

RESOLUTION NUMBER R- 288438

ADOPTED ON MAR 17 1997

WHEREAS, A G LAND ASSOCIATES, LLC, Applicant, and CROSBY, MEAD, BENTON & ASSOCIATES, Engineer, filed an application for a 1098 lot vesting tentative map, & vacation of streets and abandonment of open space and public service easements, located east of I-5 and easterly of Carmel Mountain Road, and described as Torrey Reserve Heights Unit No. 1, Map No. 13358 excepting therefrom Lot "G" of said map, Parcel Map No. 17371, Map No. 12606, Map No. 12611, Map No. 12609 and Map No. 12610 excepting therefrom Lot "B" of said map, and Sorento Hills Corporate Center Phase II Unit No. 3, Map No. 12607 excepting therefrom Lots 78, 79 and 80 of said map, and portions of sections 29, 30, 31 and 32 of Township 14 South, Range 3 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, in the R-1500, R-3000, R1-5000, M-1A, M-1P and CA Zones; and

WHEREAS, on March 17, 1997, the City Council of the City of San Diego considered VTM 95-0554, Torrey Hills & vacation of streets and abandonment of public service easements, pursuant to Section 102.0307 of the Municipal Code of the City of San Diego, and received for its consideration written and oral presentations, and heard from all interested parties present at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, that the City Council of The City of San Diego makes the following findings:

1. The map proposes the subdivision of a 491.1 acre site into 1098 lots for residential, industrial 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, industrial 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 M-IA, M-IP, CN, R-1500, R-3000 and R1-5000 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/Planned Industrial Development/Coastal Development (PRD/PID/CDP) Permit.
 - b. All lots meet the minimum dimension requirements of the M-IA, M-IP, CA, R-1500, R-3000 and R1-5000 Zones, as allowed under a PRD/PID/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 PRD/PID/CDP.
 - d. Development of the site is controlled by PRD/PID/CDP/HRP Permit No. 95-0554.
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, industrial 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, industrial 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 Subsequent Environmental Impact Report No. 95-0554, 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, in as much as needed public services and facilities are

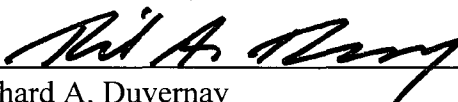
available/or required by condition of this map to provide for water and sewage facilities, as well as other related public services.

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 Planning Commission 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.
10. The property contains right-of-way and public service easements which must be vacated to implement the final map in accordance with San Diego Municipal Code Section 102.0307. The tentative map must be approved by the City Council.

That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that, based on the findings hereinbefore adopted by the City Council, Vesting Tentative Parcel Map 95-0554, Torrey Hills, is hereby approved, subject to the conditions attached hereto:

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

RAD:cdk
04/14/97
Or.Dept:Clerk
Case #95-0554
R-97-1050
Reviewed by John Fisher

**CITY COUNCIL CONDITIONS FOR
VESTING TENTATIVE MAP NO. 95-0554**

1. This tentative map will become effective on the effective date of the rezone and will expire 3 years thereafter. If the rezone and/or the associated street vacations are denied, then this vesting tentative map shall be deemed denied.

Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the first final map unless, otherwise noted.

2. The approval of this vesting tentative map shall terminate Torrey Reserve Heights Tentative Map No. 91-0361 and it shall no longer be in force or effect.
3. The final map shall conform to the provisions of Planned Residential Development/Planned Industrial Development/Coastal Development Permit/Hillside Review Permit No. 95-0554.
4. 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.

5. "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).
6. "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."
7. Every final map shall:
 - i. 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 meridian

(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.

- a. 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.
8. The approval of this vesting 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.).
9. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Subsequent Environmental Impact Report No. 95-0554, satisfactory to the Development Services Manager and the City Engineer, which is included herein by this reference.
10. The subdivider must provide a geologic (geotechnical) investigation 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.
11. The subdivider has reserved the right to record multiple final maps and parcel 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.
12. 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.

13. The subdivider has requested to create large lots over specific areas of development by the recordation of Parcel Maps. The subdivider may record Parcel Maps "A", "B" and "C", as shown on the Vesting Tentative Map, provided the subdivider dedicates street right of way, provides full street improvements and public facilities as shown on the Vesting Tentative Map, satisfactory to the City Engineer.
14. 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.
15. Under grounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
16. This subdivision shall comply with the approved traffic study for the Sorrento Hills Community Plan Update, satisfactory to the City Engineer.
17. All final map and parcel maps shall conform to the Transportation Phasing Plan for Sorrento Hills as identified in the Sorrento Hills Public Facilities Financing Plan. This may involve the assurance of additional public improvements, satisfactory to the City Engineer.
18. Prior the recordation of a parcel map or concurrent with City Council approval of a final map, the subdivider shall terminate/amend accordingly the following Subdivision Improvement Agreements and all associated drawings and documents:

Sorrento Hills Corporate Center Phase II Unit 1 Map 12606
Sorrento Hills Corporate Center Phase II Unit 2 Map 12610
Sorrento Hills Corporate Center Phase II Unit 3 Map 12607
Sorrento Hills Corporate Center Phase II Unit 6 Map 12611
Sorrento Hills Corporate Center Phase II Unit 7 Map 12609
Torrey Reserve Heights Unit No.1, Map 13358
Parcel Map No. 17371
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. All earth slopes within the public right-of-way shall not exceed a two percent

(2%) grade. Where slopes are adjacent to, not within, the public right-of-way, there shall not be any slope easements. The slopes shall be within private property and shall have assured maintenance. The subdivider shall assure that the maintenance of the slopes within this subdivision and created due to this subdivision is managed. This may be satisfied by including such maintenance in the landscape maintenance district and assuring that there are adequate funds to provide for this maintenance, by including the maintenance in the Homeowners' Association agreement, or by including it in the CC & R's.

21. Providing streets, including the Carmel Mountain Road/I-5 freeway interchange, 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, including freeway interchange, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
22. Carmel Mountain Road is classified as a four-lane major street east of El Camino Real within a minimum 98-foot-wide right-of-way and a 108-foot-wide right-of-way where dual left-turn lanes are required. The subdivider shall dedicate a 98-foot-wide right-of-way and a 108-foot-wide right-of-way where dual left-turn lanes are required and shall provide pavement, a varying 14 to 24-foot-wide raised landscaped center median, curb, gutter and five-foot sidewalk within a minimum ten-foot curb-to-property-line distance, satisfactory to the City Engineer. The total sidewalk area shall be within the public right-of-way. This street may have additional right-of-way width for additional lanes at the intersections and a landscaped parkway area, satisfactory to the City Engineer.
23. The intersection of "CC" Street/Private Driveway and Carmel Mountain Road will be signalized. For Unit 13 the subdivider shall provide curb returns for the Private Driveway and a minimum 28 feet of pavement for inbound traffic.
24. Vista Sorrento Parkway is classified as a four-lane major street between Carmel Mountain Road and approximate Station 30+00. The subdivider shall dedicate a varying 118-foot-wide to 126-foot-wide right-of-way and shall provide full width pavement and a 4 foot to 24-foot-wide raised landscaped center median, widened at the intersection for left-turn and right-turn pockets, curb and gutter and 5-foot-wide sidewalk shall be provided within a minimum 15-foot wide curb-to-property-line distance; all satisfactory to the City Engineer. This street may have additional right-of-way width for additional lanes at the intersections and landscape parkway areas, satisfactory to the City Engineer.
25. Vista Sorrento Parkway is classified as a modified four-lane major street between

approximate Station 30+00 and approximate Station 43+80. The subdivider shall dedicate a varying 102-foot-wide to 126-foot-wide right-of-way and shall provide full width pavement and a 4 foot to 24 foot wide raised landscaped center median. Widened at the intersection for left-turn and right-turn pockets, curb and gutter; 5-foot-wide sidewalk shall be provided on the west side within a minimum 20-foot-wide curb-to-property-line distance, and sidewalk on the east side within a varying 10 to 15 foot wide curb-to-property-line distance, all satisfactory to the City Engineer. This street may have additional right-of-way width for additional lanes at the intersections and landscape parkway areas, satisfactory to the City Engineer.

26. Vista Sorrento Parkway is classified as a modified four-lane major street within a minimum 102-foot-wide right-of-way between approximate Station 43+80 and approximate Station 65+51. The subdivider shall obtain and dedicate a 102-foot-wide right-of-way and shall provide a uniform 72-foot-width of pavement, including an 8-foot-wide center striped median with a concrete barrier, curb, gutter and minimum 5-foot-wide sidewalk on the east side of the street within a minimum ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
27. Vista Sorrento Parkway is classified as a modified four-lane major street within a minimum 87-foot-wide right-of-way between approximate Station 65 + 51 and approximate Station 70 + 39. The subdivider shall obtain and dedicate an 87-foot-wide right-of-way and shall provide full width pavement, including an 8-foot-wide striped center median with a concrete barrier, curb, gutter and minimum 5-foot-wide sidewalk within the ten-foot curb-to-property-line distance on the east side of the street, satisfactory to the City Engineer.
28. Vista Sorrento Parkway is classified as a modified four-lane major street between Station 70 + 39, and approximate Station 79 + 75. The subdivider shall obtain and dedicate a varying 87- foot-wide to a 75-foot-wide right-of-way and shall provide varying full width pavement and bridge, including an 8-foot-wide striped center median with a concrete barrier, curb, gutter and minimum 5-foot-wide sidewalk within ten-foot curb-to-property-line distance on the east side of the street, satisfactory to the City Engineer. The final design of the bridge shall be satisfactory to the City Engineer.
29. Vista Sorrento Parkway is classified as a modified four-lane major street between approximate Station 79 + 75 and Sorrento Valley Boulevard. The subdivider shall obtain and dedicate additional right-of-way from CalTrans to complete a 75-foot-wide right-of-way and shall provide additional pavement to complete a 60-foot-wide roadway, including a ten-foot-wide center striped median, curb and gutter, maintaining the existing curb, gutter and five-foot-wide sidewalk on the east side

of Vista Sorrento Parkway, satisfactory to the City Engineer. On the east side of the road, the subdivider shall reconstruct and maintain the existing driveways that serve the adjacent property.

