

MAR 24 1981

WHEREAS, JOHN DAY, by Albert Tarvyd, attorney, appealed the decision of the Planning Commission in denying Preliminary Parcel Map PM-01-193-0, which proposes a two-lot division of Lot 5, Sorrento Estates, Map-8735. The subject property is located on the south side of Arroyo Sorrento Road, east of Tierra Del Sur in the Al-1 (Hillside Review) Zone and within the boundaries of the North City West and Torrey Pines Community Plans; and

WHEREAS, on January 8, 1981, the Planning Commission of The City of San Diego voted 6 to 0 to deny the appeal and the parcel map; and

WHEREAS, January 20, 1981, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, JOHN DAY, by Albert Tarvyd, attorney, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on March 10, 1981, continued to March 24, 1981, at Albert Tarvyd's request, and 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 appeal is empowered by the provisions of Municipal Code, Section 102.0308, to affirm, reverse or modify, in whole or in part, 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 as follows:

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

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

3. The site is physically suitable for agricultural development.

4. The site is suitable for the proposed agricultural 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. 76-07-26ND.

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

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.

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

BE IT FURTHER RESOLVED, that Preliminary Parcel Map PM-01-193-0 is subject to general conditions as follows:

1. This tentative map will expire November 24, 1982.
2. The "General Conditions of Approval for Tentative Maps" filed in the office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

3. 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 102.0406 et seq. This property is also subject to a Building Permit park fee in accordance with San Diego Municipal Code Section 96.0401 et seq.

4. Undergrounding of proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.

5. The subdivider must provide a Geological Reconnaissance Report on the subject property to determine the stability of the soil. All slopes shall be constructed in accordance with the provisions of Municipal Code Section 62.0410 et seq.

6. The subdivider must enter into an agreement with the City waiving the right to oppose a special assessment initiated for street and utility improvements on Arroyo Sorrento Road.

7. Prior to the recording of the final parcel map, the subdivider must provide the City Engineer with evidence of County Health Department approval for the use of septic tanks to sewer the project.


8. The subdivider must enter into an agreement with the City waiving the right to oppose a special assessment initiated for a water main crossing the I-5 freeway or other type connection to provide an adequate water supply.

9. The proposed parcels shall meet the minimum area requirement of one acre.

10. The drainage problem created by the grading of the driveway shall be resolved prior to the filing of the final map.

BE IT FURTHER RESOLVED, that the appeal of JOHN DAY, by Albert Tarvyd, attorney, is granted, the decision of the Planning Commission is overruled, and said Preliminary Parcel Map PM-01-193-0 is hereby granted.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
4/23/81
Or. Dept. Clerk
PM-01-193-0

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Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Maybell L. Portner, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-253879 Adopted MAR 24 1981