

(R-91-2287)

RESOLUTION NUMBER R-278097

ADOPTED ON JUNE 10, 1991

WHEREAS, on February 7, 1991, the Planning Commission recommended approval of Tentative Map No. 90-0471 submitted by The Baldwin Company for a 70-lot subdivision (Carmel Valley Neighborhood I, Units 3 and 4 Resubdivision) for the development of 68 two-story, single-family homes on approximately 11.3 acres of a 25.8-acre site, the remaining 14.5 acres will be for the development of a school and park. The subdivision is located on the north side of Carmel Center Road, east of Carmel Creek Road, west of the SDG&E easement, and south of Kerwood Court and is more particularly described as Resubdivision of Carmel Valley Neighborhood One, Unit No. 3, Map No. 12564, and Parcels 1 and 2 of Parcel Map No. 16001, in the Carmel Valley Community Plan area, in the SF-3 (Single-Family Residential, minimum lot size of 3,000 square feet) and EP (Educational and Park) zones; and

WHEREAS, the matter was set for public hearing on June 10, 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 Tentative Map No. 90-0471:

1. The map proposes the subdivision of a 25.8-acre site into 70 lots for residential, school and park development. This

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type of development is consistent with the General Plan and the Carmel Valley Community Plan which designate the area for residential, school and park 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 SF-3 and EP 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-3 and EP 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. 90-0471.

3. The design and proposed improvements for the subdivision are consistent with State Map Act section 66473.1 regarding the design of the subdivision for future passive or natural heating and cooling opportunities.

4. The site is physically suitable for residential, school 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, school and park uses.

6. The design of the subdivision and the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings in Mitigated Negative Declaration No. 90-0471 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.

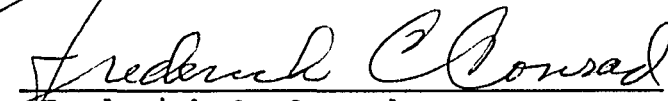
9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego, and hereby finds, pursuant to Section 66412.3 of the

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 recommendation of the Planning Commission is sustained and Tentative Map No. 90-0471 is hereby granted to The Baldwin 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

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06/27/91  
Or.Dept:Clerk  
R-91-2287  
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CITY COUNCIL CONDITIONS  
FOR TENTATIVE MAP NO. 90-0471

1. This tentative map will become effective with City Council approval of the tentative map, street vacations, and Planned Development Permit and will expire June 10, 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 ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

R- 278097

6. 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.
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. Camarena Road is classified as a local residential street with a modified right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way with a 100-foot centerline radius and provide 36 feet of pavement, a four-foot-wide sidewalk on both sides of the street, a six-foot curb-to-property-line distance, and a four-foot general utility easement on the west side, and a ten-foot curb-to-property-line distance on the east side, all satisfactory to the City Engineer.
9. Streets "A" and "B" are classified as local residential streets within a 48-foot-wide right-of-way. The subdivider shall provide a 48-foot-wide right-of-way, a 45-foot right-of-way radius for Street "B," a 58-foot right-of-way radius for Street "A," and 36 feet of pavement, curb, gutter, a four-foot-wide sidewalk within a six-foot curb-to-property-line distance, a 35-foot curb radius for Street "B" cul-de-sac, a 48-foot curb radius for Street "A," and a four-foot general utility easement adjacent to the property line, all satisfactory to the City Engineer. The four-foot general utility easement is not required around the cul-de-sac.
10. Street "C" cul-de-sac shall have a 45-foot right-of-way radius and a 35-foot curb radius with curb, gutter, and a four-foot-wide sidewalk, satisfactory to the City Engineer.
11. The subdivider shall extend the lot lines of Lots 53 through 68 to the northern subdivision boundary to eliminate Lot 71, and grant a landscape easement over the rear of Lots 53 through 68, to be maintained by the Landscape Maintenance District, subject to the approval of the Park & Recreation Department.
12. Water Requirements:
  - a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.

