



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** March 4, 2010 **REPORT NO.** PC-10-013

**ATTENTION:** Planning Commission, Agenda of March 11, 2010

**SUBJECT:** DEL MAR MESA ESTATES-PROJECT NO. 131388  
PROCESS 4

**OWNER/  
APPLICANT:** Del Vino, LLC (Attachment 12)  
Dan Wery, RBF Consulting

### SUMMARY

**Issue(s):** Should the Planning Commission approve the subdivision of a 3.79 acre parcel into three lots for residential development? The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area.

### Staff Recommendations:

1. **CERTIFY** Findings to Master Environmental Impact Report No. 95-0353 and **ADOPT** the Mitigation, Monitoring and Reporting Program.
2. **APPROVE** Tentative Map No. 453796, Planned Development Permit No. 520791, and Site Development Permit No. 679276.

**Community Planning Group Recommendation:** The Del Mar Mesa Community Planning Board approved the project on July 9, 2009, by a vote of 10-0 subject to conditions (Attachment 11).

**Environmental Review:** Findings to Master Environmental Impact Report No. 95-0353, Project No. 131388/SCH No. 93071097 have been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented to reduce, to a level of insignificance, any potential impacts identified in the environmental review process.

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

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

## **BACKGROUND**

The 3.79 acre Del Mar Mesa Estates project site is an undeveloped lot located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella (Attachment 3). The property is surrounded by existing single family estate residential development to the east, west and south and the recently approved Silverberger Estates which is located to the north (Attachment 1).

The site is a legal building lot with access to an existing private driveway named Caminto Stella. The three proposed lots will share access from one common driveway joining with Caminito Stella. Caminito Stella is a 26-foot wide paved, private common driveway which was approved as part of the Mesa Grande Subdivision in 2003. Caminito Stella joins with Del Vino Court, which is a public street.

## **DISCUSSION**

### **Project Description:**

The Del Mar Mesa Estates project proposes to subdivide the 3.79 acre lot into three single-family residential lots ranging in size from 1.17 to 1.43 acres (Attachment 1). The project site is designated Estate Residential in the Del Mar Mesa Specific Plan (DMMSP) and is zoned AR-1-2, which requires a one-acre minimum lot area (Attachment 2). The proposed project has been designed to be in conformance with the site's land use designation, the DMMSP's community design guidelines, and project specific "design guidelines". The project's specific design guidelines include: building design; materials and color; paving; lighting; roofing; landscaping and brush management (Attachment 10). Each new residence will be required to submit for a Substantial Conformance Review (Process 2) to insure compliance with the permit and the project's specific design guidelines. As part of the Tentative Map, the project is also required to construct and maintain a 12-foot wide private multi-use trail, approximately 440-feet in length. The trail will be constructed with a decomposed granite surface for access along the northern

portion of the property (Attachment 6). The trail will also be designed in conformance with the Land Development Manual Landscape standards and be maintained by the Home Owner's Association. The trail access, while private, can be accessed by other users of Caminito Stella, such as, the Mesa Grande development to the west of Del Mar Mesa Estates.

#### Discretionary Actions:

As proposed the project requires approval of a Tentative Map for the subdivision of land and delineation of the multi-use trail; a Planned Development Permit (PDP) for deviations to the development regulations; and a Site Development Permit (SDP) because the site contains and is adjacent to environmentally sensitive lands.

#### *Planned Development Permit*

One of the goals of the DMMSPP is to preserve the rural character of Del Mar Mesa while accommodating clustered development and the preservation of open space. In order to meet this goal, the project is requesting two deviations from the development regulations of the San Diego Municipal Code (SDMC). One deviation is related to street frontage for all three lots and the second is for lot width for Lot 2. The Specific Plan states that a PDP is an appropriate means when requesting deviations provided it does not negatively impact the rural character of the community.

To maintain the rural character of the community the DMMSPP encourages the use of shared streets and driveways to minimize access points and pavement in order to create the "openness" characteristic of a rural community. The project restricts access from the existing private driveway, Caminito Stella, by providing one shared driveway for all three proposed lots. However, private roads and driveways do not qualify as "street" frontage as defined by the SDMC. Therefore, a deviation is required for all three proposed lots to take access from a shared driveway and from Caminito Stella. Since all three lots will take access in this manner they will not meet the required minimum street frontage of 100 feet required by the zone. The street frontage deviation can be supported because the design for all three lots supports the DMMSPP community design guidelines and characteristics of a rural community.

A second deviation is being requested for Lot 2. Lot 2 is a flag lot and does not meet the minimum lot width of 100 feet; however, it does otherwise have sufficient developable area and will only take access via the 20-foot wide flag portion of the lot. The lot configuration can be supported since it was designed to access the common driveway of the development and minimizes access points as recommended by the DMMSPP.

#### *Site Development Permit*

A Site Development Permit is required for impacts to Environmentally Sensitive Lands (ESL) as defined by the SDMC Section 143.0110. The project site has mapped Multi-Habitat Planning Area (MHPA) in the northwestern corner of the property and also abuts a portion of MHPA (Attachment 5). The City of San Diego conducted an Initial Study to determine whether the Del

Mar Mesa Estates Project would cause any new significant impacts that were not examined in the MEIR. The proposed project is within the scope of the MEIR and the implementation will not result in any additional impacts beyond those identified in the MEIR. All applicable mitigation measures set forth in the MEIR have been incorporated into the proposed project through a project-specific Mitigation, Monitoring and Reporting Program (MMRP).

**General/Community Plan Analysis:**

*Del Mar Mesa Specific Plan*

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

The Specific Plan designates the project site for Estate Residential development (Attachment 2). For parcels designated Estate Residential within the AR-1-2 zone, the Plan establishes the residential density as that permitted by the zone, which is one dwelling unit per acre. The 3.79 acre site could accommodate up to three dwelling units. Therefore, the proposed three lot residential subdivision is consistent with Specific Plan land use. The project application was not reviewed for consistency with the 2008, General Plan because the project application was submitted and deemed complete prior to the General Plan update. The project is therefore subject to the 1979, Progress Guide and General Plan. However, the Del Mar Mesa Specific Plan contains the more detailed, community-specific land use recommendations required by the 2008, General Plan and is therefore the primary document used for project reviews.

The Specific Plan's grading objectives recommend development be sited on the flatter areas of sites to preserve steep slopes and canyons. Generally, large quantities and large areas of grading are to be avoided and special care taken when sites develop to preserve landforms adjacent to open space. The project site is not directly adjacent to designated open space, although there is open space nearby within the canyon to the northwest. The proposed grading plan establishes vertical separation between lots following the sloping landform of the site and provides rounded contours at the corners of the pads similar to other developments within this portion of the community.

The Specific Plan encourages the use of shared streets and driveways to minimize access points and pavement in order to create the "openness" characteristic of a rural community. The project

minimizes access from the existing private street, Caminito Stella, by utilizing one driveway to access all three proposed lots.

The Specific Plan also recommends trails with a decomposed granite surface along local streets in place of concrete sidewalks in order to maintain the rural character of the community. The trails are to be six feet wide to provide access for pedestrian, equestrian and bicycle users in one facility. Caminito Stella was constructed by the subdivision to the west (Mesa Grande) to access that development and did not contain a trail or sidewalk in order to minimize impacts on adjacent properties. The Del Mar Mesa Estates project would construct a six foot wide trail and six foot wide parkway along the Caminito Stella frontage adjacent to proposed lots 1 and 3, except within a 50 foot portion of lot 3 at the western property boundary where existing utility boxes would have to be relocated to construct the trail. A trail segment offsite that would link proposed Lot 1 and Del Vino Court is not a requirement of this subdivision.

**Del Mar Mesa Community Planning Board Recommendations:**

This project was approved by the Del Mar Mesa Community Planning Board on July 9, 2009, by a vote of 10-0 (Attachment 11) subject to the following conditions:

Condition No. 1: The Home Owner's Association (HOA) shall be responsible for maintaining the trail easement.

Staff Response: Development Permit Condition 43 requires the Permittee or subsequent owner shall be responsible for all repair and maintenance of the trail and parkway along Caminito Stella adjacent to the project consistent with the Land Development Manual Landscape standards.

Condition No. 2: Disclosure regarding the keeping of horses.

Staff Response: Development Permit Condition No 45 requires that disclosure shall be made to all future homebuyers that Del Mar Mesa is a semi-rural community which permits residents to maintain horses and horse stables on their residential property subject to the horse-keeping provisions of the San Diego Municipal Code, Section 44.0308.

**Conclusion:**

The proposed Del Mar Mesa Estates project conforms to the land use designation and community design guidelines in the Del Mar Mesa Specific Plan. The project would provide the required rural character and design features established in the DMMSP for estate residential development. The project as proposed is also compatible with the existing surrounding developments and the deviations proposed can be supported by staff.

**ALTERNATIVE' S**

1. **CERTIFY** Findings to Master Environmental Impact Report No. 95-0353, Project No. 131388/SCH No. 93071097; **ADOPT** the Mitigation, Monitoring and Reporting Program and **APPROVE** Tentative Map No. 453796, Planned Development Permit No. 520791, Site Development Permit No. 679276, **with modifications.**
2. **DENY** Tentative Map No. 453796, Planned Development Permit No. 520791, Site Development Permit No. 679276, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



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Mike Westlake  
Program Manager  
Development Services Department



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Helene Deisher  
Project Manager  
Development Services Department

KGB/HMD

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan(s)
6. Tentative Map
7. Draft Map Conditions and Subdivision Resolution
8. Draft Permit with Conditions
9. Draft Permit Resolution with Findings
10. Del Mar Mesa Estates Design Guidelines (under separate cover for Planning Commission only)
11. Community Planning Group Recommendation
12. Ownership Disclosure Statement

