

(R-88-2093)

RESOLUTION NUMBER R-270737

ADOPTED ON APRIL 12, 1988

WHEREAS, Rancho Penasquitos Planning Board appealed the decision of the Planning Commission in approving Tentative Map No. 87-0081 submitted by Elder/Hedenberg Partnership, Owner/Permittee, for a 51.8-acre parcel, Southeast 1/4 of the Southwest 1/4 and a portion of the Southwest 1/4 of the Southeast 1/4 of Section 13, Township 14 South, Range 3 West, SBM, located south of the intersection of Carmel Mountain Road and Sundance Avenue and northwest of the intersection of Park Village Road and Brickella Street, in the Penasquitos East Community Plan area, in the A-1-10 (HR) (proposed R1-5000) Zone; and

WHEREAS, the matter was set for public hearing on April 12, 1988, 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. 87-0081:

1. The map proposes the subdivision of a 51.8-acre site into 114 lots for residential development. This type of development is consistent with the General Plan and the Penasquitos East Community Plan which designate the area for low-density 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 Zone in that:

(a) All lots have minimum 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 Zone.

(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.

(d) Development of the site is controlled by Hillside Review Permit No. 87-0081.

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 physically suitable for the proposed density of development. This is consistent with the community plan which provides for low-density residential uses.

6. The design of the subdivision or the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Mitigated Negative Declaration No. 87-0081 which is included herein by this reference.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch 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.

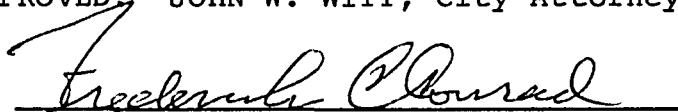
9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determine 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 Penasquitos Planning Board, is denied; the decision of the Planning Commission is sustained, and Tentative Map No. 87-0081 is hereby granted to Elder/Hedenberg Partnership, 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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04/19/88
Or.Dept:Clerk
R-88-2093
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CITY COUNCIL
TM CONDITIONS 87-0081

1. This vesting tentative map will become effective with the effective date of the City Council Ordinance rezoning the subject property and will expire concurrently with the rezoning. If the rezoning is denied, the map will be deemed denied.
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.

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. 769635.

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.
5. Street "A" is classified as a 2-lane local street within a 60-foot-wide right-of-way transitioning to a 56-foot-wide right-of-way east of "C" Street. This street shall be fully improved with curbs, 4-foot-wide sidewalks, and paving, in a manner satisfactory to the City Engineer.
6. The remaining streets are classified as local streets and are to be fully improved with standards industrial cul-de-sacs as shown on the approved tentative map.
7. The subdivider shall reserve lots 54, 60, and 61 for future right-of-way purposes in a manner satisfactory to the City Engineer.
8. Carmel Mountain Road is classified as a 4-lane major within a 98-foot-wide right-of-way. The subdivider shall dedicate and bond for the public improvement of the portion of Carmel Mountain Road located within the boundaries of this subdivision.
9. Prior to the recordation of the final map, the subdivider shall submit a grade and alignment study for Camino Ruiz and Carmel Mountain Road satisfactory to the City Engineer.

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10. Median breaks are not to be constructed at the future intersections of Camino Ruiz and Street "H"; and Carmel Mountain Road and Street "A", unless traffic signal warrants are met satisfactory to the City Engineer.
11. Prior to the recordation of the final map, the subdivider shall contribute \$50,000 toward the construction of the traffic signal system at the intersection of Carmel Mountain Road and Camino Ruiz.
12. Water Requirements:
 - a. The subdivider shall install a 36" P/L in Carmel Mountain Road.
 - b. Install 12" on-site looping water mains.
 - c. Install supplemental 8" on-site water mains adequate to serve all lots.
 - d. Install fire hydrants at locations satisfactory to the Fire Department and to the City Engineer.
13. Sewer Requirements:
 - a. The subdivider shall provide a sewer study, satisfactory to the Water Utilities Director, for the sizing of on-site gravity mains and to show that the grade of the sewer mains will provide adequate capacity and cleansing velocities.
 - b. Install all facilities required by the approved study.
 - c. The subdivider shall have all sewer easements in the open space approve by the Open Space Division.
14. Lot 57 must be deeded to the city for open space purposes. The deed conveying the property to the City of San Diego is to be submitted to the City Council for acceptance concurrently with the filing of the final map. No park fee credits will be given because of this land transfer.
15. Ferocactus viridescens plants disturbed by grading activities shall be transplanted to portions of the project site planned for retention in permanent open space in a manner satisfactory to the Environmental Quality Division.
16. To reduce erosion impacts, the following measures shall be implemented during project grading: All manufactured slopes shall be hydroseeded following completion of grading. The grading plan shall incorporate erosion control procedures to be used during project development. 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 silt traps.

