

(R-99-318)

RESOLUTION NUMBER R-290595

ADOPTED ON AUGUST 4, 1998

WHEREAS, Pardee Construction Company, Applicant, and Rick Engineering Co., Engineer, filed an application for a 78 lot vesting tentative map (Tentative Map No. 96-7647 for the Sabre Springs development) for 72 residential lots and 6 open space lots, located east of Interstate 15, west of Sabre Springs Parkway, and north of Poway Road, and described as a portion of Ranch de Las Peñasquitos, a portion of the northeast quarter of Section 20, a portion of the northwest quarter of Section 21, and a portion of the south half of Section 16, all of Township 14 South, Range 2 West, San Bernardino Meridian, in the Sabre Springs Community Plan area, in the A-1-10 and R-1-1500 zones (proposed R-1-5000 zone); and

WHEREAS, on June 25, 1998, the Planning Commission of The City of San Diego considered Vesting Tentative Map No. 96-7647, and pursuant to Resolution No. 2660-4-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on August 4, 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. 96-7647:

1. The map proposes the subdivision of a 55.2-acre site into 78 lots of which 72 are residential and the remaining six are open space. This type of development is consistent with the

General Plan and the Sabre Springs Community Plan which designate 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 proposed R-1-5000 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 proposed R-1-5000 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 PRD Permit No. 96-7647.

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 community plan, which provides for residential uses.

6. The design of the subdivision and the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Mitigated Negative Declaration No. 96-7647 which is included herein by this reference.

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

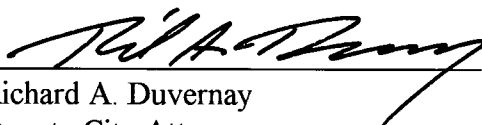
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate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

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

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

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Vesting Tentative Map No. 96-7647 is hereby granted to Pardee Construction Company, Applicant, and Rick Engineering Co., 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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11/09/98
Or.Dept:Clerk
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Reviewed by Robert Gentles

CITY COUNCIL CONDITIONS TO VESTING TENTATIVE MAP NO. 96-7647
ADOPTED BY RESOLUTION NO. R-290595 ON AUGUST 4, 1998

1. This tentative map will expire 3 years from the effective date of the concurrent zone change request.
2. The final map shall conform to the provisions of Planned Residential Development Permit No. 96-7647.
3. 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.
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 (NAD83).
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. The 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.

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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 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. 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.
10. 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.
11. Undergrounding of proposed public utility systems and service facilities is required according to San Diego Municipal Code section 102.0404(2).
12. 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.
13. Street "A" is classified as a residential street. The subdivider shall dedicate 56-foot wide right-of-way and shall provide 36 feet of pavement, curb, gutter, and 5-foot wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
14. Street "B" (south of Street "A") is classified as a residential street. The subdivider shall dedicate a 54-foot wide right-of-way and shall provide 34 feet of pavement, curb, gutter, and 5-foot wide sidewalk within a ten-foot curb-to-property-line distance. The cul-de-sac shall have a 60-foot right-of-way and a 50-foot curb radius, satisfactory to the City Engineer.
15. Street "B" (between Street "A" and Street "C") is classified as a residential street. The subdivider shall dedicate a 56-foot wide right-of-way and shall provide 36 feet of pavement, curb, gutter, and 5-foot wide sidewalk within a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.
16. Street "B" (north of Street "C") is classified as a residential street. The subdivider shall dedicate a 54-foot wide right-of-way and shall provide 34 feet of pavement, curb, gutter, and 5-foot wide sidewalk within a ten-foot curb-to-property-line distance. The cul-de-sac

shall have a 60-foot right-of-way with a 50-foot curb radius, satisfactory to the City Engineer.

17. Street "C" is classified as a residential street. The subdivider shall dedicate a 54-foot wide right-of-way and shall provide 34 feet of pavement, curb, gutter, and 5-foot wide sidewalk within a ten-foot curb-to-property-line distance. The cul-de-sac shall have a 45-foot right-of-way with a 35-foot curb radius, satisfactory to the City Engineer.

18. WATER REQUIREMENTS

- a. The subdivider shall install a system of 8-inch water mains in Streets "A" and "B," satisfactory to the Water Department Manager, connecting to the existing was Evening Creek Drive South at Street "A" and the northerly cul-de-sac of Street "B."
- b. 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 water system.

19. 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 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 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.

20. WATER AND SEWER REQUIREMENTS:

- a. The subdivider shall design all proposed public water and sewer facilities to the most current edition of the "City of San Diego Water & Sewer Design Guide." Facilities that do not meet the current standards will 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

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. The easements shall be located within single lots. No structures or trees shall be installed in or over any easement prior to the applicant obtaining an encroachment removal agreement.

- c. 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, provide private easements for the private mains.
- d. Providing water and sewer for this development is dependent upon prior construction of certain water and sewer facilities 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 facilities, as required by the City Engineer, will become off-site improvements required for this development.:

21. MSCP REQUIREMENTS:

The Improvement Plans shall be designed in such a manner that developed areas not drain directly into the MHPA.

Unless authorized by the City Manager, grading shall be restricted to the non-breeding season for the gnatcatcher. If grading is proposed during the breeding season (March 1 - August 15), a survey shall be conducted to determine presence/absence. If the applicant chooses not to conduct a gnatcatcher survey, then a temporary wall or berm shall be constructed adjacent to gnatcatcher habitat.

Areas within the MHPA shall be conserved either through dedication in fee to the City of San Diego, conservation easement, or covenant of easement.

22. OPEN SPACE REQUIREMENTS:

Lots 78 & 75 shall be deeded to the city, in fee simple, at no cost to the city, for open space. Lot 76 shall have an open space easement; and lot 74 shall have an open space easement for brush management.

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23. LANDSCAPING REQUIREMENTS:

For the purpose of providing space for street trees at the end of Street C, the final design shall provide for a sidewalk around the bulb of the cul-de-sac and reserve an area equaling a minimum of 40 square feet within the public rights of way for street tree planting.

Provide 60% 15 gallon trees and 40% 24" box trees on the perimeter slopes facing the Public Rights of Way.

Revegetation: All slopes 6:1 and in excess of five feet in vertical height shall be planted with herbaceous or prostrate shrubby groundcover. A minimum of 50% of the total slope area shall be planted with deep rooting groundcovers. Seeded plantings at least 50% of the seed shall be deep rooting. All slopes greater than 15' in vertical height shall be planted with a combination of trees and shrubs, minimum one gallon at an average rate of 1 per 100 square feet of slope area.

24. PLANNING REQUIREMENTS:

Two pocket parks shall be provided at the end of each cul-de-sac bulb along Street B containing a minimum of 2,500 square feet apiece. An alternative to providing these two pocket parks is to dedicate Lot 19 as a non buildable lot to be improved as a pocket park. These pocket parks shall be maintained by the Home Owner's Association.

25. The drainage system proposed for this development, as shown on the approved tentative map, is subject to approval by the City Engineer.

26. 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

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amendments thereto, shall comply with special provisions as set forth in Section C.7 of SWRCB Order No. 92-08-DWQ.

27. 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.

28. This tentative map is a vesting tentative map. As such, the subdivider shall pay an additional \$300 fee to the Engineering & Development Department for each final map processed in connection with this vesting tentative map.
29. This subdivision is subject to Poway Unified School District Resolution No. 67-87, which established a Mello-Roos Community Facilities District for school facilities.

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, at the time of issuance of building permits.
- 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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