

RESOLUTION NUMBER R-295582

ADOPTED ON OCTOBER 16, 2001

WHEREAS, Johnson Communities of Southern California, Applicant, and Latitude 33, Engineer, submitted by an application to the City of San Diego for a nine-lot tentative map, Tentative Map No. 99-1274 for the Hollywood and Vine project) and street vacation, located northerly of Del Mar Mesa Road and westerly of Del Vino Court (northwest corner), and legally described as the South Half of Southeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 22, Township 14 South, Range 3 West, San Bernardino Base Meridian, in the Del Mar Mesa Subarea V Specific Plan area, in the AR-1-2 zone (previously referred to as the A-1-1 zone); and

WHEREAS, on July 26, 2001, the Planning Commission of the City of San Diego considered Tentative Map No. 99-1274, and pursuant to Resolution No. 3163-2-PC voted to approve the map; and

WHEREAS, the matter was set for public hearing on October 16, 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 it adopts the following findings with respect to Tentative Map No. 99-1274:

1. The map proposes the subdivision of a 6.67-acre site into nine lots for residential development. This type of development is consistent with the City of San Diego's Progress Guide and General Plan and the Del Mar Mesa Subarea V Specific 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 AR-1-2 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 AR-1-2, 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. 99-1274.

3. The design and proposed improvements for the subdivision are consistent with California Government Code 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. 99-1274, 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 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.

10. The property contains a right-of-way which must be vacated to implement the final map in accordance with San Diego Municipal Code section 125.0430.

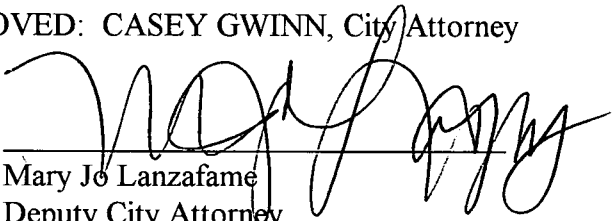
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434(g), portions of Shaw Ridge Road and Road Survey No. 57, located within the project boundaries as shown in Tentative Map No. 99-1274, shall be vacated, contingent upon the recordation of the approved final map for the project.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Tentative Map No. 99-1274 is granted to Johnson Communities of Southern California, Applicant, and Latitude 33, 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:lc  
12/10/01  
Or.Dept:Clerk  
R-2001-794  
Form=tmr-residential.frm  
Reviewed by Robert Korch

CITY COUNCIL CONDITIONS TO TENTATIVE MAP NO. 99-1274  
HOLLYWOOD AND VINE  
ADOPTED BY RESOLUTION NO. R-295582 ON OCTOBER 16, 2001

1. This tentative map will expire October 16, 2004.
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. 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 PRD Permit No. 99-1274.
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 Sections 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.
  - 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

R-295582

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 Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.):
10. The subdivider must provide a geologic (geotechnical) investigation 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.
11. Undergrounding of existing and proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404(2).
12. The subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
13. Findings (LDR No. 99-1274) to a Master Environmental Impact Report (LDR NO. 95-0353) has been made. The subdivider shall comply with the Mitigation, Monitoring and Reporting Program (MMRP) as specified in the Findings (LDR No. 99-1274), satisfactory to the City Manager and the City Engineer. Prior to the issuance of the first grading permit, improvement permit and/or recordation of the first final map, all mitigation measures as specifically outlined in the MMRP shall be implemented.
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 subdivider shall enter into an agreement to indemnify, protect and hold harmless City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of the partial vacation of Shaw Ridge Road.

R-295582

16. This Street Vacation is conditioned upon approval and recordation of the final map in accordance with the State Map Act. Prior to the recordation of the final map, the subdivider shall vacate a portion of Shaw Ridge Road within the subdivision boundary.
17. 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.
18. Providing streets for this subdivision is dependent upon the prior construction of certain streets in previously approved developments in this area. If they have not been constructed when required for this subdivision, then the construction of certain portions of these previously approved streets, as required by the City Engineer, will become off-site improvement requirements for this subdivision.
19. The final map shall not be recorded until Del Mar Mesa Road, as shown on City Drawing No. 29261-D, is dedicated, improved and accepted by the City Engineer.
20. Del Mar Mesa Road, from easterly boundary to the westerly boundary, is classified as two lane collector street. The subdivider shall dedicate a 65 foot right-of-way and shall provide 44 feet of pavement with a center left turn lane, curb, gutter, a 16 foot wide parkway on the north side with a 8 foot wide DG multi use trail and a 5 foot unimproved parkway on the south side and a 5 foot General Utility Easement. The subdivider shall provide appropriate westerly offsite transitions, satisfactory to the City Engineer.
21. Del Vino Court is classified as a modified residential street. The subdivider shall dedicate a 52 foot right-of-way and shall provide 28 feet of pavement, curb, gutter and a 8 feet multi use trail on the west side of the street within a 14 foot curb to property line distance and a 10 foot curb to property line distance on the east side of the street, satisfactory to the City Engineer.
22. The project shall conform to the Del Mar Subarea V Transportation Phasing Plan.
23. Water Requirements:
  - a. The subdivider shall design and construct individual water services and meters connecting to public water facilities within the Del Mar Mesa Road right-of-way in a manner satisfactory to the Water Department Director and the City Engineer.
  - b. The subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer. Any on-site fire hydrants and water facilities shall be private.

