RESOLUTION NUMBER R- 313603

DATE OF FINAL PASSAGE JUN 15 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE VESTING TENTATIVE MAP NO. 2073797 THE JUNIPERS PROJECT NO. 586670 [MMRP].

WHEREAS, CARMEL PARTNERS LLC, a Delaware Limited Liability Company,
Subdivider, and Hunsaker and Associates, Engineer, submitted an application to the City of
San Diego for Vesting Tentative Map No. 2073797 (Map) and easement vacation for the
Junipers Project to develop 536 residential dwelling units. The site is the former Carmel
Highland Golf Course located west of I-15, north of Carmel Mountain Road, east of Peñasquitos
Drive, adjacent to 14455 Peñasquitos Drive, in the RS-1-14 (Residential-Single Unit) and
CV-1-1 (Commercial-Visitor) Zones which are proposed to be rezoned to RM-1-1 (Residential-Multiple Unit), RM-3-7 (Residential-Multiple Unit), OR-1-1 (Open Space-Residential), and
OP-1-1 (Open Space-Park), within the Rancho Peñasquitos Community Plan area. The property
is legally described as Parcel 3 of Parcel Map No. 21621, in the City of San Diego, County of
San Diego, State of California, filed in the office of the County Recorder of San Diego County
on September 13, 2018 as Instrument No. 2018-7000350 of official records; and

WHEREAS, the Map proposes the Subdivision of a 112.3-acre site into 13 lots; and WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)-(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, the subdivision is a condominium project as defined in California Civil Code section 4125 and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 455; and

WHEREAS, on April 29, 2021, the Planning Commission of the City of San Diego considered Vesting Tentative Map No. 2073797 and Easement Vacation, and pursuant to Resolution No. 5139-PC voted to recommend the Council of the City of San Diego approve the map; 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, on June 15, 2021, the Council of the City of San Diego considered Vesting Tentative Map No. 2073797, and Easement Vacation, and pursuant to San Diego Municipal Code section(s) 125.0430, 125.0440, 125.0941, 125.1040 and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the 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. 2073797:

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

The project is located on the former Carmel Highland Golf Course in the Glens Neighborhood within the Rancho Peñasquitos Community Plan (Community Plan) area. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements.

The project includes re-designating the site as Residential in the General Plan and from Open Space/Golf Course to Low Medium Residential Density (10-15 dwelling units/acres) in the Community Plan, and rezone from the existing RS-1-14 zone and small area of CV-1-1 zone to RM-1-1 and RM-3-7 zones and OR-1-1 and OP-1-1 zones. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The proposed uses would be consistent with the intent of the General Plan of focusing growth close to activity centers and linked to the regional transit system. The project would increase housing capacity and provide a range of housing types (age-restricted and affordable) with a land use plan compatible with the Glens Neighborhood. The project site has been identified in the City's Housing Element for the potential location of new housing and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is accessible by transit; and increasing housing choices within the Rancho Peñasquitos community.

The residential development would consist of a mix of detached and attached multifamily housing with public and private parks and recreational amenities compatible with the existing neighborhood. While the project density is slightly higher than adjacent residential development, the Glens Neighborhood also includes a mix of single-family and multi-family development. The closest proposed homes would not exceed two stories in height, and would include single-story, detached units similar in scale to the homes in the existing neighborhood.

The low-rise multi-family homes have been designed to meet the needs of senior households. All homes are designed to include features that accommodate residents as they age, including universal design features such as wider corridors to allow for wheelchair movement, first floor master bedroom suites, and reduced onsite parking. The homes have been designed with small private outdoor spaces to minimize maintenance needs and enhance community open space to emphasize personal interaction and active senior lifestyles. The architecture of the homes is consistent with the old west ranch style design Community Plan recommendations for the Glens Neighborhood.

The project will provide a 2.87-acres of public park, which exceeds the population-based park requirement of 2.55 acres. This design includes a dog park, children play areas, picnic and game areas, and a large turf area. The project also provides two privately owned and maintained recreational amenities that would be accessible to the general public. The amenities consist of a 2.75-mile social loop trail that includes seating, fitness stations, and observation and/or interpretive areas. The other amenity consists of a 0.52-acre park at the southern portion of the site that includes sports courts and mobility features such as bike racks, day lockers, tethered bike tools, transit and bike route signage, a rideshare pickup/drop-off location, pedestrian paths, and benches and shade structures.

The Community Plan also calls for the construction and maintenance of an adequate system for vehicular, bicycle and pedestrian circulation within the community, while providing adequate access to the larger San Diego region. The project provides roadway improvements that would increase capacity and includes a class II bike lane along the access road to the project and adjacent public park, thereby enhancing connectivity to the area. The project will also install a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes and protected phasing on Peñasquitos Drive, and permissive phasing on the minor street approaches (Cuca Street/Hotel Karlan Driveway). A single-lane roundabout would also be constructed at the Peñasquitos Drive, Janal Way and project access point.

The neighborhood is served by a bus line along Carmel Mountain Road that can be accessed using pedestrian corridors. The site is also approximately two miles south of the Rancho Bernardo Transit Station and one mile north of the Sabre Springs/Peñasquitos Transit Station (within an approximately 15-minute bike ride or a 5-minute drive). Each station provides access to all three major Bus Rapid Transit services operating from North County with connections to primary destinations in Kearny Mesa. Downtown San Diego and other regional destinations.

