RESOLUTION NUMBER R-277969 ADOPTED ON MAY 21, 1991

WHEREAS, on April 4, 1991, the Planning Commission recommended that the Council approve, with conditions, Vesting Tentative Map No. 90-0898, (Scripps Ranch North, Phase 3), submitted by McMillin-BCED/Miramar Ranch North, a California general partnership ("McMillin"), Owner/Permittee, and Rick Engineering Inc., a 423-acre subdivision for residential and open space development, located east of I-15, north of Miramar Lake and south and west of Spring Canyon Road and as more particularly described as Parcels 1 and 2 of Parcel Map No. 11571, Parcel 2 of Parcel Map No. 11428, Parcel 1 of Parcel Map No. 11698, Lago Dorado Industrial Park per Map No. 11991, a portion of the southwest quarter of Section 28, a portion of the northwest quarter of Section 33, a portion of the northeast quarter of Section 32, Township 14 South, Ranch 2 West, San Bernardino Base Meridian, City of San Diego, State of California, located in the Miramar Ranch North Community Plan area, in the Hillside Review and A1-10, R-1500, R1-5000, R1-6000 and R1-8000 zones; and

WHEREAS, the Council on April 23, 19991, also considered the issue of development on the "knoll" area, conceptually approved partial development on the "knoll" and directed Staff to bring forward to the Council an Amendment to the Settlement Agreement at the time the matter of reconsideration of PRD/HR Permit No. 90-0898 and VTM 90-0898 was brought back before the Council; and

RECEIVED CITY CLERK'S OFFICE 91 JUL -3 AM 11: 53 SAN DIEGO, CALIF. WHEREAS, the Council on April 29, 1991, considered the matter of the request for reconsideration of the Council's action on April 16, 1991, regarding PRD/HR Permit No. 90-0898 and VTM No. 90-0898 as they related to the development of the "knoll" area, approved the reconsideration, and set the matter for a public hearing on May 21, 1991; and

WHEREAS, the Council on April 29, 1991, also authorized the Manager to enter into an Amendment to the Settlement Agreement by Resolution No. R-277830 on file in the Office of the City Clerk as Document No. RR-277830; 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. 90-0898:

1. The map proposes the subdivision of a 423.0-acre site into 601 lots (538 single-family lots, two (2) multi-family lots and 61 open-space and non-building lots; 838 dwelling units: 538 single-family units and 300 multi-family units) for residential development (1.943 dwelling units per acre). This type of development is consistent with the General Plan and the Miramar Ranch North Community Plan which designate the area for very low residential use (0-3 dwelling units per acre), low residential (3-6 dwelling units per acre), and medium residential (9-12 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 A1-10, R1-8000, R1-6000, R1-5000 and R-1500 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 A1-10, R1-8000, R1-6000, R1-5000 and R-1500 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 and Hillside Review Permit No. 90-0898.
- 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 or cooling opportunities.
- 4. The site is physically suitable for residential and park 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 and park uses.
- 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. 90-0898 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 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 development of the "knoll" area as indicated in the Amendment to the Settlement Agreement on file in the Office of the City Clerk as Document No. RR-277830 is hereby approved.

BE IT FURTHER RESOLVED, that the size of the water tank as currently proposed shall be retained, however, crib walls on both sides of the water tank may be removed, cottonwood trees shall be integrated into approved oak trees around the base of the reservoir on two sides, and the tank shall be painted blue/gray to obscure the tank and satisfy the landscaping/sizing issue set forth in Resolution No. 277709.

BE IT FURTHER RESOLVED, that no changes be made in the Resource Base Park allocation of costs procedures areas.

BE IT FURTHER RESOLVED, that the McMillin Homeowners
Association program is hereby approved in satisfaction of said
requirement set forth in Resolution No. R-277709 adopted on
April 16, 1991.

BE IT FURTHER RESOLVED, that McMillin-BCED/Miramar Ranch North and Rick Engineering Inc.'s Vesting Tentative Map

No. 90-0898 for Scripps Ranch North, Phase 3 is hereby approved subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

Ву

Janis Sammartino

Deputy City Attorney

JS:pey 06/14/91

Or.Dept:Clerk

R-91-2165

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CITY COUNCIL CONDITIONS FOR VESTING TENTATIVE MAP NO. 90-0898

- 1. This tentative map will become effective with the effective date of Rezoning Case No. 90-0898, the date of Council approval of the associated street vacation, or the Community Plan amendment, whichever occurs later, and will expire May 21, 1994.
- 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

