

RESOLUTION NUMBER R- 257855

Adopted on JAN 25 1983

WHEREAS, TECHBILT CONSTRUCTION CORPORATION, by James Milch, appealed to the Planning Commission of The City of San Diego from the decision of the Subdivision Board in denying the proposed Tentative Map for portions of Pueblo Lots 1237 and 1238 of the Pueblo Lands, Miscellaneous Map No. 36, (approximately 19.16 acres), located east of Regents Road between Conrad and Ogalala Avenues, in the Clairemont Mesa Community Plan area, in the R-1-15 (HR) Zone, (proposed R-1-10 Zone); and

WHEREAS, on May 13, 1982, the Planning Commission voted 4 to 2 to deny the appeal, deny the Tentative Map and uphold the decision of the Subdivision Board; and

WHEREAS, on May 18, 1982, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, TECHBILT CONSTRUCTION CORPORATION, by James Milch, appealed the decision of the Planning Commission, and

WHEREAS, said appeal was set for public hearing August 23, 1982, continued to October 12, 1982, November 22, 1982 and January 25, 1983, 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 the 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, that the Council of The City of San Diego makes the following findings:

1. The proposed map is consistent with the General Plan and is consistent with the alternative use of open space areas within the Clairemont Mesa Community Plan.

2. The design and proposed improvements for the subdivision are consistent with the General Plan, Clairemont Mesa Community Plan and R-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 ENVIRONMENTAL IMPACT REPORT NO. EQD 81-04-05.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems, and the map is consistent with R-1-10 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.

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 the appeal of TECHBILT CONSTRUCTION CORPORATION, by James Milch, is granted; the decision of the Planning Commission to deny the appeal is overruled, and said Tentative Map is hereby granted subject to the following conditions:

(a) This Tentative Map will expire on January 25, 1986.

(b) 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.

(c) 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, Sections 102.0406 et seq. This property is also subject to a Building Permit park fee in accordance with San Diego Municipal Code, Sections 96.0401 et seq.

(d) Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code, Section 102.0404, Subsection 2. The existing overhead 69KV transmission lines crossing the property area exempt from the undergrounding requirement. The undergrounding of the distribution facilities underbuilt on these 69KV poles is waived.

(e) Lakehurst Avenue within the subdivision shall be dedicated and fully improved as a local street with curbs, sidewalks and a 36-foot-wide paved roadway within a 56-foot-wide right-of-way, to the alignment as shown on the approved Tentative Map.

(f) Lakehurst Avenue off-site to Pocahontas Avenue shall be improved as a local street within the existing dedicated right-of-way. Improvements will consist of curbs and a 36-foot-wide paved roadway, with sidewalk on the northerly side only.

(g) The subdivider shall install a 10-inch water main in Lakehurst Avenue from the existing water main in Pocahontas Avenue northwesterly through an easement connecting to the existing 16-inch water main in Regents Road, as shown on the approved Tentative Map.

(h) The subdivider shall install an eight-inch gravity sewer main in Lakehurst Avenue and in an easement connecting off-site to the existing San Clemente Canyon Trunk Sewer, as shown on the approved Tentative Map.

(i) The subdivider shall install fire hydrants at locations satisfactory to the City Engineer.

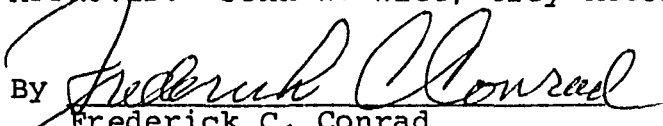
(j) Lots 1 and 2 must be deeded to the City for open space purposes. The deed conveying the property to the City of San Diego is to be submitted to the City Council for acceptance concurrently with the filing of the final subdivision map. No park fee credits will be given because of this land transfer.

(k) The subdivider shall construct, at its sole cost, a traffic signal system, in a manner satisfactory to the City Engineer, at the intersection of Clairemont Drive and Lakehurst

Avenue. This traffic signal shall be in operation prior to the issuance of any occupancy permits for the dwelling units in this subdivision.

(1) Prior to recordation of any final subdivision map by the City Council, the subdivider shall provide evidence to ensure that any affirmative marketing program is established.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:630
02/01/83
Or.Dept:Clerk
TM-02-091-0
Form=r.none

Passed and adopted by the Council of The City of San Diego on JAN 25 1983,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Vacant

AUTHENTICATED BY:

BILL CLEATOR
 Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Barbara Berridge Deputy.

Office of the City Clerk, San Diego, California	
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