

RESOLUTION NUMBER R-291728

ADOPTED ON JUNE 1, 1999

WHEREAS, Western Pacific Housing, Applicant, and Hunsaker & Associates, Engineer, submitted by an application to The City of San Diego for a 70-lot vesting tentative map (Vesting Tentative Map No. 98-0261 for the Torrey Glenn Project), located on parcels "S" and "T" of the Torrey Highlands Subarea Plan for Subarea IV, and legally described as Parcel 6 of Map No. 14576, in the A1-10 (proposed R1-6000) Zone; and

WHEREAS, on May 6, 1999, the Planning Commission of The City of San Diego considered Vesting Tentative Map No. 98-0261, and pursuant to Resolution No. 2796-PC-3 voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on June 1, 1999, 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. 98-0261:

1. The map proposes the subdivision of a 32.2-acre site into 70 lots for residential development. This type of development is consistent with the General Plan and the Torrey Highlands Subarea IV 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 A1-10 (proposed R-1-6000) 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 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. 98-0261.

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. 98-0261, which is included herein by this reference.

7. The Owner/Permittee shall comply with the Mitigation, Monitoring and Reporting Program [MMRP] as specified in Mitigated Negative Declaration (LDR No. 98-0261), to the satisfaction of the City Manager and the City Engineer. Prior to the issuance of the first grading permit and/or recordation of the first final map, all mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

- a. Land Use
- b. Biological Resources
- c. Land Form Alteration/Visual Quality
- d. Hydrology/Water Quality
- e. Human Health/Public Safety
- f. Transportation/Circulation
- g. Paleontological Resources

h. Air Quality

8. 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.

9. 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.


10. 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. 98-0261 is hereby granted to Western Pacific Housing, Applicant, and Hunsaker & Associates, Engineer, subject to the condition that the traffic signal on Camino Ruiz is funded by Applicant, and 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 Robert Gentles

CITY COUNCIL CONDITIONS TO VESTING TENTATIVE MAP NO. 98-0261
ADOPTED BY RESOLUTION NO. R-291728 ON JUNE 1, 1999

1. This tentative map will become effective with the effective date of the rezone and will expire three (3) years there after.
2. The final map shall conform to the provisions of PRD Permit No. 98-0261.
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 (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.
 - c. 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,

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ordinances, regulations, or policies, including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.).

8. 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.
9. Undergrounding of existing and/or proposed public utility systems and service facilities is required according to San Diego Municipal Code.
10. Torrey View Court and Torrey Glenn Court are classified as residential cul-de-sac. The subdivider shall dedicate a 54 feet right-of-way and a 60 feet radius turnaround, provide 34 feet and 40 feet of pavement, curb, gutter and five (5) feet sidewalk within a 10 feet curb to property line distance, satisfactory to the City Engineer.
11. Watson Ranch Road is classified as a residential street and residential cul-de-sac. The subdivider shall dedicate a 60 feet right-of-way and provide 40 feet of pavement, curb, gutter and 5 feet sidewalk within a 10 feet curb to property line distance, satisfactory to the City Engineer.
12. Torrey Glenn Road is classified as a residential local street. The subdivider shall dedicate a 54 feet right-of-way and provide 34 feet of pavement, curb, gutter and five feet sidewalk within a 10 feet curb to property line distance, satisfactory to the City Engineer.
13. This project shall conform to the Torrey Highlands Subarea IV land use plan dated July 1996, the transportation phasing plan in the Public Facilities Financing Plan dated October 1996, and the final EIR/traffic study dated June 1996.
14. The alignment and grade for Camino Ruiz adjacent to this project has not yet been established. Prior to the issuance of any permits and or recordation of the first final map, the alignment of Camino Ruiz adjacent to this development to it's intersection with Carmel Valley Road shall be established through a certified environmental document.
15. Camino Ruiz is classified as a 6 lane prime arterial with a design speed of 55 mph. Prior to the recordation of the first final map, the applicant shall provide half width improvement from the southerly property boundary to Carmel Valley road satisfactory to the City Engineer. All right-of-way within the subdivision shall be granted with the recordation of the first final map. Appropriate transition and or termination shall be designed and constructed to the satisfaction of the City Engineer. This may require off site right-of-way acquisition and construction.

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16. Right-in/right-out only access will be allowed on Camino Ruiz. Full access will be allowed only if a traffic signal is warranted and if it is funded and installed by the applicant.
17. The applicant shall construct pedestrian ramps at all street intersections, satisfactory to the City Engineer.
18. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer.
19. 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.
20. WATER REQUIREMENTS:
 - a. Prior to the recordation of the first final map or the submittal of any public improvement drawings, the subdivider shall provide a relocation study, satisfactory to the Water Department Director, to determine the grade and alignment of the Del Mar Heights pipeline. The relocated pipeline shall be located within a minimum 40-foot-wide easement with a 20-foot-wide vehicular access road. The pipeline shall be centered within the 40-foot easement.
 - b. Prior to the recordation of the first final map or the submittal of any public improvement drawings, the subdivider shall provide a water study satisfactory to the Water Department Director. 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 "Miramar (712)/North City (610) Water Study" (minimum 16-inch water main in Camino Ruiz).
 - c. The subdivider shall install all facilities as required in the accepted water studies, including relocation, necessary to serve this development. Water facilities and easements, as shown on the approved tentative map, will

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require modification based on the accepted water studies and applicable standards.

- d. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. If more than two (2) fire hydrants or thirty (30) dwelling units are located on a dead-end main then the subdivider shall install appropriate facilities to provide a redundant water supply.
- e. The subdivider shall be responsible for any damage caused to or by the Del Mar Heights Pipeline as a result of the construction activities associated with this development.

