

(R-91-773)

RESOLUTION NUMBER R-276508

ADOPTED ON SEPTEMBER 11, 1990

WHEREAS, The Fieldstone Company by Charles R. Gill of McDonald, Hecht & Solberg, appealed the decision of the Planning Commission in approving, with conditions, Vesting Tentative Map No. 89-0892 submitted by The Fieldstone Company for a 369-lot subdivision (Canyon Country West, Units 1 and 2) for the construction of 354 detached single-family residences on approximately 152.0 acres of land, on a portion of Canyon Country Unit No. 3, Map No. 12236, and Unit No. 12, Map No. 11761, and a portion of Parcel 2, Parcel Map PM No. 13065, located south and north of Calle Cristobal/Sorrento Valley Boulevard, north of Mira Mesa Boulevard, west of Camino Ruiz and east of Camino Santa Fe, in the Mira Mesa Community Plan area and the North City Local Coastal Program area, in the R1-5000/HR and A-1-10/HR (proposed R1-5000/HR) Zones; and

WHEREAS, the matter was set for public hearing on September 11, 1990, 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. 89-0892:

1. The map proposes the subdivision of a 110.8-acre site into 369 lots for very low density residential development (3.2

dwelling units per acre). This type of development is consistent with the General Plan and the Mira Mesa Community Plan which designate the area for very low density residential use (0-4 dwelling units per acre). 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, A-1-10,000, and HR 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.

b. All lots meet the minimum dimension requirements of the R1-5000, A-1-10,000, and HR zones, 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. 89-0892.

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 nature 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 residential uses.

6. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings in Environmental Impact Report No. 89-0892, 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 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

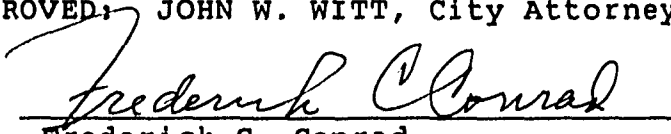
the Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

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 the Fieldstone Company by Charles R. Gill of McDonald, Hecht & Solberg, is denied; the decision of the Planning Commission is sustained, and Vesting Tentative Map No. 89-0892 is hereby granted to The Fieldstone Company, 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
12/04/90
Or.Dept:Clerk
R-91-773
Form=r.tm

CITY COUNCIL CONDITIONS
FOR TENTATIVE MAP NO. 89-0892

1. This tentative map will expire September 11, 1993.
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. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
4. "California Coordinate System" means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
5. Every final map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.
6. This property is subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code Section 102.0406 et seq. This

R.276508

- property is also subject to a building permit park fee in accordance with San Diego Municipal Code Section 96.0401 et seq.
7. The subdivider must provide a geological 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.
 8. 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.
 9. Calle Cristobal is classified as a four-lane major street within a 98-foot-wide right-of-way. The subdivider shall provide additional dedication to provide for a 98-foot-wide right-of-way, satisfactory to the City Engineer.
 10. Streets "A," "B," "C" (from "A" to "B"), "D," Camino Miranda, Camino la Bar (from Calle Cristobal to Ravenridge Court), Raven Ridge Court (from Camino la Bar to Court "I"), Windy Ridge Way, Windy Ridge Lane, Trail Brush Way (from Windy Ridge Lane to Trail Brush Court), Acama Court, Prairie Wood Lane (from the west cul-de-sac to Prairie Shadow Court), and Prairie Wood Drive are classified as local residential streets within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way for these streets as listed and provide improvements of 36 feet of pavement, curb, gutter, and a four-foot-wide sidewalk on both sides of the street within a ten-foot curb-to-property-line distance and provide a 58-foot-wide radius for the Windy Ridge Lane cul-de-sac, with a 48-foot curb radius, satisfactory to the City Engineer.
 11. Streets "A" (from "D" to the cul-de-sac), "C" (from "B" to the cul-de-sac) Court, "E," "F," "G," "H," "I," "J," "K," Keesha Court, Raven Ridge Court (from Street "I" to the cul-de-sac), Camino la Bar (from Raven Ridge Court to the cul-de-sac), Trail Brush Court, Trail Brush Way (from Trail Brush Court to the cul-de-sac), Prairie Shadow Court, and Prairie Wood Lane (from Prairie Shadow Court to the cul-de-sac) are classified as local residential streets within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way for the streets listed and provide 30 feet of pavement, curb, gutter, and a four-foot-wide sidewalk on both sides of the street within a ten-foot curb-to-property-line distance, and provide a 58-foot right-of-way radius for the Windy Ridge Lane cul-de-sac, and the north cul-de-sac for Keesha Court with a 48-foot curb