30. "A" Street and "B" Street are classified as four-lane major streets within minimum 102-foot-wide rights-of-way. The subdivider shall dedicate minimum 102-foot-wide rights-of-way and additional right-of-way to provide for left turn lanes and shall provide minimum 64 feet of pavement, additional pavement for left-turn lanes, a 14-foot-wide raised landscaped center median, curb, gutter and minimum 5-foot-wide sidewalk within a minimum twelve-foot curb-to-property-line distance, satisfactory to the City Engineer.
31. "C" Street is classified as a local residential street, between "I" Street and "Y" Street. The subdivider shall dedicate a 56-foot-wide right-of-way and shall provide 36 feet of pavement, curb, gutter and five-foot-wide sidewalk on both sides of the street within a minimum ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
32. "C" Street is classified as a modified two-lane local residential street between "Y" Street and "A" Street. The subdivider shall dedicate a varying 56-foot-wide to 70-foot-wide right-of-way and shall provide 36 feet to 50 feet of pavement, a 12-foot-wide center striped median, curb, gutter and five-foot-wide sidewalk on both sides of the street within a minimum ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
33. "C" Street is classified as a modified two-lane collector street between "A" Street and to a point 670 feet± north of "B" Street. The subdivider shall dedicate 70-foot-wide right-of-way and shall provide 50 feet of pavement, a 12 foot-wide center striped median, curb, gutter and minimum 5-foot-wide sidewalk on both sides of the street within a minimum 10-foot curb-to-property-line distance, satisfactory to the City Engineer.
34. "C" Street is classified as a modified two-lane collector street between a point 670 feet± north of "B" Street and 300 feet± north of "B" Street. The subdivider shall dedicate a varying 70 to 84 foot-wide right-of-way and shall provide 50 to 64 feet of pavement, a 12 to 24 foot-wide center striped median, curb, gutter and minimum 5-foot-wide sidewalk on both sides of the street within a minimum ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
35. "C" Street is classified as modified two-lane collector street with a varying right-of-way width of 74 feet from a point 300 feet ± north of "B" Street to 88 feet to a point 400 feet± south of "B" Street. The subdivider shall dedicate a varying right-of-way of 74 feet to 88 feet and shall provide full of pavement, a 12 to 24-foot-

wide raised center median curb, gutter and minimum 5-foot-wide sidewalk on both sides of the street, within a minimum ten-foot curb-to-property-line distance, satisfactory to the City Engineer.

The subdivider shall construct a raised median in "C" Street to prohibit left turns in/out, to/from Lots 3 and 4 of Unit 19.

36. "C" Street is classified as a modified two-lane collector street between a point 500 feet±south of "B" Street to a point 850 feet± south of "B" Street. The subdivider shall dedicate a varying 70 to 84 foot-wide right-of-way and shall provide 50 to 64 feet of pavement and a 14 to 24-foot-wide striped center median, curb and gutter and 5-foot-wide sidewalk within a minimum 10-foot-wide curb-to-property-line distance, satisfactory to the City Engineer. This street may have additional paving width for additional lanes at the intersections and landscape parkway areas, satisfactory to the City Engineer.
37. "C" Street is classified as a modified two-lane collector street within a minimum 70-foot-wide right-of-way from a point 850 feet south of "B" Street to a point 300 feet North of "X" Street. The subdivider shall dedicate a minimum 70-foot-wide right-of-way and shall provide minimum 50 feet of pavement, a 12 foot-wide center striped median curb, gutter and minimum 5-foot-wide sidewalk on both sides within a minimum 10-foot curb-to-propertyline distance, satisfactory to the City Engineer.
38. "C" Street is classified as modified two-lane collector street between a point 300 feet north of "X" Street, and "GG" Street. The subdivider shall dedicate a varying 70-foot-wide to 98-foot wide right-of-way and shall provide 50 feet to 78 feet of pavement, a 12-foot-wide to 14-foot wide center striped median curb, gutter and minimum 5-foot-wide sidewalk on both sides within a minimum ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
39. "C" Street is classified as a modified four-lane collector street between "GG" Street and Carmel Mountain Road. The subdivider shall dedicate a varying 98-foot-wide to 108-foot-wide right-of-way and shall provide full pavement and a 14-foot-wide to 24-foot-wide raised center median, curb and gutter and 5-foot-wide sidewalk within a minimum 10-foot-wide curb-to-property-line distance, satisfactory to the City Engineer. This street may have additional paving width for additional lanes at the intersections and landscape parkway areas, satisfactory to the City Engineer.
40. "D" Street is classified as a modified four-lane collector street between Carmel Mountain Road and a point 380 feet ± north of Carmel Mountain Road. The subdivider shall dedicate a varying 105- foot-wide to 88-foot-wide right-of-way

