

**RESOLUTION NO. 2022-26****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONADO, CALIFORNIA, APPROVING A ONE-LOT TENTATIVE MAP TO ALLOW FOR CONDOMINIUM OWNERSHIP OF 10 RESIDENTIAL UNITS FOR THE PROPERTY ADDRESSED AS 543-555 ORANGE AVENUE, CORONADO, CALIFORNIA**

WHEREAS, the property owner, "Orange Avenue Townhomes, LLC," has, per the California Subdivision Map Act and the City of Coronado Subdivision Ordinance, requested City approval for a one-lot Tentative Map to allow for condominium ownership of 10 residential units at 543-555 Orange Avenue; and

WHEREAS, the Planning Commission of the City of Coronado did, pursuant to Section 66452.2 of the Government Code, hold a public hearing on the Tentative Map on May 10, 2022, and subsequently adopted a motion, with findings and conditions, recommending approval to the City Council; and

WHEREAS, the City Council of the City of Coronado did, pursuant to Section 66452.2 of the Government Code, hold a public hearing on said subdivision request on June 7, 2022, and said public hearing was duly noticed as required by law and all persons desiring to be heard were heard at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coronado that the proposed Tentative Map for 543-555 Orange Avenue be approved and that the approval be based upon the following findings:

**FINDINGS:**

1. The proposed map is consistent with the Coronado General Plan and Zoning Ordinance in that the proposed residential use and density of development are permitted under the General Plan and Zoning Ordinance requirements;
2. The design and improvement of the proposed subdivision are consistent with the Coronado General Plan and Zoning Ordinance in that the design provides sufficient lot area and street access for proper development, and that the proposed lot will contain 14,006 square feet;
3. The site is physically suitable for the type of development in that the existing lot of 14,006 square feet can support 10 dwelling units in the R-4 Zone;
4. The site is physically suitable for the proposed density of development in that the number of units in the project is within the 40 dwelling units per acre standard specified in the Coronado Zoning Ordinance for the R-4 Zone;
5. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, nor are they likely to substantially and avoidably injure fish or wildlife or their habitat and the project is categorically exempt from environmental review according to the California Environmental Quality Act (CEQA), in accordance with Section 15332 for In-Fill Development;
6. The design of the subdivision and the type of improvements are not likely to cause serious public health problems within the authority of the Coronado Public Health Officer;
7. The design of the subdivision and the type of improvements will not conflict with any easements acquired by the public at large and which are recorded or established by judgment of a court of competent jurisdiction;

8. The Tentative Map meets all the requirements of the Subdivision Map Act and the Coronado Subdivision Ordinance and was reviewed by the Public Services, Engineering, and Fire departments whose proposed conditions are incorporated below.

BE IT FURTHER RESOLVED that the approval is subject to the following conditions:

**Fire Department**

1. Owner shall install a NFPA 13 compliant fire sprinkler and alarm system throughout the development in accordance with the National Fire Protection Association and California Fire Code Standards to the satisfaction of the City of Coronado Fire and Community Development departments;
2. Owner shall provide appropriate Fire Department personnel and vehicle access including access to any locked common areas. All gates or other structures or devices that could obstruct fire access roadways or otherwise hinder emergency operations are prohibited unless they meet standards approved by the Fire Department and receive specific plan approval. In addition, provide a Knox Box if there are secured common areas;
3. The location of any Fire Department connection and back flow prevention device (OS&Y valve) shall be approved by the Fire Department and preferably face "Orange" Avenue. The back flow shall not be blocked or hidden, and it shall be identified to the satisfaction of the City of Coronado Fire Department;
4. Owner shall provide adequate water flow for firefighting based upon the square footage of the buildings and if needed, Owner shall upgrade the fire hydrant within the adjacent public rights-of-way in accordance with the California Fire Code standard to the satisfaction of the City of Coronado Fire Department.

**San Diego Gas & Electric (SDG&E)**

5. Prior to recordation, the Owner shall work with SDG&E to ensure that the existing gas line can continue to serve both properties. Otherwise, the gas line will need to be relocated. The Owner shall call Dig Alert before any ground disturbance. The SDG&E Service Order Team can be reached at 619-230-7800.

