

RESOLUTION NO. 211590

R. 75-842

SEP 19 1974

Planned Residential Development Permit No. 80

WHEREAS, TECHBILT CONSTRUCTION CORPORATION, owner, hereafter referred to as "Permittee," filed an application for a permit to construct and operate a planned residential development, located southerly of the easterly terminus of Nautilus Street, between Cardeno Drive and Rutgers Road on the west and Soledad Road and Soledad Mountain Road on the east, more particularly described as portions of Pueblo Lots 1775, 1255, 1780, 1781, and all of Block 1, Sea View Heights, in the R-1-5, R-1-10 and R-1-20 Zones; and

WHEREAS, on July 31, 1974, the Planning Commission of The City of San Diego made its finding of facts, and granted Planned Residential Development Permit No. 80 to Permittee and filed the decision in the office of the City Clerk on August 19, 1974; and

WHEREAS, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, SOLEDAD CANYON PRESERVATION ASSOCIATION, by Mary Christian Heising, under date of August 9, 1974, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on September 19, 1974, 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 by the Municipal Code; NOW, THEREFORE,

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

That all of the following facts exist with respect to Planned Residential Development Permit No. 80:

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.

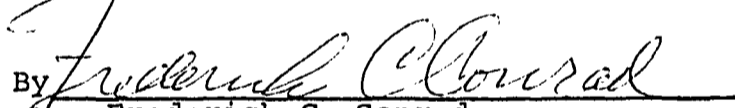
3. All design criteria and minimum standards for a planned residential development will be met.

4. The granting of this permit will not adversely affect the adopted La Jolla Community Plan, 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 8 to 0 the appeal of SOLEDAD CANYON PRESERVATION ASSOCIATION, by Mary Christian Heising, is hereby denied, and the City Council does hereby grant to TECHBILT CONSTRUCTION CORPORATION Planned Residential Development Permit No. 80 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 City Attorney

FCC:mmb
10-10-74

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211590

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 80

CITY COUNCIL

This planned residential development permit is granted by the Council of The City of San Diego to TECHBILT CONSTRUCTION CORPORATION, a corporation, owner, hereafter referred to as "Permittee," for the purposes and under the terms 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 southerly of the easterly terminus of Nautilus Street, between Cardeno Drive and Rutgers Road on the west and Soledad Road and Soledad Mountain Road on the east, more particularly described as portions of Pueblo Lots 1775, 1255, 1780, 1781, and all of Block 1, Sea View Heights, in the R-1-5, R-1-10 and R-1-20 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. 649 living units consisting of the following:
 - (1) Single-family detached - 10 units.
 - (2) Zero lot line homes - 112 units.
 - (3) Two-family attached homes - 188 units.
 - (4) Mixed 3, 4 and 5 family attached - 339 units.

b. Recreation facilities consisting of (1) major facility not exceeding seven tennis courts, olympic size swimming pool and recreation buildings, and (2) secondary recreation facilities not exceeding five swimming pool centers.

c. Neighborhood convenience center - 15,000 square feet of floor area.

d. Off-street parking.

e. 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.

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 2500 off-street parking spaces (or at a ratio of 3.85 to 1) shall be provided and at least two spaces per unit shall be enclosed in a garage. 98 off-street parking spaces shall be provided at the neighborhood convenience center and recreation 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. & R.'s. Each space shall be maintained on the subject property in the approximate location as shown on Exhibit A, dated

July 31, 1974. 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. 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.

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 interior private streets shall be of alignment, grade width, and structural section satisfactory to the City Engineer. All turnarounds shall be of design satisfactory to the City Engineer.

10. PCC sidewalk shall be provided from each unit to a walkway within the dedicated right-of-way, and if the walkway is contiguous to the curb, a five-foot general utility easement must be provided behind this walk.

11. The developer shall provide adequate street lighting, acceptable to the City Engineer, which will provide illumination in the private street in accordance with minimum City standards for public streets. This lighting system shall be privately owned

and maintained by a property owners' association.

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

13. No building additions, except patio covers, shall be permitted unless approved by the Planning Commission. Patio covers shall be permitted only if they are consistent with the architecture of the dwelling unit and have been approved by the Homeowners' Association.

14. The applicant shall post a copy of the approved resolution on exhibit in the sales office that can be reviewed by each prospective buyer.

15. Permittee shall install landscaping on the entire area outside all structures for the whole project, except for the areas to be left in their natural state.

16. The project shall be phased in such a manner that building permits shall not be issued for more than 130 dwelling units per calendar year, commencing with the calendar year 1974; the right to building permits shall be cumulative.

17. The major recreation facility and neighborhood convenience center shall be owned by the residents of the project or by the Homeowners' Association.

18. The neighborhood convenience center consisting of 15,000 square feet of floor area shall be permitted the following general uses: Specialty stores, beauty shop, barber shop, cleaner, clothing

store, drug store, boutique and professional offices.

19. The hours of operation of the neighborhood convenience center shall not commence prior to 6 a.m. nor continue later than 11 p.m.

20. All signs for the neighborhood convenience center shall be consistent with the CN Zone sign regulations and shall be approved by the Planning Director.

21. Tennis courts shall be permitted to remain lighted no later than 10 p.m.

22. All manufactured slopes shall have a ratio of 2 to 1 or as indicated on the grading plan.

23. Any sales office or temporary sales signs advertising the subdivision shall be approved by the Planning Director and shall be consistent with the criteria established by the R-1-5 Zone.

24. Prior to the recording of each subdivision map for the project, the developer will provide evidence to the City that the developer has complied, or will properly comply, in connection with such subdivision, with its contract with the San Diego Unified School District to provide additional financial or other contribution to the District.

25. After issuance of building permits for the initial 130 dwelling units, no final subdivision map will be recorded for additional dwelling units until Permittee has submitted

evidence to the reasonable satisfaction of the Planning Commission as to whether development of the premises can feasibly be such to contribute to a balanced community. Such evidence shall be provided by a written report from Permittee to the Planning Commission and shall include (1) character and availability of Federal subsidy funds, if any, which would then allow for effectuation of said balanced community and (2) the recommendations, if any, of Permittee which would permit said subsidy funds then available to be utilized to achieve said balanced community. Permittee shall not at one time render said report for map or maps containing more than 130 dwelling units. Unless the Planning Commission finds, within 30 days after said submission, that the submitted evidence is unsatisfactory, the same shall be incontrovertibly deemed satisfactory.

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

Passed and adopted by the Council of The City of San Diego on September 19, 1974.

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 July 31, 1974, 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 July 31, 1974, 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

Passed and adopted by the Council of The City of San Diego on SEP 19 1974,
 by the following vote:

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lee Hubbard	<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"/>
Jim Ellis	<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.

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

By Patricia Polan, Deputy.

(Seal)

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Office of the City Clerk, San Diego, California	
Resolution Number 211590	Adopted SEP 19 1974