R 295582

- c. The subdivider agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current editions of the City of San Diego Water Facility Design Guidelines and City regulations, standards, and practices pertaining thereto.
- d. 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 Water Department Director. 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 structures or landscaping of any kind shall be installed in or over any vehicular roadways within easements. Minimum easement width for public mains with services: 30-foot-wide with 24-foot fully paved with full height curb.
- e. The subdivider shall provide CC&Rs for the operation and maintenance of all on-site private water facilities that serve or traverse more than one lot.
- f. Providing water for this development is dependent upon prior construction of certain water facilities in previously approved TMs 89-1296, 96-0625, 96-7286, and 91-0834 in this area. If facilities, including but not limited to a water pump station and approximately 1,500 lineal feet of 8-inch pipe or approximately 15,000 lineal feet of minimum diameter 30-inch pipeline, have not been constructed when required for this development, then the construction of certain portions of these previously approved public water facilities, as required by the City Engineer, will become off-site improvements required for this development in a manner satisfactory to the Water Department Director and the City Engineer.

24. Sewer Requirements:

- a. Providing sewer for this development is dependent upon prior construction of certain sewer facilities in previously approved developments in the area. If they have not been constructed when required for this development, then the construction of certain portions of these previously approved sewer facilities, as required by the City Engineer, will become off-site improvements required for this development.
- b. The subdivider shall design and construct 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 private or re-designed.

295582

- c. The subdivider shall construct their fair share of the Carmel Valley Trunk Sewer and enter into a Reimbursement Agreement with all developments that construct more than their fair share of the Carmel Valley Trunk Sewer.
25. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way and median (if applicable) improvements shall be submitted to the City Manager for approval. The landscape construction document shall identify a 40 square foot water permeable planting area for each street tree in the right-of-way. This area shall be identified as a rectangle with an "X" through it and labeled planting area for street tree.' Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees. Location of street trees shall be identified and reserved during improvement activities and on all site plans prepared for subsequent building permit applications with actual installation taking place prior to final inspection. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Concept Plan, dated October 16, 2001, on file in the Development Services Department.
26. Prior to issuance of any engineering permits for grading, construction documents for slope planting or revegetation and hydroseeding of all disturbed land including irrigation shall be submitted in accordance with the Landscape Standards and to the satisfaction of the City Manager. All plans shall be in substantial conformance to Permit 99-1274 (including Environmental conditions) and Exhibit "A," dated October 16, 2001, on file in the Development Services Department.
27. Installation of slope planting and erosion control including seeding of all disturbed land (slopes and pads) consistent with the approved landscape and grading plans is considered to be in the public interest. The Permittee shall initiate such measures as soon as the grading has been accomplished. Such erosion control/slope planting and the associated irrigation systems (temporary and/or permanent) and appurtenances shall be installed in accordance with the approved plans and the Landscape Standards.
28. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the City Manager within 30 days of damage or Certificate of Occupancy.
29. The subdivider shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A," Brush Management Program/Landscape Concept Plan, dated October 16, 2001, on file in the Development Services Department.

R-295582



30. Prior to issuance of any engineering permits for grading, 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 October 16, 2001, on file in the Development Services Department. A detail of the proposed fire masonry wall and the geogrid retaining wall, that show plant material in front and on top, shall be submitted as part of the engineering plans for construction documents.

31. The Brush Management Program shall consist of two zones consistent with the Brush Management regulations of the Land Development Code section 142.0412 as follows:

<u>Lot #</u>	<u>Zone One</u>	<u>Zone Two</u>
1	20'	40'
2	20' - 30'	30' - 40'
3	40'	

32. Provide the following note on the Brush Management Construction Documents: "It shall be the responsibility of the Permittee to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program."

33. For Lot 1, Zones 1 and 2 for brush management shall be provided on the subject property unless a recorded easement is granted by the adjacent property owner to this project site's property owner for the purpose of establishment and maintenance of brush management Zone Two.

34. 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 run-off and erosion, as a result of the specific plan. The Plan shall be comprehensive, covering the entire Subarea V.

35. The drainage system proposed for this subdivision, is subject to approval by the City Engineer.

36. The developer shall provide a downstream drainage study, satisfactory to the City Engineer, that demonstrates that no adverse impacts will occur to downstream properties

R 295582

as a result of the increased runoff from this development or, if substantial impacts are anticipated, what measures must be taken to mitigate such impacts.

37. 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.

38. Prior to the filing 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 Del Mar Mesa Specific Plan, in a manner satisfactory to the City Manager, and the Executive Director of the Housing Authority. Such evidence of compliance shall include execution of An Affordable Housing Agreement with the Executive Director of the Housing Authority that provides security for performance. The subdivider's project is eligible under the in-lieu fee option of the Del Mar Mesa Specific Plan to meet the affordable housing requirement in this manner, and the Subdivider has stated its intent to pay the then current in-lieu fee for Del Mar Mesa as required, at the time of issuance of building permits.
39. This subdivision is in a community plan area designated in the General Plan as Planned Urbanizing or 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.

R-295582

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 Education Code section 17620, in accordance with procedures established by the Director of Building Inspection.
- This development map may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- This tentative map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

L:\LANZAFAM\Resos\Reso2002\R-295582\_TMcond\_HollywdVine.wpd

R-295582