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RESOLUTION NUMBER R- 304667

DATE OF FINAL PASSAGE FEB 17 2009

VESTING TENTATIVE MAP NO. 551809 AND EASEMENT  
VACATION NO. 580203 – PLAYA DEL SOL, PROJECT  
NO. 4925.

WHEREAS, Pardee Homes, Applicant/Subdivider, and Project Design Consultants, Engineer, submitted an application to the City of San Diego for a vesting tentative map (Vesting Tentative Map No. 551809) and easement vacation (Easement Vacation No. 580203) for the subdivision of a 45.97-acre site into four parcels for residential condominium development, for the Playa Del Sol project [Project], located south of Ocean View Hills Parkway, north of State Route 905, and west of A Street, and legally described as the northwest quarter and a portion of the south half of Section 30, Township 18 South, Range 1 West, and a portion of the southeast quarter of the northeast quarter of Section 25, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, in the California Terraces Precise Plan (Planning Area 6) area and within the Otay Mesa Community Plan area, in the RM-3-7 zone; and

WHEREAS, the Map proposes the subdivision of a 49.97-acre site into four lots for a residential condominium development (three residential lots and one Home Owner's Association [HOA] lot): and

WHEREAS, on November 13, 2008, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 551809 and Easement Vacation No. 580203, and pursuant to Resolution No. 4479-PC voted to recommend City Council approval of the 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 [SDMC] section 144.0220; and

WHEREAS, the subdivision is a residential condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. Lot 1 has 513 units, Lot 2 has 565 units and Lot 3 has 500 units for a total of 1,578 residential units; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the matter was set for public hearing on FEB 17 2009, 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 Vesting Tentative Map No. 551809:

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 [LDC] section 125.0440(a) and Subdivision Map Action Sections 66473.5, 66474(a), and 66474(b)).

The following describes how the proposed subdivision, its design and improvements are consistent with the policies, goals, and objective of the City's General Plan, the Otay Mesa Community Plan, and the California Terraces Precise Plan.

The General Plan's Land Use and Community Planning Elements include policy direction to implement the City of Villages Strategy within the context of San Diego's

community planning program. The elements include goals for balanced communities and equitable development through the provision of a variety of housing types and sizes with varying levels of affordability in residential and village developments. Specifically, the plan includes the goal of ensuring diverse and balanced neighborhoods and communities with housing available for households of all income levels. The plan also establishes each community plan as an essential component of the Land Use Element, where site-specific land use and density designations and recommendations are provided. The Otay Mesa Community Plan residential objectives also identifies the need to provide a balanced community in terms of housing types and economic appeal, with development to occur only as full community needs and amenities may be met.

The proposed subdivision with 1,578 dwelling units is within the approved density range of both the Otay Mesa Community Plan and the California Terraces Precise Plan, therefore the subdivision would not adversely affect the residential density goals of either plan. The subdivision is proposing attached units. This unit type would help satisfy the goal to create balanced community. The attached units would provide an alternative housing option to the existing single family development in Otay Mesa.

The General Plan's Mobility Element intent is to improve mobility through development of a balanced, multi-modal transportation system. Goals of the Mobility Element include creating walkable communities with pedestrian-friendly street, site and building design. The proposed subdivision would be located within walking and biking distance to schools and parks, and open space. The design of the project would encourage pedestrian and bicycle movement throughout the site via safe and convenient parkway paths throughout the development that connect to public sidewalks.

The Urban Design Element of the General Plan is based on the guiding principles of building upon our existing communities, while the goals of the Conservation Element include preservation and management of the natural landforms and open spaces, as well as preservation of sensitive biological resources. The proposed project, Planning Area 6 within the California Terraces Precise Plan, would build upon the existing community, and provide multi-family dwelling units in close proximity to schools, parks and open space. Of the approximately 665 acres that make up the California Terraces Precise Plan area, approximately 173 have been preserved as Open Space, with over 45 of those acres within a vernal pool preserve.

