

OCT 14 1971

RESOLUTION NO. 2107412
Planned Residential Development Permit No. 15

WHEREAS, ALCO-PACIFIC ENTERPRISES, INC., a California corporation, Owner, hereafter referred to as "Permittee," filed an application for a permit to construct and operate a planned residential development, located west of Pasatiempo Avenue, between Rockhurst Court and Camino Rico, easterly of College Avenue, being a portion of Lot 67 of Rancho Mission of San Diego, more particularly described in Appendix "A" attached hereto and made a part hereof, in the R-1-5 Zone; and

WHEREAS, on May 26, 1971, the Planning Commission of The City of San Diego made its finding of facts and filed the same in the office of the City Clerk on June 9, 1971; and

WHEREAS, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, AMOS SOMMERS, under date of June 18, 1971, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on July 22, 1971, continued to August 19, 1971 and October 14, 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. 15 on the property described in the preamble of this resolution.

1. The proposed use at the particular location is necessary or desirable to provide a service or 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. All design and minimum standards for a Planned Residential Development will be met.

4. The granting of this permit will not adversely affect the Progress Guide and General Plan for the City of San Diego.

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

BE IT FURTHER RESOLVED, that by a vote of 9 to 0 the appeal of Amos Sommers is hereby denied and the City Council does hereby grant to Permittee, Planned Residential Development Permit No. 15 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:plm
10-29-71

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203962

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 15
CITY COUNCIL

This planned residential development permit is granted by the Council of The City of San Diego to ALCO-PACIFIC ENTERPRISES, INC., a California 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 west of Pasatiempo Avenue, between Rockhurst Court and Camino Rico, easterly of College Avenue, being a portion of Lot 67 of Rancho Mission of San Diego, 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 the planned residential development permit shall mean the total of the following facilities:

- a. 230 residential units, with a minimum of 15 different elevations.
- b. Recreational facilities.
- c. Off-street parking.
- d. 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 shall be recorded on the subject property.

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

5. Not less than 4 off-street parking spaces shall be provided and maintained on the subject property for each residential unit in the approximate location shown on Exhibit "A," dated October 14, 1971, on file in the office of the Planning Department. Each space shall be a minimum of 8-1/2 feet x 20 feet in size. At least two of these spaces shall be within an enclosed garage. These parking spaces shall be permanently maintained and not converted for any other purpose. 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. Each subsequent owner shall be informed of these conditions through the C.C. and R's.

6. The area adjacent to lots facing Del Paso Avenue shall be screen landscaped with trees and shrubs. Planting material shall be subject to approval by the City Engineer and Planning Director. In all other respects this landscaping shall comply with Condition No. 2 of the General Conditions.

7. Exterior radio and television antennas shall be prohibited; however, one master antenna may be permitted for the project.

8. Five single-family, detached one-story residences shall be constructed adjacent to Pasatiempo Avenue as shown on Exhibit A.

9. All private streets shall be improved to the requirements set forth by the Community Development Director.

10. All private streets shall be named and begin with the term "Caminito."

11. Public refuse collection shall not be permitted unless approved by the Director of Public Works.

12. No parking shall be permitted on any streets except in approved locations.

13. 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 October 14, 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 _____, 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 _____, 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.

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.

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, personally appeared FRANK CURRAN, known to me to be
the Mayor, and EDWARD NIELSEN, 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.

ALCO-PACIFIC ENTERPRISES, INC.,
a California corporation (seal)

By _____

By _____

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Acknowledgment

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, personally appeared _____, known to me to be the _____ and

_____ known to me to be the _____ of

ALCO-PACIFIC ENTERPRISES, INC.,

the corporation that executed the within instrument and known to me to be the persons 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"

Legal Description

That portion of Lot 67 of Rancho Mission of San Diego, in the City of San Diego, County of San Diego, State of California, according to partition map of said Rancho, filed in the Office of the County Clerk of San Diego County in Action No. 348 of the Superior Court of said County entitled "Juan M. Luco, et al vs. the Commercial Bank of San Diego et al", described as follows:

Beginning at an angle point in the Southerly line of Lot 248, San Carlos Estates Unit No. 6, according to map thereof No. 4967, filed in the Office of County Recorder of San Diego County; thence along the Southwesterly, Westerly and Northwesterly Boundary of said San Carlos Estates Unit No. 6, North $51^{\circ}05'$ West 206.12 feet, North $27^{\circ}38'20''$ West 143.30 feet, North $80^{\circ}44'30''$ West 390.03 feet, and North $64^{\circ}39'05''$ East 235.46 feet to the most Northerly corner of Lot 254 of said San Carlos Estates Unit No. 6, being also the most southwesterly corner of Lot 298 of San Carlos Estates Unit No. 7, according to map thereof No. 4963, filed in the Office of County Recorder of San Diego County; thence leaving said boundary of San Carlos Estates Unit No. 6, along the boundary of said San Carlos Estates Unit No. 7, North $9^{\circ}04'54''$ East 183.85 feet to the Northwesterly corner of Lot 299 thereof; being also the Southwesterly corner of Lot 378 of San Carlos Estates Unit No. 10, according to map thereof No. 5052, filed in the Office of County Recorder of San Diego County; thence leaving the boundary of San Carlos Estates Unit No. 7, along the boundary of said San Carlos Estates Unit No. 10, as follows:

North $9^{\circ}04'54''$ East, 112.97 feet to a point in a 200 foot radius curve, concave Southeasterly, a radial line of said curve bearing North $42^{\circ}21'20''$ West to said point; thence Northeasterly along said curve through an angle of $44^{\circ}50'30''$, a distance of 156.53 feet; thence tangent to said curve, South $87^{\circ}30'50''$ East 36.30 feet; thence North $11^{\circ}10'$ East 368.47 feet to the beginning of a tangent 1000 foot radius curve, concave westerly; thence Northerly along said curve through an angle of $1^{\circ}28'30''$ a distance of 25.74 feet; thence tangent to said curve, North $9^{\circ}41'30''$ East 10.43 feet to a point in the Easterly prolongation of the Southerly line of that portion of said Lot 67 of Rancho Mission shown on record of survey map No. 3978, filed in the Office of County Recorder of San Diego County; thence along said prolongation and along said southerly line of Record of Survey Map No. 3978, North $80^{\circ}18'30''$ West 180.00 feet to the Southwesterly corner of said Record of Survey Map No. 3978, being also an angle point in the boundary of Lot 416 of San Carlos Estates Unit No. 11, according to map thereof No. 5066, filed in the Office of County Recorder of San Diego County; thence along said boundary of Lot 416, South $89^{\circ}41'30''$ West 273.39 feet; thence North $5^{\circ}29'$ East 353.61 feet and North $25^{\circ}49'40''$ East 213.90 feet to a point which bears South $25^{\circ}49'40''$ West 101.29 feet from the most Northerly corner of said Lot 416; thence leaving said boundary South $87^{\circ}26'$ West 307.16 feet to a point in a 200 foot radius curve, concave Easterly, a radial line of said curve bearing South $87^{\circ}26'$ West to said point; thence Northerly along said curve, through an angle of $14^{\circ}58'$ a distance of 52.24 feet; thence radial to said curve, North $77^{\circ}36'$ West 240.00 feet; thence North $14^{\circ}59'42''$ East 95.36 feet; thence North $47^{\circ}59'57''$ East 609.31 feet; thence North $16^{\circ}17'32''$ East, 191.25 feet; thence North $37^{\circ}04'36''$ East 335.23 feet to a point in the Southwesterly boundary of San Carlos Estates Unit No. 13, according to map thereof No. 5210, filed in the Office of County Recorder of San Diego County, distant thereon South $41^{\circ}20'50''$ East 81.99 feet from the most westerly corner of Lot 484 thereof; thence along the boundary of said San Carlos Estates Unit No. 13, North $41^{\circ}20'50''$ West 81.99 feet, North $64^{\circ}52'40''$ East 162.90 feet and South $62^{\circ}10'20''$ East 131.16 feet to an angle point in the Southwesterly line of Lot 1 of Del Cerro Terrace Unit No. 1, according to map thereof No. 5452, filed in the Office of County Recorder of San Diego County; thence

leaving said boundary of San Carlos Estates Unit No. 43, along the Southwesterly and Southeasterly Boundary of said Del Cerró Terrace Unit No. 1, as follows:

North $26^{\circ}13'40''$ West 176.02 feet; thence South $63^{\circ}42'40''$ West 106.75 feet to the beginning of a tangent 1014.50 foot radius curve, concave Northwesterly; thence Southwesterly along said curve through an angle of $6^{\circ}14'20''$, a distance of 110.47 feet; thence tangent to said curve, south $69^{\circ}57'$ West 188.21 feet to the beginning of a tangent 483.50 foot radius curve, concave Southeasterly; thence Southwesterly along said curve through an angle of $26^{\circ}16'$, a distance of 221.66 feet; thence tangent to said curve, South $43^{\circ}41'$ West 334.85 feet to the beginning of a tangent 516.50 foot radius curve, concave Northwesterly; thence Southwesterly along said curve through an angle of $21^{\circ}02'$, a distance of 189.61 feet; thence tangent to said curve South $64^{\circ}43'$ West 173.07 feet; thence North $12^{\circ}26'$ West 24.10 feet; thence South $64^{\circ}43'$ West 72.67 feet to the beginning of a tangent 200 foot radius curve, concave Southeasterly; thence Southwesterly along said curve through an angle of $29^{\circ}26'$, a distance of 102.74 feet; thence tangent to said curve, South $35^{\circ}17'$ West 78.29 feet to a point in the Westerly boundary of that portion of said Rancho Mission known as Waring No. 2 Tract, annexed to the City of San Diego by Ordinance No. 5866, December 1, 1953 as shown on City Engineer's Drawings No. 11151-L and No. 11152-L filed in the Office of the City Engineer of the City of San Diego; thence along the Westerly and Southerly Boundary of said Waring No. 2 Tract, South $10^{\circ}04'34''$ East 2727.82 feet to an angle point, South $49^{\circ}44'10''$ East 317.22 feet to an angle point; and North $89^{\circ}51'30''$ East 900 feet, more or less, to the Southwesterly corner of Lot 1, San Carlos Estates Unit No. 1, according to Map thereof No. 4543, filed in the Office of County Recorder of San Diego County; thence along the boundary of said San Carlos Estates Unit No. 1, North $21^{\circ}54'$ West 222.75 feet and North $75^{\circ}55'15''$ West 163.57 feet to the Easterly line of Del Cerro Reservoir site described in deed to the City of San Diego recorded May 19, 1961 at File/Page 87414, Series 2; Book 1961 of official records; thence along the boundary of said reservoir site, South $0^{\circ}06'46''$ East 130.68 feet; south $89^{\circ}53'14''$ West 327.00 feet and North $0^{\circ}06'46''$ West 286.00 feet to the point of beginning.

OCT 14 1971

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

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By *Judith A. Nilson*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 203962 Adopted OCT 14 1971
eh