

RESOLUTION NO. 218263

R.77-2221

APR 27 1977

Planned Residential Development Permit No. 75/
Extension of Time

WHEREAS, HOME BUSINESS DEVELOPMENT CORPORATION, Owner,
and H. J. O'BRIEN LAND DEVELOPMENT, INC., hereafter referred
to as "Permittee," filed an application for a two-year
extension of time for Planned Residential Development Permit
No. 75, to construct and operate a planned residential
development consisting of 1,051 dwelling units, recreational
facilities, off-street parking, and incidental accessory
uses, in the R-1-40 (proposed R-1-5) Zone, located easterly
of the termination of Tierrasanta Boulevard in the Elliott
Community Plan area, more particularly described as portions
of Lots 58, 59, 60 and 70, Rancho Mission of San Diego,
portions of Lots C, D, and E, Referree's Partition Map of a
partition of portion of Lot 70, Rancho Mission of San Diego,
S.C.C. No. 15191, and portions of Lots 27 and 38, Rosedale
Tract; and

WHEREAS, on March 10, 1977, the Planning Commission of
The City of San Diego made its findings of facts, approved
Planned Residential Development Permit No. 75/Extension of
Time, and filed said decision in the office of the City Clerk
on March 22, 1977; and

WHEREAS, pursuant to the provisions of Section 101.0900
of the San Diego Municipal Code, CHRISTIANA COMMUNITY BUILDERS,
by William H. Duncan, vice president, appealed the decision of
the Planning Commission; and

WHEREAS, said appeal was set for public hearing on April 27, 1977; and

WHEREAS, the Council of The City of San Diego received for its consideration documentary, written and oral testimony and heard from all interested parties present at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That said Council finds that there has been no material change of circumstances since the granting of the permit, as set forth in the Planning Report dated March 3, 1977, a copy of which is attached hereto and by this reference incorporated herein.

BE IT FURTHER RESOLVED, that the appeal of CHRISTIANA COMMUNITY BUILDERS, by William H. Duncan, vice president, is hereby denied and this Council does hereby grant to HOME BUSINESS DEVELOPMENT CORPORATION and H. J. O'BRIEN LAND DEVELOPMENT, INC., an extension of time of 18 months for Planned Residential Development Permit No. 75, in the form and with the terms and conditions as set forth in the form of permit extension of time 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:clh
5/17/77
Or.Dept.:Clerk

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PLANNING

REPORTS

CITY PLANNING DEPARTMENT - SAN DIEGO, CALIF. - 92101

236-6460

March 3, 1977

SUBJECT: Report to Planning Commission, Planned Residential Development No. 75 Extension of Time in which to start construction. Portions Lots 58, 59, 60 and 70; Rho Mission of San Diego, Map No. 330; Portion Lots C, D, and E, Referees Part. Map of a portion of Lot 70, Rho Mission of San Diego and portions of Lots 27 and 28 Rosedale Tract, Map 825, R-1-40 Zone (proposed R-1-5). Applicant: Home Business Development Corporation. E.Q.D. No. 73-5-1039P/AM.

BACKGROUND

This hearing concerns a request by the applicant of Planned Residential Development No. 75 for a two year extension of time in which to start construction. On July 24, 1975, the City Council approved this PRD for 1,051 dwelling units, located easterly of the termination of Tierrasanta Boulevard in the Elliott Community. The subject permit expired on January 24, 1977; however, the applicant submitted a request for an extension of time on January 17, 1977.

The subject vacant property consisting of 235 acres is proposed to be rezoned from R-1-40 to R-1-5. The area to the north is zoned R-1-5 and is vacant, the property to the east is vacant and zoned R-1-40, and the Admiral Baker Golf Course is located to the south. The area to the west is zoned R-1-5 and is developed with single family residences. The adopted Elliott Community Plan designates the property for low-density residential development (5/10 units per acre), open space and a community park.

RECOMMENDATION

The Planning Department recommends APPROVAL of a one year extension of time which would coincide with the term of the map and the zoning for the property based on the belief that

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there has been no material change of circumstances since the permit was originally granted.

ANALYSIS

The approved project consists of 1,051 dwelling units at a density of 5.2 dwelling units per net acre with the following number and type of units: 210 single family dwelling units with three and four bedrooms; 211 cluster units with three and four bedrooms; 134 hillside dwelling units with two and three bedrooms; 464 condominium apartments with one and two bedrooms; and 32 fourplex dwelling units with two and three bedrooms. Five recreational areas are proposed with each to have swimming pools. Three of these areas would have tennis courts. The major recreational facility is proposed to have a swimming pool, five tennis courts and a recreational building.

In accordance with the PRD Regulations the applicant must start construction substantial in character within 18 months of the effective date of the permit. If the PRD is not utilized, the permit automatically becomes void unless an extension of time is granted by the Planning Commission. The present permit expired on January 24, 1977. However, the extension of time request was submitted prior to that date. The Planning Commission may grant an extension of time if it finds that there has been no material change of circumstances since the permit was originally granted.

The Planning Department does not believe that there has been any material changes in the area or conditions since the Planning Commission originally approved the permit and would recommend a one year extension of time which would extend the term of the permit to coincide with that of the map and the extension of time for the zoning.

The San Diego City Schools has indicated that schools are considered to be available in accordance with Council Policy 600-10.

A final Environmental Impact Report has been certified and is on file in the office of the City Clerk and is available for public review.

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PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 75/
EXTENSION OF TIME
CITY COUNCIL

This planned residential development permit extension of time for a period of 18 months is granted by the City Council of The City of San Diego to HOME BUSINESS DEVELOPMENT CORPORATION, Owner, and H. J. O'BRIEN LAND DEVELOPMENT, INC., hereafter referred to as "Permittee," for the purposes and under the terms and on the conditions as set forth in Planned Residential Development Permit No. 75, on file in the office of the County Recorder as Document No. 75-308753.

Passed and adopted by the Council of The City of San Diego on April 27, 1977.

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AUTHENTICATED BY:

Mayor of The City of San Diego, California

City Clerk of The City of San Diego, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss

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 PETE WILSON, 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 Planned Commercial Development Permit No. 75/Extension of Time, and promises to perform each and every obligation of Permittee hereunder.

HOME BUSINESS DEVELOPMENT
CORPORATION (Seal)

H. J. O'BRIEN DEVELOPMENT
LAND DEVELOPMENT, INC. (Seal)

By _____

By _____

By _____

By _____

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Acknowledgment

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, personally appeared _____,
known to me to be the _____ and
_____ known to me to be the
_____ of _____

the corporation that executed the within instrument and known
to me to be the persons 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) ss
COUNTY OF SAN DIEGO)

On this _____ day of _____, 19____, before
me, the undersigned, a Notary Public in and for said County and
State, personally appeared _____,
known to me to be the _____ and
_____ known to me to be the
_____ of _____

the corporation that executed the within instrument and known
to me to be the persons who executed the same on behalf of said
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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

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Passed and adopted by the Council of The City of San Diego on APR 27 1977,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<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"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By *Edward Nielsen*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 218263 Adopted APR 27 1977