

RESOLUTION NUMBER R-294670

ADOPTED ON MARCH 20, 2001

WHEREAS, D. R. Horton, Applicant, and Hunsaker and Associates, Engineer, submitted an application to the City of San Diego for a 85-lot tentative map, Tentative Map No. 99-1088 for the Kasai Mondeck project, located south of State Route 56 and west of Caminito Mendiola and legally described as Parcel A: the Northeast Quarter of the Northwest Quarter of Section 15, Township 14 South, Range 3 West, San Bernardino Base Meridian, City of San Diego, County of San Diego, State of California, according to U.S. Government Survey thereof, excepting the Westerly 125 feet thereof, also excepting therefrom, the North 264 feet of the East 330 feet of the West 475 feet of said Northeast Quarter of the Northwest Quarter, and Parcel B: the Westerly 125 feet of the Northeast Quarter of the Northwest Quarter of Section 15, Township 14 South, Range 3 West, San Bernardino Base Meridian, County of San Diego, City of San Diego, State of California, according to the official plat thereof, excepting therefrom the Northerly 185 feet, in the Pacific Highlands Subarea Plan area, in the AR-1-1 zone (previously referred to as the A-1-10 zone), which is proposed to be rezoned to RX-1-2 (previously referred to as R1-5,000/SLO); and

WHEREAS, on January 25, 2001, the Planning Commission of the City of San Diego considered Tentative Map No. 99-1088, and pursuant to Resolution No. 3080-PC voted to recommend City Council approval of the map; and

WHEREAS, the matter was set for public hearing on March 20, 2001, 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. 99-1088:

1. The map proposes the subdivision of a 38.3-acre site into 85 lots for residential development (62 residential, 7 passive recreation, 1 private driveway, 1 future SR-56, 3 future reconveyance, 1 open space and 10 building restricted lots). This type of development is consistent with the City of San Diego General Plan and Progress Guide and the Pacific Highlands Ranch Subarea III 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 RX-1-2 zone (previously referred to as R1-5,000/SLO) 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/ Resource Protection Ordinance [PRD/RPO] permit.

b. All lots meet the minimum dimension requirements of the RX-1-2 zone (previously referred to as R1-5,000/SLO), as allowed under a PRD/RPO 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/RPO permit.

d. Development of the site is controlled by PRD/RPO/HR Permit No. 99-1088.

3. The design and proposed improvements for the subdivision are consistent with California Government Code section 66473.1 and San Diego Municipal Code section 125.0440(g) 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 City of San Diego, as Lead Agency, has determined that the proposed Kasai Mondeck Property (LDR No. 99-1088) would have no additional significant effect on the environment, as defined in Subdivision (d) of Section 21158 of the Public Resources Code, that was not identified in the Master Environmental Impact Report [MEIR] (LDR No. 96-7918/SCH

No. 97111077) and that no new or additional mitigation measures or alternatives are required. The subsequent project is therefore within the scope of the project covered by the MEIR and no new environmental document nor findings pursuant to Section 21081 of the Public Resources Code are required.

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.

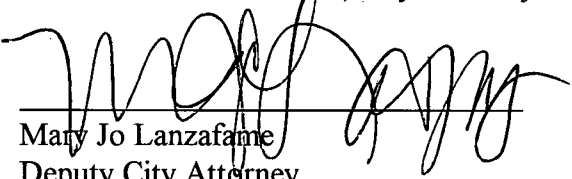
9. The City Council has reviewed the adopted Housing Element of the Progress Guide and General Plan of The City of San Diego and finds pursuant to Government Code section 66412.3, that the housing needs of the region are being met because residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer are in accordance with financing and environmental policies of the 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. 99-1088 is hereby granted to D. R. Horton, Applicant, and Hunsaker and Associates, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By



Mary Jo Lanzafame
Deputy City Attorney

MJL:mdw:lc

06/07/01

Or.Dept:Clerk

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Reviewed by John Fisher

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 99-1088
KASAI MONDECK
ADOPTED BY RESOLUTION NO. R-294670 ON MARCH 20, 2001

1. This tentative map will become effective on the effective date of the associated rezone and will expire three years thereafter. Should the rezone be denied 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.
3. Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this tentative map, may protest the imposition within 90 days of the approval of this tentative map by filing a written protest with the City Clerk pursuant to California Government Code section 66020.
4. The final map shall conform to the provisions of Planned Residential Development/ Resource Protection Ordinance [PRD/RPO] Permit No. 99-1088.
5. 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.

