

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:	March 10, 2016	REPORT NO. PC-16-025
ATTENTION:	Planning Commission, Agen	da of March 17, 2016
SUBJECT:	TICONDEROGA HOMES T	TM - PROJECT NO. 409275. PROCESS
OWNER/ APPLICANT:	Walter Anderson Family Tru Thomas Fitzmaurice, Engine Candlelight Development, L	er/Consultant and Michael Brekka,

SUMMARY

Issue: Should the Planning Commission approve the subdivision of a 1.36 acre site into eight lots located at 3315 Ticonderoga Street within the Clairemont Mesa Planning area?

Staff Recommendations:

- 1. Adopt Mitigated Negative Declaration Project No. 409275, and Adopt the Mitigation, Monitoring and Reporting Program; and
- 2. **Approve** Tentative Map No. 1438817 with a requested waiver of the requirement to underground overhead utilities.

<u>Community Planning Group Recommendation</u>: On May 19, 2015, the Clairemont Community Planning Group voted 8-4-0 to recommend approval of the proposed project with no suggested conditions (Attachment 10).

Environmental Review: Mitigated Negative Declaration No. 409275 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented, which will reduce the potential impacts to Cultural Resources (Archaeology), Land Use (Noise) and Noise to a level of below significance.

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

Housing Impact Statement: The project site is in the RS-1-7 Zone within the Clairemont Mesa Community Plan. The community plan designates the site for Residential use at 5-10 dwelling unit per acre. The 1.36-acre site could accommodate between 6 and 13 dwelling units consistent with the density range of the Low Density Residential land use designation. The proposed project would demolish one existing single family unit and provide eight new market rate housing units, a net increase of seven units on the site. This project will be required to comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations at the time of building permit issuance.

BACKGROUND

The 1.36-acre project site is located at 3315 Ticonderoga Street, on the south east corner of Ticonderoga Street and Morena Boulevard, within the Clairemont Mesa Community Plan area (Attachment 2). The project site is designated for Low Density Residential (5-10 dwelling units per net acre) land use by the community plan and is in the RS-1-7 Zone. The surrounding properties are developed with single family residential to the north and south, Toler Elementary School to the east and Morena Boulevard, a four lane major roadway, rail road tracks and Interstate 5, to the west. The property currently contains one single family residence constructed in 1977. A historic review was not required for this property.

This project proposes to demolish the existing residence and subdivide the property into eight residential lots. A Tentative Map is required (Section 125.0410) for the proposed division of the property into eight residential lots.

DISCUSSION

Project Description:

The project proposes to demolish an existing residence and subdivide the 1.36-acre site into eight residential lots, ranging from 5,154 square feet (sf.) to 10,027 sf. Although construction of the eight single family homes is not proposed at this time, they will be required to comply with the RS-1-7 Zone development regulations through the building permit review process. Each lot is designed to accommodate a 40-foot wide by 45-foot deep home. The height limit in this area is 30 feet pursuant to the Community Plan. The site has a gentle downward slope of approximately 17 feet from the east side of the project site to the west across approximately 240 feet. All eight lots are designed to conform to the minimum RS-1-7 Zone development regulations, such as the minimum lot size of 5,000 sf., minimum lot with of 50 feet, minimum lot width (corner lot) of 55 feet, minimum street frontage of 50 feet and minimum lot depth of 95 feet. No vehicular ingress or egress is allowed from the project site directly on to Morena Boulevard, so all eight lots are designed with vehicular access to and from Ticonderoga Street.

The project proposes grading the entire site. The grading would include approximately 2,150 cubic yards of cut and 2,300 cubic yards of fill, with a net import of approximately 150 cubic yards. The grading design has an approximate 8-foot high cut slope on the project's east side

along the edge of the elementary school property and an approximate 10-foot high fill slope along Morena Boulevard.

The project site is located within walking distance, approximately a quarter of a mile, south of a new trolley station to be located at Balboa Avenue and Morena Boulevard. This will be one of nine stations along the new Mid Coast Trolley Extension currently under construction.

Noise Attenuation Wall

The project's design includes the installation of a 6-foot tall noise attenuation wall, composed of a 4-foot-tall concrete masonry unit base, a 2-foot-tall cedar fence portion with overlapping planks and 24 inch concrete masonry pilasters at approximate 20-foot intervals to architecturally enhance the wall. This noise wall will be located along the project's Morena Boulevard street frontage. Any incorporated gates would be designed to maintain noise attenuation of the wall.

Subdivision Established Structural Setback

A geologic review of the project site determined that it is not traversed by any potentially active faults. However, the submitted geology report identified that the western boundary of the site is located approximately five to ten feet northeast of the nearest suspected active fault strand of the Rose Canyon fault zone. The geology report recommended that the subdivision establish a setback distance of twenty-five feet from the western boundary for the future development of the eight residential homes. All building foundations, building additions, garages, carports, or upper floor decks will be required to be setback at least 25 feet from the western subdivision boundary. The established structural setback is noted and illustrated on the Tentative Map exhibit. The structural setback is required to be noted and illustrated on the Final Map and all future construction documents submitted to the City.

Undergrounding Waiver

The project site is located in Block 6H of the City's Undergrounding Master Plan and is scheduled for undergrounding on December 4, 2016 (Attachment 9). San Diego Municipal Code Section 144.0242 (c), allows the subdivider to apply for a waiver of the requirement to underground the existing overhead utilities within the boundary of the subdivision, or within the abutting public rights-of-way. City staff has determined the undergrounding waiver request qualifies, Undergrounding Conversion of Utility Lines at the Developers Expense, in that the conversion involves a major street already scheduled as a utility-company financed project. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision and all onsite utilities serving the subdivision will be undergrounding is not approved, the applicant would leave one existing power pole, at the north east corner of the property along Ticonderoga Street.

General Plan / Community Plan Analysis:

The project site is within the Clairemont Mesa Community Plan area. The 1.36-acre site is

designated for Low Density Residential (5-10 dwelling units per net acre), which would allow for 6 to 13 dwelling units. The proposal to subdivide the site into eight single family residential lots would be consistent with density range of the land use designation. The project site is identified as a Protected Single-Family Neighborhood in the Residential Element of the Community Plan. The proposed lot sizes, which range from 5,154 sf. to 10,027 sf., are similar to those within the surrounding single family neighborhood. The proposed project would help implement a primary Community Plan goal to maintain the low-density character of predominantly single-family neighborhoods.

The General Plan and Community Plan require noise attenuation measures to reduce noise impacts to acceptable levels. The proposed project includes the installation of a noise attenuation wall along the project's western border. The wall is designed with split face masonry block and cedar fencing. Additionally, the proposed project incorporates landscaping and berms to help reduce the visual impact of the wall, consistent with design policies for noise walls identified in the Community Plan.

Environmental Analysis:

A Mitigated Negative Declaration and Environmental Initial Study (Project No. 409275) were prepared for this project in accordance with CEQA Guidelines. Based upon a review of the project, it was determined that the project could have significant environmental effects in the following areas: Historical Resources (Archaeology), Land Use (Noise) and Noise. However, mitigation measures were identified in the Mitigated Negative Declaration, under Section V (Mitigation Monitoring Reporting Program) that mitigates the impacts to below a level of significance. The project, as revised with the archaeological monitoring and noise attenuation measures now avoids or mitigates the potentially significant environmental effects identified in the Environmental Initial Study, and thus the preparation of an Environmental Impact Report is not required.

Conclusion:

A Tentative Map for an eight-lot subdivision may be approved if the decision maker finds that the proposed division of land complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code (SDMC). Staff has reviewed the proposed eight-lot subdivision and found it to be in conformance with the applicable sections of the SDMC regulating Tentative Maps, and land use policies. The project conforms to the Clairemont Mesa Community Plan with respect to maintaining the required residential character and existing pattern of development. Staff has determined that the project meets the applicable SDMC regulations and requirements as conditioned. Staff recommends approval of the project as proposed.

