

RESOLUTION NUMBER R-286258

ADOPTED ON AUGUST 15, 1995

WHEREAS, Route 252 Joint Venture, Applicant, and Burkett & Wong, Engineer, filed an application for a 33-lot tentative map and the vacation of portions of Alpha Street, Beta Street, and an alley, located north of Beta Street and East of 40th Street, and described as portions of Lots 3 through 9, 32 through 36, 38 through 42, and 44 through 48, all inclusive, of Ocean Vista Gardens, Map 2208, in the SF-5000 zone; and

WHEREAS, on August 15, 1995, the Council of The City of San Diego considered Tentative Map No. 94-0622, Route 252 Phase 1 Residential, and the vacation of portions of Alpha Street, Beta Street, and an alley pursuant, to Section 102.0307 of the San Diego Municipal Code and received for its consideration written and oral presentations, and heard from all interested parties present 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. 94-0622:

1. The map proposes the subdivision of a 6.9-acre site into 33 lots for residential development. This type of development is consistent with the General Plan and the Southeast 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.

2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the SF-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 Southeast San Diego (SESD) permit.

b. All lots meet the minimum dimension requirements of the SF-5000 zone, as allowed under an SESD permit.

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 SESD permit.

d. Development of the site is controlled by Southeast San Diego Permit No. 94-0622.

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 will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. There are no new significant impacts, based upon the findings of the Environmental Secondary Study (prepared by the Redevelopment Agency of The City of San Diego, dated July 22, 1994) to Final Supplemental Environmental Impact Report (SEIR) for the Cesar Chavez Elementary School (prepared by the San Diego Unified School District, dated April 13, 1994), which is included herein by this reference. However, the final SEIR for the Cesar Chavez Elementary School identified significant unmitigated impacts relating to construction noise and cumulative traffic. Findings and a Statement of Overriding Considerations were adopted at the time of the approval of the Cesar Chavez Elementary School. No additional environmental findings are required for this project.

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

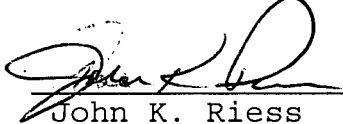
by the City Engineer's request for public dedications and adequate improvements on the proposed subdivision map.

9. The Planning Commission 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 Tentative Map No. 94-0622 is hereby approved, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By   
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John K. Riess  
Senior Deputy City Attorney

JKR:pev  
08/24/95  
Or.Dept:Clerk  
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CITY COUNCIL CONDITIONS FOR  
TENTATIVE MAP NO. 94-0622

1. This tentative map will become effective with City Council approval of the associated street vacation and will expire three years thereafter. If the street vacation is denied, then this tentative map shall be deemed denied.
2. The final map shall conform to the provisions of SESD Permit No. 94-0622.
3. The property contains right-of-way which must be vacated to implement the final map in accordance with San Diego Municipal Code Section 102.0307. The tentative map must be approved by the City Council.
4. 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.

5. "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).
6. "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."
7. 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.
8. 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.).
9. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 94-0622, satisfactory to the Development Services Director and the City Engineer, which is included herein by this reference.


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10. 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.
11. 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.
12. 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.
13. Providing streets for this subdivision is dependent upon the prior construction of certain streets in previously approved developments in this area. If they have not been constructed when required for this subdivision, then the responsibility of obtaining the required permits, letters of permission, and construction of certain portions of these streets will become on/off-site improvement requirements for this subdivision, satisfactory to the City Engineer.
14. Alpha Street is classified as a two-lane collector within a 60-foot-wide right-of-way. The subdivider shall dedicate, from the easterly subdivision boundary to 40th Street, a 60-foot-wide right-of-way and shall provide full-width improvements of 40 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
15. Forty-first Street is classified as a residential street within a 60-foot-wide right-of-way. The subdivider shall dedicate, between Alpha Street and the southerly subdivision boundary, a 60-foot-wide right-of-way and shall provide full width improvements of 40 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
16. The subdivider shall provide a temporary ten-foot-wide AC sidewalk on the west side of 41st Street from the southerly subdivision boundary to Beta Street, satisfactory to the City Engineer.
17. Beta Street is classified as a local residential cul-de-sac. The subdivider shall dedicate a 50-foot-wide right-of-way with a cul-de-sac right-of-way radius of 45 feet and shall provide 30 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a cul-de-sac curb radius of 35 feet, satisfactory to the City Engineer. Parking shall be prohibited on the south side of the street within the subdivision boundary.
18. The subdivider shall close existing driveways and replace them with standard curb, gutter, and sidewalk and shall replace all damaged curb, gutter, and sidewalk on 40th Street adjacent to this subdivision, satisfactory to the City Engineer.
19. Prior to building occupancy, the applicant shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.
20. Water Requirements:
  - a. The subdivider shall install the following water mains in a manner satisfactory to the Water Utilities Director:
    - i. an eight-inch water main in Beta Street from 41st Street to the cul-de-sac;

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- ii. an eight-inch water main in 41st Street from Beta Street to Alpha Street; and
  - iii. a twelve-inch water main in Alpha Street from 40th Street to the easterly subdivision boundary.
- b. The subdivider 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.
21. Sewer Requirements:
- a. The subdivider shall provide a sewer study, satisfactory to the Water Utilities Director, for the sizing of gravity sewer mains and to show that existing and proposed mains will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies.
  - b. The subdivider shall install all facilities, as required by the approved sewer study.
  - c. The subdivider shall grant a 20-foot-wide sewer and storm drain easement between Lots 23, 24, 28, and 29, satisfactory to the Water Utilities Director. No structures or trees of any kind shall be installed in or over the easement. Vehicular access shall be provided to all manholes.
22. Water and Sewer Requirements:
- a. The developer shall design all water and sewer facilities to the most current editions of the Water Utilities Department's *Water and Sewer Design Guide*. If facilities do not meet the current standards, then such facilities shall be private.
  - b. The subdivider shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral.
23. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
24. The subdivider 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.
25. 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 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

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amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

26. Park and Recreation Requirements:

- a. There shall be no connection between Alpha Street and the parking lot located near the corner of Alpha Street and 40th Street.
- b. The parking lot entrance to Alpha Street shall be closed and replaced with City standard curb, gutter, and sidewalk.
- c. All plant material shall meet or exceed the requirements of the *Landscape Technical Manual*.

FOR INFORMATION:

- This development 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 development 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.
- This development may be subject to impact fees, as established by the City Council.
- 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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