The Otay Mesa Community Plan's Community Environmental and Design Element objectives call for a healthful, safe environment that balances development with preservation of environmental elements and natural resources. It further states that projects should preserve unique natural elements, include aesthetic streetscape elements, and employ indigenous landscaping species with low water demand to reduce irrigation demands. The California Terraces Precise Plan's Design Element objectives for attached residential projects include giving consideration to prominent buildings, creating courtyards and open space areas, varying setbacks along roadways, and not accessing garages from major and collector streets.

The proposed project would meet the design objectives of the General Plan, the Otay Mesa Community Plan and the California Terraces Precise Plan by creating a visual landscape buffer between the street and the residential land use, and by providing an interface

between parkways and major use areas via a curvilinear streetscape. The proposed project would encourage pedestrian and bicycle movement throughout the site with safe and convenient parkway paths throughout the development that connect to public sidewalks. Further guidelines that the project would implement include direct garage access from inside the project rather than curb cuts to the public street, and screened off-street parking from public streets through the placement of the proposed buildings. The proposed project would also eliminate the need for visually obtrusive sound walls at the southwestern corner of the site by elevating the pad, locate buildings to create courtyards and open spaces that are well defined, utilize drought-tolerant plant species, and provides three common recreational areas for the project that offer numerous amenities for the future residents.

The project would be consistent with the Public Facilities Elements of the General Plan, the Otay Mesa Community Plan and California Terraces Precise Plan through the payment of its fair share of development impact fees to contribute to the parks, library facilities and future demand on Police/Fire services.

In conclusion, the proposed subdivision, its design and improvements are consistent with the policies, goals, and objective of the City's General Plan, the Otay Mesa Community Plan, and the California Terraces Precise Plan, therefore the proposed subdivision would not adversely affect them.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (LDC section 125.0440(b)).

The proposed subdivision has been designed and conditioned to comply with the applicable zoning and development regulations of the City of San Diego Land Development Code except for height and setbacks. The applicant is requesting a deviation from the required RM-3-7 height limit of 40 feet to a maximum of 58 feet. The highest roofline of any of the buildings would be 52 feet, the additional 6 feet is for the elevator towers. The rooflines range in height from 40 to 52 feet, and with the elevator towers, the overall heights are 46 to 58 feet high. The tallest structures are located towards the southern end of the project and are generally located away from the existing single-family residences to the north.

The increase in height is necessary to accommodate the density envisioned by the California Terraces Precise Plan. The height deviation will allow more units to be built on the site than if the 40-foot height limit were strictly applied. Further, to meet the height and density regulations of the RM-3-7 zone the units would have to be smaller. In association with the Otay Mesa Community Plan Update, a survey was conducted by SourcePoint in both single family units and multi-family units in the Otay Mesa and Otay Ranch area to determine household sizes. The survey results established that the multi-family units in the Otay region had an average of 3.45 persons per household. Given the population per household in Otay Mesa is currently 3.45, the provision of smaller units in order to try and reduce the overall building height is not supported because it would not address the housing needs of the area. The project proposes a mix of one, two, three, and four bedroom units based on the demonstrated demand for larger units in this portion of San Diego. By providing a variety of unit types, the applicant would help to make Otay Mesa a more balanced community which is consistent with the Housing Element of the General Plan.

The applicant is also requesting the following setback deviations to the RM-3-7 zone.

Lot 1:

- (1) The RM-3-7 zone requires a street side yard setback of 76 feet (or 10 percent of the lot width along Otay Mesa Road, 30 feet is proposed.
- (2) The RM-3-7 zone requires a side yard setback of 76 feet (or 10 percent of the lot width) along the northern side of the lot, 15 feet is proposed.

Lot 2:

- (1) The RM-3-7 zone requires a street side yard setback of 76 feet (or 10 percent of the lot width) along A Street, 20 feet is proposed.
- (2) The RM-3-7 zone requires a side yard setback of 76 feet (or 10 percent of the lot width) along the western side of the lot, 12 feet is proposed.

