

(R-91-1179)

RESOLUTION NUMBER R-277105

ADOPTED ON JANUARY 8, 1991

WHEREAS, McMillin/BCFD submitted an application to the Planning Department for Planned Residential Development and Hillside Review Permit No. 89-0550; and

WHEREAS, the permit was set for a public hearing to be conducted by the Council of The City of San Diego; and

WHEREAS, the issue was heard by the Council on January 8, 1991; and

WHEREAS, the Council of The City of San Diego considered the issues discussed in Environmental Impact Report No. 89-0550; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified that the information contained in ENVIRONMENTAL IMPACT REPORT EQD NO. 89-0550, in connection with Scripps Ranch North Phase 2 Planned Residential Development and Hillside Review Permit No. 89-0550, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Administrative Code section 15000 et seq.), and that said report has been reviewed and considered by this Council.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081 and Administrative Code section 15091, the City Council hereby adopts the findings made with

respect to the project, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that pursuant to California Administrative Code section 15093, the City Council hereby adopts the Statement of Overriding Considerations, a copy of which is attached hereto and incorporated herein by reference, with respect to the project.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

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02/25/91  
Or.Dept:Clerk  
R-91-1179  
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CANDIDATE FINDINGS AND STATEMENT  
OF OVERRIDING CONSIDERATIONS

MIRAMAR RANCH NORTH PHASE II  
D.E.P. NO. 89-0550, S.C.H. NO. 90010004

The California Environmental Quality Act (CEQA) requires that no public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been completed which identifies one or more significant effects thereof unless such public agency makes one or more of the following findings:

1. Changes or alterations have been required in, or incorporated into, such project which mitigate or avoid the significant environmental effects thereof as identified in the final environmental impact report.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency, and such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the final environmental impact report.

(Section 21081 of the California Environmental Quality Act)

CEQA further requires that, where the decision of the public agency allows the occurrence of significant effects which are identified in the Final EIR but are not at least substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record (Section 15093 of the CEQA Guidelines).

CANDIDATE FINDINGS  
FOR THE  
PLANNED RESIDENTIAL DEVELOPMENT PERMIT  
AND VESTING TENTATIVE MAP,  
FOR SCRIPPS RANCH NORTH PHASE II

The following findings are made relative to the conclusions of the final Supplemental Environmental Impact Report (SEIR) for the Vesting Tentative Map (VTM) and Planned Residential Development (PRD) permit for Scripps Ranch North Phase II, in the City of San Diego (DEP No. 89-0550). These findings are also made in conjunction with the EIR for the 1987 Miramar Ranch North Community Plan Amendment (DEP No. 85-0100). The 321.3-acre project area comprises Phase 2 of the larger McMillin/BCED ownership in the Miramar Ranch North Community Planning Area. The project involves the development of 777 residential units on 113 acres, a school and park site on 25 acres, a fire station on 1 acre, and an institutional/church site on 6 acres. These findings are made pursuant to Section 21081 of the California Public Resources Code and Sections 15091 and 15093 of the State CEQA Guidelines.

FINDINGS

A. The decisionmaker having reviewed and considered the information contained in the final SEIR for the project and the public record, finds, pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR with respect to the areas of (1) landform alteration/visual quality, (2) biological resources, and (3) noise. Specifically:

1. With respect to landform alteration/visual quality, the total volume of earthwork would be approximately 4,099,000 cubic yards occurring over 200 acres. The manufactured slopes along Cypress Canyon Road have been reduced from that shown on the Miramar Ranch North concept grading plan. In addition, enhanced grading techniques would be applied to the 80-foot high manufactured slope in Unit 11. These measures, described under letter 'a' below, will reduce the landform alteration and visual quality impacts associated with the project but not to below a level of significance. No additional mitigation measures are proposed.
  - a. Enhanced grading techniques would be applied to the manufactured slope in Unit 11. The edges of this 80-foot high slope would vary from a 2:1 to 3:1 ratio. The corners of the slope would be rounded

to transition with the adjacent topographic contours. The tentative map would also contain a note which would require that undulation of the slope be completed during the final engineering of the project (SEIR, page 21).

