

RESOLUTION NUMBER R- 264136

ADOPTED ON SEP 24 1985

WHEREAS, on July 8, 1985, the Subdivision Board of The City of San Diego, subject to certain conditions, approved Tentative Map No. TM-85-0258 (an amendment to TM 82-0102); and

WHEREAS, the decision of the Subdivision Board to approve TM-85-0258 was appealed to the Planning Commission of The City of San Diego; and

WHEREAS, on August 29, 1985, the Planning Commission heard the appeal of the Subdivision Board's decision to approve TM-82-0258 and voted 6 to 0 to uphold the decision of the Subdivision Board and approve Tentative Map No. 85-0258, subject to certain conditions; and

WHEREAS, on August 8, 1985, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, BUENA VISTA GARDENS TENANTS ASSOCIATION, by Ina Felczer, and the HOUSING COALITION OF GREATER SAN DIEGO, by Hans Jovishoff, appealed the decision of the Planning Commission in approving the proposed tentative map for an increase in the number of subdivision units and lots with corresponding changes in the phasing of public improvements on the property located between Dakota Drive and Iroquois Avenue on the east side of Clairemont Drive, in the R-1000 and Hillside Review Overlay Zones, in the Clairemont Mesa Community Plan area; and

WHEREAS, said appeals were set for public hearing on September 24, 1985, 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 102.0308 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, that the City Council adopts the findings of the Planning Commission as follows:

1. The proposed map is consistent with the General Plan and Clairemont Mesa Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan, Clairemont Mesa Community Plan, R-1000 Zoning/Development Regulations and PRD 85-0258.

3. The design and proposed improvements for the subdivision are consistent with State Map Act Section 66473.1 regarding the design of the subdivision for future passive or natural heating and/or cooling opportunities.

4. The site is physically suitable for residential development.

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

6. The design of the subdivision and the proposed improvements will cause substantial significant unmitigated social and parking impacts based upon the findings of Environmental Impact Report EIR-85-0258 (Supplemental to EIR-82-0102). The City Council, having reviewed and considered information contained in the final EIR and the record, find that specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR. The specific findings are identified as candidate findings in the Environmental Report.

7. 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 R-1000 zoning and conforms with City development regulations and with Planned Residential Development Permit No. 85-0258.

8. 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.

9. 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 appeals of BUENA VISTA GARDENS TENANTS ASSOCIATION, by Ina Felczer, and the HOUSING COALITION OF GREATER SAN DIEGO, by Hans Javishoff, are denied; the decision of the Planning Commission to deny the appeal is sustained, and said tentative map is hereby granted, subject to the following conditions:

1. This tentative map will expire concurrently with Planned Residential Development 85-0258 on July 12, 1988.

2. The "General Conditions for Tentative Subdivision 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 96.0401, 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 existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.

5. Cowley Way will continue to exist as a dedicated collector street through the subdivision, although the alignment will change. Subdivider shall reconstruct a fully improved realigned Cowley Way with curbs, sidewalks, and a 40-foot-wide paved roadway within a 60-foot-wide dedicated right-of-way.

6. This project requires the vacating of Calle Neil, Knapp Street, Waco Street, and the alleys in Blocks 1, 2, 3 and 4, Clairemont Gardens, Map 2947, and a portion of Cowley Way, as required in order to change the alignment of Cowley Way as a dedicated street through the subdivision. Council approval of the final maps shall be coordinated with Council approval of the vacating of the dedicated streets within that unit.

7. Caminito Villamar shall be improved as a named, nondedicated, private street.

8. All other access ways within the subdivision providing vehicular access to the dwelling units shall be unnamed, nondedicated private driveways.

9. Subdivider shall construct a traffic signal system at the intersection of Caminito Villamar and Clairemont Drive in a manner satisfactory to the City Engineer.

10. Water requirements:

a. Install 10-inch water mains in Cowley Way; in Caminito Villamar, and in an easement looping through Units 5, 6 and 7, as shown on the approved tentative map.

b. Install fire hydrants at locations satisfactory to the City Engineer.

11. Sewer requirements:

a. Install a system of gravity sewer mains adequate to serve all the units as shown on the approved tentative map.

b. Provide calculations, satisfactory to the Water Utilities Director, to show that the size and the grade of the sewer mains will provide cleansing velocities.

12. Subdivider shall construct pedestrian ramps per standard drawing SDG 101 on the public streets adjacent to this subdivision where required by the City Engineer.

13. Subdivider shall construct a bus turn-out on Clairemont Drive northerly of Caminito Villamar in a manner satisfactory to the City Engineer.

14. Subdivider shall grant easements for any proposed public sidewalk located in the "Linear Park" adjacent to Clairemont Drive and for any meandering sidewalks proposed along Dakota Drive where the sidewalk may meander outside the dedicated right-of-way. The maintenance of these sidewalks, where located outside the dedicated right-of-way, shall be the responsibility of the homeowners' association.

15. Subdivider has requested approval to file final maps out of numerical sequence. This request is approved subject to the provision that the City Engineer can review the off-site improvements proposed in connection with each unit.

16. Subdivider shall provide viewing areas overlooking Tecolote Canyon on the north and south boundaries as shown on the planned residential development exhibit and shall provide public sidewalks to the dedicated right-of-way in a manner satisfactory to the City Engineer. These public sidewalks shall be constructed in pedestrian access easements granted to the City and will be maintained by the City.

17. The drainage system to be constructed in connection with this subdivision shall be as approved by the City Engineer. Drainage shall be to the west to Clairemont Drive instead of being diverted into Tecolote Canyon shall be handled in a manner satisfactory to the City Engineer to minimize disturbances to the canyon.

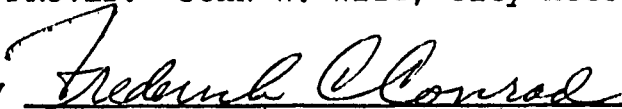
18. Prior to recordation of any final subdivision map by the City Council, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.

19. The undisturbed slopes within Units 2, 3 and 4, shall be lotted out in a manner satisfactory to the City Engineer and these lots shall 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. No park fee credits will be given because of this land transfer.

20. The existing open space easements within the subdivision shall be abandoned as required by the City Engineer. Nonbuilding area easements will be granted on the final map in order to implement the open space provisions of the planned residential development ordinance as it applies to the associated planned residential development.

APPROVED: JOHN W. WITT, City Attorney

BY


Frederick C. Conrad
Chief Deputy City Attorney

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Or.Dept:Clerk
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Passed and adopted by the Council of The City of San Diego on SEP 24 1985,
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Struikama	<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"/>
District 7-vacant	<input 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 Roger Hedgecock	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

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

(Seal)

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

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