

FEB 17 1972

RESOLUTION NO. 204910
Planned Residential Development Permit No. 42

WHEREAS, J.P. LICH and OPERTA LICH, individuals, Owners and MARINE BUILDERS COMPANY, INC., a California corporation, hereafter referred to as "Permittee", filed an application for a permit to construct and operate a planned residential development, located South of Soledad Park, between Interstate 5 and Soledad Mountain Road, being a portion of Pueblo Lot 1254, Pueblo Lands, more particularly described in Appendix "A" attached hereto and made a part hereof, in the R-1-20 Zone; and

WHEREAS, on January 5, 1972, the Planning Commission of The City of San Diego made its findings of facts and approved Planned Residential Development Permit No. 42 and filed the same in the office of the City Clerk on January 11, 1972; and

WHEREAS, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, SOUTH SOLEDAD PROTECTIVE ASSOCIATION, MUIRLANDS JR. HIGH SCHOOL EXECUTIVE BOARD and others, under date of January 5, 1972, appealed the decision of the Planning Commission; and

WHEREAS, said appeals were set for public hearing on February 17, 1972, 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. 42 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 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 criteria and minimum standards for a Planned Residential Development will be met.

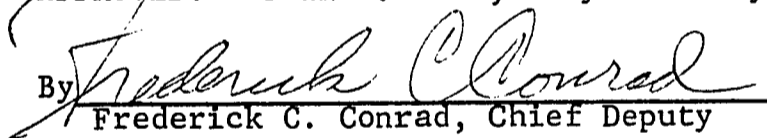
4. The granting of this permit will not adversely affect the La Jolla Community Plan or the adopted plan of any governmental agency.

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 appeals of South Soledad Protective Association, Muirlands Jr. High School Executive Board and others, are hereby denied and the City Council

does hereby grant to Permittee, Planned Residential Development Permit No. 42 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, Chief Deputy

FCC:nkr
3-8-72

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204910

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 42
CITY COUNCIL

This planned residential development permit is granted by the Council of The City of San Diego to J.P. LICH and OPERTA LICH, individuals, Owners, and MARINE BUILDERS COMPANY, INC., a California corporation, 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 south of Soledad Park, between Interstate 5 and Soledad Mountain Road, being a portion of Pueblo Lot 1254, Pueblo Lands, more particularly described in Appendix "A" attached hereto and made a part hereof in the R-1-20 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. 154 patio homes
- b. 143 townhouses
- c. Commercial (10,000 square feet)
- d. Clubhouse facility
- e. Private golf course (9 hole)
- f. Tennis courts (4)

- g. Off-street parking
- h. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Delete Condition No. 2 of the General Conditions for Planned Residential Development Permits and in its stead add:

Prior to the issuance of any grading or building permits, a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Commission for approval. Said plans shall be in substantial conformity with Exhibit "A", dated January 5, 1972, 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.

4. Prior to the issuance of any building permits, a final subdivision map shall be recorded in the office of the County Recorder, except that permits may be issued for seven model units prior to the final map recordation subject to the requirements of the City Attorney, Community Development Director and Planning Director.

5. That the nine hole golf course, tennis courts, clubhouse facilities and commercial area shall be owned and operated by the

residents of the project for the exclusive use of the residents and their guests.

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

7. Not less than 1,218 parking spaces, or at a ratio of 4.1 to 1, shall be provided and at least two of these spaces per patio home unit shall be enclosed within a garage and one space for each townhouse shall be enclosed within a garage. Not less than 96 spaces shall be provided for the commercial area and not less than 38 spaces for the clubhouse facility. Each of the parking spaces shall be a minimum of 8 1/2 feet by 20 feet in dimension and shall be permanently maintained and not converted for any other use at any time. Each subsequent owner shall be informed of this requirement through the C.C. and R's. Each space shall be maintained on the subject property in the approximate location as shown on Exhibit "A" dated January 2, 1972.. 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.

8. Exterior radio or television antennas shall be prohibited; however, one master antenna may be permitted for the project. The installation of any underground CATV cable in any public rights

of way within or adjacent to the project shall require either a license or franchise with the City prior to such installation.

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

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

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

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

13. The commercial area will consist of the following uses and square footage for each use: laundromat, 1500; drug store, 1500; boutique, 1000; clothing, 1000; convenience store, 2400; cleaners, 1200; beauty shop, 1000; barber shop, 400.

14. The clubhouse facility shall consist of the following uses: Snack Bar area, kitchen area and eating area which will also serve as the meeting room for the Homeowners Association, locker rooms, pro shop, and administration.

15. The Permittee shall comply with the General Conditions for Planned Residential Development Permits attached hereto and made a part hereof.

Passed and adopted by the City Council of The City of San Diego on February 17, 1972.

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 January 5, 1972, 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 January 5, 1972, 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.

APPENDIX "A"

BEING A SUBDIVISION OF PUEBLO LOT NO. 1254 AS SHOWN ON MISCELLANEOUS
MAP NO. 36, ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO
COUNTY, STATE OF CALIFORNIA EXCEPTING THEREFROM LA JOLLA HEIGHTS
RECORDED IN BOOK 364, PAGE 368 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY,
STATE OF CALIFORNIA, AND EXCEPTING FROM THE ABOVE DESCRIBED SUBDIVISION
THE MOST SOUTHWESTERLY TRIANGULAR PORTION MORE PARTICULARLY DESCRIBED
AS FOLLOWS: BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF THE ABOVE
DESCRIBED SUBDIVISION, THENCE ALONG THE WESTERLY LINE A DISTANCE OF
275 FEET MORE OR LESS: THENCE LEAVING THE WESTERLY LINE SOUTHEASTERLY
A DISTANCE OF 420 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY LINE
OF SAID SUBDIVISION, THENCE ALONG THE SOUTHERLY LINE A DISTANCE OF
315 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

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 _____

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

Acknowledgment

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss

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 person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that _____ executed the within instrument.

WITNESS my hand and official seal.
(Notary Stamp)

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

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Passed and adopted by the Council of The City of San Diego on FEB 17 1972
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1972 MAR 10 AM 9:49
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<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"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

By Judith A. Hillman, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 204910 Adopted FEB 17 1972
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