

(R-99-729)

RESOLUTION NUMBER R-290814

ADOPTED ON OCTOBER 6, 1998

WHEREAS, Adobe Partners, Applicant, and Hunsaker & Associates, Engineer, submitted by an application to The City of San Diego for a 5-lot tentative map (Tentative Map No. 96-7672 for the Adobe Bluffs project), located north of Adobe Bluffs Drive and west of La Trucha Street, and legally described as a Portion of the Southwest Quarter of the Northeast Quarter of Section 12, Township 14 South, Range 3 West, USGS Del Mar Quadrangle, San Bernardino Meridian, in the Torrey Highlands Sub Area IV Plan within the North City Future Urbanizing Area, in the A1-10 zone (proposed R1-6000 zone); and

WHEREAS, on September 10, 1998, the Planning Commission of The City of San Diego considered Tentative Map No. 96-7672, and voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on October 6, 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 Tentative Map No. 96-7672:

1. The map proposes the subdivision of a 0.92-acre site into 5 lots for residential development. This type of development is consistent with the General Plan and the Torrey Highlands Sub Area IV Plan within the North City Future Urbanizing Area 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 R1-6000 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 R1-6000, 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/Resource Protection Ordinance Permit No. 96-7672.

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 are likely to 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. 96-7672, 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.

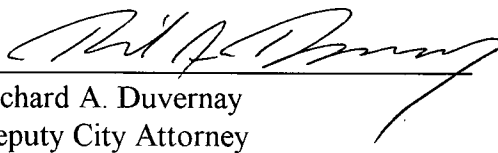
8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate 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 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 Tentative Map No. 96-7672 is hereby granted to Adobe Partners, Applicant, and Hunsaker & Associates, 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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12/17/98
Or.Dept:Clerk
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Reviewed by Robert Korch

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 96-7672
ADOPTED BY RESOLUTION NO. R-290814 ON OCTOBER 6, 1998


1. This tentative map will become effective on the effective date of the rezone and will expire three years thereafter. Should the rezone be denied then this tentative map shall be deemed denied.
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 PRD/RPO Permit No. 96-7672.
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. 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. 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.
10. Undergrounding of proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.
11. The subdivider shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.
12. The subdivider shall obtain a grading permit from the City Engineer (referred to as an "engineering permit") for the grading proposed for this project. All grading shall conform to requirements in accordance with Sections 62.0401 - 62.0423 of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
13. 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 responsibly, satisfactory to the City Engineer.
14. The landscape and brush management shall be designed and constructed in accordance with the Landscape Technical Manual.
15. Driveways shall have a minimum of 20 feet between garage and right-of-way to provide for parking for standard size vehicles without encroaching into the sidewalk area (distance may be reduced to 18 feet with roll-up garage doors).
16. All driveways and curb openings shall comply with City of San Diego Standard Drawing G-16 and SDG-100.
17. The subdivider shall obtain an encroachment removal agreement from the City Engineer for trees in the City right-of way.

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18. This subdivision is located in the Hampe Hills Cost Reimbursement District (No. 4052) which was adopted by the City Council on March 19, 1991. Prior to the recordation of the first final map, the subdivider shall pay the lien amount as established by the District.
19. This project proposes the export of 29,000 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow processing and sale of the export material. All such activities require a separate Conditional Use Permit.
20. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
21. The subdivider shall obtain a letter of permission for offsite grading, from the property owner to the north.
22. 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 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.

23. WATER & SEWER REQUIREMENTS:

- a. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
- b. 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 gravity sewer mains and to show that the proposed mains will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies.
- c. 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.
- d. 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." Proposed facilities that do not meet the current standards shall be redesigned or private.

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- e. The subdivider shall provide minimum 20-foot-wide sewer and access easements, including vehicular access to each manhole for all public sewer facilities that are not located within public rights-of-way, satisfactory to the Metropolitan Wastewater Department Manager. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Metropolitan Wastewater Department Manager. 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. No trees, walls, shrubs, or structures will be allowed within any easement which includes vehicular access.

The tentative map shows the proposed development connecting to an "8" PVC SEWER BY OTHERS." Currently, no sewer study for the size, grade, and alignment of the proposed system has been submitted. This development is required to submit that sewer study and construct the necessary facilities or wait until another developer builds.

24. This subdivision is subject to Poway Unified School District Resolution No. 67-87, which established a Mello-Roos Community Facilities District for school facilities.
25. Prior to the recordation of the first final map or the issuance of a grading permit, or any other permit, the subdivider shall provide evidence of compliance with the affordable housing requirements of the North City Future Urbanizing Area Framework Plan and the Torrey Highlands Subarea Plan, in a manner satisfactory to the City Manager, and the San Diego Housing Commission. The subdivider's project is eligible under the in-lieu fee option of the Torrey Highlands Subarea Plan to meet the affordable housing requirement in this manner, and the Subdivider has stated his intent to pay the then current in-lieu fee for Torrey Highlands as required, at the time of issuance of building permits.
26. The subdivider shall implement the paleontological monitoring program as described in Mitigated Negative Declaration No. 96-7672 for Adobe Bluffs. The monitoring program shall be completed to the satisfaction of the Environmental Review Manager of Land Development Review (LDR) prior to the issuance of a certificate of occupancy.
27. The subdivider shall submit an additional deposit of \$450.00 to ensure the successful completion of the Mitigation, Monitoring and Reporting Program.

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.

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- 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 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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