the same would interfere with the intended use of the easement. The Owner/Permittee shall use the avigation easement form provided by the San Diego County Regional Airport Authority.
9. Prior to the recordation of the Final Map, the Subdivider shall place a note on the map indicating that an avigation easement has been granted across the property to the airport operator. The note shall include the County Recorder's recording number for the avigation easement.

ENGINEERING

10. The Subdivider shall provide a mutual access agreement between the Olive building condominium development and St. Paul's Cathedral Church for access to the shared underground parking structure.
11. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
12. 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.
13. 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

14. "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).
15. "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."
16. 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.

INFORMATION:

- The approval of this Vesting Tentative Map by the Planning Commission 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).

Passed by the Council of The City of San Diego on JAN 28 2019, 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"/> |
| Jennifer Campbell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Chris Ward | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Monica Montgomery | <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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Sherman | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Vivian Moreno | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Georgette Gómez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage JAN 28 2019


(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.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312196