

(R-90-730)

RESOLUTION NUMBER R-274423

ADOPTED ON SEPTEMBER 18, 1989

WHEREAS, on July 17, 1989, the Subdivision Board of The City of San Diego recommended approval of Tentative Map No. 89-0138 submitted by One Harbor Drive/Senturia Investment and Paller Roberts Engineering for the One Harbor Drive project which proposes to subdivide a 2.03-acre site into six parcels for residential and commercial development, located on the south side of J Street between First and Third Avenue and is described as portions of Blocks 118 and 119 of Horton's Addition DB 13 PG 522, in the Centre City Community Plan area, in the Marina Planned District; and

WHEREAS, the matter was set for public hearing on September 18, 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. 89-0138:

1. The map proposes to subdivide a 2.03 gross acre site into six lots for residential and commercial development and vacate a portion of Second Avenue between First Avenue and Third Avenue. The General Plan and the Centre City Community Plan designate the area for 80% residential and 20% non-residential use. However,

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District Permit for 88% residential and for a building height of 414 feet (300 feet is maximum allowed). 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 Marina Planned District zone, except for paragraph "a" below, in that:

a. Lots 4 and 5 do not have frontage on a dedicated street which is open to and usable by vehicular traffic, also these parcels lack direct vehicular access. Lots 1, 2, 3 and 6 have frontage on a dedicated street but lack direct vehicular access. A variance to waive frontage requirement is being granted because of the particular design of the proposed buildings. A variance is being granted to allow vehicular access across Lot 1 (reciprocal access) to serve the other parcels. Because the project is being comprehensively designed, surrounding properties will not be adversely affected.

b. All lots meet the minimum dimension requirements of the Marina Planned District except for frontage and direct street access 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, only as allowed under the Marina Planned District Permit.

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 commercial and 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 intensity and density of development. This is consistent with the community plan and the Marina Planned District Permit.

6. The design of the subdivision and the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat based upon the findings of the Master Environmental Impact Report (SCH No. 86070909), prepared by the Centre City Development Corporation, dated May 26, 1987, 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.

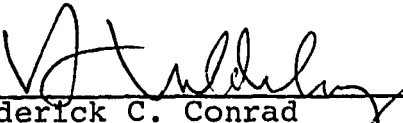
10. The property contains a street which must be vacated to implement the final map in accordance with San Diego Municipal Code section 102.0307.

The 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 sustained, and Tentative Map No. 89-0138 is hereby

granted to One Harbor Drive/Senturia Investment and Paller  
Roberts Engineering, 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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11/01/89  
Or.Dept:Clerk  
R-90-730  
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CITY COUNCIL CONDITIONS  
FOR TENTATIVE MAP NO. 89-0138

1. This tentative map will expire September 18, 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 reconnaissance 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 proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2. The undergrounding of the existing facilities is waived in accordance with Council Policy 600-25. The conversion involves a major street already scheduled as a utility company financed project (PUC 8209) per City Council Resolution R-265751, dated May 20, 1986, SDG&E Project No. 265751.
6. The subdivider shall construct/reconstruct curb and a five-foot-wide sidewalk adjacent to this site on Third Avenue and "J" Street and construct curbs and a minimum five-foot-wide sidewalk, closing "J" Street and First Avenue, providing ballards or similar device, in a manner satisfactory to the City Engineer.
7. 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.
8. This map shall comply with the standards, policies and requirements of all ordinances in effect at the time of approval of this map.

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9. 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.
10. This community may be subject to impact fees as established by the City Council at the time of issuance of building permits.
11. Concurrent with the recordation of the final map, a reciprocal access and parking agreement shall be created by a separate instrument to the satisfaction of the Planning Director.

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Passed and adopted by the Council of The City of San Diego on SEP 18 1989,  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 Ellen Board, Deputy.

Office of the City Clerk, San Diego, California	
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