The project also addresses Climate Action Plan Greenhouse Gas (GHG) targets through sustainability features that includes photovoltaic panels on all of the individual homes, carport roofs within the affordable apartments, and electric vehicle (EV) charging stations, thereby resulting in a net decrease in GHG emissions for the overall project as compared to the former golf course. Lastly, the project includes adopting a Community Plan Implementation Overlay Zone to require the implementation of Community Plan policies and regulations to ensure that any future development of the site is consistent with the Community Plan. Therefore, the proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan.

2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the land development code.

The project is located on the former Carmel Highland Golf Course in the Glens Neighborhood within the Rancho Peñasquitos Community Plan (Community Plan) area. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and a publicly accessible recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements.

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The project proposes deviations to the development regulations for street frontage, fence/wall height, front yard setback, side yard setback, and lot width. Staff has reviewed and approved the following requested deviations under the San Diego Municipal Code (SDMC) for the project:

Proposed Deviations					
Development Regulation Required/Allowed Proposed					
Street Frontage Deviation					
For RM-1-1 and 3-7 lots, as per SDMC Table 131.04g, the minimum street frontage.	50 feet (RM 1-1) 70 feet (RM 3-7)	0-foot street frontage. The 0-foot street frontage for Lot H allows ingress and egress from Peñasquitos Drive and Carmel Mountain Road to Lots 1, 2, 3 & 4 (RM-1-1) and Lot 5 (RM 3-7) instead of directly from a public street.			
Fence/Wall Height Deviation					
SDMC section 142.0310 (1c) the height of a solid fence located on the front or street side property line may not exceed 3 feet, except when placed at the setback line where it may be 6 feet high.	3 feet-6 feet	6-foot high fences within the front setback of Buildings 44-47, 55, 61, 62, 71, 72, 87, 88, 113, 114, 135-138, 163-166, 181, 184, 185, 188, 189, 192, 193, 195, 196 (Lot 3)			
SDMC section 142.0310 (4)(d) fences located in required side yards and required rear yards are permitted up to 9	9 feet with up to 6 feet of solid fence and 3 feet of open fence	8-foot high solid fence for Buildings 99, 100, 123, 124, 125, 126, 147, 148, 149, 150, 179, 180			

Proposed Deviations				
Development Regulation	Required/Allowed	Proposed		
feet in height. Any portion of		9-foot high solid fencing for		
the fence above 6 feet in		Buildings 101, 102, 181, 182		
height shall be an open fence.				
For RM-1-1 lots, SDMC section 131.0443(d) and Table 131.04g - Up to 50 percent of the front yard setbacks may utilize the minimum yard setback if the other 50 percent utilizes the standard yard setback.	Minimum 15-foot front yard setback and Minimum 20-foot Standard front setback	Lot 2 (RM-1-1) front yard setback; Building No. (requested setback): 259 (10 feet), 260 (10 feet), 265 (10 feet) Lot 3 (RM-1-1) front yard setback; Building No. (requested setback): 181 (10 feet), 184 (10 feet), 185 (10 feet), 188 (10 feet), 189 (13 feet), 192 (11 feet), 193 (12 feet), 196 (14 feet) Lot 4 (RM-1-1) front yard setback; Building No. (requested setback): 54 (13 feet), 62 (13 feet), 71 (18 feet),		
For RM-1-1 lots, SDMC section 131.0443 (d) and Table 131.04g - Up to 50 percent of the length of the building envelope on one side of the premises may observe the minimum 5-foot side yard setback, provided the remaining percentage of the building envelope length observes at least the standard side yard setback of 8 feet or 10 percent of the lot width, whichever is greater. 100 percent of the length of the building envelopes on the opposite side may observe the minimum side yard setback of 5 feet. Lot Width Deviation	Minimum side yard setback of 5 feet; Minimum street yard setback of 10 feet; Standard side yard setback of 10 percent of lot width (see Sheet C5 of engineering drawings for specific lots and setbacks)	T2 (14 feet) Lot 1 (RM-1-1) side yard setback; Building No. (requested setback): 42 (25 feet), 43 (15 feet), 44 (35 feet) Lot 2 (RM-1-1) side yard setback; Building No. (requested setback): 231 (45 feet), 310 (45 feet), 232 (10 feet), 233 (10 feet), 234 (25 feet), 235 (25 feet), 236 (25 feet), 237 (20 feet) Lot 3 (RM-1-1) side yard setback; Building No. (requested setback): 196 (17 feet), 195 (17 feet), 166 (20 feet), 165 (16 feet), 164 (22 feet), 163 (18 feet), 138 (15 feet), 137 (15 feet), 136 (20 feet), 135(17 feet), 114 (20 feet), 113 (15 feet), 88 (20 feet), 87 (15 feet) Lot 4 (RM-1-1) side yard setback; Building No. (requested setback): 53 (5 feet), 54 (5 feet)		

Proposed Deviations				
Development Regulation Required/Allowed Proposed				
		Lot C – 10-foot minimum Lot D – 20-foot minimum		
lot width		Lot G – 10-foot minimum		

Fence/Wall Height Deviation: The sound barrier height deviation allows for taller walls and fences around private exterior use areas for noise attenuation purposes to achieve sound levels of 70 CNEL or less within private outdoor usable spaces. The taller noise attenuation privacy barriers reach up to eight or nine feet in height and are primarily located within the easternmost housing units adjacent to the I-15 freeway. The deviation will result in a more desirable project since increasing the heights of sound walls by two to three feet over the allowable six feet reduces sound impacts from the I-15 freeway thereby protecting the quality of life for residents. The sound walls have no significant adverse visual effect to viewers from the east due to the topographic variation between the site and the I-15 freeway.

