

(R-2000-869)

RESOLUTION NUMBER R-292430

ADOPTED ON NOVEMBER 9, 1999

WHEREAS, Pacific Scene Properties, Inc., Applicant, and Burkett & Wong, Engineer, submitted by an application to The City of San Diego for a 64-lot tentative map (Tentative Map No. 98-0262 for the Route 252 Residential, Phase II, project) and the vacation of portions of various streets and alleys located south of "Z" Street between Interstate 5 and 39th Street; and

WHEREAS, the project is located within the Southeast Community Planning Area and is described as portions of lots 25 through 48, Block 411 of Skinners Addition, according to Map thereof No. 140; a portion of lot 7 of Skinners Addition according to Map thereof No. 140; portion of lots 1 through 8 of Edendale, according to Map thereof No. 1647; lots 1 through 9 of Yvonne Terrace, according to Map thereof No. 3273; portion of lots 1 through 10 and lots 40-48, Block 304 of Boone Brothers Addition, according to Map thereof No. 465; lots 1 and 2, Block 291 of Boone Brothers Addition, according to Map thereof No. 465; portion of lots 25 through 40, block 290 of Boone Brothers Addition, according to Map thereof No. 465; lots 11 through 30, Block 305 of Boone Brothers Addition, according to Map thereof No. 465; portion of lots 1 through 17 and portions of lots 25 through 40, Block 305 of San Diego Land and Town Company's South Chollas Addition, according to Map thereof No. 579; portions of lots 25 through 30, block 10 of San Diego Land and Town Company's South Chollas Addition, according to Map thereof No. 579; portion of lots 25 through 48, block 420 of Duncan's Addition, according to Map thereof No. 403, together with portions of streets and alleys shown thereon, all being in the City of San Diego, County of San Diego, State of California, in the SF-40,000 and

MF-2,500 Zones (proposed MF-2,500 Zone with Small Lot Overlay Zone development criteria);
and

WHEREAS, on September 2, 1999, the Planning Commission of The City of San Diego considered Tentative Map No. 98-0262, and pursuant to Resolution No. 2840-PC voted to recommend City Council approval of the map and the vacation of various streets and alleys; and

WHEREAS, the matter was set for public hearing on November 9, 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. 8-0262 and the vacation of various streets and alleys:

1. The map proposes the subdivision of a 10.75-acre site into 63 lots (62 residential and one dedicated to open space). This type of development is consistent with the General Plan and the Southeast San Diego 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 MF-2,500/Small Lot Overlay 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 Variance No. 98-0262.

b. All lots meet the minimum dimension requirements of the MF-2,500 Zone, as allowed under Variance No. 98-0262.

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 Variance No. 98-0262.

d. Development of the site is controlled by Southeast San Diego Development Permit/Resource Protection Ordinance Permit and Variance No. 98-0262.

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 Negative Declaration No. 98-0262, 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.

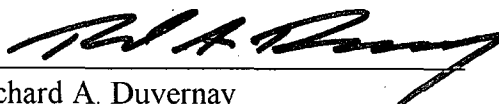
9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego, and hereby finds, pursuant to Government Code section 66412.3, that the housing needs of the region are being met since residential development has been planned for the area and 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 pursuant to California Government Code section 66434(g), portions of various streets and alleys, located south of "Z" Street between Interstate 5 and 39th Street, within the project boundaries as shown on Tentative Map No. 98-0262, shall be vacated, contingent upon the recordation of the approved final map for the project.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Tentative Map No. 98-0262 is hereby granted to Pacific Scene Properties, Inc., Applicant, and Burkett & Wong, Engineer, 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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Or.Dept:Clerk
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Reviewed by Dan Stricker

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 98-0262
ADOPTED BY RESOLUTION NO. R-292430 ON NOVEMBER 9, 1999

1. This Tentative Map will become effective on the effective date of the Rezone and will expire three years thereafter. Should the Rezone or Street Vacations be denied then this Tentative Map shall be deemed denied.
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 the Southeast San Diego Development Permit, Resource Protection Ordinance Permit, and Variance No. 98-0262.
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 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. Undergrounding of existing and proposed public utility systems and service facilities is required according to San Diego Municipal Code Section regarding utilities.
9. 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.).
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 regarding Slope Gradient Requirements.
 11. The lot line between lots 29 & 35 must be adjusted to prevent drainage from flowing from one lot on to the other.
 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. Street "A" is classified as a residential Cul-de-sac. The subdivider shall dedicate a 54-foot wide right-of-way and 45-foot right-of-way radius for the cul-de-sac, and provide 34 feet of pavement, curb, gutter, and five-foot wide sidewalks within a ten-foot curb-to-property line distance, and a 35-foot curb radius for the cul-de-sac: all satisfactory to the City Engineer.
 14. Street "B" is classified as a residential Cul-de-sac. The subdivider shall dedicate a 54-foot wide right-of-way and 60-foot right-of-way radius for the cul-de-sac, and provide 34 feet of pavement, curb, gutter, and five-foot wide sidewalks within a ten-foot curb-to-property line distance, and a 50-foot curb radius for the cul-de-sac: all satisfactory to the City Engineer.
 15. Acacia Street is classified as a local residential street. The subdivider shall dedicate a 54-foot wide right-of-way, and provide 34 feet of pavement, curb, gutter, and five-foot wide sidewalks within a ten-foot curb-to-property line distance, all satisfactory to the City Engineer.
 16. 36th Street is classified as a local residential street. The subdivider shall dedicate a 56-foot wide right-of-way, and provide 36 feet of pavement, curb, gutter, and five-foot wide sidewalks within a ten-foot curb-to-property line distance, all satisfactory to the City Engineer.
 17. 37th Street is classified as a local residential street. The subdivider shall dedicate a 60-foot wide right-of-way, and provide 40 feet of pavement, curb, gutter, and five-foot wide sidewalks within a ten-foot curb-to-property line distance, all satisfactory to the City Engineer.
 18. The subdivider shall dedicate and improve additional right-of-way so that there is a 20-foot wide improved alley between Street "A" and Rigel Street.

