

RESOLUTION NUMBER R-287320

ADOPTED ON MAY 14, 1996

WHEREAS, CARTER-REESE AND ASSOCIATES, Applicant, and LINTVEDT, MC COLL AND ASSOCIATES, Engineer, filed an application for a 32-lot tentative map, and the street vacation of portions of Laurel Street and Brant Street located north of Laurel Street, west of Brant Street, and described as Lots "G" through "J," in Block 291 of Hortons Addition, Parcel 7 of Parcel Map No. 14393, Parcel 2 of Parcel Map No. 13590, in the MR-1000 Zone; and

WHEREAS, on May 14, 1996, the Council of The City of San Diego considered Tentative Map 95-0685, the street vacation of portions of Laurel Street and Brant Street, pursuant to Section 102.0307 of the San Diego Municipal Code, and 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 95-0685:

1. The map proposes the subdivision of a 1.6-acre site into 32 lots for residential development. This type of development is consistent with the General Plan and the Uptown 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 MR-1000 Zone in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, only as allowed under a Planned Residential Development Permit.

b. All lots meet the minimum dimension requirements of the MR-1000 Zone, only as allowed under a Planned Residential Development 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, only as allowed under a Planned Residential Development Permit.

d. Development of the site is controlled by Planned Residential/Mid-City Development Permit No. 95-0685.

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 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. 95-0685, 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

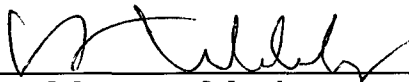
the City Engineer, in accordance with financing and environmental policies of the City Council.

10. The property contains right-of-way which must be vacated to implement the final map in accordance with the San Diego Municipal Code section 102.0307.

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

BE IT FURTHER RESOLVED, that based upon the findings hereinbefore adopted by the City Council, Tentative Map No. 95-0685 is hereby granted to Applicant, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 

Harold O. Valderhaug
Chief Deputy City Attorney

HOV:ps
05/29/96
Or.Dept:Clerk
R-96-1488
Form=r.tm

CITY COUNCIL CONDITIONS TO
TENTATIVE MAP 95-0685

1. This tentative map will expire 3 years after City council approval of the street vacations and the tentative map.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the first final map unless, otherwise noted.
3. The final map shall conform to the provisions of Planned Residential Development/Mid City Permit No. 95-0685.
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

Q - 287320

policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).

9. 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.
10. The subdivider must provide a geologic reconnaissance 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 62.0415 et seq.
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. The subdivider shall vacate a minimum of the westerly 10 feet of Brant Street adjacent to the northerly off-site lots of "K" and "L" of Block 291 of Horton's Addition.
14. Laurel Street is classified as a 2-lane collector. The subdivider shall dedicate right-of-way necessary to provide a centerline-to-propertyline distance of 40 feet and provide 30 feet of pavement, curb, gutter and sidewalk within a 10 foot curb-to-propertyline distance, satisfactory to the City Engineer.

The subdivider shall submit with the Public Improvement Plans a striping and signage plan in conformance with the "Concept Striping Plan" on file with the Transportation Development Section of the Development Services Department.

15. Brant Street is classified as a residential street. The subdivider shall provide improvements of pavement, curb and gutter to provide a curb-to-curb width of 50 feet and sidewalk within a 10 foot curb-to-propertyline distance, satisfactory to the City Engineer. The subdivider shall construct a turnaround on Brant Street at a radius satisfactory to the City Engineer.
16. Horton Avenue is classified as a residential street. The subdivider shall provide improvements of pavement, curb and gutter to provide a curb-to-curb width of 32 feet and sidewalk within an 8 foot curb-to-propertyline distance. Parking shall be prohibited on the west side of Horton Avenue, all satisfactory to the City Engineer.
17. The driveway on Laurel Street is for emergency access only. The subdivider shall provide controlled access for the emergency - access point, and said access shall be constructed in a manner sat to the Fire Dept and the City Engineer.
18. Vehicular access to the dwelling units within the Planned Residential Development shall be by means of a system of privately maintained, unnamed, non-dedicated, private driveways, constructed in a manner satisfactory to the City Engineer.

 287320

19. The subdivider shall provide clearance letters from the franchise and public utility companies for the abandonment of the General Utility Easements
20. The subdivider shall provide a reciprocal access easement, satisfactory to the City Engineer and the Development Services Director.
21. Prior to the recordation of the first final map, the subdivider shall enter into a bonded landscape maintenance agreement, agreeing to maintain all landscaping, and appurtenances there to, within the City right-of-way within this subdivision, until such time a landscape maintenance district is or other such mechanism is established and assumes maintenance responsibility, satisfactory to the City Engineer.
22. The subdivider shall construct pedestrian ramps at the northeast corner of Laurel Street and Horton Avenue and the northwest corner of Laurel Street and Brant Street.
23. Buildings, private facilities and retaining walls and their footings shall not be within the City right-of-way.
24. No invasive plant material shall be planted adjacent to Maple Canyon Open Space.
25. WATER REQUIREMENTS:
 - a. The subdivider shall provide an on-site water plan, satisfactory to the Water Utilities Director. The on-site water main (and meters) shall be located within a 24-foot-wide water easement with vehicular access.
 - 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 are located on a dead-end main then a dual fed system shall be installed.
26. 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 the existing and proposed facilities 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 accepted sewer study.
27. WATER & SEWER REQUIREMENTS:
 - a. The subdivider shall design all water and sewer facilities to the most current edition of the Water Utilities Department's Water & 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, indicating that each unit will have its own water service and sewer lateral or provide CC&Rs for the operation and maintenance of on-site private

R - 287320

water and sewer mains that serve more than one lot. Also, provide private easements for the private mains.


- c. The subdivider shall provide adequate easements for all public water and sewer facilities which are located outside of public rights-of-way, satisfactory to the Water Utilities Director. Vehicular access easements shall be provided to all water and sewer appurtenances (manholes, blowoffs, air valves, cleanouts, gate an butterfly valves, meters, etc.). No structures of any kind shall be built in or over the easements without first obtaining encroachment removal agreements.

28. OPEN SPACE

- a. The subdivision abuts City owned open space to the north. The subdivider shall provide a brush management buffer between property line and buildings satisfactory to the Development Services Director and the Fire Department.
 - b. The subdivider shall pay the fair market value, established by the Real Estate Asset Department, for the open space easement to be abandon.
 - c. The subdivider shall adhere to the height limitations identified in the Grant deeds recorded as Document No.s 84-471611 and 1995-0350861.
29. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
29. 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.

FOR INFORMATION:

- This development may be subject to the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Uptown Community Plan area.
- 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 vesting tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

 287320