

(R-89-1866)

RESOLUTION NUMBER R-272968

ADOPTED ON FEBRUARY 28, 1989

WHEREAS, on January 3, 1989, the Subdivision Board of The City of San Diego approved Tentative Map No. T.M. 88-0542, submitted by Roy Peace, for subdividing a 12.47-acre site into 26 lots (10.01-acre lot for residential development and 2.46-acre lot for commercial development), located on the northeast corner of Pomerado and Cypress Canyon Roads and is further described as that portion of the southeast quarter of the southwest quarter of Section 26, Township 14 South, Range 2 West, SBM, in the Scripps Miramar Ranch Community Plan area, in the A-1-10 (HR) Zone (proposed R-3000 (HRO) and CN (HRO) Zones); and


WHEREAS, the matter was set for public hearing on February 28, 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 Tentative Map No. 88-0542:

1. The map proposes to subdivide a 12.47-acre site into 26 lots for residential development. This type of development is consistent with the General Plan and the Miramar Ranch North Community Plan which designate the area for residential use. The proposed map will retain the community's character by encouraging

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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 R-3000 (HRO) and CN (HRO) Zones in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, only as allowed under a Planned Residential Development (PRD) permit.

b. All lots meet the minimum dimension requirements of the R-3000 (HRO) and CN (HRO) Zones, only as allowed under a PRD permit.

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, only as allowed under a PRD permit.

d. Development of the site is controlled by Planned Residential Development Permit No. 88-0542.

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.

6. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of Addendum No. 88-0542 to Environmental Impact Report EQD No. 84-0744, which is included herein by this reference. However, a finding has been made pursuant to subdivision (c) of Section 21081 of the Public Resources Code that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

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 Section 66412.3 of the

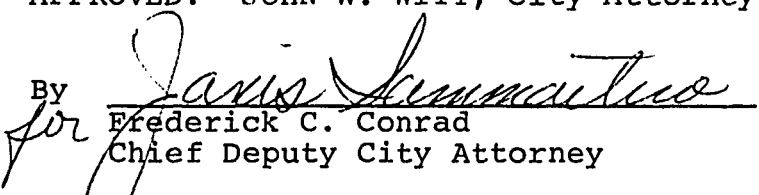
Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

10. The property contains a street which must be vacated to implement the final map in accordance with San Diego Municipal Code Section 102.0307. The tentative map must be approved by 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 decision of the Subdivision Board is hereby sustained; that Tentative Map No. T.M. 88-0542 is granted to Roy Peace, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
for Frederick C. Conrad
Chief Deputy City Attorney

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03/29/89
T.M. 88-0542
Or.Dept:Clerk
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CITY COUNCIL CONDITIONS
TM 88-0542

1. This map will expire February 28, 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 the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Miramar Ranch North Community Plan area. An agreement with the City may have been established by other County Island subdividers establishing the procedure for the payment of such park fees.
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. 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. Pomerado Road is classified as a major street within a 108-foot-wide right-of-way transitioning to a 98-foot-wide right-of-way. The subdivider shall provide full half-width improvements adjacent to this subdivision, in a manner satisfactory to the City Engineer.

A reimbursement district is being established for the construction of Pomerado Road. This development may be subject to reimbursement charges. If the formation of this district is established prior to the recordation of the final map or the issuance of the building permit, this established charge shall be paid prior to the filing of the final map or the issuance of the building permit in accordance with Ordinance No. O-17013.

7. Street "A" is classified as a local street within a 56-foot-wide right-of-way. This right-of-way is to be fully improved with curbs, four-foot-wide sidewalks, 36 feet of paving, and a standard cul-de-sac, in a manner satisfactory to the City Engineer. The full-width improvements are to extend off-site to Cypress Canyon Road. The

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cul-de-sac may be extended southerly to serve the adjacent property without a revised tentative map.

8. Water Requirements:

- a. The subdivider shall pay his proportionate share of facilities required to serve this development and service areas of the Miramar-Scripps Pump Station and the Scripps Ranch Booster Pump Station, all satisfactory to the Water Utilities Director.
- b. Install 1150 HGL eight-inch main in Street "A" and six-inch main in Street "B."
- c. Install fire hydrants at locations satisfactory to the Fire Department and to the City Engineer.

9. Sewer Requirements:

- a. Provide a sewer study, satisfactory to the Water Utilities Director, for the proper sizing of the proposed off-site sewer to the north, in the City of Poway, and justifying the adequacy of the existing facilities beyond the point of connection. Coordinate the location of the off-site facilities with the City of Poway. This study shall include the sizing of on-site gravity mains and shall indicate that the grade of the sewer mains will provide adequate capacity and cleansing velocities.
- b. Install all facilities required by the approved study.
- c. The subdivider will be responsible for the preparation of a sewer agreement between the City of Poway and the City of San Diego for the transportation and metering of City flows through Poway to the trunk sewer within Penasquitos Canyon and the City of San Diego.

10. Providing water and sewer for this subdivision is dependent upon the prior construction of certain water and sewer mains in previously approved subdivisions in this area. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved water and sewer mains, as required by the City Engineer, will become off-site improvement requirements for this subdivision.

11. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing. As such, special financing plans have been 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

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City Engineer. This compliance shall be achieved by entering into an agreement for the payment of the assessment, paying a facilities benefit assessment, or such other means as may have been established by the City Council.

12. All rights-of-way required to be dedicated with this map must be free and clear of all encumbrances and prior easements. The subdivider must secure from an easement grantee a subordination agreement for distribution facilities located within the dedication or, in the case of major transmission facilities, a joint-use agreement.
13. 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.
14. The final map shall conform to the provisions of PRD No. 88-0542.
15. 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 2, 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.
16. This map shall comply with the standards, policies, and requirements of all ordinances in effect at the time of approval of this map.
17. 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.

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FEB 28 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 type="checkbox"/>	<input checked="" 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.

(Seal)

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

By *Blonde R. Burns*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R272968* Adopted *FEB 28 1989*