

(R-88-823)

RESOLUTION NUMBER R-269519

ADOPTED ON OCTOBER 19, 1987

WHEREAS, ERIC RHEE appealed the decision of the Planning Commission in approving Vesting Tentative Map No. TM-86-0821 submitted by PARDEE CONSTRUCTION COMPANY and PROJECT DESIGN CONSULTANTS for a 42-lot subdivision on portions of Sections 18 and 19, Township 14 South, Range 3 West, SBBM, located on the east side of El Camino Real, between Del Mar Heights Road and Del Mar Heights Way, in the Development Unit 9 Precise Plan area of the North City West Community Plan area, in the TC and EP Zones; and

WHEREAS, the matter was set for public hearing on October 19, 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-86-0821:

1. The map proposes the subdivision of a 71.7-acre site into 42 lots for commercial, residential, school and park development. This type of development is consistent with the General Plan and the North City West Community Plan which designate the area for Town Center (commercial), residential, junior high school and community park 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 subdivision are consistent with zoning/development regulations of the TC and EP Zones, except as outlined in paragraph a. below in that:

a. The project (Lots 1 through 35) has frontage on a dedicated street which is open to and usable by vehicular traffic only as permitted under a Development Plan Permit. No frontage is proposed for Lot 36, however this lot will eventually become a part of a larger site proposed for a junior high school that will have access to a dedicated street. Therefore, a variance is being granted.

b. All lots meet the minimum dimension requirements of the TC and EP Zones.

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 only as allowed under a Development Plan Permit.

d. Development of the site is controlled by Development Plan Permit No. 86-0821.

3. The design and proposed improvements for the subdivision are consistent with State Map Action 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 commercial, residential, school and park 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 Town Center (commercial and residential), school and park use.

6. The design of the subdivision and 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. EIR-84-0683 which is included herein by reference. However, a finding has been made pursuant to Public Resources Code Section 21081(c) in 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 inasmuch as the 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

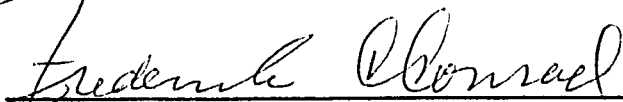
use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

9. The Planning Commission reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego and found, pursuant to Government Code Section 66412.3 that the housing needs of the region were 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 this 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 ERIC RHEE is denied; the decision of the Planning Commission is sustained, and said Vesting Tentative Map No. TM-86-0821 is hereby granted to PARDEE CONSTRUCTION COMPANY and PROJECT DESIGN CONSULTANTS, 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

FCC:cc
10/19/87
Or.Dept:Clerk
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CITY COUNCIL CONDITIONS TM 86-0821

1. This tentative map will expire April 24, 1989.
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. 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.
4. 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.
5. El Camino Real is classified as a 6-lane major street. In connection with this subdivision, the subdivider shall complete the full improvement of El Camino Real, between Townsgate Drive and Del Mar Heights Road, by providing the additional paving, curb, and 5-foot-wide sidewalk necessary to complete the improvements required in connection with TM 83-0800 (see Drawing 20957-D). Full improvements will consist of 3 thru-lanes in each direction, raised median, curbs and 5-foot-wide sidewalks. The median breaks shown on Drawing 20957-D at Stations. 109+40 and 114+05 shall be closed. New median breaks shall be constructed at Townsgate Drive at the El Camino Real entrance to the shopping center. A dual left turn pocket is to be provided for southbound traffic turning into the shopping center. Also, dual left turns for northbound to westbound on Del Mar Heights Road and a separate right turn lane for northbound to eastbound on Del Mar Heights Road are to be provided. Additional right-of-way as required by the City Engineer shall be dedicated for these additional lanes.

The developer may construct an asphalt berm without sidewalk on the east side of El Camino Real northerly of Towncenter Drive (adjacent to the non-owned parcel) in lieu of the curb, gutter and sidewalk. In this area, the berm shall be located a minimum of 44 feet easterly of the centerline within the existing 49-foot-wide right-of-way.

