

RESOLUTION NUMBER R-285090

ADOPTED ON DECEMBER 6, 1994

WHEREAS, AG LAND ASSOCIATES, INC., Applicant, and CROSBY, MEAD & BENTON, Engineer, filed an application for an 80-lot tentative subdivision map (identified as Tentative Map No. 92-0610), located north of Carmel Mountain Road and northwest of Yerba Mansa Court, and described as a portion of Sections 29 and 30, T14S, R3W, SBM, and Resubdivision of Lot 23, Map No. 12606, and Lot 27, Map No. 12607, in the A-1-10, M-1B, and HRO (proposed R-1-5000, M-1B, and HRO) Zones; and

WHEREAS, on October 27, 1994, the Planning Commission recommended approval of Tentative Map No. 92-0610, Sorrento Hills Corporate Center, Phase II, Unit 4; and

WHEREAS, the matter was set for public hearing by the Council on December 6, 1994, 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. 92-0610:

1. The map proposes the subdivision of a 37.8-acre site into 80 lots for residential and commercial development. This type of development is consistent with the General Plan and the Sorrento Hills Community Plan, which designate the area for residential and 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 map are consistent with the zoning/development regulations of the R-1-5000, M-1B, and HRO Zones 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 Planned Residential Development (PRD) Permit.

b. All lots meet the minimum dimension requirements of the R-1-5000, M-1B, and HRO Zones, 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, as allowed under a PRD.

d. Development of the site is controlled by PRD Permit No. 92-0610.

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 and 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 residential and commercial uses.

6. The design of the subdivision or 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 of Environmental Impact Report No. 92-0610, 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 as 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, in as much 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 the General Plan of the City of

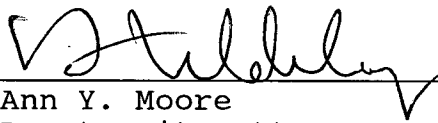
San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing 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 Tentative Map No. 92-0610, Sorrento Hills Corporate Center, Phase II, Unit 4, is hereby granted to AG Land Associates, Inc., Applicant, and Crosby, Mead & Benton, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By


Ann Y. Moore
Deputy City Attorney

AYM:ps
01/25/95
Or.Dept:Clerk
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CONDITIONS TO TENTATIVE MAP NO. 92-0610
SORRENTO HILLS CORPORATE CENTER, PHASE II, UNIT 4

1. This tentative map will become effective with City Council approval of the associated rezoning and will expire three years thereafter. If the rezoning is denied, then this tentative map shall be deemed denied.
2. The final map shall conform to the provisions of Planned Residential Development Permit No. 92-0610.
3. 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.

4. "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).
5. "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."
6. 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

R - 285090

ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

7. The approval of this tentative map by the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
8. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Environmental Impact Report No. 92-0610, satisfactory to the Development Services Director and the City Engineer, which is included herein by this reference.
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 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.
11. 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.
12. 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 62.0415 et seq.
13. 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.
14. 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.

15. This subdivision shall conform to the transportation phasing plan for Sorrento Hills, as identified in the Sorrento Hills Public Facilities Financing Plan. This may involve assurance of additional public improvements, satisfactory to the City Engineer.
16. This subdivision shall comply with the approved traffic study for the Sorrento Hills Community Plan Update, satisfactory to the City Engineer.
17. Providing streets for this subdivision is dependent upon the prior construction of certain streets in previously approved developments in this area. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved streets, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
18. The subdivider shall construct a traffic signal at the intersection of Carmel Mountain Road and Yerba Mansa Court. The signal shall be interconnected with the future traffic signal at Carmel Mountain Road and Sorrento Hills Boulevard East, satisfactory to the City Engineer.
19. Street "A" (between Street "B" and Yerba Mansa Court) is classified as a two-lane collector street within a 60-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way and shall provide 40 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
20. Street "A" (north of Street "B") and Street "B" (west of Street "E") are classified as local residential streets within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way and a 45-foot right-of-way radius for the cul-de-sac and shall provide 36 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a cul-de-sac with a 35-foot curb radius, satisfactory to the City Engineer.
21. Street "B" (between Street "A" and Street "C") is classified as a local residential street within a 60-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way and shall provide 40 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
22. Street "B" (east of Street "A") and Street "D" are

classified as local residential streets within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way and a 45-foot right-of-way radius for the cul-de-sac and shall provide 36 feet of pavement, curb, gutter, four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, and a cul-de-sac with a 35-foot curb radius, satisfactory to the City Engineer.

