



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** May 29, 2008 **REPORT NO. PC-08-060**

**ATTENTION:** Planning Commission, Agenda of June 5, 2008

**SUBJECT:** TORREY BROOKE II - PROJECT NO. 2118  
PROCESS 5

**APPLICANT:** Torrey Brooke Developments Inc. (Attachment 12)

### SUMMARY

**Issue(s):** Should the Planning Commission recommend approval to the City Council to allow the subdivision of 2.13-acres of vacant land into three lots to construct two, two-story, single family residences within the Torrey Highlands Subarea Plan?

### Staff Recommendation:

1. Recommend the City Council Certify Mitigated Negative Declaration No. 2118, and Adopt the Mitigation, Monitoring, and Reporting Program; and
2. Recommend the City Council Approve Rezone No. 366168, Tentative Map No. 366169, Planned Development Permit No. 366166, Street Vacation No. 478535 and Site Development Permit No. 366167.

**Community Planning Group Recommendation:** The project is located in the Torrey Highlands Subarea IV community planning area and an official community planning group has not been formed for this community. However, as a courtesy the project plans were sent to the adjacent community planning group the Rancho Penasquitos Planning Board. On September 5, 2007 the Rancho Penasquitos Planning Board considered the project and voted 11-0-1 to recommend approval of the proposed project with one recommendation detailed within this report (Attachment 11).

**Environmental Review:** A Mitigated Negative Declaration No. 2118 has 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:** None with this action. All costs associated with the processing of this project are paid by the applicant.

**Housing Impact Statement:** The proposed project is subject to the 1996 Torrey Highlands Subarea Plan. The Subarea Plan designates the subject property as Low Density Residential (2-5 du/ac). The Torrey Highlands Subarea Plan and Phase Shift were approved by the voters of the City of San Diego on November 5, 1996. The vote mandated that no more than 2,600 residential units be constructed in the phase shifted portion of Torrey Highlands. Because most of the approved residential units have been developed, no more than two dwelling units can be developed on the subject site, due to the voter mandated cap.

## **BACKGROUND**

### **Existing Conditions**

The vacant 2.13-acre site is located on the west side of the southerly extension of La Harina Court within the Torrey Highlands Subarea Plan IV, and is currently zoned AR-1-1 (Agricultural). The project site is bordered roughly to the south by Adobe Bluffs Road, to the west, east, and north by single-family residences (Attachment 3). The project site contains steep slopes and sensitive biological habitat.

### **Required Approvals**

The Torrey Brooke II proposal requires several actions to implement the project. These approvals are as follows: a request to rezone the property from AR-1 -1 (Agricultural) to RS-1-13 (Residential) (Attachment 4); the vacation of two public rights-of ways ; a Tentative Map to allow the subdivision of a 2.13-acre site into three lots for residential development, two residential lots and one open space lot; a Planned Development Permit to allow access to Lot Two (2) via a private driveway extending southerly from La Harina Court; and a Site Development Permit in accordance with the Environmentally Sensitive Lands Regulations due to the presence of environmentally sensitive lands.

## **DISCUSSION**

### **Community Plan Analysis**

The subject property is located within the Torrey Highlands Subarea Plan and designated for Low Density Residential development of 2 to 5 dwelling units per acre. The project proposes to subdivide 2.13-acres of vacant land into two lots and construct two, 2-story, single-family residential dwelling units.

The Torrey Highlands Subarea Plan and Phase Shift were approved by the voters of the City of San Diego on November 5, 1996. That vote allowed for property owners to request development at densities higher than one dwelling unit per four acres of clustered residential development pursuant to the land uses of the Torrey Highlands Subarea Plan. The vote also mandated that no more than 2,600 residential units be constructed in the phase shifted portion of Torrey Highlands. The proposed project site was originally part of one parcel (Parcel "H") under application as the Torrey Brooke project (98-1189). The Torrey Highlands Subarea Plan identified approximately 43 units for that entire parcel subject to site specific analysis at the time of the project application. The Torrey Brooke project did not develop the 43 dwelling units and instead developed 10 residential units, open space, and a remainder lot. The units not utilized by the Torrey Brooke project were included in the total pool of available units for other projects proposed in the Subarea.

At this point the number of approved residential units is nearing the voter mandated cap of 2,600. There are only a few sites that have not yet been approved for residential development in Torrey Highlands. More than two dwelling units at this location would exceed the voter mandated cap. The two dwelling units proposed for the site meet the intent of the Subarea Plan.

#### Community Planning Group

The project is located in the Torrey Highlands Subarea IV community planning area and an official community planning group has not been formed for this community. However, as a courtesy the project plans were sent to the adjacent community planning group the Rancho Penasquitos Planning Board. On September 5, 2007, the Rancho Penasquitos Planning Board voted 11-0-1 to recommend approval of the project with the following recommendation (Attachment 11).

To approve the project as presented with a strong recommendation that these 2 Lots join the existing Torrey Brooke I Home Owners Association (HOA).

The applicants do not object to the recommended condition. However, the applicants have no control over the existing HOA and can not guarantee they would allow the two new residences to be included. The applicants have contacted the Chairperson of the HOA and are awaiting a response.

#### Project Description

The project proposes the subdivision of a 2.13-acre site into three lots including two residential lots of 12,130-square-feet and 22,010-square feet respectively. The Open Space Lot would be 1.91-acres and a building restricted easement will be placed over the parcel to preclude future development (Attachment No. 5).

The two single-family residences would be approximately 4,442-square-feet and 5,130-square-feet respectively, totaling 9,572-square feet. Both residences would provide a minimum of three-off street parking spaces (Attachment 6).

### Rezone

The project proposes to rezone the 2.13-acre site from AR-1-1 (Agriculture) to RS-1-13 (Residential). The RS-1-13 zone would allow for the single-family development. The proposed project design is consistent with the regulations of this zone, as allowed through a Planned Development Permit. At the time of the Torrey Highlands Subarea Plan preparation and approval, the property within the subarea was zoned A-1-10, an agricultural zone permitting one dwelling unit per ten acres. According to the plan, uses at densities higher than A-1-10 require a rezone and property owners are required to submit a discretionary application for rezoning consistent with the Plan's land use designations. Approval of rezoning applications may be granted only if such application is consistent with the policies and requirements of the Torrey Highlands Subarea Plan and applicable environmental documents. Staff has determined that the proposed rezoning of the property would be consistent with the Torrey Highlands Subarea Plan and the MND.

### Street Vacation

The proposed project also requires the vacation of two public rights-of ways: (1) That portion of Black Mountain Road dedicated per O.S. 57 and (2) That portion of Orange Grove Avenue dedicated in Olive Grove Tract, according to the Map filed July 18, 1904 in Book 24 page 297. Staff has reviewed the current vacations and determined the following findings can be made: (a) there is no present or prospective public use for the right-of way, either for the facility or purpose for which it was originally acquired or for any other public use of a like nature that can be anticipated; (b) the public will benefit from the action through improved utilization of the land made available by the abandonment; (c) the abandonment is consistent with the Torrey Highlands Subarea Plan IV; and (d) the public facility or purpose for which the right-of way was originally acquired will not be detrimentally affected by the abandonment or the purpose for which the right-of way was acquired no longer exists. Black Mountain Road has already been constructed and these easements are no longer required.

### Planned Development Permit Deviation

Rather than providing the legal frontage and access to Lot Two (2) as required by the applicable development regulations, the applicant has applied for a Planned Development Permit to allow deviations from the proposed design. Through the Planned Development Permit process, the necessary legal frontage may be served via a private driveway extending southerly from La Harina Court. Staff supports the deviation to allow access to Lot Two (2) via a private driveway extending southerly from La Harina Court to allow greater flexibility in the design of the project. Staff has determined the deviation would result in a superior design and reduces impacts to environmentally sensitive lands. The project would not adversely affect the Torrey Highlands Subarea Plan IV and is consistent with the Purpose and Intent of the Land Use Element.

### Architectural Styles

Architectural styles encouraged are Spanish Colonial, French Country, and California Monterey. The Spanish Colonial will feature decorative chimney caps, stucco finishes, thickened bases, tile roofs, patios with fountains, French doors, colonnade with arched openings, vented plaster grills, decorative wrought iron and decorative picture windows with ceramic tile insets. The French Country would feature an articulated chimney cap, stone rustication, broken eave lines, hipped roof bay, tile roofs, central rotunda mass, carved out entries, carnage lamps, half arch shutters, half timber accents, brick base and grouped windows. The California Monterey will feature simple chimney mass, cantilevered wood balconies, gable vents, tile roofs or shingles, French doors, decorative windows, pediment head casing, flanking shutters, wood railing and decorative windows. These styles are identified with the unique lifestyles of country/estate living. Garage doors and parking would be appropriately screened. Windows would be compatible with design of the structure. Window types and styles would be consistent on all elevations.

### Grading/Steep Slopes

The project proposes to grade approximately 44% of the project site. Approximately 200 cubic yards of cut and 5,000 cubic yards of fill are proposed, with an export amount of 8,300 cubic yards. The maximum height of the filled slopes would be 21-feet at a 2:1 ratio. The project would also construct retaining walls totaling 410-square-feet in length with a maximum height of six-feet. The project design is intended to reduce impacts to sensitive steep slopes, biological resources with a grading concept compatible with the existing topographic character of the site. All manufactured slopes would be planted with native plant species to maintain the community character.

### Environmental Analysis

The environmental review process for the proposed project included an evaluation of: Paleontological Resources; Biological Resources; and Hydrology/Water Quality. Mitigated Negative Declaration (MND) No. 2118 was prepared in accordance with CEQA and it was determined that the project will not have any environmental impacts and includes the appropriate mitigation to reduce potential impacts to a level below significance.

A qualified Paleontologist or Paleontological Monitor must be present during all excavations exceeding ten feet in depth or grading previously undisturbed formations.

A qualified biologist is required to assure protection of the Least Bell's Vireo and Southwestern Willow Flycatcher habitat and to guarantee construction activities do not encroach beyond the limits of disturbance as shown on the approved Exhibit "A".

A Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan is required to ensure runoff from the development will not contribute to erosion. The proposed permanent

Best Management Practices would be grass lined swales, landscaping, desiltation catch basins, and rip-rap energy dissipaters.


### CONCLUSION


City Staff have reviewed the proposed project and determined that, with the exception of the proposed deviations, the project meets all relevant regulations and polices in effect for this site. The proposed design would retain the visual characteristics of the topography and structural scale of the neighborhood. The draft permit and tentative map resolution include conditions which address City requirements for the proposed project. City staff has determined the proposed project is consistent with the purpose and intent of these regulations and the proposed rezone. Staff supports the proposed project as evidenced by the draft resolution of approval (Attachment 8) and conditions of approval contained in the draft permit (Attachment 7). Staff is requesting the Planning Commission recommend approval of the proposed project to the City Council.

### ALTERNATIVES

1. Recommend the City Council APPROVE Rezone No. 366168, Tentative Map No. 366169, Planned Development Permit No. 366166, Street Vacation No. 478535, and Site Development Permit No. 366167 with modifications.
2. Recommend the City Council DENY Rezone No. 366168, Tentative Map No. 366169, Planned Development Permit No. 366166, Street Vacation No. 478535, and Site Development Permit No. 366167, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

  
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Mike Westlake  
Program Manager  
Development Services Department

  
\_\_\_\_\_  
Derrick Johnson, Project Manager  
Development Services Department

Westlake/DJ

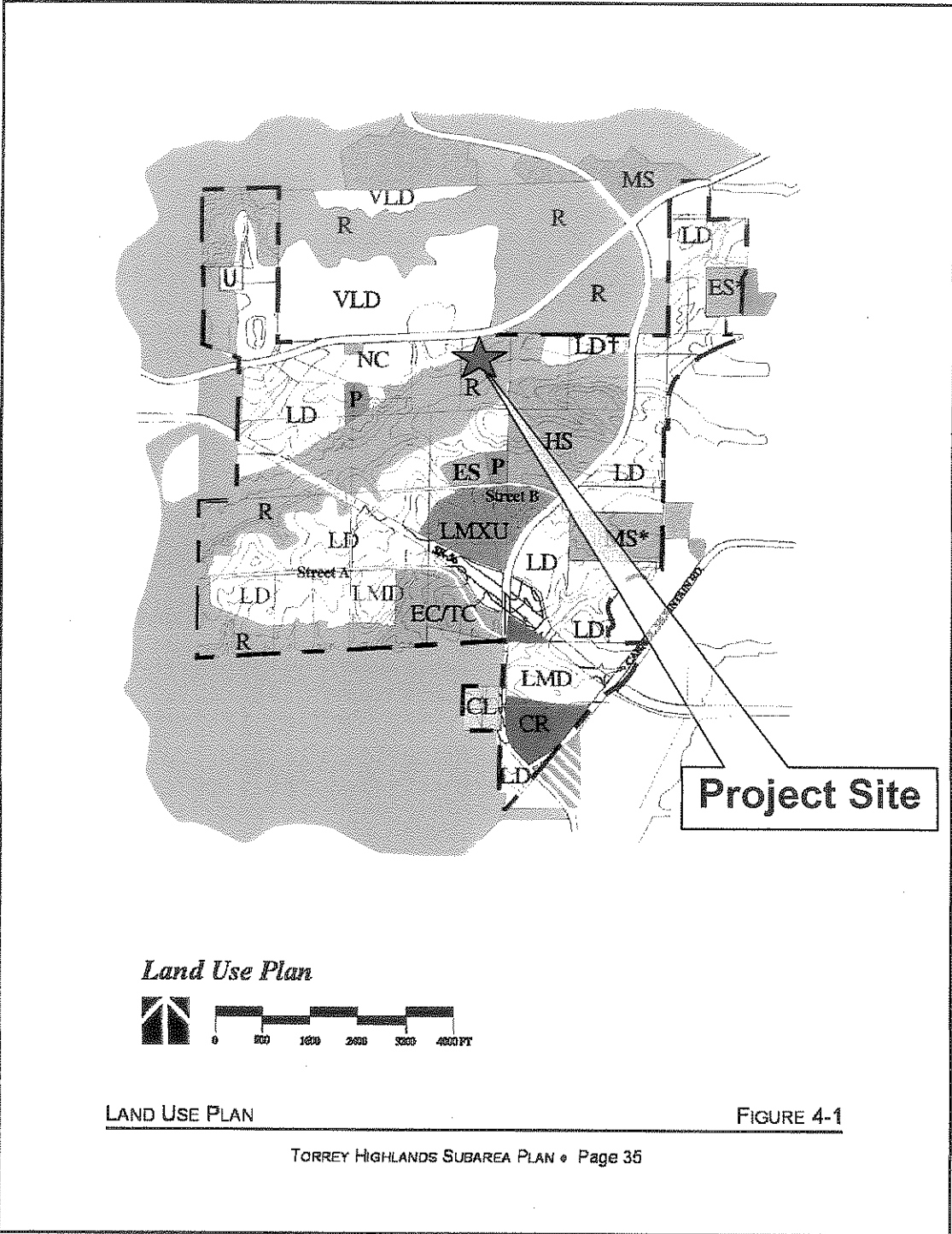
Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Rezone - B sheet
5. Draft Tentative Map
6. Project Site Plans
7. Draft Permit with Conditions
8. Tentative Map Resolution
9. Draft Resolution with Findings
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Project Data Sheet
13. Street Vacation Resolution
14. Project Chronology
15. Site Photos