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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. All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0410 et seg.
- 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. The subdivider shall provide a traffic signal at the intersection of Street "E"/Street "GG" with Scripps Ranch Boulevard, satisfactory to the City Engineer.
- 9. The subdivider shall provide temporary turnarounds at both ends of Street "A," satisfactory to the City Engineer.
- 10. Scripps Ranch Boulevard is classified as a modified four-lane collector street within a 98-foot-wide right-of-way. The subdivider shall dedicate a 98-foot-wide right-of-way and provide curb, gutter, a pavement width of 64 feet with a 14-foot landscaped raised-center median, and a five-foot-wide sidewalk on both sides of the street within a ten-foot curb-to-property-line distance; all satisfactory to the City Engineer (curve radius less than 1100 feet will require superelevation).
- 11. Street "A" is classified as a modified two-lane collector street within a 60-foot-wide right-of-way and a modified 55-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way for Street "A" north of Street "U" and a 55-foot-wide right-of-way south of Street "U" and provide curb, gutter, 40 feet of pavement, and a four-foot-wide sidewalk on both sides of the street, within a ten-foot curb-to-property-line distance north of Street "U" and on the south side of Street "A" south of Street "U," and a five-foot-wide curb-to-property-line distance on the north side of Street "A" south of Street "U" adjacent to the open space; all satisfactory to the City Engineer.
- 12. Street "E" is classified as a modified two-lane collector street within a 74-foot-wide and 60-foot-wide right-of-way. The subdivider shall dedicate a 74-foot-wide right-of-way from Scripps Ranch Boulevard transitioning to a 60-foot-wide right-of-way and provide 40 feet of pavement with a 14-foot-wide raised center median from Scripps Ranch Boulevard to south of Street "C," 40-feet of pavement the

remainder portion, curb, gutter, and four-foot-wide sidewalk on both sides of the street, within a ten-foot curb-to-property-line distance (500-foot curve radius south of Street "C"); all satisfactory to the City Engineer.

- 13. Street "B" is classified as a two-lane local street within a modified right-of-way. The subdivider shall dedicated a 43-foot-wide right-of-way from Scripps Ranch Boulevard north to Street "EE" then a 56-foot-wide right-of-way to Street "D" and provide 28 feet of pavement from Scripps Ranch Boulevard to Street "EE" then 36 feet of pavement to Street "D," curb, gutter, and a four-foot-wide sidewalk on both sides, for the full length of the street, satisfactory to the City Engineer.
- 14. Street "C" is classified as a two-lane local residential street within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way and provide curb, gutter, a pavement width of 36-feet, and a four-foot-wide sidewalk within a ten-foot curb-to-property-line distance; all satisfactory to the City Engineer.
- 15. Street "D" is classified as two-lane local residential 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, and a four-foot-wide sidewalk on both sides of the street within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
- 16. Streets "F," "G," "H," "I," "J," "K," "L," "O," "P," and "U" are classified as low-volume residential local streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and provide curb, gutter, 32 feet of pavement, and a four-foot-wide sidewalk within a ten-foot curb-to-property-line distance; all satisfactory to the City Engineer. Street "U" shall have a minimum 100-foot curve radius without a knuckle, satisfactory to the City Engineer.
- 17. Streets "R," "S," "T," "V," "W," "X," "Y," "Z," "AA," "BB," "CC," "DD," "EE," "FF," "GG," (south of "M"), "HH," "II," and "JJ" are classified as residential cul-de-sacs within a 50-foot-wide right-of-way. The subdivider shall dedicate a 50-foot-wide right-of-way and a 45-foot right-of-way radius for the cul-de-sac and provide curb, gutter, 30 feet of pavement with a 35-foot curb radius for the cul-de-sac, and a four-foot-wide sidewalk within a ten-foot curb-to-property-line distance; all satisfactory to the City Engineer. The subdivider shall dedicate a minimum 74-foot-

wide right-of-way for Street "GG" between Street "M" and Scripps Ranch Boulevard and provide approximately 54 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, satisfactory to the City Engineer.

