

RESOLUTION NUMBER R-300688

ADOPTED ON JULY 19, 2005

WHEREAS, Pardee Homes, Applicant/Subdivider, and Project Design Consultants, Engineer, submitted an application to the City of San Diego for a 9-lot vesting tentative map (Vesting Tentative Map No. 6450) for California Terraces Planning Areas 13 and 14 [Project], located at the northeast corner of Ocean View Hills Parkway and Otay Mesa Road, and legally described as a portion of the southwest quarter of the southwest quarter and a portion of the southeast quarter of the southwest quarter of Section 29, Township 18 South, Range 1 West, San Bernardino Meridian, in the California Terraces Precise Plan and the Otay Mesa Community Plan area, in the RM-3-7 and CC-1-3 zones, and the Community Plan Implementation Overlay zone; and

WHEREAS, on April 21, 2005, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 6450, and pursuant to Resolution No. 3720-PC voted to recommend City Council approval of the vesting 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 July 19, 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,

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BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Vesting Tentative Map No. 6450:

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 the recommendation of the Planning Commission is sustained, and Vesting Tentative Map No. 6450 is granted to Pardee Homes, Applicant/

Subdivider and Project Design Consultants, Engineer, subject to the attached conditions which are made a part of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

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CONDITIONS FOR VESTING TENTATIVE MAP NO. 6450
CALIFORNIA TERRACES PLANNING AREAS 13 AND 14 PROJECT

ADOPTED BY RESOLUTION NO. R-300688 ON JULY 19, 2005

GENERAL

1. This Vesting Tentative Map will expire July 19, 2008.
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. A Final Map shall be recorded in the Office of the County Recorder, prior to the Vesting Tentative Map expiration date.
4. The Final Map shall conform to the provisions of Development Permit No. 6451 and Planned Development Permit No. 8076.
5. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.

ENGINEERING

6. The subdivider shall conform to Section 62.0203 of the Municipal Code, "Public Improvement Subject to Desuetude or Damage." If repair or replacement of such public improvements is required, the owner shall obtain the required permits for work in the public right-of-way, satisfactory to the permit-issuing authority.
7. Except at the approved driveway locations, the subdivider shall relinquish abutter's rights of access to Otay Mesa Rd. and Ocean View Hills Parkway.
8. All emergency access driveways to a public street shall have controlled access and have a modified rolled curb, in lieu of a standard driveway curb cut, satisfactory to the Fire Department and the City Engineer.
9. Pursuant to City Council Policy 600-20, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
10. The drainage system proposed for this development, as shown on the tentative map, is subject to approval by the City Engineer.
11. The subdivider shall construct a modified D-41 concrete energy dissipater, with a 2' deep x 8" wide concrete beam, at the discharge point of the drain system north of Street "JJ," satisfactory to the City Engineer.
12. 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

13. 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
14. Prior to the issuance of any construction permit, the Subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.
15. Prior to the issuance of any construction permit, the Subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
16. Prior to the issuance of any construction permit the Subdivider shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.
17. The subdivider shall underground existing and proposed public utility systems and service facilities in accordance with the San Diego Municipal Code, satisfactory to the City Engineer.
18. The subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
19. 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.
20. The subdivider shall use a Benchmark, satisfactory to the City Engineer.
21. The subdivider shall obtain an Encroachment Maintenance Removal Agreement for the enhanced paving in JJ Street.

22. 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.
23. 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.

MAPPING

24. "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).
25. 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."
26. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.
27. 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.

SEWER AND WATER

28. The Subdivider shall design and construct public water facilities as identified in the accepted water studies for California Terraces/Ocean View Hills necessary to serve this development in a manner satisfactory to the Water Department Director and the City Engineer.

29. The Subdivider shall provide a letter, to the Development Project Manager, agreeing to prepare CC&Rs for the operation and maintenance of all private water facilities that serve or traverse more than a single condominium unit or lot.
30. 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.
31. The Subdivider shall grant adequate water easements, including vehicular access to each appurtenance (meters, blow offs, valves, fire hydrants, 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.
32. Grants of water easements shall have the following MINIMUM widths: water mains with services or fire hydrants - 32 feet with 24 feet of paving and full height curbs. All paving shall conform to "grasscrete", schedule "J" or better. Water easements, as shown on the approved tentative map, will require modification based on standards at final engineering.
33. Providing water for this development is dependent upon prior construction of certain water facilities in previously approved developments in this area. If facilities have not been constructed when required for this development, then the construction of certain portions of these previously identified water facilities, as required by the City Engineer, will become off-site improvements required for this development.
34. Prior to 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.

GEOLOGY

35. Prior to the issuance of a grading permit, a geotechnical report shall be submitted and approved by the City Engineer in accordance with the City of San Diego's Technical Guidelines for Geotechnical Reports."
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 15 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 Building Development Review prior to issuance of building permits, if any.

BRUSH MANAGEMENT

38. The Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A," Brush Management Program/Landscape Concept Plan, on file in the Office of the Development Services Department.
39. Prior to issuance of any building permits, a complete set of brush management construction documents shall be submitted for approval to the City Manager and the Fire Marshall. The construction documents shall be in substantial Conformance with Exhibit "A," and shall comply with the Uniform Fire Code, Municipal Code 0889.0201, the Landscape Standards, and the Land Development Code Section 142.0412 (Ordinance - 18451).
40. 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. A minimum 35-foot Zone One shall be provided over that portion of Lot 2 located adjacent to Lot A between the existing Vernal Pool Preserves over Lots C and D, with a minimum 40-foot Zone Two extending over Lot A between Zone One and the flammable vegetation, as shown on Exhibit "A," Landscape Concept Plan. The existing Vernal Pool Preserves over Lots C and D shall serve as a natural fire break in conjunction with on-site Zone One Brush Management for all other portions of Lots 1 and 2 adjacent to the Dennerly Canyon open space. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) are not permitted, while non-combustible accessory structures may be approved within the designated Zone One area subject to Fire Marshall and the City Manger's approval.

LANDSCAPE

41. The Permittee or subsequent owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

TRANSPORTATION

42. No fewer than 150 vehicular (150 required) parking spaces shall be maintained for the commercial portion on the property at all times in the approximate locations shown on the approved Exhibit "A," on the file in the Development Services Department.

43. The subdivider shall assure by bond construction of Ocean View Hills Parkway as 6-lane major roadway between Del Sol Boulevard and Otay Mesa Road, satisfactory to the City Engineer.
44. The subdivider shall assure by bond construction of "JJ" Street with 40 feet of pavement within 60 feet of right-of-way with curb, gutter and 5-foot sidewalk within 10-foot curb to property line distance on both side and a 50-foot curb radius cul-se-sac at the northerly end, satisfactory to the City Engineer.
45. The subdivider shall assure by bond, construction of a westbound right turn lane on Otay Mesa Road at "JJ" Street, satisfactory to the City Engineer.
46. The subdivider shall assure by bond construction of a traffic signal at the intersection of Otay Mesa Road/"JJ" Street, satisfactory to the City Engineer once Otay Mesa Road is returned to City of San Diego and full access is allowed at this intersection.

PARKS AND OPEN SPACE

47. Lot A shall be an open space easement with HOA ownership
48. Lots E and F shall be an open space easement owned and maintained by the HOA.

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.).
- 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 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.
- This development may be subject to payment of a park fee prior to the filing of the final map 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 impact fees, as established by the City Council, at the time of issuance of building permits.

- 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.