and shall provide 66 feet to 54 feet of pavement and a 21-foot-wide to 14-foot-wide raised landscaped center median, curb and gutter and 5-foot-wide sidewalk within a minimum 10-foot-wide curb-to-property-line distance, satisfactory to the City Engineer.

41. "D" Street is classified as a modified two-lane collector street between a point 380 feet ± north of Carmel Mountain Road and a point 240 feet ± north of "AA" Street. The subdivider shall dedicate a varying 88-foot-wide to 60-foot-wide right-of-way and shall provide 68 feet to 40 feet of pavement, a 0 to 7-foot-wide center striped median, curb, gutter and minimum 5-foot-wide sidewalk within a minimum 10-foot curb-to-property-line distance, satisfactory to the City Engineer.
42. "D" Street (from 240 feet ± north of "AA" Street off site to "JJ" Street) is classified as a two-lane collector street within a minimum 60-foot-wide right-of-way. The subdivider shall dedicate a minimum 60-foot-wide right-of-way and shall provide a minimum 40 feet of pavement, curb, gutter and five-foot-wide sidewalk on both sides of the street within a minimum ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
43. "E" Street (between "C" Street and a point 510 feet ± east of "C" Street) is classified as a modified 2 lane collector street. The subdivider shall dedicate a varying 74 to 60-foot-wide right-of-way and shall provide 54 to 40 feet of pavement, a 14 foot wide striped center median, curb, gutter and a minimum 4 foot-wide sidewalk within a minimum ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
44. "E" Street (between a point 510 feet ± east of "C" Street to "M" Street) is classified as a 2 lane collector street. The subdivider shall dedicate a 60-foot-wide right-of-way and shall provide 40 feet of pavement, curb, gutter and a minimum 4-foot-wide sidewalk within a minimum 10-foot curb-to-property-line distance, satisfactory to the City Engineer.
45. "Z" Street is classified as a 2-lane collector street, between Carmel Mountain Road and "WW" Street. The subdivider shall dedicate a 60-foot right-of-way and shall provide 40 feet of pavement, a 12-foot-wide center striped median, curb, gutter and a minimum 4 foot wide sidewalk within a 10 foot curb-to-property line distance, satisfactory to the City Engineer.
46. "CC" (between Carmel Mountain Road and "DD" Street) and "GG" Streets are classified as two-lane collector streets. The subdivider shall dedicate 70-foot-wide rights-of-way and shall provide 50 feet of pavement, curb, gutter and five-foot-wide sidewalk on both sides of the street within a minimum ten-foot curb-to-

property-line distance, satisfactory to the City Engineer.

47. Streets "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "W", "X", "Y", "AA", "BB", "CC", "DD", "EE" (including offsite), "FF", "HH"(including offsite), "II", "JJ"(including offsite), "KK", "LL", "MM", "NN", "OO", "PP", "QQ", "RR", "SS", "TT", "UU", "VV", "WW", "XX" and "YY" are classified as local residential streets. The subdivider shall dedicate minimum 56-foot-wide rights-of-way and shall provide minimum 36 feet of pavement, curb, gutter and minimum 4-foot-wide sidewalk within minimum ten-foot curb-to-property-line distance for each street, satisfactory to the City Engineer.
48. Private Street "A" shall have an easement width of 74 feet and have 54 feet of pavement curb, gutter and a 5-foot sidewalk within a 10-foot curb-to-propertyline distance, satisfactory to the City Engineer.
49. Cul-de-sacs that have a length of 500 feet or less, shall have 35-foot curb and 45-foot right-of-way radius. Cul-de-sacs that exceed 500-feet in length shall have a 48-foot curb and 58-foot right-of-way radius.
50. The subdivider shall grant a 30-foot Irrevocable Offer of Dedication in Lot "C" of Unit 2 and in lot "A" of Unit 17, for a total width of 60 feet, and shall be graded full width, within the subdivision boundary.
51. Units 12, 18A and 18B are for the purpose of condominium development as defined in Section 1351 of the Civil Code of the State of California and pursuant to the Subdivision Map Act.
52. Prior to the recordation of Unit 19, the subdivider shall enter into an agreement with CalTrans and the City for the construction of Vista Sorrento Parkway south of Street "B". The agreement shall require that the subdivider dedicate the necessary right-of-way to CalTrans for the widening of the I-5/805 freeway to CalTrans within the subdivider's ownership, in accordance with the Development Agreement, satisfactory to the City Engineer. The agreement shall also address the relocation of the existing SDG&E overhead power lines and underground gas lines, grading, drainage, landscaping, retaining walls, bridges, and other appurtenances as required for the construction of Vista Sorrento Parkway and the I-5/805 freeway widening.
53. Lot B of Unit 16 shall be designated not a building site. When the adjacent property is subdivided (Carmel Estates - VTM 95-0381) the lots shall be resubdivided to create legal buildable lots.