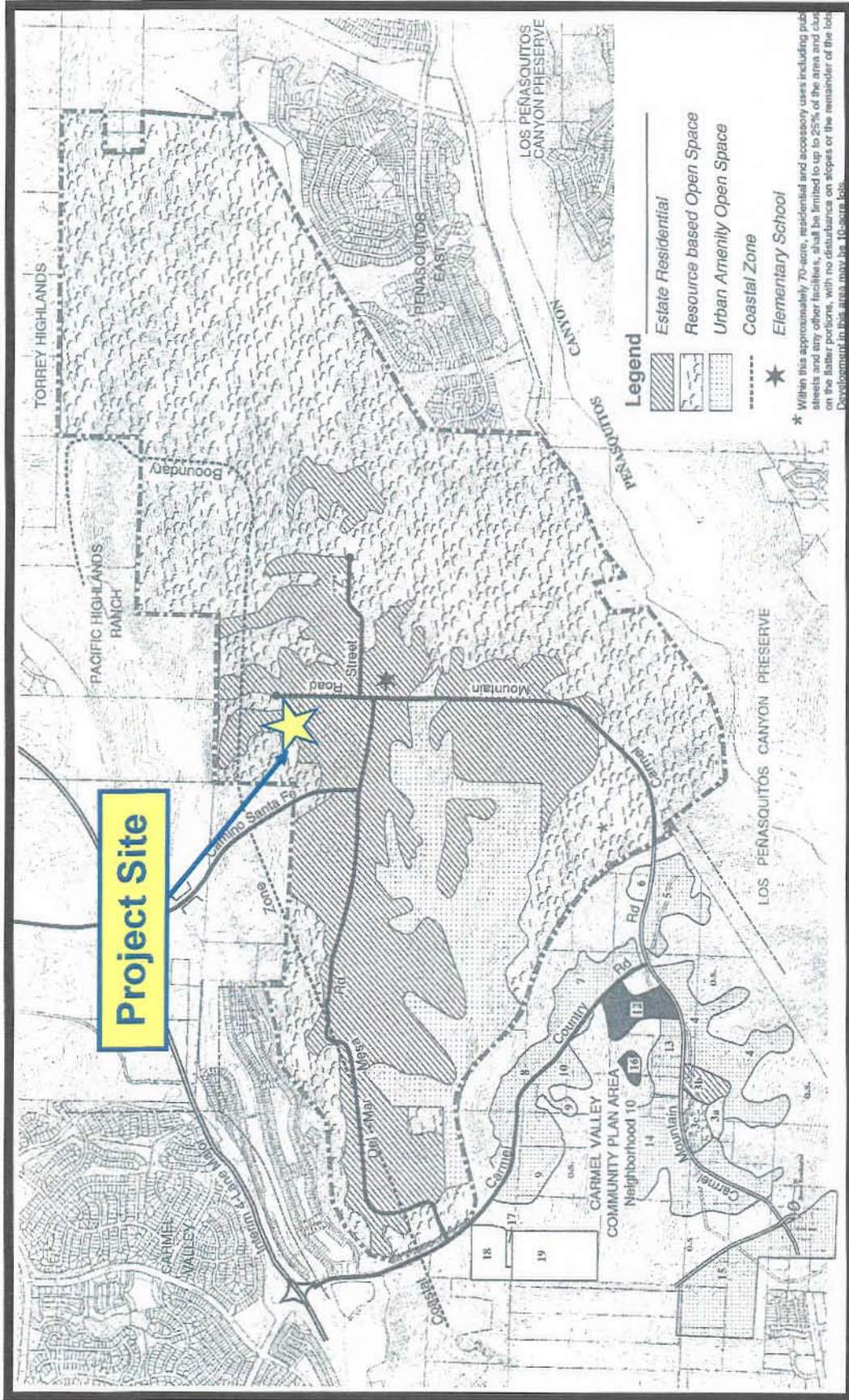




**Aerial Photo**  
**DEL MAR MESA ESTATES - PROJECT NO. 131388**

Caminito Stella





# Del Mar Mesa Land Use Map

**DEL MAR MESA ESTATES—PROJECT NUMBER 131388**

**CAMINITO STELLA**







## Project Location Map

DEL MAR MESA ESTATES- PROJECT NUMBER 131388501

Caminito Stella



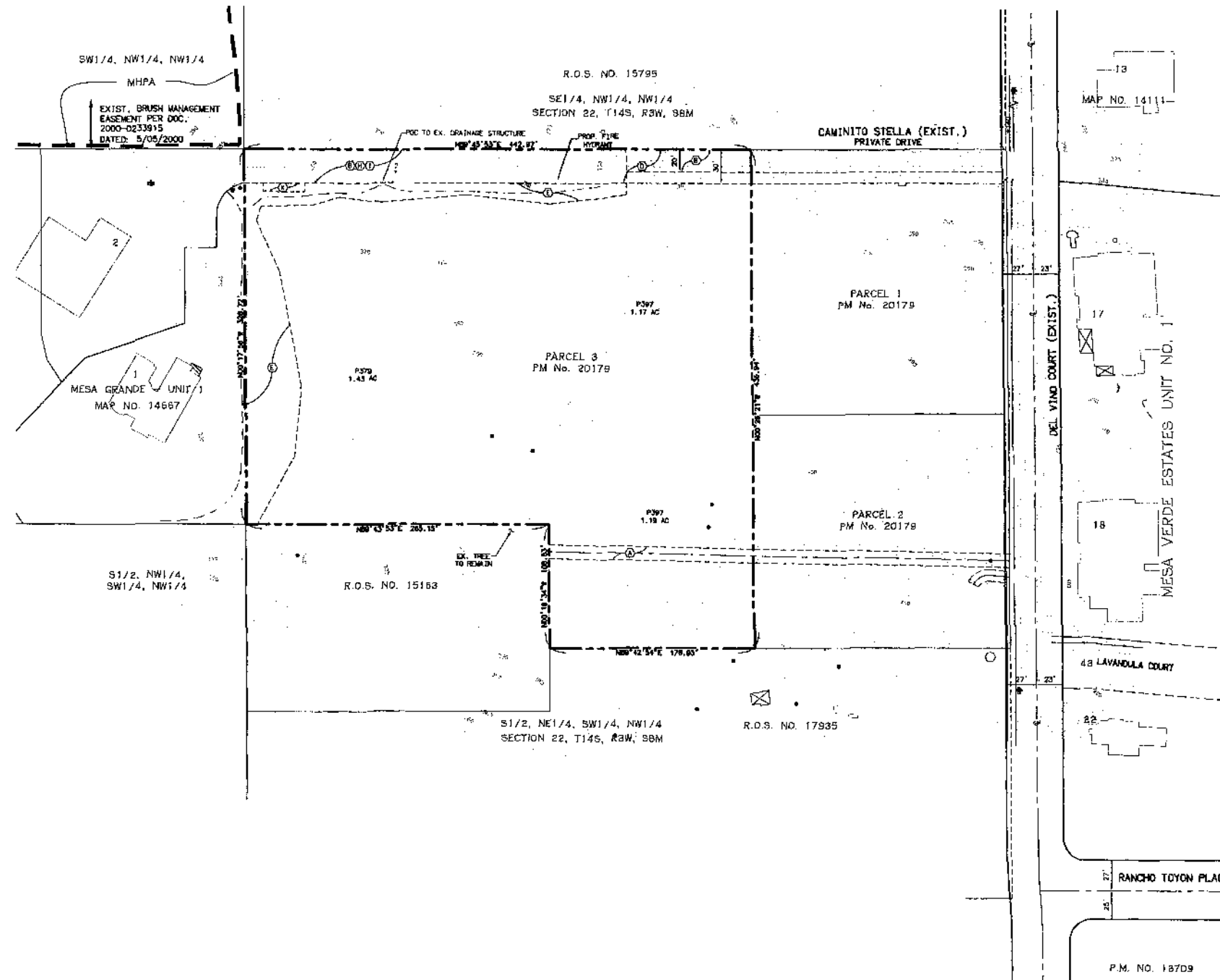
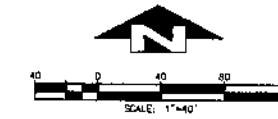
# PROJECT DATA SHEET

<b>PROJECT NAME:</b>	PTS 131388 – Del Mar Mesa Estates	
<b>PROJECT DESCRIPTION:</b>	Subdivision of a parcel into 3 single family residential units	
<b>COMMUNITY PLAN AREA:</b>	Del Mar Mesa Specific Plan	
<b>DISCRETIONARY ACTIONS:</b>	Planned Development Permit, Site Development Permit, & Tentative Map to develop three single family custom home sites.	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Estate Residential	
	<b><u>REQUIRED:</u></b>	<b><u>PROPOSED:</u></b>
<b>ZONE:</b>	AR-1-2	AR-1-2
<b>DENSITY:</b>	1 du/acre max.	Does not exceed 1 du/acre
<b>HEIGHT LIMIT:</b>	30-feet	No buildings proposed
<b>LOT SIZE:</b>	1-acre min.	All lots exceed 1-acre
<b>FLOOR AREA RATIO:</b>	NA	No floor area proposed
<b>FRONT SETBACK:</b>	25-feet	25-feet
<b>SIDE SETBACK:</b>	20-feet	20-feet
<b>STREETSIDE SETBACK:</b>	NA	NA
<b>REAR SETBACK:</b>	25-feet	25-feet
<b>PARKING:</b>	Min. 2 spaces per dwelling	Min. 2 spaces per dwelling
<b><u>ADJACENT PROPERTIES:</u></b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Estate Residential; AR-1-2	Single Family Residential
<b>SOUTH:</b>	Estate Residential; AR-1-2	Single Family/Agricultural
<b>EAST:</b>	Open Space/Estate Residential; AR-1-2	Single Family Residential
<b>WEST:</b>	Estate Residential; AR-1-2	Single Family Residential
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	Deviations from 100' min. lot width (30' proposed on parcel 2), and 100' min. street frontage (none proposed).	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	The Del Mar Mesa Community Planning Board approved the project on July 9, 2009 by a vote of 10-0 subject to conditions which are being implemented.	



# DEL MAR MESA ESTATES

PLANNED DEVELOPMENT PERMIT No. 520791



**EXISTING EASEMENTS**

DESCRIPTION
12" SEWER EASEMENT
PRIVATE EASEMENT FOR ROAD PURPOSES
GENERAL UTILITY AND ACCESS EASEMENT
PRIVATE GRADING, LANDSCAPE AND MAINTENANCE EASEMENT
PRIVATE ADDRESS AND UTILITY EASEMENT
SEWER EASEMENT
SEWER EASEMENT

**LEGEND**

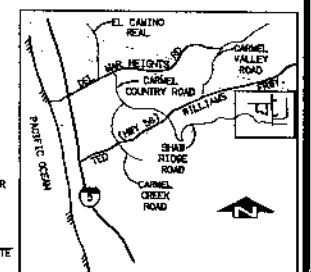
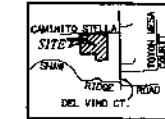
	SUBDIVISION/TEMPORARY MAP BOUNDARY
	LOT LINE
	EASEMENT
	WATER MAIN
	SEWER MAIN
	FORCED SEWER LATERAL
	SPOT ELEVATION
	10' CONTOUR
	6' CONTOUR
	POWER POLE
	MANHOLE
	WATER VALVE
	FIRE HYDRANT
	UTILITY FIXTURE

**\* PROJECT CONSULTANTS \***

**PLANNER/CIVIL ENGINEER**  
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 FAX: (658) 910-1450

**LANDSCAPE ARCHITECT**  
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 14725 ALTON PARKWAY  
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 FAX: (949) 837-4122

**\* PROJECT LOCATION \***



**APPLICANT**  
**DEL VINO COURT, LLC**  
 CONTACT: HENRY HO, MANAGING PARTNER  
 7430 UNIVERSITY AVE., SUITE 101  
 LA MESA, CA 91949  
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HENRY HO, MANAGING PARTNER DATE

NAD 83 COORDINATE = 1204-8275  
 LAMBERT COORDINATE/NAID 27 = 284-1719

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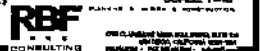
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 12586, 12642 DEL VINO COURT  
 SAN DIEGO, CA 92130

Project Name:  
**DEL MAR MESA ESTATES**

Sheet Title:  
**EXISTING CONDITIONS AND TOPOGRAPHIC MAP**

Revision 12: \_\_\_\_\_  
 Revision 11: \_\_\_\_\_  
 Revision 10: \_\_\_\_\_  
 Revision 9: \_\_\_\_\_  
 Revision 8: \_\_\_\_\_  
 Revision 7: \_\_\_\_\_  
 Revision 6: \_\_\_\_\_  
 Revision 5: 9/18/09  
 Revision 4: 4/14/09  
 Revision 3: 4/1/08  
 Revision 2: 12/20/07  
 Revision 1: 11/3/07  
 Original Date: 8/23/07  
 Sheet \_\_\_\_\_ of 3  
 PDS# 131388