radius; all other cul-de-sacs shall have a 45-foot right-of-way radius and a 35-foot curb radius; all satisfactory to the City Engineer.

12. Prior to the recordation of the final map, the subdivider shall provide traffic signal systems, as necessary, at locations satisfactory to the City Engineer.
13. Open Space Requirements:
 - a. The subdivider shall deed to the City in fee title for open space purposes all of Lots 111, 112, 113, and 114 in Unit 1, Lots 154, 155, and 156 in Unit 2, Lots 58 and 59 in Unit 3, Lots 25 and 27 in Unit 4, and Lots 11, 12, and 13 in Unit 5, satisfactory to the Park and Recreation Director and the City Engineer.
 - b. The subdivider shall grant, on the final map, negative open space easements over the natural undisturbed portions of the following: Lots 7 and 8, 12 through 15, 26, 28 through 37, 67 through 72, 78, 82 through 90, and 92 through 97 of Unit 1; Lots 38, 39, 49, 50, 59, 60, 71, 72, and 82 through 88 of Unit 2; Lots 1 through 6, 36 through 41, and 44 through 52 of Unit 3; Lots 3 through 8, 16, 17, 21, and 22 of Unit 4; Lots 1 through 10 of Unit 5.
 - c. The subdivider shall grant, on the final map, building restricted easements across the rear 100 feet of Lots 90 through 93, Unit 1, including restrictions of improvements of combustible materials and restricting heights of improvements to six feet and under.
 - d. The subdivider shall grant, on the final map, landscape easements over sight visibility easements, satisfactory to the Park and Recreation Director and the City Engineer.
15. Water Requirements:
 - a. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
 - b. The subdivider shall provide a water study, satisfactory to the Water Utilities Director. The study must plan the regional and this development's facilities. "Regional" shall be interpreted as the pressure zone(s) where the project is located.

R-276508

- c. The subdivider shall install all facilities as required by the approved study.
16. Sewer Requirements:
 - a. The subdivider shall provide a sewer study, satisfactory to the Water Utilities Director, for the sizing of gravity sewer mains and to show that the grade of the mains will provide adequate capacity and cleansing velocities.
 - b. The subdivider shall install all facilities as required by the approved study.
17. Water and Sewer Requirements:
 - a. The subdivider shall provide evidence satisfactory to the Water Utilities Director showing that each lot will have its own water service and sewer lateral.
 - b. The subdivider shall install a reclaimed water distribution system for landscape irrigation, satisfactory to the Water Utilities Director, except in Calle Cristobal.
 - c. 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 his 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.
18. 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 an agreement for the payment of the assessment, paying a facilities benefit assessment, or such other means as may have been established by the City Council.

R-276508

19. 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.
20. All rights-of-way required to be dedicated with this map must be free and clear of all encumbrances and prior easements. The subdivider must secure from an easement grantee a subordination agreement for distribution facilities located within the dedication or, in the case of major transmission facilities, a joint-use agreement.
21. 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.
22. The final map shall conform to the provisions of Planned Residential Development No. 89-0892.
23. This subdivision may be 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.

R-276508

705

SEP 11 1990

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"/>
John Hartley	<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"/>
Linda Bernhardt	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

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

By *Linda Luzano* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-276508** Adopted SEP 11 1990