

RESOLUTION NUMBER R- 258361

Adopted on APR 26 1983

WHEREAS, ASSET DEPLOYMENT, INC., by Thomas W. James, appealed the decision of the Planning Commission in approving the proposed Tentative Map for a three-lot parcel map of portions of Acre Lots 27, 28 and 29, Sorrento Lands and Townsites, Map No. 483, and portions of Pueblo Lots 1322, 1323, 1326, 1327 and 1329, Map No. 36, located on the north side of Genesee Avenue, the east side of North Torrey Pines Road with frontage on Flintkote Avenue, Dunhill and Roselle Streets, in the SR, M-1A, R-1-5 and HR Zones, in the Torrey Pines and University Community Plans areas; and

WHEREAS, on January 13, 1983, the Planning Commission voted 7 to 0 to deny the appeal, approve the Tentative Map in accordance with the Department's recommendation and uphold the decision of the Subdivision Board; and

WHEREAS, on January 24, 1983, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, ASSET DEPLOYMENT, INC., by Thomas W. James appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on March 1, 1983, continued to March 22, 1983, April 5, 1983, April 19, 1983 and April 26, 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 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 of the Planning Commission as follows:

1. The proposed map is consistent with the General Plan, Torrey Pines and University Community Plans which designate the property for scientific research and light industrial uses.

2. The design and proposed improvements for the subdivision are consistent with the General Plan, Torrey Pines and University Community Plans, SR, M-1A, R-1-5 and HR Zoning/Development Regulations and State Map Act Section 66473.1 regarding solar access.

3. The site is physically suitable for scientific research and light industrial development.

4. The site is suitable for the proposed scientific research and light industrial 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. 82-0374 EX.

6. The design of the subdivision and the types of improvements will not likely cause serious public health problems inasmuch as the map is consistent with SR, M-1A, R-1-5

and 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.

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 ASSET DEPLOYMENT, INC., by Thomas W. James, is granted, but only as to condition number 6 of Planning Commission Resolution No. 4142, dated January 13, 1983; the decision of the Planning Commission to deny the appeal is overruled as to condition number 6 only, and said Tentative Map is hereby granted subject to the following conditions:

1. This Tentative Map will expire April 26, 1986.
2. The "General Conditions of Approval for Tentative Maps," filed in the office of the City Clerk as Document No. 767688 on May 7, 1980, shall be made a condition of the approval of the final parcel map. However, of the conditions included therein, Items I-3, I-4, III-2 and III-3 shall not apply, and Items II-1, III-1, III-4 through III-8 and IV shall apply to Parcel 3 only.
3. The subdivider must provide a geological reconnaissance 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.

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

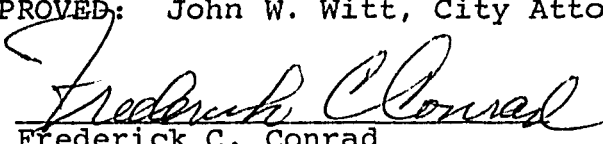
5. The public improvements that would normally be obtained with this map are, in this case, deferred until the Building Permit stage or until the property is resubdivided. The improvements that would be obtained at that time pertain to Parcel 3 only and would consist of street dedication and improvement on North Torrey Pines Road, the construction of utilities, and the granting of open space easements.

6. The subdivider shall provide an easement and construct an appropriate siltation basin which will control the level of sedimentation within the unlined channel southerly of Dunhill Street. This siltation basin will be designed for a minimum capacity of 3,000 cubic yards of siltation material, with controlled out-flow through pipe risers or paved spillway. Since the maintenance of this facility is to be by City forces, the facility shall be located adjacent to Dunhill Street, or the subdivider shall provide an improved access easement to the facility in a manner satisfactory to the City Engineer. As property, subdivided by this Tentative Map, is developed or further subdivided, the need for further siltation basins or modified or additional drainage facilities shall be reviewed by the City of San Diego as part of the development or subdivision process.

7. Prior to the recording of the final map, the developer shall submit an approved permit from the Coastal Commission for this project.

APPROVED: John W. Witt, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

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05/02/83
Or.Dept:Clerk
T.M.-82-0374
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APR 26 1983

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"/>
Gloria McColl	<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 Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input 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.

By *Barbara Berridge*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

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