**SHEET 2**  
SCALE: 1"=40'





# DEL MAR MESA ESTATES

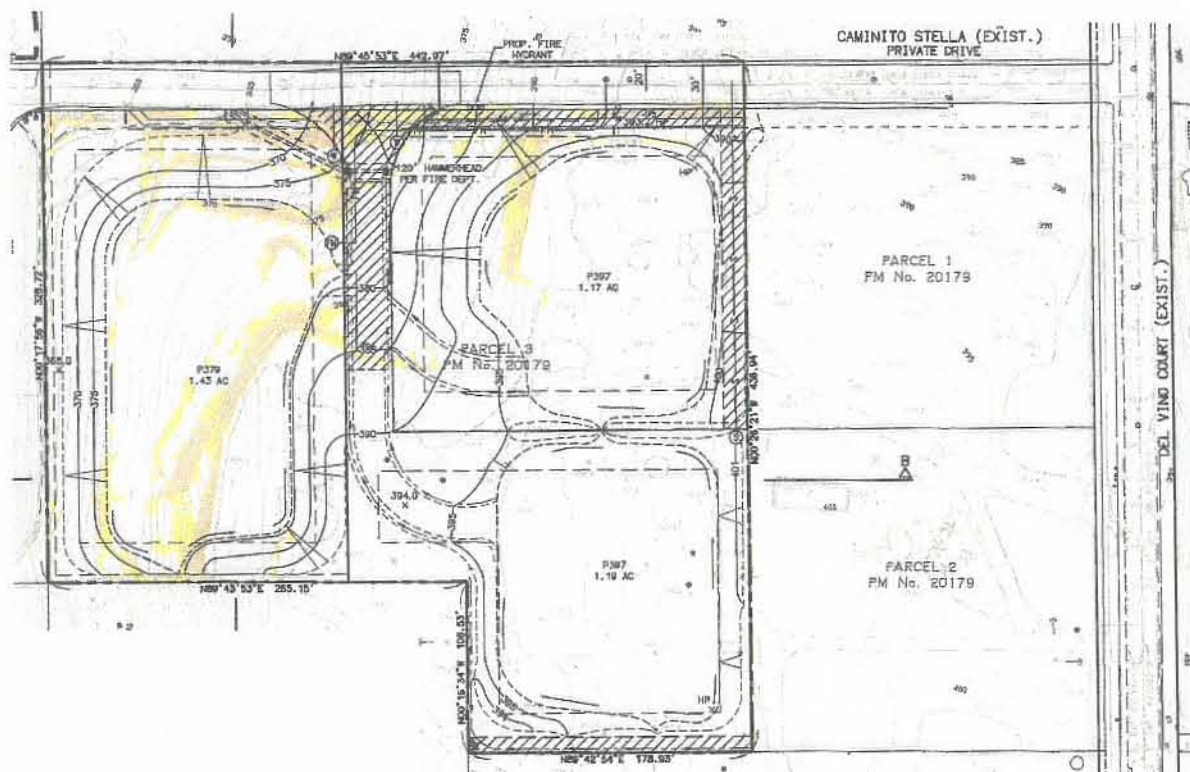
## PLANNED DEVELOPMENT PERMIT No. 520791

**SURFACE LEGEND**

COLOR	RANGE BEG.	RANGE END	PERCENT	AREA
0.00	25.00	39.4	3.35 AC	
25.00	35.00	5.3	0.20 AC	
35.00	AND OVER	8.4	0.24 AC	
<b>TOTAL:</b>				<b>3.79 AC</b>

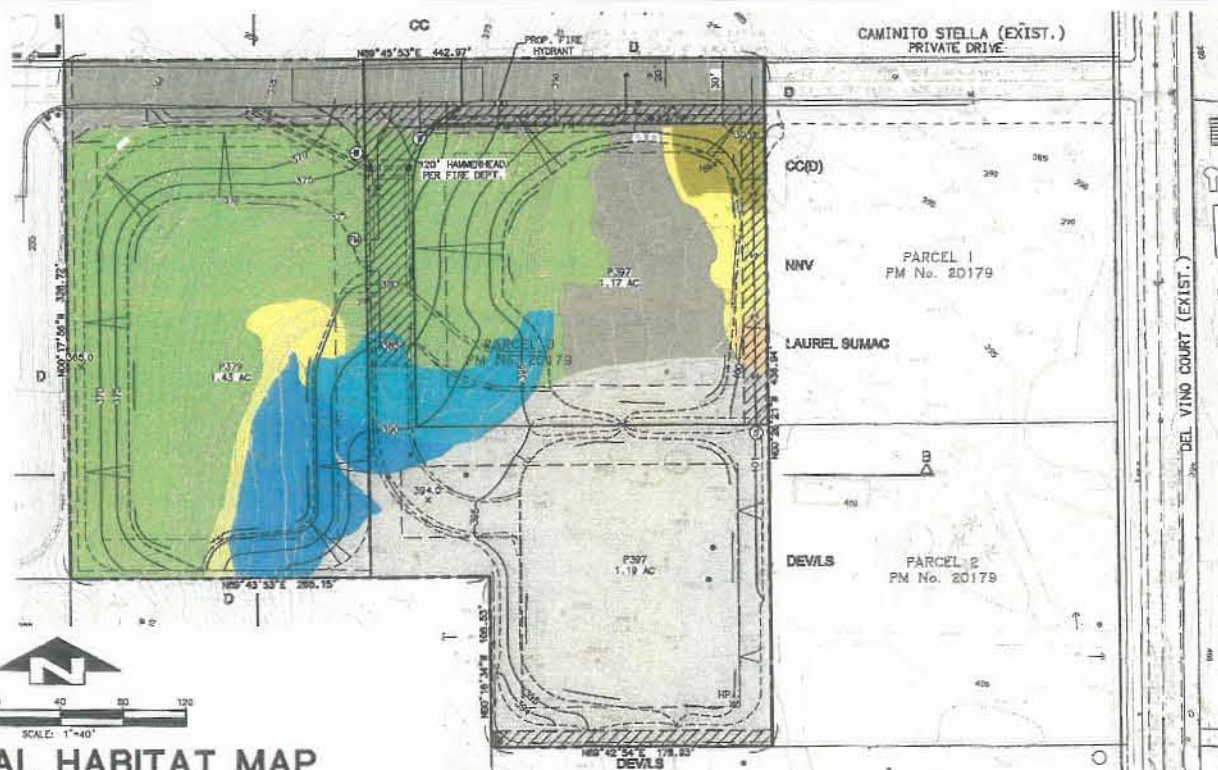


**SLOPE ANALYSIS/  
ESL STEEP SLOPE MAP**



**LEGEND**

EXISTING	PROPOSED
SUBDIVISION/INITIATIVE MAP BOUNDARY	
LOT LINE	
EASEMENT	
WATER MAIN	
SEWER MAIN	
FORCED SEWER LATERAL	
TYPE "J" CONCRETE DITCH	
GRASS LINED DRAIN	
SPOT ELEVATION	
10' CONTOUR	
5' CONTOUR	
POWER POLE	
MANHOLE	
WATER VALVE	
FIRE HYDRANT	
UTILITY FIXTURE	
RIP RAP	
LOT SETBACKS	
SECM	
PARCEL NUMBER	4
PARCEL ELEVATION	P392
LOT AREA	3.79 AC



**BIOLOGICAL LEGEND**

CC	CHAMISE CHAPARRAL
CC(D)	CHAMISE CHAPARRAL DISTURBED
CSS	COASTAL SAGE SCRUB
DCSS	DISTURBED COASTAL SAGE SCRUB
NNV	NON-NATIVE VEGETATION
D	DISTURBED
DEVLS	DEVELOPED/LANDSCAPED
	LAUREL SUMAC

**BIOLOGICAL CALCULATION**

CC	1.38 AC
CC(D)	0.08 AC
CSS	0.17 AC
DCSS	0.21 AC
NNV	0.14 AC
D	0.69 AC
DEVLS	1.13 AC
LAUREL SUMAC	0.01 AC
<b>TOTAL</b>	<b>3.79 AC</b>



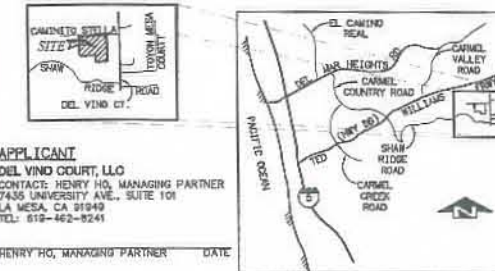
**BIOLOGICAL HABITAT MAP**

**\* PROJECT CONSULTANTS \***

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**\* PROJECT LOCATION \***



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HENRY HO, MANAGING PARTNER DATE

NAD 83 COORDINATE = 1204-8275  
LAMBERT COORDINATE/NAD 83 = 284-873

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Project Address:  
12086 12242 DEL VINO COURT  
SAN DIEGO, CA 92130

Project Name:  
**DEL MAR MESA ESTATES**

Sheet Title:

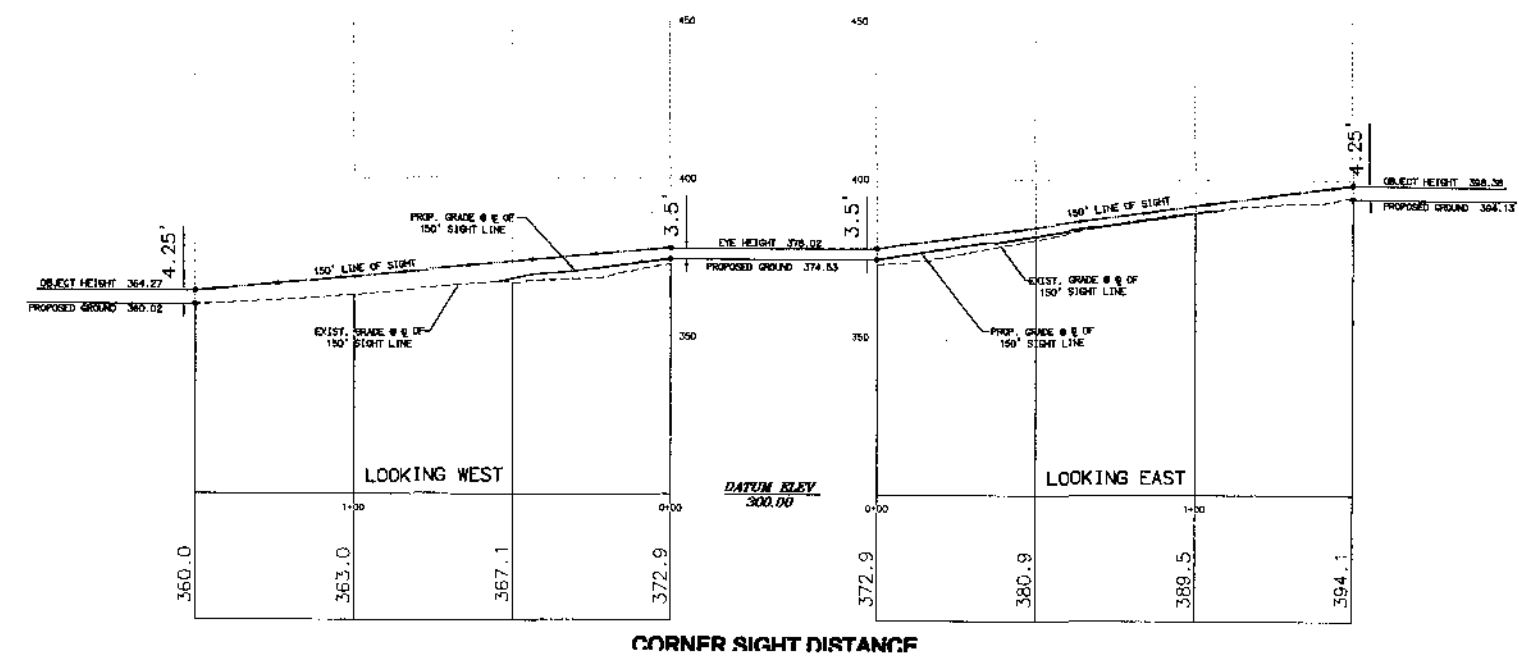
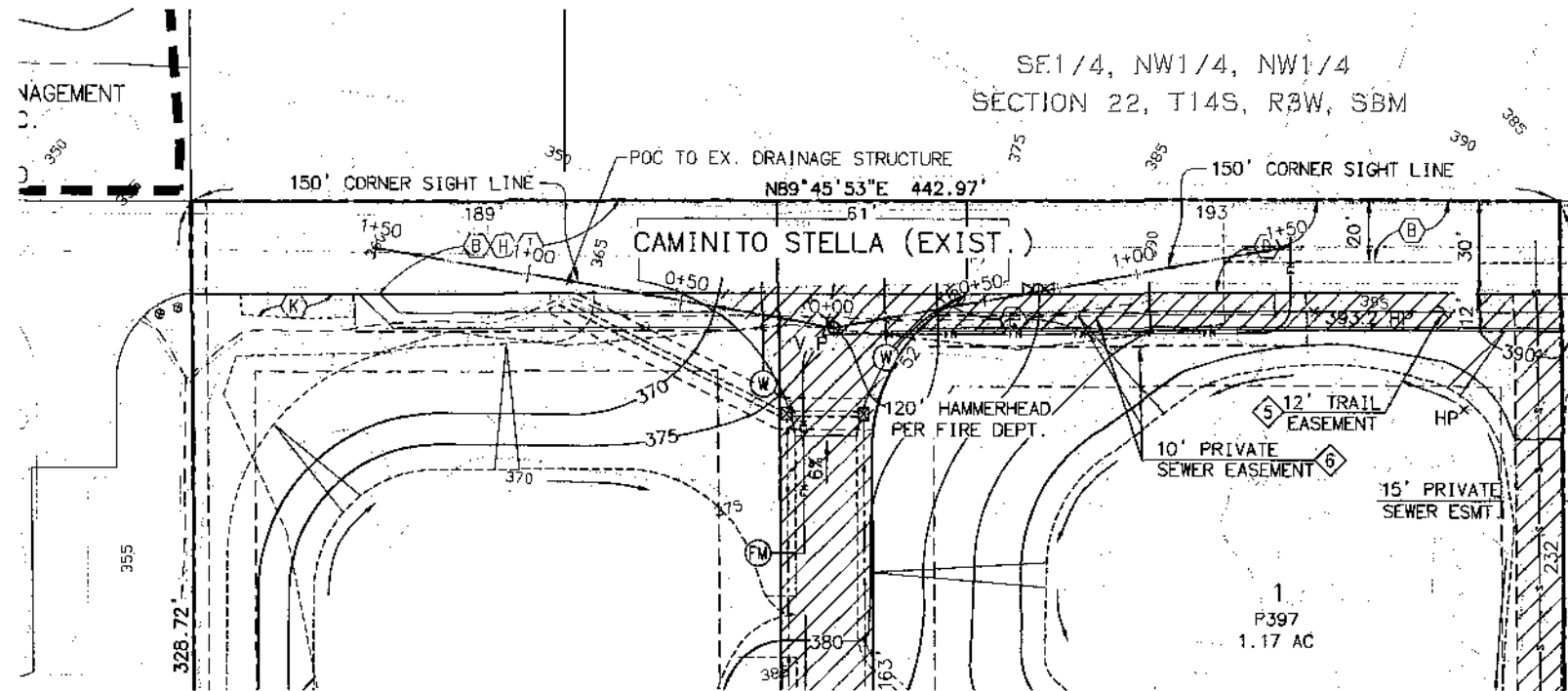
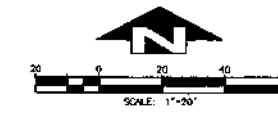
**SLOPE ANALYSIS/  
ESL STEEP SLOPE MAP AND  
BIOLOGICAL HABITAT MAP**

