

(R-85-1586)

RESOLUTION NUMBER R- 262618

ADOPTED ON FEB 26 1985

WHEREAS, THE BALDWIN COMPANY, a California corporation, "Owner/Permittee," filed an application to construct a Planned District Development entitled Revised Neighborhood 5 Development Plan, on property located on the north side of Carmel Valley Road, east of El Camino Real and south of Black Mountain Road, in the SF-2 and SF-3 Zones of the North City West Community Plan, further described as Parcels 11-35 of Parcel Map 12871, Parcel 1 of Parcel Map 11916, Parcel 1 of Map 11917 and a portion of the southeast quarter of the northwest quarter of Section 20 and a portion of the northwest quarter of Section 20, Township 14 South, Range 3 West, S.B.B.M.; and

WHEREAS, on January 17, 1985, the Planning Commission of The City of San Diego made its findings of approval, granted Planned District Development Plan Permit No. 82-0433.1 and filed its decision in the office of the City Clerk; and

WHEREAS, on January 23, 1985, pursuant to the provisions of Section 103.0606 of the San Diego Municipal Code, TOM and CYNDY HEATH, et al, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on February 26, 1985; and

WHEREAS, the Council of the City of San Diego received for its consideration documentary, written and oral testimony and


heard from all interested parties present at the public hearing;
NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego
makes its findings of approval as follows:

The proposed Development Plan is in conformance with the
Neighborhood 4, 5 and 6 Precise Plan area of the North City West
Community Plan and the SF-2 and SF-3 Zones of the North City West
Planned District ordinance. The Planning Commission approved
this project by a 6-0 vote. Since the Planning Commission
hearing on the matter, a condition has been added to the
Development Plan and the Tentative Map to require the
construction of solid block walls for noise attenuation.

BE IT FURTHER RESOLVED, that the appeal of TOM and CYNDY
HEATH, et al, is denied, the decision of the Planning Commission
is upheld, and this Council does hereby grant to Owner/Permittee
Planned District Development Plan Permit No.82-0433.1, 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:ib:632
02/28/85
Or.Dept:Clerk
R-85-1586
Form=r.none

NORTH CITY WEST PLANNED DISTRICT
DEVELOPMENT PLAN PERMIT NO. 82-0433.1
Revised Neighborhood 5 Residential Development

CITY COUNCIL

This Planned District Development Plan Permit Amendment is granted by the City Council of The City of San Diego to THE BALDWIN COMPANY, 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 103.0600 of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to "Owner/Permittee" to construct a Planned District Development, entitled the Revised Neighborhood 5 Development Plan, located on the north side of Carmel Valley Road, east of El Camino Real and south of Black Mountain Road in the SF-2 and SF-3 zones. The project site is legally described as Parcels 11-35 of Parcel Map 12871, Parcel 1 of Map 11916, Parcel 1 of Map 11917 and portions of the NW 1/4 of Section 20, T14S, R3W, SBBM.

2. The Planned District Development Plan Project ("Project") shall include the total of the following facilities:

- a. 945 dwelling units consisting of:
 - 568 single-family, detached units in the SF-2 Zone;
 - 269 single-family, detached units in the SF-3 Zone; and
 - 108 duplex units in the SF-3 Zone (see Condition 20).
- b. Off-street parking.
- c. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Prior to the issuance of any building permits, the accompanying Planned District zone designation shall be approved by City Council and a final subdivision map or maps shall be recorded on the subject property. Permits may be issued for model units prior to the final map recordation subject to the requirements of the City Attorney, Engineering and Development Director and Planning Director.

4. A "Non-Building Area" designation shall be granted and shown on said map on all areas not shown for building sites. Such areas shall be maintained as open space.

5. Prior to the issuance of grading permits, a landscaping and irrigation plan shall be submitted to the Planning Director for approval. Prior to the issuance of building permits, complete building plans, including landscaping and signs, shall be submitted to the Planning Director for approval. All plans shall be in substantial conformity to Exhibit "A," dated February 26, 1985, on file in the Planning Department. All landscaping for each phase of development shall be installed prior to issuance of an occupancy permit within each phase. 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. 2,363 total parking spaces shall be provided (at a ratio of 2.5 spaces per dwelling unit). Of those spaces, 473 shall be provided for guests (at a ratio of 0.5 spaces per unit). 473 curb spaces may be included in the calculation. 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 Exhibit "A," dated February 26, 1985. 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 installation.

9. Building additions shall conform to the underlying zone. No building additions, including patio covers, shall be permitted unless approved by the homeowners association, if an association exists, and by 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, except for manufactured slopes between residential lots ranging from approximately 1 to 3 feet in height, which may be 1 1/2:1 as shown on Exhibit "A," dated February 26, 1985.

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-1 Zone or with an applicable design element.

13. Sidewalks shall be provided from each unit 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.

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 date of final action by the Planning Commission or, if appealed, the date of City Council action.

16. No development shall commence, nor shall any permit for construction be issued, until the Permittee signs and returns the permit to the Planning Department. If the signed permit is not received by the Planning Department within 90 days of the decision of the Planning Commission or City Council, the permit shall be void.

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

18. This Planned District Development Plan Permit may be cancelled or revoked 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, Planning Commission or Permittee.

19. This Planned District 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 every condition herein.

20. This permit allows the revision of the remaining unconstructed duplex dwelling units to detached, single-family units or vice versa in Neighborhood 5 without the need for an amendment to this permit, provided that any revised plans are reviewed and approved by the Planning Director. It is understood, however, that such revisions from duplex to single-family lots may require amendments to the tentative map.

21. The future Caltrans right-of-way in the southwest portion of Neighborhood 5 shall be hydroseeded with a native species seed mix and shall be provided with temporary irrigation for two years or until the landscape material is established. This lot shall be given a "Non-Building Area" designation and shall be maintained as open space by the Owner/Permittee until Caltrans acquires the area for a right-of-way.

22. In conformance with Environmental Impact Report No. 81-12-12, solid block noise walls shall be provided along Carmel Valley Road, Carmel Creek Road and Carmel Country Road to reduce noise from these roadways. Additionally, solid walls shall be provided along portions of Carmel Grove Road and Carmel Park Drive, as shown on Exhibit "A," dated March 5, 1985. The design of these walls shall be reviewed and approved by the Planning Director prior to the issuance of building permits for the walls or any associated structures on the lots. The area between the noise walls and the streets shall be landscaped to the satisfaction of the Planning Director. These landscaped strips shall be maintained by an Open Space Maintenance Assessment District created for the entire North City West Neighborhood 4, 5 and 6 Precise Plan area. This maintenance district shall be created prior to Council approval of the final map of the first unit of Tentative Map No. 82-0433.1. For the areas within Neighborhood 5 which already have approved final maps, the noise attenuated walls shall be constructed within 60 days from the date of approval of this development plan permit by the City Council.

APPROVED by the City Council of The City of San Diego on
February 26, 1985.

01430

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 _____, 1985, 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 District Development Plan Permit and promises to perform each and every obligation of Permittee hereunder.

THE BALDWIN COMPANY, a California
corporation

By _____

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

01432

R- 262618

FEB 26 1985

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

By *Charles G. Abdelnour*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number *R-262618* Adopted FEB 26 1985