

(R-93-1169)

RESOLUTION NUMBER R-281309

ADOPTED ON JANUARY 5, 1993

WHEREAS, Pardee Construction Company, a California corporation, filed an application for Carmel Valley Planned District Development Plan/Land Development Permit No. 92-0212 to construct two four-story professional office buildings over subterranean parking structures and related facilities and site improvements on the subject vacant 5.83-acre site located on the west side of El Camino Real, between Del Mar Heights Road and Valley Centre Drive, and described as Lot 29, Unit 2C, Map No. 11640, in the Carmel Valley Planned District area, in the EC zone; and

WHEREAS, on October 29, 1992, the Planning Commission voted unanimously to recommend to the City Council approval of the proposed discretionary permit; and

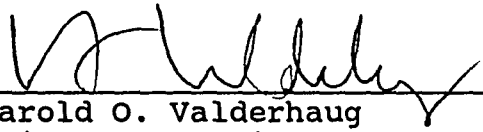
WHEREAS, the matter was set for public hearing on January 5, 1993, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the proposed development plan is consistent with the Carmel Valley Neighborhood Two Precise Plan, the Carmel Valley Community Plan and the EC zone.

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

District Development Plan/Land Development Permit No. 92-0212 is hereby granted to Pardee Construction Company, Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug
Chief Deputy City Attorney

HOV:lc
02/08/93
Or.Dept:Clerk
R-93-1169
Form=r.permit

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CARMEL VALLEY PLANNED DISTRICT DEVELOPMENT PLAN
AND LAND DEVELOPMENT PERMIT NO. 92-0212

PARDEE LOT 29

CITY COUNCIL

This Carmel Valley Planned District Development Plan and Land Development Permit is hereby granted by the Council of The City of San Diego to PARDEE CONSTRUCTION COMPANY, Owner/Permittee, under the conditions in Section 103.0612 of the Municipal Code of The City of San Diego.

1. Permission is granted to PARDEE CONSTRUCTION COMPANY to develop various employment center land uses (professional offices) and related site facilities and improvements necessary to implement the proposed development on the subject 5.8-acre vacant site as described herein by this permit. The project site is located on the west side of El Camino Real, between Del Mar Heights Road and Valley Centre Drive within the Neighborhood Two Precise Plan area of the Carmel Valley Planned District, described as Lot 29, Unit 2C, Map No. 11460, in the EC (Employment Center) Zone of the Carmel Valley Planned District.
2. The permit shall consist of the following facilities and site improvements:
 - a. Two four-story professional office buildings over subterranean garage structures; each consisting of a total of 58,152 square feet of gross professional office floor area and related facilities and site improvements necessary to implement the proposed development of this site (including site landscaping, off-street parking and enhanced paving) as identified by size, dimension and location on the approved Exhibit "A," dated January 5, 1993, on file in the Planning Department;
 - b. Two sub-grade parking structures underneath the proposed office buildings each consisting of a total of 32,861 square feet of floor area and 197 parking spaces each as identified on the approved Exhibit "A," dated January 5, 1993, on file in the Planning Department.
 - c. A total of 88 surface parking spaces on site as indicated on the approved Exhibit "A," dated January 5, 1993, on file in the Planning Department.
 - d. Proposed office uses shall be consistent with those permitted by the EC (M-IP) Zone.

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3. 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 5, 1993, 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.
4. 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 5, 1993, 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.
5. 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.
6. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.
7. 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.
8. 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 Planning Director or unless the proposed use meets every requirement of the zone existing for the subject property at the time of conversion.
9. The property included within this permit 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.
10. 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 canceled or revoked. Cancellation or revocation of this permit may be instituted by the City or Permittee. The Planning Commission may cancel or revoke this permit with that decision appealable to the City Council.