- 18. Street "M" is classified as a low volume residential street. The subdivider shall dedicate a 52-foot-wide right-of-way from Street "N" to Street "II," a 50-foot-wide right-of-way from Street "II" to the cul-de-sac, and a 45-foot right-of-way radius for the cul-de-sac and provide curb, gutter, a four-foot-wide sidewalk, 32 feet of pavement north of Street "II" and 30 feet of pavement south of Street "II," and a 35-foot curb radius for the cul-de-sac, satisfactory to the City Engineer.
- 19. Street "N" is classified as a residential street. The subdivider shall dedicate a 52-foot-wide right-of-way and a 50-foot-wide right-of-way east of Street "P" and provide curb, gutter, a four-foot-wide sidewalk, and 32 feet of pavement and 30 feet of pavement east of Street "P," satisfactory to the City Engineer.
- 20. Street "Q" is classified as a residential street. The subdivider shall dedicate a 52-foot-wide right-of-way between Street "HH" and Street "GG," a 50-foot-wide right-of-way south of Street "HH" and north of Street "GG," and a 45-foot right-of-way radius for the cul-de-sacs and provide curb, gutter, a four-foot-wide sidewalk, 32 feet of pavement between Street "HH" and Street "GG," and 30 feet of pavement with a 35-foot curb radius for the cul-de-sacs; all satisfactory to the City Engineer.
- 21. Street "KK" is classified as a local residential street. The subdivider shall dedicate a minimum 74-foot-wide right-of-way and provide 54 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, satisfactory to the City Engineer.
- 22. The subdivider has reserved the right to record multiple final maps over the area shown on the approved tentative map. In accordance with Article 66456.1 of the Subdivision Map Act, the City Engineer shall retain the authority to review the areas of the vesting tentative map the subdivider is including in each final map and may impose reasonable conditions consistent with the Public Facilities Financing Plan and the McMillin-BCED development agreement that are

conditions of this vesting tentative map, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.

- 23. The subdivider has requested approval to file final maps out of numerical sequence. This request is approved, subject to the provision that the City Engineer can review the off-site improvements in connection with each unit.
- 24. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
- 25. The design of this subdivision shall conform to the conditions in the approved drainage study for Tentative Map No. 87-1088 (Phase I), "Hydrologic and Hydraulic Analysis for Scripps Ranch North," dated April 13, 1990. Any deviation from these conditions shall require an additional drainage study, satisfactory to the City Engineer.
- 26. Providing public street access to this subdivision is dependent upon the prior construction of certain public streets 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 public streets, as required by the City Engineer, consistent with the Public Facilities Financing Plan and the McMillin-BCED development agreement will become off-site improvement requirements for this subdivision.

27. Water Requirements:

- a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
- b. The developer shall update the "Miramar Ranch North Water System Phasing Study," by Powell and Associates, dated April 1990.
- c. The developer shall install water facilities, as required in the approved "Miramar-Scripps Pump Station Service Area Water Facilities Update Study," by Boyle Engineering, dated August 1988, and the updated "Miramar Ranch North Water System Phasing Study," by Powell & Associates, and "Addendum No. 1 Interim Water system Study," dated November 1990, satisfactory to the Water Utilities Director. This includes the Miramar Ranch North Booster Pump Station.

d. Occupancy of this subdivision shall not take place until after the completion of installations of all necessary water-related facilities as required in the approved studies.

28. Sewer Requirements:

- a. The developer shall provide a sewer study, concurrently with the improvement plan submittal, 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 developer shall install all sewer-related facilities as required by the approved study.

29. Water and Sewer Requirements:

- a. The developer shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral.
- b. The developer shall install urban run-off control facilities, satisfactory to the Water Utilities
 Director. The developer shall implement maintenance district for these facilities, satisfactory to the Water Utilities Director and the City Engineer.
- c. Design of the storm drains and other drainage facilities located within the watershed of Miramar Lake shall include the best management practices to control non-point source pollution, to assure no runoff pollution into the lake, satisfactory to the Water Utilities Director and the City Engineer.
- d. If on-site water and sewer mains are 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 issues that may arise relative to the availability of keys.
- e. The developer shall provide access control between Scripps Ranch North Phase III property and the Water Utilities property at Miramar Lake, satisfactory to the Water Utilities Director.

f. The developer shall build an access road to the Miramar Ranch North reservoir, satisfactory to the Water Utilities Director.

- g. 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.
- 30. The developer shall provide emergency access roads, satisfactory to the Fire Marshall and the City Engineer.
- 31. The park site, Lot 58, Unit 1 (shown on the tentative map received October 10, 1990), shall be deeded to the City as open space. The developer shall rough grade the park site to Park & Recreation Department specifications and construct the contiguous street improvements. The developer may enter into an agreement for the park site consistent with the development agreement and the Facilities Phasing Plan.

The developer shall provide the design and construction of all the neighborhood park improvements for Lot 58, Unit 1, at no cost to the City, satisfactory to the Park & Recreation Director and the City Engineer. The park shall be constructed in accordance with the Facilities Financing Plan and the McMillin-BCED development agreement for Miramar Ranch North.