ALTERNATIVES

- 1. Approve Tentative Map No. 1438817, with modifications.
- 2. Deny Tentative Map No. 1438817, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Elyse W Lowe Deputy Director Development Services Department

Attachments:

- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Draft TM Map Resolution with Findings
- 6. Draft TM Map Conditions
- 7. Draft Environmental Resolution with MMRP
- 8. Project Plans
- 9. City's Undergrounding Master Plan for Block 6H
- 10. Community Planning Group Recommendation
- 11. Ownership Disclosure Statement

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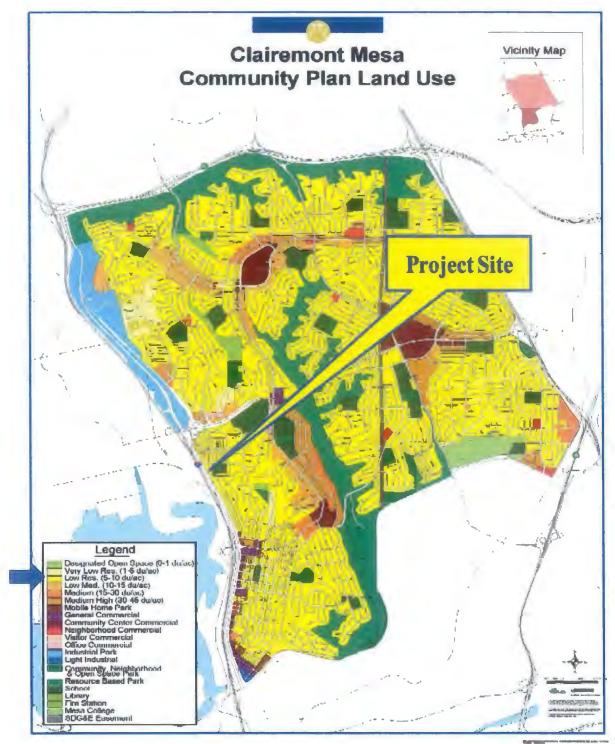
Glenn R. Gargas, Project Manager Development Services Department

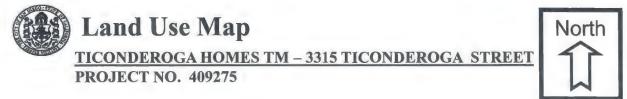


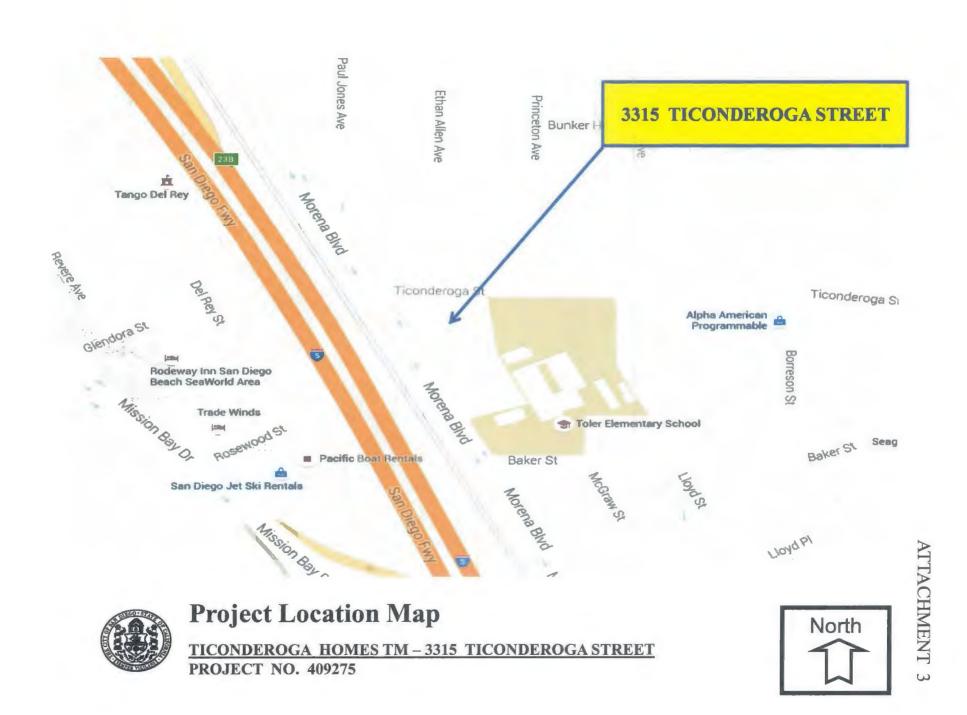


Aerial Photo <u>TICONDEROGA HOMES TM – 3315 TICONDEROGA STREET</u> PROJECT NO. 409275

North







PROJECT DATA SHEET				
PROJECT NAME:	Ticonderoga Homes TM – Project No. 409275			
PROJECT DESCRIPTION:	TM for an eight lot single family residential subdivision with requested waiver of the requirement to underground overhead utilities on a 1.36-acre property.			
COMMUNITY PLAN AREA:	Clairemont Mesa			
DISCRETIONARY ACTIONS:	Tentative Map			
COMMUNITY PLAN LAND USE DESIGNATION:	Low Density Residential (5-10 DUs per acre)			
ZONING INFORMATION: ZONE: RS-1-7 Zone				
 HEIGHT LIMIT: 30/24-Foot maximum height limit. LOT SIZE: 5,000 square-foot minimum lot size – 5,154 to 10,027 sq. ft. proposed 				
FLOOR AREA RATIO: 0.59 to 0.54 FRONT SETBACK: 15 feet minimum SIDE SETBACK: 4 feet minimum STREETSIDE SETBACK: 5.5 feet minimum REAR SETBACK: 13 feet minimum				
	parking spaces minimum req	uired per dwelling unit.		
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	Low Density Residential; RS-1-7 Zone	Single Family Residence		
SOUTH:	Low Density Residential; RS-1-7 Zone	Single Family Residence		
EAST:	Low Density Residential; RS-1-7 Zone	Elementary School		
WEST:	Low Density Residential; RM-4-10	Morena Boulevard, Rail Road Tracks & Interstate 5		
DEVIATIONS OR VARIANCES REQUESTED:	None			

COMMUNITY PLANNING	On May 19, 2015, the Clairemont Mesa Community
GROUP RECOMMENDATION:	Planning Group voted 8-4-0 to recommended approval the project.

PLANNING COMMISSION RESOLUTION NUMBER R-

TENTATIVE MAP NO. 1438817, TICONDEROGA HOMES TM - PROJECT NO. 409275. (MMRP)

WHEREAS, Walter Anderson, Trustee of Walter Anderson Trust dated October 28, 2013, Subdivider, and Thomas P. Fitzmaurice, Engineer, submitted an application to the City of San Diego for a Tentative Map, No. 1438817, Ticonderoga Termes TM, for the subdivision of the property into eight lots for single family residential development and to waive the requirement to underground existing offsite overhead utilities. The project site located at 3315 Ticonderoga Street and is developed with a single family residence to be demolished. The site is east of Morena Boulevard, on the south side of Ticonderoga Street and north of Baker Street. The property is legally described as a partion of Lots 1 and 2 of Pfahler's Subdivision of Lot 23, Eureka Lemon Tract, Map No. 1053, filed in the office of the County Recorder of San Diego County December 10, 1907; and

WHEREAS, the Map proposes the Subdivision of a 1.36-acre-site into eight lots; and
WHEREAS, the project complies with the requirements of a preliminary soils and/or
geological recomaissance report pursuant to Subdivision Map Act sections 66490 and 66491(b)(f) and San Diego Municipal Code section 144.0220; and

