

RESOLUTION NUMBER R- 312470

DATE OF FINAL PASSAGE MAY 20 2019

ITEM # 205C

5/20/19

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING VESTING TENTATIVE MAP NO. 1905127 RELATED TO SUNROAD OTAY 50 – PROJECT NO. 538140.

WHEREAS, Sunroad Otay Partners, Limited Partnership, Subdivider, and Michael Knapton, Engineer, submitted an application to the City of San Diego for Vesting Tentative Map No. 1905127, which includes public right-of-way and easement vacations, for the consolidation of 11 parcels into four parcels and the construction of four industrial buildings totaling 845,226 square feet. The vacant project site is located north of State Route 905, south of Otay Mesa Road, east of La Media Road, and west of State Route 125, in the IL-1-3 Zone, in the Otay Mesa Community Plan. The property is legally described as: Parcels 1 through 7 of Parcel Map No. 14023, together with Parcels 1 and 2 of Parcel Map No. 18483, in the City of San Diego, County of San Diego, State of California, excepting therefrom that land conveyed to the State of California in deeds recorded August 22, 2005, as File No. 2005-0717717 and September 28, 2005, as File No. 2005-0838476; and

WHEREAS, the Map proposes the Subdivision of a 49.1-site into four (4) lots for an industrial development; 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, on April 11, 2019, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 1905127, including Public Right-of-Way and Easement Vacations, the Planning Commission voted to recommend City Council approve the map; and

WHEREAS, on May 20, 2019, the City Council of the City of San Diego considered Vesting Tentative Map No. 1905127, including Public Right-of-Way and Easement Vacations, and pursuant to San Diego Municipal Code sections 125.0440, 125.0941 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; 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; 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. 1905127:

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

The vacant 49.1-acre project site is located north of State Route (SR) 905, south of Otay Mesa Road, east of La Media Road, and west of SR-125 and is surrounded by existing and under-review commercial and industrial development. Project implementation would combine the 11 existing parcels to create four parcels for the development of an industrial park with four buildings totaling 845,256 square feet. The project scope includes the vacation of undeveloped portions of Piper Ranch Road, St. Andrews Avenue and Avenida Costa Azul public rights-of-

way as well as public easement vacations for unused flood storage and drainage easements onsite.

The Otay Mesa Community Plan (OMCP) designates the site for Heavy Commercial uses, which includes wholesale, distribution, storage, and vehicular sales and services, and the General Plan designates the site for Industrial Employment. The proposed subdivision would implement the OMCP and General Plan land use designation by providing an industrial business park development that includes warehouse, industrial and office uses with loading docks and truck parking.

The project would further the OMCP Policy No. 2.3-4 to allow Heavy Commercial and a mix of industrial and commercial uses near the Port of Entry and along Otay Mesa Road. The proposed industrial park with office and warehouse uses would be located immediately south of Otay Mesa Road and approximately 2.1 miles north of the Port of Entry. The project would also further OMCP Policy No. 3.1-1 to provide a sidewalk system and improved street scape through the provision of new sidewalk along the Otay Mesa Road frontage which includes substantial landscaping with street trees, shrubs and ground cover.

The project scope includes a Community Plan Amendment (CPA) and General Plan Amendment (GPA) to remove Avenida Costa Azul from the OMCP Roadway Classification Network and from the General Plan Land Use and Street System Map. The project would provide access via a four-lane private driveway in the location of the Avenida Costa Azul right-of-way, which would be vacated with this project. The private driveway has been designed to accommodate the future vehicles accessing both the subject project site and the adjacent La Media Retail project site, which is currently in discretionary review under Project No. 334235. The CPA would further the OMCP Policy No. 3.3-1 to provide an interconnected network of

public streets and internal project circulation systems by facilitating the provision of two private driveway access points for the project site onto the Otay Mesa Road right-of-way in a manner that provides efficient site access and better utilization of the land for industrial uses, as designated by the OMCP. Therefore, the proposed subdivision and its design or improvement 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 vacant 49.1-acre project site is located north of SR-905, south of Otay Mesa Road, east of La Media Road, and west of SR-125 and is surrounded by existing and under-review commercial and industrial development. Project implementation would combine the 11 existing parcels to create four parcels for the development of an industrial park with four buildings totaling 845,256 square feet. The site is zoned IL-1-3, which is a light industrial zone that allows a wide range of manufacturing and distribution activities including the proposed development which includes warehouse, industrial and office uses with loading docks and truck parking.

