

(R-88-905)

RESOLUTION NUMBER R-269587

ADOPTED ON OCTOBER 27, 1987

WHEREAS, MRS. HELEN SMITH, by James S. Milch, Esq., and GERALD G. MARANS, appealed the decision of the Planning Commission in approving Tentative Map No. TM-86-0994 submitted by FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION, as Receiver for SAN MARINO SAVINGS AND LOAN, and VTN SOUTHWEST ENGINEERING for the subdivision of a 114.2-gross-acre site into 25 lots on Parcel 1 of Parcel Map No. 11842, Parcels 2, 3 and 4 of Parcel Map No. 9470, and Lot 2 of Map No. 11500, located at the northeast corner of Town Center Drive and Nobel Drive, in the University Community Plan area, in the R1-5000 (HRO) (proposed R-1500 (HRO) and CN) Zone; and

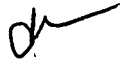
WHEREAS, the matter was set for public hearing on October 26, 1987, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts and incorporates herein by reference the findings of the Planning Commission in Planning Commission Resolution No. 0010-PC, adopted August 13, 1987, which are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

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SAN DIEGO, CALIF.



BE IT FURTHER RESOLVED, that the appeals of MRS. HELEN SMITH and GERALD MARANS are denied; the decision of the Planning Commission is sustained, and Tentative Map No. TM-86-0994 is hereby granted to FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION, as Receiver for SAN MARINO SAVINGS AND LOAN ASSOCIATION, 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

FCC:cc  
11/17/87  
Or.Dept:Clerk  
R-88-905  
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CITY COUNCIL CONDITIONS  
TM 86-0994

1. This tentative map will become effective with the effective date of the City Council Ordinance that approves rezoning case No. 86-0994 and will expire 3 years thereafter concurrent with the accompanying PRD and PCD. If the rezoning is denied, this tentative map shall be deemed denied.
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. 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.
4. 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.
5. Nobel Drive is classified as a 6-lane primary arterial within a 122-foot-wide right-of-way. In connection with this subdivision, the subdivider shall provide full-width improvements including 88 feet of paving, a 14-foot-wide raised center median, curbs and sidewalks in a manner satisfactory to the City Engineer. These improvements are to be constructed between Towne Centre Drive and Shoreline Drive. The subdivider shall relinquish access rights to Nobel Drive.

The southerly half of Nobel Drive has been assured by TM 84-0223 as a 4-lane primary arterial.

The subdivider may request the City Council to create a reimbursement district and/or FBA credits to recover the cost of the construction of a portion of Nobel Drive. The amount of reimbursement and/or FBA credits shall be determined by the City Engineer.

6. Judicial Drive is classified as a 4-lane major within a 98-foot-wide right-of-way. This right-of-way shall be dedicated and graded within the subdivision boundary as shown on the approved tentative map.

In connection with this subdivision, the subdivider shall provide full-width improvements within the subdivision boundary (approximately 475 feet) including curbs, sidewalks, paving and a 14-foot-wide raised center median.

7. The improvement of Judicial Drive within this subdivision may be deferred up to 6 years through a bonded, 6-year Council-approved agreement.

If this alternative is chosen by the subdivider, the subdivider shall, in connection with Council approval of the final map;

- a. Design these improvements in a manner satisfactory to the City Engineer.
- b. Bond for the improvements in an amount to be approved by the City Engineer.
- c. Enter into an agreement whereby the subdivider agrees to construct these improvements when required by the City Engineer, or at the end of the 6-year period, whichever occurs first.

At any time during the period of the agreement, subject to approval of the City Engineer, the subdivider may pay to the City an amount for the future construction of Judicial Drive and satisfy the obligations of the agreement. This amount shall be this subdivider's share of the improvement and is to be approved by the City Engineer.

8. Golden Haven Drive is classified as a 4-lane major within a 98-foot-wide right-of-way. The subdivider is to provide full-width improvements matching the improvements required per La Jolla Gateway, TM 82-0707, including curb, sidewalk, 64 feet of paving, and a raised 14-foot-wide center median. Golden Haven Drive is to be constructed between Towne Centre Drive and the subdivision boundary as shown on the approved tentative map.

As an alternative, the subdivider may provide full-width improvements between Towne Center Drive and Street "A" and defer the improvement between Street "A" and the subdivision boundary following the conditions as stated in Condition No. 7.

9. Towne Centre Drive is classified as a 4-lane collector within a 98-foot-wide right-of-way. The subdivider shall construct full half-width improvements including curb, sidewalk, and 32 feet of paving.
10. Shoreline Drive is classified as a 4-lane major within a 98-foot-wide right-of-way. The subdivider shall provide full improvements including curbs, sidewalks, 64 feet of paving, with a 14-foot-wide raised center median. A median break may be constructed at Street "C" satisfactory to the City Engineer.
11. Street "A" is classified as a 2-lane collector within a 72-foot-wide right-of-way. This right-of-way is to be fully improved with curbs, sidewalks, and 52 feet of paving in a manner satisfactory to the City Engineer.

12. Street "C" is classified as a 2-lane collector within a 60-foot-wide right-of-way. This right-of-way is to be fully improved with curbs, sidewalks and 40 feet of paving.
13. Streets "B," "D," "E," and "F" are classified as 2-lane locals within a 56-foot-wide right-of-way providing for cul-de-sacs as shown on the approved tentative map. These streets are to be fully improved with curbs, sidewalks and 36 feet of paving.
14. The subdivider shall construct fully interconnected traffic signal systems at the following locations:
  - a. Golden Haven Drive and Towne Center Drive. (also a requirement of TM 82-0707)
  - b. Nobel Drive and Towne Centre Drive.
  - c. Towne Centre and Street "A."

