

RESOLUTION NO. 201786 FEB 2 1971
Planned Residential Development Permit No. 10

WHEREAS, PENASQUITOS, INC., an Illinois corporation, Owner, hereafter referred to as "Permittee," filed an application for a permit to construct and operate a planned residential development, located northeasterly of Rancho Penasquitos Boulevard and westerly of Interstate 15 (U.S. 395), more particularly described in Appendix "A" attached hereto and made a part hereof, in the R-1-5 Zone; and

WHEREAS, on November 9, 1970, the Planning Commission of The City of San Diego made its finding of facts, and granted Planned Residential Development Permit No. 10 to Permittee to construct and operate said planned residential development and filed the same in the office of the City Clerk on November 16, 1970; and

WHEREAS, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, Kimball H. Moore, Community Development Director, under date of November 24, 1970, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on December 22, 1970, continued to January 19, 1971 and February 2, 1971, and testimony having been heard, evidence having been submitted and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

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

All of the following facts exist with respect to the issuance of Planned Residential Development Permit No. 10 on the property described in the preamble of this resolution.

1. The proposed use at the particular location is necessary to provide a facility which will contribute to the general well-being of the community.

2. Such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

3. The proposed use will comply with the regulations and conditions specified in the Code for such use.

4. The granting of this use will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.

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

BE IT FURTHER RESOLVED, that by a vote of 8 to 0, the appeal of Kimball H. Moore be, and it is hereby denied and the City Council does hereby grant to PENASQUITOS, INC., an Illinois

corporation, Planned Residential Development Permit No. 10
to construct and operate said development, in the form and
with the terms and conditions as set forth in the permit
attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

FCC:pn
2-9-71

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 10
CITY COUNCIL

This planned residential development permit is granted by the Council of The City of San Diego to PENASQUITOS, INC., an Illinois corporation, Owner, hereafter referred to as "Permittee," for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101.0900 of the San Diego Municipal Code.

1. Permission is hereby granted to Permittee to construct and operate a planned residential development, located north-easterly of Rancho Penasquitos Boulevard and westerly of Interstate 15 (U.S. 395), more particularly described in Appendix "A" attached hereto and made a part hereof, in the R-1-5 Zone.

2. The planned residential development shall include and the term "Project" as used in this planned residential development permit shall mean the total of the following facilities:

- a. 329 residential units in three phases
- b. Off-street parking
- c. Incidental accessory uses as may be determined and approved by the Planning Director

3. Prior to the issuance of any building permits, a final subdivision map or maps shall be recorded on the subject property and the property zoned R-2.

4. An open space easement shall be granted and shown on said map on all areas not shown for building sites.

5. Parking shall be supplied at a ratio of 4 parking spaces for each single and duplex residential unit, and at a ratio of 2.35 parking spaces for each 4 and 5-plex residential unit. Each space shall be a minimum of 8-1/2 feet by 20 feet; one covered parking space shall be provided for each residential unit. This covered space shall not be converted for any other use at any time; each owner shall be instructed through the C.C. & R's of these restrictions. These spaces shall be provided and maintained on the subject property in the approximate location shown on Exhibit "A" (dated February 2, 1971) on file in the office of the Planning Department. Areas and driveways shall be surfaced with not less than 2" A.C. or its equivalent, and each parking space shall be marked. Parking spaces and aisles shall conform to Planning Department standards. No charge shall be made at any time for the use of these off-street parking spaces.

6. All on-street parking bay spaces shall be a minimum size of 8-1/2 by 20 feet in dimension.

7. No parking shall be permitted on any private driveway unless there is a minimum of 20 feet of space between the residential unit and the property line.

8. Exterior radio and/or television antennas shall be prohibited.

9. Building permits for office and model home purposes may be issued for proposed Penasquitos Knolls Unit No. 1 prior to the recordation of the final subdivision map.

10. The Permittee shall comply with the General Conditions for Planned Residential Developments attached hereto and made a part hereof.

Passed and adopted by the City Council of The City of San Diego on February 2, 1971.

GENERAL CONDITIONS FOR PLANNED RESIDENTIAL DEVELOPMENT PERMITS

1. Prior to the issuance of any building permits, complete building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit A dated February 2, 1971, on file in the office of the Planning Department. The property shall be developed in accordance with the approved building plans except where regulations of this or other governmental agencies require deviation therefrom. Prior to and subsequent to the completion of the Project, no changes, modifications or alterations shall be made unless and until appropriate applications for amendment of this permit shall have been approved and granted.

2. Prior to the issuance of any building permits, a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit A, dated February 2, 1971, on file in the office of the Planning Department. Approved planting shall be installed prior to the issuance of an occupancy permit on any building. Such planting shall not be modified or altered unless and until this permit shall have been amended to permit such modification or alteration.

3. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.

201786

4. This planned residential development permit must be utilized within 18 months after the effective date thereof. Failure to utilize subject permit within 18 months will automatically void the same, unless an extension of time has been granted by The City of San Diego as set forth in Section 101.0900 of the Municipal Code.

5. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.

6. The effectiveness of this planned residential development permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the following events shall have occurred:

a. Permittee shall have agreed to each and every condition hereof by having this planned residential development permit signed within 90 days of the Council's decision. In no event shall this condition be construed to extend the time limitation set forth in 4 above; i.e., the time commences to run on the date that the City Council granted this planned residential development permit.

b. This planned residential development permit executed as indicated shall have been recorded in the office of the County Recorder:

7. After the establishment of the Project as provided herein, the subject property shall not be used for any other purposes unless specifically authorized by the Planning Commission, or City Council, or both unless the proposed use meets every requirement of the zone existing for the subject property at the time of conversion.

8. The property included within this planned residential development permit shall be used only for the purposes and under the terms and conditions as set forth in this permit unless the permit shall have been revoked by The City of San Diego.

9. In addition to any other remedy provided by law, any breach in any of the terms or conditions of this permit or any default on the part of Permittee or its successors in interest, shall be deemed a material breach hereof and this planned residential development permit may be cancelled or revoked. Cancellation or revocation of this planned residential development permit may be instituted by City or Permittee. The Planning Director shall set this matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0900. An appeal from the decision of the Planning Commission may be taken to the City Council within ten days after the decision is filed with the City Clerk. The Clerk shall set the matter for public hearing before the City Council giving the same notice as provided in Section 101.0900.

201786

10. This planned residential development permit shall inure to the benefit of and shall constitute a covenant running with the lands, and the terms, conditions and provisions hereof shall be binding upon Permittee, and any successor or successors thereto, and the interests of any successor shall be subject to each and every condition herein set out.

AUTHENTICATED BY:

Mayor of The City of San Diego, California

City Clerk of The City of San Diego, California

STATE OF CALIFORNIA)

) ss

COUNTY OF SAN DIEGO)

On this _____ day of _____, 19____,
before me the undersigned, a Notary Public in and for said County
and State, residing therein, duly commissioned and sworn, person-
ally appeared FRANK CURRAN, known to me to be the Mayor, and
JOHN LOCKWOOD, known to me to be the City Clerk of The City of
San Diego, the municipal corporation that executed the within
instrument and known to me to be the persons who executed the
within instrument on behalf of the municipal corporation therein
named, and acknowledged to me that such municipal corporation
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
official seal, in the County of San Diego, State of California,
the day and year in this certificate first above written.

(Notary Stamp)

Notary Public in and for the County
of San Diego, State of California

The undersigned Permittee by execution hereof agrees to
each and every condition of this planned residential development
permit and promises to perform each and every obligation of Permittee
hereunder.

PENASQUITOS, INC.,
an Illinois corporation (seal)

By _____

page 8 of 9

201786

Acknowledgment

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss

On this _____ day of _____, 197 , before
me, the undersigned, a Notary Public in and for said County
and State, personally appeared _____,
known to me to be the _____ of _____

the corporation that executed the within instrument and known
to me to be the person who executed the same on behalf of said
corporation and acknowledged to me that said corporation
executed the same, pursuant to its bylaws or a resolution of
its Board of Directors.

WITNESS my hand and official seal.
(Notary Stamp)

Notary Public in and for the County
of San Diego, State of California

APPENDIX "A"