WHEREAS, the requested waiver to the requirement to underground existing overhead facilities in the abutting public right-of-way, qualifies under the guidelines of Municipal Code, Section 144.0242 (c)Waiver of the Requirements to Underground Privately Owned Utility Systems and Service Facilities, in that the conversion involves a major street already scheduled as a utility-company financed project; and WHEREAS, on March 17, 2016, the Planning Commission of the City of San Diego

considered Tentative Map No. 1438817, and pursuant to San Diego Municipal Code section(s)

125.0440, 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 Map No. 1438817:

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 site is developed with a single family residence. The proposed development is to demolish the residence and subdivide the 1.36-acre property into eight lots for single family home development. The project site is located in the Clairemont Mesa Community Planning area and has a land use designation of Low Density Residential (5-10 dwelling units per net acre). The proposed lots would range in size from 5,154 square feet to 10,027 square feet, which complies with the 5,000 square foot minimum lot size of underlying RS-1-7 Zone. The proposal to build single-family dwelling units on 5,000square-foot lots would not require a plan amendment. The General Plan and Community Plan require noise attenuation measures to reduce noise impacts to acceptable levels. The project design includes a 6-foot high, architecturally enhanced, noise attenuation wall along the Morena Boulevard street frontage in order to reduce interior and exterior noise levels for the project's future single family homes. There are no proposed deviations or variances requested with his project. As stated above, the proposed subdivision is consistent with the recommended residential land use and density prescribed in the Clairemont Mesa Community Plan. Therefore, the proposed subdivision and its design or improvement 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, including any allowable deviations pursuant to the land development code.

The proposed eight lot subdivision would comply with the development regulations of the underlying RS-1-7 zone and all of the applicable development regulations of the Land Development Code, including minimum lot size, minimum street frontage, minimum lot width and minimum lot depth. The future single family structures will be reviewed

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through a ministerial building permit process. There are no proposed deviations or requested variances with this project design. Thus the proposed eight lot subdivision complies with the applicable zoning and development regulations of the Land Development Code.

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 1.36-acre site is moderately sloping and is developed with a single family residence. The site does not contain any form of Environmentally Sensitive Lands and the majority of surrounding properties are developed with single family residential uses to the north and south, an elementary school directly to the east and Morena Boulevard a four lane major roadway, parallel railroad tracks and Interstate Five Freeway to the west. The 1.36acre site is designated for Low Density Residential (5-10 dwelling units per net acre) by the Clairmont Mesa Community Plan, which would allow for 6 to 13 dwelling units. The proposal to subdivide the site into eight single family residential lots would be consistent with density range of the land use designation. The project site is identified as a Protected Single-family Neighborhood in the Residential Element of the Community Plan. The site has a gentle downward slope of approximately 17 feet from the east side of the project site to the west across approximately 240 feet. The project proposes grading the entire 1.36-arce site. The grading would include approximately 2,150 cubic yards of cut and 2,300 cubic yards of fill, with a net import of approximately 150 cubic yards. The grading design has an approximate 8-foot high cut slope on the project's east side along the edge of the elementary school property and an approximate 10-foot high fill slope along Morena Boulevard. This minimal grading design will allow the proper spacing and placement of eight single family dwelling units suitable for this site. The proposed lot sizes, which range between 5,154 square feet to 10,027 square feet, are similar to those within the surrounding single family neighborhood. The proposed project would help implement the primary goal for residential development by maintaining the low-density character of predominantly single-family neighborhoods. The project design includes a 6foot high, architecturally enhanced noise attenuation wall along the Morena Boulevard street frontage in order to reduce interior and exterior noise levels for the project's future single family homes. The proposed subdivision would not adversely affect the goals and policies of the Community Plan. The subdivision is designed to be consistent with the land use designation and density range of the Clairemont Mesa Community Plan. Future 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 are 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 proposed eight-lot subdivision is designed to comply with the development regulations of the underlying RS-1-7 zone and all of the applicable development regulations of the Land Development Code. The City prepared a Mitigated Negative Declaration (MND), in accordance with the California Environmental Quality Act

(CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporate mitigation measures into the project for potential impacts to Cultural Resources (Archaeology), Land Use (Noise) and Noise, to reduce the potential impacts to a level below significance.

The project site is not located within a 100-year flood hazard area and it is located approximately 60 feet above mean sea level. The project's design includes constructionrelated best management practices (BMPs) as identified in the Water Quality Technical Report and City of San Diego Storm Water Standards. In addition, following construction, landscaping would be installed consistent with City landscaping design requirements to further reduce the potential for runoff from the project site to occur. As such, the project would avoid direct discharge of runoff into and erosion of adjacent properties and storm drain systems minimizing potential environmental damage. 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 improvement 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 eight-lot subdivision would comply with the development regulations of the underlying RS-1-7 zone and all of the applicable development regulations of the Land Development Code. The project design includes a 6-foot high architecturally enhanced wall along the Morena Boulevard street frontage that would reduce interior and exterior noise levels for the project's future single family homes. This project includes in its design a 25-foot Subdivision Established Structural Setback along the project's western boundary as recommended by the project's Geology Report. There are no proposed deviations or requested variances with this proposed project design. 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. Further, the proposed subdivision and improvements would be permitted, constructed and inspected in accordance with the California Building Code established to protect public health and safety. 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 eight-lot subdivision would comply with the development regulations of the underlying RS-1-7 zone and all of the applicable development regulations of the Land Development Code. The project site has lot frontage along both Morena Boulevard, a four lane Major Roadway and Ticonderoga Street, a local collector street and thus, all vehicular ingress and egress is designed from Ticonderoga Street, consistent with the

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classification of street by the Clairemont Mesa Community Plan. The subdivision design does not propose dedication of any internal public streets. The design includes private driveways with private driveway easements to service internal vehicular circulation. This project will dedicate three feet of additional right-of-way along Morena Boulevard, as a condition of the Tentative Map, for future widening, therefore, not conflicting with public access adjacent to the site. As the proposed subdivision would improve the public rightsof-ways and maintain existing general utility easements therefore, the design of the subdivision and the associated improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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

The proposed subdivision of a 1.36-acre property into eight lots for residential development will not impede or inhibit any future passive or natural heating and cooling opportunities, because the design of the subdivision has taken into account the best use of the land to minimize grading of this previously disturbed property resulting in a level open development area for the proposed eight homes. This level, open design with lot sizes of 5,154 square feet and greater is advantageous for passive and natural heating and cooling. With the independent design of the proposed subdivision each structure will have the opportunity through building materials, site orientation, architectural treatments, placement and selection of plant materials to 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 proposed project is the subdivision of a 1.36-acre property into eight lots for residential development. The Clairemont Mesa Community Plan requires new development to provide housing to accommodate the needs of low income households, as certified by the San Diego Housing Commission. The community plan designates the site for Residential use at 5-10 dwelling unit per acre (DU/AC). The 1.36-acre site could accommodate between 6 and 13 dwelling units consistent with the density range of the Low Density Residential land use designation. The proposed project would demolish one existing single family unit and provide eight new market rate housing units, or a net increase of seven units on the site. This project will be required comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations at the time of building permit issuance. Balanced needs for public facilities were taken into consideration with the development of the Clairemont Mesa Community Plan and the projected build-out with the applied zone designation. 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 eight new residential dwelling units would assist the housing needs of the Clairemont Mesa Community Plan area.

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

incorporated by reference.

BE IT FURTHER RESOLVED that based on the Findings hereinbefore adopted by the Planning

Commission Tentative Map No. 1438817, including the waiver of the requirement to

underground existing offsite overhead utilities, hereby granted to Walter Anderson Family Trust

subject to the attached conditions which are made a part of this resolution by this reference.

