

RESOLUTION NUMBER R-296131

ADOPTED ON FEBRUARY 26, 2002

WHEREAS, Carter Reese & Associates, Applicant, and Project Design Consultants, Engineer, submitted by an application to the City of San Diego for a 30-lot tentative map (Tentative Map No. 3759 for the Skyline Terrace Estates, Project No. 1272), located southerly of Skyline Drive, westerly of Woodman Street, and easterly of Leghorn Avenue, and legally described as Lots 1 through 6, Map 11304, in the Southeastern San Diego Community Plan area, in the SF-5000 zone; and

WHEREAS, on December 20, 2001, the Planning Commission of the City of San Diego considered Tentative Map No. 3759 for Project No. 1272, and pursuant to Resolution No. 3213-PC, voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on February 26, 2002, 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 it adopts the following findings with respect to Tentative Map No. 3759, for Project No. 1272:

1. The map proposes the subdivision of a 5.1-acre site into 30 lots for residential development. This type of development is consistent with the City of San Diego's Progress Guide and General Plan and the Southeastern 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 SF-5000 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 Planned Development Permit/Site Development Permit [PDP/SDP].
 - b. All lots meet the minimum dimension requirements of the SF-5000 zone, as allowed under a PDP/SDP.
 - 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 PDP/SDP.
 - d. Development of the site is controlled by PDP/SDP Project No. 1272.
3. The design and proposed improvements for the subdivision are consistent with California Government Code 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. 41-0046, 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 of the Progress Guide and General Plan of the City of San Diego and finds pursuant to Government Code section 66412.3, that the housing needs of the region are being met because residential development has

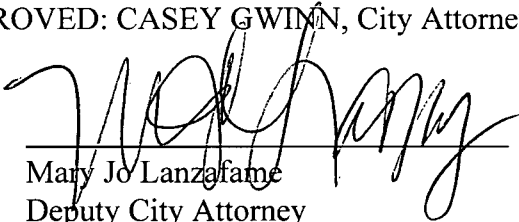
been planned for the area and public services programmed for installation, as determined by the City Engineer are in accordance with financing and environmental policies of the Council.

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. 3759 for Project No. 1272 is granted to Carter Reese & Associates, Applicant, and Project Design Consultants, 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:lc

04/08/02

Or.Dept:Clerk

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Reviewed by Jeannette Temple

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 3759
PROJECT NO. 1272, SKYLINE TERRACE ESTATES
ADOPTED BY RESOLUTION NO. R-296131 ON FEBRUARY 26, 2002

1. This tentative map will expire February 26, 2005.
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. Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this tentative map, may protest the imposition within 90 days of the approval of this tentative map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
4. The final map shall conform to the provisions of Planned Development Permit [PDP] No. 3758/Site Development Permit [SDP] No. 3760, Project No. 1272.
5. 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.

6. "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).
7. "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."
8. 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

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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.

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 has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the tentative map the subdivider is including in each final map. The City Engineer may impose reasonable conditions relating to the filing of multiple final maps, in order to provide for orderly development, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
11. 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.
12. WATER AND SEWER REQUIREMENTS

WATER:

- a. Prior to the approval of any public improvement drawings, the subdivider shall provide an acceptable water study in a manner satisfactory to the Water Department Director. The study shall plan the pressure zone(s) and public water facilities necessary to serve this development including redundancy.
- b. The subdivider shall design and construct all public water facilities as required in the accepted water study necessary to serve this development, and extending to the subdivision boundaries, in a manner satisfactory to the Water Department Director. Water facilities, as shown on the approved tentative map, will require modification based on the accepted water study and final engineering.
- c. The subdivider shall relocate, and upsize to 48-inch, the Otay 2nd Pipeline traversing the project site in a manner satisfactory to the Water Department Director, for which the City will reimburse the subdivider seventy-five (75) percent of the actual cost of design and construction in accordance with City regulations and practices pertaining thereto. Agreement for work shall be executed prior to recordation of the first final map.

