

RESOLUTION NUMBER R-292397

ADOPTED ON NOVEMBER 2, 1999

WHEREAS, Sunland Home Foundation, Applicant, and Hunsaker and Associates, Engineer, submitted by an application to The City of San Diego for a 1-lot tentative map (Tentative Map No. 99-0322 for the Orange Avenue at 54th Place Condominium project), located at the southeast corner of 54th Place and Orange Avenue, and legally described as Parcel 1 of Parcel Map 14983, in the Mid-City Community Plan area, in the MR-1000 zone of the Mid-City Community Planned District Ordinance; and

WHEREAS, on September 16, 1999, the Planning Commission of The City of San Diego considered Tentative Map No. 99-0322, and pursuant to Resolution No. 2848-1-PC voted to recommend City Council approval of the map; and

WHEREAS, on September 16, 1999, Laurie Riebau, President of the El Cerritos Heights Community Council, appealed the decision of the Planning Commission to the City Council; and

WHEREAS, the matter was set for public hearing on November 2, 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. 99-0322:

1. The map proposes the subdivision of a 3.45-acre site into 1 lot for residential development (51 residential condominium units). This type of development is consistent with the General Plan and the Mid-City 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 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, as allowed under a Mid-City Development [MCD] permit.

b. All lots meet the minimum dimension requirements of the MR-1000, as allowed under a MCD 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 MCD permit.

d. Development of the site is controlled by MCD Permit No. 99-0322.

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 based upon the findings of Mitigated Negative Declaration LDR No. 99-0322, which is included herein by this reference. However, a finding has been made pursuant to Public Resources Code section 21081(c) that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Mitigated Negative Declaration LDR No. 99-0322.

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.

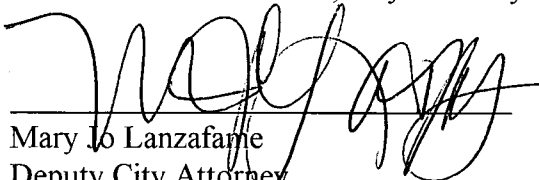
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate 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 Laurie Riebau, President of the El Cerritos Heights Community Council is denied; the recommendation of the Planning Commission is sustained, and Tentative Map No. 99-0322 is hereby granted to Sunland Home Foundation, Applicant and Hunsaker and Associates, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

MJL:pev
12/13/99
Or.Dept:Clerk
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Reviewed by Robert Korch

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 99-0322
ADOPTED BY RESOLUTION NO. R-292397 ON NOVEMBER 2, 1999

1. This tentative map will expire November 2, 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 Mid-City Development Permit No. 99-0322.
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 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. The 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 meridian (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.

R- 292397

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. 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 proposed public utility systems and service facilities is required according to San Diego Municipal Code section 102.0404, Subsection 2.
12. The subdivider shall obtain a bonded grading permit from the City Engineer (referred to as an "engineering permit") for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
13. The subdivider shall construct two (2) pedestrian ramps, one at the corner of Colts Way and Orange Avenue and one at the corner of 54th Place and Orange Avenue, and 2 driveways, a 30 foot driveway on 54th Place and a 26 foot driveway on Colts Way, satisfactory to the City Engineer.
14. The subdivider shall comply with the Mitigation Monitoring and Reporting Program (MMRP) as specified in Mitigated Negative Declaration, LDR No. 99-0322, satisfactory to the City Manager and City Engineer. Prior to issuance of the first grading permit and/or recordation of the Tentative Map, all mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue(s):

Biology
Paleontology
15. The subdivider shall enter into a bonded landscape maintenance agreement, agreeing to maintain all landscaping, and appurtenances, within the City right-of-way adjacent to and within this subdivision, until such time a landscape

R- 292397

maintenance district or other such mechanism is established and assumes maintenance responsibility, satisfactory to the City Engineer.

16. This development shall be served by a system of privately maintained, unnamed, private driveways constructed in a manner satisfactory to the City Engineer.

17. WATER REQUIREMENTS:

- a. Prior to the recordation of the final map, the subdivider shall install a public 8- inch (645 HGL) water main in 54th Place, Driveway "A," and Driveway "D," connecting to the water main in Colts Way, in a manner satisfactory to the Water Department Director.
- 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 or thirty (30) dwelling units are located on a dead-end main then the subdivider shall install facilities to provide a redundant water system.

SEWER REQUIREMENTS:

- a. Prior to the submittal of any public improvement drawings, the subdivider shall provide a sewer study, satisfactory to the Metropolitan Wastewater Department Director, for the sizing, grade and alignment of public sewer facilities 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 a plan for vehicular access to all appurtenances located within easements.
- b. The subdivider shall install all facilities, as required by the accepted sewer study, necessary to serve this development. Sewer facilities, as shown on the approved tentative map, will require modification based on the accepted sewer study.

WATER AND SEWER REQUIREMENTS:

- a. The subdivider agrees to design and construct all proposed public water and sewer facilities, including easements, in accordance with established criteria in the most current edition of the "City of San Diego Water & Sewer Design Guide." Proposed facilities that do not meet the current standards shall be redesigned or private .
- b. The subdivider shall grant adequate water, sewer, and/or access easements, including vehicular access to each appurtenance (meters,

R-292397

TM 99-0322
November 2, 1999

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' Directors. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the appropriate Department Director. 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 or trees shall be installed in or over any easement prior to the applicant obtaining an encroachment removal agreement. No trees, shrubs, or structures of any kind shall be allowed in or over any access easement.

- c. The subdivider shall provide evidence, satisfactory to the Water and Metropolitan Wastewater Departments' Directors, 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 water and sewer facilities that serve more than one unit.
 - d. Providing sewer facilities for this development is dependent upon prior construction of certain sewer facilities in previously approved 24473-D, in this area. If they have not been constructed when required for this development, then the construction of certain portions of these previously approved sewer facilities, as required by the City Engineer, will become off-site improvements required for this development.
18. The drainage system proposed for this subdivision is subject to the approval of the City Engineer. The applicant shall remove the existing mid-block cross gutter, and shall add detention basins on-site, satisfactory to the City Engineer. The on-site drainage system shall be privately maintained.

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 Mid-City Community Plan area.
- Project has reduced to 51 units and fees have increased effective with the new fiscal year. Special Park Fees apply at \$2,404/du and DIF applies at \$13/du. $51 \times \$2,404 = \$122,604$ and $51 \times \$13 = \663 . Total DIF and Special Park Fees = \$123,267.
- 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- 292397