

(R-89-339)

RESOLUTION NUMBER R- 271720

ADOPTED ON JUL 5 1988

WHEREAS, the Council of The City of San Diego ("Council") certified, pursuant to Resolution Number R-268715 adopted on June 29, 1987, that the information contained in Environmental Impact Report No. 84-0744, in connection with the amendment of the Scripps Miramar Ranch Community Plan (County Island), on file in the office of the City Clerk, was completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Report had been reviewed and considered by this Council.

WHEREAS, that pursuant to California Public Resources Code, Section 21081, the Council adopted the findings made with respect to the feasibility of the mitigating measures and project alternatives and the statement of overriding considerations attached to said Resolution.

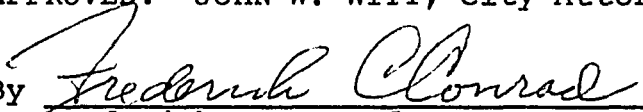
WHEREAS, an Addendum (EQD No. 87-0884) to said Environmental Impact Report was prepared pursuant to the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto.

BE IT RESOLVED, by the Council of The City of San Diego, that it be, and it is hereby certified, that the information contained in Addendum to an Environmental Impact Report EQD No. 87-0884 Addendum to Environmental Impact Report No. 84-0744, in connection with the Vesting Tentative Map No. 87-0884 and Planned

Residential Development Permit No. 87-0883, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Report has been reviewed and considered by this Council.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code, Section 21081, the Council hereby adopts the findings made with respect to the feasibility of the mitigating measures and project alternatives and the statement of overriding considerations, a copy of which is attached hereto and incorporated herein by reference, with respect to the project.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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08/10/88
Or.Dept:Clerk
R-89-339
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FINDINGS

A. The City Council certified the final EIR and adopted findings with respect to the feasibility of the mitigation measures and project alternatives and Statement of Overriding Considerations on June 29, 1987. The City Council, upon reviewing the proposed project, determines that:

1. There are no new significant environmental impacts not considered in the previous EIR;
2. No substantial changes have occurred with respect to the circumstances under which the project is undertaken; and
3. There is no new information of substantial importance to the project.

B. The City Council, having reviewed and considered the information contained in the final EIR and EIR Addendum for the project and the public record, finds, pursuant to CEQA and CEQA State Guidelines, that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR and EIR Addendum with respect to the areas of (1) landform alteration/visual quality, (2) traffic circulation, (3) land use, (4) paleontological resources, (5) noise, (6) geology and soils, (7) public services, and (8) water quality. Specifically:

1. With respect to landform alteration/visual quality, the following changes or alterations have been required in or incorporated into the project, in addition to the revisions in the project design made

during approval of the community plan amendment and annexation for the project (EQD No. 84-0744), to mitigate the land alteration/visual quality impacts:

- a. Interior slopes will be undulated, and slopes will be rounded adjacent to open space areas in order to blend manufactured and natural slopes.
- b. An extended landscape maintenance and monitoring program will ensure satisfactory reestablishment of vegetation of slopes.
- c. Extra horizontal setbacks of 20 to 30 feet have been included along major circulation element roads.

These measures will reduce landform/visual quality impacts, but not to a level of insignificance.

2. With respect to traffic circulation, when the annexation and community plan amendment for the project was approved in May 1987, a preferred transportation phasing plan, acceptable to the City Engineer, was adopted. The Vesting Tentative Map includes conditions for improvements to circulation element and other roads in the area. The traffic impacts identified in the original EIR are considered mitigated to a level less than significant.
3. With respect to land use/open space, the following changes or alterations have been required in or incorporated into the project, in addition to the revisions in the project design made during approval of the community plan amendment and annexation for the project (EQD No. 84-0744), to mitigate impacts:
 - a. The project was revised to require a Planned Residential Development Permit.
 - b. The Vesting Tentative Map and PRD Site Plan show a minimum 100-foot on-site buffer between the proposed low-medium density development and the existing off-site single-family dwelling units to the west.

These changes are not sufficient to lessen the land use/open space impacts to an insignificant level.

4. With respect to paleontological resources, the Vesting Tentative Map and PRD include conditions for a program of paleontological consulting, monitoring, and recovery of any significant fossil remains. This measure avoids potential impacts to paleontological resources.

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5. With respect to noise, the PRD permit includes conditions for noise walls at lots along Pomerado Road which would be subject to exterior L_{nd} values in excess of 65 dBA and for the use of mechanical ventilation for the affected lots to insure that interior noise levels of not exceed 45 dBA CNEL. This condition reduces noise impacts to acceptable levels.
 6. With respect to geology and soils, the Vesting Tentative Map conditions require that a geological reconnaissance report be prepared, that all slopes shall be constructed in accordance with city requirements, and that temporary erosion control measures be provided. These conditions reduce geology and soils impacts to acceptable levels.
 7. With respect to public services, conditions on the Vesting Tentative Map require the following:
 - a. All existing and proposed utility lines will be placed underground.
 - b. The water system master plan for the area will be updated, and required water system improvements will be installed, including sizing to serve off-site areas. Additional contributions towards other water system improvements identified in the updated water study may be required.
 - c. A sewer study for the area must be prepared, and all necessary improvements identified in the study must be installed. A sewer agreement between the City of Poway and the City of San Diego must be prepared.
 - d. Open space lots will be deeded to the city or maintained with non-building easements as determined by the city.
 - e. The subdivider must participate in a facilities benefit assessment, or other financing plan, to contribute towards other community facilities.
 - f. A drainage system, approved by the City Engineer, must be installed.
 - g. The development must be phased in accordance with the installation of public facilities specified in the applicable Capital Improvements Program.
 - h. School impact fees must be paid at the time building permits are issued.

These measures will reduce impacts to public services to acceptable levels.

8. With respect to water quality, conditions on the Vesting Tentative Map and PRD permit require the following:
 - a. The subdivider must contribute towards the permanent water system in the City of Poway to serve residents along Creek Road.
 - b. A program must be implemented to monitor the quality of well water at the residences along Creek Road.
 - c. Potable water service must be provided to the residences along Creek Road if deterioration of water quantity/quality is detected.
 - d. In the event permanent water service has not been provided within the City of Poway, temporary water service must be provided to the Creek Road residences prior to the issuance of the first building permit.

C. The City Council, having reviewed and considered the information contained in the final EIR and EIR Addendum for the project and the public record, finds that there are no changes or alterations to the project which avoid or substantially lessen the significant environmental impacts that are within the responsibility and jurisdiction of another public agency.

D. The City Council, having reviewed and considered the information contained in the final EIR and EIR Addendum for the project and the public record, finds there are specific economic, social, or other considerations which make infeasible the project alternatives identified in the final EIR.

1. The no project alternative would result in the project area's being retained as a county island, which is not in accordance with City of San Diego, County of San Diego, or Local Agency Formation Commission policies on land use and planning. Further, it would preclude the full implementation of three surrounding community plans and the General Plan, which anticipated development in the project area.
2. Also, with regard to the "No Project" alternative, it would not result in the lessening or elimination of the need for the public improvements identified in the Scripps Miramar Ranch Public Facilities Financing Plan ("PFFP"). Therefore, the Project's direct and reimbursable contributions to (1) the regional circulation system improvements necessitated by projected regional traffic of approximately \$4,250,000 and (2) the Scripps Miramar Ranch community neighborhood park needs, to alleviate existing deficiencies, of

approximately \$2,184,400, a total of \$6,434,400, would be lost. The lost contribution would have to be passed on to yet to be built dwelling units in Scripps Miramar Ranch, substantially raising the per dwelling unit fee for those units. The result would be that these units would be infeasible to develop competitively. Failure to replace these revenues would result in the inability to implement the facilities identified in the PFFP and in the exacerbation of existing regional and community circulation problems and in the continuing deficiency of recreational facilities in Scripps Miramar Ranch.

3. Development of the subject property under County Land Use Designations, another alternative, is also infeasible in that 1) these designations will be eliminated as the result of the annexation of the territory to the City of San Diego and 2) assuming the needs identified in the PFFP as being "givens", the financial burden on a project at this density would be so onerous as to preclude the project's construction and would, therefore, result in the same consequences as those in the "No Project" alternative.
4. The "Reduced Grading" alternative relates to modifying development plans for property outside the proposed project area.
5. The "Very Low-Density Development" alternative would create approximately 120 estate lots instead of the Council approved 360 single-family lots. Assuming, again, that the need still exists for the facilities described in the PFFP, the significant environmental disturbances associated with the implementation of the circulation roads and neighborhood community park would also characterize this alternative. The creation of estate lots could result in some reduction of grading but would increase the per dwelling unit cost by \$17,227, for a total of \$33,532 per dwelling unit. This increase in cost, coupled with spreading the cost of the necessary infrastructure such as water, sewer, storm drains, etc. across fewer lots, would raise the cost of the lots/homes to such a high price that the developer of the Project could not afford to front the \$6,434,400 facilities cost and incur the associated \$650,000 to \$750,000 yearly debt service. The sales prices would be similar to those in Rancho Santa Fe and Fairbanks Ranch but without the market enhancements associated with those areas, hence resulting in a very low absorption rate. Furthermore, this non-competitive product would not serve the needs of the planned urbanizing area of the City of San Diego to provide varied and affordable housing opportunities.

6. The EIR also identified and studied various alternatives addressing "Alternative Road Alignments for Pomerado Road". While some of these alternatives resulted in somewhat reduced landform alteration and visual quality impacts, the implementation of the circulation system still created significant impacts. The various alignments were reviewed by the City of San Diego Engineering and Development Department for safety standards and design criteria to meet the projected circulation needs of the region. The present alignment represented in the current project is the result of this review process and represents the most sensitive and safe approach to providing the required transportation link. Furthermore, this alignment was adopted as such by City Council in June of 1987.
7. The elevation and gradient of planned and existing roadways, as they extend from termini in the Scripps Miramar Ranch and Sabre Springs communities, unavoidably require the extent of topographic change proposed by the project. Approximately 70 percent of the grading associated with the project and adjacent proposed development is necessary to implement the circulation system. It is not feasible to lower the ridge top by a lesser amount and still construct required roadway extensions to adopted City Engineering standards. Therefore, redesign of the grading plan to mitigate the landform alternation/open space impact of the roadways is infeasible for engineering reasons.

STATEMENT OF OVERRIDING CONSIDERATIONS

E. The City Council, pursuant to the CEQA Guidelines, after balancing the benefits of the proposed project against the unavoidable environmental effects which remain notwithstanding the mitigation measures and alternatives described above, determines that such remaining environmental effects are acceptable due to the following:

1. The project will facilitate and assist in the financing of two major Progress Guide and General Plan circulation element roadways. In view of the City of Poway's elimination of Route 125 as a freeway through its jurisdiction, which results in additional traffic on Pomerado Road and Poway Road, the timely implementation of these two circulation element roadways is imperative in order to maintain an adequate level of service on other surrounding circulation element roads and prevent adverse impact on the Scripps Ranch community. The financing of these major circulation element roadways, however, cannot be dependent on City of San Diego funds, and therefore, the proposed development of the project

must be such to financially support the timely implementation of the circulation element roadways with the assistance of the City of San Diego, City Poway, and other future development areas. Pomerado Road is estimated to cost approximately 7.2 million dollars, which this project will be required to finance.

2. In addition to assisting in the funding of major public road improvements, the project will eliminate the present substandard design of Pomerado Road by improving the roadway to current City standards within the project area.
3. The project will help implement the connection of Spring Canyon Road to the Mercy interchange (Interchange 15) by constructing a much needed portion of Spring Canyon Road and realigned intersection at Spring Canyon Road and Pomerado Road. This will assist in redirecting future traffic from Pomerado Road within Scripps Miramar Ranch.
4. The project area is within the Planned Urbanizing area of the City of San Diego Progress Guide and General Plan as evidenced by its designation as a near-term community plan amendment area in the 1981 Miramar Ranch North Community Plan and its inclusion in the Scripps Miramar Ranch community Plan area in 1987. This area is appropriately designated for development necessary to meet the needs of the anticipated population growth within the City of San Diego.
5. The project will provide the economic benefits of real property taxes and employment resulting from the construction of the project.

F. The following evidence is incorporated herein by this reference and serves as further support of the findings herein:

All maps, exhibits, written documents, and materials contained in the files regarding the Scripps Miramar Ranch Community Plan Amendment, General Plan Amendment, Annexation, rezoning and rezonings ("County Island") and this project are on record in the City of San Diego, as are the written documents referred to herein and the oral presentation given.

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JUL 5 1988

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"/>
Ron Roberts	<input type="checkbox"/>	<input checked="" 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 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.

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

(Seal)

By *Rhonda R. Barnes* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-271720 Adopted JUL 5 1988