A reimbursement district in accordance with the provisions of Municipal Code Section 62.0208 may be established by the City Council to recover a portion of the costs of constructing the required traffic signal systems when the adjacent properties develop.

15. Prior to Council approval of the final map, the subdivider shall pay to the City cash in the amount of \$105,000 for the future construction of a traffic signal at the intersection of Nobel Drive and Shoreline Drive and \$52,500 for the future construction of a traffic signal at the intersection of Judicial Drive and Golden Haven Drive.
16. Water requirements:
  - a. Install 12" water mains in Street "A," Shoreline Drive, Golden Haven Drive, Nobel Drive east of Shoreline Drive, and Judicial Drive connecting to existing 16" AC in La Jolla Village Drive.
  - b. Install 8" water mains in Nobel Drive between Towne Centre Drive and Shoreline Drive and in "B," "C," "D," "E" and "F" Streets.
  - c. Install fire hydrants at locations satisfactory to the Fire Department and to the City Engineer.
17. Sewer requirements:
  - a. Install a system of gravity sewer mains of adequate capacity to serve all lots.
  - b. Provide calculations satisfactory to the Water Utilities Director, to show that the size and the grade of the sewer grade will provide adequate capacity and cleansing velocities.

- c. Relocate the existing 36" and 39" trunk sewer in a manner satisfactory to the City Engineer. This sewer shall be designed to accommodate a flow of 85 MGD or as approved by the City Engineer.
18. The existing Public Facilities Financing Plan (PFFP) for this community programs the future acquisition and development of a community park proximate to this subdivision. In the event that the developer is required to construct any part of the planned park project, staff will, upon application by the developer, support a request for an appropriate Council agreement providing for credits against future Facilities Benefits Assessments due for their development, subject to the availability for such proceeds per cash flow analysis of a specific project and financing plan.
  19. In the event Council adopts a revised Public Facilities Financing Plan that includes any project which is required as a condition of this map, staff will, upon application by the developer, support a request for an appropriate Council agreement providing for credits against future Facilities Benefits Assessments due for their development, subject to the availability of such proceeds per cash flow analysis of a specific project and financing plan.
  20. A portion of this subdivision has been identified as being within a floodway and floodplain fringe area. In connection with Council approval of the final map:
    - a. The subdivider shall submit a Hydraulic and Hydrologic Study of the area within the floodway for approval by the City Engineer.
    - b. Any development within the floodplain fringe area will require the property to be graded to an elevation higher than the 100 year frequency flood elevation plus two feet or floodproofing provided to an elevation higher than the 100 year frequency flood elevation plus two feet.
    - c. The subdivider shall grant drainage easements satisfactory to the City Engineer.
    - d. Permits or exemptions must be obtained from the California Department of Fish and Game and the U.S. Army Corps of Engineers before City permits will be issued for work within the floodplain fringe areas.
  21. Lot 1 as shown on the approved tentative map is to be deeded to the City as open space in a manner satisfactory to the Park & Recreation Department.
  22. The subdivider shall deed Lot 19 to the City to be used in conjunction with the adjacent property to the east as either a park or other public

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uses. No compensation is to be received for this grant. The deed conveying this property to the City shall contain a clause that would allow the City at some future date or within 10 years of the recordation of the final map, whichever occurs first, to reconvey all or part of Lot 19 to the grantor at no cost if it is determined by the City that fee ownership of all or part of Lot 19 is no longer required.

23. Parcels A & B as shown on the approved tentative map are to be identified on the final map as "not a building site."
24. Sidewalk widths and locations shall conform to PRD Permit No.86-0994 and PCD Permit No.86-0994 and may vary from the widths and locations as shown on the approved tentative map.
25. 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, the 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 City Council.

26. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
27. 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.
28. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
29. The 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.
30. The subdivider shall comply with the mitigation measures as stated in Environmental Impact Report No. 86-0994 and more specifically defined in Planned Residential Development Permit No. 86-0994, satisfactory to the Planning Director.

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31. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Engineering Department for each final map processed in connection with this vesting tentative map.
32. This tentative map shall conform to the provision of PRD Permit No. 86-0994 and PCD Permit No. 86-0994.
33. The residential dwelling units of this subdivision are subject to the agreement between the San Diego Unified School District and Central Summers, Ltd., for financing public school facilities and the amendment to agreement between San Diego Unified School District and Central Summer Ltd. and its successor in interest, Federal Savings and Loan Insurance Corporation as receiver for San Marino Savings and Loan Association for financing school facilities. The commercial development of 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.
34. Prior to the recordation of a final map, a phasing plan shall be submitted to the satisfaction of the Planning Director which ties development to: (a) the allocation schedule of the Community Plan, as set forth in Schedule A of the Interim Development Ordinance, adopted by the City Council on July 21, 1987 and any successor plan or policy imposing the same or similar requirements; and (b) the construction and actual installation of all public facilities specified in the Capital Improvement Program portion of the applicable community plan that would be required for this project approval.
35. 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 the same or similar requirements upon environmentally sensitive habitats, floodplains, hillsides, wetlands or coastal bluffs, which approval shall be binding upon all subsequent approvals and permits required for the development.

OCT 27 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"/>
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT
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"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

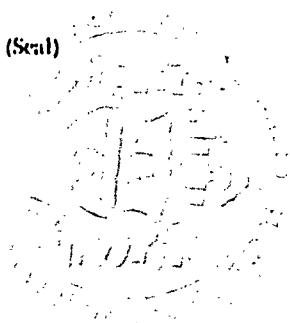
AUTHENTICATED BY:

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

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

By *Charles G. Abdelnour*, Deputy.

(Seal)



Office of the City Clerk, San Diego, California

Resolution **R-269587** OCT 27 1987  
Number ..... Adopted .....