**TORREY BROOKE II – 14304 LA HARINA CT**  
**PROJECT NO. 2118**





LAND USE PLAN

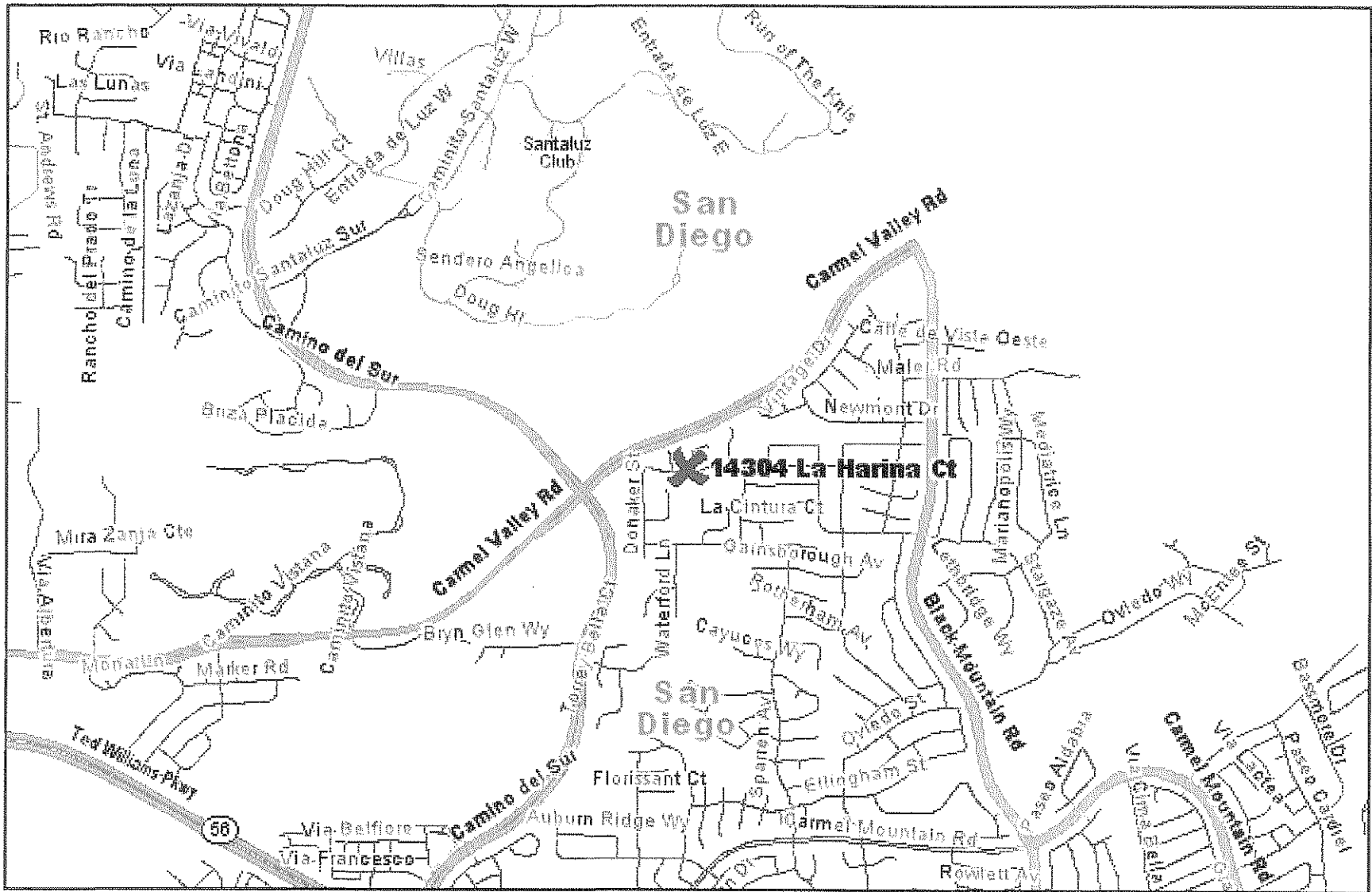
FIGURE 4-1



# Community Plan Land Use Map

TORREY BROOKE II – 14304 LA HARINA CT  
 PROJECT NO. 2118





## Project Location Map

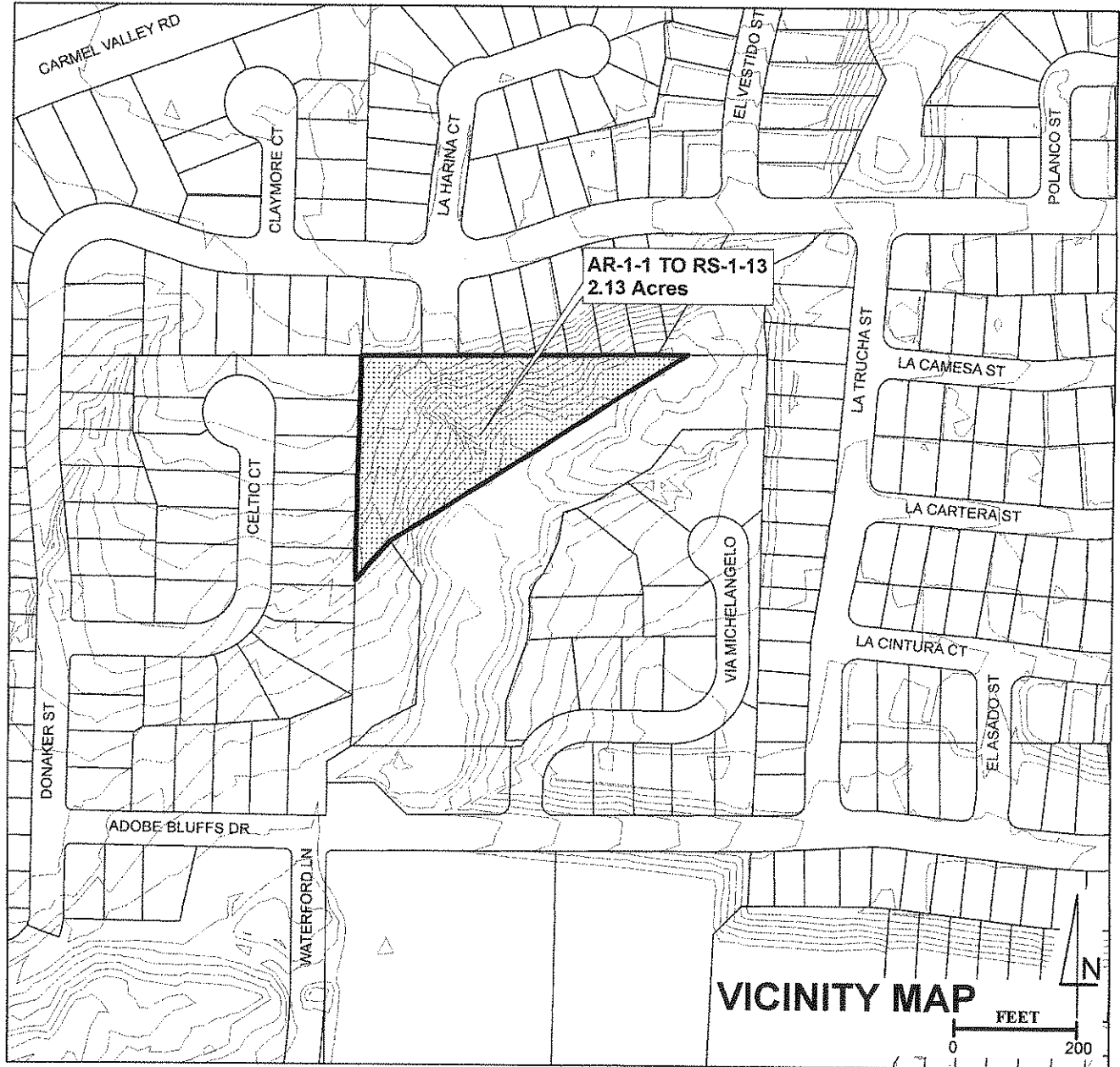
**TORREY BROOKE II – 14304 LA HARINA CT**  
**PROJECT NO. 2118**





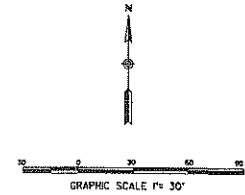
CITY OF SAN DIEGO • DEVELOPMENT SERVICES

# PROPOSED REZONING



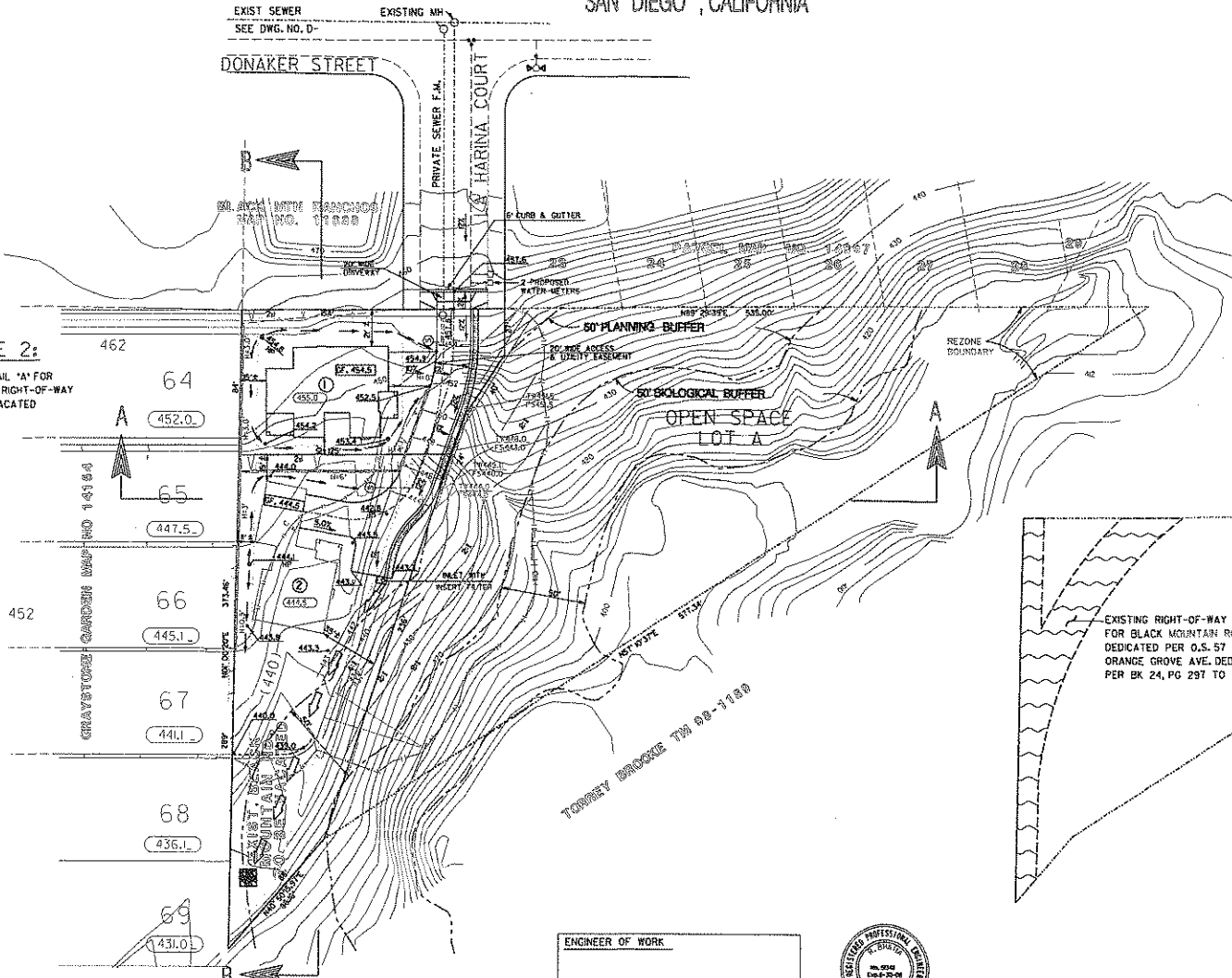
Remainder Parcel of Torrey Brooke, Tract No. 98-1189, Map No. 14383		CASE NO. PTS 2118
ORDINANCE NO. _____	REQUEST RS-1-13	DEVELOPMENT SERVICES MANAGER
EFF. DATE ORD. _____	PLANNING COMM. RECOMMENDATION	
ZONING SUBJ. TO _____	CITY COUNCIL ACTION	<b>B- 4264</b>
BEFORE DATE _____		APN: 306-031-18
EFF. DATE ZONING _____		(294-1725) 05-16-08 ldj
MAP NAME AND NO. _____		

TENTATIVE PARCEL MAP, REZONE,  
 PLANNED DEVELOPMENT PERMIT & SITE DEVELOPMENT PERMIT  
**TORREY BROOKE II**  
 SAN DIEGO, CALIFORNIA



**NOTE 2:**  
 SEE DETAIL "A" FOR  
 EXISTING RIGHT-OF-WAY  
 TO BE VACATED

**NOTE 1:**  
 NO IRRIGATION RUN-OFF SHALL DRAIN OFF SITE INTO  
 PUBLIC RIGHT-OF-WAY, STREETS, DRIVES OR ALLEYS.  
 NO CONNECTION SHALL BE MADE TO ANY STORM WATER  
 SEWER SYSTEM WITHOUT PROPER PBMPS.



