

(R-2003-756) Cor.Copy
11/27/02

RESOLUTION NUMBER R- 297501

ADOPTED ON DEC 10 2002

WHEREAS, St. Stephens Retirement Center, Inc., Applicant, and Ron Martin and Associates, Engineer, submitted by an application to the City of San Diego for a 2-parcel tentative parcel map (Tentative Parcel Map No. 8924 for the St. Stephens Retirement Center project), street reservation vacation and easement vacation, located on Imperial Avenue, west of Valencia Parkway, and legally described as a portion of Lot 16 of the partition of the Rancho Mission, Map No. 330, in the Southeastern San Diego Planned District in the Encanto Community Plan area, in the CT-2 zone; and

WHEREAS, on November 21, 2002, the Planning Commission of the City of San Diego considered Tentative Parcel Map No. 8924, and pursuant to Resolution No. 3331-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on DEC 10 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 Parcel Map No. 8924:

1. The map proposes the subdivision of a 2.44-acre site into 2- parcels for residential development (fifty Senior Affordable residential units). 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/development regulations of the CT-2 Zone in that:

a. The Parcels have minimum frontage on a dedicated street which are open to and usable by vehicular traffic, as allowed under an Site Development Permit/ Conditional Use Permit (SDP/CUP).

b. The Parcels meet the minimum dimension requirements of the CT-2 Zone, as allowed under a SDP/CUP Permit.

c. The Parcels 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 SDP/CUP.

d. Development of the site is controlled by Site Development Permit No. 8931/Conditional Use Permit No.8930

3. The design and proposed improvements for the subdivision are consistent with State Map Act section 66473.1 and San Diego Municipal Code section 125.0440(g) regarding the design of the subdivision for future passive or natural heating or 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 existing improvements and the proposed subdivision will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and pursuant to Section 15332 of the California Environmental Quality Act [CEQA], the project is exempt from environmental review.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems, in as much 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 the General Plan of the City of San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, 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.

10. The property contains right-of-ways and public service easements which must be vacated to implement the Parcel map in accordance with San Diego Municipal Code section 125.0430.

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 66445(j), the following two drainage easements, a sewer easement, and portion of a street reservation, located within the project boundaries as shown in Tentative Parcel Map No. 8924, shall be vacated, contingent upon the recordation of the approved parcel map for the project.

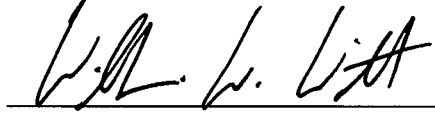
1. Drainage easement in book 3054 page 478.
2. Sewer easement granted in book 1338 page 276.
3. Drainage easement per document number 1993-0382685.
4. Portion of Street Reservation per 1994-0241633.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Tentative Parcel Map No. 8924 is granted to St. Stephens Retirement Center, Inc.,

Applicant and Ron Martin and Associates, Inc. Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By



William W. Witt
Deputy City Attorney

WWW:pev

11/26/02

Or.Dept:DSD

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CITY COUNCIL CONDITIONS FOR TENTATIVE PARCEL MAP NO. 8924
ST STEPHENS SENIOR RETIREMENT CENTER PROJECT
ADOPTED BY RESOLUTION NO. R-~~297501~~ ON DEC 10 2002

1. This tentative map will expire November 21, 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 Parcel 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 ninety 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 Parcel Map shall conform to the provisions of the Site Development Permit [SDP] No. 8931/Conditional Use Permit [CUP] No. 8930.
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 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."
8. The Parcel 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

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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.

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 Endangered Species Act of 1973 [ESA] and any amendments thereto (16 USC § 1531 et seq.).
10. Undergrounding of existing and/or proposed public utility system and service facilities is required according to the San Diego Municipal Code.
11. Imperial Avenue is classified as a 4-lane major street. The subdivider shall dedicate an additional 9 feet of right-of-way, along the project frontage, and shall provide 39 feet half-width pavement, a raised median, curb, gutter, and a 5 foot wide sidewalk within a 10 foot curb to property line distance.
12. The subdivider shall reconstruct the pedestrian ramp, at the southwest corner of Imperial Avenue and Valencia Parkway.
13. The subdivider shall close the non-utilized driveway with City standard curb, gutter and sidewalk and construct two 25 foot wide City standard driveways, on Imperial Avenue.
14. The subdivider shall obtain an Encroachment Maintenance and Removal agreement from the City Engineer for private storm drain, landscaping, irrigation and appurtenances in Imperial Avenue and Valencia Parkway right-of-way.
15. The drainage system for this project shall be private and will be subject to approval by the City Engineer. If the downstream storm drain system is inadequate, the subdivider shall either provide onsite detention basin or assure by permit and bond the upgrade of the downstream storm drain system.
16. The subdivider shall obtain a bonded grading 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.
17. The subdivider shall enter into an Agreement to Hold the City Harmless regarding drainage. This agreement shall be recorded at the County. The drainage system proposed for this development is subject to approval by the City Engineer and shall be private.

18. A shared access agreement shall be submitted for the easterly driveway and recorded on Parcel 1 and Parcel 2.
19. A shared parking agreement, which requires the project to maintain sixty off-street parking spaces for the senior care facility on Parcel one and fifty parking spaces for the new senior care facility on Parcel two, shall be submitted and recorded on each parcel.
20. The subdivider shall submit complete landscape construction documents, (plans, details, and specifications), including a permanent automatic irrigation system, for the required right-of-way improvements, slope revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards Manual and to the satisfaction of the City Manager.
21. The landscape construction documents shall be in substantial conformance with Exhibit "A," Landscape Concept Plan, dated December 10, 2002, on file in the Office of the Development Services Department. The subdivider shall assure by permit and bond the installation of landscaping per landscape construction documents.
22. Water Requirements:
 - a. The subdivider shall grant additional water easement to widen existing water easement traversing the project site to 35-feet wide in a manner satisfactory to the Water Department Director and the City Engineer.
 - b. The Subdivider shall process encroachment maintenance and removal agreements for all acceptable encroachments into the water easement in a manner satisfactory to the Water Department Director and the City Engineer.
 - c. It is the sole responsibility of the Subdivider for any damage caused to or by the 36-inch water transmission pipeline traversing the project site, due to the construction activities associated with this development. In the event the pipeline loses integrity, then, the Subdivider shall design and construct a relocated pipeline into Imperial Avenue right-of-way in a manner satisfactory to the Water Department Director and the City Engineer.
 - d. The Subdivider agrees to design and construct all public water facilities 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

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practices pertaining thereto. Water facilities as shown on the approved tentative map shall be modified at final engineering to comply with standards.

FOR INFORMATION:

- This development may be subject to payment of a park fee prior to the filing of the Parcel Map in accordance with San Diego Municipal Code. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code section 17620, 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.
- This Tentative Parcel Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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