By

Glenn R. Gargas, AICP Development Project Manager Development Services Department

ATTACHMENT: Tentative Map Conditions

Internal Order No. 24005592

PLANNING COMMISSION CONDITIONS FOR TENTATIVE MAP NO. 1438817, TICONDEROGA HOMES TM - PROJECT NO. 409275 MMRP

ADOPTED BY RESOLUTION NO. R-____ ON MARCH 24, 2016

GENERAL

1. This Tentative Map will expire on April 8, 2019.

- 2. Compliance with all of the following condition and be completed and/or assured, to the satisfaction of the City Engineer, prior to the recordance of the Final Map, unless otherwise noted.
- 3. Prior to the recordation of the Final 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 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, or if City fails to promptly notify Subdivider of any claim, action, or proceeding, or if City fails to cooperate fully in the defense. If City fails to cooperate fully in the defense, Subdivider shall not thereafter be responsible to defend, indemnify, or hold City and/or any Indemnified Parties harmless. City may participate in the defense of any claim, action, or proceeding if City both bears its own attorney's fees and costs, City defends the action in good faith, and Subdivider is not required to pay or perform any settlement unless such settlement is approved by the Subdivider.

AFFORDABLE HOUSING REQUIREMENT:

5. Please note, prior to the issuance of any building permits, the Owner/ Subdivider shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.).

ENGINEERING

6. A Final Map shall be recorded in the Office of the County Recorder, prior to the Tentative Map expiration date.

- 7. Prior to Final Map recordation, the Subdivider shall grant an additional 5-foot drainage easement to provide a minimum 15-foot wide drainage easement.
- 8. The Subdivider shall close the existing driveway on Morena Boulevard with City standard curb, gutter and sidewalk.
- 9. The Subdivider shall construct two 20-foot City standard driveways on Ticonderoga Street.
- 10. The Subdivider shall replace the existing curb ramp with City standard curb ramp with truncated domes located at the southeast corner of Ticonderoga Street and Morena Boulevard.
- 11. The Subdivider shall obtain an Encroachment Maintenance and Removal Agreement for private sidewalk underdrains, landscape and irrigation locate within the City's right-of-way.
- 12. The Subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer
- 13. The Subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Artice 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plane or specifications.
- 14. The Subdivider shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
- 15. The drainage system for the project shall be private and will be subject to approval by the City Engineer.
- 16. 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.
- 17. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-00090DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2007-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
- 18. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the

City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

- 19. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
- 20. 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.
- 21. Compliance with all conditions shall be sured, to the satisfacture of the City Engineer, prior to the recordation of the nal Map, unless otherwise noted.
- 22. 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 Marual, filed with the City Clerk as Document No. RR-297376.
- 23. Prior to Final Map recordation, the Subdivider shall remove the existing building from the site.

TRANSPORTATION

24. Prior to recordation of the Final Map, the Owner/Subdivider shall dedicate 3 feet of right-of-way, and construct a 5-foot-wide non-contiguous sidewalk with appropriate transitions within a 10-foot parkway along the project frontage on Morena Boulevard satisfactory to the City Engineer.

ENVIRONMENTAL

- 25. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Tentative Map. These MMRP conditions are hereby incorporated into this Tentative Map by reference.
- 26. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 409275, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.

- 27. The Subdivider shall comply with the MMRP as specified in Mitigated Negative Declaration No. 409275, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas: Cultural Resources (Archaeology), Land Use (Noise) and Noise.
- 28. Prior to or concurrent with Final Map recordation, the Environmental Resolution containing the Mitigation, Monitoring and Reporting Program shall be recorded on the subject property.

LANDSCAPE

- 29. Prior to map recordation, the subdivide shall submit complete landscape construction documents, including plans; details, and specifications (including a permanent automatic irrigation system unless otherwise approved), for the required right-of-way and median (if applicable) improvements, slope revegetation and hydroseeding of all disturbed and a accordance with the Landscape Standards, Exhibit "A" and to the satisfaction of the Development Services Department.
- 30. Driveways, utilities, drains, water and sewer heads shall be designed so as not to prohibit the placement of street trees.

MAPPING

- 31. "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].
- 32. Prior to the recordation of the Final Map taxes must be paid or bonded for this property pursuant to section 66492 of the Subdivision Map Act. A current original tax certificate, recorded in the office of the San Diego County Recorder must be provided to satisfy this condition.
- 33. "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."
- 34. The Final Map shall:
 - a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said

Project No. 409275 TM No. 1438817

-PAGE 4 OF 7-

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 First Order accuracy. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map
- 35. Prior to the expiration of the Tentative Map, a Final Map to subdivide Lots shall be recorded in the office of the County Recorder.
- 36. All subdivision maps in the City of San Diego are required to be tied to the California Coordinate System of 1983 (CCS83), Zone 6 pursuant to section 8801 through 8819 of the California Cublic Resources Code.

GEOLOGY

37. Prior to Final Map recordation, the Subdivision Established Structural Setback of 25 feet shall be noted and illustrated on the Final Map consistent with the Tentative Map and shall be noted and illustrated on all ministerial construction documents submitted to the City of San Diego. All foundations for buildings, building additions, garages, carports, or upper floor decks shall be setback at least 25 feet from the western subdivision boundary. Landscape features and accessory uses customary and incidental to residential uses including landscaping, walkways, open shade structures, pools, decks less than 3 feet above grade, seating benches, lighting standards, fences and walls, or similar features or uses are allowable within the Subdivision Established Structural Setback.

WATER & WASTEWAT

- 38. The Subdivider similars use, by permit and bond, the design and construction of new water and sewer services outside of any driveway or drive aisle and the abandonment of any existing unused water and sewer services within the right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director, the City Engineer.
- 39. The Subdivider shall apply for a plumbing permit for the installation of appropriate private back flow prevention devices on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City

Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way.

- 40. The Subdivider shall record private water and sewer easements for all cross-lot water and sewer services from one lot to another.
- 41. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.
- 42. The Subdivider shall design and construct all proposed public water and sewer facilities, in accordance with established criteria in the current edition of the City of San Diego Water and Sewer Facility Design Guidelines and City regulations, standards and practices.
- 43. Prior to the recording of the Final Max public water and second facilities shall be complete and operational in a manner satisfactory to the Public Utilities Director and 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.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code Section 17620, in accordance with procedures established by the Director of Building Inspection.

Internal Order No. 24005592

RESOLUTION NUMBER R-_____ TICONDEROGA HOMES TM – PROJECT NO. 409275 ADOPTED ON MARCH 17, 2016

WHEREAS, on February 26, 2015, Candlelight Dev. LLC submitted an application to Development Services Department for a Tentative Map for the Ticonderoga Homes (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the Planning Commission of the City of San Diego; and

WHEREAS, the issue was heard by the Planning Commission on March 17, 2016; and

WHEREAS, the Planning Commission considered the issues discussed in Mitigated Negative Declaration No. 409275 (Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Planning Commission in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Planning Commission finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Planning Commission in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that Development Services Department is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

By: Glenn R. Gargas, Development Project Manager

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Tentative Map

PROJECT NO. 409275

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No.409275 shall be made conditions of Tentative Map as may be further described below.

A. GENERAL REQUIREMENTS - PART I

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that <u>the MMRP Conditions/Notes that apply ONLY to</u> <u>the construction phases of this project are included VERBATIM</u>, under the heading, **"ENVIRONMENTAL/MITIGATION REQUIREMENTS.**"

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

http://www.sandiego.gov/development-services/industry/standtemp.shtml

4. The **TITLE INDEX SHEET** must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. SURETY AND COST RECOVERY – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II Post Plan Check (After permit issuance/Prior to start of construction)

1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT. The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the Local Enforcement Agency (LEA) Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Project Representative(s), Job Site Superintendent and the following consultants: **Archaeological Monitor Native American Monitor**

Note: Failure of all responsible Project representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the **City's Local Enforcement** Agency (LEA) 858-627-3200
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call **LEA and MMC at 619-533-3696**
- 2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) No. 303795, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD's ED, and MMC. The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc
 - 3. OTHER AGENCY REQUIREMENTS: Evidence that any other agency requirements or permits have been obtained or are in process shall be submitted to the MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency.

Not Applicable for this project.