17. The subdivider shall adjust the lot lines on lots 35 through 47, 52 through 56, and 8 through 12 to include the manufactured slopes or provide an alternative suitable to the Park & Recreation Department.
18. A transportation phasing plan is required for this subdivision. Prior to approval the first final map, the transportation phasing plan must be approved by the City Engineer, and this subdivision must conform to the transportation phasing plan.

This Phasing Plan shall provide that no building permits for this subdivision will be issued until the following improvements are constructed satisfactory to the City Engineer:

- a) Route 56: Two-lane roadway in the Route 56 right-of-way between Rancho Penasquitos Boulevard and I-15.
 - b) Mercy Road: Mercy Road between Black Mountain Road and I-15 as a four-lane major street.
 - c) Black Mountain Road: Black Mountain Road from Mercy Road south to Galvin Avenue as a six-lane major street.
 - d) Black Mountain Road: Black Mountain Road from future Route 56 to Mercy Road as a six-lane major street as detailed in FBA #29-2D.
19. The final map shall conform to HRP No. 87-0081.
 20. 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.
 21. Should an improvement be required that will impact land identified as open space, the developer shall contact the Park and Recreation Department for appropriate design criteria.
 22. 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.

23. Prior to the recordation of a final map, a phasing plan shall be submitted to the satisfaction of the Planning Director which ties development to: (a) the allocation schedule of the Community Plan, as

set forth in Schedule A of the Interim Development Ordinance, adopted by the City Council on July 21, 1987 and any successor plan or policy imposing the same or similar requirements; (b) the construction and actual installation of all public facilities specified in the Capital Improvement Program portion of the applicable community plan that would be required for this project approval; and (c) the construction and actual installation of all public facilities specified in the Transportation and Community Facilities Phasing Plan portion of the applicable community plan update that would be required for this project approval.

24. This map shall comply with the standards, policies and requirements of all ordinances in effect at the time of approval of this map, including the Interim Development Ordinance adopted by the City Council on July 21, 1987, and any successor ordinance, plan or policy imposing the same or similar requirements upon environmentally sensitive habitats, floodplains, hillsides, wetlands or coastal bluffs, which approval shall be binding upon all subsequent approvals and permits required for the development.
25. The subdivider and Poway Unified School District will have 30 days after the approval of the tentative map to enter into a binding agreement relative to a future middle school site within the boundaries of the subject property. If no binding agreement is reached within this period, the subdivider may proceed with the recordation of a final map consistent with the approved tentative map.
26. This subdivision is 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.
27. The subdivider shall acquire and improve a temporary access easement as shown on the approved tentative map with 28 feet of paving in a manner satisfactory to the city Engineer. This off-site access shall be vacated upon the improvement of Street "A" to Carmel Mountain Road.
28. The final map shall indicate by note that the number of dwelling units within this subdivision shall be limited to 114 dwelling units, with no right for future lot line adjustments to allow additional dwelling units.

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Passed and adopted by the Council of The City of San Diego on APR 12 1988
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"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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.

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

By *June h. Blackwell*, Deputy.

(Seal)



Office of the City Clerk, San Diego, California

Resolution Number R-279737 Adopted APR 12 1988

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