

RESOLUTION NUMBER R-267922

ADOPTED ON MARCH 24, 1987

WHEREAS, RANCHO BERNARDO COMMUNITY PLANNING BOARD, by Gary A. Kreitzer, appealed the decision of the Planning Commission in approving Tentative Map No. TM-85-0430 submitted by WESTWOOD VALLEY PARTNERSHIP and CHARLES W. CHRISTENSEN & ASSOCIATES for a 35-lot subdivision of a portion of Rancho San Bernardo, located on the north side of Rancho Bernardo Road and west of Matinal Road, in the Rancho Bernardo Community Plan area, in the R1-5000 HR Zone; and

WHEREAS, said appeal was set for public hearing on March 3, 1987, and continued to March 24, 1987, 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. TM-85-0430:

1. The map proposes a 35-lot subdivision of a 41.2-acre site for residential development. This type of development is consistent with the General Plan and Rancho Bernardo 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 R1-5000 HR Zone in that:

a. All lots have frontage on a dedicated street which is open to and usable by vehicular traffic.

b. All lots meet the minimum dimension requirements of the R1-5000 HR Zone.

c. All lots are designed so that required improvements do not result in nonconforming lots with respect to building area, setbacks, side yard and rear yard regulations.

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/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 suitable for the proposed density of development. This is consistent with the community plan which provides for this density.

6. The design of the subdivision or the proposed improvements are likely relating to grading based upon the findings in Environmental Impact Report No. EIR-85-0453 which is included herein and made a part hereof by reference.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch the needed public services and facilities are available or required by condition of this map.

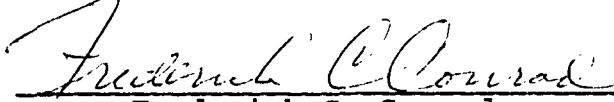
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

9. This Council has reviewed the adopted Housing Element, the Progress Guide and General Plan for 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 the appeal of RANCHO BERNARDO COMMUNITY PLANNING BOARD is denied; the decision of the Planning Commission is sustained, and said Tentative Map No. TM-85-0430 is hereby granted to WESTWOOD VALLEY PARTNERSHIP and CHARLES W. CHRISTENSEN & ASSOCIATES, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

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04/14/87  
Or.Dept:Clerk  
R-87-1809  
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TENTATIVE MAP NO. TM 85-0430 CONDITIONS  
CITY COUNCIL

1. This map shall expire March 24, 1990.
2. 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.
3. The subdivider must provide a geological reconnaissance on the subject property to determine the stability of the soil. All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0410 et seq.
4. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.

The undergrounding of 60KV or larger overhead transmission facilities located along the City/County boundary is exempt. The undergrounding of existing 12KV distribution facilities underbuilt on the existing transmission line towers is waived.

5. This property is subject to payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Rancho Bernardo Community Plan area.
6. The subdivider shall complete the full improvement of Rancho Bernardo Road adjacent to the full frontage of the subdivision by constructing curb, 5-foot-wide sidewalk, a 32-foot-wide paved roadway for westbound traffic and a raised median, and shall construct a transition in a manner satisfactory to the the City Engineer at the westerly subdivision boundary.

The centerline of Street "A" shall be aligned with the centerline of Via Del Campo and a median break with left-turn pockets shall be constructed at this intersection. No median break will be allowed at Street "B."

7. Streets "A" and "B" shall be dedicated and fully improved as local streets with curbs, sidewalks and paving as shown on the approved tentative map with a 58-foot property-line-radius cul-de-sac at the end of Street "B."
8. The subdivider shall construct a traffic signal system in a manner satisfactory to the City Engineer at Rancho Bernardo Road and Via Del

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Campo. This traffic signal system is identified in the Rancho Bernardo Financing Plan as being funded through Traffic Signal Charges funds.

The subdivider shall construct this traffic signal system as part of the work required in connection with this tentative map and may be authorized a credit/reimbursement for the costs of constructing this traffic signal system through an agreement approved by the City Council at the time of approval of the final map. The amount of credit/reimbursement shall be determined by the City Engineer.

9. The subdivider shall grant a negative open space easement over the natural slopes within Lot 35 in a manner satisfactory to the Park and Recreation Director.
10. Water Requirements
  - a. Provide a water study for Westwood Valley for approval by the Water Utilities Director.
  - b. Install a system of water mains and facilities in compliance with this approved water study.
  - c. Install fire hydrants at locations satisfactory to the City Engineer.
11. Sewer Requirements:
  - a. Provide a sewer study for Westwood Valley for approval by the Water Utilities Director.
  - b. Initiate a system of sewer mains and facilities in compliance with this approved sewer study.
12. The drainage system proposed for this subdivision shown on the approved tentative map is subject to approval by the City Engineer.
13. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Engineering Department for each final map processing in connection with this vesting tentative map.
14. Prior to Council approval of the final map, the subdivider shall provide evidence satisfactory to the Park and Recreation Director showing that the residents within this subdivision shall have membership within a private recreation facility.
15. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing or Future Urbanizing. As such, special financing plans have been, or will be, established to finance the public facilities required for the community plan area.

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Therefore, in connection with Council approval of the final map, the subdivider shall comply with the provisions of the financing plan then in effect for this community plan area, in a manner satisfactory to the City Engineer. This compliance shall be achieved by entering into a development agreement, paying a facilities benefit assessment, or such other means as may have been established by the City Council.

16. Prior to Council approval of the final map, the subdivider shall enter into an agreement satisfactory to the Deputy Director of the Environmental Quality Division, whereby the subdivider agrees to construct a 5-foot-high noise attenuating wall adjacent to Rancho Bernardo Road in Lots f22 through 28 and 34 within 6 months of the recording of the final map. This agreement shall also specify that building permits will not be issued within Unit 1 until the construction of the noise attenuating wall is assured.
17. Prior to the filing of the final map, the subdivider shall submit a "Letter of School Availability" from the Poway Unified School District in accordance with Council Policy.
18. Prior to recordation of any final subdivision map by the City Council, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
19. This map shall conform to all conditions noted with Hillside Review Permit 85-0453.

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MAR 24 1987

Passed and adopted by the Council of The City of San Diego on....., by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By *Barbara Baxter* Deputy

Office of the City Clerk, San Diego, California

Resolution Number *R-267922* Adopted *MAR 24 1987*