

RESOLUTION NUMBER R- 300477

ADOPTED ON MAY 24 2005

WHEREAS, Meadowbrook Homes, LLC, Applicant/Subdivider, and Lundstrom and Associates, Engineer, submitted an application to the City of San Diego for a tentative map (Tentative Map No. 011309) for the construction of a 66-unit condominium development, known as the Skyline Hills project [Project], located on the east side of Meadowbrook Drive, just north of Paradise Valley Road, and legally described as Lot 32 of Highland Bluffs, Map No. 8673, in the Skyline-Paradise Hills Community Plan area, in the RS-1-7 zone which is proposed to be rezoned to the RM-1-1 zone; and

WHEREAS, on April 7, 2005, the Planning Commission of the City of San Diego considered Tentative Map No. 011309, and pursuant to Resolution No. 3704-PC-1 voted to recommend City Council approval of the tentative map; and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to the Subdivision Map Act and San Diego Municipal Code section 144.0220; and

WHEREAS, the matter was set for public hearing on MAY 24 2005, 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. 011309:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code section 125.0440.a and State Map Action sections 66473.5, 66474(a), and 66474(b)).
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code section 125.0440.b).
3. The site is physically suitable for the type and density of development (Land Development Code section 125.0440.c and State Map Act sections 66474(c) and 66474(d)).
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code section 125.0440.d and State Map Act section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code section 125.0440.e and State Map Act section 66474(f)).
6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code section 125.0440.f and State Map Act section 66474(g)).
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code section 125.0440.g and State Map Act section 66473.1).
8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code section 125.0440.h and State Map Act section 66412.3).

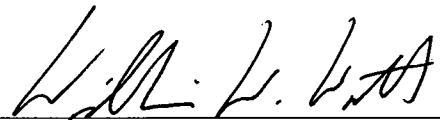
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that pursuant to Government Code section 66445(j) a portion of the public utility easement located within the project boundaries as shown in Tentative Map No. 011309, 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. 011309 is granted to Meadowbrook Homes, LLC, Applicant/

Subdivider and Lundstrom and Associates, Engineer, subject to the attached conditions which are made a part of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
William W. Witt
Deputy City Attorney

WWW:pev
05/10/05
Or.Dept:DSD
R-2005-1181
MMS #1924

CONDITIONS FOR TENTATIVE MAP NO. 011309

SKYLINE HILLS PROJECT

ADOPTED BY RESOLUTION NO. R-_____ ON _____

GENERAL:

1. This Tentative Map will expire on _____.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
4. A Final Map shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.
5. The Final Map shall conform to the provisions of Planned Development Permit No. 011303, and Site Development Permit No. 206466.
6. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
7. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.
8. 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.
9. Prior to the issuance of the Final Map, the applicant shall conform to Municipal Code provisions for "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 City Engineer.

AFFORDABLE HOUSING:

10. Prior to the issuance of any building permits, the developer shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code).

ENGINEERING:

11. The subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer

12. Prior to the issuance of any construction permit, the Subdivider shall incorporate any construction Best Management Practices [BMP] necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

13. Prior to the issuance of any construction permit, the Subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.

14. Prior to the issuance of any construction permit the Subdivider shall incorporate and show the type and location of all post-construction BMP's on the final construction drawings, in accordance with the approved Water Quality Technical Report.

15. The drainage system proposed for this subdivision, as shown on the approved tentative map, is private and subject to approval by the City Engineer.

16. All driveways and curb openings shall comply with City Standard Drawings G-14A G14B, G-16 and SDG-100.

17. Development of this project shall comply with all requirements of State Water Resources Control Board [SWRCB] Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), 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 implemented concurrently with the commencement of grading activities, and a Notice of Intent [NOI] shall be filed with the SWRC.

18. 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. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.

LANDSCAPING:

19. In the event that the Landscape Plan and the Site Plan conflict, the Landscape Plan shall prevail.

20. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be the responsibility of

the Permittee/Owner, to assure that it shall be repaired and/or replaced in kind and equivalent size per the approved plans within fifteen days.

21. In the event that a foundation only permit is requested by the Permittee or subsequent Owner, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit "A," Landscape Development Plan, on file in the Office of Development Services. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as landscaping area.

22. Prior to issuance of any grading permits, complete landscape construction documents, including an automatic permanent irrigation system, shall be submitted to the Development Services Department, Development and Environmental Planning Division for approval. The plans shall be in substantial conformance to Exhibit "A," on file in the office of the Development Services.

23. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit shall have been granted by the City.

24. 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. Improvement plans shall take into account a 40 square feet area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

25. Prior to final inspection, it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape. A No Fee Street Tree Permit, if applicable, shall be obtained for the installation, establishment and on-going maintenance of all street trees.

26. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

MAPPING:

27. "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).

28. "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."

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.

29. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.

WASTEWATER:

30. All on-site sewer facilities shall be private.

31. The developer shall install all facilities necessary to serve the proposed development as required by the accepted sewer study.

32. Sewage generated by this development will primarily discharge to the County of San Diego sewer system. Due to inadequacy, the developer shall upgrade (at its own cost) a 210' segment of the County sewer pipe along Broadview Street (immediately s/o Noeline Av in Spring Valley) from 10" to 15" (the County letter dated 12/23/04) to the satisfaction of the County of San Diego.

33. No structures or landscaping, including private sewer facilities and enhanced paving, shall be installed in or over any easement prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.

34. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities

35. The developer shall provide CC&Rs for Home Owner's Association that outlines the responsibility of Homeowners for the operation and maintenance of all on site private sewer facilities for the Skyline Hills Project.

GEOLOGY:

36. An updated geotechnical report will be required as grading plans are developed for the project. The geotechnical consultant must review, sign and stamp the grading plans as part of the plan review and grading permit issuance process. A Final As-Built Report is required within fifteen days of completion of grading operations.

37. Additional geotechnical information such as verification of as-graded or existing soil conditions needed for design of structure foundations will be subject to approval by the Division of Building and Safety prior to issuance of building permits.

WATER REVIEW:

38. The Subdivider shall provide CC&Rs for the operation and maintenance of any on-site private water facilities that serve or traverse more than a single dwelling unit or common area.

39. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.

40. 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 Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Water facilities, as shown on the approved tentative map, shall be modified at final engineering to comply with standards.

INFORMATION:

- The approval of this Tentative Map by the City Council of 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 USC section 1531 et seq.).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- This development may be subject to payment of a park fee prior to the filing of the Final Map in accordance with San Diego Municipal Code.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code section 66020.