EXISTING RIGHT-OF-WAY  
 FOR BLACK MOUNTAIN ROAD  
 DEDICATED PER O.S. 57 AND  
 ORANGE GROVE AVE. DEDICATED  
 PER BK 24, PG 297 TO BE VACATED

**DETAIL "A"**  
 SCALE 1"=50'

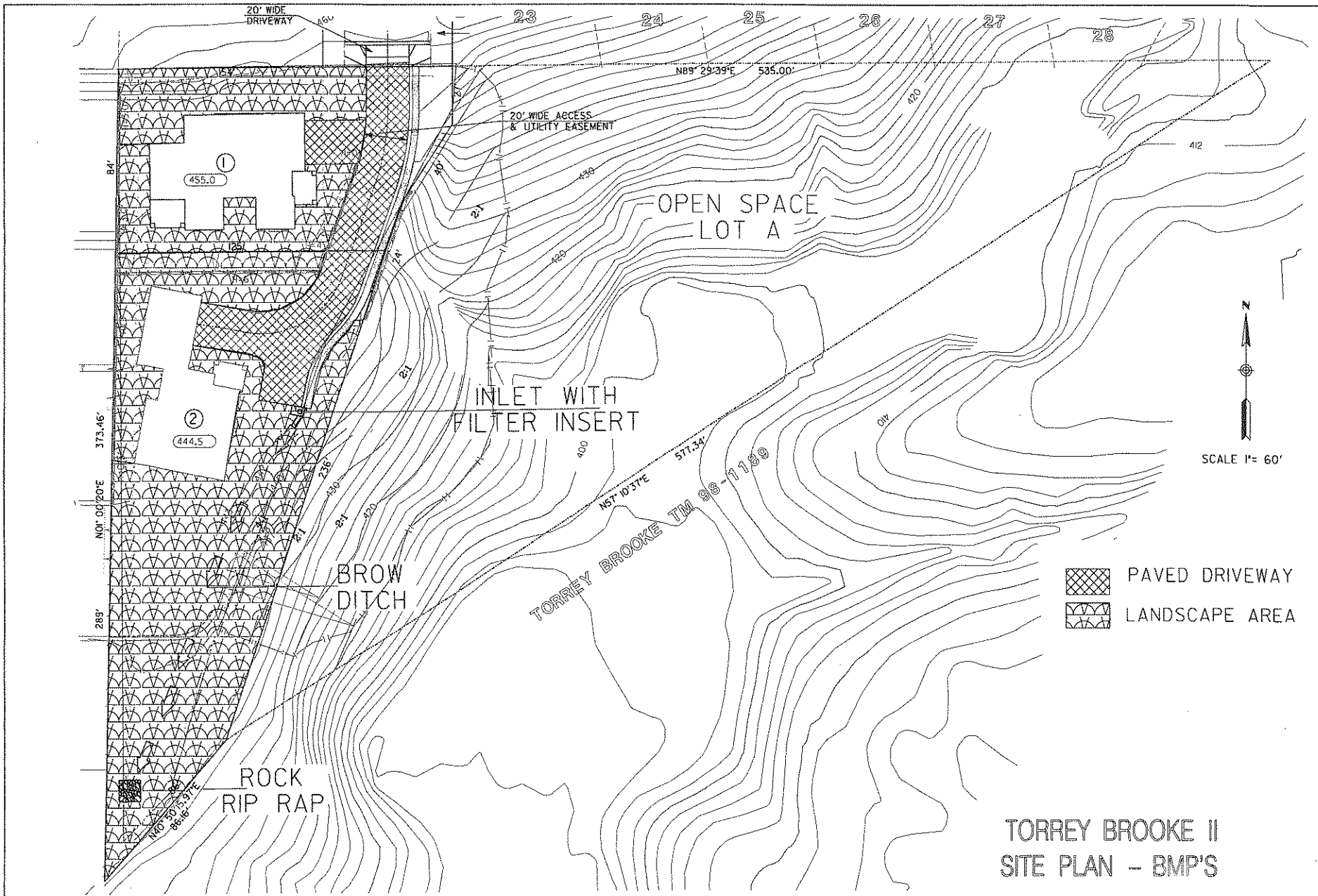
J-1250b  
**CIVCOM & ASSOCIATES**  
 5850 Oberlin Drive, Suite 350  
 San Diego, California 92121  
 (651) 658-9400 Fax: (651) 658-9420

**ENGINEER OF WORK**  
 R. BHATIA P.C.E. 09340 DATE \_\_\_\_\_  
 REGISTRATION EXPIRATION DATE: 6-30-08



PREPARED BY:	#1	REVISIONS	DATE	BY
CIVCOM & ASSOCIATED	2			
5850 Oberlin Drive, Suite 350	3			
San Diego, California 92121	4			
(651) 658-9400 Fax: (651) 658-9420	5			
PROJECT ADDRESS	6			
DEP #:	7			
	8			
	9			
	10			
TENTATIVE MAP, REZONE, PDP & SDP <b>TORREY BROOKE II</b> CITY OF SAN DIEGO				
				SHEET 2 OF 3

ATTACHMENT 5



**GENERAL NOTES**

- GROSS SITE AREA: 2.80 AC
- NET SITE AREA: 0.78 AC
- PROPOSED TOTAL 4 UNITS (3 INCLUDING OPEN SPACE)
- PROPOSED TOTAL 4 UNITS (2)
- ZONING: EXISTING R1-R1-10 (O.D. CODE) PROPOSED RS-1-0
- PROPOSED DENSITY: 0.37 UNITS/AC
- APN: 94-306-030-04
- LABORER COORDINATES: 294-1726
- COMMUNITY/SUBAREA: PLAIN TORREY MIDDLEBROS SUBAREA IV

**GRADING NOTES**

- TOTAL AMOUNT OF SITE TO BE GRADED: 0.93 ACRES, PERCENT OF TOTAL SITE: 44%
- AMOUNT OF SITE WITH 25 PERCENT SLOPES OR GREATER: 0.45 AC, PERCENT OF TOTAL SITE: 16%
- AMOUNT OF CUT: 200 CUBIC YARDS
- AMOUNT OF FILL: 600 CUBIC YARDS
- AMOUNT OF IMPROV: 2300 CUBIC YARDS
- MAXIMUM HEIGHT OF FILL SLOPES: 2 FEET MAX. SLOPE RATIO: 1:1
- MAXIMUM HEIGHT OF CUT SLOPES: 6 FEET MAX. SLOPE RATIO: 1:1
- RETAINING/CURE WALLS: LENGTH 40 FEET MAXIMUM HEIGHT 6 FEET

**PRODUCT DESCRIPTION**

- DWELLING UNITS, INCLUDING GARAGE, 0.5725 U.S.
- FLOOR AREA FOR ENTIRE PROJECT: RESIDENTIAL: 0.77 AC, 5,572 SQ.FT.
- EXTERIOR MATERIALS: STONE, WOOD, STONE, BRICK
- PROPOSED FINISHES RANGE FROM \$750.00/TO \$1,000.00
- IF MOBILE UNITS ARE PROPOSED, SEPARATE NUMBER N/A UNITS, MAX FLOOR AREA RATIO IS 60% BASED ON R-1000 ZONE.

**PARKING**

- RESIDENT PARKING SPACES: 4 RATIO 1:1
- HOL OF RESIDENT SPACES PROVIDED IN STRUCTURES: 3 CAR GARAGES, 2 CARPORTS N/A, OPEN OR BAY N/A
- GUEST PARKING SPACES: 4 RATIO 1:1
- HOL OF GUEST SPACES PROVIDED IN STRUCTURES: 0 CARPORTS N/A, CURB OR BAY N/A
- ACCESSORY PARKING FOR USE: VEH. OF ANYTHING
- TOTAL PARKING: 10 RATIO 1:1

**OPEN SPACE AND RECREATION**

- TOTAL OPEN SPACE (TAN NET GROSS AREA LESS AREA OF BUILDINGS PROPOSED): 0.27 AC, 1,927 SQ.FT.
- USABLE OPEN SPACE: 0.27 AC, 1,927 SQ.FT. (INCLUDING PARKING AREAS & DESIGNATED OPEN SPACE AND LESS LAND WITH EXISTING GRADE EXCEEDING 15% PERCENT, PROPOSED 0.27 AC, REQUIRED 0.4 AC, DIFFERENCE 0.13 AC)
- RECREATION FACILITIES PROPOSED: N/A
- OPEN SPACE LOT WILL BE PRIVATELY MAINTAINED BY HOA/LMO OR OTHER ACCEPTABLE MECHANISM AND WILL BE PUBLICLY RESTRICTED.

**PUBLIC UTILITIES & SERVICES**

- WATER: CITY OF SAN DIEGO
  - SEWER: CITY OF SAN DIEGO
  - FIRE AND PROTECT: CITY OF SAN DIEGO
  - GAS AND ELECTRICITY: SDC&E
  - CABLE TV: SOUTHWESTERN CABLE
  - TELEPHONE: PACIFIC TELEPHONE
  - SCHOOL DISTRICT: JOHNSON IMPROV SCHOOL DIST.
- THERE ARE NO EXISTING OR PROPOSED BUS STOP/TRANSIT STATION.

**SEWER NOTE**

THE SEWER SYSTEM INCLUDING ANY EXISTING, AS SHOWN, WILL BE MAINTAINED IN A MANNER CONSISTENT WITH THE ACCEPTED SEWER STUDY FOR THIS DEVELOPMENT. ALL PUBLIC WATER AND SEWER FACILITIES MUST BE DESIGNED IN ACCORDANCE WITH THE CITY OF SAN DIEGO WATER AND SEWER DESIGN CODE.

**LEGAL DESCRIPTION:**

TRACER PARCEL OF TORREY BROOKE, TRACT NO. 30-104, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 14363, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY MAY 4, 2002

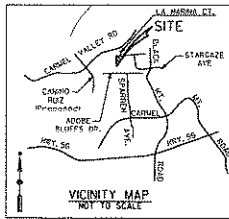
**ARCHITECTURE:**

THE ARCHITECTURE FOR THE RESIDENTIAL DWELLING UNITS WILL BE THE SAME AS WAS APPROVED FOR TORREY BROOKE (TM 98-089).

TYPE OF CONSTRUCTION: TYPE 1  
OCCUPANCY CLASSIFICATION: R-1

**FIRE DEPARTMENT REQUIREMENTS**

- EXISTING ADDRESS NUMBERS SHALL BE VISIBLE AND LEGIBLE FROM THE STREET/ROAD FRONTING THE PROPERTY PER THIS POLICY P-100-6.
- PROVIDE FIRE ACCESS ROADWAY SIGNS OR RED CURBS IN ACCORDANCE WITH THIS POLICY P-100-4.



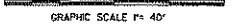
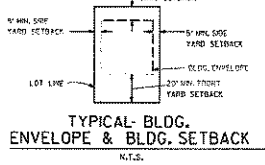
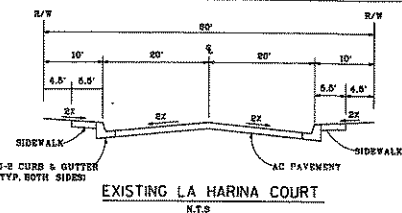
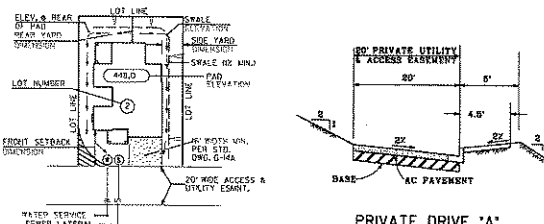
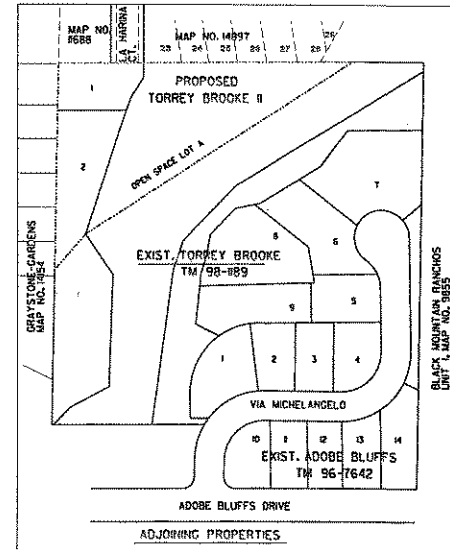
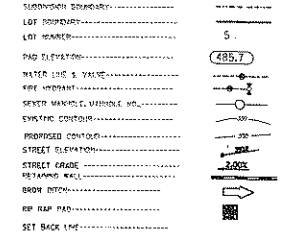
**TENTATIVE PARCEL MAP, REZONE,  
PLANNED DEVELOPMENT PERMIT & SITE DEVELOPMENT PERMIT  
TORREY BROOKE II  
SAN DIEGO, CALIFORNIA**

ITEM	REQUIRED	PROPOSED	
		LOT 1	LOT 2
LOT WIDTH	60'	64'	
LOT DEPTH	85'	105'	125'
FRONTAGE	60'	9'	235'
FRONT SETBACK	5'	5'	5'
SIDE SETBACK	5'	10'	5'
REAR SETBACK	10'	10'	10'
MAX HEIGHT	35'	35'	35'
LOT AREA	6,000 SF (12.90 AC)	57,200 SF	22,000 SF
FLOOR AREA		4,442 SF	5,030 SF
FAR	60%	36.6%	23.3%