6. "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).
7. "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."
8. 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.

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- 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.
9. 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 Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. §§ 1531 *et seq.*).
10. The subdivider shall provide evidence to ensure that an affirmative marketing program is established.
11. Prior to the issuance of any engineering permit for improvement or grading plans, an updated geotechnical investigation report will be required to be submitted for review and approval by LDR Geology. The geotechnical investigation should include all off-site grading areas, and be prepared in accordance with the most recent edition of the City of San Diego Technical Guidelines for Geotechnical Reports.

Prior to issuance of any grading permit, the grading plans shall indicate the location and suitable outlet or tie-in for the proposed canyon subdrains as shown in the Geotechnical Investigation for Kasai/Mondeck Property, prepared by Geocon Inc., Project No. 06499-42-01, dated May 19, 2000.
12. Undergrounding of existing and proposed public utility systems and service facilities is required according to San Diego Municipal Code section 102.0404(2).
13. The subdivider shall comply with the Mitigation, Monitoring, and Reporting Program [MMRP] as specified in the Findings to the Master Environmental Impact Report, LDR No. 96-7918 [MEIR], satisfactory to the City Manager and the City Engineer. Prior to issuance of any grading permit or building permit, all mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Biology
Land Use
Hydrology/Water Quality
Landform Alteration/Visual Quality
Geology/Soils/Erosion

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Project Design
Paleontological Resources
Public Safety
Water Conservation

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. All existing structures that conflict with proposed right-of-way or lot lines shall be removed.
16. The final map and grading plans shall be submitted to CalTrans for review. The subdivider shall submit a letter of project assessment from CalTrans. This letter shall address any requirements for temporary construction easements and Irrevocable Offer to Dedicate right of way for construction of State Route 56. The subdivider shall grant to the City an irrevocable offer of dedication for all the areas over and beyond the land which is the subject of acquisition for the freeway as shown on the approved tentative map.

This irrevocable offer of dedication will be granted to the City with the understanding that when the freeway construction is completed the irrevocable offer of dedication will be reverted back to the subdivider at no cost to the subdivider upon development of the project within the irrevocable offer of dedication area.
17. There shall be notes on the grading plans that state the following: "1. All grading within SR-56 right-of-way shall conform to Section 19 of the California Standard Specifications; 2. The subdivider shall contact CalTrans prior the start of grading for this subdivision."
18. The drainage system within CalTrans right-of-way is not approved. All utilities within the SR-56 right-of-way shall be designed satisfactory to CalTrans and the City Engineer.
19. The 100 foot buffer requirements adjacent to SR-56 are not approved as shown on the TM. The 100 foot buffer requirements are subject to CalTrans approval. Any redesign may result in the loss of residential units.
20. The subdivider shall install all utilities within SR-56 right-of-way, before SR-56 is paved. If CalTrans proceeds prior to the development of this subdivision, the subdivider shall coordinate the construction of the utilities with CalTrans.
21. The approval of this tentative map does not constitute the approval of SR-56 alignment and grade. The final alignment and grade may have an impact on the subject development.

