

(R-91-2157)

RESOLUTION NUMBER R-278054

ADOPTED ON JUNE 4, 1991

WHEREAS, Robinhood Homes, Inc., a California corporation, by Donald R. Worley of Worley, Schwartz, Garfield & Rice, filed an application for Vesting Tentative Map No. 86-1014 for the Robinhood Ridge project to subdivide 204.3 acres into 222 lots for the development of 849 dwelling units, located on the north side of Otay Mesa Road between Interstate 805 and Otay Valley Road, and described as the southeast quarter of the southeast quarter of Section 19 and a portion of the north half of Section 29, Township 18 South, Range 1 West, SBM, in the R1-5000, R-3000, R-1750, CN, Open Space and Hillside Review Overlay zones; and

WHEREAS, on November 29, 1990, the Planning Commission recommended that the City Council deny approval of this project; and

WHEREAS, the matter was set for public hearing on June 4, 1991, 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. 86-1014:

1. The map proposes the subdivision of a 204.3-acre site into 203 lots for residential development and 2 lots for commercial development. This type of development is consistent

with the General Plan and the Otay Mesa Community Plan which designate the property for residential, school, park, open space, and neighborhood commercial 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 subdivision are consistent with the zoning and development regulations of the R1-5000, R-3000, R-1750, CN, Open Space and Hillside Review Overlay 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, R-3000, R-1750, CN, Open Space and Hillside Review Overlay 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. 86-1014.

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 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 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. 86-1014, which are 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 the recommendation of the Planning Commission is overruled, and Vesting Tentative Map No. 86-1014 is hereby granted to Robinhood Ridge, 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
08/28/91
Or.Dept:Clerk
R-91-2157
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CITY COUNCIL CONDITIONS
FOR VTM 86-1014

1. This tentative map will become effective with the effective date of the accompanying Precise Plan, Community Plan amendment for the revised school and park site, or the City Council Ordinance that approves the accompanying rezoning, whichever occurs later, and will expire three years thereafter. If the Precise Plan, Community Plan amendment, and/or rezoning is denied, this tentative map will be deemed denied.
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

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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 the payment of a park fee in accordance with the San Diego Municipal Code, which specifies park fees applicable in the Otay Mesa Community Plan area.
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.

This subdivision is located within an area which has experienced severe problems resulting from highly expansive soils. The geological investigation for this subdivision shall include an appraisal of the expansive nature of the base materials and shall detail what measures are to be undertaken to protect the public improvements from failure from expansive base materials.

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. Palm Avenue is classified as a six-lane primary arterial within a 122-foot-wide right-of-way, from I-805 to the western boundary of California Terraces, transitioning to a four-lane major within a 98-foot-wide right-of-way, to the intersection with Otay Mesa Road. The subdivider shall provide a half-width dedication and improvements between Robinhood Ridge Drive and the I-805 freeway ramps, in a satisfactory to the City Engineer. The alignment of Palm Avenue is subject to modifications at the discretion of and satisfactory to the City Engineer.
10. Robinhood Ridge Drive is classified as a four-lane collector within an 84-foot-wide right-of-way between Palm Avenue and Street "A," transitioning east of Street "A" to a two-lane collector within a 60-foot-wide right-of-way. The subdivider shall dedicate for Robinhood Ridge Drive off-site to the west 84 feet of right-of-way and provide a minimum of 26 feet of paving with AC berms, from the western subdivision boundary to Palm Avenue, transitioning to full-width improvements on-site, satisfactory to the City Engineer. East of Street "A," the subdivider shall dedicate

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84 feet of right-of-way at the intersection of Street "A" & Robinhood Ridge Drive transitioning to 60 feet of right-of-way and provide the full-width improvements, with transitions, of 40 feet of pavement, curb, gutter, and a four-foot-wide sidewalk on both sides of Robinhood Ridge Drive for the full length of the street within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer. The subdivider shall provide for all off-site dedication and improvements of Robinhood Ridge Drive, satisfactory to the City Engineer. Classification and improvement required for Robinhood Ridge Drive may be reevaluated by the City Engineer prior to each final map, if projected traffic volumes are reduced or increased by subsequent approvals of adjacent Precise Plans.

11. The subdivider shall comply with the Precise Plan construction Phasing Plan for Phase I and Phase II, including the secondary access, satisfactory to the City Engineer.
12. Street "A" is classified as a two-lane collector within a 60-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way and provide 40 feet of paving, 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.
13. Street "P" is classified as a two-lane local street 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. The subdivider shall provide for the off-site dedication and improvements of Street "P," satisfactory to the City Engineer.
14. Street "O" is classified as a two-lane local street within a 60-foot-wide right-of-way transitioning northerly of Street "P" to a 47-foot-wide right-of-way (single loaded). The subdivider shall dedicate 60 feet of right-of-way from Robinhood Ridge Drive to Street "P" and provide 40 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. The subdivider shall dedicate 47 feet of right-of-way northerly of Street "P" and provide 32 feet of pavement, curb, gutter, and a four-foot-wide sidewalk on the side adjacent to Lot 203, satisfactory to the City Engineer. Cul-de-sac "O" shall be a 48-foot curb radius and a 58-foot-wide right-of-

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way, satisfactory to the City Engineer. The subdivider shall provide for off-site dedication and improvements of Street "O," satisfactory to the City Engineer.

15. Streets "B," "C," and "H" are classified as two-lane local residential streets within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and provide improvements of 32 feet of pavement, curb, gutter, and a four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
16. Streets "D," "E," "F," "G," "I," "J," "K," "L," and "N" are classified as two-lane local residential streets within a 50-foot-wide right-of-way and a 45 foot right-of-way radius for the cul-de-sacs. The subdivider shall dedicate a 50-foot-wide right-of-way and a 45-foot right-of-way radius for the cul-de-sacs and provide 30 feet of pavement, curb, gutter, and a four-foot-wide sidewalk within a ten-foot curb-to-property-line distance and provide a 35-foot curb radius for the cul-de-sacs, satisfactory to the City Engineer. The subdivider shall provide for the off-site dedication and improvements for Streets "F" and "G" adequately to match the adjacent subdivisions, satisfactory to the City Engineer.
17. Prior to recordation of the final map, the subdivider shall provide a grade and alignment study for Palm Avenue, satisfactory to the City Engineer.
18. The subdivider shall provide adequate sight distance at the following intersections, satisfactory to the City Engineer:
 - a. Robinhood Ridge Drive and Street "H".
 - b. Robinhood Ridge Drive and Lot 200 access.
 - c. Robinhood Ridge Drive and Street "G".
 - d. Street "J" and Street "H".
 - e. Street "H" and Street "N".
19. The subdivider shall align the driveway to Lot 199 with Street "H," or provide driveway offset from Street "H," satisfactory to the City Engineer.
20. Prior to recordation of the first final map, the subdivider shall contribute to the City for their fair share toward the

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cost of construction of a traffic signal system at the intersection of Palm Avenue and Robinhood Ridge Drive, satisfactory to the City Engineer.

21. Prior to recordation of the first final map within Phase II (or the connection to Otay Valley Road, whichever occurs first), the subdivider shall provide a grade and alignment study, satisfactory to the City Engineer, for Otay Valley Road and Heritage Road. Otay Valley Road is classified as a six-lane primary arterial within a 122-foot-wide right-of-way. The limits of the study shall be from Otay Mesa Road north to the intersection with the east-west portion of Otay Valley Road presently being studied by the City of Chula Vista. With recordation of the final map unit adjacent to Otay Valley Road, the subdivider shall dedicate all required rights-of-way and easements, to the satisfaction of the City Engineer, as well as completing the environmental review to the satisfaction of the Principal Planner of the Environmental Analysis Section of the Development and Environmental Planning Division.
22. The subdivider shall also provide any additional improvements as required by the approved Robinhood Ridge Precise Plan and the approved Transportation Phasing Plan.
23. A Transportation Phasing Plan is required for this community. Prior to recordation of the final map, the Transportation Phasing Plan must be approved by the City Engineer, and this subdivision must conform to the approved Transportation Phasing Plan.
24. Water Requirements:
 - a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
 - b. The developer shall provide an on-site water plan, incorporating information from "Water System Analysis of Two Transmission Alternatives for the South San Diego/Otay Mesa Service Areas," by Boyle Engineering, dated September 1990, satisfactory to the Water Utilities Director.
 - c. The developer shall install all facilities, as required by the approved water studies, necessary to serve this development.

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25. Sewer Requirements:

- a. The developer 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 sewer mains will provide adequate capacity and cleansing velocities.
- b. The developer shall install all facilities as required by the approved sewer study.

26. Water and Sewer Requirements:

- a. All common areas and/or open spaces that require irrigation shall be irrigated with reclaimed water, as specified in City Council Ordinance O-17327.
- b. The developer shall design and install a reclaimed water distribution system, satisfactory to the Water Utilities Director.
- c. The developer shall provide evidence, satisfactory to the Water Utilities Director, showing that each lot will have its own water service and sewer lateral.
- d. The developer shall provide, prior to recordation of each final map, a program and an analysis of all water conservation measures to be incorporated into the design of the project. This program must satisfy the City Manager that all reasonable measures to conserve water have been incorporated into the project.

27. The following mitigating measures shall be assured in a manner satisfactory to the Principal Planner of the Environmental Analysis Section:

- a. Prior to recordation of the final map and prior to the issuance of a grading permit, the subdivider shall prepare a biological mitigation and maintenance program for preservation of the vernal pool (Lot "G"), satisfactory to the Principal Planner of the Environmental Analysis Section.
- b. Prior to recordation of the final map and prior to the issuance of a grading permit, the subdivider shall prepare a biological mitigation program for transplantation of Coast Barrel Cactus and Variegated Dudleya, satisfactory to the Principal Planner of the Environmental Analysis Section.

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- c. Prior to recordation of the final map and prior to the issuance of a grading permit, the subdivider shall prepare a riparian replacement program consisting of 0.4 acres for 0.2 acres lost, satisfactory to the Principal Planner of the Environmental Analysis Section.
- d. Prior to recordation of the final map and prior to the issuance of a grading permit, the subdivider shall obtain necessary permits from the California Department of Fish and Game and the U.S. Army Corps of Engineers. Evidence of such permits shall be provided to and approved by the Principal Planner of the Environmental Analysis Section.
- e. Prior to recordation of a final map, \$18,000 for the loss of 4.5 acres of vernal pool habitat shall be contributed to the City of San Diego Vernal Pool Preservation Program.
- f. During grading and construction, chain link fencing shall be required for the protection of the plant population of Golden-Spined Cereus on-site. Grading plans shall be reviewed and approved by the Principal Planner of the Environmental Analysis Section.
- g. Prior to recordation of a final map, a revision to the tentative map, as shown in Exhibit "A," for mitigation of the vernal pool shall be approved.
- h. To reduce erosion impacts, the following measure shall be implemented during project grading: 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.
- i. Grading plans and schedule shall be provided to a qualified paleontologist in advance of actual development.
- j. A qualified paleontologist shall be present at any pregrade meetings to discuss grading plans with the contractors.

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- k. During grading, a qualified paleontologist shall be on site during the original cutting or previously undisturbed sediments of potential fossil bearing formations to inspect cuts for contained fossils.
 - l. The paleontologist shall be allowed to temporarily direct or divert grading to allow recovery of any fossil remains.
 - m. Any remains collected from the project area shall be deposited in a scientific institution with paleontological collections.
 - n. A report describing the results of the above monitoring program shall be submitted to the Principal Planner of the Environmental Analysis Section.
 - o. The subdivider shall revegetate slopes and pads as soon as possible after grading. All graded areas shall be revegetated within 60 days of grading.
 - p. Lot "G" and surrounding the open space area shall be placed in an easement for purposes of permanent preservation. Maintenance of the lot shall be the responsibility of the subdivider until such time that a conservation agency assumes responsibility.
 - q. Prior to recordation of the final map and prior to the issuance of a grading permit, evidence shall be provided, satisfactory to the Principal Planner of the Environmental Analysis Section regarding mitigation of the loss of the Otay tarplant (*Hemizonia conjugens*).
28. The subdivider shall grant negative open space easements on the final maps over Lots "A," "B," "E," "F," "I," "J," "K," "L," "M," "N," "O," "P," and "Q," in a manner satisfactory to the Park & Recreation Department.
29. The subdivider shall grant non-building-area easements over Lots "C," "D," "H," and "G," in a manner satisfactory to the Park & Recreation Department.
30. Lots 193, 194, 195, and 205 shall be non-building lots with a building restriction easement over the entire lot. The building-restricted easement may be removed, per the Subdivision Map Act, when a subsequent map is filed over these lots.
31. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing or Future Urbanizing.

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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 (FBA) or such other means as may have been established by the City Council.

32. Prior to recordation of the final map, the subdivider shall enter into an agreement with the City of San Diego to satisfy all the conditions in City Council Resolution No. R-268976 (Brown Field Master Plan).
33. The height of the buildings constructed within this subdivision shall be such that they do not penetrate the surface of the approach zone and clear zone of Brown Field, as defined in the appropriate Federal Aviation Regulations. The heights of the buildings will be approved by the Planning director in connection with approval of the specific development permits.
34. An aviation easement shall be granted over the entire subdivision. The conditions of this easement shall be satisfactory to the Deputy Director of the Airports Division of the General Services Department.
35. 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.
36. 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.
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.

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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 Planned Residential Development Permit No. 86-1014.
40. Prior to recordation of the final map, a school facilities plan shall be entered into and approved by the City Council of the City of San Diego, all affected school districts, and signed by the subdivider. The school facility plan shall include a financing plan and school fee schedule which will provide for the present and future needs of all affected school districts and the community.
41. It is possible, with the ultimate build-out of the Community Plan, that improvements may be needed to the I-805/Palm Avenue overpass. The subdivider agrees not to object to the inclusion of these improvements, if needed, within the Otay Mesa FBA.
42. This subdivision is 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.
43. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
44. Final maps in Otay Mesa shall not be approved until the Sweetwater High School District, Chula Vista Elementary School District, and San Ysidro Elementary School Districts approve specific sites for each school needed in the community. Furthermore, amendments to the community plan, precise plan, tentative maps, and planned residential development permits may be required, at the discretion of the City, if the selection of specific school sites warrant revisions to these previous approvals, to address land use, circulation, or site plan issues resulting from the school location.

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JUN 04 1991

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"/>
Tom Behr	<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 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 *Maureen O'Connor*, Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-278054* JUN 04 1991
Number Adopted.....