

(R-89-2558)

RESOLUTION NUMBER R-273491

ADOPTED ON MAY 16, 1989

WHEREAS, on March 27, 1989, the Subdivision Board of The City of San Diego recommended approval of Vesting Tentative Map No. 87-0639 (Carmel Mountain Ranch Units 4 and 36) submitted by Lyon Community, Inc., for a 16.5-acre, 3 lot subdivision for residential development on a Portion of Rancho de Los Penasquitos and Lots 1 through 5 of Carmel Mountain Ranch Units 4 and 36, Map No. 11915, located north of North City Parkway, east of Rancho Carmel Drive and west of Royal Melbourne Square, in the Carmel Mountain Ranch Community Plan area, in the CN and R-2500 Zone; and

WHEREAS, the matter was set for public hearing on May 16, 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. 87-0639:

1. The map proposes to subdivide a 16.5-acre site into 18 lots for a neighborhood commercial center and residential development (13.5 dwelling units per acre). This type of development is consistent with the General Plan and the Carmel Mountain Ranch Community Plan which designate the area for

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neighborhood commercial and low-medium residential development (16.4 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 CN and R-2500 zones in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic only as allowed under a Planned Residential Development (PRD) permit and a Planned Commercial Development (PCD) permit.

b. All lots meet the minimum dimension requirements of the CN and R-2500 zones, only as allowed under a PCD and 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 PCD and PRD.

d. Development of the site is controlled by Planned Residential Development Permit No. 87-0639 and Planned Commercial Development Permit No. 87-0639.

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 commercial and 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 intensity and density of development. This is consistent with the community plan which provides for neighborhood commercial and low-medium density residential development (16.4 dwelling units per acre).

6. The design of the subdivision and 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. 87-0639, 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.

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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.

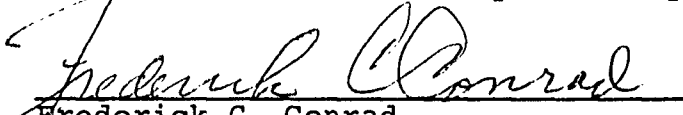
10. The property contains a street which must be vacated to implement the final map in accordance with San Diego Municipal Code section 102.0307.

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 decision of the Subdivision Board is sustained, and Vesting Tentative Map No. 87-0639 is hereby granted to Lyon Community, Inc., 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:lc
06/13/89
Or.Dept:Clerk
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CITY COUNCIL CONDITIONS
VTM 87-0639

1. This tentative map will expire May 16, 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 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 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. Shadow Oaks Court is classified as a four-lane collector within an 84-foot-wide right-of-way. This street is to be fully improved with curbs, five-foot-wide sidewalks, and 64 feet of paving with a standard cul-de-sac, as shown on the approved tentative map, in a manner satisfactory to the City Engineer.
7. The subdivider shall construct an enterconnected traffic signal system at Rancho Carmel Drive and Shadow Oaks Court interconnecting to North City Parkway, in a manner satisfactory to the City Engineer.
8. The subdivider shall relinquish access to North City Parkway.
9. Vehicular access to the dwelling units within this subdivision shall be by means of a system of unnamed, non-dedicated, privately-maintained private driveways, constructed in a manner satisfactory to the Fire Department.

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10. Water Requirements:

- a. Install a twelve-inch (793 HGL) water main through the development, satisfactory to the Water Utilities Director. This looped main shall be a 793 HGL system and shall be connected with a closed valve to existing twelve-inch (920 HGL) main in Royal Melbourne Square.
- b. Water meters shall be installed outside of driveways and access roads, unless otherwise approved by the Water Utilities Director.
- c. Install fire hydrants at locations satisfactory to the Fire Department and to the City Engineer.
- d. Install 24-inch main in Rancho Carmel Drive connecting to existing 24-inch mains in Sabre Springs Parkway and Rancho Carmel Drive, all satisfactory to the Water Utilities Director.

11. Sewer Requirements:

- a. Install a ten-inch sewer main in Shadow Oaks Court and connect to existing 18-inch Chicarita Creek Trunk Sewer within an adequate easement.
- b. Provide a ten-inch sewer main in a 15-foot sewer easement, satisfactory to the Water Utilities Director, to provide adequate sewer service to Parcels 4 and 5 and connect to ten-inch sewer main in Shadow Oaks Court.
- c. Provide calculations, satisfactory to the Water Utilities Director, showing that the size and grade of the sewer mains will provide adequate capacity and cleansing velocity.
- d. Install a trunk sewer parallel to the Pomerado No. 1 trunk sewer between the Pomerado Relief Trunk Sewer in Pomerado Road and the Penasquitos Canyon Trunk Sewer at I-15.

12. Water and Sewer Requirements:

- a. Providing water and sewer for this subdivision is dependent upon the prior construction of certain water and sewer mains in previously approved subdivisions in this area. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved water and sewer mains, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
- b. Provide evidence, satisfactory to the Water Utilities Director, showing that each parcel will have its own water and sewer lateral, or provide CC&R's for operation and maintenance of those

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water and sewer facilities commonly used by more than one parcel. Provide private easements for those commonly used facilities or show the location of these facilities in the CC&R's, satisfactory to the Water Utilities Director.

13. 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.
14. 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.
15. 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.
16. 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.
17. The final map shall conform to the provisions of Planned Residential Development (PRD) 87-0639 and Planned Commercial Development (PCD) 87-0639.
18. Subdivider shall provide a downstream drainage study, satisfactory to the City Engineer, that demonstrates that no adverse impacts will occur to downstream properties as a result of the increased runoff from this development or, if substantial impacts are anticipated, what measures must be taken to mitigate such impacts.
19. This subdivision is subject to Poway Unified School District Resolution No. 67-87, which established a Mello-Roos Community Facilities District for school facilities.
20. This map shall comply with the standards, policies, and requirements of all ordinances in effect at the time of submission of this map.
21. Concurrent with the recordation of the final map, a reciprocal access and parking agreement shall be created by separate instrument, satisfactory to the Planning Director.

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Passed and adopted by the Council of The City of San Diego on **MAY 16 1989**,
 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Blonda R. Barnee*, Deputy.

Office of the City Clerk, San Diego, California	
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