Lot 60, Unit 1, shall be identified as a neighborhood park. The name "Lakeshore" shall not be shown on any map, since an existing park has that designation.

32. 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.

Therefore, in connection with Council approval of the final map, the subdivider shall comply with the provisions of the financing plan and the McMillin-BCED development agreement for this community plan area, in a manner satisfactory to the City Engineer.

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33. A Public Facilities Phasing Plan has been established for this community. This subdivision must conform to the approved Public Facilities Phasing Plan.

- 34. The final map shall comply with the provisions and requirements in any development agreements applicable to this development, satisfactory to the City Engineer.
- 35. The developer shall provide open-space easements and areas, satisfactory to the Park & Recreation Director. This may include fee-title open-space lots to the City, as shown on the tentative map.
- 36. The developer shall comply with the following Open Space requirements, satisfactory to the Park & Recreation Director:

a. Within Unit 1:

- i. Lots 56, 57, and 58 shall be granted to the City in fee title for open space.
- ii. Lot "E" shall be granted on the final map as open space easements for brush management, owned and maintained by the Homeowners' Association.
- iii. Lots "A," "B," "C," and "D" shall be owned by the Homeowners' Association.

b. Within Unit 2:

- i. Lot 106 shall be granted to the City in fee title for open space.
- ii. Lots "E," "F," and "G" shall be granted on the final map as open space for brush management, owned and maintained by the Homeowners' Association.
- iii. Lots "A," "B," "C," and "D" shall be owned by the Homeowners' Association.

c. Within Unit 3:

- i. Lots 3 and 4 shall be granted to the City in fee title as open space.
- ii. Lot "C" shall be granted on the final map as an open space easement for brush management, owned and maintained by the Homeowners' Association.

iii. Lots "A" and "B" shall be owned by the Homeowners' Association.

d. Within Unit 4:

- i. Lot 159 shall be granted to the City in fee title as open space.
- ii. Lots "E" and "F" shall be granted on the final map as open space easements for brush management, owned and maintained by the Homeowners' Association.
- iii. Lots "A," "B," "C," and "D" shall be owned by the Homeowners' Association.

e. Within Unit 5:

- i. Lot 116 shall be granted to the City in fee title for open space.
- ii. Lots "C," "D," "E," "F," "G," "H," and "I" shall be granted on the final map as open space easements for brush management, owned and maintained by the Homeowners' Association.
- iii. Lots "A," "B," "J," "K," "L," and "M" shall be owned by the Homeowners' Association.

f. Within Unit 6:

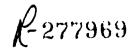
- i. Lot 32 shall be granted to the City in fee title for open space.
- ii. Lot "D" shall be granted on the final map as an open space easement for brush management, owned and maintained by the Homeowners' Association.
- iii. Lots "A", "B," and "C" shall be owned by the Homeowners' Association.

g. Within Unit 7:

- i. Lot 79 shall be granted to the City in fee title for open space.
- ii. Lots "A," "F," and "G" shall be granted on the final map as open space easements for brush management, owned and maintained by the Homeowners' Association.

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- iii. Lots "B," "C," "D," and "E" shall be owned by the Homeowner's Association.
- 37. 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. This condition does not waive the right to off-site condemnation by the City pursuant to Subdivision Map Act section 66462.5.
- 38. 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.
- 39. The final map shall conform to the provisions of Planned Residential Development Permit No. 90-0898.
- 40. 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.
- 41. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Engineering & Development Department for each final map processed in connection with this vesting tentative map.
- 42. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits, subject to the terms and conditions of the McMillin-BCED development agreement.
- 43. In Unit 2, the lot configuration on the "knoll" area shall be as shown on Exhibit A-1, dated April 29, 1991, of the McMillin-BCED/City of San Diego settlement agreement amendment as adopted by the Council on April 29, 1991 by Resolution No. R-277830.



Passed and adopted by the Council of The by the following vote:	City of San Diego or	1	MAY 21 1991		
Council Members Abbe Wolfsheimer Ron Roberts John Hartley H. Wes Pratt Tom Behr J. Bruce Henderson Judy McCarty Bob Filner Mayor Maureen O'Connor	Yeas	Nays	Not Present	Ineligible	
AUTHENTICATED BY:			IAUREEN O'		
(Seal)	Ву Л.	City Cle		BDELNOUR in Diego, California.	
	Offi	ce of the	City Clerk, San Die	ego, California	
	Resolution Resolution	2779	69 Adopte	MAY 21 199	