

RESOLUTION NUMBER R-290516

ADOPTED ON JULY 28, 1998

WHEREAS, Del Mar Land Management, Inc., Applicant, and Latitude 33, Engineer, submitted by an application to The City of San Diego for a 68-lot vesting tentative map (Vesting Tentative Map No. 96-0625 for the Mesa Verde Estates project), located south of SR-56 and east of Carmel Country Road, and legally described as the south half of the west half of the north half of the southeast quarter of the northwest quarter in Section 22; the southeast quarter of the northeast quarter of the northwest quarter of Section 22; the northeast quarter of the northeast quarter of the northwest quarter of Section 22; the south half of the southeast quarter of the northwest quarter of Section 22, Township 14 South, Range 3 West, San Bernardino Meridian, in the Del Mar Mesa Specific Plan in Subarea V of the North City Future Urbanizing Area, in the A-1-1 zone; and

WHEREAS, on April 2, 1998, the Planning Commission of The City of San Diego considered Vesting Tentative Map No. 96-0625, and pursuant to Resolution No. 2620-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on July 28, 1998, 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. 96-0625:

1. The map proposes the subdivision of a 60.85-acre site into 68 lots for residential development (60 residential, 3 open space, 5 private driveways). This type of development is

consistent with the General Plan and the Del Mar Mesa Specific Plan in Subarea V of the North City Future Urbanizing Area which designates the area for residential 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 and development regulations of the A-1-1 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 Planned Residential Development [PRD] permit.

b. All lots meet the minimum dimension requirements of the A-1-1 zone, as allowed under a PRD permit.

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 permit.

d. Development of the site is controlled by Planned Residential Development/Coastal Development Permit/Hillside Review/Resource Protection Ordinance Permit No. 96-0625.

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

4. The site is physically suitable for residential 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 Del Mar Mesa Specific Plan, which provides for residential uses.

6. The design of the subdivision and the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of Environmental Impact Report [EIR] No. 96-0625, which is included herein by this reference. However, a finding has been made pursuant to Public Resources Code section 21081(c) that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.

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


8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego, and hereby finds, pursuant to Government Code section 66412.3, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environmental policies of the City Council.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Vesting Tentative Map No. 96-0625 is hereby granted to Del Mar Land Management, Inc., Applicant, and Latitude 33, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

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Or.Dept:Clerk
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Reviewed by Georgia Sparkman

CITY COUNCIL CONDITIONS TO VESTING TENTATIVE MAP NO. 96-0625
ADOPTED BY RESOLUTION NO. R-290516 ON JULY 28, 1998

1. This tentative map will expire three years after City Council approval.
2. 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.
3. The final map shall conform to the provisions of PCD/CDP/RPO Permit No. 96-0625.
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. 769830.

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:
 - 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. 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 tentative map by The City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or

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- policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. § 1531 et seq.).
9. The subdivider shall comply with the Mitigation Monitoring and Reporting Program as specified in Mitigated Negative Declaration Report No. 96-0625, satisfactory to the City Manager and the City Engineer, which is included herein by this reference.
 10. 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.
 11. The subdivider must provide a geologic reconnaissance 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.
 12. 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.
 13. Prior to the recordation of any final map, the subdivider shall provide affordable housing as required in the Del Mar Specific Plan. The City's Housing Commission and Development Services shall review and approve the subdivider's program for providing affordable housing.
 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. The areas to be subdivided are not contiguous. The subdivider shall be required to record two (2) separate Final Maps.
 16. This subdivision shall conform to the Del Mar Mesa Specific Plan (Subarea V of the North City Future Urbanizing area), Transportation Phasing Plan, Traffic Study, and Environmental Impact Report.
 17. The subdivider shall construct pedestrian ramps at all street intersections.
 18. All walls/fences and their footings, with the exception of multi-use trail, shall not be located within the City right-of-way.
 19. The subdivider shall provide a reciprocal access easements, satisfactory to the City Engineer.
 20. Driveways shall be constructed in accordance with City Standard Drawings SDG-100, G-14 and G-16.

