

(R-94-263)

RESOLUTION NUMBER R-282513

ADOPTED ON AUGUST 10, 1993

WHEREAS, Hossein Zomorodi, Agent for Halifax Partners, appealed the decision of the Planning Commission in denying Tentative Map No. 91-0626 submitted by Halifax Partners and Algert Engineering, Inc. for a 32-lot tentative subdivision map, located on the east side of Halifax Street and described as Lots 2615 and 2616 of Allied Gardens Unit 13, Map 3544, in the Navajo Community Plan area, in the R1-5000 zone; and

WHEREAS, on August 10, 1993, the Council of The City of San Diego considered Tentative Map No. 91-0626, Halifax Estates, pursuant to Municipal Code section 102.0307, and received for its consideration written and oral presentations and heard from all interested parties at the public hearing; 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. 91-0626:

1. The map proposes the subdivision of a 5.64-acre site into 32 lots for residential development. This type of development is consistent with the General Plan and the Navajo Community Plan, which designate the area 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.

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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, as allowed under a Planned Infill Residential Development (PIRD)/Resource Protection Ordinance (RPO) Permit.

b. All lots meet the minimum dimension requirements of the R1-5000 zone, as allowed under a PIRD/RPO.

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, as allowed under a PIRD/RPO.

d. Development of the site is controlled by Planned Infill Residential Development/Resource Protection Ordinance Permit No. 91-0626.

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 of Mitigated Negative Declaration No. 91-0626, 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, in as much 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 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

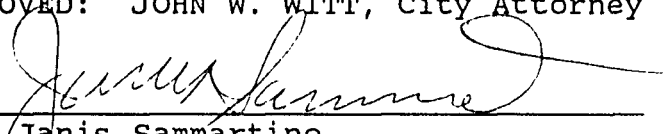
and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

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 Hossein Zomorodi, Agent for Halifax Partners, is granted; the decision of the Planning Commission is overruled, and Tentative Map No. 91-0626 is hereby granted to Halifax Partners, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By



Janis Sammartino
Senior Chief Deputy City Attorney

JS:pev
08/24/93
Or.Dept:Clerk
R-94-263
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CITY COUNCIL CONDITIONS FOR
TENTATIVE MAP NO. 91-0626

1. This tentative map will expire August 10, 1996.
2. The final map shall conform to the provisions of Planned Infill Residential Development/Resource Protection Ordinance Permit No. 91-0626.
3. 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.

4. "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).
5. "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."
6. 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 282513

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

7. The approval of this tentative map by the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
8. The subdivider must provide a geological report on the subject property to discover and address potential geological hazards. The report must be prepared in accordance with the most recent edition of the City of San Diego "Technical Guidelines for Geotechnical Reports." All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0410 et seq.
9. In accordance with the City Council's direction, the following conditions are included as a condition of the grading permit:
 - a. All of the loose uncompacted fill soil be removed from the site and recompacted prior to site development, as per the Negative Declaration No. 91-0626.
 - b. The 1979 geotechnical investigation recommendations and any further updates be included as a condition of approval.
 - c. The open space mitigation funding be directed to Mission Trails Regional Park.
 - d. The weeds be cut on the site prior to starting.
 - e. The soils engineer's return to the Navajo Community Planning Group, after completing the borings, to inform the community of the findings.
 - f. A written statement from the appropriate source (agency) stating that the area has been made free of hazardous waste.
 - g. Bonding before grading, if the borings find hazardous waste.
10. 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.

B-282513

11. 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.
12. The subdivider shall provide a system of walkways from each dwelling unit to the public sidewalk on Halifax Street, satisfactory to the City Engineer.
13. This subdivision shall be served by a system of non-dedicated, unnamed, private driveways, a minimum of 24 feet wide, satisfactory to the City Engineer. The turnaround at the end of the PVT driveway designated as Lot 31 shall be a minimum of 70 feet long, satisfactory to the Fire Department and the City Engineer.
14. The private driveway entrance shall be a minimum of 20 feet wide on each side of the median. The subdivider shall eliminate the narrowing of the driveway at Lot 4.
15. All common areas and mutual driveways shall be designated as lots, satisfactory to the City Engineer.
16. Water Requirements:
 - a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants and/or thirty (30) Equivalent Dwelling Units (EDUs) are located on a dead-end main, then a dual-fed system shall be installed.
 - b. The subdivider shall install an eight-inch water main, across this development, connecting to existing 536 HGL water mains at two (2) locations, satisfactory to the Water Utilities Director. Pressure regulators will be required on all water services. All public mains shall be located in public rights-of-way or adequate easements (15-foot-wide minimum with vehicular access). The water main in Halifax Street does not have sufficient pressure (355 HGL) to adequately serve the proposed development.
17. Sewer Requirements:
 - a. The subdivider shall install a system of gravity sewer mains of adequate capacity to serve this development. Minimum public sewer main size is eight inches in diameter.

R 282513

- b. The subdivider shall provide calculations, satisfactory to the Water Utilities Director, to show that the size and grade of the sewer will provide adequate capacity and have cleansing velocities.
 - c. The subdivider shall provide adequate sewer easements (15-foot-wide minimum) with vehicular access for all public sewer mains that are not located in public rights-of-way, satisfactory to the Water Utilities Director.
18. Water and Sewer Requirements:
 - a. The subdivider shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral, or the subdivider shall provide CC&R's for the operation and maintenance of on-site private water and sewer mains that serve more than one lot. The subdivider shall provide private easements for the private mains or show easement locations in the CC&R's.
 - b. If on-site water and sewer mains are to be public, and if it is a gated community, the Water Utilities Systems Division of the Water Utilities Department shall have keyed access, satisfactory to the Water Utilities Director. The City will not be held responsible for any issues that may arise relative to the availability of keys.
19. The subdivider shall assure that the private brow ditches will be maintained by the property owners, as well as the common areas. The subdivider shall provide evidence indicating the assured maintenance of these facilities.
20. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
21. 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.
22. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water*

R-282513

Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgement from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

23. Prior to recordation of the final map, the subdivider shall provide storm drain facilities to contain the drainage from this development to the nearest existing public storm drain system, as determined in the approved hydrology study for this project, satisfactory to the City Engineer.
24. This subdivision is in a community plan area designated in the General Plan as Planned Urbanized. 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.

FOR INFORMATION:

- This property may be 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.
- 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)

B-282513

(Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.

- This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued.
- This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
George Stevens	<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"/>
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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *[Signature]* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-282513** Adopted **AUG 10 1993**