54. Unit 5 is a possible elementary school site. Prior to the recordation of a residential final map for Unit 5, the subdivider shall provide evidence to the City that the parcel was offered for sale to the school district and the school district either declined the offer or failed to respond within 90 days of the date of the offer.
55. Prior to the recording of the first final map or parcel map, the subdivider shall comply with the Sorrento Hills Development Agreement, satisfactory to the City Engineer.
56. The subdivider shall provide traffic signals at the following intersections, satisfactory to the City Engineer:
- a. Carmel Mountain Road at Sorrento Valley Road
 - b. Carmel Mountain Road at I-5 southbound ramps
 - c. Carmel Mountain Road at I-5 northbound ramps
 - d. Carmel Mountain Road at Vista Sorrento Pkwy
(modify existing signal).
 - e. Carmel Mountain Road at "C" Street
 - f. Carmel Mountain Road at Shopping Center Access
 - g. Vista Sorrento Pkwy at "A" Street
 - h. Vista Sorrento Pkwy at "B" Street
 - i. Street "B" at Street "C"
 - j. Vista Sorrento Pkwy/ Sorrento Valley Blvd.
 - k. Sorrento Valley Boulevard at Roselle Street
 - l. Carmel Mountain Road at "Z" Street
 - m. Vista Sorrento Parkway and Private Street "A"
 - n. Modify the signal at Carmel Mountain Road/El Camino Real/Carmel Creek Road.
57. The subdivider shall provide for the traffic signal at the intersection of El Camino Real and Arroyo Sorrento Road subject to the following conditions:
- a. The City agrees to make a determination as to whether or not the signal is warranted within 2 years from the date of the vesting tentative map approval by the City Council.
 - b. If the City determines within two years that the signal is warranted, the subdivider will construct the signal, with the City contributing the \$34,000 collected from American Assets for the construction of the signal.
 - c. If the City does not decide within two years that the signal is warranted, the subdivider will pay the City the difference of the cost of the signal

(design and construction) and the contribution from American Assets.

58. The subdivider shall provide for transit stops and shall construct a ten foot wide, 25 foot long sidewalk, on both sides of the street, in accordance with "Designing for Transit" at the following locations, satisfactory to MTDB and the City Engineer:
 - I. On Vista Sorrento Parkway at Streets "A" and "B".
 - II. On Carmel Mountain Road at Streets "D", "Z" and "UU".
59. The subdivider shall provide adequate sight distance easements as required at all street intersections and at driveways.(e.g. Street "E" at Street "C", Street "P" at Street "C")
60. The subdivider shall not file a final map over Unit 16 until the full-width dedication and full-width street improvements for the offsite portions of "D", "EE", "HH" and "JJ" Streets are assured.
61. The subdivider shall provide mutual access easements as required.
62. All sidewalks shall be contiguous to the curb, unless otherwise approved by the City Engineer.
63. Where rolled curb is permitted by the City Engineer, the cement treated base shall extend underneath and to the back of the rolled curb.
64. Any required guard rails will be per CalTrans standards and satisfactory to the City Engineer.
65. The subdivider shall provide brush management in accordance with the Landscape Technical Manual, as approved by the Fire Department and Development Services .
66. All walls and footings shall be located outside of the City right-of-way, except between Station 75+50 and Station 77+28 of Vista Sorrento Parkway as shown in the Detail on Sheet 7 of the Vesting Tentative Map.
67. Access to private property from public streets shall be by Standard City driveways. Curb returns will be permitted when the driveway is signaled or at the entrance of an approved named private street.
68. WATER REQUIREMENTS:

- a. The subdivider shall provide a water study in accordance with the approved scope of work for the Miramar 712/North City 610 Pressure Zones by Pountney & Associates, satisfactory to the Water Department Manager.
- b. The subdivider may request the City to process a Participation Agreement to recover a portion of the developer's cost of the 712/610 water study in accordance with City regulations and practices pertaining thereto.
- c. The subdivider shall provide an on-site water study satisfactory to the Water Department Manager. The study shall plan the pressure zone(s) necessary to serve this development including pressure regulating stations.
- d. The subdivider shall install all facilities as required by the accepted water studies necessary to serve this development. Facilities, as shown on the approved tentative map, may not be acceptable.
- e. The subdivider shall provide individual design reports for each pressure regulating station, satisfactory to the Water Department Manager, necessary to serve this development.
- f. The subdivider 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) dwelling units are located on a dead-end main then a looped system shall be installed.

