

RESOLUTION NUMBER R- 265935

ADOPTED ON JUN 10 1986

WHEREAS, the decision of the Planning Director granting Planned Residential Development Permit No. PRD-85-0783 to GUARANTY SERVICE CORPORATION, a Texas corporation, to construct 3,266 multi-family attached units east of Regents Road, south of La Jolla Village Drive, west of Genesee Avenue, and north of Nobel Drive, in the R1-5000 Zone, in the University Community Plan area, was appealed; and

WHEREAS, on March 20, 1986, the Planning Commission voted 7 to 0 to deny the appeal, approve Planned Residential Development Permit No. PRD-85-0783 and sustain the decision of the Planning Director; and

WHEREAS, on March 28, 1986, pursuant to the provisions of San Diego Municipal Code Section 101.0900, UNIVERSITY AREA RESIDENTS FOR EQUITY (UCARE), by Harry L. Mathis and Mark Glies, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on June 10, 1986, 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 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 Planned  
Residential Development Permit No. PRD-85-0783:

1. The proposed project will fulfill a need and will not  
adversely affect the neighborhood, the General Plan or the  
community plan. The Costa Verde Planned Residential Development  
project proposes the location of 2,600 multi-family dwelling  
units with associated landscaping, parking and amenities on 29.26  
net acres as a portion of an overall plan to develop 53.00 net  
acres with residential, neighborhood commercial and hotel uses on  
property located within the University community. The University  
Community Plan designates the site for multi-family residential  
development (45-75 dwelling units per net acre) and neighborhood  
commercial uses. A specific plan has been filed covering the  
residential and commercial components of this project which  
allows for the calculation of residential density based on the  
total net acreage of this site. The resulting density of the  
residential component, 61.6 dwelling units per contingent upon  
the specific plan being adopted by the City. The design of this  
project meets the criteria of the Costa Verde Specific Plan and  
the Planned Residential Development ordinance.

2. The proposed project, because of conditions that have  
been applied to it, will not be detrimental to the health, safety  
and general welfare of persons residing or working in the area

and will not adversely affect other property in the vicinity. This Planned Residential Development proposes 2,600 units on a 29.26-acre portion of a 53.00-net-acre site for a density of 61.6 units per net acre. Access to this project will be provided from two public streets to be constructed on-site in conjunction with this project and from Nobel Drive and Regents Road which bound this site along its southerly and westerly boundaries. Access to the site and associated traffic impacts have been reviewed by the Engineering and Development Department and have been determined to be acceptable contingent upon the applicant fulfilling requirements to provide adequate right-of-way for the Metropolitan Transit Development Board public transportation system for this area. Parking provisions have been provided to the satisfaction of the Fire and Engineering and Development Departments. This project has been designed to be sensitive to adjacent residential uses and abutting future commercial uses. The appearance and siting of the structures, the extensive landscaping proposed at the perimeter of the sites and the location of a majority of resident and guest parking in parking structures reflect a design which will be compatible with the surrounding community.

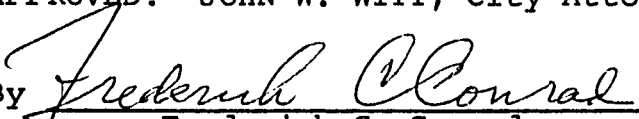
3. The proposed project will comply with relevant regulations in the Municipal Code for such use.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the appeal of UNIVERSITY AREA RESIDENTS FOR EQUITY (UCARE), by Harry L. Mathis and Mark Glies,

is denied; the decision of the Planning Commission to deny the appeal is sustained; and this Council does hereby grant to GUARANTY SERVICE CORPORATION, a Texas corporation, Planned Residential Development Permit No. PRD-85-0783, 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:cc:632  
08/18/86  
Or.Dept:Clerk  
R-86-2522  
Form=r.prd

**PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. PRD-85-0783  
COSTA VERDE**

**CITY COUNCIL**

This Planned Residential Development Permit is granted by the City Council of The City of San Diego to GUARANTY SERVICE CORPORATION, a Texas Corporation "Owner/Permittee," under the conditions contained in Section 101.0900 of the Municipal Code of The City of San Diego.