THAT PORTION OF RANCHO LOS PENASQUITOS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP ACCOMPANYING THE PATENT TO SAID RANCHO, RECORDED IN THE OFFICE OF THE COUNTY RECORDER IN BOOK 2, PAGE 385 OF PATENTS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY LINE OF THAT CERTAIN 200.00 FOOT RIGHT OF WAY GRANTED TO THE SAN DIEGO GAS AND ELECTRIC COMPANY, A CORPORATION, RECORDED JANUARY 27, 1954 AS DOCUMENT NO. 10727 IN BOOK 5122, PAGE 554 OF OFFICIAL RECORDS WITH THE NORTHERLY BOUNDARY OF THE LAND DESCRIBED IN LIS PENDENS, RECORDED JANUARY 17, 1964 AS FILE NO. 10305 AND THE AMENDED LIS PENDENS RECORDED AUGUST 3, 1965 AS FILE NO. 139001 IN THE ACTION ENTITLED "THE PEOPLE OF THE STATE OF CALIFORNIA, VS. THE PENASQUITOS CORPORATION, ET AL"; THENCE ALONG SAID NORTHEASTERLY LINE NORTH $23^{\circ}55'06''$ WEST 764.74 FEET; THENCE SOUTH $83^{\circ}30'$ WEST 420.68 FEET; THENCE SOUTH $87^{\circ}26'01''$ WEST 30.37 FEET; THENCE NORTH $16^{\circ}26'43''$ WEST 986.08 FEET TO A TANGENT 1700.00 FOOT RADIUS CURVE CONCAVE WESTERLY; THENCE NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF $41^{\circ}33'17''$ A DISTANCE OF 1232.95 FEET; THENCE TANGENT TO SAID CURVE NORTH $58^{\circ}00'$ WEST 1789.96 FEET TO A TANGENT 1000.00 FOOT RADIUS CURVE CONCAVE EASTERLY; THENCE NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF $43^{\circ}30'00''$ A DISTANCE OF 759.22 FEET; THENCE TANGENT TO SAID CURVE NORTH $14^{\circ}30'00''$ WEST 923.00 FEET TO A TANGENT 1000.00 FOOT RADIUS CURVE CONCAVE WESTERLY; THENCE NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF $38^{\circ}42'00''$ A DISTANCE OF 675.44 FEET; THENCE NORTH $45^{\circ}05'05''$ EAST 237.80 FEET TO A TANGENT 600.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF $06^{\circ}54'55''$ A DISTANCE OF 72.42 FEET; THENCE TANGENT TO SAID CURVE NORTH $52^{\circ}00'$ EAST 42.70 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH $47^{\circ}00'$ EAST 85.68 FEET TO A TANGENT 1346.00 FOOT RADIUS CURVE CONCAVE WESTERLY; THENCE SOUTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF $33^{\circ}48'$ A DISTANCE OF 794.03 FEET; THENCE TANGENT TO SAID CURVE SOUTH $13^{\circ}12'$ EAST 499.54 FEET; THENCE SOUTH $66^{\circ}00'$ WEST 39.97 FEET; THENCE SOUTH $24^{\circ}00'$ EAST 130.00 FEET; THENCE NORTH $66^{\circ}00'$ EAST 167.00 FEET TO A TANGENT 1130.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF $8^{\circ}20'$ A DISTANCE OF 164.35 FEET; THENCE TANGENT TO SAID CURVE NORTH $57^{\circ}40'00''$ EAST 266.56 FEET TO A TANGENT 1130.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF $06^{\circ}00'$ A DISTANCE OF 118.33 FEET; THENCE TANGENT TO SAID CURVE NORTH $51^{\circ}40'00''$ EAST 227.10 FEET; THENCE NORTH $86^{\circ}09'33''$ EAST 65.68 FEET TO A POINT IN THE ARC OF A 300.00 FOOT RADIUS CURVE CONCAVE WESTERLY, A RADIAL LINE BEARS NORTH $86^{\circ}09'33''$ EAST TO SAID POINT; THENCE NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF $22^{\circ}19'33''$ A DISTANCE OF 116.88 FEET; THENCE TANGENT TO SAID CURVE NORTH $26^{\circ}10'$ WEST 61.93 FEET; THENCE NORTH $51.4'$ EAST 61.93 FEET TO A TANGENT 800.00 FOOT RADIUS CURVE CONCAVE NORTHERLY; THENCE EASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF $08^{\circ}58'10''$ A DISTANCE OF 125.24 FEET TO THE SOUTHWESTERLY LINE OF THAT CERTAIN 200.00 FOOT RIGHT OF WAY GRANTED TO THE SAN DIEGO GAS AND ELECTRIC COMPANY, A CORPORATION, RECORDED JANUARY 27, 1954 AS DOCUMENT NO. 10727 IN BOOK 5122, PAGE 554 OF OFFICIAL RECORDS; THENCE ALONG SAID SOUTHWESTERLY LINE, NORTH $23^{\circ}55'06''$ WEST 1334.20 FEET; THENCE SOUTH $66^{\circ}00'$ WEST 125.37 FEET; THENCE SOUTH $63^{\circ}00'$ WEST 30.04 FEET; THENCE SOUTH $26^{\circ}00'$ EAST 30.04 FEET; THENCE SOUTH $63^{\circ}00'$ WEST 355.00 FEET TO A TANGENT 1000.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY; THENCE WESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF $11^{\circ}00'$ A DISTANCE OF 191.99 FEET; THENCE TANGENT TO SAID CURVE SOUTH $52^{\circ}00'$ WEST 529.07 FEET TO THE TRUE POINT OF BEGINNING.

201786

20

FEB 2 1971

Passed and adopted by the Council of The City of San Diego on
by the following vote:

RECEIVED
CITY CLERK'S OFFICE

1971 FEB 10 PM 4:11

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfo J. Hamel, Deputy *re*

Office of the City Clerk, San Diego, California

Resolution Number 201786 Adopted FEB 2 1971