- b. The project design has incorporated a landscaping program which would implement the community plan guidelines (SEIR, page 22).
2. With respect to biology, the following design measures would partially reduce the impacts to biological resources, but not to below a level of significance:
    - a. Sixty-nine acres of southern mixed chaparral and four acres of coastal sage scrub shall be permanently preserved in natural open space. Included in this would be the Special Biological Study Area designated by the Miramar Ranch North Community Plan.
    - b. Brush management within Zones 2 and 3 shall be accomplished by hand clearing. The Del Mar manzanita plants within the area to be hand cleared (Zones 2 and 3) shall be flagged by a certified biologist and clearing crews shall be instructed not to disturb these plants.
  3. With respect to noise, the applicant has agreed to construct a three-foot-high solid-block or masonry noise wall in PRD Unit 11 (Lots 1 and 66). Second-story noise mitigation may not be necessary if the buildings are placed far enough back from the road. The necessary setback from Cypress Canyon Road would be 20 feet. For second-story noise receptors placed closer to the road than the minimum setback, architectural methods of noise mitigation would be necessary. Dual pane glass windows and forced-air circulation would be adequate to attenuate interior noise levels to an acceptable 45 dBA Ldn. Noise impacts at the proposed pocket park adjacent to Cypress Canyon Road would be mitigated by the construction of a three-foot-high berm along the length of the park (SEIR Conclusions, page 5). These measures would reduce the noise impacts to a level below significance.

B. The decisionmaker having reviewed and considered the information contained in the final SEIR for the project and the public record, finds that there are no changes or alterations to the project which avoid or substantially lessen the significant environmental impacts that are within the responsibility and jurisdiction of another public agency.

C. The decisionmaker having reviewed and considered the information contained in the final SEIR for the project and the public record, finds there are specific economic, social, or other considerations which make infeasible the mitigation measures and project alternatives identified in the final SEIR. The alternative identified in the SEIR to reduce landform alteration/visual quality and biology impacts to below a level of significance is the Reduced Grading Alternative (Alternative C).

The grading proposed for the PRD is consistent with the Miramar Ranch North worst case concept grading plan (SEIR Conclusions, page 1). However, the Reduced Grading Alternative, Alternative C, provides a design which would reduce the removal of ridgelines, prominent high points and filling of canyon bottoms. Residential lots would be clustered under this alternative to break up and create views from the road system between groups of units, protecting visually significant portions of existing landform. This could be accomplished without a loss in the number of units (SEIR, page S-4).

This alternative is not considered feasible for reasons concerning (1) the economics of developing the Scripps Ranch North Phase II property and (2) the required public facilities identified in the Miramar Ranch North Community Plan.

Alternative C is considered infeasible for social reasons relating to the public facilities designated for Phase II in the Miramar Ranch North community plan. Of particular importance is the need for active parks within the twin communities of Miramar Ranch North and Scripps Miramar Ranch. Alternative C emphasizes the reduction of large flat pad grading for multi-family and other land uses (i.e., the park site, school site, and church site), and states that the size of the pads can be reduced by creating pad areas that slope at accepted engineering gradients for lawn and outdoor use areas of up to and including 3:1 slopes (SEIR, page 45). Use of this grading approach would reduce the usable flat area at the 20-acre park site, and the 5.6-acre school site.

The VTM and PRD would also "preserve no less natural open space than is shown on the concept grading" plan (Miramar Ranch North Community Plan, page 11,) and would increase natural open space from the 106 acres shown on the concept grading plan to 121 acres.