- d. The subdivider shall install fire hydrants at locations satisfactory to the Fire Marshall, the Water Department Director 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 system satisfactory to the Water Department Director.
- e. The subdivider agrees to design and construct all proposed public water facilities, including pipelines, services, meters, and easements, in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards, and practices pertaining thereto. Proposed facilities that do not meet the current standards for construction, operation, maintenance and access, shall be redesigned.
- f. The subdivider shall grant minimum forty-foot-wide water easements over the portions of the Otay 2nd Pipeline not located within fully improved public rights-of-way, satisfactory to the Water Department Director. No encroachments, including trees and shrubs, shall be installed within ten (10) feet of the outside edge of pipe. Easement, as shown on the approved tentative map, will require modification based on final engineering.
- g. The subdivider shall process encroachment maintenance and removal agreements for all acceptable encroachments, including, but not limited to, structures, enhanced paving, or landscaping, into any easement. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.
- h. The subdivider shall provide acceptable loading calculations, in a manner satisfactory to the Water Department Director, for the Otay 2nd Pipeline and easement to insure proposed development loading will not exceed the load bearing capabilities of the pipeline.

WASTEWATER:

- a. Prior to the submittal of any public improvement drawings, including grading plans, the developer shall provide evidence of an accepted sewer study satisfactory to the Metropolitan Wastewater Department Director, for the sizing, grade and alignment of proposed public gravity sewer mains.
- b. The developer shall install all facilities, as required by the accepted sewer study, necessary to serve the proposed development and extending to the subdivision boundary. Sewer facilities, as shown on the approved tentative map, will require modification based on the accepted sewer study.

- c. The developer shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's sewer design guide. Proposed facilities that do not meet the current standards shall be private or re-designed.
 - d. Prior to the issuance of any building or grading permits, the developer shall abandon all prior sewer easements in this development, satisfactory to the Metropolitan Wastewater Department Director.
 - e. Providing sewer for this development is dependent upon prior construction of certain sewer facilities in previously approved developments in the 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.
13. The drainage system proposed for this subdivision is subject to approval by the City Engineer.
14. Streets "A" is classified as a residential local street. Applicant shall dedicate 54 ft right-of-way and construct 34 ft of pavement, curb, gutter and a 4 ft non contiguous sidewalk within a 10 ft curb to property line and dedicate an additional 5 ft General Utility Easement, satisfactory to the City Engineer.
15. Streets "B" north of street "A" is classified as a residential local street. Applicant shall dedicate 54 ft right-of-way and construct 34 ft of pavement, curb, gutter and a 4 ft non contiguous sidewalk within a 10 ft curb to property line and dedicate an additional 5 ft General Utility Easement, satisfactory to the City Engineer.
16. Streets "B" is classified as a residential cul-de-sac local street. Applicant shall dedicate 50 ft radius right-of-way and construct 40 ft of pavement, curb, gutter and a 4 ft non contiguous sidewalk within a 10 ft curb to property line and dedicate an additional 5 ft General Utility Easement, satisfactory to the City Engineer.
17. Streets "B" south of street "A" is classified as a residential local street. Applicant shall dedicate 48 ft right-of-way and construct 28 ft of pavement, curb, gutter and a 4 ft non contiguous sidewalk within a 10 ft curb to property line and dedicate an additional 5 ft General Utility Easement, satisfactory to the City Engineer.
18. Leghorn Avenue is classified as a residential local street with a 55 ft right-of-way. Applicant shall construct pavement, curb, gutter and a 4 ft non contiguous sidewalk within a 10 ft curb to property line and dedicate an additional 5 ft for a General Utility Easement (GUE) on the easterly side of the street, satisfactory to the City Engineer. The applicant shall provide improvement to the west side of Leghorn Avenue so that no

private driveway would require major removal and reconstruction, satisfactory to the City Engineer.

19. TRANSPORTATION:

- a. The project shall comply with all current street lighting standards according to the City of San Diego Street Design Manual (Document No. 769830, filed January 30, 1997) and the amendment to Council Policy 200-18 approved by City Council on January 10, 2000.

20. LANDSCAPING:

- a. Prior to the Final Map, the Permittee or subsequent Owner shall enter into a Landscape Maintenance Agreement for a period of time until another entity such as a Landscape Maintenance District, Home Owners Association assumes responsibility. The Landscape Maintenance Agreement shall include all landscaped areas as indicated on Exhibit A. A cost estimate and area diagram shall accompany the Landscape Maintenance Agreement and shall be submitted for review and approval by a Landscape Planner.

21. 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 Skyline/Paradise Hills Community Plan area.
- 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 Director of Building Inspection.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.