

FEB 8 1977

WHEREAS, JOHN DAY, by Al Tarvyd, attorney, appealed the decision of the Planning Commission in denying his appeal from the decision of the Subdivision Review Board denying the Tentative Subdivision Map of Sorrento Estates, a six-lot subdivision of Parcel 3, Parcel Map 2437 (being a portion of Section 30, Township 14 South, Range 3 West). The property is located on the south side of Arroyo Sorrento Road, easterly of I-5 Freeway, southeasterly of the Carmel Valley Road intersection, in the North City West Community Plan, in the A-1-1 and A-1-10 Zones; and

WHEREAS, on January 13, 1977, the Planning Commission voted 6 to 0 to deny the appeal, deny the tentative map, and uphold the decision of the Subdivision Review Board; and

WHEREAS, on January 20, 1977, pursuant to the provisions of Section 102.0205 of the San Diego Municipal Code, JOHN DAY, attorney, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on February 8, 1977, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council in considering said appeals is empowered by the provisions of Municipal Code, Section 102.0205, to affirm, reverse or modify in whole or in part

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any determination of the Planning Commission, subject to the limitations as are placed upon the Planning Commission by the Municipal Code; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That the City Council adopts findings of the Planning Commission on tentative subdivision map SORRENTO ESTATES, as follows:

1. The proposed map is consistent with the General Plan and North City West Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan and North City West Community Plan and A-1-1 and A-1-10 Zoning/Development Regulations.

3. The site is physically suitable for residential development.

4. The site is suitable for the proposed residential density of development.

5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, based upon the findings of the Environmental Report EQD No. 76-07-26P.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as the map is consistent with A-1-1 and A-1-10 zoning and conforms with City development regulations.

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7. The design of the subdivision and the type of improvements are such that they will not conflict with any easements acquired by the public at large for access through or use of property within the proposed subdivision.

8. That said findings are supported by the minutes, map and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the tentative subdivision map is approved subject to the following conditions:

1. The "General Conditions of Approval for Tentative Maps" filed in the office of the City Clerk under Document No. 744827, on September 10, 1973, must be made a condition of map approval.

2. All grading and slope planting must conform to the provisions of San Diego Municipal Code, Section 62.0101 et seq. No slope is to be greater than 60 feet in vertical height without approval of the Planning Commission.

3. Undergrounding of public utility systems and service facilities is required according to San Diego Municipal Code, Section 102.0221, Subsection 7.

4. This property is subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code, Section 102.0800 et seq.

This property is also subject to Building Permit park fee in accordance with San Diego Municipal Code, Section 99.0100 et seq.

5. This property is subject to a water capacity charge as specified in San Diego Municipal Code, Section 67.62.

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6. A soils report must be provided to demonstrate the stability of the site.

7. The subdivider must enter into an agreement with the City, guaranteeing on his own behalf or any successors in interest, the participation in and waiving their right to oppose any 1911 Improvements Act or similar proceedings initiated for the improvement of Arroyo Sorrento Road.

BE IT FURTHER RESOLVED, that the appeal of JOHN DAY, by Al Tarvyd, attorney, is granted, the decision of the Planning Commission to deny the appeal and uphold the decision of the Subdivision Review Board is overruled, and said Tentative map is hereby granted.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:clh
3/9/77
T.M. 76-129
Or.Dept.:Clerk

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Passed and adopted by the Council of The City of San Diego on **FEB 8 1977**,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

By *Kathleen Martinez*, Deputy.

(Seal)

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Office of the City Clerk, San Diego, California

Resolution Number **217653** Adopted **FEB 8 1977**

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