**California American Water**

6. Because the project is required to install fire sprinklers, the project will be required to have backflow to the satisfaction of the California American Water authority.

**California Department of Transportation (Caltrans)**

7. Because Caltrans generally does not allow development projects to impact hydraulics within the State's Right-of-Way (R/W), any modification to the existing Caltrans drainage and/or increase in runoff to State facilities will not be allowed.
8. Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans. In addition, an encroachment permit will be required for any work within the Caltrans' R/W prior to construction. As part of the encroachment permit process, the Owner must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts with the Caltrans' R/W, and any corresponding technical studies.

**Public Services & Engineering Department**

9. Owner shall maintain a minimum of three feet of clearance between driveways located on public property and any property lines extended, intersection radius, and any obstructions located on public property, e.g., utility poles, fire hydrants, street trees, etc. The relocation of any of these items to obtain the needed clearances shall be the sole responsibility of the

- Owner, subject to the review and approval of the City's Public Services and Engineering Department;
10. Any existing sewer laterals used for new development shall be videotaped, at Owner's expense, for its entire length to the sewer main to assess its condition and suitability for continued use. The video shall be furnished to the City of Coronado Public Services and Engineering Department in DVD format and, based on its review, repairs or replacement of the sewer line may be required, at the direction of the City of Coronado. Each building requires a separate sewer service lateral connected to the sewer main and the reservation of easements may be required. The owner may have one sewer service lateral connection to serve the development; however, the responsibility of maintenance, replacement, etc. shall be delegated in the development's Declaration of Covenants, Conditions, and Restrictions (CC&Rs). The CC&Rs shall be submitted to the Public Services and Engineering Department for review prior to the approval of the Final Map;
  11. Prior to demolition, any existing sewer laterals shall be capped and staked. Sewer laterals that are not used by the proposed development shall be removed by Owner from the City's rights-of-way and capped within 24 inches of the sewer main under permit issued by the Public Services and Engineering Department;
  12. Owner shall underground all existing and future utilities to this site. Individual lots require separate utility service and utility easements shall be provided between the alley and the street. (Concrete replacement to accommodate the undergrounding of utilities shall be a minimum of 30 inches wide for the length of the repair);
  13. Owner shall research and identify the location of existing utilities on the site prior to grading or excavating the site and the Owner shall be responsible to remove any utility location "mark out" indicators or paint;
  14. Owner shall install all utilities, which are not possible to underground, such as back flow valves and transformers, on private property and said utilities shall be permanently screened from public view, at the direction of the City of Coronado Community Development Department;
  15. Owner shall remove and replace the alley adjoining the subject property (approximately 20 ft. x 100 ft.) in accordance with City standards and the San Diego Regional Standard Drawings, at the direction of the City Public Services and Engineering Department;
  16. Owner shall remove and replace approximately 100 lineal feet of adjacent sidewalk in accordance with City standards (historic scoring pattern or as directed by the Public Services and Engineering Department) and the San Diego Regional Standard;
  17. Owner shall obtain a Caltrans Encroachment Permit for the work within the Orange Avenue right-of-way;
  18. Owner shall remove and replace portions damaged during construction of adjacent public sidewalk (with "historic" pattern) and/or curb and gutter in accordance with City standards and the San Diego Regional Standards Drawings (SDRSD), and verify limits of removal at the direction of the City Public Services and Engineering Department;
  19. The adjacent public sidewalk and alley shall remain safe, smooth and free of all trip or travel hazards during construction. Owner shall repair any public paving damaged (e.g., sidewalk, curb, gutter, alley, street) during the course of this project at the direction of the City's Public Services and Engineering Department. All repairs to public property shall be in accordance with City standards and the San Diego Regional Standard Drawings;
  20. Owner shall have a California licensed land surveyor install survey monuments at all property corners with locations indicated on the final parcel map and any monuments disturbed during construction shall be replaced by a licensed land surveyor at Owner's expense;
  21. Owner shall assure that the storage of building materials, equipment, or containers (other than for refuse purposes) in the City right-of-way does not occur;
  22. Owner shall apply for an encroachment permit from the Public Services and Engineering Department for any amenities proposed for the adjoining public rights-of-way and the Owner