R- 278097

- b. The developer shall install the following water mains (470 HGL), satisfactory to the Water Utilities Director:
  - i. 16-inch main in Carmel Creek Road from McGuire Drive to Carmel Country Road.
  - ii. 12-inch main in Carmel Center Road from Carmel Creek Road to Corte Al Fresco.
  - iii. Parallel eight-inch mains in Camarena Road from Carmel Center Road to "A" Street, or one eight-inch main in Camarena Road from Carmel Center Road to "A" Street and then west through an easement back to the 16-inch main in Carmel Creek Road.
  - iv. Eight-inch mains in "A" Street and "B" Street.
  - v. Six-inch main in "C" Street.

13. 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 mains will provide adequate capacity and cleansing velocities. The study shall include the off-site connection to the Carmel Valley Trunk Sewer at Carmel Country Road.
- b. The developer shall install all facilities as required by the approved study.

14. 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. The developer shall design and install a reclaimed water distribution system, satisfactory to the Water Utilities Director.
- b. The developer shall provide evidence satisfactory to the Water Utilities Director showing that each lot will have its own water service and sewer lateral.
- 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

R- 278097



of the 30-inch water line from the Del Mar Heights Pipeline to the Miramar Pipeline.

15. Park & Recreation Department Requirements:

- a. The park site, Lot 69, shown on the approved tentative map is being reserved in accordance with Section 66479 et seq. of the California Subdivision Map Act. Provisions of the Act require that the developer shall, at the time of the recordation of the final map of this unit, enter into an agreement for the City to acquire the park sites within two years after the completion and acceptance of all improvements, unless such period of time is extended by mutual agreement. The purchase price shall be the market value thereof at the time of the original submittal of Tentative Map No. 90-0471, plus the taxes against such reserved area from the date of the reservation, and any other costs incurred by the subdivider in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area. In the event the City does not exercise its option to acquire the park site, the reservation of the area shall automatically terminate.
- b. The developer shall rough grade the park site to Park & Recreation Department specifications and construct the contiguous street improvements. The developer shall enter into an agreement which defines the method of compensation for the work done on the future park site, prior to the filing of the final map.
- c. The developer shall enter into an agreement with the City for the design and construction of the neighborhood park, Lot 69. The agreement shall define the method of compensation, prior to the filing of the final map.

16. 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;

R- 278097

- d. scheduled and funded for construction in the immediate fiscal year of the City's Capital Improvement Program (CIP); 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 Facilities Financing Division.

17. 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.

Lot No. 69 is designated as a public park and is to be acquired in accordance with procedures established in Section 66479 et seq. of the Subdivision Map Act. Prior to the approval of a final map including this park site, the City shall enter into an agreement to acquire the site within two years. Failure to enter into such agreement will terminate the park reservation.

The subdivider shall, as a part of the subdivision improvements, grade the park site and install the necessary public improvements and shall be reimbursed by the City for such work from appropriate funds. An agreement authorizing such reimbursement shall be entered into prior to the approval of the final map.

18. The subdivider shall implement the following measures, satisfactory to the Deputy Director of the Development & Environmental Planning Division of the Planning Department:

R- 278097

- a. A paleontologist shall be present at the pregrade meeting to discuss the mitigation procedures with the grading and excavation contractors, and the requirement for paleontological monitoring shall be noted on the grading plans.
  - b. A paleontological monitor shall be on-site at all times during the original cutting of undisturbed sedimentary rocks to monitor grading activities and collect any fossils which are unearthed. The paleontologist shall have the authority to temporarily stop or divert grading activities to allow recover of fossil remains.
  - c. In the event that richly fossiliferous shell or bone layers are encountered, a screen washing program shall be conducted. This will insure the recovery of important microfossil remains.
  - d. Following the salvage of macro- and microfossils from the project site, a limited preparation program shall be conducted to clean and repair fossil remains.
  - e. The prepared collection of salvaged fossils shall then be turned over to the San Diego Natural History Museum for permanent storage.
19. 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.
  20. 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.
  21. The final map shall conform to the provisions of Planned Development Permit No. 90-0471.
  22. Prior to issuance of building permits, 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.

R- 278097

JUN 10 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Maybell L. McConnell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-278097* JUN 10 1991  
Number ..... Adopted.....