

(R-89-2359)

RESOLUTION NUMBER R-273157

ADOPTED ON APRIL 4, 1989

WHEREAS, Scott M. Marcus, Shirley A. Zirkel, Villas Mallorca Homeowners Association by Brian North, and La Jolla Village Estates by Dennis Pearce appealed the decision of the Planning Commission in approving Planned Residential Development Permit No. 88-0934 (Playa Vista Condominiums) submitted by Western National Partners, Owner/Applicant, described as Parcels 1 through 3, inclusive of Parcel Map No. 11169, City of San Diego, located at the northeast corner of Villa La Jolla Drive and Gilman Drive, in the University Community Plan area, in the R-1000 zone; and

WHEREAS, the matter was set for public hearing on April 4, 1989, 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. 88-0934:

1. The proposed use will fulfill a community need and will not adversely affect the General Plan or the community plan. The project proposes to construct 296 attached multi-family units at a residential density of 27 dwelling units per acre. This is consistent with the adopted University Community Plan Development

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Intensity Element and approved parcel map (TM 85-0480) which permit the development of up to a maximum 456 dwelling units on this site.

2. The proposed use, 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. A number of conditions (and referenced exhibits) have been incorporated into the permit relative to project compliance with the Planned Residential Development Ordinance, including requirements for resident and guest parking, open space, landscaping, grading, and pedestrian and vehicular access.

3. The proposed use will comply with the relevant regulations in the Municipal Code. The project fulfills requirements of the Municipal Code relevant to Planned Residential Developments and satisfies resident and guest parking requirements of the City Street Design Manual.

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

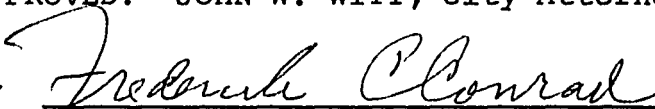
BE IT FURTHER RESOLVED, that the appeal of Scott M. Marcus, Shirley A. Zirkel, Villas Mallorca Homeowners Association by Brian North, and La Jolla Village Estates by Dennis Pearce is denied; the decision of the Planning Commission is sustained, and Planned Residential Development Permit No. 88-0934 is hereby

granted to Western National Partners, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that in a "good faith effort" to limit the total number of occupants of the proposed buildings to that referenced by the approved PRD permit and associated exhibits on file in the Planning Department, the developer shall limit through contract lease covenants the number of non-related adults occupying one-bedroom units to a maximum of two, and the number of non-related adults occupying two-bedroom units to a maximum of four adults.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
05/22/89
Or.Dept:Clerk
R-89-2359
Form=r.permit

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 88-0934
PLAYA VISTA CONDOMINIUMS

CITY COUNCIL

This Planned Residential Development Permit is granted by the Council of The City of San Diego to WESTERN NATIONAL PARTNERS, 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 Parcels 1 through 3, inclusive of Parcel Map No. 11169, City of San Diego, located at the northeast corner of Villa La Jolla Drive and Gilman Drive, in the R-1000 Zone.
2. The Planned Residential Development Permit shall include the total of the following facilities:
 - a. 296 attached multi-family dwelling units;
 - b. Off-street parking (see condition No. 5);
 - c. Incidental accessory uses as may be determined and approved by the Planning Director; and
 - d. Two recreation areas, including swimming pool, spa and restrooms, shall be provided in accordance with the approved Exhibit "A," dated April 4, 1989, and to the satisfaction of the Planning Director.
3. 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 April 4, 1989, on file in the Planning Department. All landscaping shall be 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. 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.
4. The construction and continued use of this permit shall be subject to the regulations of this or other governmental agencies.

5. A minimum six hundred thirty-five (635) total parking spaces shall be provided (at a ratio of 2:1 spaces per dwelling unit). Of those spaces, 207 shall be provided for guests (at a ratio of 0:7 spaces per unit). No 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 and/or tenant 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 April 4, 1989. 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. All off-street parking spaces shall be assured for occupants and guests of the project through implementation of a parking allocation permit program which shall be made available for residents and guests of the development only. This parking program shall include the designation of resident and guest parking spaces to the satisfaction of the Planning Director.
6. 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.
7. 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.
8. No manufactured slope shall be steeper than a ratio of 2:1.
9. The applicant shall post a copy of the approved permit in the sales and/or rental office for consideration by each prospective buyer and/or tenant.
10. Any sales and/or rental office or temporary sales signs advertising the development shall be approved by the Planning Director and shall be consistent with the criteria established by the R-1000 Zone.
11. 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, general utility easements must be provided where required.
12. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

13. The effective date of this permit shall be the date of final action by the City Council. 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.
14. 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.
15. If the signed permit is not received by the Planning Department within 90 days of the decision of the City Council, the permit shall be void.
16. 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.
17. 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.
18. 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.
19. All accessory structures less than 100 square feet require the approval of the Planning Director and must meet zoning criteria and Planned Residential Development Permit Guidelines and Standards regardless of Building Inspection Department requirements for building permits.
20. All signs requested and proposed for this project shall conform to City Wide Sign Regulations and be administered by the Sign Code Administration Division of the Planning Department.

21. This Planned Residential Development shall be constructed prior to sale to individual owners and/or tenants to ensure that all development is 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. The timely landscaping of the site identified herein is considered to be in the public interest and the developer shall initiate such landscaping within 90 days from the date that the grading of the designated site is deemed to be complete. Such landscaping and the supporting irrigation systems and appurtenances, shall be installed in accordance with the plans approved by the City Council and City Engineer and the landscaping shall be properly maintained to insure the survival and propagation of the plant material during the period prior to the acceptance of the public improvements or establishment of a Homeowners Association which will assure responsibility for the landscape maintenance.
24. Prior to the issuance of any building permits, the applicant shall construct sidewalks on La Jolla Village Drive adjacent to the property, as required by the City Engineer.
25. In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable or unreasonable, this Permit shall be void.

APPROVED by the Council of The City of San Diego on April 4, 1989.

FCC:lc
05/20/89
r-89-2359-p

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 _____, 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.

Western National Partners
Permittee

By _____

By _____

NOTE: Notary acknowledgments
must be attached per Civil
Code Section 1180, et seq.
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R- 273157

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APR 04 1989

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 Struiksma	<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 type="checkbox"/>	<input checked="" 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 *Jena Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-273157* Adopted *APR 04 1989*