**DEVELOPMENT SUMMARY**

- SUBDIVIDE THE 1.1406 PARCEL INTO 3 PARCELS, 2 RESIDENTIAL PARCELS AND 1 OPEN SPACE PARCEL.
- GRADE THE EXISTING TOPOGRAPHY PER THE TENTATIVE MAP.
- PROVIDE SEWER SERVICE TO THE 2 RESIDENTIAL UNITS VIA INDIVIDUAL PRIVATE SEWER PUMPS AND PRIVATE SEWER FORCE MAINS EXTENDED NORTH TO THE EXISTING SEWER AT LA HARINA CT & DONNER.
- PROVIDE WATER SERVICES FOR THE 2 RESIDENTIAL UNITS BY CONNECTING TO THE EXISTING WATER IN LA HARINA COURT ALONG NORTH PROPERTY LINE.
- ACCESS TO THE 2 PARCELS IS PROPOSED VIA A PRIVATE DRIVE EXTENDING SOUTHERLY FROM THE EXISTING STREET KNOWN AS LA HARINA COURT.
- CONSTRUCT RETAINING WALLS PER THE TENTATIVE MAP.
- THE SURFACE RUNOFF WILL BE COLLECTED BY A STORMDRAIN WITH 60" FILTER AND DISCHARGED INTO THE EXISTING DRAINAGE COURSE, VIA A CONCRETE DRAINAGE DITCH.
- THE ARCHITECTURE FOR THE RESIDENTIAL UNITS WILL BE EXACTLY THE SAME AS HAS BEEN APPROVED FOR TORREY BROOKE - TM 98-089. ALL THE DETAILS, ELEVATIONS AND FINISHES SHALL BE FOR THE APPROVED DRAWINGS FOR TORREY BROOKE - TM 98-089.
- THE OPEN SPACE PARCEL WILL BE MAINTAINED BY THE HOA OF TORREY BROOKE AS WELL AS THE PRIVATE DRIVE AND THE PRIVATE SEWER.
- REZONE TO RS-1-0

**LEGEND**



**OWNER/SUBDIVIDER**  
TORREY BROOKE DEVELOPMENT, INC.  
2322 MICHELANGELO STREET  
LA JOLLA, CA 92037

**ARCHITECT**  
ARCHITECT MAGUIRE  
3370 JACKSON STREET  
SAN DIEGO, CA 92103  
PH: 619-793-7200  
HECTOR MAGUIRE

**CIVIL ENGINEER**  
DINWIDDIE & ASSOCIATES  
10800 GREENBUSH DRIVE, SUITE 330  
SAN DIEGO, CA 92121  
PH: 619-591-9100  
ROBERT DINWIDDIE

**LANDSCAPE ARCHITECT**  
GILLESPIE DESIGN GROUP  
3000 GENESSEE AVE., SUITE 100  
LA JOLLA, CA 92037  
PH: 619-591-9177  
MARK HODDY

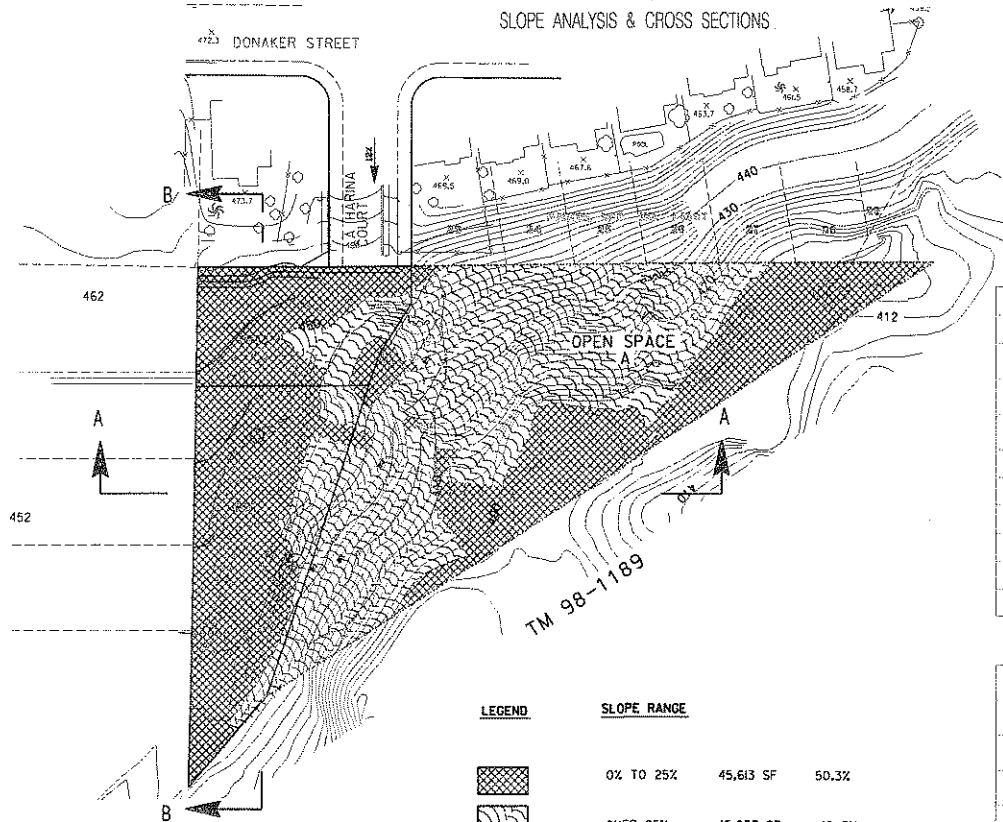
PREPARED BY:	#	REVISIONS	DATE	BY
CIVCOM & ASSOCIATES 5850 Oberlin Avenue, Suite 350 San Diego, California 92121 PH: 619-598-9400 Fax: 619-598-9420	1			
	2			
	3			
	4			
	5			
<b>PROJECT ADDRESS</b>				
REP: _____				
TENTATIVE MAP, REZONE, PDP & SDP <b>TORREY BROOKE II</b> CITY OF SAN DIEGO				
				<b>SHEET</b> 1 OF 3

J-1250b  
**CIVCOM & ASSOCIATES**  
5850 Oberlin Drive, Suite 350  
San Diego, California 92121  
ISSN: 658-9400 Fax: (619) 658-9420

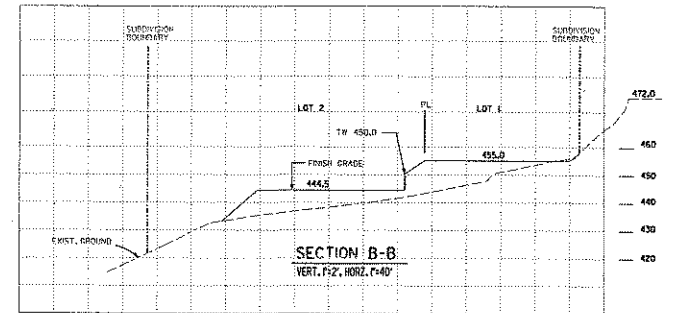
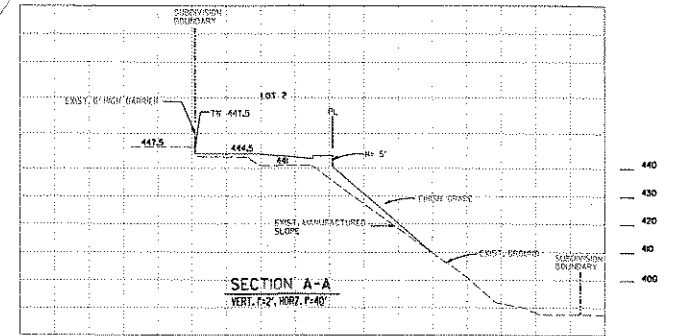
**ENGINEER OF WORK**  
R. BHATIA R.C.E. 025398 DATE \_\_\_\_\_  
REGISTRATION EXPIRATION DATE: 6-30-09



TORREY BROOKE II  
SAN DIEGO, CALIFORNIA  
SLOPE ANALYSIS & CROSS SECTIONS

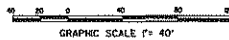


LEGEND	SLOPE RANGE	AREA (SF)	PERCENT
	0% TO 25%	45,613 SF	50.3%
	OVER 25%	45,057 SF	49.7%



J-1250b  
CIVCOM & ASSOCIATES  
5850 Oberlin Drive, Suite 350  
San Diego, California 92121  
18581 658-9400 Fax: 18581 638-9420

ENGINEER OF WORK  
R. BHATIA R.C.K. 050348 DATE  
REGISTRATION EXPIRATION DATE: 8-30-09



NO.	REVISIONS	DATE	BY
1			
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PREPARED BY:  
CIVCOM & ASSOCIATES  
5850 Oberlin Drive, Suite 350  
San Diego, California, 92121  
18581 658-9400 Fax: 18581 638-9420

PROJECT ADDRESS

DEP #:

SLOPE ANALYSIS & CROSS SECTIONS  
TORREY BROOKE II  
CITY OF SAN DIEGO

SHEET  
3  
OF  
3

PLANT LEGEND

- TREES, SUCH AS:
SHRUBS, SUCH AS:
ZONE 1 PLANT LEGEND
SHRUBS, SUCH AS:
GROUNDCOVER, SUCH AS:

DESIGN OBJECTIVES:

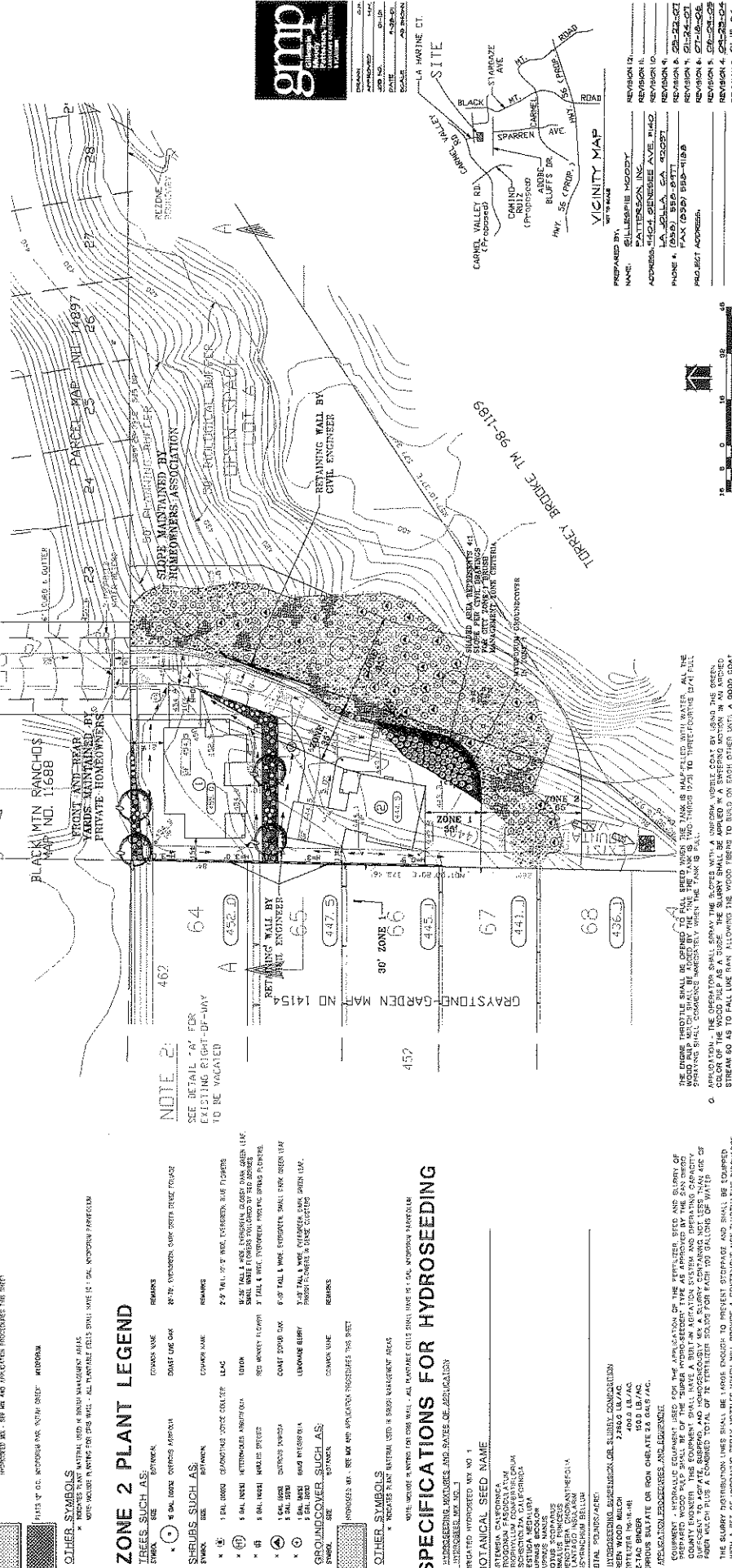
- 1. PLANTINGS WILL BE DESIGNED TO OBTAIN DESIRABLE VISUAL INTEREST TO THE SITE...
2. ARCHITECTURAL ELEMENTS OF THE SITE WILL BE RELATED AND ENHANCED WITH PLANTINGS...
3. PLANTINGS WILL BE SELECTED TO PROVIDE A TRUSTY SHIELD TO THE PROPERTY...
4. COLOR FROM PLANT FOLIAGE, BARK OR FLOWERS WILL BE UTILIZED TO CREATE A FRIENDLY, WARM AND VISUALLY EXCITING LANDSCAPE...
5. ALL OUTDOOR STORAGE, LOADING, REFUSE, AND UTILITY AREAS WILL BE VISUALLY SCREENED ON ALL SIDES...
6. VERTICAL ENTRANCES WILL BE IDENTIFIED AND ACCENTED WITH SPECIAL GROUPINGS OF TREES, SHRUBS AND/OR GROUNDCOVERS.

NOTES:

- 1. ALL PLANTINGS, HYDRATION, AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO AND ALL APPLICABLE LANDSCAPE GUIDELINES...
2. LANDSCAPE FINISH GRADING OBJECTIVES WILL INCLUDE POSITIVE DRAINAGE...
3. ALL PLANTING AREAS WILL BE MAINTAINED IN A KEEN AND OPEN FREE CONDITION...
4. ALL LANDSCAPING SHALL BE MAINTAINED BY INDIVIDUAL HOME OWNERS AND/OR HOMEOWNERS ASSOCIATION.