69. SEWER REQUIREMENTS:

- a. The subdivider shall provide a sewer study, satisfactory to the Metropolitan Wastewater Department Manager, for the sizing of gravity sewer mains and to show that the existing and proposed facilities will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basins in which it lies.
- b. The subdivider shall install all facilities as required by the accepted sewer study necessary to serve this development. Facilities, as shown on the approved tentative map, may not be acceptable.

70. WATER AND SEWER REQUIREMENTS:

- a. The subdivider shall design all water and sewer facilities to the most current edition of the City of San Diego Water & Sewer Design Guide. If

facilities do not meet the current standards, then such facilities shall be private.

- b. The subdivider shall provide evidence, satisfactory to the Water and Metropolitan Wastewater Departments' Managers, indicating that each parcel will have its own water service and sewer lateral or provide CC&Rs for the operation and maintenance of on-site private water and sewer mains that serve more than one lot. Also, provide private easements for the private mains.
 - c. The subdivider shall provide adequate, easements for all public water and sewer facilities which are located outside of public rights-of-way, satisfactory to the Water and Metropolitan Wastewater Departments' Managers. Vehicular access easements shall be provided to all water and sewer appurtenances (manholes, blowoffs, air valves, cleanouts, gate and butterfly valves, meters, etc.). Vehicular access easements shall have roadbeds surfaced with suitable approved material, satisfactory to the Water and Metropolitan Wastewater Departments' Managers. No structures of any kind shall be built in or over the easements without first obtaining encroachment removal agreements.
71. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
72. All detention basins shall have storage easements and are subject to the City Engineer's approval.
73. The developer has provided a downstream drainage study, that demonstrates that no adverse impacts will occur to downstream properties as a result of the increased runoff from this development.
74. 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 acknowledgment 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.

75. Portions of the proposed offsite construction of Vista Sorrento Parkway are located in the floodplain of Los Penasquitos Creek, as delineated on Panel 71 and 73 of the Flood Insurance Rate Map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA). In connection with the approval of this tentative map:
- a. The developer shall submit a Hydraulic and Hydrologic Study of the area within the floodway for approval by the City Engineer.
 - b. The developer shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for the construction of flood control facilities and their perpetual maintenance.
 - c. The developer shall denote on 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 flow velocity exceeds 5 FPS.
 - e. The developer shall provide safety fencing where required by the City Engineer.
 - f. 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.
 - g. Per the letter from the Federal Emergency Management Agency (FEMA) to the honorable Susan Golding, Mayor of the City of San Diego, dated September 12, 1996, a Conditional Letter of Map Revision (CLOMR) has been issued for the proposed work in the floodplain of Los Penasquitos Creek (FEMA Case No. 95-09-987R).
 - h. The developer shall place air-blown-mortar on both existing rip-rap channel sides for a distance of approximately 110' between Sections 10.1 and 10.5, as described in the report of hydraulic analysis which is associated with FEMA Case No. 95-09-987R, satisfactory to the City

Engineer.

- i. When as-built grading and public improvement plans are available, the developer must submit a request for a Final LOMA or Final LOMR to FEMA via the Floodplain Management Section of the City of San Diego Engineering and Development Department. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
- j. The bond for this project will not be released until the Final LOMA or Final LOMR is issued by FEMA. The Floodplain Management Section of the City of San Diego Engineering and Development Department will notify the Development Services Division of such issuance as soon as it is informed by FEMA.
- k. Notes provided by the Floodplain Management Section of the City of San Diego Engineering and Development Department concerning work in designated floodplain shall be included in all grading and improvement plans.

76. Developer shall enter into an agreement with the City Manager to provide for the population-based park requirements of the proposed 2,098 dwelling units within this development or covered by letters of agreement. Said agreement shall address the following provisions.

- a. Deed to the City at no cost a minimum fourteen (14) useable acre neighborhood park in a graded condition acceptable to the Park and Recreation Department. Developer shall provide a bond in good faith for a total of \$5,600,000 to be released upon delivery of an acceptable deed to the City.
- b. Design and construct, at no cost to the City, the fourteen (14) useable acre neighborhood park with lighted multi-sports fields, multi-purpose courts, open play lawn, picnic areas, tot lots, restroom and parking lots. Developer shall provide a bond in good faith for a total of \$2,100,000 to be released upon delivery of an acceptable developed park.
- c. Design and construct, at no cost to the City, a 3,125 square foot recreation building. Developer shall provide a bond in good faith for a total of \$625,000 to be released upon occupancy of said facility. Developer may provide funding toward the construction of a larger recreation building serving the joint Sorrento Hills-Carmel Valley South community.