**SHEET 3**  
SCALE: 1"=40'

RBF CONSULTING

# DEL MAR MESA ESTATES

## SIGHT VISIBILITY STUDY



**CORNER SIGHT DISTANCE**

**\* DEVELOPMENT SUMMARY \***

**PROJECT DESCRIPTION**  
A 3 LOT TENTATIVE MAP AND 3 LOT PLANNED DEVELOPMENT PERMIT FOR A 3 LOT SUBDIVISION IN THE DEL MAR MESA COMMUNITY.  
**REQUIRED APPROVAL & PERMITS**  
- TENTATIVE MAP (3 LOTS)  
- PLANNED DEVELOPMENT PERMIT FOR ENVIRONMENTALLY SENSITIVE LANDS.

**\* PROJECT DATA \***

**LEGAL DESCRIPTION**  
PARCELS 3 OF PARCEL MAP NO. 20170, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, ACCORDING TO MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 27, 2008.  
**ASSIGNOR PARCEL NUMBER**  
308-020-08  
**COMMUNITY PLAN**  
DEL MAR MESA  
**COMMUNITY PLAN DESIGNATION**  
ESTATE RESIDENTIAL (1 CU/ACRE)  
**ZONING DESIGNATION**  
EXISTING: RM-1-2 (AGRICULTURAL RESIDENTIAL) (MIN. 1 ACRE LOT SIZE)  
PROPOSED: NO CHANGE  
**GROSS SITE AREA**  
3.79 AC

**LEGEND**

EXISTING	PROPOSED
SUBDIVISION/TENTATIVE MAP BOUNDARY	---
LOT LINE	---
EASEMENT	////
WATER MAIN	—W—
SEWER MAIN	—S—
FORCED SEWER LATERAL	—FSL—
TYPE "U" CONCRETE DITCH	—U—
GRASS LINED SWALE	—GL—
SPOT ELEVATION	•
10' CONTOUR	~
5' CONTOUR	~
PUNCTURE POLE	•
MANHOLE	•
WATER VALVE	•
FIRE HYDRANT	•
UTILITY FIXTURE	•
RIP RAP	•
LOT SETBACKS	---
DEMN	---
PARCEL NUMBER	4
PAD ELEVATION	P922

**\* PROJECT CONSULTANTS \***

<b>PLANNER/CIVIL ENGINEER</b> RBF CONSULTING CONTACT: DAN WERY 8705 CLAREMONT MESA BLVD., #100 SAN DIEGO, CA 92124 TEL: (619) 614-5061 FAX: (619) 610-1450	<b>LANDSCAPE ARCHITECT</b> RBF CONSULTING CONTACT: JEREMY FRANZINI 14725 ALTON PARKWAY IRVINE, CA 92618 TEL: (949) 472-3805 FAX: (949) 837-4122
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**\* PROJECT LOCATION \***

**APPLICANT**  
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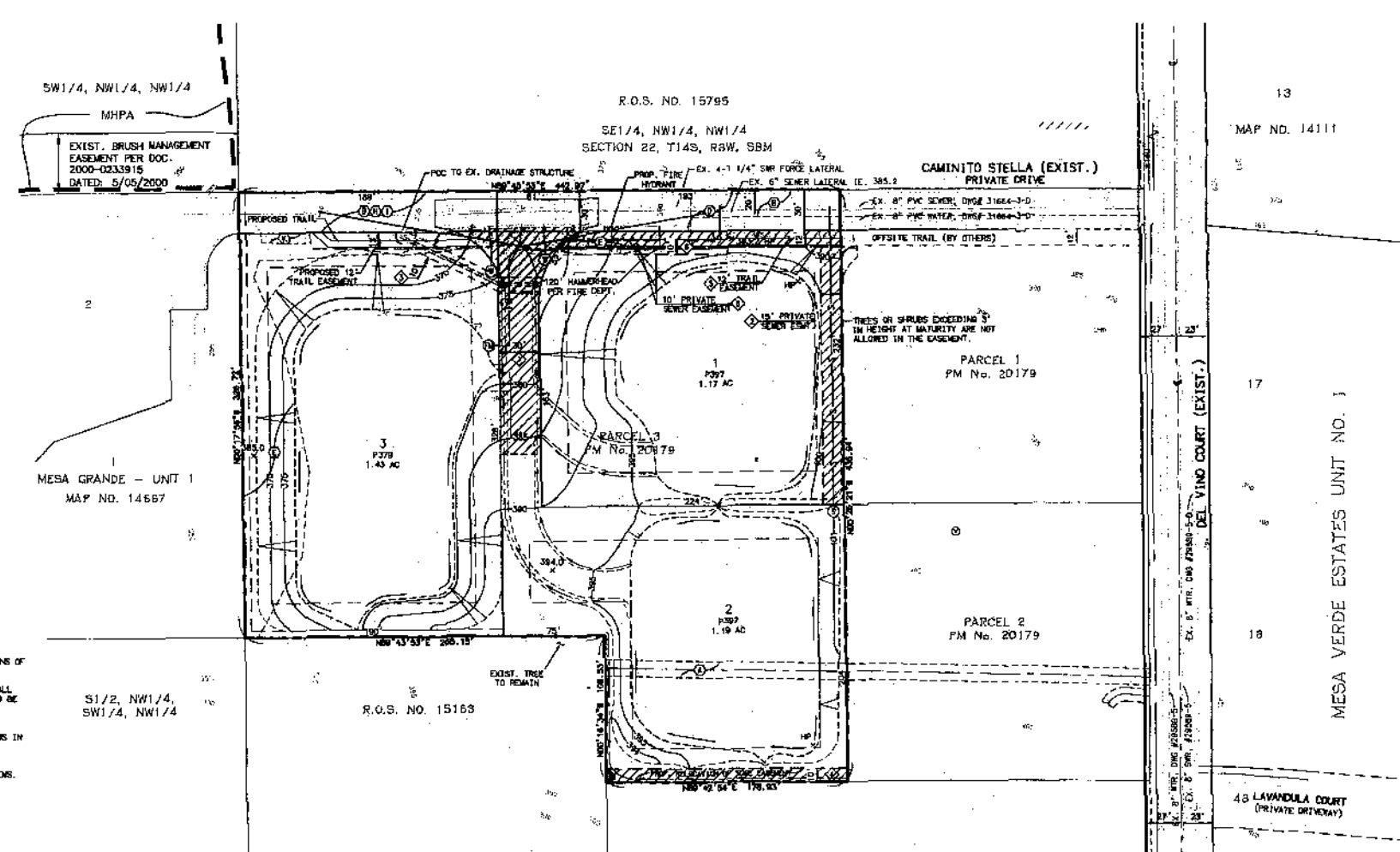
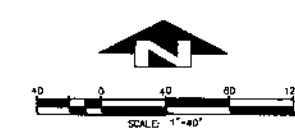
HENRY HO, MANAGING PARTNER      DATE: \_\_\_\_\_

NAD 83 COORDINATE = 1524-8275  
LAMBERT COORDINATE = 27 = 284-078

Prepared By: RBF CONSULTING CONTACT PERSON: DAN WERY 8705 CLAREMONT MESA BLVD. #100 SAN DIEGO, CA 92124 TEL: (619) 614-5061 FAX: (619) 610-1450	Project Address: 1524-8275 DEL VINDO COURT SAN DIEGO, CA 92124	Project Name: DEL MAR MESA ESTATES	Revision 10: _____ Revision 9: _____ Revision 8: _____ Revision 7: _____ Revision 6: _____ Revision 5: 6/28/09 Revision 4: 5/14/09 Revision 3: 4/7/09 Revision 2: 12/20/07 Revision 1: 11/28/07 Original Date: 5/28/07 Sheet 5 of 5 PI# 131288
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# DEL MAR MESA ESTATES

## TENTATIVE MAP No. 453796



- GENERAL NOTE**
1. THE PARCEL MAP SHALL COMPLY WITH THE PROVISIONS OF PLANNED DEVELOPMENT PERMIT No. 030791.
  2. THE METHOD AND LAYOUT FOR THE CONVEYANCE OF ALL SURFACE DRAINAGE AND ALL PROPOSED BMPs SHOULD BE CONSISTENT WITH THE WATER QUALITY TECHNICAL REPORT SITE PLAN (WITH EXHIBIT 'D').
  3. PROVIDE FIRE ACCESS ROADWAY SIGNS OR RED CURBS IN ACCORDANCE WITH FIPS POLICY A-00-1.
  4. ALL ON-SITE WATER FACILITIES WILL BE PRIVATE, INCLUDING DOMESTIC, FIRE AND IRRIGATION SYSTEMS.

**SERVICE PROVIDERS**

	STATUS
• WATER	CITY OF SAN DIEGO EXISTING UNDERGROUND
• SEWER	CITY OF SAN DIEGO EXISTING UNDERGROUND
• GAS	SONIC EXISTING UNDERGROUND
• ELECTRIC	SONIC EXISTING OVERHEAD
• TELEPHONE	AT&T/SBC EXISTING OVERHEAD
• CABLE TV	COX CABLE EXISTING OVERHEAD

• FIRE PROTECTION: CITY OF SAN DIEGO  
 • ELEMENTARY SCHOOL DISTRICT: DEL MAR UNION SCHOOL DIST.  
 • HIGH SCHOOL DISTRICT: SAN DIEGO UNION SCHOOL DIST.

