

(R-92-1141)

RESOLUTION NUMBER R-279253

ADOPTED ON JANUARY 7, 1992

WHEREAS, Stan Keiser appealed the decision of the Planning Commission in denying Tentative Map No. 89-0774 submitted by Stan Keiser, Owner/Permittee, to develop a fourteen (14) unit single-family residential subdivision, located north of Lansdale Drive between Sword Way and Winstanley Way, within the Neighborhood 4A Precise Plan area, and more particularly described as the easterly quarter of the easterly half of the northwest quarter of Section 17, Township 14 South, Range 3 West, San Bernardino Meridian, in the Carmel Valley Community Plan area, in the SF-1 and OS zones; and

WHEREAS, the matter was set for public hearing on January 7, 1992, 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. 89-0774:

1. The map proposes the subdivision of a 9.7 acre site into fourteen (14) lots for residential development. This type of development is consistent with the General Plan and the Carmel Valley Community Plan which designate the property for residential 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 SF-1 and OS zones in that:

- a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Planned District (PD) Permit.
- b. All lots meet the minimum dimension requirements of the SF-1 and OS zones, as allowed under a PD.
- 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 PD.
- d. Development of the site is controlled by Planned District Permit No. 89-0774.

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 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 or the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings in Mitigated Negative Declaration No. 89-0774, 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 area 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 the 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

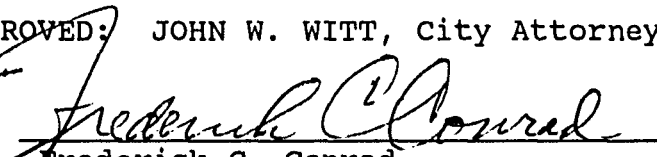
the City Engineer, in accordance with financing and environmental policies of the City Council.

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 Stan Keiser, is granted; the decision of the Planning Commission is overruled, and Tentative Map No. 89-0774 is hereby granted to Stan Keiser, 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

FCC:pev
03/31/92
Or.Dept:Clerk
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CITY COUNCIL CONDITIONS FOR
TENTATIVE MAP NO. 89-0774

1. This tentative map will expire January 7, 1995.
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 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.
7. 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.
8. Thurston Place and Bayliss Court are classified as two-lane local residential streets within 50-foot-wide rights-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and a 45-foot right-of-way for the cul-de-sacs, and provide 30 feet of pavement, curb, gutter, a four-foot-wide sidewalk on both sides of the streets, within a ten-foot curb-to-property-line distance, and a 35-foot curb radius for the cul-de-sacs, satisfactory to the City Engineer.
9. Lansdale Drive is classified as a two-lane residential collector street within a 60-foot-wide right-of-way. If the dedication of Lansdale Drive within this subdivision has not occurred prior to this final map approval, this subdivision shall provide the dedication of Lansdale Drive, satisfactory to the City Engineer.
10. Water Requirements:
 - a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
 - b. The developer shall install eight-inch water mains in Bayliss Court and Thurston Place connecting to the existing mains, satisfactory to the Water Utilities Director.
 - c. The developer shall provide evidence indicating that the eight-inch water mains located in Bayliss Court and Thurston Place do not supply more than two fire hydrants each or the mains shall be connected through the open space easement area in an adequate water easement, satisfactory to the Water Utilities Director.
11. Sewer Requirements:
 - a. The developer shall install a system of gravity sewer mains of adequate capacity to serve this development.

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- b. The developer shall provide calculations, satisfactory to the Water Utilities Director, to show that the size and grade of the sewer mains will provide adequate capacity and cleansing velocity.
 - c. The developer shall grant a 25-foot-sewer and drainage easement over the facilities located in Open Space Lot "A," satisfactory to the Water Utilities Director. Part of the 25-feet shall consist of a 20-foot controlled vehicular access.
12. Water and Sewer Requirements:
- a. The developer shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral.
 - b. 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.
13. The subdivider shall grant, on the final map, negative open space easements over the undisturbed slopes, satisfactory to the Park & Recreation Director.
14. The developer shall provide a downstream drainage study, satisfactory to the City Engineer, that demonstrates that no adverse impacts will occur to downstream properties as a result of the increased runoff from this development or, if substantial impacts are anticipated, what measures must be taken to mitigate such impacts.
15. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
16. This tentative map located is within the Carmel Valley Community, for which a Transportation Phasing Plan has been incorporated in the Public Facilities Financing Plan. Contained within this plan are individual traffic facility improvements. Before predetermined thresholds of development may be exceeded, the City Engineer must be satisfied that these improvements are either:
- a. completed;

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- b. under contract;
- c. bonded;
- d. scheduled and funded for construction in the immediate fiscal year of the City's Capital Improvement Program (CIP); or
- e. scheduled and funded for construction in the immediate fiscal year of the State Transportation Improvement Program (STIP).

The subdivider is advised that issuance of building permits may be limited or otherwise withheld because of unsatisfied thresholds in the phasing plan. The filing of a final map does not guarantee that building permits will be issued for properties within the final map area. A copy of the Carmel Valley Public Facilities Financing Plan may be viewed or purchased at the office of the Facilities Financing Division.

- 17. 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.
- 18. 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.
- 19. The final map shall conform to the provisions of Planned District Permit No. 89-0774.
- 20. 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 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.

- 21. Prior to the issuance of building permits, the subdivider shall demonstrate compliance with the Carmel Valley School

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Facilities Master Plan. Compliance may be evidenced through either of the following methods: (a) by otherwise demonstrating the availability of school facilities to accommodate residents of the subdivision; or (b) by participating in the "School Deposit Procedure: alternative, as provided in the Master Plan. A development agreement may be required, as provided in the Carmel Valley School Facilities Master Plan to implement the deposit procedure.

22. This community may be 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: JAN 07 1992

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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.

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

(Seal)

By *Mary Cepeda* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *279253* Adopted JAN 07 1992