DESIGN OBJECTIVES:

- 1. PLANTINGS WILL BE DESIGNED TO OBTAIN DESIRABLE VISUAL INTEREST TO THE SITE...
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PREPARED BY:
NAME:
ADDRESS:
PHONE:
PROJECT ADDRESS:
CITY REF:
PROJECT NAME:
TENDER:
LANDSCAPE CONCEPT

REVISED:
REVISION 1:
REVISION 2:
REVISION 3:
REVISION 4:
REVISION 5:
REVISION 6:
REVISION 7:
REVISION 8:
REVISION 9:
REVISION 10:
ORIGINAL DATE:
SHEET NO. OF:
DATE:
SCALE: 1" = 10'

SPECIFICATIONS FOR HYDROSEEDING

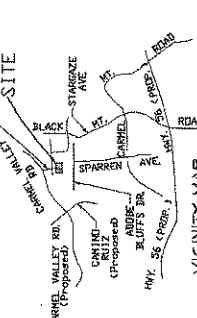
- 1. HYDROSEEDING EQUIPMENT AND SUPPLIES:
2. HYDROSEEDING MIXTURES:
3. HYDROSEEDING APPLICATION:
4. HYDROSEEDING MAINTENANCE:
5. HYDROSEEDING NOTES:





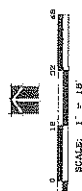
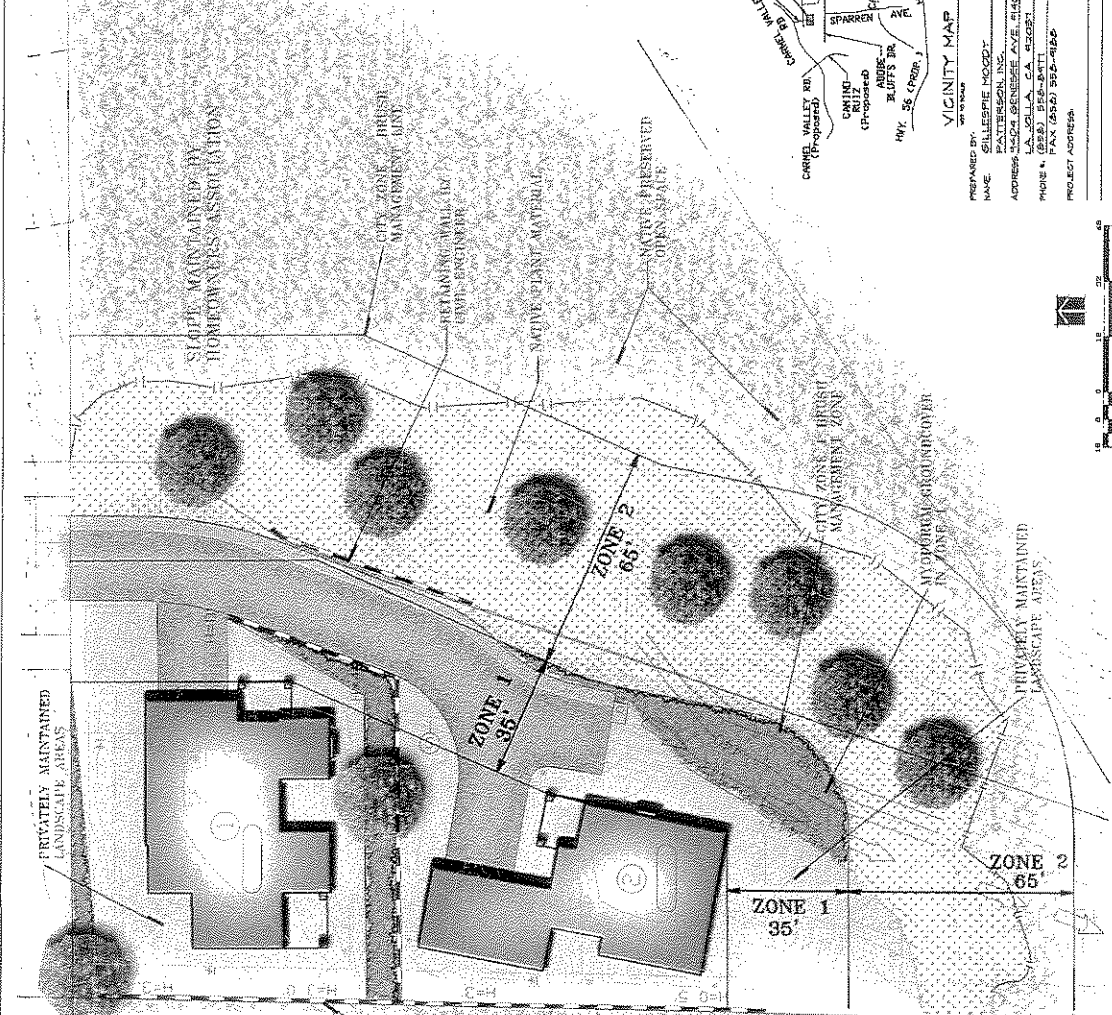
**PROJECT INFORMATION**

NAME	GILLESPIE HOODY
ADDRESS	15524 BENEVE AVE #100
CITY	LA JOLLA, CA 92037
PHONE	954-585-5571
PROJECT ADDRESS	15524 BENEVE DRIVE
CITY	LA JOLLA, CA 92037
PROJECT NAME	TOURNEY BROOKE II
SHEET TITLE	LANDSCAPE CONCEPT
SHEET NO.	2
TOTAL SHEETS	2



**REVISIONS**

NO.	DATE	DESCRIPTION
1	11/11/07	ISSUED FOR PERMITS
2	11/11/07	ISSUED FOR PERMITS
3	11/11/07	ISSUED FOR PERMITS
4	11/11/07	ISSUED FOR PERMITS
5	11/11/07	ISSUED FOR PERMITS



# TORREY BROOKE II LANDSCAPE CONCEPT PLAN

**PLANT LEGEND**

TREES, SUCH AS: T 4\"/>

**ZONE 1 PLANT LEGEND**

TREES, SUCH AS: 1 1\"/>

**ZONE 2 PLANT LEGEND**

TREES, SUCH AS: 2 1\"/>

**SHRUBS, SUCH AS:**

- 1. 1 1/2\"/>

**OTHER SYMBOLS**

- 1. 1\"/>

**DESIGN OBJECTIVES:**

1. PLANTING SHALL BE DESIGNED TO OBTAIN UNBLOCKED VIEWS (AUTOMOBILES, STORAGE, UTILITY AREAS, ETC.)
2. ARCHITECTURAL ELEMENTS OF THE SITE WILL BE RELATED AND ENHANCED BY PLANTING OF SIMILAR DESIGN
3. ALL PLANT MATERIAL SELECTED FOR USE SHALL BE OF A TYPE KNOWN TO BE SUCCESSFUL IN THE AREA OR IN SIMILAR CLIMATIC AND SOIL CONDITIONS
4. PLANTING OF TREES SHALL BE LIMITED TO GRASSY, AEROSOL-FRIENDLY, FIRM AND VISUALLY ENHANCING LANDSCAPE ENVIRONMENT. NEUTRAL COLOR SCHEMES SHALL BE UTILIZED IN DEVELOPING PROJECT IDENTITY
5. ALL OUTDOOR STORAGE, LOADING, SERVICE AND UTILITY AREAS WILL BE VISUALLY SCREENED ON ALL SIDES USED FOR SCREENING PURPOSES. PLANTING WILL BE USED TO SOFTEN HANDSCAPE MATERIALS WHERE SUCH AREAS AND VEHICULAR ENTRANCES WILL BE IDENTIFIED AND ACCENTED WITH SPECIAL GROUPINGS OF TREES, SHRUBS AND/OR SPAN COVERS
6. VEHICULAR ENTRANCES AND WALKING PROGRAMS ARE INTENDED TO TAKE PLACE DURING THE APPROPRIATE SEASONS OF LATE FALL OR WINTER (NOVEMBER THROUGH FEBRUARY) FOR OPTIMAL RESULTS
7. LANDSCAPE FINISH GRADING OBJECTIVES WILL INCLUDE POSITIVE SURFACE DRAINAGE OF PLANTED AREAS
8. IRRIGATION SYSTEMS WILL BE PERMANENT BELOW GROUND AUTOMATED SYSTEMS APPROPRIATE FOR THE ESTABLISHMENT AND MAINTENANCE OF ALL PLANT MATERIAL. THESE SYSTEMS WILL BE INSTALLED AS SOON AS FEASIBLE AFTER GRADING AND PRIOR TO PLANT MATERIAL INSTALLATION AND INTERSEEDING AREAS
9. ALL PERMANENTLY LANDSCAPED AREAS WILL BE SERVED BY PERMANENT AUTOMATIC UNDERGROUND IRRIGATION SYSTEMS. IRRIGATION SYSTEMS WILL BE INSTALLED AS SOON AS FEASIBLE AFTER GRADING AND PRIOR TO PLANT MATERIAL INSTALLATION AND INTERSEEDING AREAS
10. PERMANENTLY LANDSCAPED AREAS WILL BE SERVED BY PERMANENT AUTOMATIC UNDERGROUND IRRIGATION SYSTEMS. IRRIGATION SYSTEMS WILL BE INSTALLED AS SOON AS FEASIBLE AFTER GRADING AND PRIOR TO PLANT MATERIAL INSTALLATION AND INTERSEEDING AREAS
11. PERMANENTLY LANDSCAPED AREAS WILL BE SERVED BY PERMANENT AUTOMATIC UNDERGROUND IRRIGATION SYSTEMS. IRRIGATION SYSTEMS WILL BE INSTALLED AS SOON AS FEASIBLE AFTER GRADING AND PRIOR TO PLANT MATERIAL INSTALLATION AND INTERSEEDING AREAS
12. ALL PLANTING AREAS WILL BE MAINTAINED IN A NEED AND DEBRIS FREE CONDITION

**NOTES:**

1. ALL PLANTING AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO AND ALL APPLICABLE REGULATIONS
2. THE IRRIGATION SYSTEM SHALL CONSIST OF LOW PRECIPITATION RATE SPRAY HEADS FOR LAWN GRASS, COVER AND SHRUB PLANTER AREAS. ALL SLOPES SHALL BE IRRIGATED WITH SPRAY AND ROTOR HEADS.

**GENERAL NOTES**

1. GROSS SITE AREA 2.132 AC
2. NET SITE AREA 0.70 AC
3. PROPOSED TOTAL # LOTS 14
4. PROPOSED TOTAL # UNITS 2
5. ZONING - EXISTING RM-1.5 (MAX. 1.5 UNITS PER LOT) PROPOSED RS-1.5
6. PROPOSED DENSITY 0.24 UNITS/AC
7. APN # 306-070-04
8. LAURENT COORDINATES 294-1726
9. COMMUNITY/SUBAREA PLAN TORREY BROOKE II SUBAREA IV

**GRADING NOTES**

1. TOTAL AMOUNT OF SITE TO BE GRADED: 0.92 ACRES.
2. PERCENT OF TOTAL SITE 43%
3. AMOUNT OF SITE WITH 2% SLOPES OR GREATER: 1.03 AC.
4. PERCENT OF TOTAL 48%
5. AMOUNT OF CUT: 200 CUBIC YARDS.
6. AMOUNT OF FILL: 8500 CUBIC YARDS.
7. AMOUNT OF IMPORT: 8300 CUBIC YARDS.
8. MAXIMUM HEIGHT OF FILL SLOPES: 2 FEET MAX. 2% SLOPE RATIO.
9. MINIMUM HEIGHT OF CUT SLOPES: 6 FEET MAX. 2% SLOPE RATIO.
10. RETAINING WALLS: 140 FEET MAXIMUM HEIGHT 6 FEET.

**PRODUCT DESCRIPTION**

1. DRILLING UNITS, INCLUDING DAMAGE, 252726.
2. FLOOR AREA FOR ENTIRE PROJECT
3. EXTERIOR MATERIALS: STUCCO, WOOD, STONE, BRICK.
4. PROPOSED FINISH RANGE FROM 4350-3200 TO 4300-000.
5. IF WORKSHEET HAS PROPOSED, SINGLE-LIFE WASTEWATER UNITS, MAX FLOOR AREA RATIO IS 50% BASED ON R-4000 ZONE.

**PARKING**

1. RESIDENT PARKING SPACES & RATIO: 3% NO. OF RESIDENT SPACES PROVIDED IN STRUCTURES: 3 CAR GARAGES, GARAGES 2 (CARRIAGES RVA, OPEN OR BAY N/A).
2. GUEST PARKING SPACES & RATIO: 0% NO. OF GUEST SPACES PROVIDED IN STRUCTURES: 0 EXCEPTS RVA, OPEN OR BAY N/A.
3. ACCESSORY PARKING FOR VEH. VUL. OF AMPL. N/A.
4. TOTAL PARKING IS 0%.

**OPEN SPACE AND RECREATION**

1. TOTAL OPEN SPACE (TAN NET SIZE AREA LESS AREA OF OUTDOORS) PROPOSED 0.4 AC. REQUIRED 0.6 AC. DIFFERENCE 0.2 AC.
2. USABLE OPEN SPACE (TOTAL OPEN SPACE LESS STREETS, DRIVEWAYS, PARKING AREAS & RECREATION OPEN SPACE) AND LESS LAND WITH OVERALL GRADE EXCEEDING TEN PERCENT: PROPOSED 0.42 AC. REQUIRED 0.4 AC. DIFFERENCE 0.02 AC.
3. RECREATION FACILITIES PROPOSED N/A.
4. OPEN SPACE LOT WILL BE PRIVATELY MAINTAINED BY HOA/HUD OR OTHER ACCEPTABLE MECHANISM AND WILL BE BIRDING RESTRICTED.

