

(R-90-1002)

RESOLUTION NUMBER R-274763

ADOPTED ON NOVEMBER 21, 1989

WHEREAS, Harry J. Karukas, by Tom L. Moore, appealed the decision of the Planning Commission in approving Planned Residential Development Permit No. 88-1273, submitted by ITEC Properties Owner/Permittee, to develop five (5) single-family dwelling units on property described as a portion of the Southeast Quarter of the Southwest Quarter of Section 26, Township 14 South, Range 2 West, S.B.B.M., located east of Cypress Canyon Road, north of the new alignment of Pomerado Road and south of the old alignment of Pomerado Road, in the Scripps Miramar Ranch Community Plan area, in the R-3000 zone; and

WHEREAS, the matter was set for public hearing on November 21, 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. 88-1273:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the community plan. The proposed project has a density of .68 dwelling units per acre which is consistent to the Scripps

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Miramar Ranch Community Plan designation for the site (5-10 dwelling units per acre). The site design of the project minimizes the disturbances to the existing topography and the visual impacts to the surrounding properties;

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. The five dwelling unit project is subject to conditions which reduce noise, visual, and topographic impacts to the site and surrounding properties; and

3. The proposed use will comply with the relevant regulations in the Municipal Code. The project meets and exceeds the minimum requirements of the PRD Ordinance.

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 Harry J. Karukas, by Tom L. Moore, is denied; the decision of the Planning Commission is sustained, and Planned Residential Development Permit No. 88-1273 is hereby granted to ITEC Properties, 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*
Frederick C. Conrad
Chief Deputy City Attorney

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12/19/89
Or.Dept:Clerk
R-90-1002
PRD 88-1273
Form=r.permit

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 88-1273
POMERADO ESTATES

CITY COUNCIL

This planned residential development permit is granted by the Council of The City of San Diego to ITEC PROPERTIES, a 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 a Portion of the Southeast Quarter of the Southwest Quarter of Section 26, Township 14 South, Range 2 West, SBBM, located east of Cypress Canyon Road, north of the new alignment of Pomerado and south of the old Pomerado Road alignment, in the R1-40000 (proposed R-3000) Zone.
2. The planned residential development permit shall include the total of the following facilities:
 - a. Five (5) single-family detached dwelling units;
 - b. Off-street parking; and
 - c. Incidental accessory uses as may be determined and approved by the Planning Director.
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. 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 November 21, 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.

5. The construction and continued use of this permit shall be subject to the regulations of this or other governmental agencies.
6. Fifteen (15) total parking spaces shall be provided (at a ratio of 3:1 spaces per dwelling unit). Of those spaces, five (5) shall be provided for guests (at a ratio of one (1) space per unit). No curb spaces may be included in the calculation. Each space shall be maintained on the subject property in the approximate location as shown on Exhibit "A," dated November 21, 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.
7. 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.
8. No building additions, including patio covers, shall be permitted unless approved by the Planning Director. Patio covers may be permitted only if they are consistent with the architecture of the dwelling unit.
9. No manufactured slope shall be steeper than a ratio of 2:1.
10. The applicant shall post a copy of the approved permit in the sales office for consideration by each prospective buyer.
11. 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-3000 zone.
12. 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.
13. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.
14. The effective date of this permit shall be the date of final action by the City Council on Rezone No. 88-1273 and Tentative Map No. 88-1273. If either the rezone or the tentative map are denied, then the PRD shall be deemed denied. 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.

15. 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; and
 - b. The planned residential development permit is recorded in the Office of the County Recorder.
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. Unless otherwise provided specifically within this permit, 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 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 slopes 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 slopes 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 Planning Director 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. 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.

The slopes designated for timely landscaping as described above include all. All other slopes are to be landscaped as shown.

24. Prior to the issuance of occupancy permit, a field check of the site shall be made by an Environmental Quality Division representative to ensure that the noise attenuation berm has been constructed along the southern boundary of the site as indicated on the tentative map and PRD site plan.
25. Prior to the issuance of occupancy permit, a field check of the site shall be made by an Environmental Quality Division representative to ensure that mechanical ventilation has been installed in second story rooms of the unit.
26. 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 November 21, 1989.

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NOV 21 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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: *June W. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-274763 Adopted NOV 21 1989