

RESOLUTION NUMBER R- 265257

ADOPTED ON MAR 17 1986

WHEREAS, on November 25, 1985, the Subdivision Board of The City of San Diego, subject to certain conditions, approved Tentative Map No. TM-84-0193.1; and

WHEREAS, the decision of the Subdivision Board to approve TM-84-0193.1 was appealed to the Planning Commission of The City of San Diego; and

WHEREAS, on January 9, 1986, the Planning Commission heard the appeal of the Subdivision Board's decision to approve TM-84-0193.1 and voted 7 to 0 to uphold the decision of the Subdivision Board and approve Tentative Map No. TM-84-0193.1, subject to certain conditions; and

WHEREAS, on January 21, 1986, pursuant to the provisions of San Diego Municipal Code Section 102.0308 DOROTHEA G. KEMPF, et al., appealed the decision of the Planning Commission in approving the proposed tentative map for a 10-lot subdivision of Lot 15, Collwood, Unit 1, Map 2401, and a portion of Lot 11 of Redlands Tract, Map 732, and portions of 54th Street closed, located at 4561 54th Street, in the R-600 and R1-5000 Zones, in the State University Community Plan area; and

WHEREAS, said appeal was set for public hearing on March 17, 1986, 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 San Diego 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 State University Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan, State Univeersity Community Plan, R-600 and R1-5000 Zoning/Development Regulations.

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 not cause substantial environmental damage, based upon the findings of Environmental Negative Declaration No. END-84-0193.

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-600 and R1-5000 zoning and conforms with City development regulations.

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. The Subdivision Board has reviewed the adopted Housing Element, the Progress Guide and General Plan for The City of San Diego and hereby finds, pursuant to Government Code Section 66412.3, that the housing needs of the region are being met since a residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer in accordance with financing and environmental policies of the City Council.

10. 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 DOROTHEA G. KEMPF, et al., are denied; the decision of the Planning Commission granting the tentative map is hereby sustained, and Tentative Map No. TM-84-0193.1 is hereby granted, subject to the following conditions:

1. This map shall become effective with Planned Residential Development No. PRD-84-0193.1 and expire concurrently with the expiration date of same on March 17, 1989.

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. 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 San Diego Municipal Code Section 62.0410, et seq.

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

6. Access to the dwelling units within this subdivision shall be by means of an unnamed, nondedicated, privately maintained driveway.

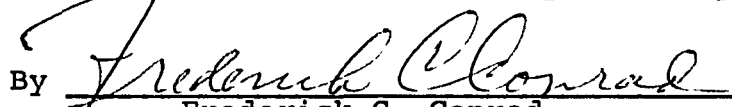
7. This project shall be served by a privately maintained water and sewer system constructed in a manner satisfactory to the Water Utilities Director.

8. This map shall conform with Planned Residential Development Permit No. PRD-84-0193.1.

9. No open space easements are to be granted on the final map. However, 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.

10. A homeowners association shall be established by the developer for the maintenance of the common lot, No. 10, as shown on Exhibit "A," dated March 17, 1986, by the owners of the dwelling units on Lots 1 through 9.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:640
06/24/86
Or.Dept:Clerk
R-86-1797
Form=r.subma

2040

MAR 17 1986

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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"/>
Judy McCarty	<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:

ED STRUIKSMA

Deputy Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Jane A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-265257 Adopted MAR 17 1986