**PUBLIC UTILITIES & SERVICES**

- WATER: CITY OF SAN DIEGO
  - SEWER: CITY OF SAN DIEGO
  - FIRE AND POLICE: CITY OF SAN DIEGO
  - GAS AND ELECTRICITY: SDCGE
  - CABLE TV: SOUTHWESTERN CABLE
  - TELEPHONE: PACIFIC TELEPHONE
  - SCHOOL DISTRICTS: MONTELEONE UNIFIED SCHOOL DIST.
- THERE ARE NO EXISTING OR PROPOSED BUS STOP/TRANSIT STATION.

**SEWER NOTE**

THE SEWER SYSTEM, INCLUDING ANY CASEMENTS, AS SHOWN WILL BE ADAPTED IN A MANNER CONSISTENT WITH THE ACCEPTED SEWER STUDY FOR THIS DEVELOPMENT. ALL PUBLIC WATER AND SEWER FACILITIES MUST BE DESIGNED IN ACCORDANCE WITH THE CITY OF SAN DIEGO WATER AND SEWER DESIGN CODE.

**LEGAL DESCRIPTION:**

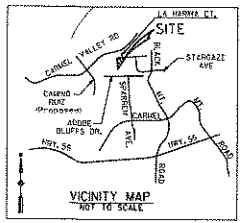
REMANENT PARCEL OF TORREY BROOKE, TRACT NO. 89-180, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 14897, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 4, 2000.

**ARCHITECTURE:**

THE ARCHITECTURE FOR THE RESIDENTIAL DWELLING UNITS WILL BE THE SAME AS WAS APPROVED FOR TORREY BROOKE II (MAP NO. 14897).

**FIRE DEPARTMENT REQUIREMENTS**

1. BUILDING ADDRESS NUMBERS SHALL BE VISIBLE AND LEGIBLE FROM THE STREET/ROAD FRONTING THE PROPERTY PER FIRE PULL-OUT.
2. PROVIDE FIRE ACCESS ROADWAY SIGNS OF RED CURB IN ACCORDANCE WITH THIS POLICY # 4004.



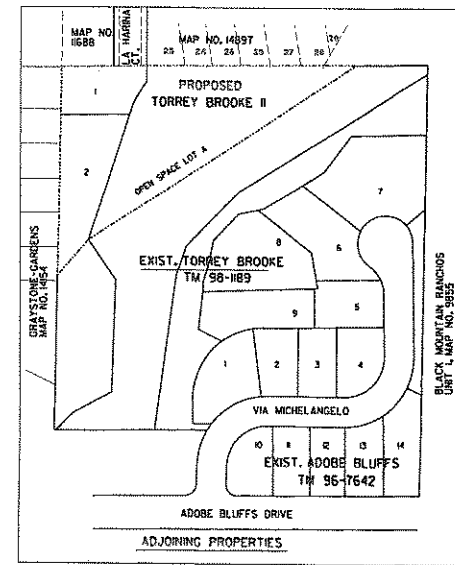
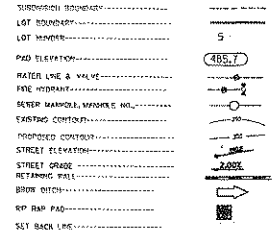
TENTATIVE PARCEL MAP, REZONE,  
PLANNED DEVELOPMENT PERMIT & SITE DEVELOPMENT PERMIT  
**TORREY BROOKE II**  
SAN DIEGO, CALIFORNIA

ITEM	RECORDED	PROPOSED
LOT 1		LOT 2
LOT WIDTH	60'	84'
LOT DEPTH	95'	95'
FRONTAGE	60'	81'
FRONT SETBACK	15'	15'
SIDE SETBACK	5'	15'
REAR SETBACK	15'	15'
MAX. HEIGHT	35'	35'
LOT AREA	6,000 SF (13.30 AC)	78,000 SF
FLOOR AREA	4,442 SF	5,430 SF
FAR	60%	26.6%
		23.3%

**DEVELOPMENT SUMMARY**

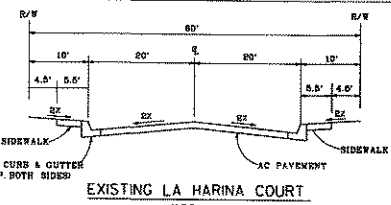
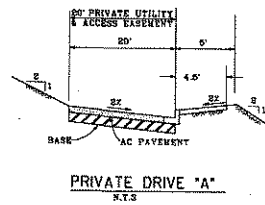
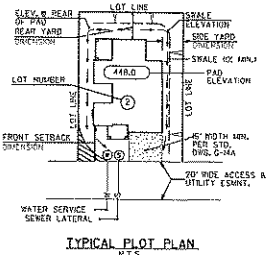
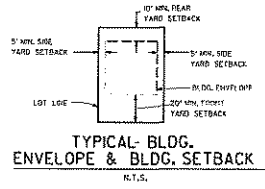
1. SURROUND THE 2.132 ACRE PARCEL INTO 3 PARCELS, 2 RESIDENTIAL PARCELS AND OPEN SPACE PARCEL.
2. GRADE THE EXISTING TOPOGRAPHY PER THE TENTATIVE MAP.
3. PROVIDE SEWER SERVICE TO THE 2 RESIDENTIAL LOTS VIA INDIVIDUAL PRIVATE SEWER MAINS AND PRIVATE SEWER FORCE LINES EXTENDED NORTH TO THE EXISTING SEWER AT LA HARINA CT & DOWNING.
4. PROVIDE WATER SERVICES FOR THE 2 RESIDENTIAL UNITS BY CONNECTING TO THE EXISTING WATER IN LA HARINA COURT ALONG NORTH PROPERTY LINE.
5. ACCESS TO THE 2 PARCELS IS PROPOSED VIA A PRIVATE DRIVE EXTENDING SOUTHERLY FROM THE EXISTING STREET KNOWN AS LA HARINA COURT.
6. CONSTRUCT RETAINING WALLS PER THE TENTATIVE MAP.
7. THE SURFACE RUNOFF WILL BE CONVECTED TO A STORMWATER PLEY WITH 80% FILTER AND DISCHARGED INTO THE EXISTING DRAINAGE SOURCE VIA A CONCRETE BRANCH DITCH.
8. THE ARCHITECTURE FOR THE RESIDENTIAL UNITS WILL BE EXACTLY THE SAME AS HAS BEEN APPROVED FOR TORREY BROOKE II (MAP NO. 14897). ALL THE DETAILS, ELEVATIONS AND BUILDING HEIGHTS SHALL BE PER THE APPROVED DRAWINGS FOR TORREY BROOKE II - TM 89-180.
9. THE OPEN SPACE PARCEL WILL BE MAINTAINED BY THE HOA OF TORREY BROOKE II AS WELL AS THE PRIVATE DRIVE AND THE PRIVATE SEWER.
10. REZONE TO RS-1.5

**LEGEND**



**NOTES**

1. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE SUBDIVIDER SHALL ENTER INTO A MAINTENANCE AGREEMENT FOR THE OPENING PERMANENT DUMP MAINTENANCE, SATISFACTORY TO THE CITY ENGINEER.
2. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE SUBDIVIDER SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE DIVISION 14.0300 REGULATIONS OF THE SAN DIEGO MUNICIPAL CODE INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS, SATISFACTORY TO THE CITY ENGINEER.
3. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE SUBDIVIDER SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPP) THE WPP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS.



**OWNER/SUBDIVIDER**

TORREY BROOKE DEVELOPMENT, INC.  
522 RUSSELL STREET  
LA JOLLA, CA 92037

**ARCHITECT**

ARCHITECT MAGNUS  
3370 JACKSON STREET  
SAN DIEGO, CA 92103  
PH: 602-293-7240  
HECTOR MAGNUS

**CIVIL ENGINEER**

FRANK D. WIELL  
1550 RUSSELL STREET, SUITE 300  
SAN DIEGO, CA 92101  
PH: 602-658-0900  
ROGER BHATIA

**LANDSCAPE ARCHITECT**

OLLESLIE DESIGN GROUP  
9404 GENESSEE AVE., SUITE 140  
LA JOLLA, CA 92037  
PH: 858-558-9977  
KAREN MOODY

J-1250b  
**CIVCOM & ASSOCIATES**  
5880 Oberlin Drive, Suite 350  
San Diego, California 92121  
(951) 658-9400 Fax: (858) 658-9420

**ENGINEER OF WORK**  
R. BHATIA R.C.E. 09048 DATE \_\_\_\_\_  
REGISTRATION EXPIRATION DATE: 6-30-09



PREPARED BY: CIVCOM & ASSOCIATES  
5880 Oberlin Drive, Suite 350  
San Diego, California 92121  
(951) 658-9400 Fax: (858) 658-9420

PROJECT ADDRESS: \_\_\_\_\_

DEP #: \_\_\_\_\_

REV.	REVISIONS	DATE	BY
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2			
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TENTATIVE MAP,  
REZONE, PDP & SDP  
**TORREY BROOKE II**  
CITY OF SAN DIEGO

SHEET 1 OF 3

**RECORDING REQUESTED BY**  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES  
DEPARTMENT

**WHEN RECORDED MAIL TO**  
PERMIT INTAKE  
MAIL STATION 501

SPACE ABOVE THIS LINE FOR

RECORDER'S USE  
JOB ORDER NUMBER: 42-0188

PLANNED DEVELOPMENT PERMIT NO. 366166  
SITE DEVELOPMENT PERMIT NO. 366167  
**TORREY BROOKE II [MMRP]**  
City Council

DRAFT

This Planned Development Permit No. 366166 and Site Development Permit No. 366167, is granted by the Council of the City of San Diego to TORREY BROOKE DEVELOPMENTS INC, Owner/Permittee pursuant to Section(s), 126.0501, 126.0601 of the Land Development Code of the City of San Diego. The 2.13-acre site is located on the west side of the southerly extension of La Harina Court in the AR-1-1 Zone (proposed RS-1-13 Zone), within the Torrey Highland Subarea Plan IV. The project site is legally described as remainder Parcel of Torrey Brook, Tract No. 98-1189, Map No. 14383, recorded May 1, 2002.

Subject to the terms and conditions set forth in this permit, permission is granted to Owner/Permittee to create three parcels from a 2.13-acre site and Rezone the site from AR-1-1 to RS-1-13. The subdivision would allow the development of two single-family structures and one open space lot described as, and identified by size, dimension, quantity, type and location on the approved Exhibits "A," dated TO BE FILLED IN, on file in the Office of the Development Services Department. The facility shall include:

- a. Subdivision of a 2.13-acre lot into two single-family lots and one open space lot; and
- b. Construction of two-single-family residences of approximately 4,442-square-feet and 5,130-square-feet respectively, totaling 9,572; and
- b. Landscaping (planting, irrigation and landscape related improvements); and
- c. Six off street parking spaces;
- d. Accessory improvements determined by the City Manager 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 Municipal Code in effect for this site.

1. Construction, grading or demolition must commence and be pursued in a diligent manner within 36 months after the effective date of final approval by the City, following all appeals. Failure to utilize the permit within 36 months will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all the Land Development Code requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.

## ATTACHMENT 7

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 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 City Manager.
4. This permit is a covenant running with the subject property and shall be binding upon the 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 utilization and continued use of this permit shall be subject to the regulations of this and any other applicable governmental agencies.
6. Issuance of this permit by the City of San Diego does not authorize the Owner/Permittee for said permit 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 U.S.C. Section 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/or site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
9. Before issuance of any building or grading permits, complete grading and working drawings shall be submitted to the City Manager for approval. Plans shall be in substantial conformity to Exhibit "A." No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall 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 discretionary permit. It

## ATTACHMENT 7

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 special rights which the holder of the Permit is obtaining as a result of this Permit. It is the intent of the City that the Owner of the property which is the subject of this Permit either utilize the property for any use allowed under the zoning and other restrictions which apply to the property or, in the alternative, that the Owner of the property be allowed the special and extraordinary rights conveyed by this Permit, but only if the Owner complies with all the conditions of the 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" condition(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 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.

### PLANNING/DESIGN REQUIREMENTS

11. No fewer than three off-street parking spaces shall be maintained on each lot at all times in the approximate locations shown on the approved Exhibits "A," dated TO BE FILLED IN, on file in the Office of the Development Services Department. Parking spaces shall comply at all times with requirements of the Land Development Code and shall not be converted for any other use unless otherwise authorized by the City Manager.

12. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. The project was granted a deviation to allow access to Lot Two (2) via a private driveway extending southerly from La Harina Court. Where a condition (including exhibits) of this permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

13. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this permit.

14. A topographical survey conforming to the provisions of the Land Development Code 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 regulations of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

15. Prior to the approval of a Parcel Map, Owner/Permittee shall record a covenant of easement or dedicate in fee title any areas containing steep hillsides (or any other Environmentally Sensitive Lands) that are not part of the allowable development area. These areas shall be left undeveloped and in their natural state.

16. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

17. Prior to the approval of the first grading permit and/or recordation of the Parcel Map, permittee shall record a covenant of easement across the Open Space Lot A identified on Exhibit "A." The retaining wall shall be kept outside of the recorded Open Space easement.

## ATTACHMENT 7

18. Except for restoration activities, at no time shall structures be built in or shall any development occur within the lot identified as Open Space Lot A on Exhibit "A."

### ENGINEERING REQUIREMENTS

19. The Permit shall comply with the conditions of the Torrey Brooke II, Tentative Map No. 366169.

### LANDSCAPING REQUIREMENTS

20. Prior to issuance of any building permits, a complete set of brush management construction documents shall be submitted for approval to the City Manager and the Fire Marshall. The construction documents shall be in substantial conformance with Exhibit 'A' and shall comply with the Uniform Fire Code, M.C. 555.0889.0201, the Landscape Standards and the Land Development Code Section 142.0412 (Ordinance 18451).

21. The Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit 'A' Brush Management Plan, on file in the Office of the Development Services Department.

22. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) are not permitted, while non-combustible accessory structures may be approved within the designated Zone One area subject to Fire Marshall and the City Manger's approval.

23. The following note shall be provided on the Brush Management Construction Documents: 'It shall be the responsibility of the Permittee to schedule a pre-construction meeting on site with the contractor and the development Services Department to discuss and outline the implementation of the Brush Management Program.