- d. Developer shall provide a bond to cover the fair share costs toward the design and construction of a swimming pool, located in Carmel Valley North. This bond shall not exceed a total of \$323,400 and be released upon the completion and acceptance of the swimming pool.
 - e. Developer may request and the City may determine that a Special Park Fee be established for either or both of the bonds required in Sections C and D of this document. Said fees shall be established and collected at the time a building permit is pulled on any dwelling unit in Sorrento Hills. Said fees shall be equal regardless if the dwelling unit is a single family or a multi-family unit. Said fees shall be \$361.27 for the recreation building and \$186.94 for the swimming pool. A normal escalation clause to handle yearly cost increases shall be included.
77. The subdivider shall grant to the City, the Open Space lots as stated in General Note #15, in fee simple and at no cost.
78. All areas to be maintained by a landscape maintenance district shall have an landscape easement granted to the City and be approved by the Open Space Division of Park and Recreation Department.
79. The subdivider shall grant the City, negative open space and building restricted and easements as stated in General Notes # 4 and # 11 and provide brush management areas, all as shown on the vesting tentative map.
80. 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 Development Services Manager. 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.

81. Prior to recordation of any final map which impacts SDG&E's access and/or easements, the subdivider shall provide a letter from SDG&E to the City Engineer stating that SDG&E's requirements are satisfied.
82. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Development Services Department for each final map processed in connection with this vesting tentative map.

83. The following are required environmental mitigation measures for the Torrey Hills subdivision that the subdivider must implement to comply with the Mitigation, Monitoring and Reporting Program (MMRP) as specified in the Environmental Impact Report (EIR) No. 95-0554, satisfactory to the City Engineer. In addition to the measures listed below, condition numbers 10, 17,22,24-29,56,74 are required by the MMRP.

a. Landform Alteration: The City of San Diego's Land Development Review Division shall review final maps and grading plans to verify implementation of the following measures:

- i. Continuous "engineered" slopes shall be softened to reflect natural contours though the use of contour grading techniques which undulate slopes and blend contours at transition areas.
- ii. New grading shall avoid the creation of hard horizontal edges through use of contour grading and undulating techniques.
- iii. All lot grading and surface drainage shall be designed to conform to the drainage pattern on the lot as established by the Torrey Hills Vesting Tentative Map.
- iv. When necessary, walkways and planting areas in natural slopes shall use small retaining walls no more than three feet in height and other natural stepping techniques to maximize the appearance of natural graded areas.

b. Visual Quality: Prior to the issuance of any grading permit, review of individual projects within Torrey Hills shall be required to ensure that development is consistent with the grading plans shown on the Vesting Tentative Map and Design Guidelines.

c. Biology:

- i. Any coast barrel cactus located within habitat to be graded shall be salvaged and transplanted by a qualified Biologist or other person approved by the Environmental Analysis Section of Land Development Review Division, Development Services. All transplanted cactus shall be located to an appropriate adjacent open space areas (e.g.) adjacent Los Peñasquitos Canyon Preserve), where feasible.

- ii. The subdivider shall provide a monetary contribution to the Los Penasquitos Lagoon Foundation to fund/partially fund an identified lagoon restoration or maintenance program in exchange for the mitigation in the Torrey Reserve Heights EIR (DEP Nos. 91-0361 and 92-0610/SCH No. 92041068) which identified impacts to 0.5 acres of on-site southern willow scrub and to 0.3 acres of unvegetated channels. The actual costs and mitigation program associated with this option would be evaluated following completion of construction activities and prior to implementation of the wetland vegetation plan.
- iii. Prior to issuance of a grading permit, the subdivider shall provide the Development Services Manager with proof that off-site acquisition and preservation of 6.23 acres of coastal sage scrub according to the criteria outlined in the MMRP has been accomplished.
- iv. The subdivider shall obtain pre-approval from Development Services Department, of a project biologist, according to the criteria in the MMRP. A note shall appear on the grading plans that the biologist shall notify Development Services Department two weeks prior to commencement of grading.
- v. The grading plans shall identify the limits of grading as shown on the vesting tentative map. No construction activities shall occur outside of these limits. Prior to commencement of grading the natural open space limits shall be marked by the construction supervisor and the project biologist. The biologist shall submit a letter report to the Principal Planner of the Development Services Department, Environmental Analysis Section, verifying that construction limits have been flagged in the field.

d. Geology/Soils:

- i. Prior to the issuance of grading permits, the grading plans shall indicate the following erosion control measures: on-site catchment basins, detention basins, and siltation traps along with energy dissipating measures at the terminus of storm drains or other similar means of equal or greater effectiveness. Alternative designs for the implementation of runoff and erosion control devices on individual lots, at the site planning stage, shall be approved by the City Engineer.