21. Vehicular access to the dwelling units within the PRD shall be by driveways that are unnamed, non-dedicated, privately maintained and constructed in a manner, satisfactory to the City Engineer.
22. Public streets and private driveways with less than a 34-foot curb to curb width shall have parking on one side only. Parking shall be prohibited in public streets and private driveways with less than a 28-foot curb to curb width. The subdivider shall provide red curb and/or appropriate signage satisfactory to the Fire Department and the City Engineer.
23. Prior to the recordation of the first final map, the subdivider shall enter into a bonded landscape maintenance agreement, agreeing to maintain all landscaping, and appurtenances, within the City right-of-way adjacent to and within this subdivision, until such time a landscape maintenance district or other such mechanism is established and assumes maintenance responsibility, satisfactory to the City Engineer.
24. The landscape and brush management shall be designed and constructed in accordance with the Landscape Technical Manual.
25. The subdivider shall dedicate right of way and construct one of the following routes to SR-56, based on the final approved Del Mar Mesa (Subarea V) Transportation Phasing Plan:
 - a. Carmel Mountain Road, Shaw Ridge Road and Carmel Country Road to SR-56.
 - b. Carmel Mountain Road and Carmel Country Road to SR-56.
 - c. Carmel Mountain Road And Camino Santa Fe to SR-56.

Carmel Mountain Road is classified as a two-lane modified collector. The subdivider shall dedicate a 70-foot-wide right-of-way and shall provide 50 feet of pavement with a 10-foot two way center turn lane, curb, gutter, and a 5-foot-wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer. A minimum 77-foot right-of-way is required for multi-use trail and equestrian trail.

As part of the off-site improvements to provide access to this subdivision, the subdivider may provide interim improvements along the route of Carmel Mountain Road and Shaw Ridge Road of a minimum of 28 feet of pavement with 6 inch AC berms, a 14-foot parkway on the north side with an 8-foot wide DG multi-use trail and an 8-foot wide unimproved parkway on the south side within an interim 50-foot wide right-of-way to the satisfaction of the City Engineer.

The subdivider may request the City to process a reimbursement district to recover the subdivider cost of design and construction of certain improvements in accordance with Municipal Code section 62.0202.

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26. A portion of Road Survey 65 will be vacated with the recordation of a final map. The subdivider shall provide physical access from the remaining portions of Road Survey 65 to Street A, satisfactory to the City Manager.
27. Street "A" (between Carmel Mountain Road and Street "B") is classified as a modified residential street. The subdivider shall dedicate a 52-foot wide right-of-way and shall provide 28 feet of pavement, curb, and a multi-use trail on the west side of the street within a 14-foot curb-to-property line distance and a ten-foot curb-to-property line distance on the eastside of the street satisfactory to the City Engineer.

The design of Street "A" and the Multi-Use Trail shall provide for the protection and preservation of the existing mature eucalyptus trees as shown on the Vesting Tentative Map. The final design of Street "A" and the Multi-Use Trail and any transition shall be reviewed and approved by the City Engineer and the City Manager.
28. Street "A" (from Street "B" to the end of the cul-de-sac) is classified as a modified residential street. The subdivider shall dedicate a 50-foot wide right-of-way and shall provide 26 feet of pavement, curb, and a multi-use trail on the west side of the street within a 14-foot curb-to-property line distance and a ten-foot curb-to-property line distance on the eastside of the street, satisfactory to the City Engineer. The cul-de-sac shall have a 48-foot curb radius with a 58-foot right-of-way radius.
29. Street "A" (south of Street "B" at APN 308-020-66) is classified as a modified residential street with an ultimate right-of-way width of 52 feet. The subdivider shall dedicate a 50-foot wide right-of-way and shall provide 28 feet of pavement, curb, and a multi-use trail on the west side of the street within a 14-foot curb-to-property line distance and an interim five-foot curb-to-property line distance on the eastside of the street, satisfactory to the City Engineer.
30. Street "B" is classified as a modified residential street with an ultimate right-of-way width of 52 feet with 28 feet of pavement. The subdivider shall dedicate a 45-foot wide right-of-way and shall provide 26 feet of pavement, curb, and a multi-use trail on the north side of the street 14-foot curb-to-property line distance and an interim 5-foot curb-to-property line distance on the south side of the street, satisfactory to the City Engineer.
31. Street "G" is classified as a modified residential street with an ultimate right-of-way width of 48 feet with 28 feet of pavement. The subdivider shall dedicate a 41-foot wide right-of-way and shall provide 26 feet of pavement, curb and a 5-foot wide sidewalk on the west side of the street within a 10-foot curb-to-property line distance and an interim 5-foot curb-to-property line distance on the eastside of the street. The subdivider shall provide an intermediate turn around, all satisfactory to the City Engineer. The cul-de-sac shall have a 48-foot curb radius with a 58-foot right-of-way radius.

