

RESOLUTION NUMBER R-292375

ADOPTED ON JULY 27, 1999

WHEREAS, Glen and Valerie Larsen Trust, Applicant, and San Diego Land Surveying and Engineering, Inc., Engineer, submitted an application to The City of San Diego for a one-lot tentative map (Tentative Map No. 98-1173 for the El Paseo Grande Condominium project), located southerly of Vallecitos and easterly of El Paseo Grande, and legally described as Lots 5 and 6, Block 33 of La Jolla Shores Unit No. 5, Map No. 2108, in the La Jolla Shores Community Plan area, in the MF-2 zone; and

WHEREAS, on May 20, 1999, the Planning Commission of The City of San Diego considered Tentative Map No. 98-1173, and voted to recommend City Council approval of the map; and

WHEREAS, on June 4, 1999, Wendy von Kalinowski appealed the decision of the Planning Commission; and

WHEREAS, after approval of the above referenced project by the City Council, Glen and Valerie Larsen Trust, Owners/Permittees, will transfer ownership of the property to Paseo Grande LLC, thereby making Paseo Grande LLC the new Owner/Permittee of the El Paseo Grande Condominium project; and

WHEREAS, the matter was set for public hearing on July 27, 1999, 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. 98-1173:

1. The map proposes the consolidation of a 0.2574-acre two-lot site into one lot for residential development. This type of development is consistent with the General Plan and the La Jolla Shores Planned District 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 the MF-2 zone in that:

a. The lot has minimum frontage on a dedicated street which is open to and usable by vehicular traffic.

b. The lot meets the minimum dimension requirements of the MF-2 zone.

c. The lot is designed so that required improvements do not result in a nonconforming lot in respect to building area, setbacks, side yard and rear yard regulations.

d. Development of the site is controlled by Coastal Development Permit No. 98-1173.

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 will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, based upon the findings of Exemption Declaration No. 98-1173, 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.

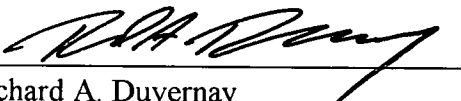
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate 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 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 appeal of Wendy von Kalinowski is overruled, the recommendation of the Planning Commission is sustained, and Tentative Map No. 98-1173 is hereby granted to Paseo Grande LLC, Owner/Permittee, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

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Reviewed by William C. Tripp

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 98-1173
ADOPTED BY RESOLUTION NO. R-292375 ON JULY 27, 1999

1. This tentative map will expire July 27, 2002.
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 Coastal Development Permit No. 98-1173.
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. 769830.

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.

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- 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, regulations, or policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. 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. Prior to the issuance of any building permits, the applicant shall obtain a grading permit from the City Engineer (referred to as an "engineering permit") for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
11. Prior to the recordation of the final map, the developer shall provide CC&Rs, for the operation and maintenance of on-site private water and sewer systems that serve more than one unit, satisfactory to the Water and Metropolitan Wastewater Departments' Managers.
12. The drainage system proposed for this development, as shown on the approved tentative map, is subject to approval by the City Engineer.
13. Prior to the issuance of any building permits, the applicant shall obtain a grading permit from the City Engineer (referred to as an "engineering permit") for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
14. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing. As such, special financing plans have been,

or will be, 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 Planning and Development Review Manager. 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 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 impact fees, as established by the City Council, at the time of issuance of building permits.
- 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 tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.