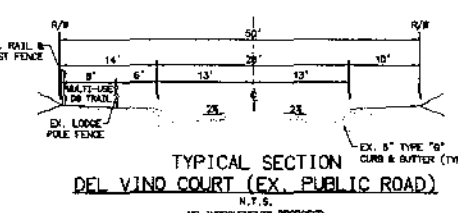
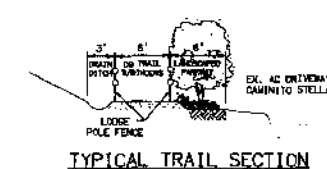
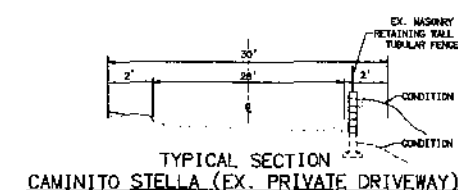
**PROPOSED EASEMENTS**

DESCRIPTION	DISPOSITION
12" PRIVATE SEWER EASEMENT	TO BE RELOCATED AND UNDERGROUND
18" PRIVATE SEWER EASEMENT	TO REMAIN
10' PRIVATE STORM DRAIN EASEMENT	TO REMAIN
10' SEWER EASEMENT	TO REMAIN
12" PRIVATE TRAIL EASEMENT	TO REMAIN
10' PRIVATE SEWER EASEMENT	TO REMAIN

**EXISTING EASEMENTS\***

DESCRIPTION	DISPOSITION
12" SEWER EASEMENT	TO BE RELOCATED AND UNDERGROUND
PRIVATE EASEMENT FOR ROAD PURPOSES	TO REMAIN
GENERAL UTILITY AND ACCESS EASEMENT	TO REMAIN
PRIVATE GRADING, LANDSCAPE AND MAINTENANCE ESM.	TO REMAIN
PRIVATE ACCESS AND UTILITY EASEMENT	TO REMAIN
SEWER EASEMENT	TO REMAIN
SEWER EASEMENT	TO REMAIN

\* DATA SOURCE: CHICAGO TITLE, AUGUST 2007



**\* DEVELOPMENT SUMMARY \***

**PROJECT DESCRIPTION**  
 A 3 LOT TENTATIVE MAP AND 3 LOT PLANNED DEVELOPMENT PERMIT FOR A 3 LOT SUBDIVISION IN THE DEL MAR MESA COMMUNITY.

**REQUIRED APPROVALS & PERMITS**  
 • TENTATIVE MAP (3 LOTS)  
 • PLANNED DEVELOPMENT PERMIT

**\* PROJECT DATA \***

**LEGAL DESCRIPTION**  
 PARCEL 3 OF PARCEL MAP No. 20179, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, ACCORDING TO MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 21, 2006.

**ASSessor PARCEL NUMBER**  
 308-020-08

**COMMUNITY PLAN**  
 DEL MAR MESA

**COMMUNITY PLAN DESIGNATION**  
 ESTATE RESIDENTIAL (1 DU/ACRE)

**ZONING DESIGNATION**  
 EXISTING: RM-12 (RESIDENTIAL) (MIN. 1 ACRE LOT SIZE)  
 PROPOSED: NO CHANGE

**GROSS SITE AREA**  
 3.79 AC

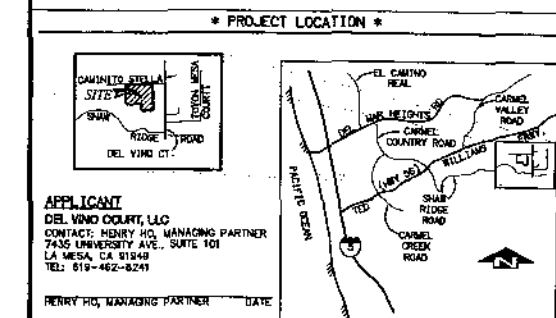
**LEGEND**

EXISTING	PROPOSED
SUBDIVISION/TENTATIVE MAP BOUNDARY	---
LOT LINE	---
EASEMENT	////
WATER MAIN	---
SEWER MAIN	---
FORCED SEWER LATERALS	---
TYPE "1" CONCRETE DITCH	---
GRASS LINED SWALE	---
SPOT ELEVATION	---
10' CONTOUR	---
5' CONTOUR	---
POWER POLE	---
MANHOLE	---
WATER VALVE	---
FIRE HYDRANT	---
UTILITY FIXTURE	---
RIP RAP	---
LOT SETBACKS	---
BEAM	---
PARCEL NUMBER AND ELEVATION	---
LOT ACRES	---
WATER SERVICE	---
SEWER SERVICE	---
DIRECTION OF FLOW	---

**\* PROJECT CONSULTANTS \***

**PLANNER/CIVIL ENGINEER**  
 RBF CONSULTING  
 CONTACT: DAN WERY  
 9755 CLAREMONT MESA BLVD., #100  
 SAN DIEGO, CA 92124  
 TEL: (619) 614-5081  
 FAX: (619) 614-1450

**LANDSCAPE ARCHITECT**  
 RBF CONSULTING  
 CONTACT: GREGORY FRANDSON  
 14725 ALTON PARKWAY  
 IRVINE, CA 92618  
 TEL: (949) 472-3300  
 FAX: (949) 437-4122



**APPLICANT**  
 DEL VINO COURT, LLC  
 CONTACT: HENRY HO, MANAGING PARTNER  
 7435 UNIVERSITY AVE., SUITE 101  
 LA MESA, CA 91948  
 TEL: 619-462-8241

HENRY HO, MANAGING PARTNER DATE: \_\_\_\_\_

Prepared By: RBF CONSULTING  
 CONTACT PERSON: DAN WERY  
 9755 CLAREMONT MESA BLVD., #100  
 SAN DIEGO, CA 92124  
 TEL: (619) 614-5081  
 FAX: (619) 614-1450

Project Address: 12946, 12942 DEL VINO COURT  
 SAN DIEGO, CA 92130

Project Name: DEL MAR MESA ESTATES

Sheet Title: TENTATIVE MAP

Scale: 1"=40'

Revision 10: \_\_\_\_\_  
 Revision 11: \_\_\_\_\_  
 Revision 12: \_\_\_\_\_  
 Revision 13: \_\_\_\_\_  
 Revision 14: \_\_\_\_\_  
 Revision 15: \_\_\_\_\_  
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 Revision 26: \_\_\_\_\_  
 Revision 27: \_\_\_\_\_  
 Revision 28: \_\_\_\_\_  
 Revision 29: \_\_\_\_\_  
 Revision 30: \_\_\_\_\_



ENGINEER OF WORK  
 DAN WERY  
 No. 41223  
 State of California  
 Civil Engineering



PLANNING COMMISSION CONDITIONS FOR  
TENTATIVE PARCEL MAP NO. 453796  
DEL MAR MESA ESTATES - PROJECT NO. 131388

ADOPTED BY RESOLUTION NO. R-\_\_\_\_\_ ON \_\_\_\_\_

**GENERAL**

1. This Tentative Map will expire March 11, 2013.
2. Compliance with all of the following conditions shall be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordation of the Parcel Map, unless otherwise noted.
3. Prior to the recordation of the Parcel Map, taxes must be paid on this property pursuant to Subdivision Map Act section 66492. To satisfy this condition, a tax certificate stating that there are no unpaid lien conditions against the subdivision must be recorded in the Office of the San Diego County Recorder.
4. The Parcel Map shall conform to the provisions of Planned Development Permit 520791 and Site Development Permit 679276.
5. The Subdivider shall defend, indemnify, and hold the City (including its agents, officers, and employees [together, "Indemnified Parties"]) harmless from any claim, action, or proceeding, against the City and/or any Indemnified Parties to attack, set aside, void, or annul City's approval of this project, which action is brought within the time period provided for in Government Code section 66499.37. City shall promptly notify Subdivider of any claim, action, or proceeding and shall cooperate fully in the defense. If City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

Project No. 131388  
TM No. 453796



**AFFORDABLE HOUSING**

6. Prior to recordation of the Parcel Map, the Owner/Permittee shall comply with the affordable housing requirements of the NCFUA Framework Plan by paying an in-lieu fee to the San Diego Housing Commission. The current in-lieu fee is equal to \$7,260 (\$2,420 per market rate lot), but is subject to change in the future.

**ENGINEERING**

7. The subdivider shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMP's) maintenance.
8. Prior to the issuance of any construction permit, the Subdivider shall incorporate any construction (BMP's) necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
9. Prior to the issuance of any construction permit the Subdivider shall incorporate and show the type and location of all post-construction (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.
10. The drainage system proposed for this subdivision, as shown on the approved Tentative Map, is private and subject to approval by the City Engineer.
11. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
12. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
13. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.

Project No. 131388  
TM No. 453796

14. Conformance with the “General Conditions for Tentative Subdivision Maps,” filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized. All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.
15. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWQ.
16. This project proposes to export 5,500 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per City of San Diego Municipal Code Section 141.0620(i).
17. The Subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

### **MAPPING**

18. “Basis of Bearings” means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source shall be the California Coordinate System, Zone 6, North American Datum of 1983 [NAD 83].
19. “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.”

20. 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 median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
  - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

### **WASTEWATER**

21. All proposed public sewer facilities shall be designed and constructed in accordance with established criteria in the most current City of San Diego Sewer Design Guide.
22. All on-site wastewater systems shall be private.
23. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.
24. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten-feet of any public sewer facilities.
25. The Carmel Valley Trunk Sewer construction was funded through a Facilities Benefit Assessment. All projects that discharge to this trunk sewer will be charged with that assessment upon pulling building permits. The cost per equivalent dwelling unit is \$302.00. The developer shall pay the fair share for the Carmel Valley Trunk Sewer.

### **WATER**

26. The Subdivider shall install fire hydrants, if required, at locations satisfactory to the Fire/Rescue Department, the City Engineer and the Director of Public Utilities.

Project No. 131388  
TM No. 453796

27. If the Subdivider makes any request for new water facilities (including services or fire hydrants), then the Subdivider shall design and construct such 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.
28. The Subdivider shall provide a letter to the Development Project Manager agreeing to prepare CC&Rs for the operation and maintenance of all private water facilities that serve or traverse more than a single unit or lot.
29. The Subdivider agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Water facilities, as shown on the approved tentative map may require modification to comply with standards.
30. It is the sole responsibility of the Owner/Permittee for any damage caused to or by public water facilities, adjacent to the project site, due to the construction activities associated with this development. In the event any such facility loses integrity then, prior to the issuance of any certificates of occupancy, the Owner/Permittee shall reconstruct any damaged public water facility in a manner satisfactory to the Water Department Director and the City Engineer.

### **GEOLOGY**

31. Prior to the issuance of a grading permit, the Subdivider shall submit a geotechnical report prepared in accordance with the City of San Diego's "Guidelines for Geotechnical Reports," satisfactory to the City Engineer.

### **INFORMATION:**

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC § 1531 et seq.).
- If the Subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), the Subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto.



Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.

- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within ninety days of the approval of this Tentative Map by filing a written protest with the San Diego City Clerk pursuant to Government Code sections 66020 and/or 66021.
- Where in the course of development of private property, public facilities are damaged or removed, the Subdivider shall at no cost to the City, obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer (San Diego Municipal Code § 142.0607).

