

RESOLUTION NO. 203004 JUN 24 1971
Planned Residential Development Permit No. 20

WHEREAS, SUN KIST PLAZA, a California corporation, and JO-VAN HOMES, INC., a California corporation, Owners, hereafter referred to as "Permittee," filed an application for a permit to construct and operate a planned residential development, located on the west side of 54th Street, between Krenning Street and Nutmeg Street, being a portion of the Southwest 1/4 of Section 34, Township 16 South, Range 2 West, and a portion of Lot 6, Wadsworth's Olive Grove, Map No. 482, on file in the office of the County Recorder, more particularly described in Appendix "A" attached hereto and made a part hereof, in the R-1-5 Zone; and

WHEREAS, on April 14, 1971, the Planning Commission of The City of San Diego made its finding of facts and filed the same in the office of the City Clerk on April 20, 1971; and

WHEREAS, the motion, by the Planning Commission, to deny Planned Residential Development Permit No. 20 failed to receive four affirmative votes and was deemed denied; and

WHEREAS, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, Permittee, by Aaron H. Kolkey, under date of April 20, 1971, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on May 20, 1971, continued to June 10, June 17 and June 24, 1971, and 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, as follows:

All of the following facts exist with respect to the issuance of Planned Residential Development Permit No. 20 on the property described in the preamble of this resolution.

1. The proposed use at the particular location is necessary to provide a facility which will contribute to the general well-being of the community.

2. Such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

3. The proposed use will comply with the regulations and conditions specified in the Code for such use.

4. The granting of this use will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.

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

BE IT FURTHER RESOLVED, that by a vote of 8 to 0, the appeal of Permittee be, and it is hereby granted and the City Council does hereby grant to SUN KIST PLAZA and JO-VAN HOMES, INC., Planned Residential Development Permit No. 20 to construct and operate said development, in the form and with the terms and conditions as set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

BY 
Frederick C. Conrad, Deputy

203004

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 20
CITY COUNCIL

This planned residential development permit is granted by the Council of The City of San Diego to SUN KIST PLAZA, a California corporation, and JO-VAN HOMES, INC., a California corporation, Owners, hereafter referred to as "Permittee," for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101.0900 of the San Diego Municipal Code.

1. Permission is hereby granted to Permittee to construct and operate a planned residential development, located on the west side of 54th Street, between Krenning Street and Nutmeg Street, being a portion of the Southwest 1/4 of Section 34, Township 16 South, Range 2 West, and a portion of Lot 6, Wadsworth's Olive Grove, Map No. 482, on file in the office of the County Recorder, more particularly described in Appendix "A" attached hereto and made a part hereof, in the R-1-5 Zone.

2. The planned residential development shall include and the term "Project" as used in this planned residential development permit shall mean the total of the following facilities:

- a. 104 dwelling units.
- b. Recreational facilities.
- c. Off-street parking.
- d. 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 on the property shall be recorded in the office of the County Recorder,

except that permits may be issued for four model units prior to the final map recordation, subject to the requirements of the City Attorney, City Engineer and Planning Director.

4. An open space easement shall be granted and shown on said map on all areas not shown for building sites.

5. Not less than 313 off-street parking spaces, or at a ratio of three spaces for each residential unit, shall be provided and at least one of these spaces shall be enclosed. Each of the parking spaces shall be a minimum of 8-1/2 feet x 20 feet in dimension and shall be permanently maintained and shall not be converted for any other use at any time. Each subsequent owner 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 June 24, 1971. Areas and driveways shall be surfaced with not less than 2" A.C. or its equivalent and each parking space shall be marked. Parking spaces and aisles shall conform to Planning Department standards. No charge shall be made at any time for the use of these off-street parking spaces.

6. Exterior radio or television antennas shall be prohibited; however, one master antenna may be permitted for the project.

7. All of the private streets shall be named and begin with the term "Caminito."

8. Public refuse collection shall not be permitted unless approved by the Director of Public Works.

9. All private streets shall be improved to the requirements set forth by the City Engineer.

10. No parking shall be permitted on any private streets except in approved locations.

11. Permittee shall comply with the General Conditions for Planned Residential Developments attached hereto and made a part hereof.