- shall assume responsibility for costs associated with the construction and maintenance of said amenities;
23. Owner shall assure that all work performed outside of the private property lines shall conform to the San Diego Regional Standard Drawings and Coronado Special Construction Provisions and prior to construction, a right-of-way permit shall be obtained from the Public Services and Engineering Department;
  24. The City does not permit the discharge of groundwater or construction runoff into the storm drain system. Consequently, disposal of groundwater extracted from the site into the City sewer system, if warranted, requires approval and a permit from the City's Public Services and Engineering Department. The Owner must pay the costs for this operation and make payments of a processing fee charged the City by San Diego's Metropolitan Waste Water Department;
  25. Owner shall maintain on-street parking spaces, parking and traffic markings, and signage adjacent to the subject property except as required to be modified to provide vehicle ingress and egress to the property or for temporary activity during construction as permitted by the City's Public Services and Engineering Department;
  26. Owner shall submit for approval by the City of Coronado a Drainage and Grading Plan for the purposes of justifying any onsite grading, drainage and improvements;
  27. In accordance with Chapter 60.12 of the Coronado Municipal Code, a wastewater capacity fee will be charged prior to building permit issuance for sewer service connections to the sanitary sewer system;
  28. Public Services reviewed the project and concluded that one tree from the approved street-tree list shall be planted in the right-of-way. Said tree shall have a minimum 2-inch diameter trunk (measured 4 feet 6 inches above the root crown) with double stakes and ties. In addition, a tree well and dedicated irrigation bubbler shall be added. Said tree shall be protected with an expandable collar, no turf shall be permitted within 12 inches of the trunk. All street trees shall have an independent automatic irrigation system (separate valves from turf or other adjacent landscaping within the parkway) and be irrigated with a bubbler inside a breathing tube. Contact Public Services to determine the exact location of said tree within the right-of-way;
  29. Owner shall install linear root barriers adjacent to all existing and newly planted shade trees on private property, which are within 10 feet of any public sidewalk, street or alley. Said barriers shall be installed adjacent to the sidewalk and curb face to extend 8 feet to each side of center of the tree installed and not encircle the trees. The barrier shall be a minimum of 12" and a maximum of 18" in depth and shall be either hard plastic or fabric impregnated with a root inhibitor (bio-barrier);
  30. Owner shall provide an automatic irrigation system to all existing and proposed adjoining public property landscaping with all street trees irrigated with bubblers from an independent automatic irrigation system (separate from turf or other landscaping within the parkway);
  31. Owner shall provide an area on private property, accessible by all occupants, for the storage of trash and recyclable materials to the satisfaction of the City of Coronado;
  32. During project planning and design, Owner shall incorporate effective construction and post-construction Best Management Practices and provide all necessary studies and reports as determined by the Public Services and Engineering Department Director demonstrating compliance with the applicable regulations and standards. All project Owners shall complete and submit the City's Storm Water Project Assessment Form (Form I-1 & I-2) to determine the project's construction and post-construction storm water categories. The category determines the requirements for the project. The Storm Water Assessment Form is available at: <https://www.coronado.ca.us/storwaterlibrary> and shall be completed and submitted to the City of Coronado with the initial submittal to the City's Building Department counter, attention Public Services & Engineering;

33. Prior to approval of any and all demolition, construction, and building permits for the project, Owner shall demonstrate to the satisfaction of the Public Services and Engineering Department Director compliance with all of the applicable provisions of the following and any amendments thereto:

The City of Coronado Stormwater and Urban Runoff Management and Discharge Control (Coronado Municipal Code Chapter 61.04).

NPDES Municipal Permit No. CAS0109266 (San Diego Regional Water Quality Control Board Order No. R9-2013-0001 or re-issuances thereof).

NPDES Construction Permit No. CAS000002 (State Water Resources Control Board Order No. R9-2012-0006 DWQ or re-issuances thereof).