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22. This project shall conform to the Subarea III/Pacific Highland Ranch Transportation Phasing Plan and the approved Traffic Study in the final EIR for Pacific Highlands Ranch.
23. Street "A" is classified as a two-lane single loaded residential street. The subdivider shall, from Rancho Santa Fe Farms Road, southwesterly to the project entry, dedicate a 50 foot right-of-way and shall provide 30 feet of pavement, curb, gutter and a 5 foot-wide non-contiguous sidewalk on the south side within a 10 foot curb to property line distance with an adjacent 5-foot-wide general utility easement. The cul-de-sac shall have a 60 foot right-of-way radius with a 50 foot curb radius.
24. The subdivider shall install pedestrian ramps at all street intersections.
25. Providing access for this subdivision is dependent upon the prior construction of Rancho Santa Fe Farms Road and Carmel Valley Road, which have been a requirement in previously approved developments in this area. If said roads have not been constructed when required for this subdivision, then the construction of certain portions of these roads, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
26. The driveway landscape median within Street "A" right-of-way as shown on the landscape plan is not approved.
27. 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.
28. WATER REQUIREMENTS:
 - a. Prior to the approval of any public improvement drawings including grading plans, the subdivider shall provide an acceptable water study satisfactory to the Director of the Water Department. The study shall plan the public water facilities and pressure zone(s) necessary to serve this development. The study shall include a phasing plan consistent with the proposed phasing of construction. Affordable housing must be included in the first phase.
 - b. The subdivider shall design and construct all public water facilities as required in the accepted water study, necessary to serve this development in a manner satisfactory to the Director of the Water Department. Water facilities, as shown on the approved

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tentative map, may require modification based on the accepted water study and final engineering.

- c. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the City Engineer, and the Director of the Water Department. If more than two fire hydrants or thirty dwelling units are located on a dead-end main then the subdivider shall install adequate facilities to provide a redundant water supply.
- d. The subdivider shall install all parallel water facilities with a minimum separation of 20 feet.
- e. The subdivider agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Design Guide and City regulations, standards and practice pertaining thereto. Proposed facilities that do not meet the current standards shall be private or redesigned. Existing public water facilities, to which this development proposes connections to, must be brought up to current standards.
- f. The subdivider shall grant adequate water easements, including vehicular access to each appurtenance (meters, blow offs, air valves, manholes, etc.), for all public water facilities that are not located within fully improved public rights-of-way, satisfactory to the Director of the Water Department. Easements with services, meters, or fire hydrants shall be a minimum of 24 feet wide, between full height curb, and fully paved. The easements shall be located within single lots. No structures, enhanced paving or landscaping shall be installed in or over any easement prior to the applicant obtaining an encroachment removal agreement. No structures or landscaping of any kind shall be installed in or over any access easement.
- g. The subdivider shall provide evidence, satisfactory to the Director of the Water Department, indicating that each lot or unit will have its own water service or provide Covenants, Conditions and Restrictions [CC&Rs] for the operation and maintenance of on-site private water facilities that serve or traverse more than one lot or unit.
- h. If on-site water facilities are to be public and if it is a gated community, the subdivider shall provide keyed access to the Water Operations Division satisfactory to the Director of the Water Department. The City will not be held responsible for any issues that may arise relative to the availability of keys.
- i. Providing water for this development is dependent upon prior construction of certain water facilities in previously approved developments in this area. If they have not been constructed when required for this development, then the construction of certain

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portions of these previously approved water facilities, as required by the City Engineer, will become off-site improvements required for this development.

29. SEWER REQUIREMENTS:

- a. The subdivider shall construct their fair share of the Carmel Valley Trunk Sewer and enter into a Reimbursement Agreement with all other developments that construct more than their fair share of the Carmel Valley Trunk Sewer.
- b. Prior to the submittal of any public improvement drawings, the subdivider shall provide a sewer study, satisfactory to the Director of the Metropolitan Wastewater Department, for the sizing, grade and alignment of public or private gravity sewer mains and to show that the existing and proposed public or private sewer facilities will provide adequate capacity and have cleansing velocities necessary to serve this development and the drainage basin in which it lies. The study shall identify appropriate easements and vehicular access to all sewer manholes.
- c. The subdivider shall install all facilities, as required by the accepted sewer study, necessary to serve the proposed development. Sewer facilities, as shown on the approved tentative map, may require modification based on the accepted sewer study.
- d. The subdivider shall design all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide. Proposed facilities that do not meet the current standards shall be re-designed, satisfactory to the Director of the Metropolitan Wastewater Department.
- e. All proposed private sewer facilities, including sewer laterals to the property line, that serve more than one lot shall have pipe sizes and slopes designed per the California Uniform Plumbing Code but shall be constructed per the most current City of San Diego Sewer Design Guide.
- f. The subdivider shall grant adequate sewer, and/or access easements, including vehicular access to each manhole, for all public or private sewer facilities that are not located within public rights-of-way, satisfactory to the Director of the Metropolitan Wastewater Department. The minimum easement width for public or private sewer mains with manholes is 20 feet. The easements shall be located within single lots. Vehicular access roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Director of the Metropolitan Wastewater Department. Vehicular access roadbeds to sewer mains with laterals shall be a minimum 24-foot-wide and paved full width.