Passed and adopted by the City Council of The City of San Diego on June 24, 1971.

GENERAL CONDITIONS FOR PLANNED RESIDENTIAL DEVELOPMENT PERMITS

1. Prior to the issuance of any building permits, complete building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit A dated June 24, 1971, on file in the office of the Planning Department. The property shall be developed in accordance with the approved 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.

2. Prior to the issuance of any 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 June 24, 1971, 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.

3. 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.

4. This planned residential development permit must be utilized within 18 months after the effective date thereof. Failure to utilize subject permit within 18 months will automatically void the same, unless an extension of time has been granted by The City of San Diego as set forth in Section 101.0900 of the Municipal Code.

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

6. The effectiveness of this planned residential development permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the following events shall have occurred:

a. Permittee shall have agreed to each and every condition hereof by having this planned residential development permit signed within 90 days of the Council's decision. In no event shall this condition be construed to extend the time limitation set forth in 4 above; i.e., the time commences to run on the date that the City Council granted this planned residential development permit.

b. This planned residential development permit executed as indicated shall have been recorded in the office of the County Recorder.

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

8. The property included within this planned residential development permit shall be used only for the purposes and under the terms and conditions as set forth in this permit unless the permit shall have been revoked by The City of San Diego.

9. 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 Permittee or its successors in interest, shall be deemed a material breach hereof and this planned residential development permit may be cancelled or revoked. Cancellation or revocation of this planned residential development permit may be instituted by City or Permittee. The Planning Director shall set this matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0900. An appeal from the decision of the Planning Commission may be taken to the City Council within ten days after the decision is filed with the City Clerk. The Clerk shall set the matter for public hearing before the City Council giving the same notice as provided in Section 101.0900.

10. This planned residential development 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..

AUTHENTICATED BY:

Mayor of The City of San Diego, California

City Clerk of The City of San Diego, California

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN DIEGO)

On this _____ day of _____, 19____,
before me the undersigned, a Notary Public in and for said
County and State, residing therein, duly commissioned and
sworn, personally appeared FRANK CURRAN, known to me to be
the Mayor, and EDWARD NIELSEN, 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
persons who executed the within instrument on behalf of the
municipal corporation therein named, and acknowledged to me
that such municipal corporation executed the same.

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 stamp)

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 planned residential development permit
and promises to perform each and every obligation of Permittee
hereunder.

SUN KIST PLAZA,
a California corporation

JO-VAN HOMES, INC.,
a California corporation

(seal)
By _____

(seal)
By _____

Acknowledgment

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss

On this _____ day of _____, 197 , before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____, known to me to be the _____ of

the corporation that executed the within instrument and known to me to be the person who executed the same on behalf of said corporation and acknowledged to me that said corporation executed the same, pursuant to its bylaws or a resolution of its Board of Directors.

WITNESS my hand and official seal.
(Notary Stamp)

Notary Public in and for the County
of San Diego, State of California

Acknowledgment

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss

On this _____ day of _____, 197 , before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____, known to me to be the _____ of

the corporation that executed the within instrument and known to me to be the person who executed the same on behalf of said corporation and acknowledged to me that said corporation executed the same, pursuant to its bylaws or a resolution of its Board of Directors.

WITNESS my hand and official seal.
(Notary Stamp)

Notary Public in and for the County
of San Diego, State of California

APPENDIX "A"

LEGAL DESCRIPTION

RYAN MANOR

Basis of Bearings for the following described piece of land is the Northerly line of Clearview Subdivision Map No. 2703, i.e. S 89°50'37" E. That portion of the S.W. ¼ of Sec. 34, T-16-S, R-2-W, San Bernardino Base and Meridian, and a portion of Lot 6 of Wadsworth's Olive Grove, Map No. 482, being more particularly described as follows:

Beginning at the Northwesterly corner of Clearview Subdivision, Map No. 2703, filed in the Office of the County Recorder of San Diego County, said Northwesterly corner being also on the South line of the North 30 feet of South 1/3 of Northwest 1/4, of Southwest 1/4 of above referenced Section 34, said Northwesterly corner being the True Point of Beginning.