24. In Zones One and Two, plant material shall be selected to visually blend with the existing hillside vegetation. No invasive plant material shall be permitted as jointly determined by the Landscape Section and the Environmental Analysis Section.

25. Prior to final inspection and Final Inspection for any building, the approved Brush Management Program shall be implemented.

26. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

27. 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: Lots 1 and two shall have a 35-foot Zone One with 65-foot Zone Two.

28. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit shall have been granted by the City.

29. All landscape and irrigation required by this permit shall conform to the City of San Diego's Landscape Regulations - Article 2, Division 4; the Land Development Manual - Landscape Standards; and all other landscape related City and Regional Standards.

30. 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 City Manager. 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.

## ATTACHMENT 7

31. In the event that a foundation only permit is requested by the Permittee or subsequent Owner, a site plan or staking layout plan shall be submitted identifying all landscape areas consistent with Exhibit 'A,' Landscape Concept Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'
32. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Concept Plan, 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.
33. 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 consistent with Exhibit 'A.'
34. 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.
35. No irrigation run-off shall drain off site into the public right-of-way, streets, drives or alleys. No connection shall be made to any storm water sewer system without proper PBMP's.
36. 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 City manager within 30 days of damage or Final Inspection.

### WASTEWATER REQUIREMENTS

37. All proposed sewer facilities serving this development will be private.
38. Prior to the issuance of any engineering or building permits, the developer shall provide an Encroachment Maintenance and Removal Agreement for all private sewer laterals located within City street right of ways.
39. Prior to the issuance of any engineering or building permits, the developer shall provide CC&R's, satisfactory to the Metropolitan Wastewater Department Director, for the operation and maintenance of a private sewer main that serves more than one lot.
40. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.
41. The developer shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.
42. The developer shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot will have its own sewer lateral or provide CC&R's for the operation and maintenance of on site private sewer mains that serve more than one lot.
43. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.

**WATER REQUIREMENTS**

44. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of new water services within the La Harina Court right-of-way adjacent to the project site in a manner satisfactory to the Water Department Director and the City Engineer. Services, as shown on approved Exhibit "A", shall be modified at final engineering to conform to standards.

45. Prior to the issuance of any certificates of occupancy, the Owner/Permittee shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director and the City Engineer. Any fire hydrant installation not conforming to public standards, shall be private.

46. Prior to the issuance of any certificates of occupancy, all public water facilities necessary to serve the development, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.

47. 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.

**FIRE REQUIREMENTS**

48. Prior to the issuance of any certificates of occupancy, in lieu of providing Fire Department access the single-family residences and garages shall be equipped with residential fire sprinkler systems satisfactory to the Fire Marshal.

**INFORMATION ONLY**

Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this permit map, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

APPROVED by the City Council of the City of San Diego on **TO BE FILLED IN**.



CITY COUNCIL  
RESOLUTION NO. TO BE FILLED IN  
TENTATIVE MAP NO. 366169  
STREET VACATION NO. 478535  
**TORREY BROOKE II-PROJECT NO. 2118**  
**DRAFT**

WHEREAS, TORREY BROOKE DEVELOPMENTS INC, Applicant/Subdivider, and CIVCOM AND ASSOCIATES, Engineers, submitted an application with the City of San Diego for a Tentative Map No. 366169, to subdivide a 2.13-acre site into three parcels for development of two-single-family homes and to vacate portions of two streets; (1) That portion of Black Mountain Road dedicated per O.S. 57, and (2) That portion of Orange Grove Avenue dedicated in Olive Grove Tract, according to the Map filed July 18, 1904 in Book 24 page 297. The project site is located on the west side of the southerly extension of La Harina Court and is bordered roughly to the south by Adobe Bluffs Road, to the west, east, and north by single-family residences in the AR-1-1 Zone (proposed RS-1-13), within the Torrey Highland Subarea Plan IV. The project site is legally described as Remainder Parcel of Torrey Brook, Tract No. 98-1189, Map No. 14383, recorded May 1, 2002; and

WHEREAS the map proposes the subdivision of a 2.13-acre site into three (3) lots for a residential development (two residential lots and one open space lot); and

WHEREAS, the property contains right-of-ways which must be vacated to implement the final map in accordance with San Diego Municipal Code section 125.0430; and the City Council finds that: (a) there is no present or prospective use for the public right of way, either for the facility for which the right of way was originally acquired or for any other public use of a like nature that can be anticipated; and (b) the public will benefit from the vacation through improved use of land made available by the vacation; and (c) the vacation does not adversely affect any applicable land use plan; and (d) the public facility for which the right of way was originally acquired will not be detrimentally affected by this vacation.

WHEREAS, the City of San Diego as Lead Agency under CEQA has prepared and completed a Mitigated Negative Declaration No. 2118, dated TO BE FILLED IN, and Mitigation Monitoring and Reporting Program covering this activity; 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 TO BE FILLED IN, the Council of the City of San Diego considered Tentative Map No. 366169, and pursuant to Sections 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 City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED by the CITY COUNCIL of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 366169, and that pursuant to California Government Code section 66445 (j), the following right-of-ways, located within the project boundaries as shown in Tentative Map No. 366169, shall be vacated, contingent upon the recordation of the Parcel Map for the project: (a) That portion of Black Mountain Road dedicated per O.S. 57 and (b) That portion of Orange Grove Avenue dedicated in Olive Grove Tract, according to the Map filed July 18, 1904 in Book 24 page 297.

1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)).
2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440.c and State Map Act Sections 66474(c) and 66474(d)).
4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).
5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)).
6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code Section 125.0440.f and State Map Act Section 66474(g)).
7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1).

8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
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 Council of the City of San Diego, Tentative Map No. 366169, is hereby granted to TORREY BROOKE DEVELOPMENTS INC, Applicant/Subdivider, subject to the following conditions:

**GENERAL**

1. The tentative map shall expire Three (3) years after the effective date of the rezone. If the rezone is denied, this Tentative Map shall be deemed denied.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. A Parcel Map shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.
4. The Parcel Map shall conform to the provisions of Planned Development Permit No. 366166, and Site Development Permit No. 366167.

**ENGINEERING**

5. The Subdivider shall extend the brow ditch discharge point to a well defined channel.
6. The Subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.
7. 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.
8. Prior to the issuance of any construction permit the Subdivider shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

9. Prior to the issuance of any construction permit the Subdivider shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.
10. The Subdivider shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
11. The drainage system proposed for this subdivision, as shown on the approved tentative map, is private and subject to approval by the City Engineer.
12. The Subdivider shall enter into an agreement to indemnify, protect and hold harmless City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of runoff from La Harina Court.

#### **MAPPING**

13. "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).
14. "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."
15. The Parcel 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 meridian (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of 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.

16. The design of the subdivision shall include private easements, if any, serving parcels of land outside the subdivision boundary or such easements must be removed from the title of the subdivided lands prior to filing any parcel or final map encumbered by these easements.

#### **SEWER AND WATER**

17. The Subdivider shall construct the Carmel Valley Trunk Sewer and enter into a Reimbursement Agreement with all developments that construct more than their fair share of the Carmel Valley Trunk Sewer.
18. The Subdivider shall install all sewer facilities required by the accepted sewer study, necessary to serve this development. Sewer facilities as shown on the approved tentative map will require modification based on the accepted sewer study.
19. All proposed sewer will be private.
20. 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.
21. The Subdivider shall provide evidence, satisfactory to the Metropolitan Wastewater Department Director, indicating that each lot will have its own sewer lateral or provide CC&R's for the operation and maintenance of on-site private sewer mains that serve more than one lot.
22. No private sewer facilities shall be installed in or over any public right of way prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement.
23. Prior to the issuance of any building permits, the Subdivider shall process and record a NOTICE & AGREEMENT for each ownership being served by a private pump station/sewer facilities which serves more than one ownership, which indemnifies the City and contains an agreement that the applicant, and successors in interest, will be responsible for the operation and maintenance of the private sewer systems.
24. The Subdivider shall obtain a building permit for any private pump station serving more than one lot.

25. The Subdivider shall construct a private sewer pressure lateral along La Harina Court and connect it to the existing eight-inch public sewer main to the north in Donaker Street.
26. The Subdivider shall provide an Encroachment Maintenance and Removal Agreement for all private sewer laterals located within City street right of ways.
27. The Subdivider shall provide CC&R's, satisfactory to the Metropolitan Wastewater Department Director, for the operation and maintenance of a private sewer main that serves more than one lot.
28. The Subdivider shall design and construct any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.
29. The Subdivider shall design and construct new water services, within La Harina Court, to serve each Lot in a manner satisfactory to the Water Department Director and the City Engineer.
30. The Subdivider shall provide a letter, to the Development Project Manager, assuring the preparation of CC&Rs for the operation and maintenance of all private water facilities which serve or traverse more than a single lot or unit.
31. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Department and the City Engineer.
32. 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. Public water facilities, as shown on the approved tentative map, shall be modified at final engineering to comply with standards.

#### **TRANSPORTATION**

33. The Subdivider shall provide a standard 20-foot wide driveway with three-foot flairs on each side aligned with the center line of La Harina Court, satisfactory to the City Engineer.
34. The Subdivider shall provide a turn around ability at the end of the proposed Private Drive "A", satisfactory to the City Engineer.
35. The Subdivider shall provide a "shared access agreement" between both parcels to the satisfaction of the City Engineer.

## LANDSCAPING

36. Prior to the recordation of the parcel map, the Subdivider shall submit complete landscape construction documents consistent with Exhibit 'A,' including plans, details, and specifications (including a permanent automatic irrigation system unless otherwise approved), for the required slope revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the City manager. The applicant shall assure by permit and bond the installation of landscaping per landscape construction documents.
37. Prior to issuance of any engineering 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 and the City Manager. 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.
38. Prior to recordation of the Parcel Map, 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 zone(s) per Section 142.0412 of the Land Development Code.

## INFORMATION

- The approval of this Tentative Map by the Council of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- 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.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code Section 17620, in accordance with procedures established by the Director of Building Inspection.

- 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.

APPROVED: NAME, City Attorney

By \_\_\_\_\_  
NAME  
Deputy City Attorney

ATTY/SEC. INITIALS

DATE

Or.Dept:Clerk

R-INSERT

Reviewed by Derrick Johnson



RESOLUTION No. TO BE FILLED IN

ADOPTED ON TO BE FILLED IN

WHEREAS, TORREY BROOKE DEVELOPMENTS INC, Owner/Permittee, filed an application with the City of San Diego for a permit to subdivide the 2.13-acre site into three separate parcels at the end of La Harina Court, in the AR-1-1 Zone of the Torrey Highland Subarea Plan IV (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Planned Development Permit No. 366166 and Site Development Permit No. 366167), on portions of a on a 2.13-acre site;

WHEREAS, the project site is located at the end of La Harina Court and is bordered roughly to the south by Adobe Bluffs Road, to the west, east, and north by single-family homes in the AR-1-1 Zone of the Torrey Highland Subarea Plan IV;

WHEREAS, the project site is legally described as remainder Parcel of Torrey Brook, Tract No. 98-1189, Map No. 14383, recorded May 1, 2002;

WHEREAS, on May 22, 2008, the Planning Commission of the City of San Diego considered Planned Development Permit No. 366166 and Site Development Permit No. 366167, and pursuant to Resolution No. TO BE FILLED IN, voted to recommend City Council approval of the project; and NOW, THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby recommends approval of Planned Development Permit No. 366166 and Site Development Permit No. 366167, pursuant to the Land Development Code of the City of San Diego; that the Planning Commission recommends approval of the following written Findings, dated May 22, 2008.

**Planned Development Permit Findings**

- 1. The proposed development will not adversely affect the applicable land use Plan.** The project proposes to create three parcels from a 2.13-acre site and allow the development of two-single-family structures. This property is designated in the Torrey Highland Subarea Plan IV for residential development from three to five dwelling units per net acre and open space. The proposed use of this site for residential uses would be consistent with the Torrey Highland Subarea Plan IV. The proposed project, being determined consistent with the community plan land use, would not adversely affect the relevant land use plan.
- 2. The proposed development will not be detrimental to the public health, safety, and welfare** The project proposes to create three parcels from a 2.13-acre site and allow the development of two-single-family structures. The permit controlling the development proposed for this site contains conditions addressing the project compliance with the City's regulations and other regional, state and federal regulations to prevent detrimental impacts to the health, safety, and general welfare of persons residing and/or working in the area. Conditions of approval require compliance with several operational constraints and development controls intended to assure the continued health, safety and general welfare of persons residing or working in the area. All Building, Fire, Plumbing, Electrical, Mechanical Code and the City regulations governing the construction and continued operation of the development apply to this site to prevent adverse affects to those persons or other properties in the vicinity.
- 3. The proposed development will comply with the regulations of the Land Development Code.** The project proposes to create three parcels from a 2.13-acre site and allow the development of two-single-family structures. Specific conditions of approval require the continued compliance with all relevant regulations of the San Diego Land Development Code in effect for this site and have been written as such into the permit. Development of the site with a residential use shall meet all requirements of the regulations, as allowed through a Planned Development Permit. Concept plans for the project identify all other development criteria in effect for the site. All relevant regulations shall be complied with at all times for the life of the project.
- 4. The proposed development, when considered as a whole, will be beneficial to the community.** The project proposes to create three parcels from a 2.13-acre site and allow the development of two-single-family structures. The provision of market rate housing in the community provides a benefit to the community by adding to the available housing stock of the City, is consistent with other approved land uses in the community, is consistent with the intended planning efforts of the City, and will enhance the neighborhood and community by its being developed as described by the submitted conceptual designs.
- 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 project proposes to create three parcels from a 2.13-acre site and allow the

development of two-single-family structures. The project has been designed to reduce impacts to sensitive steep slopes, biological resources and to create a grading concept compatible with the existing neighborhood. The applicants are requesting a deviation to allow access to Lot Two (2) via a private driveway extending southerly from La Harina Court through an access easement. The private driveway and easement will be located on Lot One (1) at the southern terminus of La Harina Court. Access to Lot One (1) would be via a cul de-sac at La Harina Court. Staff supports the deviation to allow greater flexibility in the design of the project. Staff has determined the deviation results in a superior design and reduction of impacts to environmentally sensitive lands. The project would not adversely affect the Land Use Element and is consistent with the goals and policies of the Torrey Highland Subarea Plan IV.

