

(R-91-781)

RESOLUTION NUMBER R-276723

ADOPTED ON OCTOBER 16, 1990

WHEREAS, Baldwin Builders, by JoAnn Shannon, appealed the decision of the Planning Commission in approving, with modifications, Tentative Map No. 89-1305 submitted by Baldwin Builders for a 229-lot tentative subdivision map referred to as Carmel Del Mar Neighborhood 4 South, located on the northeast corner of Carmel Valley Road and Carmel Country Road, and described as Parcels 9 through 13 of Parcel Map No. 14460, in the North City West Community Plan area and the North City Local Coastal Program area, in the SF-1 and NC (proposed SF-2 and NC) zones; and

WHEREAS, the matter was set for public hearing on October 16, 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 Tentative Map No. 89-1305:

1. The map proposes the subdivision of a 67.0-acre site into 229 lots for residential development (3.78 dwelling units per acre). This type of development is consistent with the General Plan and the North City West Community Plan which designate the area for residential use (2.97 - 4.41 dwelling units per acre). The proposed map will retain the community's

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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 SF-2 and NC 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 development (PD) permit.

b. All lots meet the minimum dimension requirements of the SF-2 and NC zones, only as allowed under a PD.

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 PD.

d. Development of the site is controlled by Planned Development Permit No. 89-1305.

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 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 finding of Mitigated Negative Declaration No. 89-1305, 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.

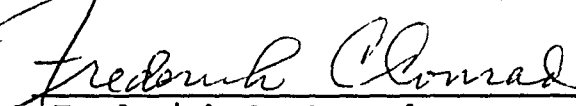
9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area 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 Baldwin Builders by JoAnn Shannon is granted; the decision of the Planning Commission is sustained; and Tentative Map No. 89-1305 is hereby granted to Baldwin Builders 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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Or.Dept:Clerk  
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CITY COUNCIL CONDITIONS  
FOR TENTATIVE MAP NO. 89-1305

1. This tentative map will expire September 25, 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. The subdivider must provide a geological reconnaissance on the subject property to determine the stability of the soil.

R- 276723

All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0410 et seq.

7. 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.
8. Carmel Country Road is classified as a four-lane major street within a 118-foot-wide right-of-way. The subdivider shall dedicate a half-width of 59 feet and provide half-width improvements of 32 feet of pavement, a 14-foot-wide raised-center median, curb, gutter, and five-foot-wide sidewalks with a 20-foot curb-to-property-line distance, satisfactory to the City Engineer.
9. Carmel Canyon Road is classified as a four-lane major street within a 118-foot-wide right-of-way. The subdivider shall dedicate a half-width of 59 feet and provide half-width improvements of 32 feet of pavement, a 14-foot-wide raised-center median, curb, gutter, and a five-foot-wide sidewalk with a 20-foot curb-to-property-line distance, satisfactory to the City Engineer.
10. Carmel Knolls Road is classified as a four-lane collector street within a modified 82-foot-wide right-of-way between Carmel Country Road and Ashley Falls Drive and a 68-foot-wide right-of-way between Ashley Falls Drive and the eastern subdivision boundary. The subdivider shall dedicate a half-width of 41 and 34 feet and provide 20 feet of pavement, curb, gutter, and a four-foot-wide sidewalk with an 18-foot and ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
11. Ashley Falls Drive and Street "A" are classified as local streets within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way and provide 36 feet of pavement, curb, gutter, a four-foot-wide sidewalk, and a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
12. Streets "B," "C," "D," "E," "F," "G," "H," and "I" are classified as local streets within a 52-foot-wide right-of-way and a cul-de-sac property-line radius of 43 feet. The subdivider shall dedicate a 52-foot-wide right-of-way with a 43-foot cul-de-sac radius and provide 36 feet of pavement, curb, gutter, a four-foot-wide sidewalk, eight-foot curb-to-property-line distance, and a 35-foot curb radius for cul-de-sacs, satisfactory to the City Engineer. These streets shall have a two-foot landscape easement adjacent to the

R 276723

property line. Streets "B" and "H" shall have a 100-foot radius curve without a knuckle, satisfactory to the City Engineer.

13. Carmel Valley Road is designated as a six-lane primary arterial street with the possibility of being converted to a freeway. In connection with this subdivision, the subdivider shall dedicate 61 feet of right-of-way adjacent to the subdivision as half of the primary arterial street. In addition, the subdivider shall create parcels, adjacent to the dedicated Carmel Valley Road right-of-way, to be labeled "not a building site" for later acquisition by CalTrans. The area and configuration of these parcels shall be satisfactory to CalTrans and shall include the additional right-of-way required for the ultimate freeway and the required interchanges.

The 61 feet of dedicated right-of-way shall be graded full-width, and the grading shall extend three feet beyond the Carmel Valley Road right-of-way into the adjacent "Not a Building Site" parcels, as required by CalTrans.

The design of the improvement to be constructed in Carmel Valley Road adjacent to the subdivision shall be satisfactory to both the City Engineer and CalTrans. The improvements will consist of a 44-foot-wide Schedule I paved roadway located seven feet northerly of the center line of the ultimate right-of-way and the ultimate centerline paved with two-inch AC paving on native material. An AC berm shall be constructed at the outside edge of the roadway and on the two-inch AC paving five feet from the centerline. The design shall be to a 60 MPH minimum design speed with a minimum centerline radius of 1,750 feet and a maximum grade of six percent. A five-foot-wide AC sidewalk shall be constructed on the northerly side at a location satisfactory to the City Engineer.