1. Permission is granted to "Owner/Permittee" to construct a Planned Residential Development described as Portions of Pueblo Lots 1301, 1302 and 1308, City of San Diego located east of Regents Road, south of La Jolla Village Drive, west of Genesee Avenue and north of Nobel Drive, in the R1-5000 (proposed Costa Verde Specific Plan) Zone.
2. The Planned Residential Development Permit shall include the total of the following facilities:
  - a. 2,600 multi-family attached units
  - b. Off-street parking;
  - c. Incidental accessory uses as may be determined and approved by the Planning Director.
  - d. One recreation building, one swimming pool and one community room for each lot.
3. Prior to the issuance of any building permits, a final subdivision map shall be recorded on the subject property. Rezoning of the subject property shall be approved by the City Council and become effective with the recordation of the subdivision map.
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 coupled with the severalty interests of the owners of the dwelling units and shall be maintained as open space.
5. Prior to the issuance of grading permits for any lot, a landscaping and irrigation plan for said lot shall be submitted to the Planning Director for approval. Prior to issuance of building permits on any lot, complete building plans for said lot, including landscaping and signs, shall be submitted to the Planning Director for approval. All plans shall be in substantial conformity to Exhibit "A" dated June 10, 1986.
6. The construction and continued use of this permit shall be subject to the regulations of this or other governmental agencies.

7. 5,200 total parking spaces shall be provided at a ratio of 2.0 spaces per unit. Of those spaces, 1,560 shall be provided for guests at a ratio of 0.6 spaces per unit. Parking shall be located and allocated as follows or as required by the Planning Director:

<u>Lot No.</u>	<u>Surface Parking (Guest)</u>	<u>Structure Parking</u>	<u>Total</u>
1	7	1,005	1,012
2	12	710	722
3	15	722	737
4	4	402	406
5	3	491	494
6	5	281	286
7	4	235	239
8	6	260	266
9	0	0	0
10	8	524	532
11	6	500	506

Each of the parking spaces on each lot 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 or other appropriate legal mechanism. Each space shall be maintained on the subject property in the approximate locations as shown on Exhibit "A", dated June 10, 1986. Parking spaces and aisles shall conform to Planning Department standards. No curb parking spaces may be used to meet resident or guest parking requirements. No charge shall be made at any time for use of these off-street parking spaces.

8. Exterior radio, television, or satellite 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. 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 or rental office for consideration by each prospective buyer or renter.

12. Any sales office, rental office or temporary sales or rental signs advertising the subdivision shall be approved by the Planning Director and shall be consistent with the criteria established by the R-600 Zone.

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 Director or the effective date of a concurrent rezoning case. If an appeal is filed, the effective date shall be the date of final action by the Planning Commission or, if appealed, the date of City Council action. 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 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, Planning Commission or City Council, 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 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 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. Private streets shall be named and begin with appropriate terms such as "Caminito," "Ruelle," "Row," or "Square." Public refuse collection shall not be permitted unless approved by the Director of General Services. All private streets shall be improved to the requirements set forth by the Engineering and Development Director. No parking shall be permitted on any private streets except in approved locations.

21. This Planned Residential Development may be constructed in phases. Prior to the sale or rental of individual units within each phase, construction shall be completed consistent with conditions and exhibits submitted to and approved by the Planning Director.

22. The use of textured or enhanced paving shall be permitted only with the approval of the City Engineer and Planning Director, and shall meet standards of these departments as to location, noise and friction values, and any other applicable criteria.

23. Future amendments to this Planned Residential Development shall be subject to the development criteria of the associated specific plan.

24. A minimum of 75 feet shall be maintained between the residential units Lots 6 and 7 and the commercial component located immediately to the east.

25. The road between the residential units on Lots 6 and 7 and the commercial structures on Lot 15 shall be constructed as a private drive with sidewalks, crossings, extensive landscaping to include specimen size street tree plantings and lighting consistent with Exhibit "A", dated June 10, 1986.

26. All vision, security and sound attenuation screen walls shall be constructed of a material and architectural style which is compatible with the nearest building. The maximum uninterrupted length of screen wall shall be 24 feet. The required interruption in the surface plane shall take the form of a 2-foot minimum offset or other means approved by the Planning Director. The interruption and offset must be shown in both the vertical and horizontal dimension.

