

(R-93-1197)

RESOLUTION NUMBER R-281472

ADOPTED ON FEBRUARY 9, 1993

WHEREAS, on December 3, 1992, the Planning Commission recommended approval of Vesting Tentative Map No. 85-0824 submitted by American Assets, Inc., and Rick Engineering for a two-lot subdivision (Torrey Reserve) for the development of approximately 458,646 square feet of visitor commercial and office uses of a 60-acre site located north of Carmel Mountain Road, east of Interstate 5, and described as Parcel 2, Parcel A, and a portion of Parcel 3 of Parcel Map No. 14873, in the Sorrento Hills Community Plan area, in the A1-1 zone (proposed CO zone); and

WHEREAS, the matter was set for public hearing on February 9, 1993, 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. 85-0824:

1. The map proposes the subdivision of a 69.9-acre site into two lots for commercial development. This type of development is consistent with the General Plan and the Sorrento Hills Community Plan which designates the area for commercial use. The proposed map will retain the community's character by

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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 CO zone in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Coastal Development Permit (CDP).

b. All lots meet the minimum dimension requirements of the CO zone, as allowed under a CDP.

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, as allowed under a CDP.

d. Development of the site is controlled by Coastal Development Permit No. 85-0824.

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 commercial 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 commercial uses.

6. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings in Environmental Impact Report No. 85-0824 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.

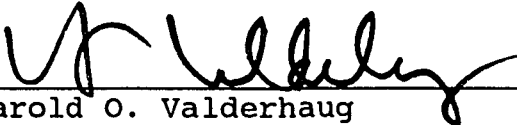
7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available or required by condition of this map to provide for water and sewage facilities, as well as other related public services.

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.

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 Vesting Tentative Map No. 85-0824 is hereby granted, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold O. Valderhaug  
Chief Deputy City Attorney

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03/16/93  
Or.Dept:Clerk  
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CITY COUNCIL CONDITIONS FOR  
VESTING TENTATIVE MAP NO. 85-0824

1. This tentative map will expire February 9, 1996.
2. The final map shall comply with the provisions of Planned Commercial Development Permit No. 85-0824.
3. 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.
4. This subdivision is in a community plan area designated in the General Plan as Planned 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 (FBA) or such other means as may have been established by the City Council.

5. 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.

6. "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).
7. "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."

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8. 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.
9. 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 tentative map the subdivider is including in each final map and may impose reasonable conditions, such as off-site public improvements, that shall become requirements of final map approval for a particular unit.
10. The subdivider must provide a geological report on the subject property to discover and address potential geological hazards. The report must be prepared in accordance with the most recent edition of the City of San Diego "Technical Guidelines for Geotechnical Reports." All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code Section 62.0410 et seq.
11. 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.
12. This Tentative map is within the Sorrento Hills Community, for which a Transportation Phasing Plan has been incorporated in the Public Facilities Financing Plan. This subdivision must conform to the approved Transportation Phasing Plan.

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13. 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.
14. El Camino Real is classified as a six-lane major street within a 122-foot-wide right-of-way. The subdivider shall dedicate a 122-foot-wide right-of-way and shall participate in, pursuant to the Development Agreement, the provision of improvements of 88 feet of pavement, curb, gutter, a 14-foot-wide raised-center median, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
15. Arroyo Sorrento Road 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 shall provide improvements of 40 feet of pavement, curb, gutter, and five-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer, from El Camino Real to STA 1+70 and transition to improvements of 28 feet of pavement, curb, gutter, and five-foot-wide sidewalk, offset to the north, satisfactory to the City Engineer. Parking will be prohibited. There will be no driveway access to the site from Arroyo Sorrento Road except for emergency access.
16. Prior to recordation of the final map, the subdivider shall contribute 30 percent for the future construction of a traffic signal at El Camino Real and Arroyo Sorrento Road.
17. The subdivider shall provide adequate sight distance at all intersections, including driveways, satisfactory to the City Engineer.
18. The subdivider shall, in accordance with the provisions of the Sorrento Hills Development Agreement, provide dedication of right-of-way for the I-5 widening, satisfactory to CalTrans, and shall provide a light rail easement, satisfactory to the Metropolitan Transit Development Board.
19. The subdivider shall provide an approved traffic study and shall provide the recommended facilities in the approved study, satisfactory to the City Engineer.
20. The subdivider shall provide a traffic signal system at the intersection of El Camino Real & the project entrance, satisfactory to the City Engineer.