As proposed the subdivision meets all applicable zoning and development regulations, including lot size and dimensions. The project scope includes a request to deviate from the lot frontage requirement on Parcel 2, located in the southeast corner of the site, which is allowed as described in SDMC Section 143.0402 with the approval of a Process Four PDP. SDMC Section 131.0631, Table 131-06C, requires that lots in the IL-3-1 zone provide at least 75 feet of street frontage. Parcel 2 of the VTM will not have frontage on a street and therefore a deviation is required. Staff is supportive of this deviation request as the Parcel 2 can be properly accessed via the proposed private driveways and reciprocal access agreements. Additionally, the requested

deviation and vacation of the undeveloped public rights-of-way results in a more efficient use of available land onsite, allowing more area for industrial development and landscaping in compliance with the OMCP and IL-1-3 zone requirements, as described in the PDP Resolution (Attachment 4).

Therefore, 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.

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

The vacant 49.1-acre project site is located north of SR-905, south of Otay Mesa Road, east of La Media Road, and west of SR-125 and is surrounded by existing and under-review commercial and industrial development. Project implementation would combine the 11 existing parcels to create four parcels for the development of an industrial park with four buildings totaling 845,256 square feet. The previously graded project site is relatively level with onsite elevations ranging from approximately 485 feet above mean sea level (AMSL) at the west to 520 feet AMSL at the east. The project site is served by all existing utilities and fronts on Otay Mesa Road, which would be accessed via private driveways with reciprocal access agreements.

The site is not located within or adjacent to Multi-Habitat Planning Area (MHPA) lands, however, project implementation would impact Environmentally Sensitive Lands (ESL) in the form of 47 acres of non-native grasslands (Tier IIIB habitat). All project ESL impacts would be mitigated through the restoration and preservation of an offsite 18.75-acre parcel and the purchase of 4.75 acres of grassland credits at an existing preserve, as required by the Mitigation, Monitoring and Reporting Program (MMRP) associated with the project's Addendum No. 538140 to the OMCP Update Program Environmental Impact Report (PEIR) No. 30330/304032.

The site is not located in a flood plain and is not associated with any known geologic, hazardous materials site or other physical condition that would preclude the proposed development.

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.

The site is not located within or adjacent to MHPA lands, however project implementation would result in ESL impacts to 47 acres of non-native grasslands (Tier IIIB habitat). The 47 acres is considered occupied burrowing owl habitat, which is a State Species of Special Concern and a City Multiple Species Conservation Program (MSCP) covered species. All project ESL impacts would be mitigated through the restoration and preservation of an offsite 18.75-acre parcel and the purchase of 4.75 acres of grassland credits at an existing preserve, as required by the MMRP associated with the project's PEIR Addendum No. 538140. The site is does not contain nor is adjacent to any watercourses that would result in direct project impacts to water habitats. The project has been conditioned to comply with all applicable storm water treatment requirements to avoid water quality runoff impacts.

The PEIR Addendum No. 538140 to PEIR No. 30330/304032 determined that with implementation of the MMRP and mitigation measures summarized above, there would be no significant environmental impacts associated with project implementation. Therefore, 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.

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

The subdivision will not be detrimental to public health, safety and welfare in that the permit controlling the development and continued use of the site contains specific conditions addressing compliance with the City's codes, policies, and regulations, as well as other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. 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 in addition to all associated conditions of approval.

The project has been conditioned to dedicate and improve 19.5-28.2 feet of additional right-of-way adjacent to the site on Otay Mesa Road and to modify the existing traffic signal at Otay Mesa Road and Piper Ranch Road to accommodate the new project driveway. In addition, Phase One of the project is conditioned to provide an exclusive northbound right-turn lane at La Media Road and Otay Mesa Road prior to occupancy, in accordance with the Otay Mesa Community Plan Update EIR. Other required and conditioned public improvements include the undergrounding of existing overhead utilities, installation of new street lights, curbs, curb ramps, gutter and sidewalk including sidewalk along the entire Otay Mesa Road frontage.

