

(R-85-1084)

RESOLUTION NUMBER R- 262115

ADOPTED ON DEC 11 1984

WHEREAS, GENSTAR DEVELOPMENT, INC. and REGIS CONSTRUCTION CO. filed an amendment to Planned Residential Development Permit No. 196, as amended by Planned Residential Development Permit No. 83-0561 (PRD-84-0207) and accompanying Tentative Map (TM-84-0207) to construct 300 residential units on 12.5 acres, located on the east side of Avenida Alcachofa, between Corte Sabio and Calle Saucillo, in the Rancho Bernardo Community Plan area ("Property"); and

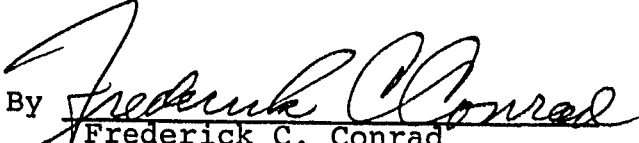
WHEREAS, at the duly noticed public hearing of October 30, 1984, the Council of The City of San Diego voted 7 to 1 (District Two not present) to deny the amendment for 300 residential units; and

WHEREAS, in addition to the above action, the Council of The City of San Diego took action on another motion which was intended to provide for the development of the Property at a density of 14 residential units per acre, for a total of 175 dwelling units; and

WHEREAS, an issue as to the intention of such motion has arisen; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego that Planned Residential Development Permit No. 84-0207 and accompanying Tentative Map 84-0207 are hereby approved at 14 dwelling units per acre for a total of 175 residential units in the forms attached hereto.

APPROVED: John W. Witt, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:ib:632  
12/10/84  
Or.Dept:Clerk  
R-85-1084  
Form=none

PLANNED RESIDENTIAL DEVELOPMENT

PERMIT NO. 84-0207

CITY COUNCIL

This Planned Residential Development Permit is granted by the City Council of The City of San Diego to REGIS CONSTRUCTION CO., a California corporation, "Owner/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 Municipal Code of The City of San Diego.

1. Permission is hereby granted to "Owner/Permittee" to construct a Planned Residential Development on premises located on the west side of Paseo Lucido, between Corte Sabio and Calle Saucilla, described as a portion of Parcel 4 of Parcel Map No. 8071, in the proposed R-3000 Zone of the Rancho Bernardo Community Plan area.

2. The Planned Residential Development shall include the total of the following facilities:

- a. 175 multi-family dwelling units; and
- b. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Prior to issuance of any building permits, a final subdivision map shall be recorded on the subject property and rezoning of the subject property to R-3000 Zone shall be approved by the City Council and become effective with the recordation of the subdivision map.

4. An open-space easement shall be granted and shown on said map on all areas not shown for building sites. Such areas shall be coupled with the severalty interests of the owners of the dwelling units.

5. Prior to the issuance of the grading permits, plans and drawings as required by San Diego Municipal Code Section 101.0900 D., a landscaping and irrigation plan shall be submitted to the Planning Director for review and approval at a noticed public hearing. Prior to the issuance of building permits, complete building plans, including landscaping and signs shall be submitted to the Planning Director for review and approval. Such review shall include input from the Rancho Bernardo Planning Board. All landscaping shall be installed prior to the issuance of an occupancy permit. Subsequent to the completion of this project, no changes shall be made until an appropriate application for an amendment to this permit shall have been granted.

6. The construction and continued use of this permit shall be subject to the regulations of this or other governmental agencies.

7. 369 total parking spaces shall be provided (at a ratio of 2.1 spaces per dwelling unit). Of those spaces, 105 shall be provided for guests (at a ratio of 0.6 spaces per unit). Each of the parking spaces 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 plans submitted for review and approval by the Planning Director. Parking spaces and aisles shall conform to Planning Department standards. No charge shall be made at any time for use of these off-street parking spaces.

8. Exterior radio or television antennas shall be prohibited, except for one master antenna 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 intallation.

9. No building additions, including patio covers, shall be permitted unless approved by the homeowners' association and the Planning Director. Patio covers may be permitted only if they are consistent with the architecture of the dwelling unit.

10. No manufactured slope shall be steeper than a ratio of 2:1.

11. The applicant shall post a copy of the approved permit in the sales office for consideration by each prospective buyer.

12. 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-3000 Zone.

13. Sidewalks shall be provided from each residential building to the sidewalk within the dedicated right-of-way, and if the sidewalks are contiguous to the curb of private streets, a five-foot general utility easement must be provided behind this walk. The pedestrian circulation system shall be in substantial conformance to plans submitted for review and approval by the Planning Director.

14. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

15. The effective date of this permit shall be the effective date of the concurrent rezoning case. The permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted by the Planning Director as set forth in Section 101.0900 of the San Diego Municipal Code. Any such extension of time must meet all the Municipal Code requirements and applicable guidelines in effect at the time the extension is considered by the Planning Director.

16. No development shall commence, nor shall any permit for construction be issued, until:

- a. The Permittee signs and returns the permit to the Planning Department;
- b. The planned residential development permit is recorded in the office of the County Recorder.

If the signed permit is not received by the Planning Department within 90 days of the decision of the Planning Director, the permit shall be void.

17. The property included within this Planned Residential Development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.

18. This Planned Residential Development Permit may be cancelled or revoked by the City if there is any material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by the City or Permittee.

19. This Planned Residential Development Permit shall constitute a covenant running with the land; all conditions and provisions shall be binding upon the Permittee and any successor(s), and the interests of any successor(s) shall be subject to each and every condition herein.

20. This Planned Residential Development shall be constructed prior to sale to individual owners to ensure that all development is consistent with conditions and exhibits submitted to and approved by the Planning Director.

21. Perimeter walls and monument signs shall be constructed in substantial conformity to plans submitted for review and approval by the Planning Director.

22. The main driveway access, opposite Calle Huahuapan, shall be used by guests and residents entering the project. The access point further to the north is to be used for residents only. The applicant shall provide signing to accomplish this.

23. Prior to the issuance of any building permits, the applicant shall assure by permit and bond the construction of on-site fire hydrants as required by the City Engineer and the Fire Department.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON DECEMBER 11, 1984.

AUTHENTICATED BY:

Roger Hedgecock  
Mayor of The City of San Diego

City Clerk of The City of San Diego

STATE OF CALIFORNIA )  
                                  )  
COUNTY OF SAN DIEGO )

On this \_\_\_\_\_ day of \_\_\_\_\_, 1984, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared ROGER HEDGECOCK, known to me to be the Mayor, and CHARLES G. ABDELNOUR, 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 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.

REGIS CONSTRUCTION CO., a California corporation,

By \_\_\_\_\_

NOTE: NOTARY ACKNOWLEDGEMENTS MUST BE ATTACHED  
PER CIVIL CODE, SEC. 1180 et seq.

Form=ACK



UC-4

DEC 11 1984

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK  
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By Barbara Baxter, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-262115 Adopted DEC 11 1984