Setback Deviation: The deviations from the setback requirements for the RM-1-1 zone allows for placement of the project into the unique shape of the former golf course footprint, allowing for units customized to the living needs of the 55+ age group, and providing for a perimeter open space and walking trail. The deviations are located on the condominium lot and allow for the front of the dwelling units to be closer to the sidewalk, thereby promoting pedestrian interaction. The deviation would also accommodate the desired densities for the one-story homes with no stairs that best serve senior residents.

The deviation will result in a more desirable project since the project implements policies in the Residential Element of the Community Plan that encourages residential development that uses creative and flexible site planning to maximize the preservation of open space and hillside areas. The offset in depth from the front facade to the main massing provides for more variation along the streetscape between the various elevations and is therefore more suitable to the geography of the site. The additional depth to the living space at the front along with the side and rear yard setback deviations allows for better internal functionality of the dwelling units. Single-story development is also considered important for senior residents who want to age in place and have internal home spaces that are located at ground level. The additional internal area provided by the reduced setbacks also provides additional rooms per floor plan design to meet the future needs of the senior homeowner.

Street Frontage Deviation: The street frontage deviation addresses the RM-1-1 requirement for dwelling units to have 50 feet of street frontage, and a RM 3-7 requirement for dwelling units to have 70 feet of street frontage (Lot 5). The project proposes condominiums where units do not front on streets and are clustered around a common driveway. The deviation will result in a more

desirable project since it would allow for maximum dwelling unit sizes without the need for large front yards. The common driveway would serve as a common entryway, and as a central meeting area for neighbors in each of the residential clusters, thereby promoting social interaction.

Lot Width Deviation: The perimeter of the project is proposed for OR-1-1 zoning to reflect the open space that would be privately owned and maintained by the homeowners association. A deviation from the standard minimum 200-foot lot width requirement is necessary due to the limitations of the unique shape of the project site and the proximity of the adjacent I-15 freeway and residential neighborhood. The deviation will result in a more desirable project since the proposed perimeter open space area includes a social loop trail and associated pedestrian amenities that will be available to the general public, and re-establishes a drainage area along the eastern boundary.

Each of the requested deviations has been reviewed as they relate to the project design, the property configuration, and the surrounding development. The deviations are appropriate and will result in a more desirable project that efficiently utilizes the site and achieves the revitalization and re-use of the former golf course for residential use, while meeting the purpose and intent of the development regulations.

The City's Inclusionary Affordable Housing Implementing and Monitoring Procedures (Affordable Housing Manual) requires projects to construct affordable housing units in similar bedroom mix as the market rate units unless a variance is requested for an alternative comparable bedroom mix. The project's 81 affordable housing units accounts for 15 percent of the total proposed housing units, where the regulations require 10 percent. The inclusion of the affordable housing units exceeds the project's affordable housing obligation. Therefore, granting a variance for an alternative bedroom mix requirement is consistent with the policies of the Affordable Housing Manual.

The project meets all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the SDMC. The project will assist in accomplishing of the Community Plan of providing market-rate and affordable housing opportunities. Therefore, the proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

3. The site is physically suitable for the type and density of development

The project is located on the former Carmel Highland Golf Course in the Glens Neighborhood within the Rancho Peñasquitos Community Plan (Community Plan) area. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also

includes a public park and a publicly accessible recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements.

The project includes re-designating the site as Residential in the General Plan and from Open Space/Golf Course to Low Medium Residential Density (10-15 dwelling units/acre) in the Community Plan, and rezone from the existing RS-1-14 zone and small area of CV-1-1 zone to RM-1-1 and RM-3-7 zones and OR-1-1 and OP-1-1 zones. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project site is in the Urban Areas segment of the City's Multiple Species Conservation Program Subarea Plan and is not located within or adjacent to the Multi-Habitat Planning Area. The sloping topography within the site does not meet the definition of steep hillsides in the Environmentally Sensitive Lands (ESL) regulations. The site does not contain protected habitats or sensitive plant or animal species. The existing drainage that crosses the site does not meet the City's definition of a wetland and is not subject to the City's ESL Regulations, and the on-site habitats are not subject to the regulations. The project is not within a coastal beach or bluff area, nor does it contain 100-year floodplains. Therefore, the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The project proposes deviations to the development regulations for street frontage, fence/wall height, front yard setback, side yard setback, and lot width. Staff has reviewed and approved the following requested deviations for the project:

Proposed Deviations						
Development Regulation Required/Allowed Proposed						
Street Frontage Deviation						
For RM-1-1 and 3-7 lots, as per SDMC Table 131.04g, the minimum street frontage.	50 feet (RM 1-1) 70 feet (RM 3-7)	0-foot street frontage. The 0-foot street frontage for Lot H allows ingress and egress from Peñasquitos Drive and Carmel Mountain Road to Lots 1, 2, 3 & 4 (RM-1-1) and Lot 5 (RM 3-7) instead of directly from a public street.				
Fence/Wall Height Deviation	Fence/Wall Height Deviation					
SDMC section 142.0310 (1c) the height of a solid fence located on the front or street side property line may not exceed 3 feet, except when	3 feet-6 feet	6-foot high fences within the front setback of Buildings 44-47, 55, 61, 62, 71, 72, 87,				

