

(R-91-2163)

RESOLUTION NUMBER R-277915

ADOPTED ON MAY 14, 1991

WHEREAS, Randy Bixler appealed the decision of the Planning Commission in approving Tentative Map No. 89-0966 (Jordan's Parcel Map) submitted by Phillip Jordan which would subdivide a 0.958-acre site into four parcels for single-family development (three units exist on the property), located on the southwest corner of Loring and Collingwood Street and described as Lot 288, Map No. 1618, and a portion of Tuna Lane, as vacated and closed to public use, and Lot 153 and Lot 154 of Map No. 1627, in the Pacific Beach Community Plan area, in the R1-5000 zone; and

WHEREAS, the matter was set for public hearing on May 14, 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. 89-0966:

1. The map proposes the subdivision of a 0.958-acre site into four parcels for single-family residential development (four dwelling units per acre). This type of development is consistent with the General Plan and the Pacific Beach Community Plan which designate the area for residential use (nine dwelling units per acre maximum). The proposed map will retain the community's

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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 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 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 natural heating and 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 Exemption No. 89-0966 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 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.

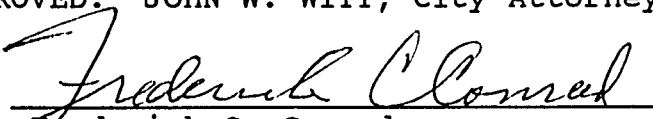
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the appeal of Randy Bixler is denied; the decision of the Planning Commission is sustained; and Tentative Map No. 89-0966 is hereby granted to Phillip Jordan, subject to the conditions attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that the City Council approves of the dismissal of the lawsuit with prejudice in this matter.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad
Chief Deputy City Attorney

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CITY COUNCIL CONDITIONS
FOR TENTATIVE MAP NO. 89-0966

1. This tentative map will expire May 14, 1994.
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 ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

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6. 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.
7. Undergrounding of proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
8. The subdivider shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for undergrounding of existing public utility systems.
9. Prior to the filing of the final map, the subdivider shall provide adequate drainage facilities to control drainage onto Parcel 4, satisfactory to the City Engineer.
10. The subdivider shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for sidewalks.
11. Prior to recordation of the final map, the subdivider shall assure the correction of any substandard grading, satisfactory to the City Engineer, and provide a landscaping plan, satisfactory to the Planning Director.
12. Prior to recordation of the final map, the subdivider shall obtain an Encroachment Removal Agreement for the private fence within the right-of-way adjacent to Parcels 1 and 4 and remove all other encroachments, satisfactory to the City Engineer.
13. 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 provide evidence, satisfactory to the Water Utilities Director, showing that each parcel will have its own water service and sewer lateral.
14. 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.
15. 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.

16. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
17. No structure constructed on Lot 4 of this Parcel Map shall exceed 18 feet in height measured above a point on the upper surface of the existing curb at the mid-point of the lot frontage on Loring Street, the height limitation established by Municipal Code section 101.0407, R-1 zones, or the height limitation established by Municipal Code section 101.0451 Limitation on Height of Buildings in the Coastal Zone, whichever is less.

The provisions of the first paragraph of this condition shall be set forth on the final parcel map and shall be entitled "Special Height Limitation on Lot 4."

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Passed and adopted by the Council of The City of San Diego on.....**MAY 14 1991**.....
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<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"/>
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 type="checkbox"/>	<input checked="" 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 *Linda Sugano*....., Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R 277915** Adopted **MAY 14 1991**