11. 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.
12. 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.
13. The Permittee/Applicant shall comply with all requirements of the Uniform Building Code (UBC) and secure all necessary building permits prior to construction.
14. Project tenant signage shall comply at all times with relevant regulations of San Diego Municipal Code Chapter X, Article 1, Division 11 (the City-Wide Sign Regulations) and/or the applicable planned district or specific plan sign requirements in effect for this site.
15. 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.
16. Permanently irrigated plantings shall be maintained for a period of not less than 90 days unless the property owner informs the Permit Issuing Authority in writing that (s)he will assume the maintenance responsibilities.
17. Non-permanently irrigated plantings shall be maintained for a period not less than 25 months. An agreement shall be executed by the applicant and recorded with the County Recorder assuring the maintenance for the required period of time by the applicant or his successor in interest. The agreement must be secured by a Letter-of-Credit, cash, or some other form of security acceptable to the permit-issuing authority. The agreement must also provide for the ability of the City to enter onto the property to provide the required maintenance in the event the property owner fails to do so.
18. All revegetated areas shall be maintained by the Permittee until final approval by the Planning Director. The

maintenance period begins in the first day following acceptance and may be extended at the determination of the Planning Director.

19. Prior to final approval, the Planning Director may require corrective action including but not limited to, replanting, the provision or modification of irrigation system, and the repair of any soil erosion or slope slippage.
20. During all grading and land development activities, the owner shall take all necessary measures available to protect adjacent property and public right-of-way from damage which may result from the work to provide the necessary fences and barricades to eliminate any hazard to the public in their normal use of such property or right-of-way. Temporary fences or barricades shall be provided adjacent to the excavation where the slope is two feet horizontal to one-foot vertical or steeper and/or the vertical height of the excavation exceeds six feet. Such fences or barricades shall be substantially constructed and shall be properly maintained so long as the hazard resulting from the excavation exists.
21. Erosion and siltation control may require temporary or permanent siltation basins, energy dissipators, or other measures as actual field conditions warrant, whether or not such measures are a part of approved plans.
22. Where a permanent excavation is adjacent to an existing developed right-of-way or other publicly used property, and the top of the slope is within ten feet of the property line, the property owner shall construct an acceptable permanent four-foot-high fence at the property line where the vertical height of the excavation exceeds six feet.
23. The City Engineer may modify or delete the preceding land development requirements where it is evident that the land development will present no hazard to the adjacent property or public rights-of-way.
24. The City may suspend any land development activities whenever any of the measures contained within this permit are being inadequately observed until such time as conformity is obtained.
25. Whenever it is determined by the City Engineer that there is potential for soil slippage, major erosion, landslides, or other geologic hazards or instability, a revegetation plan shall include the recommendations of a geotechnical engineer or civil engineer and certified engineering geologist.
26. The Transportation Demand Management ("TDM") Strategies described in the approved TDM Plan for this project, on file with the TDM Administrator, shall be implemented, including

but not limited to the following:

- a. An alternative transportation bulletin board shall be maintained in the lobby area of each office building.
 - b. Among the required parking spaces, a minimum of 12 carpool parking spaces shall be provided in each of lots B and C. The remaining 11 non-handicap spaces in each of lots B and C shall be dedicated to carpool parking when needed. These spaces shall be clearly labeled.
 - c. Bicycle racks for 16 bicycles shall be provided for each office building as shown on the site plan. Bicycle racks shall allow the locking of both wheels and the frame without the use of chains or cables.
 - d. Shower facilities shall be provided to all employees who bicycle to work.
27. The developer shall provide mutual access, satisfactory to the City Engineer.
 28. The developer shall provide a walkway from the building entrance to the sidewalk within the public right-of-way, satisfactory to the City Engineer.
 29. The permit shall comply at all times with all of the conditions of the final map for Tentative Map No. 92-0212.
 30. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued.

Passed and adopted by the City Council of the City of San Diego on January 5, 1993, Resolution No. R-281309.

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

JAN 05 1993

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"/>
District 8 Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *[Signature]*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-281309* Adopted *JAN 05 1993*