PLANNING COMMISSION RESOLUTION NUMBER R-XXXX

TENTATIVE PARCEL MAP NO. 453796  
DEL MAR MESA ESTATES- PROJECT NO. 131388  
Mitigation, Monitoring, and Reporting Program (MMRP)

WHEREAS, DEL VINO, LLC, Subdivider, and, TRUDI LIM, Engineer, submitted an application to the City of San Diego for a Tentative Parcel Map, No. 453796, for the development and subdivision of a parcel into three residential lots. The project site is located at Caminito Stella, west of Del Vino Court, in the in the AR-1-2 Zone within the Del Mar Mesa Specific Plan. The property is legally described as Parcel 3 of Parcel Map No. 20179, in the City of San Diego, County of San Diego, California, according to map thereof, filed in the Office of the County Recorder of San Diego County, December 21, 2006; and

WHEREAS, the Map proposes the Subdivision of a 3.79 acre-site into 3 residential lots for residential development; and

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

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

WHEREAS, on March 11, 2010, the Planning Commission of the City of San Diego considered Tentative Parcel Map No. 453796 and pursuant to San Diego Municipal Code section(s) 125.0440 (tentative map), and Subdivision Map Act section 66428, received for its consideration written and oral presentations, evidence having been submitted, and testimony

having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Parcel Map No. 453796:

**1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (San Diego Municipal Code § 125.0440(a) and Subdivision Map Action §§ 66473.5, 66474(a), and 66474(b)).**

The proposed subdivision would provide for a balanced community and equitable development within the community through the provision of housing that provides varying levels of architectural styles, size and affordability through residential development. The proposed subdivision is consistent with the recommended residential land use and density prescribed in the Del Mar Mesa Community Plan. Therefore, the proposed subdivision; its design and proposed improvements would be consistent with the policies, goals, and objectives of the applicable land use plan

**2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (San Diego Municipal Code § 125.0440(b)).**

The proposed subdivision would comply with the development regulations of the underlying zone and as modified by the Del Mar Mesa Specific Plan with an approved Site Development Permit and Planned Development Permit in conjunction with this subdivision approval. Deviations to the applicable development regulations of the Land Development Code are permitted with a Planned Development Permit. The deviations are considered consistent with the goals of the Del Mar Mesa Specific Plan. One of the goals of the Del Mar Mesa Specific Plan is to preserve the rural character of Del Mar Mesa while accommodating clustered development and the preservation of open space. In order to meet this goal, the project is requesting deviations from street frontage and minimum lot width. The specific plan anticipated deviations may be required due to specific site conditions. The Specific Plan states that a Planned Development Permit is an appropriate means when requesting these deviations provided they do not negatively impact the rural character of the community. Therefore, the proposed subdivision; its design and proposed improvements would comply with regulations.

**3. The site is physically suitable for the type and density of development (San Diego Municipal Code § 125.0440(c) and Subdivision Map Act §§ 66474(c) and 66474(d)).**

The proposed subdivision would be consistent with the recommended estate residential land use and density range of the Del Mar Mesa Specific Plan and would comply with the applicable development of the underlying AR-1-2 zone. Design guidelines have also been adopted as part

of the approval to regulate the design of each single family lot. Therefore, the bulk, scale and siting of the proposed development would be compatible with the existing and future surrounding land uses and the site is physically suitable for the type and density of the proposed development

**4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat (San Diego Municipal Code § 125.0440(d) and Subdivision Map Act § 66474(e)).**

The City of San Diego conducted an Initial Study to determine whether the Del Mar Mesa Estates project would cause any significant impact that was not examined in the Master Environmental Impact Report (MEIR) and whether the project was described as being within the scope of the Del Mar Mesa Specific Plan. The proposed project has been determined to be within the scope of the MEIR and the implementation is not expected to result in any additional significant impacts beyond those identified in the MEIR. All applicable mitigation measures set forth in the MEIR have been incorporated into the proposed project through a project-specific Mitigation, Monitoring and Reporting Program (MMRP). All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas as City staff has determined that the following project-specific issues of *Biological Resources*, *Landuse/Multiple Species Conservation Program (MSCP)* *Paleontological Resources* require mitigation measures. A Mitigation, Monitoring and Reporting Program (MMRP) has been established to address these issues. Therefore, 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.

**5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (San Diego Municipal Code § 125.0440(e) and Subdivision Map Act § 66474(f)).**

The proposed subdivision and improvements have been designed to comply with all applicable Federal, State and local land use policies including the California State Map Act and the City of San Diego Land Development Code. The deviations requested with the approval have also been considered by staff within the context of public health, safety and welfare. Further, the proposed subdivision and improvements would be permitted, constructed and inspected in accordance with the California Building Code. Therefore, the design of the subdivision or the proposed improvements would not be detrimental to the public health, safety, and welfare

**6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (San Diego Municipal Code § 125.0440(f) and Subdivision Map Act § 66474(g)).**

The proposed subdivision does not contain any public improvements or easements. Therefore the subdivision and improvements will not impact any public easements.



**7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (San Diego Municipal Code § 125.0440(g) and Subdivision Map Act § 66473.1).**

The design of the proposed subdivision through building materials, site orientation, architectural treatments and the placement and selection of plant materials provide to the extent feasible, for future passive or natural heating and cooling opportunities.

**8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (San Diego Municipal Code § 125.0440(h) and Subdivision Map Act § 66412.3).**

The decision maker has reviewed the administrative record including the project plans, technical studies, environmental documentation and public testimony to determine 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 and found that the addition of three residential lots for private development is consistent with the housing needs of the Del Mar Mesa Community Planning area.

BE IT FURTHER RESOLVED, that based on the Findings hereinbefore adopted by the Planning Commission, Tentative Parcel Map No. 453796, are hereby granted to DEL VINO, LLC, subject to the attached conditions which are made a part of this resolution by this reference.

By \_\_\_\_\_  
Helene Deisher  
Development Project Manager  
Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 23427909

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

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 23427909

**PLANNED DEVELOPMENT PERMIT NO. 520791**  
**SITE DEVELOPMENT PERMIT NO. 679276**  
**DEL MAR MESA ESTATES - PROJECT NO. 131388 [MMRP]**  
**PLANNING COMMISSION**

This Planned Development Permit No. 520791; Site Development Permit No. 679276 is granted by the Planning Commission of the City of San Diego to Del Vino, LLC, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0601 and 126.0401. The 3.79 acre site is located at Caminito Stella, west of Del Vino Court, in the in the AR-1-2 Zone within the Del Mar Mesa Specific Plan. The project site is legally described as Parcel 3 of Parcel Map No. 20179, in the City of San Diego, County of San Diego, California, according to map thereof, filed in the Office of the County Recorder of San Diego County, December 21, 2006.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to subdivide a parcel into three residential lots, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 11, 2010, on file in the Development Services Department.

The project shall include:

- a. Subdivision of a 3.79 acre lot into three residential lots;
- b. Design Guidelines;
- c. Deviation for street frontage; for Lots 1, 2, and 3;

- d. Deviation for lot width for Lot 2;
- e. Brush management and landscaping (planting, irrigation and landscape related improvements);
- f. Off-street parking;
- g. Thirty-foot shared driveway easement;
- h. Twelve-foot private multi-use trail easement; and
- i. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.

5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
8. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
9. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" 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 proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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

settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

**ENVIRONMENTAL/MITIGATION REQUIREMENTS:**

11. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project
12. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in the Findings to Master Environmental Report (EIR), No. 95-0353/SCH No. 93071097, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
13. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Findings to Master Environmental Report (EIR), No. 95-0353/SCH No. 93071097, satisfactory to the Development Services Department and the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

*Biological Resources, Land Use/Multiple Species Conservation Program (MSCP) and Paleontological Resources.*

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

**AFFORDABLE HOUSING REQUIREMENTS:**

15. Prior to recordation of the parcel map, the Owner/Permittee shall comply with the affordable housing requirements of the NCFUA Framework Plan by paying an in-lieu fee to the San Diego Housing Commission. The current in-lieu fee is equal to \$7,260 (\$2,420 per market rate lot), but is subject to change in the future.

**ENGINEERING REQUIREMENTS:**

16. The Site Development Permit and the Planned Development Permit shall comply with the conditions of the Parcel Map for the Del Mar Mesa Estates Tentative Map No. 453796.

**LANDSCAPE REQUIREMENTS:**

17. Prior to issuance of Grading Permits the Owner/Permittee shall submit landscape construction documents for the re-vegetation and hydro-seeding of all disturbed land in accordance with the Land Development Manual; Landscape Standards; the Del Mar Mesa Specific Plan and Design Guidelines; and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental MMRP conditions) and Exhibit "A".



18. Prior to issuance of Public Right-of-Way Permits; the Owner/Permittee shall submit complete landscape construction documents demonstrating the right-of-way improvements to the Development Services Department for approval. Improvement plans shall indicate an area equal to 40-square feet around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

19. Prior to issuance of Building Permits for each single-family residential lot; the Owner/Permittee shall submit complete landscape and irrigation construction documents under a Substantial Conformance Review [SCR] application consistent with the Land Development Manual, Landscape Standards, and the Del Mar Mesa Specific Plan and Design Guidelines to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department.

20. Prior to the performance of a Final Inspection, it shall be the responsibility of the Owner/Permittee to install all required landscape. A "No Fee" Street Tree Permit, if applicable, shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

21. The Owner/Permittee shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

22. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards.

23. 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, the Owner/Permittee is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to the performance of a Final Landscape Inspection.

24. Prior to issuance of Grading Permits the Owner/Permittee shall ensure that all proposed landscaping, especially landscaping adjacent to native habitat and/or MHPA, shall not include exotic plant species that may be invasive to native habitats. Plant species found within the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory; the Del Mar Mesa Specific Plan; and the prohibited plant species list found in "Table 1" of the Landscape Standards shall not be permitted.

25. Prior to issuance of Grading Permits the Owner/Permittee shall ensure that all existing, invasive plant species, including vegetative parts and root systems, shall be completely removed from the development area of the premises when the combination of species type, location, and surrounding environmental conditions provides a means for the species to invade other areas of native plant material that are on or off of the premises [LDC 142.0403(b)(2)]. A mitigation monitoring period of three (3) years shall be required to ensure that these invasive plant species do not continue to germinate.

**BRUSH MANAGEMENT PROGRAM REQUIREMENTS:**

26. The Owner/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.

27. Prior to issuance of Grading Permits, Landscape Construction Documents required for the construction permit shall be submitted showing the brush management zones on the property in substantial conformance with Exhibit "A."

28. Prior to issuance of Building Permits a complete set of Brush Management Construction Documents shall be submitted for approval to the Development Services Department and the Fire Marshall. The construction documents shall be in substantial conformance with Exhibit "A" and shall comply with the Uniform Fire Code, SDMC 55.0101; the Land Development Manual, Landscape Standards; Section 142.0412 of the Land Development Code, Brush Management Regulations; and the Del Mar Mesa Specific Plan and Design Guidelines.

29. The Brush Management Program shall implement two zones consistent with the Brush Management Regulations of the Land Development Code [Section 142.0412] as follows:

Parcel 3 of Parcel Map No. 20179, shall have a standard Zone One of 35 feet on-site and a standard Zone Two of 65 feet off-site for the southern boundary of the subject property.

Recorded easements from the adjacent property owners shall be required for maintenance of Brush Management Zone Two prior to issuance of Grading Permits for each single-family residential lot.

30. The northern boundary of the subject property shall have a reduced Zone Two of 35 feet and an increased Zone One of 55 feet in Compliance with Section 142.0412(f) of the Land Development Code which states the following: "The Zone Two width may be decreased by 1½ feet for each 1 foot of increase in Zone One width up to a maximum reduction of 30 feet of Zone Two width."

31. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while non-combustible accessory structures may be approved within the designated Zone One area subject to Fire Marshall and Development Services Department approval.

32. The following note shall be provided on the Brush Management Construction Documents: "It shall be the responsibility of the Owner/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."

33. In Zone One, 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 Analysis Section [LAS] and the Environmental Analysis Section [EAS].

34. All new Zone Two planting shall be temporarily irrigated with an above-ground irrigation system until established. Zone Two shall be maintained on a regular basis by pruning and thinning plants, removing weeds, and maintaining the temporary irrigation system. Only native vegetation shall be planted or hydro-seeded. If Zone Two is being re-vegetated, 50% of the planting area shall be seeded with material that does not grow taller than 24 inches.

35. Prior to the performance of a Final Inspection or issuance of a Certificate of Occupancy; the approved Brush Management Program shall be implemented. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Land Development Manual, Landscape Standards.

**PLANNING/DESIGN REQUIREMENTS:**

36. Prior to the application for building permits, plans for each custom single dwelling unit shall be approved through a Process 2 Substantial Conformance Review. Approval shall be based on substantial conformance to the approved Permit, Exhibits, underlying zone and Del Mar Mesa Specific Plan Community Design Guidelines.

37. All proposed development within the Del Mar Mesa Estates subdivision shall be consistent with the approved Design Guidelines for Del Mar Mesa Estates, stamped Exhibit "A."

38. No fewer than two off-street parking spaces, per lot, shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

39. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

40. All development shall utilize materials that blend with the natural landscape and specify neutral, earthtone, muted colors.