6. Del Mar Heights Road is classified as a 6-lane primary arterial. In connection with this subdivision, between El Camino Real and Carmel Country Road, the subdivider shall provide curb and 5-foot-wide sidewalk on the side adjacent to the subdivision, construct a raised median and paving, with 4 thru-lanes eastbound between El Camino Real

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and the Del Mar Heights Road entrance to the shopping center, 3 thru-lanes eastbound between the Del Mar Heights Road entrance and Carmel Country Road, and a minimum 32 feet (2 lanes) of paving northerly of the raised median for westbound traffic.

A dual left-turn pocket shall be constructed at El Camino Real for westbound to southbound moves and single left-turn pockets at the Del Mar Heights Road entrance for turns into the shopping center and at Carmel Country Road for eastbound to northbound turns. Additional right-of-way will be required by the City Engineer for these additional lanes.

7. The subdivider shall relinquish access rights to Del Mar Heights Road except at the main entrance to the shopping center.
8. Carmel Country Road is classified as a 4-lane primary arterial street. The improvement of the easterly half is a requirement of TM 83-0647. In connection with this subdivision, the subdivider shall construct 32 feet of paving for the southbound lanes between Del Mar Heights Road and Towncenter Drive, as required by the City Engineer, and shall dedicate additional right-of-way required by the City Engineer for this improvement.
9. Townsgate Drive is classified as a 4-lane collector street. In connection with this subdivision, Townsgate Drive shall be dedicated 98 feet wide between El Camino Real and Deacons Court and between Kelsford Place and Carmel Country Road; and 86 feet wide between Deacons Court and Kelsford Place.

The right-of-way between El Camino Real and the easterly subdivision boundary shall be fully improved with curbs, 5-foot-wide sidewalks and paving 78 feet wide and 66 feet wide, as shown on the approved tentative map with transitions as required by the City Engineer, except that sidewalk may be deleted on the northerly side across the non-owned parcel immediately east of El Camino Real.

A raised median shall be constructed within the 98-foot-wide sections. No raised median shall be constructed within the 86-foot-wide section and no driveways are allowed along the 86-foot-wide section. No median breaks will be allowed in the median between Kelsford Place and the easterly subdivision boundary.

The portion of Townsgate Drive off-site easterly to Carmel Country Road shall be improved with two 32-foot-wide paved roadways with temporary AC sidewalk on one side, no improved median, and transitions as required by the City Engineer.

10. Townsgate Court and Kelsford Place shall be dedicated and fully improved as shown on the approved tentative map as cul-de-sac streets, with two 20-foot-wide paved roadways, median, curbs, and sidewalks.

11. A named, non-dedicated private street may be improved between the cul-de-sacs on Townsgate Court and Kelsford Place as shown on the approved tentative map with a 36-foot-wide roadway, curbs and sidewalks within a 56-foot-wide general utility easement. This private street shall meet the local street standards of Council Policy 600-4 as required by the City Engineer.
12. All the remaining access ways within the subdivision shall be unnamed, non-dedicated private driveways constructed in a manner satisfactory to the Fire Department.
13. The use of decorative paving within dedicated right-of-way and private streets shall be subject to approval by the City Engineer.
14. The subdivider shall locate the bus terminal/turnaround area at a location satisfactory to the Engineering Department and to the Metropolitan Transit Development Board (MTDB). This bus terminal/turnaround shall be encumbered by an easement to the MTDB or an appropriate easement satisfactory to the City Engineer.
15. The subdivider shall construct interconnected traffic signal systems satisfactory to the City Engineer at:
 - a. El Camino Real and Townsgate Drive.
 - b. El Camino Real at the El Camino Real entrance to the shopping center.
 - c. Del Mar Heights Road and El Camino Real. This signal is also a requirement of TM 85-0260.
 - d. Del Mar Heights Road at the Del Mar Heights Road entrance to the shopping center.
 - e. Carmel Country Road and Del Mar Heights Road. This signal is also a requirement of TM 83-0647.
 - f. Carmel Country Road and Townsgate Drive.
 - g. Kelsford Place and Townsgate Drive.
 - h. Deacons Court and Townsgate Drive.
16. After completion of the work, the subdivider may request the City Council to establish a reimbursement district to pay for a portion of the construction cost of this work, in accordance with Section 62.0208 of the Municipal Code when the property within the reimbursement district is subdivided or otherwise developed.

