

RESOLUTION NUMBER R-272755

ADOPTED ON JANUARY 24, 1989

WHEREAS, Techbilt Construction Corporation represented by Paul A. Peterson, Esq., appealed the decision of the Planning Commission in approving Vesting Tentative Map No. 87-0226 submitted by Techbilt Construction Corporation, Owner, for La Jolla Alta Units 4, 14, and 15, located generally east of Rutgers Drive, south of La Jolla Scenic Drive, west of Soledad Road and north of Turquoise Street, and is further described as a portion of Pueblo Lots 1780 and 1781, and Lots 1-32, Block 1, Sea View Heights, Map No. 1125, and Lot 10 of Map No. 8252, within the boundaries of the La Jolla and Pacific Beach Community Plan areas, in the R1-5000, R1-10000 and Hillside Review Overlay Zones; and

WHEREAS, Save the Canyon Committee by Leysia Wake and Foothills Managed Growth Committee by Marsha Peterson Ingersoll, appealed the decision of the Planning Commission in approving Vesting Tentative Map No. 87-0226 submitted by Techbilt Construction Corporation, Owner, for La Jolla Alta Units 4, 14, and 15, located generally east of Rutgers Drive, south of La Jolla Scenic Drive, west of Soledad Road and north of Turquoise Street, and is further described as a portion of Pueblo Lots 1780 and 1781, and Lots 1-32, Block 1, Sea View Heights, Map No. 1125, and Lot 10 of Map No. 8252, within the boundaries of the La Jolla and Pacific Beach Community Plan areas, in the R1-5000, R1-10000 and Hillside Review Overlay zones; and

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SAN DIEGO, CALIF. *PS*

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WHEREAS, the matter was set for public hearing on January 24, 1989, 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 Vesting Tentative Map No. 87-0226:

1. The map proposes the subdivision of a 54.5-acre site into 127 lots for residential development. This type of development is consistent with the General Plan and the La Jolla and Pacific Beach Community Plans, 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 R1-5000 and R1-10000 zones in that:

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

b. All lots meet the minimum dimension requirements of the R1-5000 and R1-10000 zones.

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. 87-0226.

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 physically suitable for the proposed density of development. This is consistent with the community plan which provides for residential uses.

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 in Environmental Impact Report EQD No. 87-0226, 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 Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego and hereby finds pursuant to Section 66412.3 of the Government Code, 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 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 Save the Canyon Committee and Foothills Managed Growth Committee are denied and that the appeal of Techbilt Construction Corporation is granted; the decision of the Planning Commission is overruled, and Vesting Tentative Map No. 87-0226 is hereby granted to Techbilt Construction Corporation, 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:lc  
05/03/89  
05/16/89 REV. 1  
06/12/89 REV. 2  
VTM 87-0226  
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CITY COUNCIL CONDITIONS  
TM 87-0226

1. This tentative map will expire January 24, 1992.
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.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. 769635.

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. The subdivider must provide a geological report 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 existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
6. This subdivision is to be served by a system of non-dedicated, named, private streets constructed to the size and alignment shown on the tentative map. Where public or franchised facilities are to be located within the private streets, a general utility easement will be granted to provide for such facilities. The streets will conform to the requirements of the Street Design Manual of the Engineering Department in regard to the geometries of design and the requirements for construction. The design of the main entrance shall conform generally to the proposal of the EIR and adequate sight distance shall be provided to either direction on Cardeno Drive. The entrance shall be designed to accommodate a minimum of three cars between the manned gate and the curb line on Cardeno Drive or five cars if an automatic gate is utilized.
7. Gated emergency access shall be provided to Van Nuys Street adjacent to Lot 84. The emergency access shall be constructed with concrete and shall be gated, in a manner satisfactory to the Fire Department.

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8. Turnaround facilities with a curb radius of 30 feet shall be constructed at the southerly end of "F" Street.
9. The subdivider shall construct traffic signal systems, in a manner satisfactory to the City Engineer, at the following intersections:
  - a. Fanuel Street/Foothill Boulevard/Turquoise Street
  - b. La Jolla Scenic Drive South and Soledad Mountain Road
10. Water Requirements:
  - a. Install 600 HGL system of water mains.
  - b. Install parallel eight-inch water mains between existing ten-inch main in Cardeno Drive and "C" Street.
  - c. Install six-inch main in cul-de-sacs: "E" and "D" Streets. Install looping eight-inch mains in all remaining streets, with closed-valve connection to Van Nuys Street main.
  - d. Install fire hydrants at locations satisfactory to the Fire Marshall.
11. Sewer Requirements:
  - a. Construct a system of gravity public or private sewer mains, as required by the Water Utilities Director, adequate to serve all the dwelling units.
  - 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.
  - c. Provide 15-foot-wide access easements to all sewer manholes as required by the City Engineer.
12. If on-site water and sewer are to be public and if it is a gated community, the Water Utilities System Division shall have keyed access, satisfactory to the Water Utilities Director. The City will not be held responsible for any issues that may arise relative to availability of keys.
13. The subdivider shall grant a negative open space easement over Unit 15, Lot 1, in a manner satisfactory to the Park and Recreation Department. The subdivider shall correct the existing erosion hazards prior to the City's acceptance of this easement, in a manner satisfactory to the City Engineer. This easement is to be maintained in accordance with the PRD Permit.

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14. The subdivider shall grant a negative open space easement over Lots 123 and 124, Unit 14, in a manner satisfactory to the Park and Recreation Department. This easement shall be maintained in accordance with the PRD.
15. 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.
16. Whenever street rights-of-way are required to be dedicated it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint use agreements" for major transmission facilities.
17. 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.
18. The final map shall conform to the provisions of PRD 87-0226.
19. 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.
20. 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.
21. This subdivision may be 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. This community is subject to impact fees as established by the City Council at the time of issuance of building permits.

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JAN 24 1989

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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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.

(Seal)

By *Bhonda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-272755* Adopted *JAN 24 1989*

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