### **Community Development Department**

34. Owner shall reserve 20% of the units within the development "for rental" to persons qualified by the County Housing Authority as meeting Section 8 Rental Assistance requirements or to persons qualifying within very low and low income categories as established annually by the U.S. Department of Housing and Urban Development (HUD), or "for sale" to persons qualifying within moderate income categories as established annually by the U.S. Department of Housing and Urban Development (HUD), or shall pay a fee in lieu thereof of \$7,000.00 for every unit within the project, at the option of the subdivider, for the purpose of providing affordable housing assistance in accordance with Chapter 82.21 of the Coronado Municipal Code (CMC);
35. Owner shall assure that any common areas and easements are identified and described on the Final Map;
36. Owner shall comply with and, if there are CC&Rs, include in said CC&Rs (to the satisfaction of the Director of Community Development):
- a) That no existing or future utility lines be permitted outside of the lot or private interest spaces (separate interest spaces or units) of which they serve unless located within a common area or an easement approved by the City of Coronado;
  - b) That common area or reciprocal pedestrian easements be provided to allow all private occupants of the property access the street. Where fences or walls are proposed, gates shall be provided to give said occupants access to the street;
  - c) Easements and/or rights providing for pedestrian and vehicle access, utilities and/or other purposes, for each proposed condominium unit, are to be specified in any condominium plans and/or conveyances of any unit constructed within the boundaries of this Final Map. Any vehicle access driveway and vehicle maneuvering/turnaround space adjacent to garages or parking spaces shall be shared by all owners;
  - d) That two required off-street parking spaces be provided for each dwelling with each space specifically assigned to each dwelling unit and clearly marked for such dwelling or use;
  - e) That each off-street parking space required for all dwellings be continuously maintained free and unobstructed, with adequate ingress and egress, and not used for any use other than parking of motor vehicles;
  - f) That any present or future outside storage of trash be accessible by all occupants and be enclosed within a minimum 5-foot high wall with gate which shall be on private property and approved by the City of Coronado Community Development Department;
  - g) That each proposed dwelling unit held as a condominium form of ownership shall be provided with a minimum of 200 cubic feet of storage space per dwelling, in addition to closets customarily provided, in accordance with the Zoning Ordinance;
  - h) That none of the covenants, conditions and restrictions required by this condition shall be deleted, amended or modified without the prior written approval of the City of Coronado;

- 37. Owner shall assure that no existing or future utility lines be permitted outside of the lot of which they serve unless located within an easement approved by the City of Coronado;
- 38. Owner shall assure that any easements be identified and described on the Final Map;
- 39. If the above conditions have not been completed and accepted in accordance with standards established by the City prior to approval of the Final Map, then the subdivider shall enter into a secured agreement with the City for 100% of the estimated cost of constructing the improvements and performing the conditions before the Final Map is approved pursuant to CMC Sections 82.16.060 - 82.16.110. Said agreement shall be prepared and recorded with the County Recorder's Office. If the above conditions are not completed prior to approval of the Final Map and a secured agreement is approved, all of the above conditions shall be completed to the satisfaction of the City of Coronado prior to any newly constructed dwelling's building permit being finalized or occupancy permitted;
- 40. The Owner shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Owner of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Owner shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner shall not be required to pay or perform any settlement unless such settlement is approved by the Owner;
- 41. In accordance with Coronado Municipal Code Section 82.50.130(A) and State Government Code Section 66452.6, the Tentative Map shall expire 24 months after City Council approval.

PASSED, ADOPTED, AND APPROVED by the City Council of the City of Coronado, California, at a regular meeting thereof this seventh day of June 2022 by the following vote to wit:

**AYES: DONOVAN, SANDKE, TANAKA, BAILEY**  
**NAYS: NONE**  
**ABSTAIN: NONE**  
**ABSENT: HEINZE**

APPROVED:



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RICHARD BAILEY, Mayor of the  
City of Coronado, California

ATTEST:



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JENNIFER EKBLAD, City Clerk of the  
City of Coronado, California