DATE ISSUED:	April 10, 2008	REPORT NO. PC-08-046
ATTENTION:	Planning Commission, Agenda of Ap	ril 17, 2008
SUBJECT:	VALLEY RIDGE ESTATES - PROJE	CT NO. 97083
OWNER/ APPLICANT:	Charles S. Gawle, Jr., and Pauline E. G Family Trust Dated July 7, 1982	awle, as Trustees of the Gawle

SUMMARY

Issue(s): Should the Planning Commission approve the subdivision of a 19.61 acre parcel into 10 custom home sites and two open space lots on the north and south side of Del Mar Mesa Road, west of Little McGonigle Ranch Road within the Del Mar Mesa Specific Plan area?

Staff Recommendation:

- 1. **Certify** Findings to Master Environmental Impact Report 95-0353, Project 97083, and **Adopt** the Mitigation, Monitoring and Reporting Program; and
- 2. Approve Vesting Tentative Map No. 537335, Planned Development Permit No. 315982, Site Development Permit No. 315984, and Neighborhood Use Permit No. 424336.

<u>Community Planning Group Recommendation</u>: On July 12, 2007, the Del Mar Mesa Community Planning Board voted 8-0-1 to approve the project subject to conditions.

Environmental Review: Findings to Master Environmental Impact Report 95-0353, Project 97083, have been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

Fiscal Impact Statement: All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

<u>Code Enforcement Impact</u>: The applicant is subject to a Stipulated Judgment filed with the court on February 2, 2006 for grading within environmentally sensitive lands. The Site Development Permit for this project will remedy the illegal grading. Neighborhood Code Compliance will continue to monitor the timelines imposed by the Stipulated Judgment to ensure the necessary ministerial permits and inspections are obtained.

Housing Impact Statement: The proposed project would provide lots for 10 market-rate housing units. The North City Future Urbanizing Area (NCFUA) Framework Plan and the Del Mar Mesa Specific Plan require new development to provide housing to accommodate the needs of low income households, as certified by the San Diego Housing Commission. The applicant has chosen the option of paying an in-lieu fee to the City's NCFUA Affordable Housing Trust Account to meet their affordable housing requirement rather than provide the dwelling units. The Del Mar Mesa Specific Plan allows an in-lieu fee option in the amount of money equivalent to the cost of achieving the level of affordability required by the Del Mar Mesa affordable housing program, as determined by the San Diego Housing Commission.

BACKGROUND

The Valley Ridge Estates project is located on the north and south side of Del Mar Mesa Road, west of Little McGonigle Ranch Road, within the Del Mar Mesa Specific Plan (DMMSP) area. The project site is designated Estate Residential within the DMMSP and is zoned AR-1-1. The MHPA is located directly adjacent and to the north of the site and includes small areas of the northern portion of the project site. The northerly portions of the project site located within the MHPA are not proposed for residential development, and no adjustment to the MHPA boundary is required or proposed. The Silver Oaks residential development is located to the west of the site; the Meadows Del Mar residential development is located to the south; and residential development is planned for the properties located to the east (Sunset Ranch, project 3501). The site and areas to the west and east are zoned AR-1-1 (Agriculture-Residential), while the area to the south is zoned AR-1-2.

Approximately 3.28 acres of vegetation in the northern portion of the site and the adjacent offsite area were disturbed between 2001 and 2004 and subject to a code enforcement action. The applicant is subject to the Stipulated Judgment filed with the court on February 2, 2006 regarding the project site. The Site Development Permit for this project addresses the code violation.

The project requires the approval of a Vesting Tentative Map for the subdivision of land; a Planned Development Permit to allow deviations to minimum street frontage and the transfer of density (3 units) from the Terrazzo Bougainvillea project site (Project No. 6023, Final Map 15589); a Site Development Permit to allow development on a site containing environmentally sensitive lands; and a Neighborhood Use Permit to allow the development of guest quarters on each lot.

DISCUSSION

Project Description:

The proposed Vesting Tentative Map, Planned Development Permit, Site Development Permit, and Neighborhood Use Permit would allow for the subdivision of 19.61 acres of land into a total of 10 lots for the future construction of 10 single-family residences with guest quarters, with lot sizes ranging from 1.10 to 2.03 acres. In addition, two on-site lots of 3.17 and 0.47 acres would be retained as open space in an open space conservation easement. The open space lots abut adjacent open space and form a natural system.

The AR-1-1 zoning allows one dwelling unit per 2.5 acres for a total of seven dwelling units for the entire site. The Del Mar Mesa Specific Plan (DMMSP) allows the use of a Planned Development Permit to achieve more units on a site designated as Estate Residential provided that the additional density is transferred from a site within Del Mar Mesa which has been designated as Resource Based Open Space. In this case, the Terrazzo Bougainvillea (VTM No. 9985) residential development has eleven dwelling units available for transfer, and three of those dwelling units would be transferred to allow the development of 10 single-family lots on the project site. The Terrazzo Bougainvillea donor sites, which are properties within the DMMSP area, are designated as Resource Based Open Space, and have been deeded to the City (Lots 7, 8 and 9 of Terrazzo Bougainvillea Unit 1, Map 15589).

Residences would be surrounded by private yards with minimum front yard setbacks of 25 feet, side yard setbacks of 20 feet and rear yard setbacks of 25 feet as required. The future residences would be required to conform to the "Valley Ridge Estates Architectural Design Guidelines." The required parking of 30 spaces would be provided on-site. Parallel parking would be allowed on one side of the public street and one side of the private driveway streets. Access to the site would be provided from existing Del Mar Mesa Road.

An eight-foot-wide decomposed granite (dg) hiking and equestrian trail (Northerly Trail) would also be constructed along the northern edge of the development adjacent to the MHPA as part of the project, and would be dedicated as a pedestrian and non-vehicular right-of-way connecting to the existing community trail per the Silver Oaks Estates Map No. 14373. Eight-foot-wide decomposed granite (dg) trails with three-foot-high split rail fences are proposed along the private drive north of Del Mar Mesa Road and proposed Valley Ridge Way. Where the multiuse trail and equestrian/hiking trail share the same alignment along Del Mar Mesa Road, the trail would be 10 feet wide which is consistent with the DMMSP. The three lots on the southern portion of the property would utilize a portion of the existing utility easement road to take access from Del Mar Mesa Road and would share a private drive.

Approximately 13.86 acres or 70.7 percent of the site would be graded for the proposed development. The project would require 30,500 cubic yards of cut and 32,000 cubic yards of fill with the import of 1,500 cubic yards of soil. The maximum height of the fill slopes would be 26 feet and the maximum height of the cut slopes would be 18 feet. Eleven manufactured slopes would be created requiring retaining walls with a maximum height of four feet. The slopes

would be created at a 2:1 and 4:1 slope ratio, and the proposed retaining walls would be screened from public view through landscaping. Landscaping, brush management requirements, and maintenance procedures would be required to comply with the City of San Diego Landscape Standards, and the MSCP Adjacency Guidelines, and would follow the recommendations of the DMMSP.

The drainage on the project site would be directed into private storm drain facilities. The existing concrete drainage swales paralleling Del Mar Mesa Road would be removed and replaced with pervious cobble lined drainage swales. All stormwater flow would continue to be directed into the existing 30-inch reinforced concrete pipe public storm drain at the westerly end of Del Mar Mesa Road.

Community Plan Analysis:

The project site is located within the Del Mar Mesa Specific Plan (Subarea V of the City's former North City Future Urbanizing Area (NCFUA). Subarea V remains part of the future urbanizing area and the allowable development density within the Subarea is subject to the provisions of either the AR-1-1 or AR-1-2 agricultural zones. The Del Mar Mesa Specific Plan (Specific Plan) was adopted in 1997 to guide development of Subarea V with the overall goal that the development be clustered to preserve the Multiple Species Conservation Program (MSCP) core resource area within the eastern portion of the community. The Specific Plan also contains community design guidelines and regulations to implement large-lot developments with a semi-rural character. The Plan's Community Design Guidelines are intended to maintain Del Mar Mesa's rural character and include standards for grading, landscaping, fencing, lighting, and lot size, in addition to the development standards of the agricultural zones. The proposed subdivision and associated design guidelines incorporate these standards.

The Specific Plan's grading objectives recommend development will be sited on the flatter areas of sites to preserve steep slopes and canyons. Generally, large quantities and large areas of grading are to be avoided and special care taken when sites develop to preserve landforms adjacent to open space. Where grading is necessary at the edges of the open space, daylight grading, excavations without manufactured slopes, is preferred. Split pads are encouraged to accommodate outdoor activity. The Specific Plan also recommends new slopes be contoured to blend with natural landforms.

The Specific Plan designates the entire site for residential development except for two small areas along the northerly property line. Within the residentially designated portion of the site, proposed grading would be limited to the flatter portions to obtain useable lot area similar to surrounding developments. Two significant natural landforms within the site would be conserved as open space: a small canyon within the western portion of the property, and a natural drainage south of Del Mar Mesa Road. Avoidance of grading within these two landforms will reduce impacts in an area of high public visibility associated with Del Mar Mesa Road.

The proposed grading plan establishes vertical separation between lots following the sloping landform of the site. Terraces are also incorporated within some lots to reduce the size of several proposed fill slopes. The proposed fill slopes would be contoured to mimic and replicate the

natural landform. Slope ratios vary between the typical 2:1 vertical ratio and a shallower 4:1 ratio to create a rounded edge and more gradual transition with natural landforms. These slopes would also be landscaped with native and compatible non-native plant species to blend the manufactured and natural slopes.

The proposed site plan establishes a buffer between Del Mar Mesa Road and the developable portions of the residential lots to reduce the visual effects of the development, contributing to the preservation of the rural character of the community as envisioned by the Specific Plan. The parkway within the fill slopes for Lots 6 and 7 ranges in width between 20 and 40 feet and is also proposed to be landscaped with a variety of low-water use plants. The area reserved for the natural drainage is approximately 100 feet wide and serves as a development buffer south of the road. The interface of proposed open space Lot 'A' with Del Mar Mesa Road and the proposed single-loaded Street 'A' also contributes to the 'open' character of the proposed development. The enlarged 55- foot- wide brush management zone one setback and shallow 4:1 slope adjacent to the MHPA will similarly reduce visual effects from the public trail in the open space.

The Specific Plan encourages the use of shared streets and driveways to minimize access points and pavement in order to create the 'openness' characteristic of a rural community. The project minimizes access at Del Mar Mesa Road to one point where a traffic-calming round-a-bout desired by the Del Mar Mesa Community Planning Board is proposed. The project applicant also initiated shared access with the adjacent property (Sunset Ranch VTM). Proposed Street A will also serve as the primary access for the portion of both project north of Del Mar Mesa Road.

