

(R-87-330)

RESOLUTION NUMBER R- 266449

ADOPTED ON AUG 12 1986

WHEREAS, RANCHO DE LOS PENASQUITOS PLANNING BOARD, by Margaret Corey, appealed the decision of the Planning Commission in approving Planned Residential Development Permit No. PRD-85-0154 submitted by CAMINO BERNARDO ASSOCIATES, a California general partnership, "Owner/Permittee," on Parcel 2 of Parcel Map No. 11645, located west of Interstate 15 at the southwest corner of Camino del Norte and Bernardo Center Drive, in the Rancho Bernardo Community Plan area, in the R-3000 Zone; and

WHEREAS, said appeal was set for public hearing on August 12, 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; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Planned Residential Development Permit No. PRD-85-0154:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Rancho Bernardo Community Plan. The Rancho Bernardo Community Plan designates this site for medium density (9-14

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dwelling units per acre) residential development. The applicant would develop the site at a density of 11.7 dwelling units per net acre, therefore, the project conforms to the community plan with respect to density. The placement and clustering of the apartment units to preserve steep slopes and open space areas is in conformance with the community plan. Recreation facilities in the form of tennis courts, recreation building and pool should be adequate to serve the project.

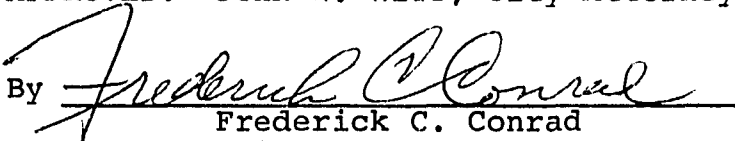
2. The proposed use, because of the conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. The project proposes to have extensive landscaping and a noise attenuation wall along Camino del Norte and Bernardo Center Drive to buffer the project from noise and traffic impacts. A number of conditions have been incorporated into this permit relating to grading, landscaping and noise attenuation wall design and location to minimize impacts to the site and surrounding areas.

3. The proposed use will comply with the relevant regulations in the Municipal Code. The project fulfills all requirements of the Municipal Code relevant to planned residential developments and tentative maps and meets the criteria and guidelines of the adopted Rancho Bernardo Community Plan.

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 RANCHO DEL LOS
PENASQUITOS PLANNING BOARD, by Margaret Corey, is denied; the
decision of the Planning Commission is sustained, and Planned
Residential Development Permit No. PRD-85-0154 is hereby granted
to CAMINO BERNARDO ASSOCIATES, 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

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09/24/86
Or.Dept:Clerk
R-87-330
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**PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. PRD-85-0154
CAMINO BERNARDO VILLAS**

CITY COUNCIL

This Planned Residential Development Permit is granted by the City Council of The City of San Diego to CAMINO BERNARDO ASSOCIATES, a California general partnership, "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 Parcel 2 of Parcel Map No. 11645, located west of Interstate 15 at the southwest corner of Camino del Norte and Bernardo Center Drive, in the A-1-10 (proposed R-3000) Zone.**
- 2. The Planned Residential Development Permit shall include the total of the following facilities:**
 - a. 336 attached multi-family units;**
 - b. Off-street parking;**
 - c. Incidental accessory uses as may be determined and approved by the Planning Director.**

Two tennis courts, two pools, two spas, tot lot, recreation building

- 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. 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 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, 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 August 12, 1986 on file in the Planning Department. All landscaping shall be**

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installed prior to 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. 707 total parking spaces shall be provided (at a ratio of 2.10 spaces per dwelling unit). Of those spaces, 203 shall be provided for guests (at a ratio of .60 spaces per unit). 36 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 August 12, 1986. 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. 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-15,000 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 Permit allows the sale of individual lots for the purpose of construction of residential units consistent with conditions and exhibits of the permit.

22. 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.

23. 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.

24. All multi-family dwelling units shall be constructed to reduce interior noise levels to below 45 dB(A) CNEL based on horizon year (year 2005) traffic volumes for Interstate 15, Camino del Norte, and Bernardo Center Drive. Prior to issuance of a building permit, an acoustical analysis shall be prepared to the satisfaction of the City's Noise Abatement and Control Officer to demonstrate that interior noise levels will be reduced below 45 dB(A) CNEL based on horizon year traffic projections.

25. Noise attenuation barriers shall be constructed as indicated on the PRD site plan to reduce exterior noise levels for multi-family and single-family residences to below 65 dB(A) CNEL. Prior to issuance of building permits, building plans shall be submitted to the Deputy Director of the Environmental Quality Division to ensure that noise attenuation barriers are constructed in compliance with the mitigation measures identified in the Environmental Impact Report (EQD No. 85-0153).

26. Ground level patios within Units 1, 3 and 6 and the wester PRD shall be constructed with five-foot-high masonry enclosures to reduce noise levels below 65 dB(A) CNEL.

27. The applicant shall be responsible for maintenance of the landscaping on all manufactured slopes for a minimum period of two years. This extended maintenance program will include temporary irrigation, removal and replacement of dead plants, and periodic fertilization to ensure adequate planting coverage.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON AUGUST 12, 1986.

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 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 Gorch	<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 Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

(Seal)

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-* **266449** Adopted **AUG 12 1986**
Number Adopted