

RESOLUTION NUMBER R-290897

ADOPTED ON OCTOBER 20, 1998

WHEREAS, DTC-RECP Opoc, Applicant, and Project Design Consultants, Engineer, submitted by an application to The City of San Diego for a one-lot tentative map (Tentative Map No. 96-7888 for the 464 and 476 Prospect Street project), located westerly of Prospect Street, east of Coast Boulevard, north of La Jolla Boulevard and south of Cuvier Street, and legally described as Lots 33 through 48, 13 through 26 and portions of Lots 13, 33, and 48, Map No. 352, in the La Jolla Community Plan area, in La Jolla Planned District 5 and 5A zones; and

WHEREAS, the Applicant requested the vacation of access and general utility easement reservation over Scripps Lane (a private lane); and

WHEREAS, on September 17, 1998, the Planning Commission of The City of San Diego considered Tentative Map No. 96-7888, and pursuant to Resolution No. 2701-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on October 20, 1998, 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. 96-7888:

1. The map proposes the subdivision of a 2.75-acre site into one lot for residential development. This type of development is consistent with the General Plan and the La Jolla 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 and development regulations of La Jolla Planned District 5 and 5A zones 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 La Jolla Planned District 5 and 5A zones.

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.

d. Development of the site is controlled by La Jolla Planned District/Coastal Development Permit No. 96-7888.

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. 96-7888, 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. That a portion of the general utility easement reservation in Block 17 of La Jolla Park, Map 352, per document recorded June 22, 1993, as file No. 1993-0393413 shown on Drawing No. 96-7888 (herein referred to as Exhibit "A") be vacated.

9. That the vacation shall be conditioned upon and not become effective unless and until the developer grants an easement for the two vaults which are to remain or the two vaults are to be relocated to the satisfaction of SDG&E and the City Engineer.


10. 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.

11. 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 Government Code section 66412.3, 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 recommendation of the Planning Commission is sustained, and Tentative Map No. 96-7888 is hereby granted to DTC-RECP Opoc, Applicant, and Project Design Consultants, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

RAD:lc
02/18/99
Or.Dept:Clerk
R-99-747
Form=tmr.frm
Reviewed by John Fisher

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 96-7888
ADOPTED BY RESOLUTION NO. R-290897 ON OCTOBER 20, 1998

1. This tentative map will expire September 17, 2001.
2. The final map shall conform to the provisions of La Jolla Planned District/ Coastal Development Permit No. 96-7888.
3. 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.
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 Sections 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. 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,

R- 290897

regulations, or policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 et seq.).

9. The existing 6-inch private PVC storm drain pipe that flows south on Coast Boulevard is inadequate to carry existing storm flow. Prior to the issuance of any building permits, the applicant shall address this inadequacy and assure by permit and bond the necessary improvement of this storm drain system to the satisfaction of the City Engineer.
10. Water and Sewer Requirements:
 - a. Prior to the recordation of the final map, the subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants or thirty (30) dwelling units are located on a dead-end main then the subdivider shall install a looped water system.
 - b. Prior to the recordation of the final map, the subdivider shall provide a sewer relocation study, satisfactory to the Metropolitan Wastewater Department Manager, for the sizing, grade and alignment of public gravity sewer mains and to show that the existing and proposed public sewer facilities will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies. The study shall include the relocation of existing public facilities located within the vacated portions of Scripps Lane and depth of cover on all proposed facilities.
 - c. Prior to the recordation of the final map, the subdivider shall install all facilities, as required by the accepted sewer study, necessary to serve the adjacent developments. Sewer facilities, as shown on the approved tentative map, will require modification based on the accepted sewer study.
 - d. Prior to the recordation of the final map, the subdivider shall abandon, per the "Green Book," all public sewer facilities located in vacated or abandoned public rights-of-way, in a manner satisfactory to the Metropolitan Wastewater Department Manager and the City Engineer.
 - e. The subdivider shall design all proposed public water and sewer facilities to the most current edition of the "City of San Diego Water & Sewer Design Guide."
 - f. The subdivider shall grant adequate water, sewer, and/or access easements, including vehicular access to each appurtenance (meters, blow offs, air valves, manholes, etc.), for all public water and sewer facilities that are not located within public rights-of-way, satisfactory to the Water and Metropolitan Wastewater Departments' Managers. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with

R- 290897

suitable approved material satisfactory to the appropriate Department Manager. Minimum easement widths: water mains with services or fire hydrants - 24 feet, sewer mains with manholes - 20 feet. The easements shall be located within single lots. No structures, trees or shrubs shall be installed in or over any access easement.

11. The drainage system proposed for this development, as shown on the site plan, is subject to approval by the City Engineer.
12. 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.
13. Within the portion of access and general utility easement being vacated, there are two SDG&E vaults. Prior to the recordation of the final map, the developer grants an easement for the two vaults which are to remain or the two vaults are to be relocated to the satisfaction of SDG&E and City Engineer.

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 Development Services Manager.
- This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

R-290897