Environmental Analysis:

In 1995, the San Diego City Council directed the City Manager to assume the lead in the preparation of the Del Mar Mesa Specific Plan (DMMSP) and accompanying (Subarea V) Master Environmental Impact Report (MEIR). The DMMSP MEIR No. 95-0353 was prepared by the City of San Diego, as Lead Agency under the California Environmental Quality Act (CEQA), and finalized on June 6, 1996. On July 30, 1996, the San Diego City Council adopted the Specific Plan for Del Mar Mesa and certified the (Subarea V) MEIR.

The adopted DMMSP guides land use and development on approximately 2,042 acres of land in the Del Mar Mesa Subarea by providing land use designations, establishing development regulations, allocating density, providing for community facilities, establishing a circulation system, and defining the boundaries of an open-space system. The DMMSP provides for development of 685 dwelling units, a golf course and a 300-room hotel. The DMMSP (Subarea V) MEIR analyzed the impacts that would potentially result from the development described in the Specific Plan.

The City of San Diego conducted an Initial Study to determine whether the Valley Ridge Estates project may cause any significant impact that was not examined in the MEIR and whether the project was described as being within the scope of the DMMSP. The proposed project has been determined to be within the scope of the MEIR and the implementation is not expected to result in any additional significant impacts beyond those identified in the MEIR. All applicable mitigation measures set forth in the MEIR have been incorporated into the proposed project

through a project-specific Mitigation, Monitoring and Reporting Program (MMRP). All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Land Form/Visual Character - Through the development of 10 residential units, the project would incrementally contribute to the significant and unmitigable change in character assessed in the MEIR. The MEIR states that "Sensitive slope treatment and adequate landscaping will be required to partially mitigate significant impacts from grading." As noted in the project description, 13.86 acres of the 19.61-acre site would be graded. This would include approximately 3.89 acres of steep slopes (25% or greater). The project would require 30,500 cubic yards of cut and 32,000 cubic yards of fill. The maximum height of the cut slopes and fill slopes would be 18 feet and 26 feet. Seven retaining walls at a maximum height of four feet would be constructed. Implementation of the project-specific mitigation measures (sensitive contour grading and hydroseeding with a native seed mix) would reduce direct significant impacts due to landform alteration anticipated by the MEIR.

<u>Biological Resources/MHPA</u> - While no graded pads would occur within the MHPA, the project is adjacent to the MHPA and a portion of the proposed eight-foot-wide decomposed granite equestrian trail would impact 0.03 acre of Diegan coastal sage scrub located and mapped within the City's Multi-Habitat Planning Area (MHPA). Therefore, the proposed development would be subject to the City's Multiple Species Conservation Program (MSCP) Subarea Plan (March 1997) requiring compliance with the MSCP Land Use Adjacency Guidelines. According to the "Valley Ridge Estates, Biological Technical Report" (January 17, 2008) prepared by HELIX Environmental Planning, Inc., the project would be consistent with the MSCP Land Use Adjacency Guidelines since the proposed project would incorporate mitigation measures to reduce potentially significant indirect impacts.

<u>Biological Resources/Habitat</u> - The City's Multi-Habitat Planning Area (MHPA) has been mapped along the northern property line, according to the City's Multiple Species Conservation Program (MSCP) maps (1995), and preliminary research conducted by staff identified sensitive biological resources on and adjacent to the project site. A "Valley Ridge Estates, Biological Technical Report Project No. 97083" (January 17, 2008) was prepared by Helix Environmental Planning, Inc. to determine the impacts specific to the subject project. The proposed project would cause on- and off-site impacts to approximately 16.17 acres as shown in the table below.

The proposed project would impact 0.01 acre of ephemeral streambed. It is anticipated that this impact would be authorized under a 404 Nationwide Permit given the small impact and since the length of the impacted drainages is less than 300 feet. A Streambed Alteration Agreement application would be required to be submitted to California Department of Fish and Game (CDFG). A no net loss of wetlands is required so at least a 1:1 ratio of creation (0.01 acre) would be required as part of the mitigation. The project includes the removal of an existing concrete brow ditch that runs along the south side of Del Mar Mesa Road. As part of the proposed project, the ditch would be replaced with a cobble stone streambed and native trees that offset the impact to the 0.01 acre of ephemeral streambed.

		Miti	gation Red	quired		
Impacted		Inside I	MHPA	Outside	MHPA	Mitigation*
Vegetation Community	Tier	Impacts	Ratio	Impacts	Ratio	Requirement
Southern maritime chaparral	Ι	0.00	2:1	0.93	1:1	0.93
Diegan coastal sage scrub	II	0.03	1:1	4.75	1:1	4.78
Chamise chaparral	IIIA	0.00	1:1	5.08	0.5:1	2.54
Non-native grassland	IIIB	0.00	1:1	1.50	0.5:1	0.75
ΤΟΤΑ		0.03		12.26		9.00

Mitigation for the impacts would be provided through a combination of payment into the Habitat Acquisition Fund, granting of conservation easement, and evidence that all necessary federal and state permits have been obtained.

<u>Paleontological Resources</u> - The Valley Ridge Estates project site is underlain by the Linda Vista, and Friars Formations. Recent geological mapping of the project site conducted by GeoSoils, Inc. - San Diego (2004), also identified that the project site contains undocumented artificial fill, topsoil/colluvium and alluvim. Several of these underlying formations are assigned moderate or high paleontological resource sensitivity ratings; therefore, project grading may potentially impact sensitive paleontological resources. The MMRP requirement to provide paleontological monitoring during trenching and/or grading activities would reduce project-specific impacts to a level below significance in conformance with the Subarea V MEIR.

<u>Noise</u> - The project site is bisected by Del Mar Mesa Road. According to the DMMSP MEIR, "Future on-site traffic and off-site traffic generated noise and Miramar aircraft noise could result in potentially significant impacts to interior noise sensitive land uses within Subarea V." The proposed project requests a Tentative Map and does not include building plans. A site specific interior noise analysis would be required prior to the issuance of the building permits for the individual residences within this development. Site specific measures could include acoustical shielding walls, architectural treatments and construction techniques. This mitigation would reduce project-specific impacts to below significant levels in conformance with the Subarea V MEIR.

Project-Related Issues:

<u>Hydrology/Water Quality</u> - After the certification of the MEIR, the City adopted Stormwater Standards. All projects are required to adhere to the standards with the goal of maximum avoidance of downstream water quality degradation. The project would grade 13.86 acres of the 19.61-acre site and expose the graded areas to increased erosion during construction. A "Water Quality Technical Report, Valley Ridge Estates Residential" and "Preliminary Hydrology Study for Valley Ridge Estates" (October 11, 2007) were prepared by Morrison Engineering for this project. According to the reports, the site topography north of the road slopes to the southwest to an existing 30-inch storm drain system while the portion of the site south of the road slopes to the northeast to an existing 18-inch storm drain system. The existing concrete drainage swales paralleling Del Mar Mesa Road would be removed and replaced with pervious cobble lined drainage swales. All flow would continue to be directed into the existing 30-inch RCP public storm drain at the westerly end of Del Mar Mesa Road. The project grading and drainage was designed for the subdivision to adhere to the current topography and hydrology of the sites. Numerous small hydrological basins were designed into the site to convey flow onto untouched natural areas of the site allowing for natural filtration of runoff and avoiding diversion of storm water runoff. A total of 4.7 acres of the project will remain in a natural state and primarily with existing vegetation.

A Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan would be developed and implemented during the construction phase. New impacts to hydrology/water quality are not expected as a result of the development of the Valley Ridge Estates project as the project would be required to adhere to the City's Stormwater Standards.

The proposed project is subject to the City's Standard Permanent Storm Water Best Management Practices (BMPs) and would be required to comply with all requirements of the State Water Resources Control Board Order No. 99-08, and San Diego Regional Water Quality Control Board Order No. R9-2007-0001. Adherence to the City's Stormwater Standards and use of State and City required construction and operational BMPs would preclude significant water quality impacts.

<u>Deviation – Minimum Street Frontage</u> - The project is proposing to deviate from minimum street frontage. Lots 1-4 will have no frontage on a public street, where the AR-1-1 Zone Development Regulations for Del Mar Mesa require 100-feet. Staff is in support of the deviation to street frontage. Lots 1-4 will have frontage along a private driveway. The goal of the Del Mar Mesa Specific Plan is to preserve the rural character of Del Mar Mesa while accommodating clustered development and the preservation of open space. In order to meet this goal, the project has been designed to limit the number of driveways accessing public streets and to preserve open space, resulting in a more desirable project than would be achieved if designed in strict conformance with the minimum street frontage.

<u>Density</u> - The Del Mar Mesa Specific Plan (DMMSP) allows the use of a Planned Development Permit to achieve more units on a site designated as Estate Residential provided that the additional density is transferred from a site within Del Mar Mesa which has been designated as Resource Based Open Space. In this case, the Terrazzo Bougainvillea (VTM No. 9985) residential development has eleven dwelling units available for transfer, and three of those dwelling units would be transferred to allow the development of 10 single-family lots on the project site.

Del Mar Mesa Community Planning Board Recommendation

The Del Mar Mesa Community Planning Board voted 8-0-1 to recommend approval of the project subject to the following conditions:

Condition No. 1:	A Home Owners Association (HOA) shall be responsible for maintaining the trails, right-of-way landscaping and parkway landscaping until a maintenance assessment district is formed.
Staff Response:	All landscaping indicated on the approved plans would be required to be maintained by the applicant and subsequent property owners. Staff has included a condition to address this concern (see Condition No. 28). No further action is recommended.
Condition No. 2:	The HOA shall maintain slope landscaping adjacent to the public rights- of-way as well as the ornamental riparian landscape easement area on the south side of Del Mar Mesa Road and the slopes adjacent to the equestrian trail along the property's northerly boundary.
Staff Response:	All landscaping indicated on the approved plans would be required to be maintained by the applicant and subsequent property owners. Staff has included a condition to address this concern (see Condition No. 28). No further action is recommended.
Condition No. 3:	The developer shall adhere to the community signage program.
Staff Response:	Staff has included condition no. 43 to address this concern.
Condition No. 4:	The developer or developer representative shall return to the board to show detail for the island round-about. The board requested landscaping such as 'splitter rocks and succulents' installed at Pacific Highlands Ranch be proposed.
Staff Response:	Gary Levitt, Chairperson for the Del Mar Mesa Community Planning Board confirmed that the applicant has met with the Board and has satisfied their concerns.
Condition No. 5:	The board's approval is contingent upon appropriate CEQA clearance issued by the City.
Staff Response:	Findings to Master Environmental Impact Report 95-0353, Project 97083, have been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential

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	impacts identified in the environmental review process.
Condition No. 6:	Horse keeping shall be allowed on the subdivided residential lots in accordance with City guidelines.
Staff Response:	Staff has included condition no. 40 to address this concern.