Lot 3:

- (1) The RM-3-7 zone requires a street side yard setback of 75 feet (or 10 percent of the lot width) along Del Sol Boulevard, 40 feet is proposed.
- (2) The RM-3-7 zone requires a side yard setback of 75 feet (or 10 percent of the lot width) along the southeastern side of the lot, 15 feet is proposed.

The setback deviations are supported because the density envisioned in the California Terraces Precise Plan would not be achieved if the setback were strictly applied and there are no other projects in the area that have 75 foot or similar setbacks. The setback deviations are supported because they will permit more units to be built than would be permitted if the RM-3-7 zone setbacks were strictly applied and they will be consistent with the surrounding development pattern.

3. The site is physically suitable for the type and density of development (LDC section 125.0440(c) and Subdivision Map Act Sections 66474(c) and 66474(d)).

The proposed 45.97 acre subdivision is vacant and was mass graded in 1997 and 1999. The site is adjacent to existing residential development to the north, future commercial development to the east, Otay Mesa Road to the south and school/park uses to the west. The Otay Mesa Community Plan land use designation for the site is medium-high residential. The site is zoned RS-1-14 and RM-3-7, which allows for multi-family residential development. The proposed subdivision is physically suitable for the type and density of development proposed because it is compatible with the surrounding land uses and will serve as an extension of the adjacent existing residential development and planned future commercial development.

4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (LDC section 125.0440(d) and Subdivision Map Act Section 66474(e)).

In 1994, the City of San Diego certified the Final Environmental Impact Report [FEIR] for the California Terraces Precise Plan. An addendum to the FEIR was prepared for the proposed subdivision in accordance with State California Environmental Quality Act Guidelines. No new significant impacts were identified for the proposed subdivision. The Mitigation, Monitoring and Reporting Program, [MMRP] prepared for the FEIR identified measures which were to be applied to all subsequent projects within the California Terraces Precise Plan area. Therefore, implementation of the MMRP would reduce potential impacts identified in the environmental review process to below a level of significance. The addendum did not identify any new impacts. Those previously identified potential impacts not reduced to below a level of significance are justified by the Statement of Overriding Considerations. Therefore, the design of the subdivision or proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (LDC section 125.0440(e) and Subdivision Map Act Section 66474(f)).

The permit controlling the subdivision and associated improvements contain conditions addressing compliance with the City's regulations and other regional, state and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. These conditions include standards that pertain to best management practices, traffic circulation, engineering, utilities, noise, and landscaping. All applicable Building, Fire, Plumbing, Electrical, Mechanical Code sections and the City regulations governing the construction and continued operation of the development shall apply to the subdivision. As such the proposed development will not be detrimental to the public health, safety and welfare.

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 (LDC section 125.0440(f) and Subdivision Map Act Section 66474(g)).

The site design and associated improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. However, the applicant is requesting approval of the vacation of a retention basin easement per document No. 1999-0400948, recorded June 9, 1999, page 2517, recorded June 9, 1999, City drawing 27980-4, 22-D; and of a temporary construction area easement per document No. 1999-0400948, page 2518, recorded June 9, 1999. City drawing 27980-4, 22-D. The vacation of the two easements are supported because both easements were necessary for the widening of Otay Mesa Road which has been completed and are therefore no longer needed by the City of San Diego.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (LDC section 125.0440(g) and Subdivision Map Act Section 66473.1).

The design of the proposed subdivision through building orientations, architectural treatments such as overhangs, as well as, the placement and selection of plant

materials provide to the extent feasible, for future passive or natural heating and cooling opportunities.

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 (LDC section 125.0440(h) and Subdivision Map Act Section 66412.3).