Proposed Deviations			
Development Regulation	Required/Allowed	Proposed	
placed at the setback line where it may be 6 feet high.		88, 113, 114, 135-138, 163-166, 181, 184, 185, 188, 189, 192, 193, 195, 196 (Lot 3)	
SDMC section 142.0310 (4)(d) fences located in required side yards and required rear yards are permitted up to 9 feet in height. Any portion of the fence above 6 feet in height shall be an open fence.	9 feet with up to 6 feet of solid fence and 3 feet of open fence	8-foot high solid fence for Buildings 99, 100, 123, 124, 125, 126, 147, 148, 149, 150, 179, 180 9-foot high solid fencing for Buildings 101, 102, 181, 182	
Setback Deviation	····		
For RM-1-1 lots, SDMC section 131.0443(d) and Table 131.04g - Up to 50 percent of the front yard setbacks may utilize the	Minimum 15-foot front yard setback and Minimum 20-foot Standard front setback	Lot 2 (RM-1-1) front yard setback; Building No. (requested setback): 259 (10 feet), 260 (10 feet), 265 (10 feet) Lot 3 (RM-1-1) front yard setback;	
minimum yard setback if the other 50 percent utilizes the standard yard setback.		Building No. (requested setback): 181 (10 feet), 184 (10 feet), 185 (10 feet), 188 (10 feet), 189 (13 feet), 192 (11 feet), 193 (12 feet), 196 (14 feet) Lot 4 (RM-1-1) front yard setback;	
		Building No. (requested setback): 54 (13 feet), 62 (13 feet), 71 (18 feet), 72 (14 feet)	
For RM-1-1 lots, SDMC section 131.0443 (d) and Table 131.04g -	Minimum side yard setback of 5 feet; Minimum street yard	Lot 1 (RM-1-1) side yard setback; Building No. (requested setback): 42 (25 feet), 43 (15 feet), 44 (35 feet)	
Up to 50 percent of the length of the building envelope on one side of the premises may	setback of 10 feet; Standard side yard	Lot 2 (RM-1-1) side yard setback; Building No. (requested setback): 231 (45 feet),	
observe the minimum 5-foot side yard setback, provided the remaining percentage of the building envelope length	setback of 10 percent of lot width (see Sheet C5 of engineering drawings	310 (45 feet), 232 (10 feet), 233 (10 feet), 234 (25 feet), 235 (25 feet), 236 (25 feet), 237 (20 feet)	
observes at least the standard side yard setback of 8 feet or 10 percent of the lot width, whichever is greater. 100	for specific lots and setbacks)	Lot 3 (RM-1-1) side yard setback; Building No. (requested setback): 196 (17 feet), 195 (17 feet), 166 (20 feet), 165 (16 feet), 164 (22 feet), 163	

Proposed Deviations			
Development Regulation	Required/Allowed	Proposed	
percent of the length of the		(18 feet), 138 (15 feet), 137 (15 feet),	
building envelopes on the		136 (20 feet), 135(17 feet), 114 (20	
opposite side may observe the		feet), 113 (15 feet), 88 (20 feet), 87	
minimum side yard setback		(15 feet)	
of 5 feet.			
		Lot 4 (RM-1-1) side yard setback;	
		Building No. (requested setback): 53	
		(5 feet), 54 (5 feet)	
Lot Width Deviation			
For RM-1-1 lots, SDMC	Minimum 200 feet	Lot C – 10-foot minimum	
section 131.0231 minimum		Lot D – 20-foot minimum	
lot width		Lot G – 10-foot minimum	

Fence/Wall Height Deviation: The sound barrier height deviation allows for taller walls and fences around private exterior use areas for noise attenuation purposes to achieve sound levels of 70 CNEL or less within private outdoor usable spaces. The taller noise attenuation privacy barriers reach up to eight or nine feet in height and are primarily located within the easternmost housing units adjacent to the I-15 freeway. The deviation will result in a more desirable project since increasing the heights of sound walls by two to three feet over the allowable six feet reduces sound impacts from the I-15 freeway thereby protecting the quality of life for residents. The sound walls have no significant adverse visual effect to viewers from the east due to the topographic variation between the site and the I-15 freeway.

Setback Deviation: The deviations from the setback requirements for the RM-1-1 zone allows for placement of the project into the unique shape of the former golf course footprint, allowing for units customized to the living needs of the 55+ age group, and providing for a perimeter open space and walking trail. The deviations are located on the condominium lot and allow for the front of the dwelling units to be closer to the sidewalk, thereby promoting pedestrian interaction. The deviation would also accommodate the desired densities for the one-story homes with no stairs that best serve senior residents.

The deviation will result in a more desirable project since the project implements policies in the Residential Element of the Community Plan that encourages residential development that uses creative and flexible site planning to maximize the preservation of open space and hillside areas. The offset in depth from the front facade to the main massing provides for more variation along the streetscape between the various elevations and is therefore more suitable to the geography of the site. The additional depth to the living space at the front along with the side and rear yard setback deviations allows for better internal functionality of the dwelling units. Single-story development is also considered important for senior residents who want to age in place and have internal home spaces that are located

at ground level. The additional internal area provided by the reduced setbacks also provides additional rooms per floor plan design to meet the future needs of the senior homeowner.

Street Frontage Deviation: The street frontage deviation addresses the RM-1-1 requirement for dwelling units to have 50 feet of street frontage, and a RM 3-7 requirement for dwelling units to have 70 feet of street frontage (Lot 5). The project proposes condominiums where units do not front on streets and are clustered around a common driveway. The deviation will result in a more desirable project since it would allow for maximum dwelling unit sizes without the need for large front yards. The common driveway would serve as a common entryway, and as a central meeting area for neighbors in each of the residential clusters, thereby promoting social interaction.

Lot Width Deviation: The perimeter of the project is proposed for OR-1-1 zoning to reflect the open space that would be privately owned and maintained by the homeowners association. A deviation from the standard minimum 200-foot lot width requirement is necessary due to the limitations of the unique shape of the project site and the proximity of the adjacent I-15 freeway and residential neighborhood. The deviation will result in a more desirable project since the proposed perimeter open space area includes a social loop trail and associated pedestrian amenities that will be available to the general public, and re-establishes a drainage area along the eastern boundary.