The traffic circle in the cul-de-sac will require an Encroachment Removal Agreement, approved by the Fire Department and the City Engineer.

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32. The subdivider shall enter into a bonded maintenance agreement with the City agreeing to maintain in perpetuity the multi-use trail or until such time a maintenance district or other such mechanism is established and assumes the maintenance responsibility.
33. WATER REQUIREMENTS:
 - a. Prior to the submittal of any public improvement drawings, the subdivider shall provide a water study satisfactory to the Water Department Manager. The study shall plan the pressure zone(s) and water facilities necessary to serve this development, including facilities identified in the findings and conclusions of the accepted Miramar (712)/North City (610) Water Study.
 - b. The subdivider shall install all facilities as required in the accepted water studies, necessary to serve this development. Water facilities, as shown on the approved tentative map, will require modification based on the accepted water studies.
 - c. 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 the subdivider shall install a looped system.
34. SEWER REQUIREMENTS:
 - a. Prior to the submittal of any public improvement drawings, the subdivider shall provide a sewer study, satisfactory to the Metropolitan Wastewater Department Manager, for the sizing, grade and alignment of public gravity sewer mains, pump stations, and force mains and to show that the existing and proposed public sewer facilities will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies.
 - b. The subdivider shall install all facilities, as required by the accepted sewer study, necessary to serve this development. Sewer facilities, as shown on the approved tentative map, will require modification based on the accepted sewer study.
35. WATER AND SEWER REQUIREMENTS:
 - a. The subdivider shall design all public 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 grant adequate water, sewer, and/or access easements, including vehicular access to each appurtenance (meters, blow offs, air valves, manholes, etc.), for all public water and sewer facilities that are not located within paved public rights-of-way, satisfactory to the Water

and Metropolitan Wastewater Departments' Managers. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the appropriate Department Manager. Minimum easement widths: water mains with services or fire hydrants - 24 feet, sewer mains with manholes - 20 feet. No structures of any kind shall be installed in or over any easement prior to the applicant obtaining an encroachment removal agreement.

- c. If the water and/or sewer systems are public, the subdivider shall grant water and sewer easements over the private streets or driveways throughout the development, satisfactory to the Water and Metropolitan Wastewater Departments' Managers. These easements shall be a minimum of 24-feet-wide with a minimum of 24 feet of paving.
 - d. If on site water and sewer mains are to be public and if it is a gated community, the subdivider shall provide keyed access to the Water Operations and Wastewater Collection Divisions satisfactory to the Water and Metropolitan Wastewater Departments' Managers. The City will not be held responsible for any issues that may arise relative to the availability of keys.
 - e. The subdivider shall provide evidence, satisfactory to the Water and Metropolitan Wastewater Departments' Managers, indicating that each lot 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, the subdivider shall provide private easements for the private mains.
 - f. Providing water and sewer service to this development is dependent upon prior construction of certain water and sewer facilities in previously approved TMs 89-1296, 91-0834, 96-0561, 96-0736, and 96-737 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 facilities, as required by the City Engineer, will become off-site improvements required for this development.
36. In accordance with the Del Mar Specific Plan - Subarea V, the subdivider shall, prior to or concurrently with the recordation of the first final map within Subarea V, prepare a "Master Drainage Plan." The plan shall address sizing and siting of facilities required to mitigate potential impact to downstream facilities from increases in runoff and erosion, as a result of the Specific Plan. The plan shall be comprehensive, covering the entire Subarea V.
37. The drainage system proposed for this subdivision, as shown on the approved vesting tentative map, is subject to approval by the City Engineer. With the exception of the drainage system at the end of Street "A," the drainage system shall be private and maintained by the Home Owners Association

38. 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.

39. OPEN SPACE REQUIREMENTS:

- a. The brush management zones 2 and 3 shall be a separate Lot(s) and have a negative open space easement and be owned and maintained by the Home Owners' Association.
 - b. Lots 61, 62 and 63 (less the brush management lots) shall be granted in fee simple, at no cost to the City, for open space.
40. This subdivision is in a community plan area designated in the General Plan as 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 Development Services Director. 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.

41. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to Development Services for each final map processed in connection with this vesting tentative map.

FOR INFORMATION:

- i. 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.

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- ii. 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.
- iii. 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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