The off-site work that may be included in the reimbursement may include:

- a. The improvement of Townsgate Drive east and west of this subdivision.
- b. The improvement of Carmel Country Road and Del Mar Heights Road.
- c. The traffic signals at Carmel Country Road and Del Mar Heights Road, and at Carmel Country Road and Townsgate Drive.

17. Water Requirements:

- a. Install a 12" water main in Townsgate Drive between El Camino Real and Carmel Country Road.
- b. Install 10" water mains in Deacons Court, Kelsford Place and in the private street between Deacons Court at Kelsford Place.
- c. Install a looping 10" easement water main adequate to provide domestic water service and fire protection through the portion of the subdivision westerly of Townsgate Drive.
- d. Install fire hydrants at locations satisfactory to the Fire Department and to the City Engineer.

18. Sewer Requirements:

- a. Install a system of gravity sewer mains adequate to serve all the lots within the subdivision and to serve the area between the easterly subdivision boundary and Carmel Country Road via a sewer main in an easement in Lots 33 and/or 34 between the private street and the subdivision boundary and provide a stub out for the portion between Del Mar Heights Road and Townsgate Drive in a manner satisfactory to the Water Utilities Director.
- b. Provide calculations, satisfactory to the Water Utilities Director to show that the size and the grade of the sewer mains will provide cleansing velocities.

19. The subdivider shall provide evidence satisfactory to the Water Utilities Director showing that private easements will be provided for water services and sewer laterals that cross adjacent lots.

20. The subdivider shall construct a pedestrian overpass over Del Mar Heights Road easterly of El Camino Real in a manner satisfactory to the City Engineer. The pedestrian overpass shall have a minimum vertical clearance of 19 feet. Additional clearances may be required in order to obtain the required traffic signalhead visibility. A center column may not be allowed due to the narrow width of the median in Del Mar

Heights Road at this location. This determination shall be made by the City Engineer.

21. In connection with Council approval of the first final map, the subdivider shall enter into a bonded 6-year agreement pertaining to the construction of the pedestrian overpass over De1 Mar Heights Road, whereby the subdivider agrees to construct this overpass when required by the City Engineer because of the ADT on De1 Mar Heights Road having reached a predetermined level to be specified in the agreement or at the end of the 6-year period, whichever occurs first.
22. This project may be constructed in 4 phases as follows:

Phase 1 consists of Lots 1 through 10.

Phase 2 consists of Lots 11 through 17.

Phase 3 consists of Lots 18 through 28.

Phase 4 consists of Lots 29 through 42.

Each phase may include more than one final map, and more than one phase may be included in one final map. The City Engineer may defer certain improvements required in a phase based upon the final maps to be filed within each phase provided that no improvements will be deferred beyond the indicated phase.

The following work is among the work required within the phase indicated:

- a. Phase 1 will include De1 Mar Heights Road improvements and the improvement of Townsgate Drive from Kelsford Place to Carmel Country Road and traffic signals at De1 Mar Heights Road and El Camino Real and on De1 Mar Heights Road at the entrance to the shopping center.
 - b. Phase 2 will include the improvements of El Camino Real, Townsgate Drive from El Camino Real to Kelsford Place and traffic signals at El Camino Real and Townsgate Drive and on El Camino Real at the shopping center entrance.
 - c. Phase 4 will include the remaining required subdivision improvements.
23. 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.

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.