Critical Project Features to Consider During Substantial Conformance Review

Design Guidelines have been prepared for the project to guide the specific development on each lot. A Process Two Substantial Conformance Review is required before an application may be filed for a building permit on each lot in the subdivision to assure the standards of the Plan, permit conditions, and Design Guidelines are met by the proposed development.

Conclusion:

The proposed Valley Ridge Estates project conforms to the land use density, land use designation and community design guidelines in the Del Mar Mesa Specific Plan. The project would provide the required rural character and design features established in the DMMSP for estate residential development. The project as proposed is compatible with the existing surrounding developments. Findings required to approve the project are included in draft resolutions and draft conditions of approval have been prepared for the project.

ALTERNATIVES:

- 1. Approve Vesting Tentative Map No. 537335, Planned Development Permit No. 315982, Site Development Permit No. 315984, Neighborhood Use Permit No. 424336, with modifications.
- 2. Deny Vesting Tentative Map No. 537335, Planned Development Permit No. 315982, Site Development Permit No. 315984, Neighborhood Use Permit No. 424336, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake Program Manager Development Services Department

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Leslie Goossens Development Services Department

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Attachments:

- 1. Aerial Photograph
- 2. Del Mar Mesa Specific Plan Land Use Map
- 3. Project Vicinity Map
- 4. Valley Ridge Estates Map and Plans
- 5. Valley Ridge Estates Design Guidelines
- 6. Draft Vesting Tentative Map Resolution and Conditions
- 7. Draft Permit with Conditions
- 8. Draft Permit Resolution with Findings
- 9. Community Planning Group Recommendation
- 10. Ownership Disclosure Statement
- 11. Project Data Sheet
- 12. Project Chronology

ATTACHMENT 1





<u>Valley Ridge Estates – Project Number 97083</u> Del Mar Mesa Road







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Land Use Map

<u>Valley Ridge Estates – Project Number 97083</u> Del Mar Mesa Road







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Project Location Map

Valley Ridge Estates – Project Number 97083

Del Mar Mesa Road





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TTACHMENT 4



ATTACHMENT 4





LANDSCAPE DEVELOPMENT & BRUSH MANAGEMENT PLAN VALLEY RIDGE ESTATES

NT LEGEND L A

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~~~~	VERTICAL ACCENT TREE Accenting the	Street turnaround top of the site		121-533
	GIPRESSIG SCHARVIRONS - ITALIAN CIRENS POPULISI NGRA ITALICA - LODARCH POPULISI PINIS CANARDISIS - CANARY SLAND FINE	Ngl, 60° 5pd, 15° Ngl, 60° 5pd, 15° Ngl, 60° 5pd, 25°	24° box	
JACAZAG	NATURALIZING SLOPE TREE Individual p	ianted trees to help stabilize slope		
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ATTACHMENT 4

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# LANDSCAPE DEVELOPMENT & BRUSH MANAGEMENT PLAN VALLEY RIDGE ESTATES

TREE LEGEND

EXERCISE INFORMAL PLANT COMMUNITES As defined by the project bio. Tech. Report DN - DISTURBED HETLANDS DOSS - DIESAN CONSTAL SASS SCRUB GC - CHANGE CHAPACEAL SMC - SCITHERN HOLES CHAPAREAL NNS - NON NATIVE BRASSES





	Propared By: WILKINSON DESIGN GROUP, INC Address 2810 Rosewell Street Carabat CA 9229	Revision I0       Revision 8       Revision 6       Revision 6       Revision 5       Revision 4       Revision 210.11.2001       Revision 2 MAY 9.2001
	Phone 760 434 2152 Fax 780 434 0542 Project Address	Reviews 1_JAN. 26, 2001 Orignal Date: March 34,2008
22 40 62 360	6155 Del Mar Nese Road Project Name:	Shee <u>t Six Of Nine</u>
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### LANDSCAPE DEVELOPMENT & BRUSH MANAGEMENT PLAN VALLEY RIDGE ESTATES

#### T E E N L G N P

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**ATTACHMENT 5** 

# VALLEY RIDGE ESTATES Design Guidelines



**ATTACHMENT 5** 

# **VALLEY RIDGE ESTATES**



## VALLEY RIDGE ESTATES ARCHITECTURAL DESIGN GUIDELINES

#### A. PROJECT DESCRIPTION

- B. ARCHITECTURAL THEME
- C. BUILDING SCALE AND MASSING
- D. BUILDING ENVELOPES AND SETBACKS
- E. BUILDING MATERIALS AND FEATURES
- F. FENCING AND WALL HEIGHTS
- G. SURFACE DRAINAGE
- H. FIRE HYDRANTS FIRE SPRINKLER SYSTEMS
- . TRIM ACCENTS
- J. UTILITY FRANCHISE METERS
- K. TRASH CONTAINERS
- L. MECHANICAL EQUIPMENT
- M. APPURTENANT STRUCTURES
- N. EXTERIOR BUILDING LIGHTING
- O. SITE LIGHTING STANDARDS
- P. COLOR AND MATERIALS PALETTE
- Q. COMMUNITY LANDSCAPING CHARACTER
- R. LANDSCAPING PLANTING AND INSTALLATION STANDARDS
- S. RECREATIONAL FACILITIES
- T. IMPLEMENTATION

## A. PROJECT DESCRIPTION

Valley Ridge Estates is located on Del Mar Mesa Road in the Del Mar Mesa Specific Plan Area, formerly known as Subarea V of the North City Future Urbanizing Area. The site currently does not contain a home. The project consists of ten single family home sites on lots that range from one to two acres. The property overlooks Carmel Valley and Pacific Highlands Ranch to the north and the Grand Del Mar Resort to the south.

The development area is adjacent to Silver Oak Estates on the west and Sunset Ranch on the east. The City's Multiple Habitat Planning Area (MHPA) lies to the north of the development in Subarea 3, Pacific Highlands Ranch.


# **B. ARCHITECTURAL THEME**

The architectural theme for the property is based upon the climatic and topographic influences that have shaped the Del Mar Mesa community. Specifically, the homes should reflect the coastal and hillside architecture exhibited in the older homes throughout the community. The homes should respond to the natural features and landform present in the community and the history of ranches and farms in the greater north city area.

The intention of these Design Guidelines is to provide some architectural direction relative to the form, materials and colors for the creation of the home site planning considerations. These Design Guidelines do not include or address the landform alteration or grading necessary to create the home site or roads which are specifically detailed in the City of San Diego, Development Services Vesting Tentative Map (VTM), Department's Site Development Permit (SDP) and Planned Development Permit (PDP) files (97083).



Given the unique setting and development pattern of the Del Mar Mesa community, the Valley Ridge Estates architecture form, and materials should focus on capturing natural light, ocean breezes, and changes in topography. The use of natural colors and materials that blend with the native landscape is strongly encouraged. The design of the home and siting of the amenities should seek to defuse the direct affects of sunlight. Specifically, recessed windows and doors, extended eaves, thickened walls, and strategic landscaping are concepts that can decrease the affects of direct sunlight. The architecture should utilize the cool Pacific Ocean breezes to provide relief from the sun. These features may include courtyards, arcades, interior balconies, and awnings. Using varied rooflines, building heights and the number of stories, the architecture can respond to the site topography.

# C. BUILDING SCALE AND MASSING

- 1. The buildings should reflect the scale of community and create an intimate and welcoming environment.
- 2. The following architectural treatments should be considered relative to addressing building scale and massing:
  - Dividing the building height into one (1) and two (2) story elements;
  - Provide variations in the roofline and wall planes;
  - Limit the occurrence of large wall surfaces through the use of openings, windows, doors, projections, recesses and/or building details;
  - Features such as entrances, arcades, structural elements and building details should be proportioned to the height and width of the structure;
  - Utilize awnings, eaves and building shape to create outdoor spaces that are human scale;
  - The siting and design of each home should avoid standard subdivision orientation. To that end, the elevations which face the public rights-of-way should include building articulation such as, but not limited to, balconies and overhangs;
  - Vehicle access to garages should be integrated into the building and should not be the dominant element of the structure; and
  - Homes on lots with Brush Management setbacks shall include fire retardant roof materials (wood is not permitted), eaves and overhangs shall have an exterior surface as required for one hour fire resistive walls for any portion of a structure within the Brush Management setback, and all eave vents shall be covered with wire screen not to exceed 1/4 inch mesh.
- 3. The following architectural features should be avoided:
  - Uniform building heights for non-single story structures;
  - Large box shaped structures;
  - Unbroken wall surfaces and glazing;
  - Excessive use of building details and/or elements that are either over or under
  - sized relative to the size of the structure.

# D. BUILDING ENVELOPES AND SETBACKS

#### 1. Building Envelope

The building envelope for each lot has been established on the VTM/PDP; however, the siting and design of each home and any subsequent improvements should incorporate variable setbacks and a variety of structure height and orientation to the public and private drive viewing areas. The envelope includes front, side, street-side, rear, and brush management setbacks. No structures may be built outside of the building envelope except pools not extending 3 feet in height above grade at 3 feet from the property line, and at least 4 feet from the property line if above 3 feet in height, pool equipment less that 3 feet in height at 4 feet from the property line. Other permitted encroachments include landscape, hardscape, and fencing and walls consistent with section 'F'.



### 2. Setbacks

The VTM and PDP Site Plan graphically depict the building setbacks for all lots. The building setbacks are:

The front yard setbacks are located adjacent to the street frontage. The Land Development Code designates that the front yard setback shall be twenty five feet (25'). The side yard setbacks shall be a minimum of twenty feet (20'). With a minimum of forty feet (40') between structures.

The rear yard setback shall be a minimum of twenty five feet (25').

Architectural projections and encroachments are not permitted within the required setbacks. This includes all eaves, awnings, patio covers, trellises, barbecues, free standing fireplaces/chimneys, bay windows and those elements identified in San Diego Municipal Code section 131.0461

#### 3. Height Limits and Lot Coverage

No structure may exceed a total height limit of thirty-feet (30'), excepting spark arrestors for a maximum of two-feet (2'). Single story structures have a coverage limitation of forty percent (40%) of the total area of the affected lot. Two story structures have a building coverage limit of thirty percent (30%) of the total area of the affected lot.