Each of the requested deviations has been reviewed as they relate to the project design, the property configuration, and the surrounding development. The deviations are appropriate and will result in a more desirable project that efficiently utilizes the site and achieves the revitalization and re-use of the former golf course for residential use, while meeting the purpose and intent of the development regulations.

The proposed uses would also be consistent with the intent of the General Plan of focusing growth close to activity centers and linked to the regional transit system. The project would increase housing capacity and provide a range of housing types (agerestricted and affordable) with a land use plan compatible with the Glens Neighborhood. The project site has been identified in the City's Housing Element for the potential location of new housing and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is accessible by transit; and increasing housing choices within the Rancho Peñasquitos community.

The residential development would consist of a mix of detached and attached multifamily housing with public and private parks and recreational amenities compatible with the existing neighborhood. While the project density is slightly higher than adjacent residential development, the Glens Neighborhood also includes a mix of single-family and multi-family development. The closest proposed homes would not exceed two stories in height, and would include single-story, detached units similar in scale to the homes in the existing neighborhood. The architecture of the homes is also consistent with the old west ranch style design Community Plan recommendations for the Glens Neighborhood.

The project will provide a 2.87-acres of public park, which exceeds the population-based park requirement of 2.55 acres. This design includes a dog park, children play areas, picnic and game areas, and a large turf area. The project also provides two privately owned and maintained recreational amenities that would be accessible to the general public. The amenities consist of a 2.75-mile social loop trail that includes seating, fitness stations, and observation and/or interpretive areas. The other amenity consists of a 0.52-acre park at the southern portion of the site that includes sports courts and mobility features such as bike racks, day lockers, tethered bike tools, transit and bike route signage, a rideshare pickup/drop-off location, pedestrian paths, and benches and shade structures.

The Community Plan also calls for the construction and maintenance of an adequate system for vehicular, bicycle and pedestrian circulation within the community, while providing adequate access to the larger San Diego region. The project provides roadway improvements that would increase capacity and includes a class II bike lane along the access road to the project and adjacent public park, thereby enhancing connectivity to the area. The project will also install a traffic signal at Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes and protected phasing on Peñasquitos Drive, and permissive phasing on the minor street approaches (Cuca Street/Hotel Karlan Driveway). A single-lane roundabout would also be constructed at the Peñasquitos Drive, Janal Way and project access point.

The neighborhood is served by a bus line along Carmel Mountain Road that can be accessed using pedestrian corridors. The site is also approximately two miles south of the Rancho Bernardo Transit Station and one mile north of the Sabre Springs/Peñasquitos Transit Station (within an approximately 15-minute bike ride or a 5-minute drive). Each station provides access to all three major Bus Rapid Transit services currently operating from North County with connections to primary destinations in Kearny Mesa, Downtown San Diego and other regional destinations.

The project also addresses Climate Action Plan Greenhouse Gas (GHG) targets through sustainability features that includes photovoltaic panels on all of the individual homes, carport roofs within the affordable apartments, and EV charging stations, thereby resulting in a net decrease in GHG emissions for the overall project as compared to the former golf course. Therefore, the site is physically suitable for the type and density of 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.

The project is located on the former Carmel Highland Golf Course in the Glens Neighborhood within the Rancho Peñasquitos Community Plan (Community Plan) area. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and a publicly accessible recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements.

The project includes re-designating the site as Residential in the General Plan and from Open Space/Golf Course to Low Medium Residential Density (10-15 dwelling units/acre) in the Community Plan, and rezone from the existing RS-1-14 zone and small area of CV-1-1 zone to RM-1-1 and RM-3-7 zones and OR-1-1 and OP-1-1 zones. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project will result in impacts to a man-made drainage feature within the eastern/northeastern portion of the site including impacts to 0.10-acres of United States Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) jurisdictional non-wetland waters of the U.S. and State of California and 0.15-acres of California Department Fish and Wildlife (CDFW) jurisdictional streambed. The impacts will be mitigated at a 1:1 ratio through one or a combination of on- and/or off-site re-establishment and/or enhancement of the same type of wetland and non-wetland waters. The potential also exists for subsurface resources to be recovered on-site. Therefore, mitigation measures to preserve and protect archaeological and fossil resources will be implemented prior and during grading.

The project site is in the Urban Areas segment of the City's Multiple Species Conservation Program Subarea Plan and is not located within or adjacent to the Multi-Habitat Planning Area. The sloping topography within the site does not meet the definition of steep hillsides in the Environmentally Sensitive Lands (ESL) regulations. The site does not contain protected habitats or sensitive plant or animal species. The existing drainage that crosses the site does not meet the City's definition of a wetland and is not subject to the City's ESL Regulations, and the on-site habitats are not subject to the regulations. The project is not within a coastal beach or bluff area, nor does it contain 100-year floodplains. Therefore, the design of the subdivision or the proposed improvements will not 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 improvement will not be detrimental to the public health, safety, and welfare.

The project is located on the former Carmel Highland Golf Course in the Glens Neighborhood within the Rancho Peñasquitos Community Plan (Community Plan) area. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements.

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Primary vehicular access to the project, as well as fire and emergency access, would come from a new driveway connecting to Janal Way at the current intersection of Janal Way and Peñasquitos Drive to form a new four-way intersection designed as a traffic-calming roundabout occurring within the public right-of-way. An additional project entrance will provide right-in traffic only from Carmel Mountain Road due to proximity to the I-15 freeway. The project also provides emergency-only egress, through an emergency personnel-operated radio frequency gate, and a mountable median with delineators within the Carmel Mountain Road median. In the event of an emergency, emergency vehicles would turn right or left in or out of the development, and the route could be opened by emergency personnel in the event of an evacuation. Additional emergency access/egress would be provided through an on-site connection to Del Diablo Street and off-site improvements to Andorra Way/Corte Raposo.