- 4. MONITORING EXHIBITS: All consultants are required to submit, to LEA and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, potential soil stockpile locations, air quality monitoring locations, grading, landscape, etc., marked to clearly show the specific areas including the LIMIT OF WORK, scope of that discipline's work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.
- 5. OTHER SUBMITTALS AND INSPECTIONS: The Permit Holder/Owner's representative shall submit all required documentation, verification letters, and requests for all associated inspections to the LEA and MMC for approval per the following schedule:

Document Submittal/Inspection Checklist

Issue Area Document submittal Associated Inspection/Approvals/Note

General	Consultant Qualification Letters meeting	Prior to Pre-construction
General	Consultant Const. Monitoring	Prior to or at the Pre-Construction meeting
Archaeology Final MMRP	Archaeological Reports	Archaeological observation Final MMRP Inspection
Noise	Exterior-to-interior noise analysis	Prior to Permit Issuance

SPECFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENT:

CULTURAL RESOURCES (ARCHAEOLOGY) ARCHY-1

I. Prior to Permit Issuance

- A. Entitlements Plan Check
 - 1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ADD

- 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
- 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
- 3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

- A. Verification of Records Search
 - 1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was inhouse, a letter of verification from the PI stating that the search was completed.
 - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
 - 3. The PI may submit a detailed letter to MMC requesting a reduction to the ¹/₄ mile radius.
- B. PI Shall Attend Precon Meetings
 - 1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the Pl, Native American consultant/monitor (where

Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

- a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
- 2. Identify Areas to be Monitored
 - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
 - b. The AME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
- 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate site conditions such as depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

- A. Monitor(s) Shall be Present During Grading/Excavation/Trenching
 - 1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
 - 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
 - 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.

- 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
 - 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
 - 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 - 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
 - 4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.
- C. Determination of Significance
 - 1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
 - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) which has been reviewed by the Native American consultant/monitor, and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
 - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

- A. Notification
 - 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.

- 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate discovery site
 - I. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the Pl concerning the provenance of the remains.
 - 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
 - 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains **ARE** determined to be Native American
 - 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
 - 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
 - 3. The MLD will contact the Pl within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
 - 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
 - 5. Disposition of Native American Human Remains will be determined between the MLD and the Pl, and, if:
 - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission; OR;
 - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN,
 - c. In order to protect these sites, the Landowner shall do one or more of the following:
 - (1) Record the site with the NAHC;
 - (2) Record an open space or conservation easement on the site;
 - (3) Record a document with the County.
 - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.
- D. If Human Remains are **NOT** Native American
 - 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.

- 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
 - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.

- d. The PI shall immediately contact MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

A. Preparation and Submittal of Draft Monitoring Report

- 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe resulting from delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
 - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program shall be included in the Draft Monitoring Report.

- b. Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.
- 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
- 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
- 4. MMC shall provide written verification to the PI of the approved report.
- 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
 - I. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 - 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
 - 3. The cost for curation is the responsibility of the property owner.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
 - 3. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection 5.
- D. Final Monitoring Report(s)
 - 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 - 2. The RE shall, in no case, issue the Notice of Completion and/or release of the Performance Bond for grading until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

LAND USE (NOISE)

Noi-1

The applicant shall mitigate exterior noise impacts for the proposed project as follows:

I. Prior to Permit Issuance – Plan Check

A. Prior to issuance of the bldg permit, the Permit Holder shall incorporate the requirements for environmental noise mitigation on the appropriate construction documents as described in the *(Ticonderoga Homes, Terry, January 2016)* report:

Exterior-to-Interior Noise Level Limit: Interior noise levels for the proposed residences shall not exceed 45 CNEL. Once specific building plan information is available, additional exterior-to-interior noise analysis shall be conducted for the proposed project residences when future home plans are submitted to demonstrate that interior levels do not exceed 45 CNEL. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on any other openings in the building shell. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned onsite buildings. If predicted noise levels are found to be in excess of 45 CNEL, the report shall identify architectural materials or techniques that could be included to reduce noise levels to 45 CNEL in hubitable rooms. Standard measures such as glazing with Sound Transmission Control (STC) ratings from a STC 22 to STC 60, as well as walls with appropriate STC ratings (34 to 60), should be considered.

Appropriate means of air circulation and provision of fresh air would be provided to allow windows to remain closed for extended intervals of time so that acceptable interior noise levels can be maintained. The mechanical ventilation system would meet the criteria of the International Building Code (Chapter 12, Section 1203.3 of the 2001 California Building Code).

B. Prior to issuance of the building permit, the Assistant Deputy Director (ADD) Environmental designee shall verify the following sound attenuation measures have been incorporated into the design of the proposed development to reduce noise interior levels to below 45 dB CNEL.

II. Post Construction – Prior to Final Inspection

- A. The Permit Holder shall submit one copy of the final Acoustical Analysis with construction documents to the BI, and one copy to MMC.
- B. MMC to verify the sound attenuation barrier has been constructed in accordance with the Construction documents.

NOISE

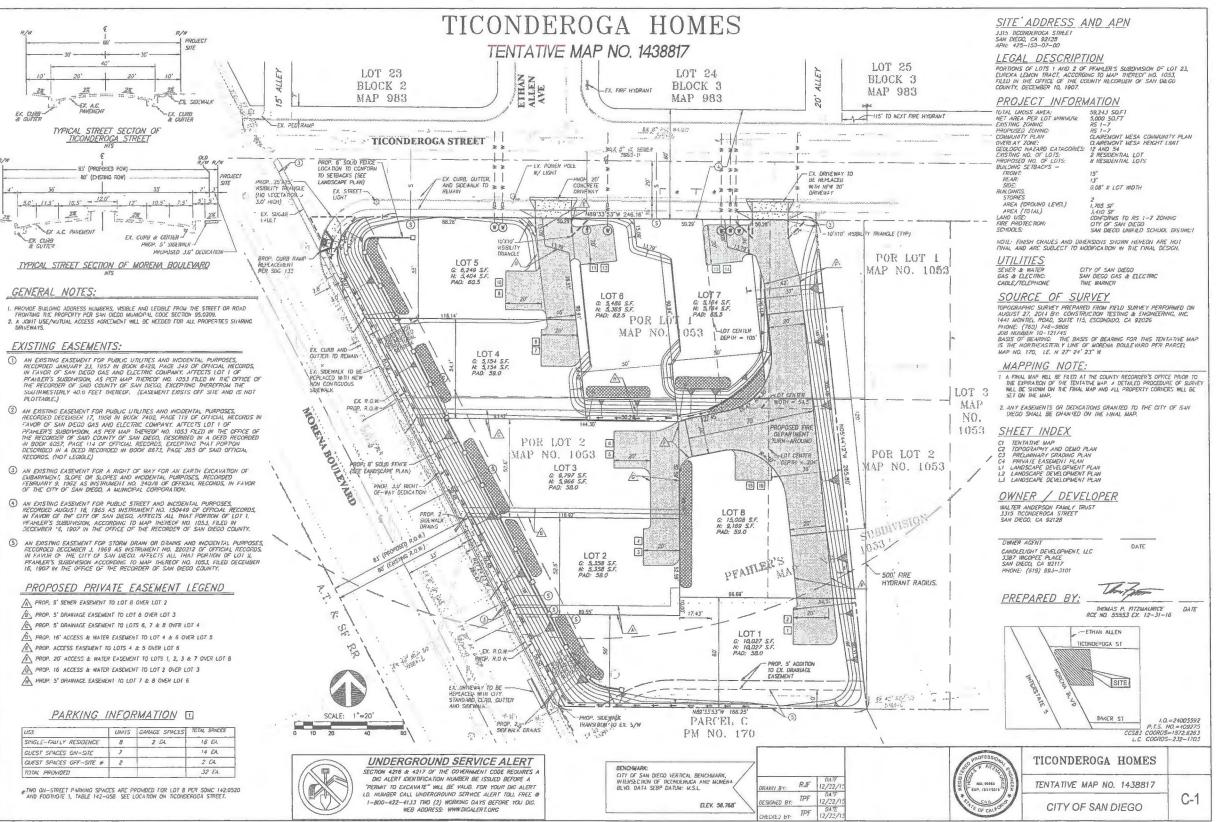
Noi-2

Construction Noise Barriers. To reduce construction noise levels to below a level of significance, a temporary noise control barrier would be used as a mitigation measure. A temporary noise control barrier with a minimum height to break the line of sight between an excavator or dozer and the adjacent elementary school and single-family residence to the south would reduce noise levels by 5 to 7 dBA L_{EO} . Therefore, if such a noise control barrier is used, the 75 dBA L_{EO} contour line

would be 22 foot or less from the project property line (see Figure 6, *Construction Noise Contours with Temporary Barrier from Ticonderoga Homes, Terry, January 2016*).