21. SEWER REQUIREMENTS:

- a. Prior to the recordation of the final map or the submittal of any public improvement drawings, the subdivider shall provide a sewer study, satisfactory to the Metropolitan Wastewater Department Director, for the sizing, grade and alignment of public gravity sewer facilities 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 and easements, as shown on the approved tentative map, will require modification based on the accepted sewer study and applicable standards.

22. WATER AND SEWER REQUIREMENTS:

- a. The subdivider agrees to design all proposed public water and sewer facilities, including easements, in accordance with established criteria in 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 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 streets, satisfactory to the Water and Metropolitan Wastewater Departments' Directors. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the appropriate Department Director. 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



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removal agreement. No trees, shrubs, or structures of any kind shall be installed in or over any access easement.

- c. The subdivider shall provide evidence, satisfactory to the Water and Metropolitan Wastewater Departments' Directors, 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.
- d. Providing water and sewer for this development is dependent upon prior construction of certain water and sewer facilities in previously approved TMs 88-1041, 95-0173 and 87-0115 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.

23. FLOOD PLAIN CONDITIONS:

Portions of the project are located in the flood plain of McGoignle Canyon, which is a tributary of the Carmel Valley Creek, as delineated on Panels 1332 & 1334 of the Flood Insurance Rate Map (FIRM) for the City of San Diego. These maps are prepared by the Federal Emergency Management Agency (FEMA).

- a. Any development within the flood plain fringe area will require either the property to be graded to an elevation two feet above the 100-year frequency flood elevation or provide flood proofing of all structures to that same elevation.
- b. The developer shall grant a flowage easement, satisfactory to the City Engineer, over the property within the flood way.
- c. 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.
- d. The developer shall denote on the final map and the improvement plans "Subject to Inundation" for those areas at an elevation lower than the 100-year frequency flood elevation plus one foot.
- e. The developer shall provide slope protection, as required by the City Engineer, where the flow velocity exceeds 5FPS.
- f. The developer shall provide safety fencing where required by the City Engineer.

- g. 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 flood plain fringe areas.
- h. The developer shall grant drainage easements, satisfactory to the City Engineer.
- i. No permits shall be issued for grading or other work in the flood plain of McGoignle Canyon until the developer obtains a Conditional Letter of Map Amendment (Conditional LOMA) or Conditional Letter of Map Revision (Conditional LOMR) from FEMA. The request for the Conditional LOMA or Conditional LOMR must be submitted through the Flood plain Management Section of the City of San Diego's Planning and Development Review. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
- j. 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 Flood plain Management Section of the City of San Diego's Planning and Development Review. The developer must provide all documentation, engineering calculations, and fees which are required by FEMA.
- k. The bond for this project will not be released until the Final LOMA or Final LOMR is issued by FEMA. The Flood plain Management Section of the City of San Diego's Public Works/Engineering and Capital Projects will notify the Planning and Development Review of such issuance as soon as it is informed by FEMA.
- l. Notes provided by the Flood plain Management Section of the City of San Diego's Public Works/Engineering and Capital Projects concerning work in designated flood plains shall be included in all grading and improvement plans.

24. LANDSCAPE CONDITIONS:

- a. Prior to issuance of any building and grading permits, complete landscape construction documents, including plans, details and specifications (including a permanent automatic irrigation system unless otherwise approved), shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Concept Plan, dated June 1, 1999 on file in the Office of Planning and Development Review. No change, modification or alteration shall be made unless appropriate application or amendment of this Permit shall have been granted.
- b. Prior to issuance of grading permits, interim landscape and erosion control measures, including hydroseeding of all disturbed land (all slopes and pads), shall be submitted to the satisfaction of the City Manager (including the Environmental Section) and City Engineer. All plans shall be in substantial conformance to Exhibit "A," dated June 1, 1999 on file in the Office of Planning and Development Review and all other applicable conditions of related permits.

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- c. Prior to issuance of grading permits, the Permittee or subsequent Owner shall provide to the City an agreement letter from adjacent property owners to the south (parcel 306-021-13 and 306-021-05) and to the north (parcels 306-020-03 and 306-020-31) agreeing on the off-site brush management program in their property.
 - d. The timely erosion control including planting and seeding of all slopes and pads consistent with the approved plans is considered to be in the public interest and the Permittee shall initiate such measures within 45 days from the date that the grading of the site is deemed to be complete. Such erosion control and the associated irrigation systems (temporary and/or permanent) and appurtenances shall be installed in accordance with the approved plans and the Landscape Technical Manual.
 - e. Prior to the recordation of the final map the subdivider shall submit complete landscape construction documents, including plans, details and specifications (including a permanent automatic irrigation system unless otherwise approved), for the required street tree improvements and the erosion control for new slope areas. The landscape construction documents shall be in substantial conformance with Exhibit "A," dated June 1, 1999 Landscape Concept Plan, on file in the office of Planning and Development Review.
 - d. Prior to the recordation of the final map, the applicant shall assure by permit and bond the construction of landscaping per the item 8 above.
25. The Affordable Housing Requirements (Condition No. 36) of Planned Residential Development Permit/Resource Protection Ordinance Permit No. 98-0261, approved by Resolution No. R-291727, are hereby incorporated by reference into this vesting tentative map. The subdivider shall comply with the affordable housing element of the Torrey Highlands Subarea Plan. Prior to the recordation of the Final Map, the subdivider shall enter into an agreement with the Executive Director of the Housing Authority of the City of San Diego, or designee, and the City Manager of the City of San Diego. Condition No. 36 of Planned Residential Development Permit/Resource Protection Ordinance Permit No. 98-0261 shall apply whether or not the permit is utilized or expires.

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. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code.
- 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 Planning and Development Review 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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