An Environmental Impact Report (EIR) was prepared for the project that identified potentially significant impacts in the areas of transportation, biological resources, historic and tribal resources, and public health and safety. The following mitigation measure have been identified to reduce all impacts to below a level of significance:

<u>Transportation and Circulation</u>: The project will create significant direct and cumulative impacts at the Peñasquitos Drive/Cuca Street/Hotel Karlan Driveway and the Peñasquitos Drive/Janal Way/Project Access intersections. To mitigate these impacts, the project will be required to install a traffic signal at Peñasquitos

Drive/Cuca Street/Hotel Karlan Driveway with dedicated left-turn lanes and protected phasing on Peñasquitos Drive, and permissive phasing on the minor street (Cuca Street/Hotel Karlan Driveway) approaches. The project will also construct a single-lane roundabout at the Peñasquitos Drive, Janal Way and project access point.

Biological Resources: The project results in significant impacts to a man-made drainage feature within the eastern/northeastern portion of the site including impacts to 0.10-acres of USACE and RWQCB jurisdictional non-wetland waters of the U.S. and State of California and 0.15-acres of CDFW jurisdictional streambed. The impacts would be mitigated at a 1:1 ratio through one or a combination of on- and/or off-site re-establishment and/or enhancement of the same type of wetland and non-wetland waters.

<u>Historic and Tribal Resources</u>: The potential exists for subsurface resources to be recovered on-site. Therefore, mitigation measures to preserve and protect archaeological and fossil resources will be implemented prior and during grading.

<u>Public Health and Safety:</u> The project would result in potentially significant impacts related to disturbance of soils, slabs, and pavements within two on-site maintenance areas. Residue from the previous handling and storage of hazardous materials within these areas could result in health hazards to workers during construction. A soils management plan will be implemented to identify, segregate and dispose of any impacted soils.

A Water Supply Assessment (WSA) Report for the project was prepared to evaluate if sufficient water supplies would be available to meet the projected water demands of the project. The WSA concluded that current and future water supplies to serve the projected demands of the project, as well as the actions necessary to develop these supplies, have been identified in the water resource planning documents of the City's Public Utilities Department, the County Water Authority, and the Metropolitan Water District.

The project permit also contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. Permit requirements include submitting an acoustical analysis report that identifies sound transmission reduction measures for the residences; submitting an updated geotechnical report that addresses the construction plans; obtaining an Encroachment Maintenance Removal Agreement for all private storm drain systems and connections, enhanced pavers, landscape and irrigation located in the public right-of-way; implementing storm water construction best management practices (BMPs) and ongoing permanent BMP maintenance; entering into an indemnification agreement for surface drainage entering into the property from the public right-of-way; paying an in-lieu park fee for recreation center facilities in Rancho Peñasquitos; assure by permit and bond the design and construction of all required public water and sewer facilities; and installation of private back flow prevention devices.

The Tentative Map for the project was reviewed and determined to be in compliance with the SDMC and California Government Code Section 66400 et. seq. (Subdivision Map) Act. The project must satisfy conditions of approval of Vesting Tentative Map No. 2073797 and Planned Development Permit No. 2419770 to achieve compliance with the regulations of the SDMC. Therefore, the design of the subdivision or the type of improvements 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.

The project is located on the former Carmel Highland Golf Course in the Glens Neighborhood within the Rancho Peñasquitos community. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The easements to be vacated for the project include an existing 10-foot wide sewer easement (File No. 59386), relocation of easements for gas distribution and regulating facilities, and relocation of easements for underground telecommunication facilities. The project vacates the easements that have been identified as no longer necessary and establishes public right-of-way and utility easements required to implement the project. The project also conditions a public access easement for the HOA-owned and maintained private park and social loop trail.

The project was designed to comply with all applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site per the San Diego Municipal Code. The project also implements the Community Plan of creating a compact and walkable neighborhood that is accessible by transit and provide market-rate and affordable housing opportunities within the Rancho Peñasquitos community. Therefore, 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.

7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

The project is located on the former Carmel Highland Golf Course in the Glens Neighborhood within the Rancho Peñasquitos community. The project includes developing the site as an age-qualified, active adult (55+) community consisting of

several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project has been sited and designed to provide natural light to the homes to allow for passive and natural heating and cooling opportunities and access for solar photovoltaic (PV) systems. The project is designed to include rooftop PV systems for a combined total system size of at least 1,396 DC kW. Total electricity generation is estimated at 3,537 mega-watt hours per year, which exceeds the projected electricity demand of the project. The project was also designed with light colored stone pavers to reduce heat absorption. In homes not covered by solar panels, roofing materials will be installed with a minimum three-year aged solar reflection and thermal emittance or solar reflection index equal to or greater than the values specified in the voluntary measures under CALGreen Building Standards Code. Therefore, the design of the proposed subdivision provides, 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.

The project is located on the former Carmel Highland Golf Course in the Glens Neighborhood within the Rancho Peñasquitos community. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project site has been identified in the City's Housing Element for the potential location of new housing and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is accessible by transit; and increasing housing choices within the Rancho Peñasquitos community. The project will not adversely impact public resources since the proposed senior residences will be served by existing public facilities, and there is a sufficient water supply to meet the projected water demand. The project permit also requires the development of public and private improvements that will service the neighborhood,

and mitigation measures will be implemented to reduce all identified impacts to below a level of significance.

The decision maker has reviewed the administrative record, including the project plans, environmental documentation and public testimony to determine the effects of the proposed subdivision on the housing needs of the region, and determined that the subdivision to 13 lots to construct 536 residential units will result in a more desirable project consistent with the General Plan Housing Element adopted by the City Council in March 2013, and the Regional Housing Needs Allocation goals for the 2010 -2020. Therefore, 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.

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

BE IT FURTHER RESOLVED, that portions of the sewer easement, located within the project boundaries as shown in Vesting Tentative Map No. 2073797, shall be vacated, contingent upon the recordation of the approved Final Map for the project, and that the following findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference:

9. 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. (San Diego Municipal Code section 125.1040(a)).

The easements to be vacated include an existing 10-foot wide sewer easement (File No. 59386), relocation of easements for gas distribution and regulating facilities, and relocation of easements for underground telecommunication facilities. The project vacates the easements that have been identified as no longer necessary and establishes public right-of-way and utility easements required to implement the project. The project also conditions a public access easement for the HOA-owned and maintained private park and social loop trail. Therefore, 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.

10. The public will benefit from the action through improved utilization of the land made available by the vacation. (San Diego Municipal Code section 125.1040(b)).

The project is located on the former Carmel Highland Golf Course in the Glens Neighborhood within the Rancho Peñasquitos community. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements. Residential units will consist of up to 455 market-rate units, including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The project is consistent with the intent of the General Plan of focusing growth close to activity centers and linked to the regional transit system. The project would increase housing capacity and provide a range of housing types (age-restricted and affordable) with a land use plan compatible with the Glens Neighborhood. The project site has been identified in the City's Housing Element for the potential location of new housing and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is accessible by transit; and increasing housing choices within the Rancho Peñasquitos community. Therefore, the public will benefit from the action through improved utilization of the land made available by the vacation.

11. The vacation is consistent with any applicable land use plan. (San Diego Municipal Code section 125.1040(c)).

The project is consistent with the intent of the General Plan of focusing growth close to activity centers and linked to the regional transit system. The project would increase housing capacity and provide a range of housing types (age-restricted and affordable) with a land use plan compatible with the Glens Neighborhood. The project site has been identified in the City's Housing Element for the potential location of new housing and implements the Housing Element goals of providing affordable housing onsite; creating a compact and walkable neighborhood that is accessible by transit; and increasing housing choices within the Rancho Peñasquitos community. Therefore, the vacation is consistent with the applicable land use plan.

12. The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists. (San Diego Municipal Code section 125.1040(d)).

The project is located on the former Carmel Highland Golf Course in the Glens Neighborhood within the Rancho Peñasquitos community. The project includes developing the site as an age-qualified, active adult (55+) community consisting of several interconnected neighborhoods, various private recreational common areas and usable open space for residents. The project also includes a public park and recreational walking trail loop (referred to as the social loop trail) and additional recreational elements as part of private facilities with public access easements and supporting public and private improvements. Residential units will consist of up to 455 market-rate units,

including detached single-family units, townhomes/duplexes, and six-plex configurations. The project also includes 81 for-rent affordable housing units for low-income seniors for a total of 536 residential units.

The easements to be vacated include an existing 10-foot wide sewer easement (File No. 59386), relocation of easements for gas distribution and regulating facilities, and relocation of easements for underground telecommunication facilities. The project vacates the easements that have been identified as no longer necessary and establishes public right-of-way and utility easements required to implement the proposed project. The project also conditions a public access easement for the Homeowner Association owned and maintained private park and social loop trail. Therefore, the public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Venting Tentative Map No. 2073797 and Easement, are hereby granted to CARMEL PARTNERS LLC, a Delaware Limited Liability Company, subject to the attached conditions which are made a part of this resolution by this reference.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Shannon C. Eckmeyer Shannon C. Eckmeyer Deputy City Attorney

SCE:sc 05/21/2021 Or.Dept: DSD CC No.: N/A

Doc. No.: 2668458

Attachment: **Tentative Map Conditions**

Internal Order No. 24007629

CITY COUNCIL CONDITIONS FOR VESTING TENTATIVE MAP NO. 2073797 FOR THE JUNIPERS PROJECT NO.586670 [MMRP]

ADOPTED BY RESOLUTION NO. R-313603 ON JUN 15 2021

GENERAL

1.	This Vesting Tentative Map will expireJune	15.	2024	
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- 2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map, unless otherwise noted.
- Prior to the recordation of the Final Map, taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder, must be provided to satisfy this condition.

If a tax bond is required as indicated in the tax certificate, ensure that it is paid or posted at the County Clerk of the Board of Supervisors Office and supply proof prior to the recordation of the Final Map.

- 4. The Vesting Tentative Map shall conform to the provisions of Site Development Permit No. 2073790 and Planned Development Permit No. 2419770.
- 5. 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 the City and/or any Indemnified Parties 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 promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AFFORDABLE HOUSING

6. The Subdivider has applied for a variance under San Diego Municipal Code section 142.1311 from the comparability provisions of San Diego Municipal Code section 142.1304(e)(2). If approved, the project shall provide 15 percent of the market rate units as an affordable senior housing development with a mix of 80 percent one-bedroom units and 20 percent two-bedroom units. Prior to receiving the first residential building permit, the Subdivider shall demonstrate compliance with the provisions of Chapter 14, Article 2, Division 13 of the San Diego Municipal Code ("Inclusionary Affordable Housing Regulations") and the

Inclusionary Housing Procedures Manual. The Subdivider shall enter into a Regulatory Agreement and Declaration of Covenants, Conditions, and Restrictions with the City of San Diego, executed by the Subdivider, and secured by a deed of trust which incorporates applicable affordability conditions. The Agreement will specify that the Subdivider shall provide at least 81 units (65 one-bedroom and 16 two-bedroom units) with rents of no more than 30% of 60% of AMI for a period of 55 years.