23. Street "B" (between Street "C" and Street "E") is classified as a local residential street within a 52-foot-wide right-of-way. The subdivider shall dedicate a 52-foot-wide right-of-way and shall provide 32 feet of pavement, curb, gutter, and four-foot-wide sidewalk (on the north side only) within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
24. Street "C" is classified as a residential street within a 60-foot-wide right-of-way. The subdivider shall dedicate a 60-foot-wide right-of-way and shall provide 40 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
25. Street "E" is classified as a local residential street within a 56-foot-wide right-of-way. The subdivider shall dedicate a 56-foot-wide right-of-way and shall provide 36 feet of pavement, curb, gutter, and four-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
26. Prior to the recordation of the final map, the subdivider shall provide a mutual-access easement over Lot 80, satisfactory to the City Engineer. Lot 80 shall have a standard City driveway, satisfactory to the City Engineer.
27. Water Requirements:
 - a. The developer shall provide a water study, satisfactory to the Water Utilities Director. The study shall plan the pressure zone(s) necessary to serve this development.
 - b. The developer shall install all facilities, as required by the approved water study.
 - c. Water availability in this area may be limited due to the status of the design and construction of the Green Valley Pipeline. Completion of Reach 5 of the Green Valley Pipeline will be required prior to the issuance of any building occupancy permits. A current water study shows that the entire North City 610 Pressure Zone is deficient and does not have an adequate water supply to serve development beyond the existing

threshold limit.

- d. The developer shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants and/or thirty (30) Equivalent Dwelling Units (EDUs) are located on a dead-end main, then a dual-fed system shall be installed.

28. 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 existing and proposed mains will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies.
- b. The developer shall install all facilities, as required by the approved sewer study.
- c. The Peñasquitos Trunk Sewer is approaching its ultimate capacity. If any wastewater from this development flows into the Peñasquitos Trunk Sewer, then connections may be limited.

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 or 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 shall provide private easements for the private mains or show easement locations in the CC&R's.
- b. Providing water and sewer for this subdivision is dependent upon the prior construction of certain water and sewer mains in previously approved developments in this area. If they have not been constructed when required for this development, then the construction of certain portions of these previously approved water and sewer mains, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
- c. The subdivider shall grant adequate water and sewer easements, satisfactory to the Water Utilities Director. The easements shall have vehicular access. No structures of any kind shall be built in or over the easement without first obtaining an Encroachment Removal Agreement from the City Engineer.

- d. The final map(s) shall show all existing water, sewer, and/or general utility easements, satisfactory to the Water Utilities Director. The old easements may be abandoned after all public improvements associated with the tentative map are constructed, operational, and accepted by the City of San Diego (including as-built drawings).
30. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
31. 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 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 owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 92-08-DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

32. Open Space Requirements:
 - a. Lots 71 and 74 through 79 shall have a negative open space easement for brush management and shall be owned and maintained by the Homeowners' Association.
 - b. A portion of Lot 73 shall have a negative open space easement and shall be owned and maintained by the property owner.
33. 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 (FBA) or such other means as may have been established by the City Council.

34. Prior to the recordation of the first final map, the subdivider shall comply with the Sorrento Hills Development Agreement, adopted by City Council on May 15, 1989 (Document No. #0-0017300), satisfactory to the City Engineer.

FOR INFORMATION:

- This development may be subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code Section 102.0406 et seq. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code Section 96.0401 et seq.
- This development 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.
- This development may be subject to impact fees, as established by the City Council.
- This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

APPROVED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON DECEMBER 6, 1994, BY RESOLUTION NO. R-285090.