- ii. The grading plans shall incorporate a maintenance program for erosion and runoff control measures, which shall be approved by the City Engineer. The erosion and runoff control measures shall be designed and bonded for prior to acceptance of the grading and public improvements by the City. The applicant and future property owners shall be responsible for the specialized maintenance program and shall maintain records of the maintenance.
- iii. Landscaping of cut/fill slopes and the undeveloped building pads shall be accomplished in accordance with the City's Landscape Technical Manual.
- iv. A landscape architect shall be retained by the Owner/Permittee to monitor the revegetation of the project site.
- v. Energy dissipation devices shall be installed at the terminus of canyon subdrains to minimize erosion impacts to native vegetation.
- vi. For grading portions of the site within the Coastal Zone, the following additional measures shall be noted on grading plans:
- vii. In order to remove sediment from runoff waters draining from land undergoing development, sediment basins, desilting basins, and/or silt traps shall be installed as necessary in conjunction with the initial grading operations and maintained through the development process, as well as during the operation period.
- viii. All grading activities within the Coastal Zone shall be prohibited during the rainy season, which is designated by the City as the period from November 1 to April 1, unless special erosion control measures are implemented, satisfactory to the City Engineer.

e. Hydrology/Water Quality:

Notes on the grading plans shall indicate the following:

- i. All manufactured slopes shall be hydroseeded within 30 days of disturbance.
- ii. Manufactured slopes which exceed 10 feet in height will have a maximum gradient of 2:1. Slopes of less than 10 feet in height and side yard slopes may have a slope gradient of 1-1/2:1, if approved

by the City Engineer.

- iii. Sedimentation basins shall be installed and maintained during development to remove sediment from runoff water.
 - iv. Placement of riprap dissipaters and filter blanket material at all storm drain discharge points to reduce flow velocities.
 - v. Use of temporary erosion control measures during construction (i.e. sandbagging, sediment basins, silt traps, desilting basins or debris basins).
 - vi. Detention Basins - Detention basins detain runoff allowing sediment and oil fuel residues to settle thereby improving water quality. Temporary detention basins would be constructed on the project site within areas shown for grading in conjunction with implementing the Tentative Map.
 - vii. Vegetative Controls - Plant materials intercept rainfall, filter runoff, enhance infiltration and absorb moisture and nutrients, all of which contribute to improved water quality. The project site would be landscaped in accordance with the Landscape Concept Plan proposed for the project and with the City of San Diego Landscape Technical Manual.
- f. Paleontological Resources: The subdivider shall conduct paleontological monitoring as described in the MMRP. The subdivider shall provide verification that a qualified paleontologist and/or paleontological monitor have been retained to implement the monitoring program. Verification shall be in the form of a letter from the subdivider to the Development Services Manager.

84. *The following condition shall be added to VTM 95-0554: At the time of the recordation of a Parcel Map(s) or Final Map(s) with the San Diego County Recorder, subdivider shall cause the following informational statements to be included as part of such Parcel Map(s), and or Final Map(s) notifying future property owners of the presence and current operation within their property.*

- I) San Diego Gas & Electric Company (SDG&E) currently operates a substation located near the lots created by this Parcel Map(s) and/or Final Map(s); and*
- ii) At some future date, SDG&E may seek to expand its current operations within SDG&E's property and within existing transmission easements.*

85. *A sign detail shall be added to the VTM for signs disclosing the presence of SDG&E facilities. The signs shall be located within the public right-of-way be installed by the subdivider and maintained by the Landscape Maintenance District. The signs shall be located generally in the locations shown on the attached Exhibit A.*
86. *The landscaping plan attached as Exhibit B and the subdivider shall prepare construction drawings for installation of landscaping and irrigation on SDG&E's 40-acre Peñasquitos substation substantially in conformance with Sheet "X" of the VTM. Provided that SDG&E grants the necessary construction and maintenance easements to the subdivider and the Sorrento Hills Landscape Maintenance District (SHLMD) and provided further that SDG&E agrees to participate in its fair-share of assessments for the SHLMD, prior to the time that the subdivider is entering into subdivision improvement agreements with the City for the construction of improvements adjacent to the substation, subdivider shall agree to install said landscaping and maintain it until accepted for maintenance by the SHLMD. If SDG&E does not provide the appropriate easements and agree to be assessed by the SHLMD as provided above, this condition shall be deemed to be met by the preparation of appropriate construction drawings.*

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 Development Services Manager.

This development may be subject to impact fees, as established by the City Council.

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.

APPROVED BY THE CITY COUNCIL
OF THE CITY OF SAN DIEGO,
CALIFORNIA, ON MARCH 17, 1997
BY A VOTE OF UNANIMOUS DECISION,
EXCEPTING DISTRICT 4
NOT BEING PRESENT.