The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and has found it would have a positive effect by providing 1,578 new multi-family dwelling units at a time when the City Council has determined that the City is in a Housing State of Emergency. The fiscal effects of the proposed subdivision on the need for public services have been considered and have determined through conditions of approval the subdivision will pay development impact fees for its fair share for parks, library facilities, police and fire services. The decision maker has also considered the subdivision's effect on environmental resources. In 1994, the City of San Diego certified the FEIR for the California Terraces Precise Plan. An addendum to the FEIR was prepared for the proposed subdivision in accordance with State California Environmental Quality Act Guidelines. No new significant impacts were identified for the proposed subdivision. The MMRP prepared for the FEIR identified measures which were to be applied to all subsequent projects within the California Terraces Precise Plan area. Implementation of the MMRP would reduce, to a level below significance, any potential impacts identified in the environmental review process; therefore, the subdivision will not adversely affect environmental resources.

9. The property contains public service and street easements which must be vacated to implement the final map in accordance with SDMC section 125.0430.

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

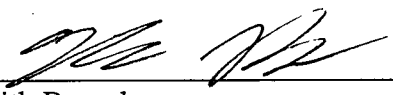
BE IT FURTHER RESOLVED, that pursuant to California Government Code section 66434(g), retention basin easement granted per document No. 1999-0400948, recorded June 9, 1999, page 2517, City Drawing 27980-4, 22-D and temporary construction area easement granted per document No. 1999-0400948, page 2518, recorded June 9, 1999, City Drawing 27980-4, 22-D, located within the project boundaries as shown in Vesting Tentative Map No. 551809T, shall be vacated, contingent upon the recordation of the approved map for the project and that said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

1. There is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired or for any other public use of a like nature that can be anticipated.
2. The public will benefit from the action through improved utilization of the land made available by the abandonment.
3. The abandonment is consistent with the Otay Mesa Community Plan.
4. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the abandonment or the purpose for which the easement was acquired no longer exists..

BE IT FURTHER RESOLVED, that Vesting Tentative Map No. 551809 and Easement Vacation No. 580203 are granted to Pardee Homes, Applicant/Subdivider and Project Design Consultants, Engineer, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

  
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Keith Bauerle  
Deputy City Attorney

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Or.Dept:DSD  
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CONDITIONS FOR VESTING TENTATIVE MAP NO. 551809

PLAYA DEL SOL – PROJECT NO. 4925

ADOPTED BY RESOLUTION NO. R- ~~304667~~ <sup>CON</sup> ~~FEB 17 2009~~

**GENERAL**

1. This Vesting Tentative Map will expire FEB 17 2012.
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 Vesting Tentative Map expiration date, a Final Map shall be recorded in the Office of the County Recorder.
4. Prior to the issuance of the Final Map taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
5. The Final Map shall conform to the provisions of Planned Development Permit No. 8075.
6. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against any Indemnified Party to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, and defends the action in good faith. Subdivider shall not be required to pay or perform any settlement unless such settlement is approved by the Subdivider.

**ENGINEERING**

7. This Tentative Map is a Vesting Tentative Map, as such; the applicant/subdivider shall pay an additional \$300 fee to the Development Services Department for each Final Map processed in connection with the Vesting Tentative Map.
8. Pursuant to City Council Policy 600-20, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.

9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
10. The subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
11. 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.

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. RR-297376.

12. The subdivider shall grant a storm water storage easement over the underground detention basin, located in Lot 1.
13. The subdivider shall construct curb ramps at all new street intersections.
14. The subdivider shall provide Mutual Access Easements as required.
15. No new grading permits will be issued until drawing 28458-D has been as-built.
16. 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.
17. This project proposes to export 70,000 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 the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per Land Development Code [LDC] section 141.0620(i).
18. The drainage systems not located in a public street shall be private and subject to approval by the City Engineer.
19. 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

20. The subdivider shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices [BMP's] maintenance.
21. 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.
22. 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.
23. 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 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. 99-08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99-08 DWQ.

