

(R-88-2192)

RESOLUTION NUMBER R-270817

ADOPTED ON APRIL 26, 1988

WHEREAS, Alice A. Goodkind, representing Friends of the San Dieguito River Valley, and Emily A. Durbin, representing the Sierra Club (San Diego Chapter), appealed the decision of the Planning Commission in approving Vesting Tentative Map No. 86-0897 submitted by Laguna Bernardo Management Company, Permittee, for a planned residential development described as Parcel No. 3 of Parcel Map 12542, located on the east side of Interstate 15, south and west of Pomerado Road, in the Rancho Bernardo Community Plan area, in the existing A-1-1, R1-20,000 and Hillside Review Overlay Zone (proposed A-1-1, R-3000 and Hillside Review Overlay Zone); and

WHEREAS, the matter was set for public hearing on April 26, 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 Vesting Tentative Map No. 86-0897:

1. The map proposes the subdivision of a 143.9-acre site into 30 lots for residential development. This type of development is consistent with the General Plan and the Rancho Bernardo Community Plan which designate the area for low-medium

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density residential (9 to 14 dwelling units per acre) 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 R-3000 and A1-1 (HRO) Zone in that:

A. The project has 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 R-3000 and A1-1 (HRO) Zone only as allowed under a planned residential development permit.

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 planned residential development.

D. Development of the site is controlled by Planned Residential Development Permit No. 86-0897.

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 this density.

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. 86-0897 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 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 Alice A. Goodkind, representing Friends of the San Dieguito River Valley, and Emily A. Durbin, representing the Sierra Club (San Diego Chapter), is denied; the decision of the Planning Commission is sustained, and Vesting Tentative Map No. 86-0897 is hereby granted to Laguna Bernardo Management Company, Permittee, under the terms and conditions set forth in the permit 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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06/01/88  
Or.Dept:Clerk  
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CITY COUNCIL  
TM CONDITIONS 86-0897

1. This tentative map will become effective with the effective date of rezoning case 86-0897 and expire concurrently with the expiration date of the same. If the rezoning is denied, this tentative map shall 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. This property is subject to the 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.
4. The subdivider must provide a geological reconnaissance report 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. 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.
6. Pomerado Road is classified as a 4-lane major. The subdivider shall provide half-width improvements from the Interstate 15 ramps to the southerly project boundary. This is to include 32 feet of paving plus a 550-foot deceleration lane to Street "A," curb, 4-foot wide sidewalk, and a 14-foot wide raised center median. The subdivider shall provide 32 feet of paving and an AC berm on the northeasterly side of Pomerado Road from Highland Valley Road to the easterly Interstate 15 ramps providing a dual left turn pocket at the signal. These improvements are to be constructed satisfactory to the City Engineer.
7. Street "A" is classified as a 4-lane collector modified to include a raised center median and a turn pocket at Pomerado Road. The subdivider shall fully improve this right-of-way with curbs, 4-foot wide sidewalks, raised center median and paving in a manner satisfactory to the City Engineer. The subdivider shall provide adequate sight distance at Street "A" and Pomerado Road.

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8. Vehicular access to the dwelling units within the project shall be by means of a system of unnamed, non-dedicated, private driveways including the private road identified as Lots "D," "E," "F," "G," and "H" constructed in a manner satisfactory to the City Engineer. Lots "D" and "E" shall be improved with 40 feet of paving transitioning to 28 feet of paving in a manner satisfactory to the City Engineer. The remaining driveways are to be improved as shown on the approved tentative map.
9. The subdivider shall construct interconnected traffic signal systems in a manner satisfactory to the City Engineer at the following intersections:
  - a. Pomerado Road and Street "A"
  - b. Pomerado Road and the easterly Interstate 15 ramps.
10. Water Requirements:
  - a. Provide a water study satisfactory to the Water Utilities Director for the sizing of water mains to serve this development.
  - b. Install water facilities as recommended in the approved study.
  - c. Install fire hydrants at locations satisfactory to the City Engineer.
  - d. Provide easements as required.
  - e. Connect on-site water mains downstream at PRU Station.
  - f. If this is to be a gated community, the Water Utilities Department Systems Division shall have keyed access satisfactory to the Water Utilities Director. The City will not be held responsible for any security issues that may arise relating to availability of keys.
11. Sewer Requirements:
  - a. Provide a sewer study for the approval of the Water Utilities Director to show there is adequate capacity in the existing pump station in Tennis Ranch Unit #6.
  - b. Provide a sewer study for the approval of the Water Utilities Director to verify there is adequate capacity in the existing 10" sewer main in West Bernardo Drive for this development along with the entire drainage basin.
  - c. Install all facilities required by the approved studies required above.

- d. Install a system of gravity sewer mains adequate to serve all lots.
  - e. Provide calculations, satisfactory to the Water Utilities Director, to show that the size and the grade of the sewer mains will provide cleansing velocities.
  - f. Provide easements as required.
  - g. Provide CC&R's for the maintenance and operation of all water services and sewer laterals crossing lot lines.
12. The 30-foot wide PAMO pipeline alignment, as shown on the approved tentative map, shall be designated as a "non-building easement" on the final map. The subdivider shall provide a letter of acceptance for the width and alignment of this easement by the County Water Authority.
  13. Lot "A" 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. The fire access and manufactured slopes, as shown on the approved tentative map, shall be designated as a "non-building easement" on the final map.
  14. The subdivider shall grant a negative open space easement over Lot "F" in a manner satisfactory to the Park and Recreation Department.
  15. 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 recreational facility.
  16. Whenever street rights-of-way are required to be dedicated it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for minor distribution facilities and/or "joint use agreements" for major transmission facilities.
  17. 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.



18. 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 processed in connection with this vesting tentative map.
19. 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.
20. The final map shall conform to the provisions of PRD 86-0897.
21. 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; and (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.
22. 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.
23. 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.
24. This community is subject to impact fees as established by the City Council at the time of issuance of building permits.
25. 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.
26. To reduce erosion impacts, the following measure 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, or silt traps.

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Passed and adopted by the Council of The City of San Diego on.....APR 26 1988.....  
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"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<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"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.....*Jana M. Martin*....., Deputy.

Office of the City Clerk, San Diego, California	
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