41. Fencing shall adhere to the approved Del Mar Mesa Estates Design Guidelines.
42. The Owner/Permittee shall construct a 6-foot wide trail and 6-foot wide decomposed granite parkway along the portion of the Caminito Stella from the eastern property line to approximately 50-feet from the western property line as shown on Exhibit "A".
43. The Permittee or subsequent owner will be responsible for the all repair and maintenance of the trail and parkway along Caminito Stella adjacent to the project consistent with the Land Development Manual landscape standards.
44. Prior to the recordation of the first parcel map, the Owner/Permittee shall obtain a Certificate of Compliance or Exemption from the Del Mar Union School District and the San Dieguito Union School District that demonstrates project impacts on school facilities are adequately mitigated within each school district as require in the Del Mar Mesa Specific Plan.
45. Disclosure shall be made to all future homebuyers that Del Mar Mesa is a semi-rural community which permits residents to maintain horses and horse stables on their residential property subject to the horse-keeping provisions of the SDMC, Section 44.0308.
46. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A", or the Del Mar Mesa Specific Plan.
47. In order to preserve the rural character and dark night skies of Del Mar Mesa, all outdoor lighting from homes for the purposes of safety and security shall be designed to minimize the emission of light rays onto neighboring lots and open space. The lighting of private recreational facilities, such as tennis courts, shall not be permitted. Swimming pools may be lighted for safety purposes, using ground lighting that does not project more than six feet from the lighting source on the same lot.
48. The Owner/Permittee shall post a copy of the approved discretionary permits or Tentative Map in the sales office for consideration by each prospective buyer.

**WASTEWATER REQUIREMENTS:**

49. All proposed public sewer facilities shall be designed and constructed in accordance with established criteria in the most current City of San Diego Sewer Design Guide.
50. All on-site wastewater systems shall be private.
51. All proposed private sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.
52. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any public sewer facilities.

53. The Carmel Valley Trunk Sewer construction was funded through a Facilities Benefit Assessment. All projects that discharge to this trunk sewer will be charged with that assessment upon pulling building permits. The cost per equivalent dwelling unit is \$302.00. The Owner/Permittee shall pay the fair share for the Carmel Valley Trunk Sewer.

54. According to the Sewer Design Guide, Section 7.9.3.1, the proposed force main shall discharge into a separate private manhole (PVC lined) and then gravity discharge into the public gravity sewer.

**WATER REQUIREMENTS:**

55. New water services shall be constructed outside of any driveway or drive aisle in a manner satisfactory to the Director of Public Utilities and the City Engineer.

56. Prior to the issuance of any certificates of occupancy, the Owner/Permittee shall install additional fire hydrants, if needed, at locations satisfactory to the Fire Department and the City Engineer.

57. All on-site water facilities, including domestic, fire and irrigation systems will be private.

58. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including water mains, services, meters and backflow prevention devices, shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

59. 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. Water facilities as shown on the approved plans shall be modified at final engineering to comply with standards.

60. It is the sole responsibility of the Owner/Permittee for any damage caused to or by public water facilities, adjacent to the project site, due to the construction activities associated with this development. In the event any such facility loses integrity then, prior to the issuance of any certificates of occupancy, the Owner/Permittee shall reconstruct any damaged public water facility in a manner satisfactory to the Director of Public Utilities and the City Engineer.

**INFORMATION ONLY:**

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

APPROVED by the Planning Commission of the City of San Diego on March 11, 2010.



Permit Type/PTS Approval No.: PDP No. 520791 SDP No. 679276

Approved: March 11, 2010

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

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Helene Deisher  
Development Project Manager

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

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

**Del Vino, LLC**  
Owner/Permittee

By \_\_\_\_\_  
NAME Henry Ho  
TITLE Manager

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

PLANNING COMMISSION RESOLUTION NO. XXX  
PLANNED DEVELOPMENT PERMIT 520791  
SITE DEVELOPMENT PERMIT 679276  
**DEL MAR MESA ESTATES PROJECT NO. 131388- [MMRP]**

WHEREAS, DEL VINO, LLC, Owner/Permittee, filed an application with the City of San Diego for a Planned Development Permit and a Site Development Permit to create a three lot subdivision for residential development on 3.79 acre parcel (as described in and by reference to the approved Exhibits "A", and corresponding conditions of approval for the associated Planned Development Permit 520791 and Site Development Permit 679276 pursuant to San Diego Municipal Code [SDMC] sections 126.0601 and 126.0401;

WHEREAS, the project site is located at Caminito Stella, west of Del Vino Court in the AR-1-2 Zone within the Del Mar Mesa Specific Plan;

WHEREAS, the project site (APN 308-020-88) is legally described as Parcel 3 of Parcel Map No. 20179, in the City of San Diego, County of San Diego, California, according to map thereof, filed in the Office of the County Recorder of San Diego County, December 21, 2006;

WHEREAS, on March 11, 2010, the Planning Commission of the City of San Diego considered Planned Development Permit 520791 and Site Development Permit 679276 pursuant to the Land Development Code of the City of San Diego;

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

That the Planning Commission adopts the following written Findings, dated March 11, 2010.

FINDINGS:

**Planned Development Permit - Section 126.0604**

**A.**

**1. The proposed development will not adversely affect the applicable land use plan;**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area. The Del Mar Mesa Specific Plan (DMMSPP) designates this site as Estate Residential (one dwelling unit per acre). The project would implement the goals of the Plan by providing estate residential development that is compatible with the surrounding estate residential uses and consistent with the Plan's community design standards.

Objectives contained in the Del Mar Mesa Specific Plan's community design guidelines for Estate Residential include the preservation of rural residential characteristics, views and open space. The project meets these objectives by minimized grading and not impacting the adjacent Multiple Habitat Planning Area. The project will also create a 12-foot wide private multi-use trail

of decomposed granite in lieu of standard concrete sidewalk. The project is consistent in character, scale and intensity with the established residential development of adjacent projects. Therefore, the proposed development will not adversely affect the applicable land use plan

**2. The proposed development will not be detrimental to the public health, safety, and welfare;**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area. The project has been conditioned to address project compliance with the City's regulations and other regional, state and federal regulations to prevent detrimental impacts to public health, safety and welfare. The proposed project will provide for the health, safety and welfare of the residents by providing for the orderly development of the area consistent with the Del Mar Mesa Specific Plan. The development is sensitive to the natural open space both within and surrounding the site. The proposed project will provide the sewer and water facilities necessary to serve the residents and the public transportation facilities necessary to provide access to the neighborhood.

**3. The proposed development will comply with the regulations of the Land Development Code;**

The proposed project is the subdivision of a 3.79-acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area. The project will comply with the AR 1-2 zone's development regulations except as modified by the approval of the Planned Development Permit (PDP) deviations with the respect to minimum street frontage and minimum lot width. The Del Mar Mesa Specific Plan allows deviations with a PDP as long as the rural character of the community is maintained.

To maintain the rural character of the community the Del Mar Mesa Specific Plan (DMMSPP) encourages the use of shared streets and driveways to minimize access points and pavement in order to create the "openness" characteristic of a rural community. The project restricts access from the existing private driveway, Caminito Stella, by providing one shared driveway to access all three proposed lots. However, private roads and driveways do not qualify as "street" frontage as defined by the San Diego Municipal Code (SDMC). Therefore, a deviation is required for all three proposed lots to take access from a common driveway and from Caminito Stella. Since all three lots will take access in this manner they will not meet the required minimum street frontage required by the zone.

A second deviation is being requested for Lot 2. Lot 2 is a flag lot and does not meet the minimum lot width of 100 feet; however it does otherwise have sufficient developable area and will only take access via the 20-foot wide flag portion of the lot. The lot configuration can be supported since it was designed to access the common driveway of the development and minimizes access points as recommended by the DMMSPP.

**4. The proposed development, when considered as a whole, will be beneficial to the community; and**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area. The project will contribute to the region's housing supply by providing three residential parcels available as custom home sites and will pay all applicable public facilities financing and school fees. The development will also pay an in-lieu affordable housing fee for the production of affordable housing units as specified in the Plan. The development will construct and maintain a 12-foot private multi-use trail segment for access along the northern portion of the property. The access could be used by the other users of Caminito Stella. For these specific reasons the proposed development, when considered as a whole, will be beneficial to the community.

**5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area.

The project complies with the applicable regulations of the Land Development Code except the deviations of street frontage and lot width as requested through the approval of a Planned Development Permit. One of the goals of the Del Mar Mesa Specific Plan (DMMSP) is to preserve the rural character of Del Mar Mesa while accommodating clustered development and the preservation of open space. In order to meet this goal, the project has been designed to limit the number of driveways accessing public streets and to preserve open space, resulting in a more desirable project than would be achieved if designed in strict conformance with the minimum street frontage regulations of the AR 1-2 zone. For this reason the following deviations have been requested.

To maintain the rural character of the community the DMMSP encourages access via private roads, however private roads or driveways do not qualify as "street" frontage as defined by the San Diego Municipal Code (SDMC). The Del Mar Mesa Estates project has been designed to limit the number of driveways accessing public streets resulting in a more desirable project than would be achieved if designed in strict conformance with the minimum street frontage. Therefore, a deviation is required for the three proposed lots to take access from Caminito Stella an existing private driveway. Since all the lots will take access in this manner all three lots will not meet the minimum street frontage by definition.

An additional deviation is being requested for Lot 2. Lot 2 is a flag lot and does not meet the minimum lot width of 100 feet according to the development regulations of the AR-1-2 zone; however it does otherwise have sufficient developable area and will take access via the 20-foot wide flag portion of the lot on to the private driveway.

**Site Development Permit - Section 126.0504**

A.

**1. The proposed development will not adversely affect the applicable land use plan;**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area. The Del Mar Mesa Specific Plan (DMMSP) designates this site as Estate Residential (one dwelling unit per acre). The project would implement the goals of the Plan by providing estate residential development that is compatible with the surrounding estate residential uses and consistent with the Plan's community design standards.

Objectives contained in the Del Mar Mesa Specific Plan's community design guidelines for Estate Residential include the preservation of rural residential characteristics, views and open space. The project meets these objectives by minimized grading and not impacting the adjacent Multiple Habitat Planning Area. The project will also create a 12-foot wide private multi-use trail of decomposed granite in lieu of standard concrete sidewalk. The project is consistent in character, scale and intensity with the established residential development of adjacent projects. Therefore, the proposed development will not adversely affect the applicable land use plan

**2. The proposed development will not be detrimental to the public health, safety, and welfare; and**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area. The project has been conditioned to address project compliance with the City's regulations and other regional, state and federal regulations to prevent detrimental impacts to public health, safety and welfare. The proposed project will also provide for the health, safety and welfare of the residents by providing for the orderly development of the area consistent with the Del Mar Mesa Specific Plan. The development is sensitive to the natural open space both within and surrounding the site. The proposed project will provide the sewer and water facilities necessary to serve the residents and the public transportation facilities necessary to provide access to the neighborhood.

**3. The proposed development will comply with the applicable regulations of the Land Development Code.**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan (DMMSP) area. The project complies with the applicable regulations of the Land Development Code except the stated deviations of street frontage and lot width as requested through the approval of a Planned Development Permit. One of the goals of the DMMSP is to preserve the rural character of Del

Mar Mesa while accommodating clustered development and the preservation of open space. In order to meet this goal, the project has been designed to limit the number of driveways accessing public streets and to preserve open space, resulting in a more desirable project than would be achieved if designed in strict conformance with the minimum street frontage regulations of the AR 1-2 zone. For this reason the following deviations have been requested.

To maintain the rural character of the community the DMMSP encourages access via private roads, however private roads or driveways do not qualify as “street” frontage as defined by the San Diego Municipal Code (SDMC). The Del Mar Mesa Estates project has been designed to limit the number of driveways accessing public streets resulting in a more desirable project than would be achieved if designed in strict conformance with the minimum street frontage. Therefore, a deviation is required for the three proposed lots to take access from Caminito Stella an existing private driveway. Since all the lots will take access in this manner all three lots will not meet the minimum street frontage by definition.

An additional deviation is being requested for Lot 2. Lot 2 is a flag lot and does not meet the minimum lot width of 100 feet according to the development regulations of the AR-1-2 zone; however it does otherwise have sufficient developable area and will take access via the 220-foot wide flag portion of the lot on to the private driveway.