Thence N 89°50'37" W a distance of 111.83 feet; thence N 0°05'03" E a distance of 61.02 feet to a point on the Easterly line of Lot 9 of Morrison's Terrace Subdivision, Map No. 3737, filed in the Office of the County Recorder of said San Diego County; thence continuing along the Easterly line of Lot 9 and Lot 8 of said Morrison's Terrace Subdivision N 0°05'03" E a distance of 189.56 feet (N 0°08'05" E, 189.88 feet per Map No. 3737) to a point on the Southerly line of Hazelwood Heights Unit No. 2, Map No. 3097, filed in the Office of the County Recorder of said County; thence S 89°59'26" E along the Southerly boundary of said Hazelwood Heights Unit No. 2 a distance of 110.46 feet; thence N 0°13'41" W along the Easterly boundary of said Hazelwood Heights Unit No. 2, a distance of 222.24 feet (N 0°13'40" W 222.20 feet per Map No. 3097); thence S 89°43'07" E continuing along the boundary of said Hazelwood Heights Unit No. 2 a distance of 58.07 feet (S 89°44'50" E

58.02 feet per Map No. 3097) to the Southwesterly corner of Hazelwood Heights Unit No. 1, Map No. 3025, filed in the Office of the County Recorder of said County, said Southerly corner of Hazelwood Unit No. 1 being also on the South line of North 1/6 of the West 1/2 of Southwest 1/4 of previously referenced Section 34; thence S 89°45'42" E a distance of 973.11 feet (N 89°44'50" W per Map No. 3025); thence S 0°35'00" W a distance of 265.00 feet; thence S 89°45'42" E a distance of 142.88 feet to a point on the Westerly line of 54th Street; thence S 0°12'17" W along said Westerly line a distance of 206.38 feet to the Northeast corner of Lot 37 of previously referenced Clearview Subdivision; thence N 89°50'37" W along the Northerly line of said Clearview Subdivision being also the South line of the North 30 feet of the South 1/3 of the Northwest 1/4 of the Southwest 1/4 of previously referenced Sec. 34 a distance of 1168.74 feet (S 89°50'37" E per Map No. 2703) to the TRUE POINT OF BEGINNING.

Area = 12.46 Acres

58.02 feet per Map No. 3097) to the Southwesterly corner of Hazelwood Heights Unit No. 1, Map No. 3025, filed in the Office of the County Recorder of said County, said Southerly corner of Hazelwood Unit No. 1 being also on the South line of North 1/6 of the West 1/2 of Southwest 1/4 of previously referenced Section 34; thence S 89°45'42" E a distance of 973.11 feet (N 89°44'50" W per Map No. 3025); thence S 0°35'00" W a distance of 265.00 feet; thence S 89°45'42" E a distance of 142.88 feet to a point on the Westerly line of 54th Street; thence S 0°12'17" W along said Westerly line a distance of 206.38 feet to the Northeast corner of Lot 37 of previously referenced Clearview Subdivision; thence N 89°50'37" W along the Northerly line of said Clearview Subdivision being also the South line of the North 30 feet of the South 1/3 of the Northwest 1/4 of the Southwest 1/4 of previously referenced Sec. 34 a distance of 1168.74 feet (S 89°50'37" E per Map No. 2703) to the TRUE POINT OF BEGINNING.

Area = 12.46 Acres

LP

Passed and adopted by the Council of The City of San Diego on JUN 24 1971,
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1971 JUL 22 AM 11:08
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

EDWARD NIELSEN
~~JOHN LOCKWOOD~~
City Clerk of The City of San Diego, California.

(Seal)

By Edward N. Hansen, Deputy cc

Office of the City Clerk, San Diego, California

Resolution Number 203004 Adopted JUN 24 1971