

RESOLUTION NO. 208096 JUL 20 1972
Planned Residential Development Permit No. 26

WHEREAS, PACIFIC BAY DEVELOPMENT CORPORATION, a California corporation, Owner, hereafter referred to as "Permittee," filed an application for a permit to construct and operate a planned residential development, located on the east side of Imperial Avenue, between Viewcrest Drive and Woodrow Avenue, described as portion of Lot 12, Rancho Ex-Mission, Map No. 859; portion of Meisel Tract, Maps Nos. 859 and 7011; portion of Angelus Heights, Map No. 1994; portion of Halecrest Heights Unit No. 1, Map No. 4747, more particularly described in Appendix A attached hereto and made a part hereof, in the R-1-5 and R-1-5 (LC overlay) Zones; and

WHEREAS, on June 7, 1972, the Planning Commission of The City of San Diego made its findings of facts and filed the same in the office of the City Clerk on June 15, 1972; and

WHEREAS, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, MRS. ETHEL WARD and MRS. BOBBIE J. PERRY, under date of June 16, 1972, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on July 20, 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; and

WHEREAS, the City Council in considering said appeal is empowered by the provisions of Municipal Code Section 101.0900 paragraph G.3., to affirm, reverse, or modify in whole or in part any determination of the Planning Commission, subject to the limitations as are placed upon the Planning Commission by the Municipal Code; 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. 26 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 General Plan of the City 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 7 to 0 the appeal of Mrs. Ethel Ward and Mrs. Bobbie J. Perry is hereby denied and the City Council does hereby grant to Permittee, Planned Residential Development Permit No. 26 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:nr
8-1-72

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206096

CITY COUNCIL
PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 26

This planned residential development permit is granted by the Council of The City of San Diego to PACIFIC BAY DEVELOPMENT CORPORATION, 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 on the east side of Imperial Avenue, between Viewcrest Drive and Woodrow Avenue, described as portion of Lot 12, Rancho Ex-Mission, Map No. 850; portion of Meisel Tract, Maps Nos. 859 and 7011; portion of Angelus Heights, Map No. 1994; portion of Halecrest Heights Unit No. 1, Map No. 4747, on file in the office of the County Recorder, more particularly described in Appendix "A" attached hereto and made a part hereof in the R-1-5 and R-1-5 (LC overlay) Zones.

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. 124 townhouses.
- b. Recreation facility.
- c. Off-street parking.
- d. Incidental accessory uses as may be determined and approved by the Planning Director.

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

4. Not less than 372 parking spaces (or at a ratio of 3 to 1) shall be provided and at least one space per unit shall be covered with a carport. 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.&R's. Each space shall be maintained on the subject property in the approximate location as shown on Exhibit "A" dated June 7, 1972, on file in the office of the Planning Department. Areas and driveways shall be surfaced with not less than 2-inch 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.

5. 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.

6. 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 four model units

and recreation building prior to the final map recordation, subject to the requirements of the City Attorney, Community Development Director and Planning Director.

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

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

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

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

11. 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 July 20, 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 June 7, 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 June 7, 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.

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

(PRD#26)

APPENDIX "A"

That portion of land in the City of San Diego, County of San Diego, State of California being a portion of Lot 57, Subdivision No. 5 in Lot 12 of Rancho Ex-Mission; and a portion of Lot 12 of the partition of Lot 12 of Rancho Ex-Mission according to Map thereof No. 330; and all of Lots 1 through 22 of Halecrest Heights Unit No. 1 Map thereof No. 4747; a portion of blocks 1 and 2 of Angelus Heights Map thereof No. 1494; and portions of Angelus Avenue, Buena Vista Avenue, Viewcrest Drive, Woodrow Avenue and Lisbon Street, being described as a whole as follows:

Beginning at the intersection of the Northerly line of Viewcrest Drive with the Northerly prolongation of the Westerly line of Lot 22 of said Map No. 4747; thence along said Northerly line of Viewcrest Drive North $89^{\circ}24'50''$ East, 144.67 feet to the beginning of a tangent 20.00 foot radius curve concave Northwesterly; thence along said curve through an angle of $83^{\circ}02'09''$ an arc distance of 30.73 feet; thence along a non-tangent line North $87^{\circ}50'46''$ East, 60.14 feet to a point in a non-tangent 20.00 foot radius curve concave Northeasterly; thence Southerly and Easterly along said curve through an angle of $92^{\circ}45'01''$ an arc distance of 32.38 feet; thence tangent to said curve North $89^{\circ}24'50''$ East, 28.29 feet to the beginning of a tangent 230.00 foot radius curve concave Southerly; thence along said curve through an angle of $26^{\circ}07'52''$ an arc distance of 104.90 feet; thence tangent to said curve South $64^{\circ}27'18''$ East, 62.41 feet; thence continuing South $64^{\circ}27'18''$ East along the Easterly prolongation of the Northerly line of said Viewcrest Drive, 80.00 feet to a point in the Easterly line of Woodrow Avenue as shown on said Map No. 4747; thence along said Easterly line of Woodrow Avenue North $25^{\circ}32'42''$ East, 59.96 feet to the beginning of a tangent curve concave Southerly having a radius of 20.00 feet; thence along said curve through an angle of $90^{\circ}00'00''$ an arc distance of 31.42 feet; thence tangent to said curve South $64^{\circ}27'18''$ East, 30.04 feet to the beginning of a tangent 230.00 foot radius curve concave Northerly; thence along said curve through an angle of $13^{\circ}00'26''$ an arc distance of 52.22 feet to the Northeast corner of Lot 16 of said Map 4747; thence along the Easterly boundary of said Lot 16 and continuing along the Easterly boundary of Lots 15 and 14 of said Map 4747 South $25^{\circ}32'42''$ West, 163.88 feet to an angle point in the boundary of said Map 4747; thence along the Easterly boundary of said Map No. 4747 South $0^{\circ}01'15''$ East, 691.81 feet to an angle point therein; thence continuing along said boundary North $89^{\circ}58'45''$ East, 62.69 feet to an angle point inside boundary of said Map No. 4747; thence along said boundary South $0^{\circ}01'15''$ East, 264.41 feet to the most Southerly boundary of said Map No. 4747; thence along said Southerly boundary South $89^{\circ}26'55''$ West, 185.68 feet to the Southwest corner of said Map No. 4747; thence continuing South $89^{\circ}26'55''$ West, 359.78 feet; thence North $0^{\circ}00'35''$ West, 960.88 feet to an angle point in the Southerly boundary of Lot 21 of said Map No. 4747; thence in an Easterly direction along the Westerly prolongation of the North line of Marmil Park Map thereof No. 3701 to the Northwest corner of Trinity Knoll Map No. 4266; thence along the West line of said Map No. 4266 South $0^{\circ}18'20''$ East to the North line of Happy Valley Little Farms Map No. 2285; thence Westerly along said North line of said Map No. 2285 and continuing Westerly along the North line of Lot 59 of Subdivision No. 5 of a portion of Lot 12 of said Rancho Ex-Mission to a point which lies parallel with and 40.00 feet Southeasterly, measured at right angles, from the Southeasterly line of County Boulevard (now known as Imperial Avenue) as said County Boulevard is shown on said Map No. 1494; thence along said parallel line, North $35^{\circ}17'$ East to the South line of said Map No. 1494; thence leaving said South line North $58^{\circ}17'00''$ East a distance of 735.00 feet; thence South $31^{\circ}43'00''$ East, 232.00 feet to a tangent 200.00 foot radius curve concave Northwesterly; thence Easterly along said curve through a central angle of $59^{\circ}00'00''$ a distance of 205.00 feet more or less to the Westerly prolongation of the Northerly line of Viewcrest Drive; thence Easterly along said Westerly prolongation to the Point of Beginning.

JUL 20 1972

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

RECEIVED
CITY CLERK'S OFFICE

1972 AUG -4 AM 11:38

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Henry M. ...*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **206096** Adopted **JUL 20 1972**

eh