19. The subdivider shall, in accordance with the Resolution of Vacation, submit right-of-way drawings for the offsite vacation of portions of two alleys. A portion of one alley will be named Acacia Street.
20. All driveways are to be designed and constructed in accordance with City Standard drawings SDG-100, G-14A, and G-16. Shared driveways will require a mutual access easement.
21. Driveways shall have a minimum of 20 feet between garage and right-of-way to provide parking for standard size vehicles without encroaching into the sidewalk area (distance may be reduced to 18 feet with roll-up garage doors).
22. The developer shall dedicate to the City of San Diego a Landscape Maintenance Easement adjacent to the Las Chollas Creek Channel, as identified by dimension and location shown on the approved Exhibit "A," dated November 9, 1999, on file in the office of Planning and Development Review.
23. No landscaping is permitted within the floodway of South Las Chollas Creek. The hydrologic study approved by the Federal Emergency Management Association will determine the exact location of the floodway.
24. The drainage system within lots 34 and 35 is considered public and shall be designed and constructed to public standards. The subdivider shall provide an access road to the inlet and outlet structures. Appropriate drainage and access easements shall be granted to the satisfaction of the City Engineer. All other drainage systems not located in a public street shall be private. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
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 acknowledgment 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 amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.
26. 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

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conform to requirements in accordance with Sections 62.0401 - 62.0423 of the City of San Diego Municipal Code.

27. Portions of the project are located in the floodplain of South Las Chollas Creek, as delineated on Panel 1903 of the Flood Insurance Rate Map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA). In connection with approval of this Tentative Map:
- a. The developer shall submit a Hydraulic and Hydrologic Study of the area within the floodway for approval by the City Engineer.
 - b. Any development within the floodplain fringe area will require either the property to be graded to an elevation two feet above the 100-year frequency flood elevation or provide flood proofing of all structures to that same elevation.
 - c. The developer shall grant a flowage easement, satisfactory to the City Engineer, over the property within the floodway.
 - d. The developer shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for the construction of flood control facilities and their perpetual maintenance.
 - e. The developer shall denote on the Final Map and the improvement plans "Subject to Inundation" for those areas at an elevation lower than the 100-year frequency flood elevation, plus one foot.
 - f. The developer shall provide slope protection, as required by the City Engineer, where the flow velocity exceeds five feet per second.
 - g. The developer shall provide safety fencing where required by the City Engineer.
 - h. Permits or exemptions must be obtained from the California Department of Fish and Game and the U.S. Army Corps of Engineers before City permits will be issued for work within the floodplain fringe areas.
 - i. The developer shall grant drainage easements, satisfactory to the City Engineer.
 - j. No permits shall be issued for grading or other work in the floodplain of South Las Chollas Creek until the developer obtains a Conditional Letter of Map Amendment (Conditional LOMA) or Conditional Letter of Map Revision (Conditional LOMR) from FEMA. The request for the Conditional LOMA or Conditional LOMR must be submitted through the Floodplain Management Section of the City of San Diego's Planning and Development Review Department. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
 - k. When as-built grading and public improvement plans are available, the developer must submit a request for a Final LOMA or Final LOMR to FEMA via the

Floodplain Management Section of the City of San Diego's Planning and Development Review Department. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.

- l. The bond for this project will not be released until the Final LOMA or Final LOMR is issued by FEMA. The Floodplain Management Section of the City of San Diego's Public Works/Engineering and Capital Projects Department will notify the Planning and Development Review Department of such issuance as soon as it is informed by FEMA.
- m. Notes provided by the Floodplain Management Section of the City of San Diego's Public Works/Engineering and Capital Projects Department concerning work in designated floodplains shall be included in all grading and improvement plans.

28. WATER REQUIREMENTS:

- a. Prior to the recordation of the final map or submittal of any public improvement drawings, the subdivider shall provide a water and relocation study satisfactory to the Water Department Director. The study shall plan the pressure zone(s) and water facilities necessary to serve this development, including the relocation of existing facilities. Any cast iron water facilities, located within the subdivision boundary, will require replacement.
- b. The subdivider shall install all facilities as required in the accepted water study, including relocation, necessary to serve this development. Water facilities, as shown on the approved Tentative Map, will require modification based on the accepted water studies.
- c. 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 redundant water supply.

29. SEWER REQUIREMENTS:

- a. Prior to the recordation of the Final Map or 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 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 facilities and depth of cover on all proposed facilities. Any concrete sewer mains, located within the subdivision boundary, will require replacement.
- 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.

30. WATER AND SEWER REQUIREMENTS:

- a. The subdivider agrees to design all proposed public water and sewer facilities to 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.
- b. 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' 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 landscaping shall be installed in or over any easement prior to the applicant obtaining an encroachment removal agreement. No landscaping or structures of any kind shall be installed in or over any access easement.
- c. The subdivider shall provide evidence, satisfactory to the Water and Metropolitan Wastewater Departments' Directors, indicating that each lot 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 systems that serve more than one lot.

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 Planning and Development Review Director.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- This Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.