## **B. Supplemental Findings**

### **1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands;**

The proposed project is the subdivision of a 3.79-acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area.

Grading is proposed to obtain useable lot area similar to surrounding developments. The grading plan establishes vertical separation between some lots following the sloping landform of the site. The proposed fill slopes would be contoured to mimic and replicate the natural landform. Slope ratios would be a 2:1 vertical ratio to create a rounded edge and more gradual transition with natural landforms. These slopes would also be landscaped with native and compatible non-native plant species to blend the manufactured and natural slopes. The site plan establishes a buffer between developable portions of the residential lots to reduce the visual effects of the development, contributing to the preservation of the rural character of the community as envisioned by the Specific Plan.

The proposed development will not alter the existing drainage pattern leaving the site and will direct runoff away from homes and eliminate flood hazards. The project is conditioned to conform with all applicable Best Management Practices (BMP's) such as site design, source control and treatment control of BMP's to reduce/eliminate potential erosion.

The Specific Plan encourages the use of shared streets and driveways to minimize access points and pavement in order to create the “openness” characteristic of a rural community. This project



proposes vehicular access for the three lots to a single driveway off of the existing private drive, Caminito Stella.

The project would not result in any impacts beyond those disclosed in the Master Environmental Impact Report. The project has been found to be consistent with the Del Mar Mesa Specific Plan Master Environmental Impact Report and no additional project specific mitigation is required.

**2. The proposed development will minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards;**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area.

Grading is proposed to obtain useable lot area similar to surrounding developments. The grading plan establishes vertical separation between some lots following the sloping landform of the site. The proposed fill slopes would be contoured to mimic and replicate the natural landform. Slope ratios would be a 2:1 vertical ratio to create a rounded edge and more gradual transition with natural landforms. These slopes would also be landscaped with native and compatible non-native plant species to blend the manufactured and natural slopes. The site plan establishes a buffer between developable portions of the residential lots to reduce the visual effects of the development, contributing to the preservation of the rural character of the community as envisioned by the Specific Plan.

The proposed development will not alter the existing drainage pattern leaving the site and will direct runoff away from homes and eliminate flood hazards. The project is conditioned to conform to all applicable Best Management Practices such as site design, source control and treatment control of BMP's to reduce/eliminate potential erosion.

The Specific Plan encourages the use of shared streets and driveways to minimize access points and pavement in order to create the 'openness' characteristic of a rural community. This project proposes Vehicular access for the three lots to a single driveway off of the existing private drive, Caminito Stella.

The project would not result in any impacts beyond those disclosed in the Master Environmental Impact Report. The project has been found to be consistent with the Del Mar Mesa Specific Plan Master Environmental Impact Report and no additional project specific mitigation is required.

**3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands;**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area.

Grading is proposed to obtain useable lot area similar to surrounding developments. The grading plan establishes vertical separation between some lots following the sloping landform of the site. The proposed fill slopes would be contoured to mimic and replicate the natural landform. Slope ratios would be a 2:1 vertical ratio to create a rounded edge and more gradual transition with natural landforms. These slopes would also be landscaped with native and compatible non-native plant species to blend the manufactured and natural slopes. The site plan establishes a buffer between developable portions of the residential lots to reduce the visual effects of the development, contributing to the preservation of the rural character of the community as envisioned by the Specific Plan.

The Specific Plan encourages the use of shared streets and driveways to minimize access points and pavement in order to create the “openness” characteristic of a rural community. This project proposes Vehicular access for the three lots to a single driveway off of the existing private drive, Caminito Stella.

The project would not result in any impacts beyond those disclosed in the Master Environmental Impact Report. The project has been found to be consistent with the Del Mar Mesa Specific Plan Master Environmental Impact Report and no additional project specific mitigation is required.

**4. The proposed development will be consistent with the City of San Diego’s Multiple Species Conservation Program (MSCP) Subarea Plan;**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area.

The project site lies within the boundaries of the City’s Multiple Species Conservations Plan (MSCP) Subarea Plan. The project site is not immediately adjacent to the City’s Multi-Habitat Planning Area (MHPA), but approximately 250 feet to the east and south is land within the MHPA. MHPA lands are those that have been included within the City’s MSCP Subarea Plan for habitat conservation. The project would be required to comply with the MHPA Land Use Adjacency Guidelines, which would reduce impacts to below a level of significance.

The project would not result in any impacts beyond those disclosed in the Master Environmental Impact Report. The project has been found to be consistent with the Del Mar Mesa Specific Plan Master Environmental Impact Report and no additional project specific mitigation is required.

**5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply; and**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area. The Del Mar Mesa Estates project is located more than five miles east of the Pacific Ocean’s beaches and local shoreline. Development of the site includes erosion control measures, a storm water management plan, and the adoption of best management practices as required by conditions of the permit. The proposed

development will not contribute to erosion of public beaches or adversely impact shoreline sand supply.

**6. The nature and extent of mitigation required as a condition of the permit is reasonably related to, and calculated to alleviate, negative impacts created by the proposed development.**

The proposed project is the subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot private multi-use trail easement and a shared private driveway. The project site is located near the southwest corner of Del Vino Court and a private driveway named Caminito Stella within the Del Mar Mesa Specific Plan area.

The Del Mar Mesa Specific Plan (DMMSP) and accompanying (Subarea V) Master Environmental Impact Report (MEIR) No. 95-0353 was prepared by the City of San Diego, as Lead Agency under the California Environmental Quality Act, and finalized on June 6, 1996. On July 30, 1996, the San Diego City Council adopted the Specific Plan for Del Mar Mesa and certified the (Subarea V) MEIR. The DMMSP (Subarea V) MEIR analyzed the impacts that would potentially result from the development described in the Specific Plan.

An initial study has been conducted for the proposed subdivision of a 3.79 acre parcel to create three lots for residential development, creation of a 12-foot trail easement and a shared private driveway and concluded that the Del Mar Mesa Subarea V-MEIR addressed all environmental impacts associated with this project. Findings to support the conclusions in the MEIR have been made and are part of this project's record. In addition, all mitigation measures identified within the MEIR have been incorporated into the development permit for this project. Thus, all mitigation reasonably related to and calculated to alleviate negative impacts created by the proposed development have been or will be incorporated into the conditions of the development permit.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Planned Development Permit No. 520791 and Site Development Permit No. 679276, a copy of which is attached hereto and made a part hereof.

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Helene Deisher  
Development Project Manager  
Development Services

Adopted on: March 11, 2010

Internal Order Number 23427909

## Del Mar Mesa Estates Design Guidelines

Copy provided for Planning Commission only

Please contact Helene Deisher, Project Manager to request a copy

*Del Mar Mesa Community Planning Board*

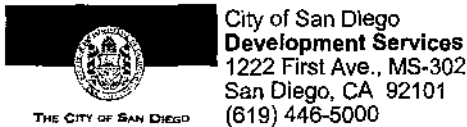
Thursday, July 9, 2009  
Carmel Valley Library, Community Room  
3919 Townsgate Drive  
**Meeting Minutes**

1. Roll Call – Lisa Ross was excused. Tom Voss did not attend.
2. Approval of Minutes – The minutes were unanimously approved with Bob Nascenzi and Victoria Johnson abstaining (5-0).
3. Neighborhood Park – Gary Levitt and Paul Metcalf met with Councilmember Sherri Lightner and discussed possibilities of building the park in stages as well as private maintenance. Paul explained concerns with liability associated with private maintenance may be addressed with a 501c3. Paul and Gary will further investigate opportunities.
4. FBA update – Mel Millstein will get status from Pam Bernasconi of the City Facilities Finance Department.
5. Del Mar Mesa Road Landscaping – Elizabeth Rabbitt will continue to pursue contact with code enforcement on maintenance issues along the road. Old city contacts have left.
6. Fireworks at Grand Del Mar – Gary Levitt will send a letter that was distributed to the board prior to the meeting to the Grand Del Mar asking them to stop fireworks displays as they had previously agreed to do. In addition, the letter will raise the issue that the Resort has installed exterior lighting which does not appear to be consistent with the exterior lighting provisions of the Del Mar Mesa Specific Plan.
7. Little McGonnigle Ranch Road – There was a subcommittee meeting last week and two Pacific Highlands Ranch community members attended. Elizabeth Rabbitt summarized the issues and is investigating the issues further.
8. MAD Establishment – Paul Metcalf noted Latitude 33's proposal was for \$18k and \$5k will also be needed for staff time, mailings, etc. Mel Millstein will investigate opportunities for funding.





9. Del Mar Estates – Dan Wery from RBF presented the project and noted the property owners will install and maintain a trail along Camino Stella frontage. Lot coverage restrictions and design guidelines were circulated to the board prior to the meeting. Paul metcalf motioned to approve the project subject to the conditions that the properties install and maintain the trail as shown on the site plan exhibit; the design guidelines are enforced; and that the CC&R's prohibit property owners within the development from objecting to neighbors having horses. Victoria Johnson seconded and the motion was unanimously approved (10-0)
  
10. T-Mobile cell tower – Shelly Kilbourne presented the project as a permit in need of renewal. The proposal for the new permit is to change the existing 15-foot tall pole located within setback zone to an 18-foot monobroadleaf cell site outside the setback zone. There was discussion about the existing cell tower being unobtrusive and blending into the landscaping which has grown around it. Also there was discussion that the application is a development permit application, and that all other developments have accepted or have been given the responsibility to complete road frontage landscaping and peever pole fence as is outlined in the Specific Plan. It was noted that the property owner has not done this, despite giving the board their assurance that they would when they were building a home next to this parcel and came before the board for a lot line adjustment. The consensus of the board is that it is more important that the peever rail fence and landscaping be installed and maintained along the length of this properties street frontage, rather than require the applicant to install a different antenna or move it outside of the setback zone. Victoria Johnson motioned to request leaving the existing antennae in its existing location without camouflaging into a false tree, but would like the property owner to install and maintain a split-rail fence and landscaping for all property fronting right-of-way, to match the fence and landscape of the neighbors. The motion was seconded by Remington Jackson and unanimously approved (10-0).
  
11. Los Penasquitos Canyon Preserve Citizens Advisory Committee (LPCPCAC) – Marvin Gerst reported the CAC is meeting on July 16 7PM at the Adobe house. Also, a task force meeting is being setup for July 27 10:30AM – location to be determined.
  
12. The board agreed to go dark in August with unanimous approval (10-0).



# Ownership Disclosure Statement

**Approval Type:** Check appropriate box for type of approval (s) requested:  Neighborhood Use Permit  Coastal Development Permit  
 Neighborhood Development Permit  Site Development Permit  Planned Development Permit  Conditional Use Permit  
 Variance  Tentative Map  Vesting Tentative Map  Map Waiver  Land Use Plan Amendment  Other

**Project Title** **Project No. For City Use Only**  
131388  
 Del Mar Mesa Estates

**Project Address:**  
 Southwestern Corner of Del Vino Court and Caminito Stella

**Part I - To be completed when property is held by individual(s)**

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached  Yes  No

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
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 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Name of Individual (type or print): \_\_\_\_\_  
 Owner  Tenant/Lessee  Redevelopment Agency  
 Street Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_  
 Signature : \_\_\_\_\_ Date: \_\_\_\_\_

Project Title: Del Mar Mesa Estates	Project No. (For City Use Only)
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**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

Corporation  Limited Liability -or-  General) What State? \_\_\_\_\_ Corporate Identification No. \_\_\_\_\_

Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached**  Yes  No

Corporate/Partnership Name (type or print):  
Del Vino, LLC

Owner  Tenant/Lessee

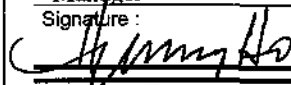
Street Address:  
7435 University Ave., Suite 101

City/State/Zip:  
La Mesa, CA 91941

Phone No: (619) 462-8241 Fax No: (619) 462-8516

Name of Corporate Officer/Partner (type or print):  
Henry Ho

Title (type or print):  
Manager

Signature:  Date: 5/25/07

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date:

Corporate/Partnership Name (type or print):

Owner  Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature: Date: