

(R-89-1799)

RESOLUTION NUMBER R-272837

ADOPTED ON FEBRUARY 7, 1989

WHEREAS, Carmel Mountain Ranch Properties appealed the decision of the Planning Commission in denying Vesting Tentative Map No. 86-0839 submitted by Carmel Mountain Ranch Properties for a planned residential development described as a Portion of Rancho de los Penasquitos and a Portion of Pompeii Farms Subdivision, Map No. 1738, located south of the planned alignment of North City Parkway between Rancho Carmel Drive and Crossrock Road (City of Poway), in the Carmel Mountain Ranch Community Plan area, in the A1-10 Zone; and

WHEREAS, the matter was set for public hearing on February 7, 1989, 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. 86-0839.

1. The map proposes a division of 104.2 acres into 387 lots for residential development. This type of development is consistent with the General Plan and the Carmel Mountain Ranch 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

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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 R1-6000 Zone in that:

a. The project has minimum frontage on a dedicated street which is open to and usable by vehicular traffic, only as allowed under a PRD Permit.

b. All lots meet the minimum dimension requirements of the R1-6000 Zone, only as allowed under a PRD.

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 PRD.

d. Development of the site is controlled by Planned Residential Development Permit No. 86-0839.

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 use.

6. The design of the subdivision or 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. 86-0839 which is included herein by this reference. However, a finding has been made pursuant to subdivision (c) of Section 21081 of the Public Resources Code 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 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 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

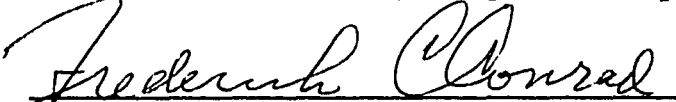
and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

10. The notices required by paragraph A, Section 101.0993 of the Municipal Code, have been given in the manner required by that paragraph.

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 Carmel Mountain Ranch is granted; the decision of the Planning Commission is overruled, and Vesting Tentative Map No. 86-0839 is hereby granted to Carmel Mountain Ranch, 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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03/17/89  
Or.Dept:Clerk  
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CITY COUNCIL CONDITIONS  
TM 86-0839

1. This tentative map will expire February 7, 1992.
2. The "General Conditions of Approval for Tentative 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. 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/report on the subject property to determine the stability of the soil. All slopes shall be constructed in accordance with the provisions of Municipal Code Section 62.0410 et seq.
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 Carmel Mountain Ranch Community Plan area.
6. North City Parkway is classified as a 6-lane primary arterial within a 126-foot-wide right-of-way. This right-of-way shall be improved in accordance with the traffic phasing and threshold table in the Carmel Mountain Ranch Community Plan. Access rights shall be relinquished to North City Parkway, except at the proposed streets.
7. Vehicular access to the dwelling units within the project shall be by means of a system of named, non-dedicated, private streets. The streets and the entry turnaround area are to be constructed in a manner satisfactory to the City Engineer and as approved in connection with the PRD Permit.
8. The subdivider shall construct an interconnected traffic signal system at the intersection of North City Parkway and Street "A" in a manner satisfactory to the City Engineer.
9. Water and Sewer Requirements:
  - a. Revise the water and sewer studies for Carmel Mountain Ranch by the McIntire Group, in a manner satisfactory to the Water Utilities Director.

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- b. Install all facilities required by the approved studies.
  - c. Install fire hydrants at locations satisfactory to the Fire Department and to the City Engineer.
  - d. If on-site water and sewer mains are to be private, provide CC&R's for the operation and maintenance of these systems and provide private easements.
  - e. If on-site water or sewer is to be public and if it is a gated community, the Water Utilities 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 relative to availability of keys.
10. The subdivider shall grant a 15-foot-wide pedestrian and non-motor-vehicular easement in a manner satisfactory to the City Engineer in the location as shown on the approved PRD exhibit as the hiking and equestrian trail. This trail is to be improved in accordance with the Community Plan.

The subdivider shall dedicate a pedestrian and non-motor-vehicular right-of-way for the proposed bike path, as shown on the approved tentative map. This right-of-way is to be improved in accordance with the community plan, in a manner satisfactory to the City Engineer.

11. This tentative map is a vesting tentative map. As such, the subdivider shall apply an additional \$300 fee to the Engineering Department for each final map processing in connection with this vesting tentative map.
12. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing. As such, special financing plans have been established to finance the public facilities required for the community plan area.

In connection with Council approval of the final map, the subdivider shall comply with the provisions of the Carmel Mountain Ranch Communities Facilities Financing Plan, dated March 8, 1985, adopted by City Council Resolution RR-263212 on May 20, 1985, in a manner satisfactory to the City Engineer.

13. To reduce erosion impacts, the following measure shall be implemented during project grading satisfactory to the Deputy Director of the environmental quality division. 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, sandbagging, hay bales, filtered inlets, debris basins, energy dissipating structures, or silt traps.

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14. This subdivision is subject to Poway Unified School District Resolution No. 67-87, which established a Mello-Roos Community Facilities District for school facilities.
15. 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.
16. Open Space Requirements:
  - a. The subdivider shall grant a negative open space easement over Lots "D", "F", "G", "H", "I", "J", "K", and "L", or the lot lines for the adjacent lots shall be adjusted to include the manufactured slopes or a suitable alternative satisfactory to the Park and Recreation Department. The negative open space shall be maintained in accordance with the PRD permit.
  - b. Lots "M" & "N" shall 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 lot lines for the adjacent lots shall be adjusted to include the manufactured slopes or a suitable alternative in a manner satisfactory to the Park and Recreation Department.
  - c. Lots "A", "B", and "E" are non-building lots and a building restriction easement is to be granted over the entire lot. The monument signs shall be lotted out and fee title to these lots shall be held by the Homeowners' Association for Carmel Mountain Ranch Unit #22. Lot "C" shall be maintained by the golf course (CUP 84-0114).
17. The final map shall conform to the provisions of PRD No. 86-0839.
18. 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.
19. Prior to the issuance of a Land Development Permit, the Deputy Director of the Environmental Quality Division shall approve the final grading and landscaping plans to ensure the implementation of mitigation measures.



FEB 7 1989

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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 *Ellen Board*, Deputy.

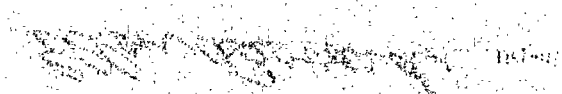
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Resolution Number R 272837 Adopted FEB 7 1989

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