**Site Development Permit Findings**

**6. The proposed development will not adversely affect the applicable land use Plan.** The project proposes to create three parcels from a 2.13-acre site and allow the development of two-single-family structures. The Torrey Highland Subarea Plan IV identifies this site for residential development. This property is designated in the Torrey Highland Subarea Plan IV for residential development up to three to five dwelling units per net acre and open space. Please see Planned Development Permit Finding No. 1 above.

**7. The proposed development will not be detrimental to the public health, safety, and welfare.** The project proposes to create three parcels from a 2.13-acre site and allow the development of two-single-family structures. The permit controlling the proposed development and its continued operation contains conditions addressing project compliance with applicable City, regional, state, and federal regulations to prevent detrimental impacts to the health, safety, and general welfare of persons residing and/or working in the project area. Please see Planned Development Permit No. 2 above.

**8. The proposed development will comply with the regulations of the Land Development Code.** The project proposes to create three parcels from a 2.13-acre site and allow the development of two-single-family structures. The proposed development requires a Site Development Permit to assure compliance with the Environmentally Sensitive Lands Ordinance of the Land Development Code. The Torrey Highland Subarea Plan IV designates the subject property for Very Low Density Residential development at three to five dwelling units per acre. The density of the proposed project is 0.94, which is within the allowable density range. The proposed development with the exception of the street frontage requirement complies with all applicable Land Development Code regulations as allowed by a Planned Development Permit.

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

BE IT FURTHER RESOLVED that the recommendation of the Planning Commission is

- Ranger Station – Bill Diehl said they are still looking for \$250,000.
- \*\* Chris Woo left the meeting at 7:48pm.
- b. San Diego City Planning & Community Investment Report – no report

## 7. BUSINESS.

### a. **Black Mountain Ranch LLC Update – INFO ONLY**

Bill Dunka, BMRLLC, reviewed progress and potential changes to their planned development. Del Sur key updates: 8 builders, 250 closed escrows, 100 open escrows, 100 available homes with the project remain, 7 parks with swimming pools, have completed 204 affordable unit apartment complex, PUSD elementary school will be completed in fall 2008, PUSD's Del Norte H.S. due to open fall 2009. BMRLLC intends to pursue modifications to the North Village plan. Have not been able to find a developer for the golf course or hotel projects. They are planning to drop the golf course and convert to open space, move the adjacent hotel into the Town Center with fewer rooms and replace with residential or senior housing with no change in density units, to traffic, or development footprint. Verizano development (Shea Homes) has 44,000 sq.ft. of commercial not completed and BMRLLC will add it to square footage of the Del Sur Town Center area; realign streets to accommodate added commercial. The Town Center would be similar to 'Main Street' with a walk able character and no big box stores like 4S Ranch Town Center.

#### i. RPPB/Public Questions & Comments:

- BMR residents have not been noticed – recommended BMRLLC present plans to BMR Association.
- Retail street frontage on Main Street. Type of on-street parking could present issues.
- Is the open space that is proposed to replace the golf course dedicated open space? BMRLLC's intent is to dedicate, but city may refuse due to maintenance costs; alternative - HOA might be interested in maintaining; will discuss with city.
- Les Russell inquired about density units if age restricted housing was built and Bill replied he was not sure, might be 10 d.u. per acre.
- John Overland asked if the city might be interested in golf course – a number of RPPB members dismissed the idea that the city might add another golf course to its public facilities.
- Patricia (Cristamar) inquired if the Muslim Community Center on Via Fiesta Street could relocate to a commercial site near Main Street where it might be more appropriate. Joost Bende added that the developer decided early on that the specific parcel was designated for a religious institution, but added that if the MCC chose to sell the Via Fiesta St property and purchase another in the commercial area to build the MCC a conditional use permit if they so desired.
- RPPB Chair, Charles Sellers, thanked Bill for his time.

### b. **Torrey Brooke II – ACTION ITEM**

Russ De Phillips and Roger Bhatia from Milberg & DePhillips, P.C. are asking for the approval of T.B. II from the full RPPB.

Background: 2 single family detached units instead of the 3 originally proposed on the 2.13 acre parcel located adjacent to Torrey Brooke I at the foot of La Herena Ct. Property will be served by private driveway with HOA to maintain and have CC&Rs. Architecture

is same as T.B.I - Italian style villas with tile roofs and stucco/stone exteriors, 28 ft. maximum height.

i. LUC Meeting Report, 9/5/07 – DePhillips & Bhatia attended the LUC to present final plans and get a recommendation to approve from the sub-committee and the full RPPB. Note that Jon Becker recused himself (an affiliated firm did some environmental work on project).

- All city cycle issues have been addressed and the committee approved a motion to recommend approval of the project plan with the added recommendation that the 2 homes are annexed into the existing HOA for Torrey Brooke I.
- Charles noted that the committee expressed concern about private drive maintenance as an independent HOA, recommending they join the existing HOA; and questioned the sewer connection as the properties are located down hill of the sewer main.

ii. Questions & Comments:

- Keith Rhodes commented that cost to maintain a private road and the landscape might be a barrier to joining the existing HOA, conflicts could arise between the 2 property owners not agreeing on maintenance expenses if separate HOA, etc. Suggested that we make annexing into the existing HOA a condition of approval.
- Joost Bende asked if there were other options to where the sewer line would connect to the trunk line so waste would not need to be pumped uphill.

Motion: To approve the project as presented with a strong recommendation that these 2 lots join the existing Torrey Brooke I HOA. M/S/C – Bende/LaGrone; Approved 11-0-0-1 Recusal (Becker).

c. **Reallocation of Community Funds priority – Bill Diehl**

Since the October 2006 RPPB approval of \$345,000 in community funds to be expensed for a specific list of projects, City Park Planning & Development Services has added development fees (approx. 25%) to the project costs. Bill would like RPPB to prioritize the list of projects that these monies will be allocated to fund. Brief discussion by board of the project order. Public Questions & Comment: none.

Motion: To reallocate the \$345,000 in Community Funds approved by RPPB at its October 4, 2006 meeting and prioritize funding of the projects in the following order:

1. Canyonside Lighting (Fields 6, 7, 8, & 9)
2. Off Leash Dog Park
3. Sidewalk Repair (Stargaze/Barrymore)
4. Bleachers (Canyonside Fields 8 & 9)
5. Pave Views West Batting Cage
6. Gravel Canyonside tree parking spot
7. Canyonside storage pad/landscaping
8. Park signs (Rolling Hills, Twin Trails, Ridgewood)
9. Tables & Chairs (Canyonside/Hilltop)

M/S/C - Bende/LaGrone; Approved 12-0-0.

Reference: October 4, 2006 meeting minutes - Motion: Diehl; 2nd James LaGrone - Approve allocation of Community funds for items as per the September 11, 2006 Community Fund Minutes. 13 for - 1 against - 0 abstentions.

d. **Bylaws Revision, Per City Mandate – Diehl/Egbert**

\*Board members have received a copy. Modifications that had been approved by RPPB

VACATION OF THAT PORTION OF BLACK MOUNTAIN ROAD DEDICATED PER O.S. 57, AND (2) THAT PORTION OF ORANGE GROVE AVENUE DEDICATED IN OLIVE GROVE TRACT, ACCORDING TO THE MAP FILED JULY 18, 1904 IN BOOK 24 PAGE 297 BE VACATED.

WHEREAS, it is proposed that (1) That portion of Black Mountain Road dedicated per O.S. 57, and (2) That portion of Orange Grove Avenue dedicated in Olive Grove Tract, according to the Map filed July 18, 1904 in Book 24 page 297 be vacated; and

WHEREAS, there is no present or prospective use for the public right of way, either for the facility for which the right of way was originally acquired or for any other public use of a like nature that can be anticipated; and

WHEREAS, the public will benefit from the vacation through improved use of land made available by the vacation; and

WHEREAS, the vacation or abandonment does not adversely affect any applicable land use plan; and

WHEREAS, the public facility for which the right of way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, California, as follows:

1. That (1) That portion of Black Mountain Road dedicated per O.S. 57, and (2) That portion of Orange Grove Avenue dedicated in Olive Grove Tract, according to the Map filed July 18, 1904 in Book 24 page 297, as more particularly referred to in

Resolution of Intention No. R-\_\_\_\_\_ TO BE FILLED IN, \_\_\_\_\_, is unnecessary for present or prospective public street purposes.

2. That (1) That portion of Black Mountain Road dedicated per O.S. 57, and (2) That portion of Orange Grove Avenue dedicated in Olive Grove Tract, according to the Map filed July 18, 1904 in Book 24 page 297, as more particularly shown on Drawing No. TO BE FILLED IN, on file in the office of the City Clerk as Document No. RR-\_\_\_\_ TO BE FILLED IN, \_\_\_\_\_, which said Drawing is attached hereto and made a part hereof, is ordered vacated.

3. That the Development Services Department shall cause a certified copy of this resolution, with attached exhibits, to be recorded in the office of the County Recorder.

**Project Chronology**  
TORREY BROOKE II-PTS 2118

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time</b>	<b>Applicant Response</b>
3/13/02	First Submittal	Project Deemed Complete		
4/22/02	First Review Complete	First Assessment Letter sent to applicant.	1 month 9 days	
1/7/03	Second Submittal			9 months
2/25/03	Second Review Complete	Second Assessment Letter sent to applicant.	1 month 18 days	
5/4/04	Third Submittal			1-year 2 months 21 days
6/16/04	Third Review Complete	Third Assessment Letter sent to applicant.	1 month 12 days	
10/15/04	Fourth Submittal			4 months
12/21/04	Fourth Review Complete	Fourth Assessment Letter sent to applicant.	2 months 6 days	
6/2/05	Fifth Submittal			5 months 19 days
9/26/05	Fifth Review Complete	Fifth Assessment Letter sent to applicant.	3 months 24 days	
5/23/08	All Issues Resolved by applicant	All Issues Resolved by applicant		3 years, 8 months
6/5/08	Public Hearing-Planning Commission		10 days	
<b>TOTAL PROJECT RUNNING TIME</b>		From Deemed Complete to Hearing	<b>6 Years, 4 months</b>	





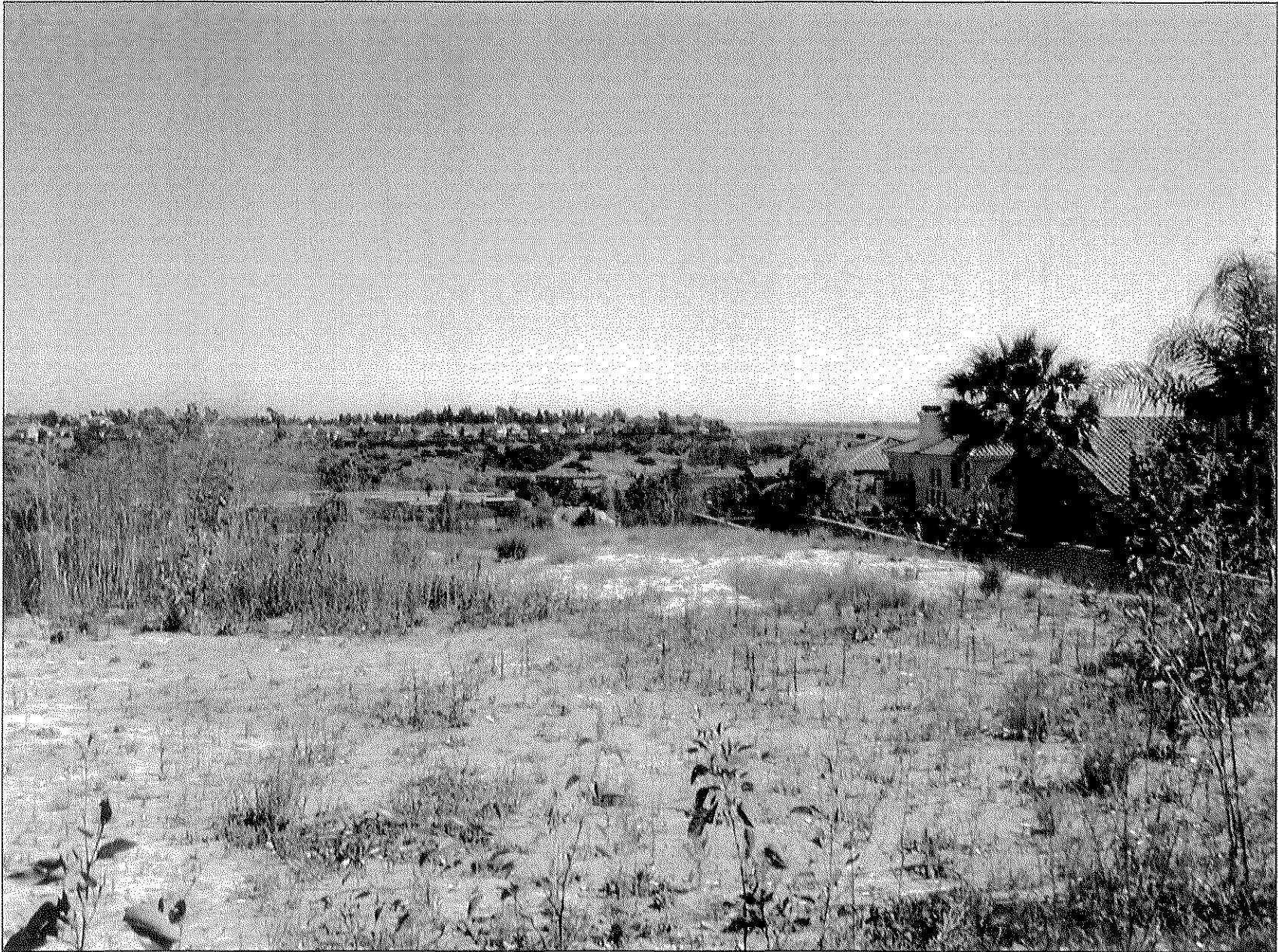
## Site Photo

TORREY BROOKE II – 14304 LA HARINA CT  
PROJECT NO. 2118



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