

DRAFT
CITY COUNCIL
TENTATIVE MAP RESOLUTION NO.
CAMBRIDGE SQUARE
(MMRP)

WHEREAS, Mayfair Homes, Applicant, and Schwerin and Associates, Engineer, filed an application for a 1 lot, 34 unit residential condominium map, located on the north side of Nutmeg Street between Third and Fourth Avenues, and described as Lots D through I inclusive of Block 308 of Horton's Addition, in the NP-1 and MR800B Zones; and

WHEREAS, on January 9, 2000, the City Council of the City of San Diego considered Cambridge Square, TM 96-7749, pursuant to the Municipal Code Section 125.0430 of the City of San Diego, and received for its consideration written and oral presentations, and heard from all interested parties present at the public hearing;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Diego makes the following Findings:

1. The map proposes the subdivision of a 0.689-acre site into 1 lot for a 34 unit residential condominium development. This type of development is consistent with the General Plan and the Uptown 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 NP-1 and MR800B zone in that:
 - a. The lot has minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Mid-City Communities Development Permit (MCCDP).
 - b. The lot meets the minimum dimension requirements of the NP-1 and MR800B zones, as allowed under a MCCDP.
 - c. The lot is 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 MCCDP.
 - d. Development of the site is controlled by MCCDP Permit No. 96-7749.
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 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 design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, based upon the findings of Environmental Impact Report No. 96-7749, which is included herein by this reference. However, a finding has been made pursuant to subdivision (c) of Section 21081 of the Public Resources Code that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the Environmental Impact Report.
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. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that, based on the Findings hereinbefore adopted by the City Council, Cambridge Square, TM 96-7749, is hereby APPROVED, subject to the following conditions:

1. This tentative map will expire November 2, 2003.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the 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 Mid-City Development Permit No. 96-7749.
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 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.
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 USC Section 1531 et seq.).

10. The subdivider shall provide evidence to ensure that an affirmative marketing program is established.
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 an Encroachment Removal Agreement for sidewalk underdrains in Nutmeg Street and Third Avenue, landscaping in Third Avenue, Nutmeg Street and Fourth Avenue and brick pavers in Nutmeg Street.
13. This project proposes export 10,900 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow processing and sale of the material. All such activities require a separate Conditional Use Permit.
14. The subdivider shall replace the existing curb, gutter, sidewalk and pedestrian ramps to current standards, construct a new 20 foot driveway on Fourth Avenue and close all of the existing driveways, satisfactory to the City Engineer.
15. The applicant shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Environmental Impact Report, LDR No. 96-7749, satisfactory to the City Manager and the City Engineer. Prior to issuance of the first grading and/or building permit, all mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas: Historical Resources, and Paleontological Resources.

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 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 map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO,
CALIFORNIA, ON JANUARY 9, 2000,
BY A VOTE OF .

By _____
Juan Baligad, Development Project Manager