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21. Providing certain public improvements for this subdivision is dependent upon the prior construction of certain public improvements 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 improvements, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
22. Water Requirements:
  - a. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
  - b. The developer shall install a 16-inch (330 HGL) water main in the new alignment of El Camino Real, from the 16-inch water main in Carmel Valley Road to the 16-inch main required of TM 84-0519, satisfactory to the Water Utilities Director.
  - c. Prior to the issuance of any building permits, the developer shall show the on-site ten-inch water main(s) on improvement plans, satisfactory to the Water Utilities Director. The developer shall install all water mains prior to the issuance of occupancy permits.
  - d. Prior to the complete construction of El Camino Real, from the southern subdivision boundary to Carmel Mountain Road, and Carmel Mountain Road, from El Camino Real to Sorrento Valley Road, including water and sewer facilities located there, the developer shall maintain water service to the Arroyo Sorrento Area, satisfactory to the Water Utilities Director
23. 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 mains will provide adequate capacity and cleansing velocities.
  - b. The developer shall install all facilities as required by the approved study.
24. Water and Sewer Requirements:
  - a. The developer shall provide CC&R's for the operation and maintenance of on-site private water and sewer mains that serve more than one lot. The developer

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shall provide private easements for the private mains or show easement locations in the CC&R's.

- b. 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 within the subdivision, in accordance with "Rules and Regulations for Reclaimed Water Use and Distribution with the City of San Diego." The irrigation system shall initially be supplied from the potable water system until reclaimed water is available. The system shall be designed to allow the conversion from potable to reclaimed water service and avoid any cross connections between the two systems.
25. The subdivider shall provide Brush Management Zones, satisfactory to the Park & Recreation Director and the Planning Director.
  26. The subdivider shall provide a negative open space easement over portions of Lot 1 with an irrevocable offer to dedicate to the City in fee title, without cost to the City, satisfactory to the Park & Recreation Director and the City Engineer.
  27. Environmental Mitigation Requirements:
    - a. Prior to the recordation of the final map, the subdivider shall enter into a bonded, five-year, landscape-and-erosion-control, maintenance, monitoring agreement, satisfactory to the Planning Director and the City Engineer.
    - b. There shall be no grading during the rainy season, which is the period from November 15 to March 31.
    - c. Pollution control devices shall be provided, satisfactory to the Planning Director and the City Engineer.
    - d. The subdivider shall implement the following mitigation measures, satisfactory to the Deputy Director of the Development & Environmental Planning Division of the Planning Department, to reduce potentially adverse impacts of the proposed project on paleontological resources to a level below significant:

- (1) Prior to the issuance of a Land Development Permit (LDP), the requirement for paleontological monitoring shall be noted on the grading plans.
  - (2) Grading plans and schedule shall be provided to a qualified paleontologist in advance of actual development. The paleontologist shall attend any preconstruction meetings to consult with the excavation contractor.
  - (3) A qualified paleontologist shall be retained to perform periodic inspections of excavations and, if necessary, salvage exposed fossils. The paleontologist shall be on-site during the original cutting of previously undisturbed sediments of potential fossil bearing formations. The frequency of inspections would depend on the rate of excavation and the abundance of fossils.
  - (4) In the event that well-preserved fossils are found, the paleontologist shall be allowed to divert, direct, or temporarily halt grading in the area of any exposed fossil remains to facilitate evaluation and to allow recovery of any fossil remains.
  - (5) All fossils collected shall be donated to a public non-profit institution with a research interest in the materials, such as the San Diego Natural History Museum.
  - (6) Prior to the issuance of any building permits, the a report shall be submitted to the Deputy Director of the Development & Environmental Planning Division of the Planning Department summarizing the results of the monitoring program, even if negative.
- e. Manufactured slopes are to be rounded to give a natural appearance and to blend with the existing topography.
28. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
29. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 92-08-DWQ (NPDES General Permit No. CAS000002), *Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity*. In accordance

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with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrently with the commencement of grading activities, and a complete and accurate Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgement from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received.

In addition, the undersigned and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWG, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

30. A portion of this subdivision has been identified as being within a floodway or floodplain fringe area. In connection with Council approval of the final map:
- a. Any development within the floodplain fringe area will require either the property to be graded to an elevation two feet above the 100-year frequency flood elevation or provide floodproofing of all structures to that same elevation.
  - b. The developer shall grant a flowage easement, satisfactory to the City Engineer, over the property within the floodway.
  - c. The developer shall denote on the final map and the improvement plans "Subject to Inundation" for those areas at an elevation lower than the 100-year frequency flood elevation plus one foot.
  - d. The developer shall provide slope protection, as required by the City Engineer, where the velocity exceeds 5 MPH.
  - e. Permits or exemptions must be obtained from the California Department of Fish and Game and the U.S. Army Corps of Engineers before City permits will be issued for work within the floodplain fringe areas.

FOR INFORMATION:

- This subdivision may be subject to payment of School Impact Fees at the time of issuance of building permits, as

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provided by California Government Code Section 53080(b) (Statutes of 1986, Chapter 887), in accordance with procedures established by the Director of Building Inspection.

- This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued.
- This vesting tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

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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"/>
George Stevens	<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"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 8 - VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING  
Mayor of The City of San Diego, California.

(Seal)

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

By *Blenda B. Bunn*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-281472 Adopted FEB 09 1993