Addendum No. 538140 to PEIR No. 30330/304032 has been prepared for this project in accordance with California Environmental Quality Act (CEQA) guidelines. The MMRP would be implemented with this project to mitigate impacts related to Air Quality, Biological Resources, Historical Resources, Paleontological Resources and Transportation/Circulation. The proposed project would not result in any additional significant impacts nor would it result in an

increase in the severity of impacts from that described in the previously certified CPU PEIR.

Therefore, the design of the subdivision or the type of improvement 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.

The project scope includes the vacation of existing public right-of-way and flood storage and drainage easements, none of which are currently developed, utilized for their intended purpose or required for development of the project, as discussed in detail in Findings 9-16 below. Site access would be provided via two private driveways and internal vehicular access would be provided via private driveways with reciprocal access agreements which are project conditions. With approval of the requested public right of way and easement vacations, 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.

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

The proposed industrial business park 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 to minimize grading and provides substantial landscaping including parking lot shade trees. The four industrial buildings would range in height from 36 to 40 feet tall and be separated by internal streets, truck loading dock areas and landscaping, allowing for cross-ventilation. The design does not impede or inhibit any future passive or natural heating and cooling opportunities. 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 proposed industrial business park development would be developed on a vacant site zoned and designated by the OMCP for such development. Therefore, the proposed subdivision would not impact the housing needs of the region as no existing housing would be removed and the projected amount of housing to be provided in the region would not be altered with approval of this industrial subdivision. All public services required to serve the subdivision are available to the site and the project is conditioned to provide and/or pay the appropriate fees related to required public improvements (i.e. street improvements, curb, gutter, sidewalk and sewer system improvements). As described in Finding No. 4 above, the project would mitigate for all ESL impacts as described in the Addendum No. 538140 to PEIR No. 30330/304032 and the associated MMRP. Therefore, 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 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 Piper Ranch Road, St. Andrews Avenue and Avenida Costa Azul and unused drainage and flood water storage easements, located within the project boundaries as shown in Vesting Tentative Map No. 1905127, shall be vacated,

contingent upon the recordation of the approved Parcel 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:

1. There is no present or prospective public 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 project scope includes the vacation of onsite unused public easements for flood water storage and drainage that do not have potential for future utilization and are no longer required. The drainage easement to be vacated at the northern portion of the site parallel to Otay Mesa Road was originally granted to the State of California but was relinquished to the City of San Diego in 2015. Based on the configuration of Otay Mesa Road this easement is no longer required. The flood water storage easement to be vacated is located at the southern portion of the site parallel to SR-905 and is also no longer utilized or required due to construction of the SR-905. The project includes the granting of a new flood water storage easement on the Vesting Tentative Map, to the City of San Diego to accommodate the needs of the proposed development. Therefore, there is no present or prospective public 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.

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

The project scope includes the vacation of onsite, unused public easements for flood water storage and drainage that do not have potential for future utilization and are no longer required. Removing the encumbrance of these easements allows for better utilization of the land

for heavy commercial and industrial development consistent with the OMCP land use designation and the IL-1-3 zoning allowed uses. The areas of public easement proposed for vacation are long, narrow sections which run parallel to the northern and southern site boundaries that would be utilized for water quality drainage basins and landscaping with approval of the project. Therefore, the public will benefit from the action through improved utilization of the land made available by the vacation.

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

The public easements proposed for vacation are not required or referenced in the OMCP. Removing the encumbrance of these unneeded easements allows for better utilization of the land for heavy commercial and industrial development consistent with the OMCP land use designation. Therefore, the public easement vacations are consistent with any applicable land use plan.

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

The project scope includes the vacation of onsite unused public easements for flood water storage and drainage that do not have potential for future utilization and are no longer required. The drainage easement to be vacated at the northern portion of the site parallel to Otay Mesa Road was originally granted to the State of California but was relinquished to the City of San Diego in 2015. The flood water storage easement to be vacated is located at the southern portion of the site parallel to SR-905 and is also no longer utilized or required due to construction of the SR-905. Please see Finding No. 9 above for additional information. The project has been

conditioned to grant a new flood storage easement to the City of San Diego to accommodate the needs of the proposed development.