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- g. The subdivider shall provide evidence, satisfactory to the Director of the Metropolitan Wastewater Department, indicating that each dwelling unit will have its own sewer lateral or provide CC&Rs for the operation and maintenance of on-site private sewer facilities that serve more than one ownership.
 - h. No structures or landscaping that would inhibit vehicular access shall be installed in or across any sewer access easement.
 - i. No structures or landscaping, including private sewer facilities and enhanced paving, shall be installed in or across any easement prior to the applicant obtaining an encroachment removal agreement.
 - j. No trees or shrubs exceeding three feet in height at maturity shall be installed within 10 feet of any public sewer facilities.
30. The subdivider shall obtain a bonded grading permit for the grading proposed with this project. All grading shall conform to requirements in accordance with the San Diego Municipal Code.
31. This project proposes export 73,000 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.
32. The drainage system proposed for this subdivision, as shown on the approved tentative map, is subject to approval by the City Engineer. All drainage systems not located within the public right-of-way shall be private. The urban pollutant basin system shall be designed to the satisfaction of the City Engineer.
33. 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.

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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.

34. 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 right-of-way improvements, slope revegetation and hydroseeding of all disturbed land in accordance with the Landscape Technical Manual and to the satisfaction of the City Manager. The landscape construction documents shall be in substantial conformance with Exhibit "A," Landscape Concept Plan, dated March 20, 2001, on file in the Development Services Department. The applicant shall assure by permit and bond the installation of landscaping per landscape construction documents.
35. The subdivider shall submit for review, a Bonded Landscape Maintenance Agreement for all landscape improvements, including street trees, brush management areas, slope revegetation areas consistent with Exhibit "A," dated March 20, 2001, and on file in the Development Services Department.
36. The subdivider shall identify on a separate sheet titled "Non-title Sheet" the brush management areas in substantial conformance with Exhibit "A," dated March 20, 2001, on file in the Development Services Department. These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following shall be provided on the "Non-title sheet" to identify the hatched areas: "Indicates fire hazard reduction zone per Section 6 of the City of San Diego Landscape Technical Manual approved by the Planning Commission on March 16, 1989 as Resolution No. 0480-PC, and approved by the City Council on October 3, 1989 as Resolution No. R-274506, and any other building code regulations."
37. The subdivider shall provide a copy of the recorded easement for brush management program purposes on adjacent properties to the West (APN 305-040-01) and South (APN 305-060-16 through 18). This easement document shall contain language that authorizes the subdivider to establish and maintain the brush management program zones on adjacent properties per approved Exhibit "A," Landscape Concept Plan, dated March 20, 2001, on file in the Development Services Department.
38. Prior to issuance of any engineering permits for grading, the landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A," dated March 20, 2001, on file in the Development Services Department.

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39. Lot "A" shall have an open space easement granted to the City and it will not be accepted in fee.
40. The Affordable Housing Requirements of PRD Permit No. 99-1088 on file with the Development Services Department, are hereby incorporated by reference into this tentative map. The subdivider shall comply with the affordable housing element of the Pacific Highlands Ranch Subarea III 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, or designee. The Affordable Housing Requirements are more thoroughly described through conditions of the accompanying PRD Permit No. 99-1088, such Permit becoming utilized upon recordation of this Tentative Map.
41. 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 Council.

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 Director of Building Inspection.
- This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.