## **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.

### **WASTEWATER**

27. All proposed onsite sewer facilities will be private.
28. The developer shall design and construct all proposed private sewer facilities serving more than one lot to the most current edition of the City of San Diego's Sewer Design Guide.
29. The developer shall design any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

### **WATER**

30. 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.
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 and the City Engineer.
32. The Subdivider shall provide Encroachment Removal and Maintenance Agreement [EMRA] for all public water facilities located within the proposed easement.
33. 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.
34. The Subdivider shall provide keyed access to Water Operations Division, in a manner satisfactory to the Water Department Director, on each gate located within any easement containing public water facilities. The City will not be held responsible for any issues that may arise relative to the availability of keys.

35. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director, and the City Engineer.
36. 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.
37. 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.
38. The Owner/Permittee shall design all on-site irrigation systems to utilize reclaimed water. If reclaimed water is unavailable, then the irrigation system shall initially be supplied from the potable water system until reclaimed water is available. The system shall be designed to allow the conversion from potable to reclaimed water service and avoid any cross connections between the two systems.
39. All irrigation systems must be designed to utilize reclaimed water, whether or not reclaimed water is yet available. This will necessitate a separate irrigation service.
40. Prior to the issuance of any building permits, the Subdivider shall assure, by permit and bond the design and construction of reclaimed water on-site irrigation service(s), in a manner satisfactory to the Director of Public Utilities and the City Engineer.
41. Prior to approval of a Final Map, the Owner/Permittee shall comply with the requirements of Government Code Section 66473.7.

### **GEOLOGY**

42. 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."

### **TRANSPORTATION**

43. The construction of the following transportation improvements must be assured by permit and bond prior to the issuance of the first Final Map, satisfactory to the City Engineer:
  - a. Del Sol Boulevard, which is classified as a modified 4-lane urban collector with a minimum design speed of 35 mph, with a minimum 72 foot curb-

to-curb width within a 92 foot right-of-way, with a 14 foot raised center median along Del Sol Boulevard and curb, gutter, and minimum 5 foot wide non-contiguous sidewalk with a minimum 10 foot curb-to-property line distance along the project frontage.

- b. Street "A," which is classified as a 4-lane urban major with a minimum design speed of 45 mph, between Ocean View Hills Parkway and Private Drive "B" with an 88 foot curb-to-curb width within a 108 foot right-of-way, with a 24 foot wide raised center median and curb, gutter, and minimum 5 foot wide non-contiguous sidewalk within a minimum 10 foot curb-to-property line distance.
  - c. Street "A," which is classified as a 4-lane urban major with a minimum design speed of 45 mph, between Private Drive "B" and Private Drive "C" with a 78 foot curb-to-curb width within a 98 foot right-of-way, with a 14 foot wide raised center median and curb, gutter, and minimum 5 foot wide non-contiguous sidewalk within a minimum 10 foot curb-to-property line distance.
  - d. Street "A," which is classified as a 4-lane urban major with a minimum design speed of 45 mph, between Private Drive "C" and Otay Mesa Road, with a 98 foot curb-to-curb width within a 118 foot right-of-way, with a 14 foot wide raised center median and curb, gutter, and minimum 5 foot wide non-contiguous sidewalk within a minimum 10 foot curb-to-property line distance.
44. The construction of the following traffic signals and appropriate interconnect must be assured by permit and bond prior to the issuance of the first Final Map, satisfactory to the City Engineer:
- a. Ocean View Hills Parkway at Street "A" including a 150 foot dual northbound to westbound left-turn pocket
  - b. Street "A" at Private Driveway "B" including a 300 foot northbound to westbound left-turn pocket
  - c. Street "A" at Private Driveway "C" including a 200 foot northbound to westbound left-turn pocket

**INFORMATION:**

- The approval of this Vesting 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.
- Subsequent applications related to this Vesting 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 Vesting 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.
- 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 may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- Where in the course of development of private property, public facilities are damaged or removed the property owner shall at no cost to the City obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer. Municipal Code Section 142.0607.