

(R-88-547)

RESOLUTION NUMBER R-269216

ADOPTED ON SEPTEMBER 8, 1987

WHEREAS, the LA JOLLA TOWN COUNCIL, INC., by David M. Ish, Executive Manager, and THE LA JOLLA SHORES ASSOCIATION, by Dr. Michael N. Oxman, Chairman, appealed the decision of the Planning Commission in approving Tentative Map No. TM-86-0797 submitted by EDMOND SAWYER, PUEBLA PACIFIC DEVELOPMENT and CHARLES W. CHRISTENSEN & ASSOCIATES for a two-lot subdivision on portions of Pueblo Lots 1280 and 1297 of the Pueblo Lands of San Diego, located on the west side of Torrey Pines Road, north of its intersection with Ardath Road, in Tract "D" of the La Jolla Shores Planned District Zone, in the La Jolla Community Plan area; and

WHEREAS, the matter was set for public hearing on July 7, and continued to August 4 and 11, 1987, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Tentative Map No. TM-86-0797:

1. The map proposes a two-lot subdivision of a 6.4-acre site for residential development. This type of development is consistent with the General Plan and La Jolla Shores Community Plan which designate the area for residential use. The proposed

map will retain the community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the La Jolla Shores Planned District (Tract D) Zone in that:

a. Both lots have frontage on a dedicated street which is open to and usable by vehicular traffic.

b. Both lots meet the minimum dimension requirements of the La Jolla Shores Planned District (Tract D) Zone.

c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area, setbacks, side yard and rear yard regulations.

d. Development of the site is controlled by Planned Residential Development Permit No. PRD-86-0797.

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. The harmony in scale, height, bulk, density and coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.

5. The site is suitable for the proposed density of development. This is consistent with the community plan which provides for this density.

6. The design of the subdivision or the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Environmental Mitigated Negative Declaration No. EMND-86-0797 which is included herein by this reference.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available or required by condition of this map to provide for water and sewage facilities as well as other related public services.

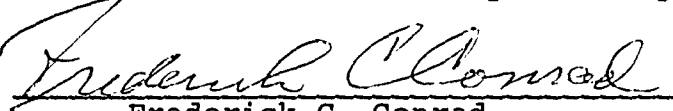
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of 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 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.

The above 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 the LA JOLLA TOWN COUNCIL, INC. and THE LA JOLLA SHORES ASSOCIATION are denied; the decision of the Planning Commission is sustained, and Tentative Map No. TM-86-0797 is hereby granted to EDMOND SAWYER, PUEBLA PACIFIC DEVELOPMENT, and CHARLES W. CHRISTENSEN & ASSOCIATES, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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09/22/87
Or.Dept:Clerk
R-88-547
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CITY COUNCIL CONDITIONS
TM 86-0797

1. This tentative map will expire concurrently with Planned Residential Development 86-0797, on September 8, 1990.
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 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. 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. 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 San Diego Municipal Code Section 62.0410 et seq.
6. Torrey Pines Road is classified as a 4-lane major street. The improvements to be constructed in connection with this subdivision are as follows:
 - a. A 32-foot-wide paved roadway for southbound traffic as shown on the approved tentative map.
 - b. The main access point shown on the tentative map at Road Station 34+ has been relocated southerly to Road Station 30+. No deceleration lane shall be constructed northerly from the access point at Station 34 and the access driveway shall serve as an emergency vehicle access and shall be gated in a manner satisfactory to the Fire Marshal.

The access point at Station 30+ shall be constructed as shown in Council Exhibit A, providing access to this subdivision and to the La Jollan Apartments located southerly of the subdivision.
 - c. Prior to the approval of the final map for this subdivision, an agreement between the subdivider and the owner(s) of the La Jollan Apartments shall be evidenced. Such agreement must, among other

things, provide for right of access to and from the La Jol Apartments over the subdivider's property; the elimination driveways on Torrey Pines Road to the La Jollan Apartments the free and unrestricted use to at least twenty-two parki spaces. One driveway may be maintained in the westerly pa the apartment complex, subject to the approval of the City Engineer.