Lot No. 41 is designated as a public park and is to be acquired in accordance with procedures established in Section 64479 et seq. of the Subdivision Map Act. Prior to the approval of a final map including this park site, the City shall enter into an agreement to acquire the site within two years. Failure to enter into such agreement will terminate the park reservation.

The subdivider shall, as a part of the subdivision improvements, grade the park site and install the necessary public improvements and shall be reimbursed by the City for such work from appropriate funds. An agreement authorizing such reimbursement shall be entered into prior to the approval of the final map.

24. The school site shown on the approved tentative map (Lot 42) is being reserved in accordance with Section 66479 et seq. of the California Subdivision Map Act. Provisions of the Subdivision Act require that the San Dieguito Union High School District shall, at the time of the recording of the final map of this unit, enter into an agreement to acquire the school site within two years after the completion and acceptance of all improvements unless such period of time is extended by mutual agreement. The purchase price shall be the market value thereof at the time of the filing of the tentative map, plus the taxes against such reserved area from the date of the reservation and any other costs incurred by the subdivider in the maintenance of such reserved area. In the event the San Dieguito Union High School District does not enter into such an agreement, the reservation of the area shall automatically terminate.
25. Council approval of the final maps within this subdivision will also be contingent upon additional off-site improvements that are related to an aggregate total of dwelling units within the North City West Community Plan area. These additional improvements that may become requirements of a unit within this subdivision are as specified in a document entitled, "Transportation Phasing Plan for North City West" dated March 25, 1981, or any subsequently approved revision, which by this reference is made a part of this resolution.
26. Council approval of the first final map shall be contingent upon prior approval by the City Engineer of a drainage study encompassing the entire North City West Neighborhood 9 Town Center Precise Plan area.
27. The drainage system proposed for this subdivision shown on the approved tentative map is subject to approval by the City Engineer.

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28. The grading plan shall be prepared concurrently with subdivision improvement plans that incorporate erosion control procedures to be used during project development. Temporary sediment basins shall be installed in conjunction with initial grading operations and maintained through the development process as necessary.
29. Land may be graded during the period of November 15 through March 30 provided that all area disturbed but not completed during construction, including grading pads and stockpiles, shall be suitably prepared to minimize soil loss. Temporary erosion control measures shall include, but are not limited to, berms, interceptor ditches, sand bagging, hay bales, filtered inlets, debris basins, energy dissipating structures, and/or silt traps. Land shall be graded in increments during this period to minimize soil exposure.
30. Manufactured slope ratios shall be limited to a maximum of 2:1 unless approved by the City Planning and Engineering and Development Departments. The maximum slope height shall be limited to approximately 25 feet.
31. Any changes to the grading plan which result in any off-site grading or final grading operations different than that approved with this tentative map shall require review by the City Environmental Quality Division.
32. The grading permit issued for this tentative map shall state that Lots 41 and 42 (future portions of the community park and junior high school site) shall be hydroseeded immediately following the completion of the initial grading operations with a temporary, non-irrigated seed mix, approved by the Deputy Director of the City Environmental Quality Division.
33. The use of decorative paving within dedicated right-of-way and private streets shall be subject to approval by the City Engineer.
34. 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 and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
35. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Engineering Department for each residential final map processing in connection with the vesting tentative map.
36. Prior to the filing of the final map, the subdivider shall demonstrate compliance with the North City West School Facilities Master Plan.

Compliance may be evidenced through either of the following methods: 1) By otherwise demonstrating the availability of school facilities to accommodate residents of the subdivision; or 2) By participating in the "School Deposit Procedure" alternative as provided in the Master Plan. A development agreement may be required as provided in the North City West School Facilities Master Plan to implement the deposit procedure.

37. This tentative map shall conform to the provisions of Development Plan No. 86-0821.

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Passed and adopted by the Council of The City of San Diego on OCT 19 1987
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 4	-----			
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

VACANT

AUTHENTICATED BY:

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

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

By: *June A. Blackwell*, Deputy.

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Office of the City Clerk, San Diego, California

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