5. There is no present or prospective public use for the public right-of-way either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated. (San Diego Municipal Code § 125.0941(a)).

The project scope includes the vacation of onsite, undeveloped public rights-of-way, including approximately 890 linear feet of Piper Ranch Road near the center of the site, approximately 1,260 linear feet of St. Andrews Avenue on the western half of the site and approximately 800 linear feet of Avenida Costa Azul which runs along the western border of the site. The St. Andrews Avenue and Piper Ranch Road rights-of-way both terminate on the project site and do not provide connectivity to any adjacent properties, have never been developed or used as public streets and are not required to provide access to the proposed subdivision. Internal vehicular access to the four proposed lots and structures would be provided via private driveways with reciprocal access agreements.

The undeveloped Avenida Costa Azul right-of-way which runs along the western half of the project site is located half on the project site and half on the adjacent La Media Retail project site, which is currently in review under discretionary Project No. 334235. This right-of-way terminates onsite and does not provide access to any other properties other than the adjacent La Media Retail project site to the west. The onsite half of Avenida Costa Azul would be vacated by this Vesting Tentative Map No. 1905127 and the offsite portion would be vacated by a separate California Streets and Highways Code Vacation No. 1905124, as described in Attachment 8.

The existing Avenida Costa Azul right-of-way does provide access to both the project site and adjacent La Media Retail site, however, this right-of-way is not required because access

would be provided as a private driveway on the existing undeveloped Avenida Costa Azul right-of-way onto Otay Mesa Road. This private driveway would be shared with the adjacent La Media Retail project through a private shared access agreement, which is a condition of this project. Therefore, there is no present or prospective public use for the public right-of-way either for the facility for which it was originally acquired or for any other public use of a like nature that can be anticipated.

6. The public will benefit from the action through improved use of the land made available by the vacation. (San Diego Municipal Code § 125.0941(b)).

Internal vehicular access to the four proposed lots and structures would be provided via private driveways with reciprocal access agreements. In addition, the Avenida Costa Azul right-of-way to be vacated would be developed as a shared, private driveway with the adjacent La Media Retail project to the west via a shared access agreement, which is a condition of this project. The St. Andrews Avenue and Piper Ranch Road rights-of-way do not provide connectivity to any adjacent properties, have never been developed or used as public streets and are not required to provide access to the proposed subdivision and project.

Removing the encumbrance of these unneeded rights-of-way allows for better utilization of the land for heavy commercial and industrial development consistent with the OMCP land use designation and the IL-1-3 zoning allowed uses. The project includes shared driveways and access, allowing more area for the industrial development, substantial landscaping, truck parking and employee amenities such as patio and outdoor eating areas. Therefore, the public will benefit from the action through improved use of the land made available by the vacation.

7. The vacation does not adversely affect any applicable land use plan. (San Diego Municipal Code § 125.0941(c)).

With the exception of Avenida Costa Azul, the rights-of-way proposed for vacation are not listed as required Mobility Element streets in the OMCP. The project scope includes a Community Plan Amendment (CPA) to remove Avenida Costa Azul from the OMCP Roadway Classification Network and a General Plan Amendment (GPA) to remove Avenida Costa Azul from the General Plan Land Use and Street System Map, as discussed in detail in the draft CPA/GPA (Attachment 10).

The project would provide access via a four-lane private driveway in the location of the Avenida Costa Azul right-of-way, which would be vacated with this project. The private driveway has been designed to accommodate the future vehicles accessing both the subject project site and the adjacent La Media Retail project site, which is currently in review under Project No. 334235. The CPA and requested right-of-way vacations would further the OMCP Policy No. 3.3-1 to provide an interconnected network of public streets and internal project circulation systems by providing two private driveway access points for the project site onto the Otay Mesa Road right-of-way in a manner that provides efficient site access and better utilization of the land for industrial uses, as designated by the OMCP. Therefore, the vacation does not adversely affect any applicable land use plan.

