

(R-92-1787)

RESOLUTION NUMBER R-279569

ADOPTED ON MARCH 17, 1992

WHEREAS, Pardee Construction Company, a California corporation, Owner/Permittee, filed an application for Carmel Valley Planned District Development Plan Permit No. 91-0553 to construct thirty-nine attached, two-story townhomes, located on the north side of Quarter Mile Drive between El Camino Real and Wyndhaven Drive, described as a portion of the northwest quarter of Section 18, Township 14 South, Range 3 West, in the Carmel Valley Community Plan area, in the existing NC (proposed MF-1) zone; and

WHEREAS, on December 12, 1992, the Planning Commission recommended denial of this permit; and

WHEREAS, the matter was set for public hearing on March 17, 1992, 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 the proposed development plan is consistent with the Neighborhood Three Carmel Valley Precise Plan and the proposed MF-1 zone, as set forth in Planning Report No. P-92-073 dated March 10, 1992, a copy of said planning report by this reference is incorporated herein.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is overruled, and Carmel Valley Planned

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SAN DIEGO, CALIF.

District Development Plan Permit No. 91-0553 is hereby granted to Pardee Construction Company, 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

FCC:lc
05/12/92
Or.Dept:Clerk
R-92-1787
Form=r.permit

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SAN DIEGO, CALIF.

CARMEL VALLEY PLANNED DISTRICT
DEVELOPMENT PLAN PERMIT NO. 91-0553
CHATEAU NORD

CITY COUNCIL

This planned district development plan permit is granted by the Council of The City of San Diego to PARDEE CONSTRUCTION COMPANY, a California Corporation, Owner/Permittee, for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 103.0601 of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to Owner/Permittee to construct a planned district development, Chateau Nord, located on the north side of Quarter Mile Drive between El Camino Real and Wyndhaven Drive in the existing NC (proposed MF-1) Zone. The project site is legally described as a portion of the Northwest Quarter of Section 18, Township 14 South, Range 3 West.
2. The planned district development plan project (Project) shall include the total of the following facilities:
 - a. Thirty-nine (39), two-story townhomes with a total floor area of approximately 53,415 square feet.
 - b. Off-street parking.
 - c. Incidental accessory uses as may be determined and approved by the Planning Director.
 - d. Recreational facilities - spa (12 feet by 10 feet), sun deck, shade trellis (12 feet by 24 feet).
3. Prior to the issuance of any building permits the accompanying Community Plan Amendment, Planned District zone designation and Vested Tentative Map shall be approved by City Council and a final subdivision map or maps shall be recorded on the subject property. 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 final map 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 usable open space as defined in Municipal Code Section 101.0101.49.

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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 March 17, 1992 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.
6. The construction and continued use of this permit shall be subject to the regulations of this or other governmental agencies.
7. A total of 98 parking spaces shall be provided (78 at a ratio of 2:1 spaces per dwelling unit). A minimum of 20 spaces shall be provided for guests (at a ratio of 0.5 spaces per unit). 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 CC&R's. Each space shall be maintained on the subject property in the approximate location as shown on Exhibit "A," dated February 18, 1992. 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. In conjunction with Condition No. 4, building additions including patio covers, shall not be permitted. This project as designed provides only the minimum amount of usable open space as defined in Municipal Code Section 101.0101.49.
10. No manufactured slope shall be steeper than a ratio of 2:1, except slopes that are five feet in height or less may be 1.5:1.
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 MF-1.
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.
15. No development shall commence, nor shall any permit for construction be issued, until the Permittee signs and returns the permit to the Planning Department.
16. The property included within this planned district development 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 has been revoked by The City of San Diego.
17. This planned district development plan permit may be canceled 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, Planning Commission or Permittee.
18. This planned district permit 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. Private streets shall be named and begin with appropriate terms such as "Caminito," "Ruelle," or "Row." 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.
20. 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.
21. The Permittee/Applicant shall comply with all requirements of the Uniform Building Code (UBC) and secure all necessary building permits prior to construction.

22. Noise walls, street trees, decorative pavements and other public right-of-way improvements shown on Exhibit "A," dated December 12, 1991, shall be permitted by an Encroachment Permit obtained from the City Engineer.
23. A solid masonry wall of five feet in height shall be constructed along the top of the slope between the residential units and El Camino Real. This wall shall attenuate exterior noise for the ground floor to below 65 dB CNEL. The exact location of the wall is shown on the proposed development plan Exhibit "A," dated March 17, 1992. Prior to issuance of building permits, City staff shall review building plans for the construction of the noise wall.
24. Special design features shall be incorporated into the design of the upper stories facing El Camino Real. As a condition of the Development Permit, the City's Noise Abatement Office shall review building plans to ensure that interior noise levels in the eight units located along El Camino Real will not exceed 45 dB CNEL based on future roadway volumes. The Planning Department shall not approve final building plans until the Noise Abatement Office has reviewed the plans to determine conformance.
25. The Planned Development Permit shall comply with the conditions of the final map for Tentative Map No. 91-0553.
26. Prior to the issuance of any building permits, the applicant shall:
 - a. Ensure that building address numbers are visible and legible from the street (Uniform Fire Code (UFC) 10.208).
 - b. Show the location of all fire hydrants on the plot plan (UFC 10.301).
 - c. Provide access in conformance with Fire Department Policy A-89-1 (UFC 10.207).
 - d. Provide temporary street signs.
 - e. Comply with the City of San Diego Landscaping Technical Manual regarding brush and landscaping.
27. The driveways shall be standard City driveways; curb returns are not allowed.
28. Prior to the issuance of any building permits, the developer shall demonstrate compliance with the North City West School Facilities Master Plan. Compliance may be evidenced through either of the following methods: (a) by otherwise demonstrating the availability of school facilities to

accommodate residents of the subdivision; or (b) by participating in the "School Deposit Procedure" alternative, as provided in the Master Plan. A development agreement may be required, as provided in the North City West School Facilities Master Plan to implement the deposit procedure.

29. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
30. 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 March 17, 1992, by Resolution No. R-279569.

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Passed and adopted by the Council of The City of San Diego on MAR 17 1992
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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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 type="checkbox"/>	<input checked="" 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 Linda Sugano, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-279569 Adopted MAR 17 1992