27. Earth berms, as proposed in the landscape plan shown as Exhibit "A", dated June 10, 1986, shall be rounded and natural in character and shall be designed to obscure undesirable views.

28. Residential units located on Lots 6, 7, 10 and 11 which are sited such that commercial parking, loading and service areas are visible from the interior of the units shall be screened from those views in a manner satisfactory to the Planning Director.



29. Planter areas situated atop parking structures on Lots 1-11 shall have on average depth of four (4) feet.

30. Noise walls or earthen berms shall be constructed adjacent to residential areas along Nobel Drive, Regents Road, and La Jolla Village Drive (as shown on attached Figure 1). If noise walls are proposed, then shall not exceed six feet in height and shall consist of block wall construction and an architectural style that is compatible with building design and meet the requirements of Condition 26.

31. Interior noise attenuating structural techniques shall be incorporated into residential structures located along Nobel Drive, Regents Road, and La Jolla Village Drive. The City's Noise Abatement Office shall review the building plans to ensure that interior noise levels for these structures shall not exceed 45 decibels CNEF, based on future traffic projections. Building permits for the Planned Residential Development shall be reviewed and approved by the City's Noise Abatement Office prior to final approval by the Planning Department.

32. The developer(s) shall not oppose and shall participate in the establishment of an assessment district to finance the implementation and operation of a transit loop shuttle service in University City.

33. To minimize noise, visual and traffic impacts between the residential units located on Lots 6 and 7 and commercial components located immediately east of this project, through traffic between these components shall be limited to emergency and pedestrian access only through the installation of landscaping and vehicular barriers. These barriers, whose location and design shall be subject to the approval of the Fire and Engineering and Development Departments, shall also be approved by the Planning Director prior to installation.

34. The number, location, design and construction of future bus stops and bus shelters to be built in conjunction with this Planned Residential Development shall be subject to the review and approval of the Metropolitan Transit Development Board and the Planning Director. Any future bus stops or bus shelters required to be constructed to serve this project shall be designed and constructed to provide handicapped accessibility. An encroachment permit and an encroachment removal agreement shall be obtained from the City Engineer for any bus shelters or bus stops located within the right-of-way.

35. This Planned Residential Development, and the associated Planned Commercial Development, shall provide pedestrian bridges traversing La Jolla Village Drive and Genesee Avenue. The financing, phasing and construction of said pedestrian bridges shall be provided as indicated in the Costa Verde Development Agreement.

00401

36. Prior to the issuance of building permits for structures in this project, a development agreement between the developer, or successors, and the City of San Diego shall be executed.

37. Access to the dwelling units within this PRD, other than through the streets dedicated on the final map, shall be by means of one named, non-dedicated, privately maintained private street and a series of unnamed, non-dedicated privately maintained, private driveways, constructed in a manner satisfactory to the fire Department.

38. There shall be no restrictions in the access to the guest parking spaces located in the subterranean parking structure.

39. No access control gates are to be constructed within this PRD.

40. The applicant shall contribute to the North University Loop Shuttle Engineering Design Study to assess the feasibility of the proposed transit loop. The amount of this contribution shall be determined prior to and incorporated into the development agreement required as a condition of approval of the tentative map. In addition, the applicant shall demonstrate how the transit loop would be incorporated into the project. The results of the transit loop study may indicate that, in order to accommodate required transit right-of-way, the project site design, required parking, landscaping, and/or setbacks may require modification.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO, JUNE 10, 1986.

00402



3866

Passed and adopted by the Council of The City of San Diego on JUN 10 1986,  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

ED STRUIKSMA  
Deputy Mayor of The City of San Diego, California.

(Seal)

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

By *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R- 265935 Adopted JUN 10 1986

# **CORRECTION**

**The foregoing document is  
rephotographed to insure legibility.**



RECEIVED  
CITY CLERK'S OFFICE  
1996 SEP 15 AM 11:41 *CH*  
SAN DIEGO, CALIF.

**00404**

3366

Passed and adopted by the Council of The City of San Diego on JUN 10 1986,  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

ED STRUIKSMA

Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Quella Blackwell*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-265935 Adopted JUN 10 1986