Council approval of the final maps for all of the units within the tentative map abutting Carmel Valley Road shall be withheld until approval of the alignment, grade, and geometrics of Carmel Valley Road and the associated interchanges is received from CalTrans.

14. In connection with the first unit of this subdivision to record, Carmel Valley Road off-site to the west of this subdivision to Interstate 5 shall be dedicated and graded full-width as a six-lane primary arterial street within a 122-foot-wide right-of-way and improved with two 32-foot-wide Schedule I paved roadways separated by a 14-foot-wide median paved with two-inch AC paving on native material. AC berms shall be constructed five feet off the centerline on

R- 276723



both sides and on both outboard roadway edges. The design shall be satisfactory to both the City Engineer and CalTrans and shall have a minimum 60 MPH design speed, maximum grade of six percent, and minimum centerline radius of 1,750 feet. A temporary AC sidewalk shall be constructed on both sides as required by the City Engineer. Transitions as required by the City Engineer shall also be constructed.

15. The detention basin as required in the approved hydrology study for Carmel Valley Neighborhood 4 shall be located in Lot 226, satisfactory to the City Engineer. The detention basin may be located in Lots 119 through 225 instead of Lot 226 only if approved by the City Engineer.
16. Water Requirements:
  - a. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
  - b. The subdivider shall install a 16-inch water main (470 HGL) in Carmel Canyon Road from Carmel Country Road to Carmel Knolls Drive.
  - c. The subdivider shall install a 12-inch water main (330 HGL) in Carmel Country Road from Del Mar Trains Road to Carmel Valley Road.
  - d. The subdivider shall install a 12-inch water main in a 15-foot water easement from Carmel Country Road to "I" Street, then continuing east in "I" Street, then north in Ashley Falls Drive to Carmel Knolls Drive.
  - e. The subdivider shall install a 12-inch water main in Carmel Knolls Drive from the 12-inch main in Ashley Falls Drive to the Pressure Reducing Station required of TM 85-0900.
  - f. The subdivider shall install eight-inch water mains in "A," "B," "D," "E," "F," "G," "H," "I," and "J," Streets. Extend the main in "E" Street to the 12-inch main in Carmel Knolls Drive through a 15-foot water easement.
  - g. The subdivider shall install six-inch water mains in "B" and "C" Streets' cul-de-sacs.

R-276723

## 17. 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.

## 18. Water and Sewer Requirements:

- a. The subdivider shall install a reclaimed water distribution system for landscape irrigation, satisfactory to the Water Utilities Director.
  - b. 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.
  - c. Prior to the issuance of building permits, the number of EDU's in this development must be added to the total for North City West. If the total number of EDU's in North City West exceeds 9,000, then this development is subject to the construction and operational acceptance of the 30-inch water line from the Del Mar Heights Pipeline to the Miramar Pipeline.
19. 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.

R- 276723

20. This tentative map is within the North City West Community for which a Transportation Phasing Plan has been incorporated in the Public Facilities Financing Plan. Contained within this plan are individual traffic facility improvements. Before predetermined thresholds of development may be exceeded, the City Engineer must be satisfied that these improvements are either:
- a. completed;
  - b. under contract;
  - c. bonded;
  - d. scheduled and funded for construction in the immediate fiscal year of the City's Capital Improvement Program; or
  - e. scheduled and funded for construction in the immediate fiscal year of the State Transportation Improvement Program (STIP).

The subdivider is advised that issuance of building permits may be limited or otherwise withheld because of unsatisfied thresholds in the Phasing Plan. The filing of a final map does not guarantee that building permits will be issued for properties within the final map area. A copy of the North City West Public Facilities Financing Plan may be viewed or purchased at the office of the City Engineer.

21. Prior to the filing of the final map, the subdivider shall demonstrate compliance with the North City West School Facilities Master Plan. Compliance may be evidenced through either of the following methods: (a) by otherwise demonstrating the availability of school facilities to accommodate residents of the subdivision; or (b) by participating in the "School Deposit Procedure" alternative, as provided in the Master Plan. A development agreement may be required as provided in the North City West School Facilities Master Plan to implement the deposit procedure.
22. 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.
23. 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.

R- 276723

24. The final map shall conform to the provisions of Planned Development Permit No. 89-1305.
25. Prior to the recording of the final map, the developer shall submit an approved Coastal Development Permit for this project.
26. The 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. The developer shall provide grease interceptors on all drainage facilities, as necessary, satisfactory to the City Engineer.
27. This community may be subject to impact fees as established by the City Council at the time of issuance of building permits.
28. To the extent deemed feasible by the City Engineer, the following modifications to the site for the neighborhood commercial center shall be included:
  - a. The pad elevation for the commercial site shall be lowered from 12 feet to 18 feet from that currently shown on the proposed tentative map.
  - b. The right-in, right-out access from Carmel Canyon Road shall be eliminated.
  - c. A right-in, right-out entrance shall be provided from Carmel Country Road.
  - d. Landscaping shall be provided on the slope from Carmel Canyon Road down to the pad elevation for the center.

R - 276723

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OCT 16 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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 *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-276723 Adopted OCT 16 1990