

(R-91-1931)

RESOLUTION NUMBER R- 277862

ADOPTED ON MAY 6, 1991

WHEREAS, on December 20, 1990, Planning Commission approved Tentative Map No. 90-0443 submitted by Jerry L. Elder and P&D Technologies for a 12-lot subdivision (Russet Leaf Lane West project) for the development of single-family residential units, located on the west side of Russet Leaf Lane between Entreken Way and Calderon Road, and described as Parcel 6 of Parcel Map No. 14576, in the Penasquitos East Community Plan area, in the A-1-10 (proposed R1-5000/SL Overlay) zone; and

WHEREAS, the matter was set for public hearing on May 6, 1991, 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. 90-0443:

1. The map proposes the subdivision of a 1.28-acre site into 12 lots for residential development. This type of development is consistent with the General Plan and the Penasquitos East Community Plan which designate the area for residential use. The proposed map will retain the community's character by encouraging orderly, sequential development

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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/SL Overlay zone 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/SL Overlay zone.

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 nature heating 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 and 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 Negative Declaration No. 90-0443 which is included herein by this reference.

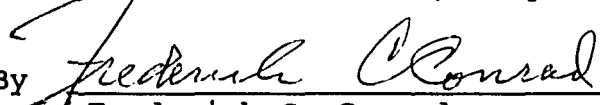
7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available or required by condition of this map to provide for water and sewage facilities, as well as other related public services.

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.

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 Planning Commission is sustained; and Tentative Map No. 90-0443 is hereby granted to Jerry L. Elder and P&D Technologies, 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

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Or.Dept:Clerk  
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CITY COUNCIL CONDITIONS FOR  
TENTATIVE MAP NO. 90-0443

1. This tentative map will become effective with the effective date of Rezoning Case No. 90-0443 and expire concurrently with the expiration date of the same. 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.

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. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
4. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
5. Every final map shall:
  - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as

R- 277862

ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

6. 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.
7. 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.
8. 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.
9. The subdivider shall provide a four-foot-wide sidewalk adjacent to this subdivision along Russet Leaf Lane, satisfactory to the City Engineer.
10. The subdivider shall provide a street reservation and slope rights for Calderon Road, satisfactory to the City Engineer.
11. Prior to recordation of the final map, the subdivider shall provide a grade and alignment study for Calderon Road, satisfactory to the City Engineer.
12. Water and Sewer Requirements:
  - a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
  - b. The developer shall install a system of gravity sewer mains of adequate capacity to serve this development.
  - c. The developer shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral.
13. The subdivider shall comply with any ordinance adopted by the City Council that requires the installation of retrofitting devices for water conservation.
14. A transportation phasing plan is required for this community. Prior to recordation of the final map, the

R-277862

transportation phasing plan must be approved by the City Engineer, and this subdivision must conform to the approved transportation phasing plan.

15. 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 an agreement for the payment of the assessment, paying a Facilities Benefit Assessment (FBA) or such other means as may have been established by the City Council.

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. 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.
19. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
20. Prior to the recordation of the final map, a "Brush Management Zone One Area Easement" shall be placed on the property equal to the required Zone One depth determined by the Planning Director, in accordance with the *Landscape Technical Manual*. The easement shall read:

"We hereby grant to the City of San Diego, a Municipal Corporation, any and all right to construct, erect, or maintain any structure, unless approved by the Fire Chief and the Planning Director, based on 'Zone 1' of the Brush Management Guidelines contained in Section 6

R-277862

of the 'Landscape Technical Manual,' approved by the City Council of the City of San Diego, and on file in the Office of the City Clerk as Document No. RR-274506, upon or across those portions of Lots 1 through 12 inclusive, as shown on this map, within this subdivision and designated 'Building Rights Relinquished Hereon.' However, the foregoing shall not be construed as a grant of any rights to the general public."

The easement shall be implemented and maintained in accordance with the guidelines of the "Landscape Technical Manual" and all other applicable City and regional standards for fire safety.



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Passed and adopted by the Council of The City of San Diego on MAY 06 1991,  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<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 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 *Maureen O'Connor*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-277862</u>	Adopted <u>MAY 06 1991</u>