### 4. Garages

Garages should not be the dominating architectural feature of each home. Where possible, garages should be placed to the rear of the homes, detached from the homes and oriented away from the street or designed to side-loaded. Only fifty percent (50%) of the square-footage for garages oriented away from the street and/or placed to the rear of the homes shall be counted towards the maximum lot coverage for each lot. Tandem spaces and split level or offset design are encouraged. Orienting more than two garage doors on a single elevation is discouraged. In all instances, landscaping should be utilized to screen the garages from the public right-of-way.





# E. BUILDING MATERIALS AND FEATURES

All elements of the site plan for each lot, including accessory structures should relate to and reinforce the form and organization of the primary structure.

#### 1. Exterior Wall Surfaces

The use of natural colors and materials that blend with the native landscape is strongly encouraged. The use of compatible materials and textures is also encouraged. The transitions between materials and textures should be carefully designed and thoughtfully handled with construction details.

Similar treatment for all elevations of the structures is encouraged. To that end, designs should employ the same types of materials on all elevations.

#### 2. Windows and Doors

Window and door openings, as dictated by the architecture, should be recessed or framed on each elevation to accentuate the appearance of the architecture. Through recessing openings, the walls will have the appearance of depth, while creating shadows and patterns that enhance the design of each structure. Recessing of openings can be achieved through the construction of building projections and bay-windows. The use of reflective glass is strongly discouraged.







### 3. Roofs

Pitched roofs should have a pitch, which is complimentary to and consistent with the structures architecture. The principal form of roofing should be hip or gable; however, alternative forms may be considered in relationship to architectural and site plans. Homes on lots with Brush Management setbacks shall include fire retardant roof materials (wood is not permitted).

#### 4. Awnings

Awnings are not required, but may be used as minor architectural elements; however, they must be incorporated into the overall architectural theme of the site and may not protrude outside of the building envelope.

### 5 Chimneys

Chimneys shall comply with the City of San Diego height restrictions for singlefamily homes (zoning and building codes). The chimney caps should be designed to complement the major architectural elements of the house and they must meet the minimum standards for spark arresting.

### 6. Skylights

Skylights should be flat and must be designed as an integral component of the roof. The skylight framing and flashing material must be compatible with the roof. Skylight glazing shall not be reflective.

# 7. Flashing and Sheet Metal

All exposed flashing and sheet metal should be colored to match the adjacent material or reflect an overall architectural theme or style.

### 8. Vents

All vent stacks and pipes must be colored to match the adjacent roof or wall materials or reflect an overall architectural theme or style.

#### 9 Antennas and Satellite Dishes

Owners shall not install, or cause to be installed, any television, radio or citizen band (CB) antenna, satellite dish or other similar electronic receiving or broadcasting device on the exterior of any home. A satellite dish may be allowed if not larger than thirty-six inches (36") in diameter and hidden from public view. Any such installation on the interior of a home shall comply with all applicable ordinances of the City of San Diego. All homes should be wired for cable reception and Internet access.

# 10. Solar Panels

Solar panels on any structures shall be integrated into the design of the roof. Panels and frames shall be compatible with the roof or wall materials or reflect an overall architectural theme or style. No plumbing or conduits are to be exposed to view. Except for solar panels, solar equipment should be screened from view from the adjacent lots and the public right-of-way.

# F. FENCING AND WALL HEIGHTS

- 1. Fencing and walls shall not exceed heights as set forth in this section and shown on the Fence and Wall Exhibit in the City's VTM and PDP file (PTS# 97083). All fence and wall heights are measured vertically from the finished grade at the base of the fence or wall.
- 2. All retaining walls over three-feet (3') are shown on the VTM and the PDP Site Plan and are subject to the section 142.0301 of the City of San Diego, Land Development Code.
- 3. Open peeler pole fencing should be located on the property line adjacent to the rights-of-way (front, street-side, and rear yards) and should not exceed three-feet (3') in height, except for safety issues. Fencing and walls not visible from the public rights-of-way may be of stucco over masonry, decorative metal, natural or manufactured stone or brick masonry, or wood. All fencing and walls must be designed in character with the architecture. However, all fencing adjacent to Brush Management Zones shall be of non-flammable materials.

Chain-link and similar fencing materials are prohibited, except as required by the City of San Diego.

- 4. Front yard and street-side yard fencing and walls must comply with the Del Mar Mesa Specific Plan.
- 5. The interior side yard and rear yard fences and walls may have a height of six-feet (6'). Interior side yard and rear yard fences and walls, visible from public areas shall be landscaped to soften and screen the full height of the fence in the form of noninvasive vines, trees, or tall shrubs.
- 6. In addition to the above requirements, the Valley Ridge Estates fences and walls shall comply with the Del Mar Mesa Fence and Wall Design Guidelines (adopted December 12, 2002) that are listed below (where ambiguity exists, the project specific criteria shall apply as shown on Exhibit "A" which is located in the City of San Diego files for this project (PTS #97083):

The stated goal of the Del Mar Mesa Community Plan is to "Develop the community of Del Mar Mesa a rural community that emphasized open spaces, dark night skies, hiking and equestrian trails, and sensitively designed developments which complement the existing topography".

In keeping with the vision of preserving a sense of spaciousness, protecting views, and developing a neighborly, inclusive community, no solid walls or fences are to be permitted along public right-of-ways, or between building facades and the property line when along public right of ways. Open Fencing is allowed.

In order to adhere to the spirit and intent of the Del Mar Mesa Community Plan exception to the Open Fencing requirement may occur only under special circumstances.

One or more of the following special circumstances must exist for an exception to be considered by the Del Mar Mesa Community Planning Board (DMMCPB):

- A. Lot configuration issues must exist such that a wall is necessary for protection from headlights.
- B. Lot configuration issues must exist such that a wall is necessary for protection from incompatible adjacency uses (e.g. commercial orchard, horse ranch, public park, horse park, etc.).
- C. Safety Issues must exist such that a wall is necessary for protection.

In all cases, the applicant must present a proposed fence or wall design comprising sufficient architectural features so as to enhance its surroundings and be compatible with the rural nature of the community.

If, at the sole discretion of the DMMCPB, a determination is made that special circumstances exist, a solid wall or fence may be approved subject to the following Wall & Fence Guidelines:

**Types Allowed:** Post & rail, lodge pole, board & bat, wrought iron, masonry, stacked stone/rock or combinations thereof.



Maximum Height: No higher than 5' from the finished grade at the base of the wall.

**Design:** Fences and walls should be designed to soften the impact of the wall when adjacent to public areas, i.e. by varying type, width, setbacks, length and height.

**Solid Walls:** All walls adjacent to any public areas, such as trails, walkways or public right-of-ways, shall be predominantly open. A solid fence or wall exceeding 3ft in height shall not be allowed along more than 33% of that property's frontage.

**Solid Bases:** A solid base no higher than 3' from finished grade, with an open decorative design used on the top 2', will be allowed along 50% of that property's frontage.

**Materials and Colors:** Natural materials such as wood, stone, and rock, may be used alone or combined aesthetically in conjunction with other acceptable materials such as brick, block, wrought iron or decorative metal. Colors should be compatible with the architectural design of surrounding homes.

**Setbacks:** All setbacks may vary as determined by the approvals granted with the discretionary permits. However, all walls must be setback sufficiently from the public ROW's to allow for adequate landscape screening.

**Landscape Screening:** All walls adjacent to or materially impacting any public areas must be screened by landscaping to soften the effect of the impact of the wall. All landscape plans must be approved by the DMMCPB.

**Street Scene Considerations:** Special consideration may be given to contiguous lots grouped together along a street in accordance with the spirit and letter of the Fence and Wall Standards at the discretion of the DMMCPB.

# G. SURFACE DRAINAGE

Sheet flow, roof water and overflow irrigation water must be properly connected to the underground storm drainage system where applicable. All planting, irrigation, brush management and landscape related improvements will comply with the City of San Diego Landscape Regulations and the Land Development Manual Landscape Standards as well as, the Del Mar Mesa Specific Plan.



# H. FIRE HYDRANTS - FIRE SPRINKLER SYSTEMS

Brush Management areas are subject to additional Fire Department setback and structural requirements, including architectural treatments. The homeowner shall be responsible for complying with all such setbacks and requirements.



### I. TRIM ACCENTS

Exterior material accents should be of permanent materials. Wood trim and metal details must be stained and painted, respectively. Alternative materials are encouraged.

# J. UTILITY FRANCHISE METERS

Gas, electric, cable and other franchise meters should be located within enclosures, building recesses or behind screen walls which are integral elements of the architectural theme or style and in conformance with the utility company's standards (for further details, contact the utility company). Utility meters should be located in the side or rear yards of the site and must be screened from the public rights-of-way. The utility meters must not be located behind locked fences, walls, or gates.

## K. TRASH CONTAINERS

The lot shall have an architecturally integrated trash enclosure, which screens the trash containers from abutting property. The trash enclosure shall not be located in the front yard. Trash containers may be placed behind side yard gates and fences, if the containers are screened from the public rights-of-way, or the abutting property.



### L. MECHANICAL EQUIPMENT

All air-conditioning, heating, pool, fountain, or similar equipment and soft water tanks must be screened within an architecturally integrated enclosure. The enclosure must provide a visual screen from the abutting property and must provide sound attenuation. The mechanical enclosure shall not be located in the front yard setback. Mechanical equipment may be placed behind side yard gates and fences, if the containers are screened from the public rights-of-way, or the abutting property.



# M. APPURTENANT STRUCTURES

All patio structures, balconies, trellises, sunshades, gazebos, mechanical equipment structures, decking and other auxiliary structures should be designed in the same architectural theme or style.

Combustible structures, including but not limited to the above-mentioned appurtenant structures, shall not be located with the Brush Management Zones designated on the PDP. However, non-habitable, non-combustible accessory structures may be approved within Zone One outside of the 4:1 planted slopes established by the approved grading plan, subject to approval of the Fire Chief and the City Manager. No structures shall be constructed within Zone Two.

## N. EXTERIOR BUILDING LIGHTING

Exterior lighting must be directed away from the adjoining properties and shielded to reduce impacts to the adjacent lots and the Multiple Habitat Preservation Area. Outdoor lighting should be limited to safety and security purposes. In addition, exterior lighting shall not adversely affect vehicular movements on the adjacent public rights-of-ways.



# O. SITE LIGHTING STANDARDS

The owner is encouraged to install quality landscaping and exterior lighting; however, the purpose of such lighting is to ensure safety and security. Lighting fixtures should minimize the amount of glare into neighboring properties and public areas. Light sources must comply with the City of San Diego standards for low sodium bulbs. Intense and visible security or flood lighting is strictly prohibited. Direct lighting into the MHPA is also prohibited, except for temporary security lighting.

