

RESOLUTION NUMBER R- 264492

ADOPTED ON NOV 19 1985

WHEREAS, on September 3, 1985, the Subdivision Board of The City of San Diego, subject to certain conditions, approved Tentative Map No. 85-0534, an extension of time; and

WHEREAS, the decision of the Subdivision Board to approve TM-85-0534 was appealed to the Planning Commission of The City of San Diego; and

WHEREAS, on October 3, 1985, the Planning Commission heard the appeal of the Subdivision Board's decision to approve TM-85-0534 and voted 5 to 0 to uphold the decision of the Subdivision Board and approve Tentative Map No. 85-0534, subject to certain conditions; and

WHEREAS, on October 7, 1985, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, GERALD G. MARANS appealed the decision of the Planning Commission in approving the proposed tentative map extension of time for an 83-lot subdivision of Parcel Map 9470 and portions of Pueblo Lots 1278 and 1303 (Lots 1 through 20, TM-85-0533), located on the east side of Towne Centre Drive, between La Jolla Village Drive and Nobel Drive, in the R-1-5 Zone, in the University North Community Plan area; and

WHEREAS, said appeal was set for public hearing on November 19, 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 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, that the City Council adopts the findings of the Planning Commission as follows:

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

2. The design and proposed improvements for the subdivision are consistent with the General Plan, University North Community Plan, CN and R-1500 Zoning/Development Regulations, PRD-83-0904, PCD-83-0904, and State Map Act Section 66473.1.

3. The site is physically suitable for commercial and residential development.

4. The site is suitable for the proposed commercial and 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. 80-06-23 EIR.

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 CN and R-1500 zoning and conforms with City development regulations and with Planned Residential Development Permit No. 85-0534 and Planned Commercial Development Permit No. 85-0534.

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 GERALD G. MARANS is denied; the decision of the Planning Commission to grant the appeal is sustained, and said Tentative Map is hereby granted, subject to the following conditions:

1. This tentative map extension of time shall expire on January 6, 1988, concurrently with Rezoning Case No. 5-81-023.

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 in accordance with the San Diego Municipal Code which specifies park fees applicable in the North University City Community Plan area.

4. 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.

5. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, paragraph 2.

6. Council approval of a final map over any portion of this tentative map is contingent upon prior Council approval of a final map, or maps, of that area according to the tentative map of the Lake at La Jolla Village TM-85-0533.


7. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing or Future Urbanizing. As such, special financing plans have been, or will be established to finance the public facilities required for the community plan area.

Therefore, in connection with Council approval of the final map, subdivider shall comply with the provisions of the financing plan then in effect for this community plan area in a manner satisfactory to the City Engineer. This compliance shall be achieved by entering into a development agreement paying a facilities benefit assessment, or such other means as may have been established by the Council.

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

9. This map shall conform to Planned Residential Development Permit No. 85-0534 and Planned Commercial Development Permit No. 85-0534, extensions of time to PRD 20-223-0 and PCD 30-105-0.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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01/13/86
Or.Dept:Clerk
R-86-1261
Form=r.subma

Passed and adopted by the Council of The City of San Diego on NOV 19 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 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"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

By *Barbara Baster*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-264192 Adopted NOV 19 1985