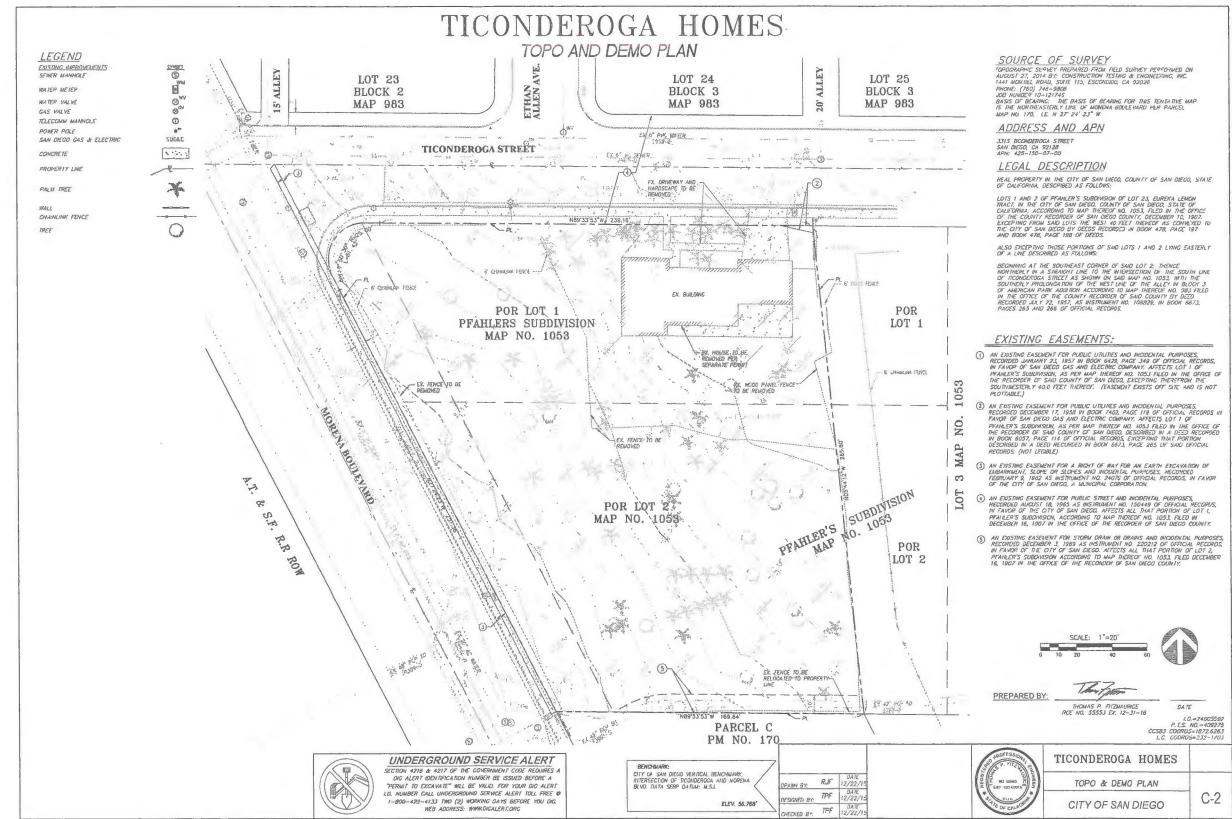
The temporary noise control barrier must be tall enough to break the line of sight between the excavator or dozer and the sensitive receptor. The sound attenuation barrier must be solid. It can be constructed of wood, plywood, or flexible vinyl curtains that meet a rating of STC 19, as long as there are no cracks or gaps, through or below the wall. Any seams or cracks must be filled or caulked. If wood or plywood is used, it can be tongue and groove and must be at least 5/8-inch total thickness or have a density of at least $3\frac{1}{2}$ pounds per square foot.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

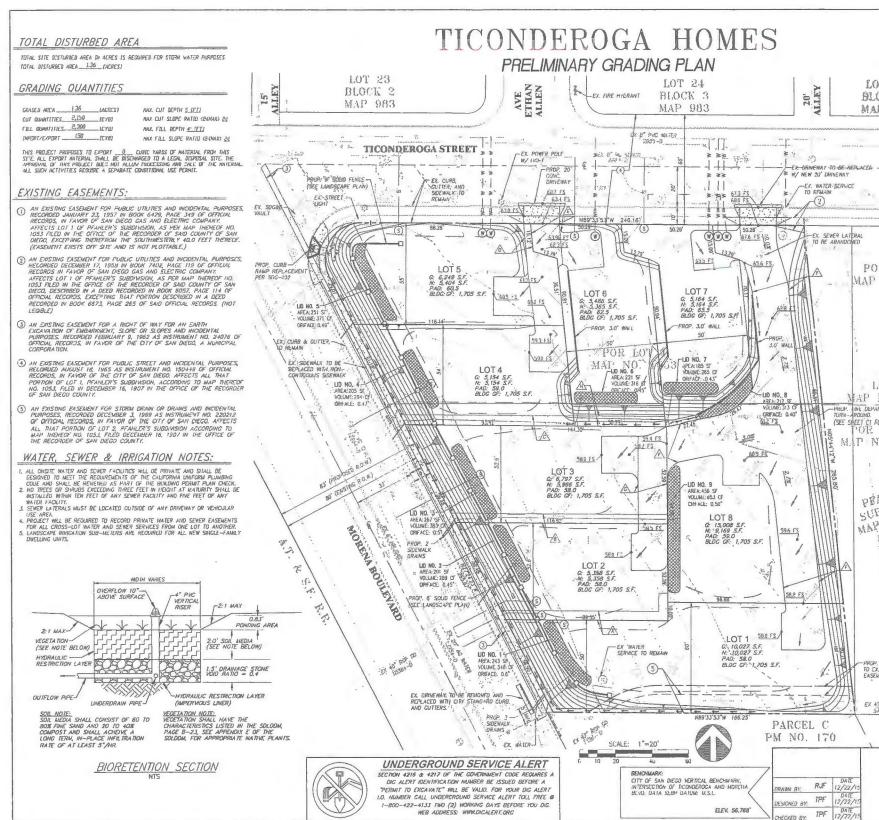


EXISTING EASEMENTS:

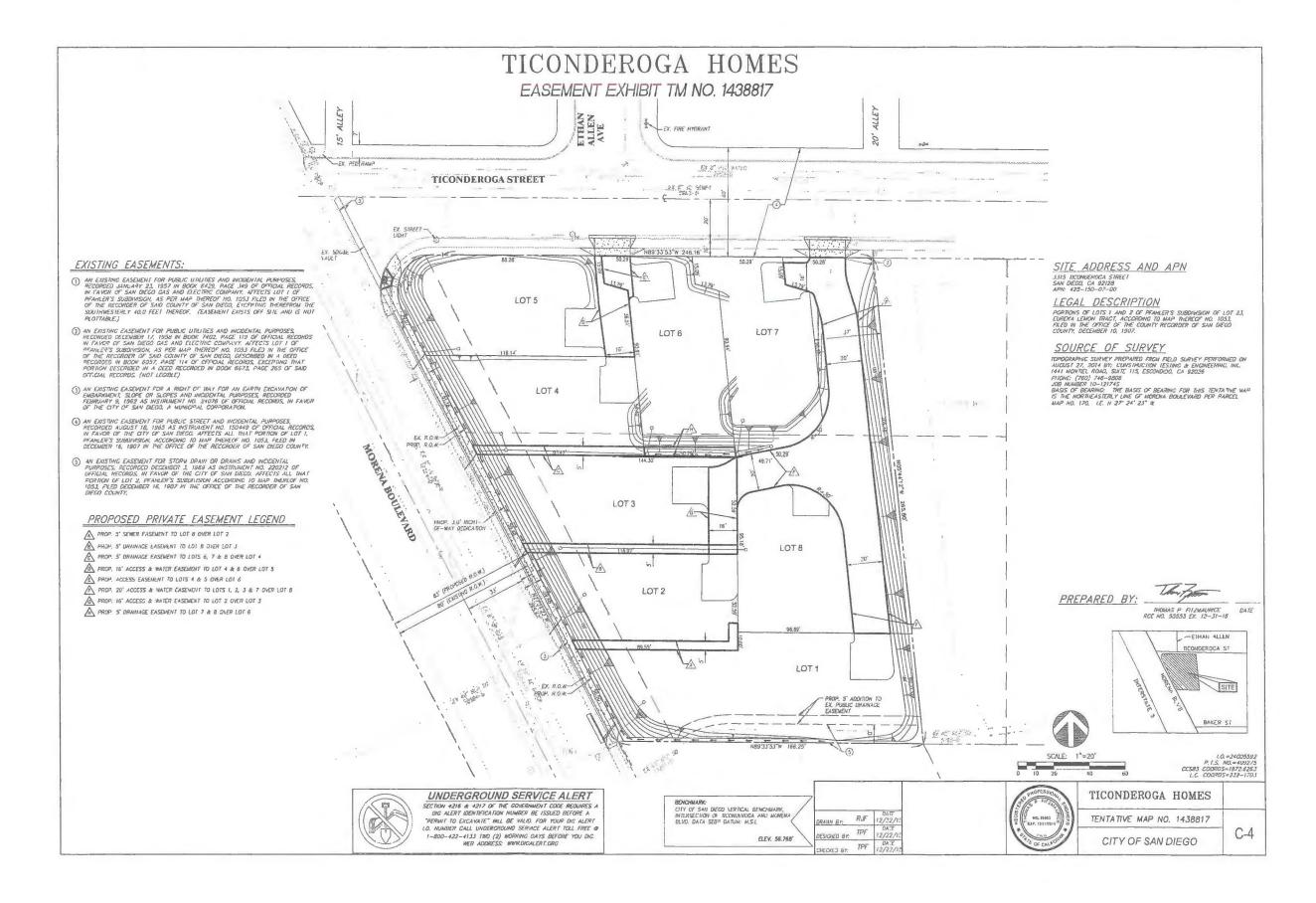
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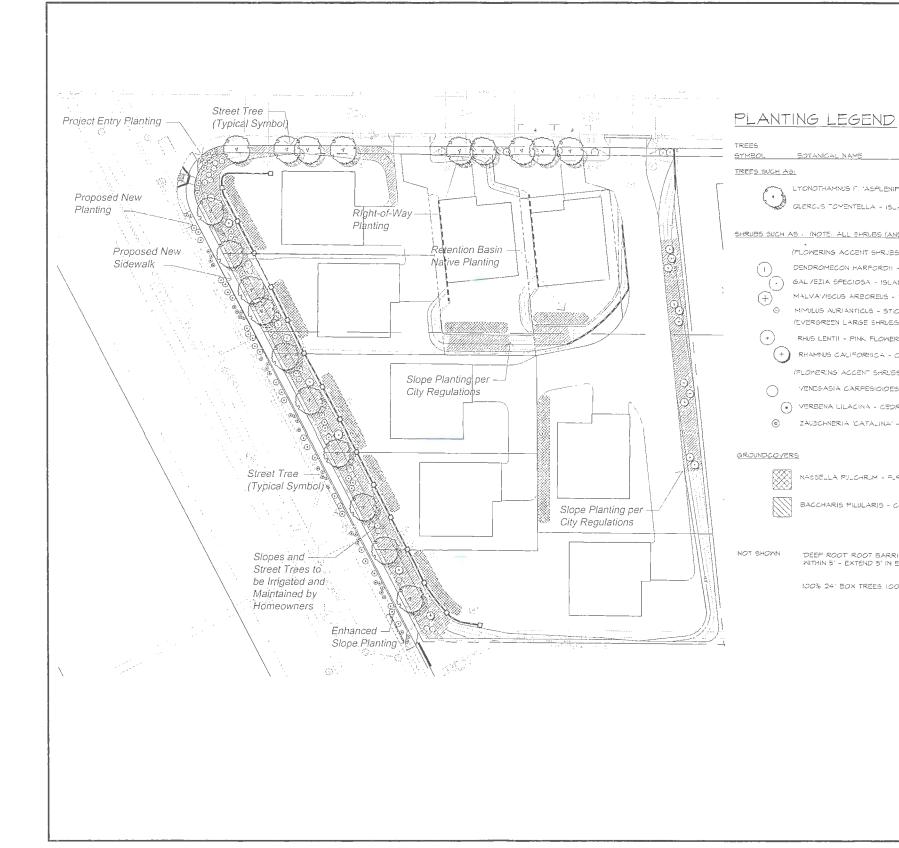
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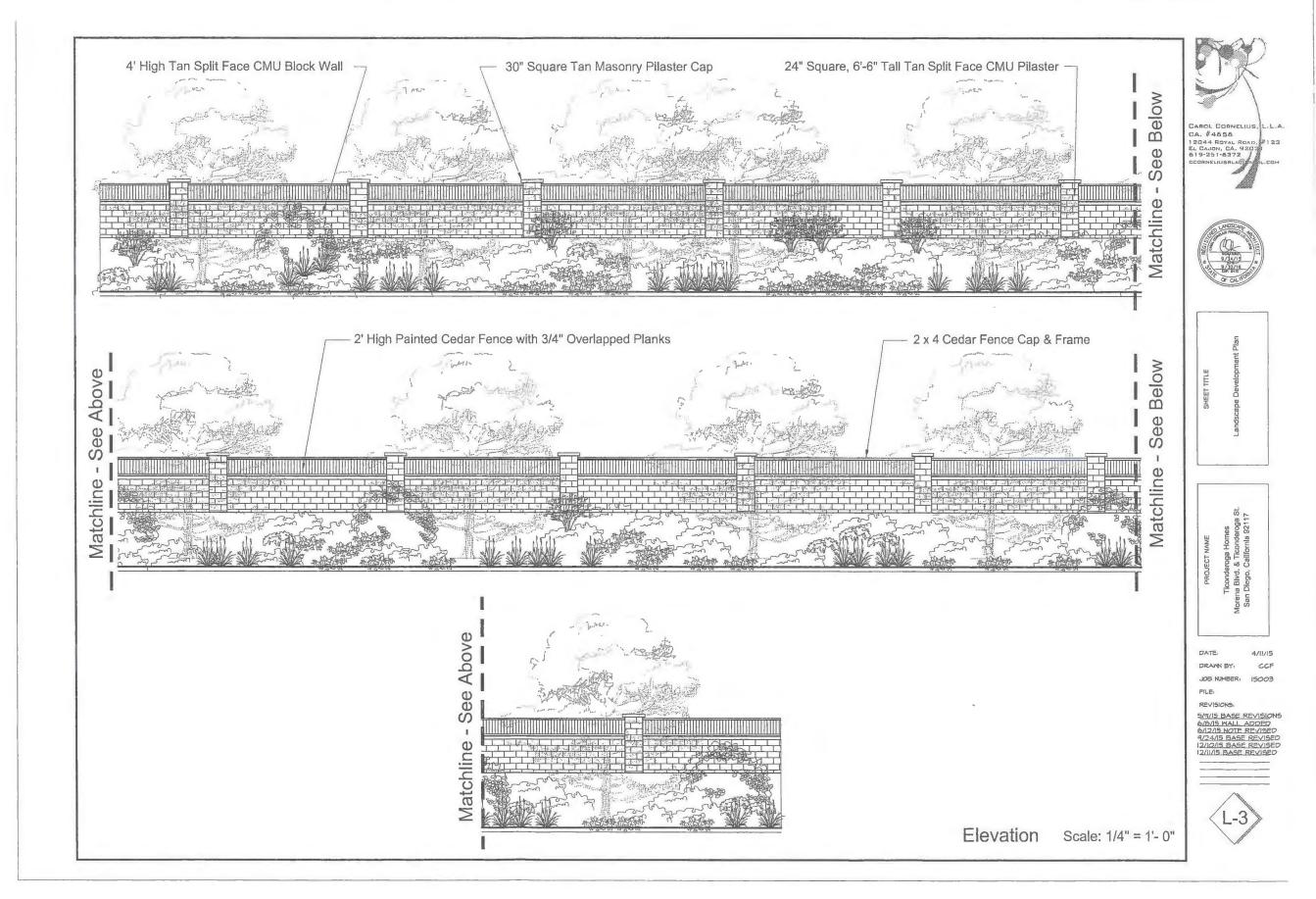
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San Diego Underground Utility Projects