All lighting must be directed away from the adjoining properties and shielded to reduce impacts to the adjacent lots. In addition, light fixtures and layouts should be designed as integral elements of the architectural theme or style of the site.

# Q. COLOR AND MATERIALS PALETTE

### **1. Roof Materials**

Roof materials shall reflect the architectural theme or style of the home; however, the materials must comply with the fire retardant requirements of City of San Diego and the Uniform Building Code

Roof tiles should range in color from light earth tones to dark earth tones; however, the color should be consistent with the architectural theme or style and colors of the structure.

#### 2. Paving Materials

Driveways and other flat paved areas should be colored to compliment the colors of adjacent site structures. These colors shall include, but not be limited to, standard concrete gray, if, this color will be compatible with the adjacent home and landscape design. Driveway aprons widths are limited to a maximum of sixteenfeet (16'). Automobile courts should be wide enough to accommodate vehicular movements, but should not dominate the site plan.

**3. Wall Facing Materials** - (Freestanding Patio and Landscaping Walls and Retaining Walls)

The face of walls should consist of the following materials:

Adobe Block

- · Natural or Manufactured Stone
- Stucco
- Brick
- Block



#### 4. Front Yard Fencing

The front yard fencing should consist of the following materials and/or combination of materials:

Wrought Iron Decorative Metal, Aluminum or Wood split-rail Adobe Block Natural or Manufactured Stone Stucco Brick Block

#### 5. The following materials are prohibited:

Chain-link

Other materials not in keeping with the architectural theme or style of the Gerst Development.

# Q. COMMUNITY LANDSCAPE CHARACTER

The landscape character of the Terrazzo Bougainvillea development is derived from the historic landscapes of southern Spain and the ranches of old California. Landscaping and paving materials should be designed in harmony with the architecture and landform. The landscaping should compliment and accentuate the Valley Ridge Estates architecture.

#### Streetscape Plan

The streetscape planting provided adjacent to the rights-of-way shall be maintained in "good" health at all times. Dead or damaged plant material and fencing shall be replaced with matched species, size, specimens, and design. Irrigation associated with the streetscape planting shall also be replaced with matching type and quality within 30 days of death or damage. Additionally, damage caused to curbs, gutter, sidewalks/trails, and other rights-of-way improvements shall be replaced with matching type and quality.

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#### **Slope Area**

Modifications or alterations of slope areas or retaining walls shall not occur without prior approval from the Development Services Department.

#### **Brush Management Zones**

Brush Management zones are required between any combustible structures and large contiguous areas of natural vegetation. For lots abutting natural open space, it is necessary to provide for Brush Management zones to protect the residences from fire hazards. Areas designated as Brush Management Zones must not be modified without approval of the City of San Diego Fire Department and the HOA. The City of San Diego must approve any improvement within the Brush Management Zones specified on the VTM, including pools.



Image from A City of San Diego Guide to Fire Safety and Brush Management for Private Property

#### Lot Landscaping Standards

#### a. Lot Maintenance

The lot owner will be responsible for maintaining the site landscaping and ensuring the condition of their particular lot is clean, weed and debris free.

#### **b. Street Yard**

The area between the rights-of-way and the home is defined as the street yard. Maintenance of the street yard improvements is the owner's responsibility. Consistency and conformance with the overall landscape theme is required of each property owner.

#### c. Side and Rear Yards

The side and rear yards, not facing a rights-of-way, are that portion of the lot between the home and the side and rear property lines. Installation and maintenance of the side and rear yard improvements are the responsibility of the property owner.

# R. LANDSCAPING PLANTING AND INSTALLATION STANDARDS

#### **Planting Standards**

The landscaping should be designed to complement the overall architectural theme or style of lot and the community. Plant materials should relate to the scale and character utilized in the community and surrounding lots. The landscape design should incorporate the color palette of surrounding native vegetation and where possible the native vegetation should be maintained. Trees and shrubs should provide the principal landscape image for the development.

Trees and shrubs should be utilized on all public view sides of the structures to soften the structures from public views. Consideration should be given to the use of plants for screening, space definition, erosion control, glare reduction, shade and aesthetics.

Selection and installation of plant materials should also consider the long-term maintenance requirements and costs.

#### Installation Schedule

All landscaping must be installed within 180 days of the lot owner's occupancy of the home or property.



## S. RECREATIONAL FACILITIES

Pool and water features and their associated equipment shall be located and constructed in compliance with the City of San Diego Building Code. Mechanical equipment should be located to minimize visual and noise impacts on surrounding neighbors. Equipment enclosures must be architecturally incorporated into the nearest structure.

The lighting of recreational facilities, such as tennis courts, is prohibited. Pools and water features may be lighted for safety and security purposes, using ground lighting provided it does not project more than six-feet (6') from the lighting source.

Horse corrals are allowed provided they comply with all City of San Diego Municipal Code regulations.

# T. IMPLEMENTATION

A Substantial Conformance Review (SCR) application shall be submitted to and approved by the City of San Dlego, under process two (2), prior to issuance of a Building Permit. The SCR shall be reviewed by the Development Services and Planning Departments for conformance with these guidelines, the Del Mar Mesa Specific Plan and the requirements of the VTM/PDP (97083). These Design Guidelines and the PDP implement the Del Mar Mesa Specific Plan objectives and policies.

### PLANNING COMMISSION RESOLUTION NO. PC-Draft VESTING TENTATIVE MAP NO. 537335 VALLEY RIDGE ESTATES - PROJECT NO. 97083

WHEREAS, CHARLES S. GAWLE, JR., AND PAULINE E. GAWLE as Trustees of the Gawle Family Trust Dated July 7, 1982, Applicant/Subdivider, and JOEL G. MORRISON, MORRISON ENGINEERING, INC., Engineer, submitted an application with the City of San Diego for a Vesting Tentative Map, No. 537335, for the subdivision of a 19.61 acre site into 12 lots for residential development (including 2 open space lots). The project site is located north and south of Del Mar Mesa Road, west of Little McGonigle Ranch Road, in the AR-1-1 Zone of the Del Mar Mesa Specific Plan; and

WHEREAS, the project site is legally described as the west half of the southeast quarter of the northeast quarter of section 21, township 14 south, range 3 west, San Bernardino Meridian, in the County of San Diego, State of California;

WHEREAS, the Map proposes the subdivision of a 19.61 acre site into 12 lots for residential development (including 2 open space lots); and

WHEREAS, Findings to Master Environmental Impact Report No. 95-0353 have been prepared and reflects the independent judgment of the City of San Diego as lead agency; and

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

WHEREAS, on April 17, 2008, the Planning Commission of the City of San Diego considered Tentative Map No. 537335, and pursuant to Section 125.0440 of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

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

The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)).

- 2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
- 3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440.c and State Map Act Sections 66474(c) and 66474(d)).
- 4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).
- 5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)).
- 6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code Section 125.0440.f and State Map Act Section 66474(g)).
- 7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1).
- 8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
- 9. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Planning Commission, Tentative Map No. 537335, is hereby granted to CHARLES S. GAWLE, JR., AND PAULINE E. GAWLE as Trustees of the Gawle Family Trust Dated July 7, 1982, Applicant/Subdivider, subject to the following conditions:

#### GENERAL

1. This Vesting Tentative Map will expire April 17, 2011.

Project No. 97083 TM No. 537335 April 17, 2008 Page 2 of 10

- 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 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
- 4. The Final Map shall conform to the provisions of Planned Development Permit No. 315982, Site Development Permit No. 315984 and Neighborhood Use Permit No. 424336.
- 5. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant

#### AFFORDABLE HOUSING

6. Prior to recordation of the final map, the Owner/Permittee shall comply with the affordable housing requirements of the NCFUA by paying an in-lieu fee. The current in-lieu fee is equal to \$24,200 (\$2,420 per market rate lot), but is subject to change in the future.

#### ENGINEERING

- 7. The Subdivider shall grant a General Utility and Access Easement as shown and described on the Private Driveways over lots 1-5 and lots 8-10.
- 8. The Subdivider shall grant a 5 ft wide General Utility Easement on the south side of Del Mar Mesa Road.

Project No. 97083 TM No. 537335 April 17, 2008 Page 3 of 10

- 9. The Subdivider shall dedicate an additional 2.0 feet on Del Mar Mesa Road to provide a 16 foot curb-to-property-line distance, satisfactory to the City Engineer.
- 10. 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.
- 11. The Subdivider shall enter into a bonded maintenance agreement with the City agreeing to maintain in perpetuity the multi-use trail or until such time a maintenance district or other such mechanism is established and assumes the maintenance responsibility.
- 12. An 8-foot wide hiking trail shall be dedicated as "non-motor vehicle, pedestrian and equestrian right-of-way" at a location in agreement with that shown on the Vesting Tentative Map.
- 13. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2003 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 14. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
- 15. 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.
- 16. The subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
- 17. The drainage system proposed for this development, as shown on the site plan, is subject to approval by the City Engineer.
- Prior to the issuance of any construction permit, the Subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
- 19. 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.

- 20. Prior to the issuance of any construction permits, the applicant shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.
- 21. 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.
- 22. 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.
- 23. 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.

#### 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.

#### SEWER AND WATER

- 27. The Subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire) within the project site in a manner satisfactory to the Water Department Director.
- 28. All proposed sewer facilities not located in public streets that serve this development shall be private. All proposed sewer facilities located in easements shall be private.
- 29. The Subdivider shall install all sewer facilities necessary to serve this development, satisfactory to the Metropolitan Wastewater Department Director.
- 30. The Subdivider shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.
- 31. The Subdivider 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.
- 32. No trees or shrubs exceeding three feet in height at maturity shall be installed , within ten feet of any public sewer facilities or within 5 feet of any raised medians/roundabouts.

- 33. The Subdivider shall provide, satisfactory to the Metropolitan Wastewater Department Director, CC&R's for the operation and maintenance of private sewer mains that serve more than one lot or ownership.
- 34. The Subdivider shall design and construct new 8-inch public water facilities as shown on the approved water study and the plans, in a manner satisfactory to the Water Department Director and the City Engineer.
- 35. 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.
- 36. The Subdivider shall provide Encroachment Removal and Maintenance Agreement (EMRA) for any private improvements over public water facilities located within the proposed easement.
- 37. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Marshal, the Water Department Director and the City Engineer.
- 38. 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 shall be modified at final engineering to comply with standards.

#### GEOLOGY

39. 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." An updated geotechnical report will be required as grading plans are developed for the project. The geotechnical consultant must review, sign and stamp the grading plans as part of the plan review and grading permit issuance process. A Final As-Built Report is required within 15 days of completion of grading operations.

### LANDSCAPE

40. The subdivider shall submit complete landscape construction documents, including plans, details, and specifications (including a permanent automatic irrigation system unless otherwise approved), for the required right-of-way, slope revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of Development Services Department. The landscape construction documents shall be in substantial conformance with Exhibit "A", Landscape Development Plan on file in the Office

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of the Development Services Department. The applicant shall assure by permit and bond the installation of landscaping per landscape construction documents.

- 41. The subdivider shall identify on a separate sheet titled 'Non-title Sheet' the brush management areas in substantial conformance with Exhibit 'A.' These brush management areas shall be identified with a hatch symbol with no specific dimensions or zones called out. The following note shall be provided on the 'Non-title sheet' to identify the hatched areas: "Indicates fire hazard zones per Section 142.0412 of the Land Development Code."
- 42. Prior to issuance of any construction permits for grading, the Subdivider shall enter into a Landscape Establishment and Maintenance Agreement (LEMA) to assure long-term establishment and maintenance of all common area slope revegetation. The LEMA shall be approved by the Landscape Section of Development Services. Agreement shall commence prior to release of the performance bond with developer or subsequent owner posting a new bond to cover the terms of the agreement.

#### TRANSPORTATION

- 43. The Subdivider shall dedicate and construct a roundabout on Del Mar Mesa Road at Valley Ridge Way as a 117 foot curb-to-curb public street with an 8 foot graded shoulder on the south side and a 16 foot shoulder on the north side, with a 10-foot decomposed granite multipurpose trail and equestrian path on the north side, to the satisfaction of the City Engineer.
- 44. The Subdivider shall dedicate and construct Valley Ridge Way as a 28 foot curbto-curb public street with an 8-foot decomposed granite multipurpose trail and equestrian path within a 14-foot shoulder on the south side and a 5 foot shoulder on the north side with a 47 foot right-of-way from Del Mar Mesa north to a 50 foot radius curb-to-curb with a 62 foot radius right-of-way cul-de-sac to the satisfaction of the City Engineer.
- 45. The Subdivider shall construct a private 28 foot wide curb-to-curb driveway with a 50 foot radius cul-de-sac with appropriate 'No Parking' signs on one side from Valley Ridge Way west to the satisfaction of the City Engineer.
- 46. The Subdivider shall construct a private 28 foot wide curb-to-curb driveway with a contrasting pavement treatment at the intersection with Del Mar Mesa Road and a 120 foot hammerhead east, with appropriate 'No Parking' signs on one side to the satisfaction of the City Engineer.
- 47. Prior to recordation of the final map, the Subdivider shall record a joint access agreement between lots 1, 2, 3, 4 and 5 to the satisfaction of the City Engineer.

48. Prior to the recordation of the final map, the Subdivider shall record a joint access agreement between lots 8, 9 and 10 to the satisfaction of the City Engineer.

#### PARKS AND OPEN SPACE

- 49. Lot "A" and "B" shall be placed in an open space easement and remain in private ownership.
- 50. The 8-foot wide trail within Lots 1, 2 and 3 shall be dedicated as pedestrian and non-vehicular right of way, and constructed to City standards.

#### ENVIRONMENTAL

- 51. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in the Findings to Master EIR No. 95-0353, Project No. 97083, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
- 52. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the Findings to Master EIR No. 95-0353, Project No. 97083, satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Biological Resources Paleontological Resources Land Form/Visual Character Public Facilities and Services Noise Transportation/Circulation

53. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

#### **INFORMATION:**

• The approval of this Tentative Map by the Planning Commission 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 Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party, on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- 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.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO, CALIFORNIA, ON APRIL 17, 2008.

By

LESLIE GOOSSENS Development Project Manager Development Services Department

Job Order No. 42-6128

RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-6128

Planned Development Permit No. 315982, Site Development Permit No. 315984 Neighborhood Use Permit No. 424336

#### VALLEY RIDGE ESTATES [MMRP] – PROJECT NO. 97083 Planning Commission

This Planned Development Permit No. 315982, Site Development Permit No. 315984, and Neighborhood Use Permit No. 424336 is granted by the Planning Commission of the City of San Diego to CHARLES S. GAWLE, JR., AND PAULINE E. GAWLE as Trustees of the Gawle Family Trust Dated July 7, 1982, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0604, 126.0504, 126.0205. The 19.61 acre site is located north and south of Del Mar Mesa Road, west of Little McGonigle Ranch Road at in the AR-1-1 zone of the Del Mar Mesa Specific Plan. The project site is legally described as the west half of the southeast quarter of the northeast quarter of section 21, township 14 south, range 3 west, San Bernardino Meridian, in the County of San Diego, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to create 10 custom home parcels with guest quarters and 2 open space lots, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 17, 2008, on file in the Development Services Department.

The project shall include:

- a. The subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) in conformance with the Valley Ridge Estates Design Guidelines;
- b. Deviations to minimum street frontage;

- c. Density transfer of three (3) residential dwelling units from the Terrazzo Bougainvillea Vesting Tentative Map No. 9985, Final Map No. 15589;
- d. Guest Quarters on all lots consistent with the criteria in the Valley Ridge Estates Design Guidelines and the Land Development Code requirements;
- e. Pedestrian and equestrian trails;
- f. Landscaping (planting, irrigation and landscape related improvements);
- g. Off-street parking; and
- h. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

### **STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.

2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.

4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. In accordance with authorization granted to the City of San Diego from the United States Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall

have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

12. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase per the approved Exhibit "A."

### **ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project

14. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in the Findings to Master EIR No. 95-0353, Project No. 97083, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.

15. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in the Findings to Master EIR No. 95-0353, Project No. 97083, satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Biological Resources Paleontological Resources Land Form/Visual Character Public Facilities and Services Noise Transportation/Circulation

16. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

### **AFFORDABLE HOUSING REQUIREMENTS:**

17. Prior to recordation of the final map, the Owner/Permittee shall comply with the affordable housing requirements of the NCFUA by paying an in-lieu fee. The current in-lieu fee is equal to \$24,200 (\$2,420 per market rate lot), but is subject to change in the future.

### **ENGINEERING REQUIREMENTS:**

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

19. 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.

20. 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.

21. 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.

22. Prior to the issuance of any construction permits, the applicant shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.

### **LANDSCAPE REQUIREMENTS:**

23. Prior to issuance of any engineering permits for grading, construction documents for the revegetation and hydroseeding of all disturbed land shall be submitted in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit 'A,' on file in the Office of the Development Services Department.

24. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way improvements shall be submitted to the Development Services Department for approval. Improvement plans shall take into account a 40 sq-ft area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

25. Prior to issuance of any construction permits for structures, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan and Valley Ridge Estates Design Guidelines, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

26. Prior to issuance of Final Inspection, it shall be the responsibility of the Permittee or subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

27. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

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

29. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size

per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

### BRUSH MANAGEMENT PROGRAM REQUIREMENTS:

30. Prior to issuance of any engineering permits for grading, landscape construction documents required for the engineering permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit 'A'.

31. Prior to issuance of any building permits, a complete set of brush management construction documents shall be submitted for approval to the Development Services Department and the Fire Marshall. The construction documents shall be in substantial Conformance with Exhibit 'A' and shall comply with the Uniform Fire Code, SDMC 55.0101, the Landscape Standards, and the Land Development Code Section 142.0412.

32. The Brush Management Program shall consist of two zones consistent with the Brush Management regulations of the Land Development Code section 142.0412 as follows:

- a) Lot 1, Lot 2, and Lot 3 shall have a 55-foot Zone One between the structures and northern property line, and a 35-foot Zone Two. Brush Management along the northeast side of the structures on Lot 3 shall observe a Zone One of 55-feet gradually diminishing to 35-feet, with Zone Two of 35-foot gradually diminishing to 0-feet;
- b) Lot 4 and Lot 5 shall have a minimum 35-foot Zone One with 65-foot Zone Two;
- c) A recorded easement shall be granted by the adjacent property owner to the owner of Lot 4 to establish and maintain the Zone 2 offsite;
- d) Brush Management along the northwest side of the structures on Lot 6 and Lot 7 shall observe an offsite Zone One of 40 feet and offsite Zone Two of 60 feet; and
- e) Lot 8 shall have a minimum 65-foot Zone One with 35-foot Zone Two.

### PLANNING/DESIGN REQUIREMENTS:

33. No fewer than two off-street parking spaces (or three for properties developed with a guest quarters) shall be maintained on the property at all times. Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

34. Prior to submitting an application for a building permit on any lot, the Owner/Permittee shall submit an application for a Process Two Substantial Conformance Review for each lot to determine conformance with the terms of this permit, the Valley Ridge Estates Design Guidelines and development plans, and all relevant development requirements of the Del Mar Mesa Spécific Plan.

35. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under

construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

36. The proposed project does not propose any structures; therefore, in order to determine if structures comply with the height limitations of the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP), any future structures must be submitted to the San Diego County Airport Land Use Commission (ALUC) for review.

37. The Owner/Permittee shall post a copy of the approved discretionary permit or Tentative Map in the sales office for consideration by each prospective buyer.

38. Fencing shall adhere to the approved Valley Ridge Estates Design Guidelines.

39. Required fencing between designated private use areas and common brush management, MHPA/open space lots, and/or separating the pedestrian/equestrian trail and the landscaped parkway adjacent to the public and private streets shall not be altered, removed or relocated.

40. Disclosure shall be made to all future buyers that Del Mar Mesa is a semi-rural community which permits residents to maintain horses and horse stables on their residential property subject to horse-keeping provisions of the San Diego Municipal Code.

41. Lots 1-3 only: Due to the site's location within and adjacent to the MHPA, construction noise will need to be avoided, if possible, during the breeding season of the California gnatcatcher (3/1-8/15). If construction is proposed during the breeding season for the species, U.S. Fish and Wildlife Service protocol surveys will be required in order to determine species presence/absence. If the species is not identified within the MHPA, no additional measures will be required. If present, measures to minimize noise impacts will be required and should include temporary noise walls/berms. If a survey is not conducted and construction is proposed during the species' breeding season, presence would be assumed and a temporary wall/berm would be required. Noise levels from construction activities during the bird breeding season should not exceed 60 dBA hourly LEQ at the edge of the occupied MHPA, or the ambient noise level if noise levels already exceed 60 dBA hourly LEQ.

42. In order to avoid potentially significant impacts associated with external lighting, all lighting from homes for the purposes of safety and security shall be designed to minimize the emission of light rays onto neighboring lots and open space. All outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located. The lighting of private recreational facilities, such as tennis courts, shall not be permitted. Swimming pools may be lighted for safety purposes, using ground lighting that does not project more than six feet from the lighting source.

43. All development shall utilize materials that blend with the natural landscape and specify neutral, earth tone, muted colors.

44. Prior to issuance of any grading permit, grading design shall utilize contour grading techniques for fill slopes, including variable slope ratios and rounding the tops and toes of slopes, as generally depicted on the Exhibit A Grading Plan. Retaining walls are to be avoided adjacent to open space lots, except as shown on Exhibit A

45. Prior to recordation of the first final map, the applicant shall obtain a Certificate of Compliance or Exemption from the Del Mar Union School District and the San Dieguito Union School District that demonstrates project impacts on school facilities are adequately mitigated within each school district as require in the Del Mar Mesa Specific Plan.

46. Signage will be limited to access, litter control and educational purposes.

#### **GEOLOGY REQUIREMENTS:**

47. An updated geotechnical report will be required as grading plans are developed for the project. The geotechnical consultant must review, sign and stamp the grading plans as part of the plan review and grading permit issuance process. A Final As-Built Report is required within 15 days of completion of grading operations.

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

#### WASTEWATER REQUIREMENTS:

49. All proposed sewer facilities not located in public streets that serve this development shall be private. All proposed sewer facilities located in easements shall be private.

50. Prior to the issuance of any building permits, the developer shall assure, by permit and bond, the design and construction of all public sewer facilities necessary to serve this development.

51. Prior to the issuance of any engineering or building permits, the developer shall provide, satisfactory to the Metropolitan Wastewater Department Director, CC&R's for the operation and maintenance of onsite private sewer mains that serve more than one lot or ownership.

52. Prior to the issuance of any engineering permits, the developer shall obtain an Encroachment Maintenance and Removal Agreement for private sewer facilities installed in or over the public street/right of way.

53. The developer shall design and construct all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

54. 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.
55. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Plumbing Code and shall be reviewed as part of the building permit plan check.

56. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities or within 5 feet of any raised medians/roundabouts.

#### WATER REQUIREMENTS:

57. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new 8-inch public water facilities as shown on the approved water study and the plans, in a manner satisfactory to the Water Department Director and the City Engineer.

58. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water service(s) outside of any driveway, in a manner satisfactory to the Water Department Director and the City Engineer.

59. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service serving the project, in a manner satisfactory to the Water Department Director and the City Engineer.

60. Prior to final inspection, the Owner/Permittee shall install fire hydrants at locations satisfactory to the Fire Marshal, the Water Department Director and the City Engineer.

61. Prior to the issuance of any building permits, the Owner/Permittee shall grant adequate water easements over 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. Easements, as shown on approved Exhibit "A" will require modification based on standards at final engineering.

62. Prior to the issuance of any building permits, the Owner/Permittee shall provide Encroachment Removal and Maintenance Agreement (EMRA) for any private improvements over public water facilities located within the proposed easement.

63. Prior to final inspection of building permits, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

64. The Owner/Permittee 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.

Public water facilities, as shown on approved Exhibit "A", shall be modified at final engineering to comply with standards.

### **INFORMATION ONLY:**

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on April 17, 2008 by Resolution No. PC-xxxx.

Permit Type/PTS Approval Nos.: PDP 315982; SDP 315984; NUP 424336 Date of Approval: April 17, 2008

### AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

Leslie Goossens Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

Owner/Permittee

By

Charles S. Gawle, Jr., Trustee Gawle Family Trust Dated July 7, 1982

Owner/Permittee

By

Pauline E. Gawle, Trustee Gawle Family Trust Dated July 7, 1982

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

Rev. 02/04/08 rh

### PLANNING COMMISSION RESOLUTION NO. PC-Draft PLANNED DEVELOPMENT PERMIT NO.315982, SITE DEVELOPMENT PERMIT NO.315984 NEIGHBORHOOD USE PERMIT NO. 424336 VALLEY RIDGE ESTATES

WHEREAS, CHARLES S. GAWLE, JR., AND PAULINE E. GAWLE as Trustees of the Gawle Family Trust Dated July 7, 1982, Owner/Permittee, filed an application with the City of San Diego for a permit to create 10 custom home parcels with guest quarters and 2 open space lots (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 315982, 315984, and 424336), on portions of a 19.61 acre site;

WHEREAS, the project site is located north and south of Del Mar Mesa Road, west of Little McGonigle Ranch Road in the AR-1-1 Zone of the Del Mar Mesa Specific Plan;

WHEREAS, the project site is legally described as the west half of the southeast quarter of the northeast quarter of section 21, township 14 south, range 3 west, San Bernardino Meridian, in the County of San Diego, State of California;

WHEREAS, on April 17, 2008, the Planning Commission of the City of San Diego considered Planned Development Permit No. 315982, Site Development Permit No. 315984 and Neighborhood Use Permit No. 424336 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated April 17, 2008.

#### FINDINGS:

#### Planned Development Permit - Section 126.0604

#### A. Findings for all Planned Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters is located north and south of Del Mar Mesa Road, west of Little McGonigle Ranch Road. The Del Mar Mesa Specific Plan (DMMSP) designates this site as Estate Residential. The Multi-Habitat Planning Area is located directly adjacent and to the north of the site and includes small areas of the northern portion of the project site. The northerly portions of the project site located within the MHPA are not proposed for development, and no adjustment to the MHPA boundary is required or proposed.

The Plan allows the use of a Planned Development Permit to achieve more units on a site designated as Estate Residential, provided the additional density is achieved by including density transferred from a site within Del Mar Mesa and designated as resource based open space. The site providing the additional density must be designated for resource based upon space, would no

longer have density associated with it and would be conserved by easement or dedicated to the City. The Valley Ridge Estates project is receiving a density transfer of three (3) residential units from the Terrazzo Bougainvillea project (VTM No. 9985) to allow the development of 10 single-family lots on the project site. The Terrazzo Bougainvillea donor sites, which are properties within the Within the DMMSP, are designated as Resource Based Open Space, and have been deeded to the City (Lots 7, 8 and 9 of Terrazzo Bougainvillea Unit 1, Map 15589).

The project would implement the goals of the Plan by providing a quality Estate Residential development that is compatible with the surrounding Estate Residential uses and consist with the Plan's Community Design Standards. The large lot configuration allows ample room for guest quarters to be constructed as part of the development and is consistent with the homes and guest quarters in the neighboring developments of Silver Oaks Estates to the west and proposed Sunset Ranch to the east.

Objectives contained in the Del Mar Mesa Specific Plan Estate Residential include the preservation of rural residential characteristics, views and open space. The project meets these objectives by protecting nearly four acres of the site through an Open Space Conservation Easement and developing the flatter mesa top area of the property while avoiding as much as possible the ephemeral stream courses, finger canyons, wetlands area and sensitive habitat. The project is consistent in character, scale and intensity with the established residential development of the projects and proposes a shared circulation element with the adjacent property for access, thus minimizing future development impacts.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters has been conditioned to address project compliance with the City's regulations and other regional, state and federal regulations to prevent detrimental impacts to public health, safety and welfare. The proposed project will provide for the health, safety and welfare of the residents by providing for the orderly development of the area consistent with the Del Mar Mesa Specific Plan. The development is sensitive to the natural open space within and surrounding the site. The proposed project will provide the sewer and water facilities necessary to serve the residents and the public transportation facilities necessary to provide access to the neighborhood.

3. The proposed development will comply with the regulations of the Land Development Code. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters complies with the AR-1-1 zone property development regulations as modified by the Del Mar Mesa Specific Plan, with the exception of minimum street frontage. The project is proposing a deviation to minimum street frontage for Lots 1-4, which take access from a private driveway and have no frontage to a public street. Deviations from this regulation can be granted through a Planned Development Permit.

4. The proposed development, when considered as a whole, will be beneficial to the community. The goal of the Del Mar Mesa Specific Plan is to preserve the rural character of Del Mar Mesa while accommodating clustered development and the preservation of open space. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters includes the conservation of 3.64

acres of open space by two on-site lots of 3.17 and 0.47 acres to be retained as open space in an open space conservation easement. The open space lots abut adjacent open space and form a natural system. The project will provide linkage to the open space system by constructing a public trail system from Del Mar Mesa Road, along proposed Valley Ridge Way, to the MHPA/open space area to the north of the project site. The project will contribute to the region's housing supply by providing 10 residential units and will pay all applicable public facilities financing and school fees. The development will also pay an in-lieu affordable housing fee for the production of affordable housing units as specified in the Plan. For these specific reasons, the proposed development, when considered as a whole, will be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters complies with the applicable regulations of the Land Development Code as allowed through the approval of a Planned Development Permit. The deviation to allow Lots 1-4 to have no frontage to a public street is appropriate for this location. The goal of the Del Mar Mesa Specific Plan is to preserve the rural character of Del Mar Mesa while accommodating clustered development and the preservation of open space. In order to meet this goal, the project has been designed to limit the number of driveways accessing public streets and to preserve open space, resulting in a more desirable project than would be achieved if designed in strict conformance with the minimum street frontage regulations of the AR-1-1 zone.

#### Site Development Permit - Section 126.0504

#### A. Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters will not adversely affect the Del Mar Mesa Specific Plan and has been determined to be in conformance with the policies and regulations of the plan. See Planned Development Permit Finding A.1 above.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters has been conditioned to address project compliance with the City's regulations and other regional, state and federal regulations to prevent detrimental impacts to public health, safety and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters complies with the AR-1-1 zone property development regulations as modified by the Del Mar Mesa Specific Plan, with the exception of minimum street frontage. The project is proposing a deviation to minimum street frontage for Lots 1-4, which take access from a private driveway and have no frontage to a public street. Deviations from this regulation can be granted through a Planned Development Permit.

#### B. Supplemental Findings--Environmentally Sensitive Lands

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands. Development of the 19.61 acre site, located north and south of Del Mar Mesa Road, west of Little McGonigle Ranch Road, is proposed on the least sensitive area of the site. The development area has been located mainly on the flat, previously disturbed mesa areas. The siting provides the minimum disturbance to the environmentally sensitive lands located in the center of the property by keeping the building pad and brush management zone one areas as close to these existing developed areas and away from the ephemeral streambeds and finger canyon areas as much as possible. The small impacts that accrue to the project are mitigated by the preservation of 3.64 acres of Coastal Sage, Chamise Chaparral and California adolphia habitat on site. To the north of the property, the projects proximity with the MHPA is mitigated by the rural equestrian trail and brush management zone two. Disturbance to the on site, adjacent sensitive habitat will be prevented through careful monitoring of construction practices to ensure no encroachment into biologically sensitive areas beyond the limits shown on the proposed plan. All sensitive habitat impacted by construction services will be mitigated by conditions contained in the permit. Grading plans shall clearly identify the type and location of erosion control devices to preclude potential erosion impacts to on site sensitive habitat.

2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards. The development footprint of the 19.61 acre site located north and south of Del Mar Mesa Road, west of Little McGonigle Ranch Road, has been located to minimize erosion, flood and fire hazards. The project grading and drainage was designed for the subdivision to adhere to the current topography and hydrology of the sites. Numerous small hydrological basins were designed into the site to convey flow onto untouched natural areas of the site allowing for natural filtration of runoff and avoiding diversion of storm water runoff. A total of 4.7 acres of the project will remain in a natural state and primarily with existing vegetation. The drainage on the project site would be directed into private storm drain facilities. The existing concrete drainage swales paralleling Del Mar Mesa Road would be removed and replaced with pervious cobble lined drainage swales. All stormwater flow would continue to be directed into the existing 30inch reinforced concrete pipe public storm drain at the westerly end of Del Mar Mesa Road. All manufactured slopes will be planted with species capable of reducing and preventing soil erosion from wind and rain, and the appropriate brush management zones have been applied to the project. As such, the proposed development will balance the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards or fire hazards.

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands. Development of the 19.61 acre site, located north and south of Del Mar Mesa Road, west of Little McGonigle Ranch Road, is located mainly on the flat, previously disturbed mesa areas that are closest to the existing public facilities and adjacent development. The pad areas, to the greatest extent feasible, avoid the sensitive habitat that composes a significant portion of the property. The projects siting design includes measures that ensure that all impacts from erosion and water quality issues are mitigated. The proposed project is sited and designed to prevent adverse impacts to any environmentally sensitive lands. 4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan. Development of the 19.61 acre site is located north and south of Del Mar Mesa Road, west of Little McGonigle Ranch road, and the MHPA is located along the northern portion of the property. No residential development will occur within the MHPA; however, the MHPA Land Use Adjacency Guidelines (Subarea Plan Section 1.4.3) have been applied to the project. In addition, a portion of the proposed eight-foot-wide decomposed granite equestrian trail would impact 0.03 acres of Diegan coastal sage scrub located and mapped within the City's Multi-Habitat Planning Area (MHPA). These impacts are allowed under Section 1.4.1 of the City of San Diego's MSCP Subarea Plan, Compatible Land Uses. Therefore, the proposed development would conform to the City's Multiple Species Conservation Program (MSCP) Subarea Plan, and the proposed project would incorporate mitigation measures to reduce potentially significant indirect impacts.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply. The 19.61 acre site located north and south of Del Mar Mesa Road, west of Little McGonigle Ranch road, is located a significant distance east of the Pacific Ocean's beaches and local shoreline. Development of the site includes erosion control measures, a storm water management plan, and the adoption of best management practices as required by conditions of the permit. The proposed development will not contribute to erosion of public beaches or adversely impact shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development. The Del Mar Mesa Specific Plan (DMMSP) and accompanying (Subarea V) Master Environmental Impact Report (MEIR) No. 95-0353 was prepared by the City of San Diego, as Lead Agency under the California Environmental Quality Act, and finalized on June 6, 1996. On July 30, 1996, the San Diego City Council adopted the Specific Plan for Del Mar Mesa and certified the (Subarea V) MEIR. The DMMSP (Subarea V) MEIR analyzed the impacts that would potentially result from the development described in the Specific Plan.

An initial study has been conducted for the proposed development of the 19.61 acre site located north and south of Del Mar Mesa Road, west of Little McGonigle Ranch Road, and concluded that the Del Mar Mesa Subarea V MEIR addressed all environmental impacts associated with this project. Findings to support the conclusions in the MEIR have been made and are part of this project's record. In addition, all mitigation measures identified within the MEIR have been incorporated into the development permit for this project. Thus, all mitigation reasonably related to and calculated to alleviate negative impacts created by the proposed development have been or will be incorporated into the conditions of the development permit.

#### Neighborhood Use Permit - Section 126.0205

1. The proposed development will not adversely affect the applicable land use plan. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters will not adversely affect the Del Mar Mesa Specific Plan and has been determined to be in conformance with the policies and regulations of the plan. See Planned Development Permit Finding A.1 above.

2. The proposed development will not be detrimental to the public health, safety, and welfare. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters has been conditioned to address project compliance with the City's regulations and other regional, state and federal regulations to prevent detrimental impacts to public health, safety and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code. The proposed subdivision, grading and improvement of a 19.61 acre site to allow construction of 10 custom homes (single family structures) with guest quarters complies with the AR-1-1 zone property development regulations as modified by the Del Mar Mesa Specific Plan, with the exception of minimum street frontage. The project is proposing a deviation to minimum street frontage for Lots 1-4, which take access from a private driveway and have no frontage to a public street. Deviations from this regulation can be granted through a Planned Development Permit.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 315982, Site Development Permit No. 315984 and Neighborhood Use Permit No. 424336 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in the Permit, a copy of which is attached hereto and made a part hereof.

LESLIE GOOSSENS Development Project Manager Development Services

Adopted on: April 17, 2008

Job Order No. 42-6128

cc: Legislative Recorder, Planning Department

## **ATTACHMENT 9**

# Del Mar Mesa Community Planning Board

3525 Del Mar Heights Road, Box 246, San Diego, California 92130

Phone 858-361-8555 fax 858-755-1209 e-mail gary@seabreezeproperties.com

September 15, 2007

Ms. Leslie Goossens, Development Project Manager City of San Diego, Development Services 1222 First Avenue San Diego, California 92101

Re: Valley Ridge Estates Vesting Tentative Map, Project No. 97083

Dear Leslie:

The above referenced Vesting Tentative Map was presented to our Board on July 12, 2007. The project was presented by Paul Metcalf and unanimously approved subject to following conditions (8-0 with Metcalf Recusing):

1. An HOA shall be responsible for maintaining the trails, right-of-way landscaping and parkway landscaping until a maintenance assessment district is formed.

2. The HOA shall maintain slope landscaping adjacent to the public rights-of-way as well as the ornamental riparian landscape easement area on the south side of Del Mar Mesa Road and the slopes adjacent to the equestrian trial along the property's northerly boundary.

3. The developer shall adhere to the community signage program.

4. The developer or developer representative shall return to the board to show detail for the island round-about. The board requested landscaping such as 'splitter rocks and succulents' installed at Pacific Highlands Ranch be proposed.

5. The board's approval is contingent upon appropriate CEQA clearance issued by the city.

6. Horse keeping shall be allowed on the subdivided residential lots in accordance with city guidelines.

If you have any questions, please contact me at your earliest convenience.

Yours truly <u>L</u>

Gary Levitt, Chair

Cc: Charlie Gawle, Paul Metcalf

City of Son Diago	ATTACHMI
City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statement
eighborhood Development Permit D Site Development Permit A ariance D Tentative Map X Vesting Tentative Map D Map:Wait	
ject Title	Project No. For City Use Only
ject Address:	ANDES. THE MAR MARA 9708
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I. To be completed when property is held by individual	
elow the owner(s) and tenant(s) (if applicable) of the above reference ins who have an interest in the property, recorded or otherwise, ar ermit, all individuals who own the property). <u>A signature is require</u> ad. A signature from the Assistant Executive Director of the San E a Disposition and Development Agreement (DDA) has been appr tifying the Project Manager of any changes in ownership during the	with the intent to record an encumbrance against the property. Please need property. The list must include the names and addresses of all nd state the type of property interest (e.g., tenants who will benefit from ad of at least one of the property owners. Attach additional pages if Diego Redevelopment Agency shall be required for all project parcels for roved / executed by the City Council. Note: The applicant is responsible he time the application is being processed or considered. Changes in tior to any public hearing on the subject property. Failure to provide ac- hearing process.
tional pages attached 🛛 Yes 🔎 No	
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This information is available in alternative formats for persons with disabilities. Be sure to see us on the World Wide Web at www.sandiego.gov/development-services DS-318 (5-05)

ATTACHMENT 11

PROJECT DATA SHEET					
PROJECT NAME:	Project No. 97083 – Valley Ridge Estates				
PROJECT DESCRIPTION:	Subdivision of 19.61-acre premises to create 10 single- dwelling unit lots, and 2 open space lots				
COMMUNITY PLAN AREA:	Del Mar Mesa				
DISCRETIONARY ACTIONS:	Tentative Map, Planned Development Permit, Site Development Permit, Neighborhood Use Permit (Process Four)				
COMMUNITY PLAN LAND USE DESIGNATION:	Estate Residential (1 du/2.5 acre)				
ZONING INFORMATION:     ZONE: AR-1-1     HEIGHT LIMIT: 30-feet     LOT SIZE: 1-acre minimum     FLOOR AREA RATIO: n/a     LOT COVERAGE: 30% (2-story), 40% (1-story)     FRONT SETBACK: 25-feet     SIDE SETBACK: 25-feet     STREETSIDE SETBACK: 25-feet     REAR SETBACK: 25-feet     PARKING: 30 spaces for development     LAND USE     DESIGNATION &     ADJACENT PROPERTIES:					
NORTH:	Open Space; OC-1-1	Open Space			
SOUTH:	Urban Amenity Open Space; AR-1-2	Single-Family/ Golf Course			
EAST:	Estate Residential; AR- 1-1	Single-Family Residential			
WEST:	Estate Residential; AR- 1-1	Single-Family Residential			
DEVIATIONS OR VARIANCES REQUESTED:	Density (10 units proposed, 7 permitted)				
COMMUNITY PLANNING GROUP RECOMMENDATION:	On July 12, 2007, the Del Mar Mesa Community Planning Group voted 8-0-1 to approve, subject to conditions.				

# DEVELOPMENT SERVICES **Project Chronology** VALLEY RIDGE ESTATES - PROJECT NO. 97083

Date	Action	Description	City Review Time (working days)	Applicant Response (working days)
4/17/06	First Submittal	Project Deemed Complete		
6/1/06	First Assessment Letter		32	
1/30/07	Second Submittal			162
2/26/07	Second Assessment Letter		18	
5/10/07	Third Submittal			52
6/12/07	Third Assessment Letter		22	
10/11/07	Fourth Submittal			85
11/15/07	Fourth Assessment Letter		24	
12/7/07	Fifth Submittal			14
1/9/08	Fifth Assessment Letter		16	
2/29/08	Applicant Resolves Environmental Issues	Minor modifications to biology report required.		35
3/26/08	Findings to MEIR Distributed		18	
4/17/08	Public Hearing	Planning Commission		
TOTAL STA	FF TIME		130	
TOTAL APP	LICANT TIME			348
TOTAL PROJECT RUNNING TIME		From deemed complete date to Hearing	478	

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