ENGINEERING

- 7. The drainage system proposed for this development, as shown on the approved Vesting Tentative Map, are subject to approval by the City Engineer.
- 8. 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.
- 9. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
- 10. Prior to issuance of any construction permit for grading, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.
- 11. The Subdivider shall comply with all current street lighting standards according to the City of San Diego Street Design Manual and Council Policy 200-18. This includes (but not be limited to) installation of new street lights, upgrading light from low pressure to high pressure sodium vapor and/or upgrading wattage, per approved Exhibit 'A', satisfactory to the City Engineer.
- 12. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision, in accordance with the San Diego Municipal Code.
- 13. 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, in a manner satisfactory to the City Engineer.
- 14. 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 Vesting 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.

MAPPING

- 15. Prior to the expiration of the Vesting Tentative Map (VTM), a Final Map to subdivide the property within the VTM boundary shall be recorded at the San Diego County Recorder's Office.
- 16. The Final Map shall be based on a field survey and all lot corners must be marked with durable survey monuments pursuant to section 144.0311(d) of the San Diego Municipal Code and Subdivision Map Act Section 66495.
 - All survey monuments shall be set prior to the recordation of the Final Map, unless the setting of monuments is deemed impractical due to the proposed improvements and/or grading associated with the project, in which case, delayed monumentation may be applied on the Final Map in accordance with section 144.0130 of the San Diego Land Municipal Code.
- 17. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Public Resources Code.
- 18. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearings" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true meridian (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 First Order accuracy. 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 shall be shown on the map.
- 19. All private streets and drives shall be shown on a non-title sheet on the Final Map. The street names shall be submitted to BDR-Street Name Coordinator for approval and published on the Final Map.

PUBLIC UTILITIES

20. The Subdivider shall grant adequate sewer easements, including vehicular access to each appurtenance for all public sewer facilities that are not located within fully improved public right-of-way's, in a manner satisfactory to the Public Utilities Director. Easements shall be located within single lots, when possible, and not split longitudinally. Vehicular access

- roadbeds shall be a minimum of 20 feet wide and surfaced with suitable approved material satisfactory to the Public Utilities Director and the City Engineer.
- 21. The Subdivider shall process encroachment maintenance and removal agreements (EMRA), for all acceptable encroachments into the sewer easement, including but not limited to structures, enhanced paving, or landscaping. No structures or landscaping of any kind shall be installed in or over any vehicular access roadway.
- 22. The Subdivider shall provide 10 feet minimum (edge to edge) separation between the public water and public sewer mains, and provide a 5 feet minimum separation between the public water main and face of curb, per the Water and Sewer Design Guide.

GEOLOGY

- 23. Prior to the issuance of any construction permit for grading, the Subdivider shall submit a geotechnical investigation report or update letter prepared in accordance with the City's "Guidelines for Geotechnical Reports" that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.
- 24. The Subdivider shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The asgraded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

PLANNING

25. On the first Final Map, the Subdivider shall record Public Access Easement shall be recorded across Lot F and along the Public Loop Trail as shown on Exhibit "A."

TRANSPORTATION

- 26. On the first Final Map, the Subdivider shall provide an irrevocable offer of dedication for frontage along Carmel Mountain Road, in a manner satisfactory to the City Engineer.
- 27. Concurrent with the recordation of the first Final Map, the Subdivider shall dedicate adequate right-of-way at Cuca Street and Peñasquitos Drive to keep all curb ramps and their landing areas and all equipment related to the traffic signal within public right-of-way, as shown on Exhibit "A," in a manner satisfactory to the City Engineer.
- 28. Concurrent with the recordation of the first Final Map, the Subdivider shall dedicate adequate right-of-way at Janal Way/Projects Driveway/ Peñasquitos Drive to keep all curb ramps and their landing areas within public right-of-way, as shown on Exhibit "A," in a manner satisfactory to the City Engineer.

ENVIRONMENTAL

- 29. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.
- 30. The mitigation measures specified in the MMRP and outlined in ENVIRONMENTAL IMPACT REPORT NO. 586670 / SCH NO. 2018041032, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
- 31. The Subdivider shall comply with the MMRP as specified in ENVIRONMENTAL IMPACT REPORT NO. 586670 / SCH NO. 2018041032, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Transportation/Circulation Biological Resources Historical Resources, Tribal Cultural Resources, and Health and Safety

PARKS AND RECREATION

- On the first Final Map, the Subdivider shall dedicate a recreation easement for the Social Loop Trail and trail amenities on Lots C, D, F, Private Driveway A and a part of Driveway 'P' on Lot H in a manner satisfaction to the City Engineer. The recreation easement shall be subject to the conditions set forth in Site Development Permit No. 2073790 and Planned Development Permit No. 2419770.
- 33. On the first Final Map, the Subdivider shall dedicate in fee to the City of San Diego, Lots A and B. At time of dedication Lots A and B shall be free and clear and not be encumbered by any deed of trust.
- 34. Prior to the recordation of the Final Map, the Subdivider shall ensure the review and approval of the Final Map by Parks and Recreation.

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 § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), 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 Vesting Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider 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 (San Diego Municipal Code section 142.0607).

Internal Order No. 24007629

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(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)						
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