

(R-89-2112)

RESOLUTION NUMBER R-273206

ADOPTED ON APRIL 11, 1989

WHEREAS, on January 17, 1989, the Subdivision Board of The City of San Diego approved Tentative Parcel Map No. 88-1064 (Bernardo Greens No. 5 Parcel Map) submitted by Avco Community Developers, Inc., for a one lot, 0.632 acre parcel map for development of a single-family residence, located north of the intersection of Fernando Drive and Fernando Way and described as Parcel 5 according to Parcel Map No. 12542, in the Rancho Bernardo Community Plan area, in the R1-20,000 zone; and

WHEREAS, the matter was set for public hearing on April 11, 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 Parcel Map No. 88-1064:

1. The map proposes to create a one-parcel, 0.632 acre Parcel Map for single-family development. This type of development is consistent with the General Plan and the Rancho Bernardo Community Plan, which designate the area for low density residential (1-9 dwelling units per acre) 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 R1-20,000 zone, except as outlined in paragraphs "a" and "b" below, in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic; however, a variance is being granted because a frontage of 34 feet is being proposed where the R1-20,000 zone requires 80 feet. The variance is being granted because the existing parcel is totally surrounded by subdivided property, and therefore the required frontage is not possible. The variance would not be detrimental to the surrounding properties.

b. All lots meet the minimum dimension requirements of the R1-20,000 zone, except as noted in paragraph "a" above.

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.

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 low density 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 low density residential (1-0 dwelling units per acre) development.

6. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of Exemption No. 88-1064, which is included herein by this reference. (Section 15315, Minor Land Divisions.)

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 environment policies of the City Council.

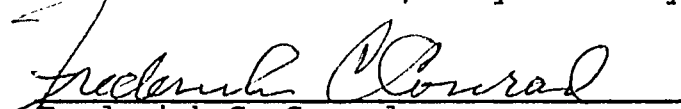
That said findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the decision of the Subdivision Board is hereby sustained; and that Tentative Parcel Map No. 88-1064 is hereby granted to Avco Community Developers, Inc., subject to the conditions attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that the City Manager is hereby directed to follow up on the condition made by the Rancho Bernardo Community Planning Board for a geotechnical report on slope stability.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

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05/18/89
Or.Dept:Clerk
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CITY COUNCIL CONDITIONS
TM 88-1064

1. This tentative map will expire April 11, 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 Rancho Bernardo Community Plan area.
4. The subdivider must provide a geological reconnaissance on the subject property to determine the stability of the soil and the slopes. 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, Subsection 2.
6. The subdivider shall terminate Fernando Way as shown on the tentative map, in a manner satisfactory to the City Engineer.
7. The subdivider shall grant a negative open space easement over the portion of Parcel 1 as shown on the approved tentative map.
8. The subdivider shall grant a twenty-foot-wide drainage access easement the length of the vacated street reservation for the maintenance of the brow ditch, in a manner satisfactory to the City Engineer.
9. Prior to the recordation of the final map, the subdivider shall acquire fee title of the existing street reservation as granted per Map No. 7348.
10. 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.

R 273206

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 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.

11. 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.
12. This map shall comply with the standards, policies and requirements of all ordinances in effect at the time of approval of this map.
13. 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.
14. 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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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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Allen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R* 273206 Adopted APR 11 1989

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