- d. The intersection on Torrey Pines Road shall be signalized various center islands, ramps, and warning devices necessa accommodate this facility shall be installed.
- e. A minimum 32-foot-wide paved roadway for northbound traffi easterly side of the median in a manner satisfactory to th Engineer.
- f. Curb on the easterly side as required by the City Engineer

7. WATER REQUIREMENTS:

- a. Install a 10-inch water main in an easement through the subdivision between the easterly end of the 10-inch stub-c provided by Prestwick Estates and Torrey Pines Road, and i Pines Road between the easement water main to the northerl the existing 8-inch water main southerly of the subdivisic
 - b. Install a pressure regulating station at the northerly enc required 10-inch water main in Torrey Pines Road in a manr satisfactory to the City Engineer.
 - c. Install an on-site 8-inch water main adequate to serve the subdivision.
 - d. Install fire hydrants at locations satisfactory to the City Engineer.
8. The drainage system proposed for this subdivision shown on the approved tentative map is subject to approval by the City Engineer.
9. This tentative map is a vesting tentative map. As such, the su shall pay an additional \$300 fee to the Engineering Department final map processing in connection with this vesting tentative
10. No open space easements are to be granted on the final map. Ho non-building area easements shall be granted on the final map c of Lot 1 and portions of Lot 2 as required by the Planning Dire order to implement the open space provisions of the PRD Ordinari applies to the associated PRD.
11. Access to the dwelling units within this subdivision shall be of an unnamed, non-dedicated private driveway constructed in a satisfactory to the Fire Department and the City Engineer.

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12. 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.
13. Prior to the recording of the final map, the developer shall submit an approved permit from the Coastal Commission for this project.
14. This map shall conform to the conditions of Planned Residential Development Permit No. 86-0797.
15. The final grading plan shall incorporate erosion control procedures satisfactory to the Deputy Director of the Environmental Quality Division which would address, among other things, stabilization and planting of all manufactured slopes upon completion of finish grading, and avoidance of grading during the rainy season.
16. Land may be graded during the period of November 15 through March 30 provided that all areas disturbed but not completed during construction, including graded pads and stockpiles, shall be suitably prepared to minimize soil loss. Temporary erosion control measures shall include, but are not limited to, berms, interceptor ditches, sand bagging, hay bales, filtered inlets, debris basins, energy dissipating structures, or silt traps. Land shall be graded in increments during this period to minimize soil exposure.
17. The portion of the right-of-way of Torrey Pines Road utilized for parking, exclusive to the driveway through the parking area, shall be vacated and acquired by the subdivider, or an Encroachment Removal Agreement Permit shall be obtained prior to the recordation of the final map.
18. All work proposed in Torrey Pines Road, in connection with this tentative map, shall be in conformance with this resolution and the Engineering memorandum dated August 10, 1987.
19. No sidewalk on the westerly side of Torrey Pines Road shall be required if a satisfactory walkway is constructed within the canyon adjacent to the roadway. The canyon walkway shall be a minimum width of 5 feet and shall be constructed of concrete.
20. The subdivider shall landscape the median islands in Torrey Pines Road to the north and south of the proposed signalized island break. That portion of the landscaping southerly of the median break shall be especially selected to maintain adequate sight distance for vehicles approaching the signal from the south. The Subdivider/Homeowners Association shall maintain such landscaping until such is provided for by a landscape maintenance district or other suitable means.
21. This subdivision is subject to payment of School Impact Fees at the time of issuance of building permits as provided by California Government Code Section 53080(b) (Statutes of 1986, Chapter 887) in accordance with procedures established by the Director of Building Inspection.

22. Prior to the recordation of a final map, a phasing plan shall be submitted to the satisfaction of the Planning Director which shall set forth the development to: (a) the allocation schedule of the Community Plan set forth in Schedule A of the Interim Development Ordinance, adopted by the City Council on July 21, 1987; and (b) the construction and actual installation of all public facilities specified in the Improvement Program portion of the applicable community plan that shall be required for this project approval.
23. This map shall comply with the standards, policies and requirements of all ordinances in effect at the time of approval of this map, including the Interim Development Ordinance adopted by the City Council on July 21, 1987; and any successor ordinance, plan or policy imposing or similar requirements upon environmentally sensitive habitat including floodplains, hillsides, wetlands or coastal bluffs, which approval shall be binding upon all subsequent approvals and permits required for the development.

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SEP 08 1987

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

Council Members	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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By *Charles G. Abdelnour* Deputy.

Office of the City Clerk, San Diego, California

Resolution *R*- 269216 SEP 08 1987
Number Adopted