8. The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation. (San Diego Municipal Code § 125.0941(d)).

The project scope includes the vacation of onsite, undeveloped public rights-of-way, including approximately 890 linear feet of Piper Ranch Road near the center of the site,

approximately 1,260 linear feet of St. Andrews Avenue on the western half of the site and approximately 800 linear feet of Avenida Costa Azul which runs along the western border of the site. The St. Andrews Avenue and Piper Ranch Road rights-of-way both terminate on the project site and do not provide connectivity to any adjacent properties, have never been developed or used as public streets, and are not required to provide access to the proposed subdivision.

Internal vehicular access to the four proposed lots and structures would be provided via private driveways with reciprocal access agreements.


The undeveloped Avenida Costa Azul right-of-way which runs along the western half of the project site is located half on the project site and half on the adjacent La Media Retail project site, which is currently in review under discretionary Project No. 334235. This right-of-way terminates onsite and does not provide access to any other properties other than the La Media Retail project site to the west. The onsite half of Avenida Costa Azul would be vacated by this Vesting Tentative Map No. 1905127 and the offsite portion would be vacated by a separate California Streets and Highways Code Vacation No. 1905124, as described in Attachment 8.

The existing Avenida Costa Azul right-of-way does provide access to both the project site and adjacent La Media Retail site, however, this right-of-way is not required because access would be provided as a private driveway on the existing undeveloped Avenida Costa Azul right-of-way onto Otay Mesa Road. This private driveway would be shared with the adjacent La Media Retail project through a private shared access agreement, which is a condition of this project. Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 1905127, with associated Public Right-of-Way and

Easement Vacations is hereby granted to Sunroad Otay Partners, Limited Partnership, subject to the attached conditions which are made a part of this resolution by this reference, contingent upon final passage of Resolution No. R- 312469 approving amendments to the General Plan and the Otay Mesa Community Plan and Resolution No. R- 312472 approving Public Right-of-Way Vacation No. 1905124 for the offsite portion of Avenida Costa Azul located adjacent to the subdivision.

APPROVED: MARA W. ELLIOTT, City Attorney

By  _____
Noah J. Brazier
Deputy City Attorney

NJB:als
05/03/2019
Or.Dept:DSD
Doc. No.: 1998742

Attachment: Conditions for Vesting Tentative Map

CONDITIONS FOR VESTING TENTATIVE MAP NO. 1905127
SUNROAD OTAY 50 - PROJECT NO. 538140
CITY COUNCIL
RESOLUTION NUMBER R- 312470

GENERAL

1. This Vesting Tentative Map will expire on MAY 20 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 Parcel Map, unless otherwise noted.
3. Prior to the expiration of the Vesting Tentative Map, a Parcel Map to subdivide Parcels/Lots shall be recorded in the office of the County Recorder.
4. Prior to the recordation of the Parcel 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. If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office along with the associated compliance fee to avoid delaying the recordation of the Parcel Map.
5. The Parcel Map shall conform to the provisions of Public Right-of-Way Vacation No. 1905124, Site Development Permit No. 1905126 and Planned Development Permit No. 1905121.
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.

ENGINEERING

7. The Subdivider shall vacate onsite and offsite portions of Avenida Costa Azul Right-of-Way, per Exhibit "A" and Drawing No. 41292-B, Exhibit "B," satisfactory to the City Engineer.

8. The Subdivider shall vacate the Piper Ranch Road and the St. Andrews Avenue Right-of-Way, per Exhibit "A," satisfactory to the City Engineer.
9. 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

10. The Parcel Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of 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.
11. The Parcel Map shall be based on field survey and all lot corners must be marked with durable survey monuments pursuant to Section 144.0311(d) of the City of San Diego Land Development Codes and Subdivision Map Act Section 66495.
12. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
13. All survey monuments shall be set prior to the recordation of the Parcel Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Parcel Map in accordance with Section 144.0130 of the City of San Diego Land Development Codes.

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. 24007193

Passed by the Council of The City of San Diego on MAY 20 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 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"/>
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 MAY 20 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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 312470