

(R-88-1492)

RESOLUTION NUMBER R-270140

ADOPTED ON JANUARY 12, 1988

WHEREAS, Carmel Valley Evangelical Presbyterian Church, by Ruth Gunther, appealed the decision of the Planning Commission in denying (by failure of a lack of four (4) affirmative votes) North City West Planned Development Plan Permit No. 86-0761, submitted by Carmel Valley Evangelical Presbyterian Church, Owner/Permittee, for the development of a seven thousand nine hundred four (7,904) square foot church with a sixty-three (63) space parking lot, described as a portion of Section 20, Township 14 South, Range 3 West, SBBM, located on the west side of Carmel County Road, south of Carmel Valley Road, within the Neighborhood 8 Precise Plan area of the North City West Community Plan, in the Special Use Zone and Floodway Zone; and

WHEREAS, the matter was set for public hearing on January 12, 1988, 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 City Council adopts the following finding with respect to North City West Planned Development Plan Permit No. 86-0761: The City Council approves the proposed development plan, based on conformance with the Neighborhood 8 Precise Plan and the Special Use (SP) and Floodway (FW) Zones of the North City West Planned District Ordinance.

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

BE IT FURTHER RESOLVED, that the appeal of Carmel Valley Evangelical Presbyterian Church, is granted; the decision of the Planning Commission is overruled, and North City West Planned Development Plan Permit No. 86-0761 is hereby granted, to Carmel Valley Evangelical Presbyterian Church, under the terms and conditions 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:ta
01/12/88
Or.Dept:Clerk
R-88-1492
Form=r.permit

**NORTH CITY WEST PLANNED DISTRICT DEVELOPMENT
PLAN PERMIT NO. 86-0761
(Institutional)**

CITY COUNCIL

This Planned District Development Plan Permit ("Permit") is hereby granted by the Council of The City of San Diego to CARMEL VALLEY EVANGELICAL PRESBYTERIAN CHURCH, a California Corporation, "Owner/Permittee," under the conditions in Section 103.0611 of the Municipal Code of The City of San Diego ("Code").

1. Permission is granted to Owner/Permittee to construct a seven thousand nine hundred four (7,904) square foot church with associated landscaping and parking, the Carmel Valley Evangelical Presbyterian Church project, located west of Carmel Valley Road south of Carmel Valley Road, described as a portion of Section 20, Township 14 South, Range 3 West, SBBM, in the Special Use (SP) and Floodway (FW) Zones of the North City West Planned District.

2. The facility shall consist of the following:

- a. One building 24.5 feet in height.
- b. Seven thousand nine hundred four (7,904) square feet of floor area.
- c. Sixty-three (63) parking spaces.
- d. Landscaping on fifty two percent (52%) of the site.

3. Temporary erosion control landscaping shall be applied to disturbed areas if more than ninety (90) days would elapse between Planning Department approval of grading plans and the installation of the project landscaping as identified in the approved landscape plan. If there is the possibility that graded areas could remain without the landscaping called for in the approved landscaping shall occur immediately following grading activities. Temporary erosion control landscaping shall, as a minimum, include the application of a hydromulch of seeds, fibers, and emulsion to manufactured slopes, graded pads, stockpiles, and any other graded areas.

4. Additional temporary erosion control measures to be specified by the Engineering and Development Department, may be made requirements of project development. These measures could include (but not be limited to) berms, interceptor ditches, sand bagging, hay bales, energy dissipating structures, or silt traps.

5. Manufactured slopes shall be limited to a gradient of 2:1 and shall be rounded or undulated in accordance with Precise Plan requirements to minimize landform impacts.

6. Although no development will occur in the northern portion of the site, this area shall be hydroseeded, after the stockpiled fill is removed, with a native seed mix to include at a minimum, the following species:

- o Artemesia californica
- o Eriogonum fasciculatum
- o Haplopappus venetus
- o Baccharis sarothroides
- o Baccharis pilularis var. consanguinea
- o Lotus scoparius
- o Eschscholzia californica

7. The landscape architect shall verify in writing that landscaping has been installed in substantial conformance with the landscape plan and with Condition d., above.

8. Prior to the issuance of building permits a final subdivision map or maps shall be recorded on the subject property.

9. Prior to the issuance of any building permits, complete grading and building plans (including signs and exterior lighting) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit "A," dated January 12, 1988, on file in the office of the Planning Department. The property shall be developed in accordance with the approved grading and 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.

10. Prior to the issuance of any grading or 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 January 12, 1988, 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. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.

11. 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.

12. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.

13. This Permit shall not be final until the seventh (7th) day following the decision of the City Council and is subject to appeal to the City Council as provided for in Section 103.0606 of the Code.

14. The effectiveness of this Permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the Permittee shall have agreed to each and every condition hereof by having this Permit signed within ninety (90) days of the Planning Commission's decision.

15. 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 City Council or unless the proposed use meets every requirement of the zone existing for the subject property at the time of conversion.

16. The property included within this Planned District Development Plan 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 shall have been revoked by The City of San Diego.

17. 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 the Permittee or its successors in interest, shall be deemed a material breach hereof, and this Permit may be cancelled or revoked. Cancellation or revocation of this Permit may be instituted by the City or Permittee. The City Council may cancel or revoke this Permit with that decision appealable to the City Council. Public notice will be provided as in Section 103.0606 of the Code. An appeal from the decision of the City Council may be taken to the City Council within seven (7) days after the decision is filed with the City Clerk. The Clerk shall set this matter for public hearing before the City Council giving the same notice as provided in Section 103.0606 of the Code.

18. This 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.

19. Prior the the restoration of a final map, a phasing plan shall be submitted to the satisfaction of the Planning Director which ties development to: (a) the allocation schedule of the North City West Community Plan, as set forth in Schedule A of the Interim Development Ordinance, adopted by the City Council on July 21, 1987, and any successor ordinance, plan or policy imposing the same or similar requirements; and (b) the

construction and actual installation of all public facilities specified in the Capital Improvement Program portion of the applicable community plan that would be required for this project approval.

20. This map and site plan shall comply with the standards, policies and requirements of all ordinances in effect at the time of approval of this map, including the Interim Development Ordinance adopted by the City Council on July 21, 1987, and successor ordinance, plan or policy imposing the same or similar requirements upon environmentally sensitive habitats, floodplains, hillsides, wetlands or coastal bluffs, which approval shall be required for the development.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO
ON January 12, 1988.

AUTHENTICATED BY:

MAUREEN O'CONNOR, Mayor
The City of San Diego

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

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this _____ day of _____, 198____, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared 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 person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

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 Permit and promises to perform each and every obligation of Permittee hereunder.

CARMEL VALLEY EVANGELICAL
PRESBYTERIAN CHURCH
(Permittee)

By _____

By _____

NOTE: Notary acknowledgments must be attached per Civil Code Section 1180, et seq.

R 270140

334/88

JAN 12 1988

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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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.

(Seal)

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

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-270140* Adopted *JAN 12 1988*