## STATEMENT OF OVERRIDING CONSIDERATIONS

D. Pursuant to the CEQA Guidelines, the decisionmaker in determining whether to approve this project has balanced the benefits of this project against its unavoidable environmental risks. Because the benefits of this project outweigh the unavoidable adverse environmental effects, the decisionmaker considers the adverse environmental effects as acceptable, for the following reasons:

The proposed project is part of the three phase Scripps Ranch North project within the Miramar Ranch North Community Planning Area. The Scripps Ranch North Phase II project will facilitate and assist in the financing of major infrastructure improvements that would provide significant benefits not only to future residents of Miramar Ranch North but also to the City of Poway, Sabre Springs, Scripps Ranch, Rancho Bernardo, and Penasquitos East. The public facilities improvements listed in Table 21 of the community plan (pages 119-121) and detailed in the Public Facilities Financing Plan (PFFP) are dependent on developer contributions. The capital improvements required for all of Scripps Ranch North are listed below. (Appendix A of the PFFP contains a detailed description of the capital improvements.) These major infrastructure improvements require the implementation of all three phases of Scripps Ranch North to financially support the timely implementation of the facilities.

- a. Transportation improvements at the I-15/Mercy interchange (Stage 1 in Phase I and Stage 2 at 2700 EDU's in the entire community planning area) (underpass widening and interchange modifications).
- b. Various roadway improvements to on-site Circulation Element roads including the construction of Scripps Ranch Boulevard in Phase III, Scripps North Parkway between I-15 and the City of Poway (Alternative 8A) in Phase I, Spring Canyon Road in Phase I, and Cypress Canyon Road in Phase II. In addition, approximately \$2.1 million would be contributed to off-site roadways (Pomerado Road and Alternative 8A).
- c. Utilities improvements to the water distribution system including a 4.5 million gallon water reservoir which provides storage capacity for fire flows and backup water for the region in Phase I, a reservoir access road in Phase I, and 3 pump stations (one in each phase).

- d. Community facilities (three parks, fire station, high school contributions, a church site, a \$50,000 contribution to CALTRANS for a mass transit study, and library contributions).

Of the above facilities, the Phase II project area would provide a 20.0-acre community park site, 5.6-acre school, 1.0-acre fire station, two pocket parks, the construction of Cypress Canyon Road (a circulation element road), and 6.0-acre church site. These facilities (e.g., 20.0-acre community park site, school site, and fire station) would be jointly used by the "twin communities" of Scripps Miramar Ranch and Miramar Ranch North, as described in the community plan. The other facilities listed are part of either Phase I or Phase III. The implementation of a reduced grading project would not inhibit the construction of any of these facilities.

From a social perspective, approval of Phase 2 as part of the overall Scripps Ranch North development would contribute to the balance of housing in the region. The project, by developing multi-family and single-family units which provide a variety of housing types, sizes, prices, and ownership mechanisms, would allow for a balanced community and provide housing for a variety of socioeconomic groups (Miramar Ranch North Community Plan, page 13). However, implementation of a reduced grading alternative would also contribute to the balance of housing in the region.

The Miramar Ranch North roadway network as well as the capital improvement projects relating to the Mercy interchange, community parks, library contributions, mass transit studies, fire facilities, and water and sewer facilities will benefit not only Miramar Ranch North but also the surrounding communities. Given the magnitude of these and other infrastructure improvements noted above and the social considerations regarding balanced housing in the region, the identified environmental impacts are considered acceptable.

110-11

JAN 0 8 1991

Passed and adopted by the Council of The City of San Diego on .....  
by the following vote:

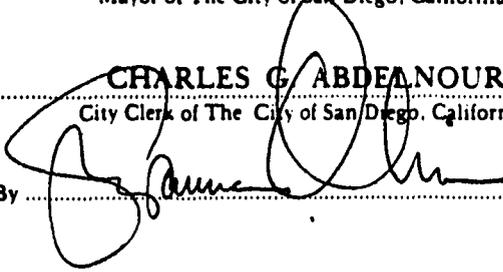
Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDEANOUR  
City Clerk of The City of San Diego, California.

By  Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-277105 Adopted JAN 0 8 1991