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2/22/2016

Clairemont Community Planning Group

Minutes of the Meeting of May 19, 2015 Cadman Elementary School

P Delana Hardacre-Treasurer P Margie Schmidt P Naveen Waney	P Keith Hartz –Vice Chair P Lynn Titialii - Secretary	P Harry Backer P Cecelia Frank P Chad Gardner	A Debra Howell P Richard Jensen P Michael Puente P Margie Schmidt	P Daniel SmiechowskiP Joel SmithP Troy TerpeningP Naveen Waney
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P-Present A-Absent L-Late

Item 1. Call to Order / Roll Call

Meeting was called to order at 6:35 p.m. by Chair Scott Wentworth. Roll call was taken and a quorum present.

Item 2. <u>Non-Agenda Public Comment</u> – Issues that are not on the agenda and are within the jurisdiction of the Clairemont Community Planning Group. NOTE: 3-minute time limit per speaker.

Public:

Roberto Salinas - Expressed concerns about CO2 emissions on Moraga Ave. Has brought the issue to the attention of the county and city but no progress. He is asking for the group's support to do an environmental study.

Committee Members:

Harry - Motor home parking is not being controlled, is there any way we can do more? Daniel Smiechowski-Would like to write a letter to support Roberto Salinas' pollution concerns. Michael Prinz commented that the item should be agendized, and put on next month. Neighbor concerned about people driving in neighborhoods, throwing trash. This is a time to bring to the city if you want street lights to go underground. Naveen Waney -The community should support local efforts and businesses, such as the Farmers Market that is at Madison High School on Saturdays from 9am - 3pm. Chad Gardner - The community should also support Staley Farms on Morena Blvd. Margie Schmidt - Thanked Jeff Barfield for his years of service to the CCPG. Keith Hartz -Asked and it was confirmed that High Tech High will be building a school on the site where Horizon High School was located. Michael Puente - Complete the COW as soon as possible. You can access online or look for a future class and for new members, this must be completed in 60 days after appointment.

Item 3. <u>Modifications to the Agenda</u> – Requires 2/3 approval.

Naveen Waney requests the addition of Traffic Calming for Moraga Ave as an Informational Item.

Motion by Naveen Waney, seconded by Joel Smith.

Vote: 12-1 (Richard Jensen)- 0. Item added to the agenda.

Note: Number of members voting changed as Cecilia Frank left the meeting.

Item 4. <u>Approval of Minutes</u>

Motion to approve minutes for April 21, 2015 by Chad Gardner, seconded by Naveen Waney

Vote: 10-0-2 to approve. Michael Puente, Delana Hardacre abstained.

Item 5. Council Representative Reports

District 2 Council Report (Ernie Navarro, Community Liaison, <u>enavarro@sandiego.gov</u>). In the process of budget revision. Will be expanding South Clairemont recreation center and library hours. On Tues, May 26th, there will be a mini community cleanup and recycling event (flyer attached), only for residents identified on map, off Huerfano Ave. Lorie Zapt has a FAQ section on her website for District 2, answers many common questions and links to websites. http://www.sandiego.gov/citycouncil/cd2/ (attached). Recognition to outgoing chair, Jeff Barfield for his work and contributions, 8 years of service on the Clairemont Community Planning Group.

District 6 Council Report (Allen Young, Community Liaison, <u>alleny@sandiego.gov</u>) Representative not in attendance to provide report.

Item 6. Action Items (responses by presenter to questions in bold)

101. 3315 Ticonderoga Street. **Michael Brekka**, **Michael L. Brekka design**. Requesting support from the group for the proposed design for eight new single family homes, 60,000 sq ft site, zoned R17 which would allow for 12 homes to be built on site. They downsized as 8 homes fit better, 8,000 sq ft average lot size. There are two driveways feeding out to Ticonderoga. This is the 2nd time before group, couldn't get on agenda last month, had listened to input and made modifications to design. All reports required by the city have been completed.

Group input - Chad Gardner- what stage are you in? In review with the city for tentative map. Project should include solar, rain harvesting. Lynn Titialii- have they shown plans to Toler Elementary as the project is adjacent? no. Delana Hardacre- what type of landscaping? Drought tolerant with retention basins to preserve water. Margie Schmidt -suggest we table until the PRS has reviewed. Naveen Waney-what is the reason you're here? get support for the tentative map. Suggest we have one week to review and that they check the last two trees on lot for site lines to prevent accidents. Michael Prinz - As all requirements have been completed, this project will not be back, goes to Planning Commission.

Daniel Smiechowski - motion to approve tentative map, seconded by Keith Hartz.

Vote 8-4(Naveen Waney, Margie Schmidt, Chad Gardner, Richard Jensen)-0. Motion carried to approve tentative map.

102. Update of Verizon Wireless facility, **4292** Balboa Avenue. Proposed replacement antennas, new RRUs and surge suppressors, mounted to existing monopalm.

Group Input - Margie Schmidt - who will keep up landscaping? **tenant, will be included in new agreement**. If not, then Verizon. Chad Gardner - confirmed that verizon will return to the group if a generator is put in.

Motion by Margie Schmidt to approve, seconded by Chad Gardner.

Vote - 12-0-0 Motion carried to approve.

103. 4520 Pocahontas Avenue, Daniel Rehm, Ryland Homes. Proposal to build 52 single family homes onto the Stevenson site where the Horizon Christian Elementary School was leased from the San Diego Unified School District, all on the site where the school was located, no development in the canyon area. The land is 17.5 acres, residential area, 5 acres preserved space. There will be 50' and 55' lots, minimum 6200 lot size. 3 floor plans proposed, 2821- 3202 sq ft, single and two story, 3 car garages/driveways. All landscaping is low water use, will offer solar. Will be sold for \$780k - 820k. All required studies have been completed, and met all city requirements. Fencing around land, 6' block wall on Pocahontas Ave. HOA will maintain brush.

City of San Diego Development Se 1222 First Ave., N San Diego, CA S (619) 446-5000	ervices MS-302	0	wnership Disclosure Statement
Approval Type: Check appropriate box for Neighborhood Development Permit Variance Tentative Map Vesti Project Title	Site Development Permi ng Tentative Map / Map V	t Planned Development Vaiver Land Use Plan An	Permit Conditional Use Permit nendment • Other Project No. For City Use Only
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Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities.