

RESOLUTION NO. 221845

R 79-858
SEP 19 1978

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 127

WHEREAS, COLLWOOD MEADOWS, LTD., a California limited partnership, and R & A BUILDERS, INC., a California corporation, general partner, Owners, hereafter referred to as "Permittees," filed an application to construct 92 dwelling units with parking and landscaping on a 15.27-acre site (6.08 per acre) in the R-1-5 and R-1-40 (portion of HR) Zone. The property is located on the west side of Collwood Boulevard between Montezuma Road and Monroe Avenue, in the State University Area Plan, and is more particularly described as a portion of Lot 2, Marcellena Tract, Map No. 828; and

WHEREAS, on August 10, 1978, the Planning Commission of The City of San Diego made its findings of facts, granted said Planned Residential Development Permit No. 127, and filed said decision in the office of the City Clerk on August 24, 1978; and

WHEREAS, on August 21, 1978, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, BETTY ALEXANDER, et al, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on September 19, 1978; 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 hearings; NOW, THEREFORE,

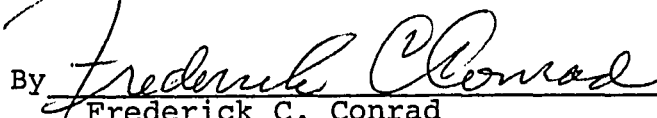
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BE IT RESOLVED, by the Council of The City of San Diego, that those findings of fact as set forth in the "Report of the Planning Department" dated August 10, 1978, and found beginning at page 3 of said Report, a copy of which is attached hereto and by this reference incorporated herein, exist with respect to Planned Residential Development Permit No. 127.

BE IT FURTHER RESOLVED, that the appeal of BETTY ALEXANDER, et al, is denied, and this Council does hereby grant to COLLWOOD MEADOWS, LTD., a California limited partnership, and R & E BUILDERS, INC., a California corporation, general partner, Planned Residential Development Permit No. 127, in the form and with the terms and conditions as set forth in the form of permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:clh
11/3/78
Or.Dept.:Clerk

#337
9-19-78



PLANNING REPORTS

CITY PLANNING DEPARTMENT - SAN DIEGO, CALIF. 92101
236-6460

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August 10, 1978

SUBJECT: REPORT TO THE PLANNING COMMISSION, PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 127 to construct 92 multi-family dwelling units on the west side of Collwood Boulevard between Montezuma Road and Monroe Avenue on 15.3 acres in the R-1-5 and R-1-40 Zone (H.R. Overlay) EQD File No. 78-06-01 N.D. Applicant: Collwood Meadows Limited.

BACKGROUND

This hearing concerns a request for a Planned Residential Development to construct 92 multi-family dwelling units on 15.3 acres of land at a density of 6.2 dwelling units per acre in the R-1-5 and R-1-40 Zones. The adopted State University Area Plan calls for 0 to 9 dwelling units on the R-1-5 zoned portion of the property and open space on the R-1-40 (HR) Zone. The applicant is proposing 6.02 dwelling units per acre.

RECOMMENDATION

The Planning Department recommends APPROVAL of the Planned Residential Development based on the belief that the necessary four findings for approval can be met.

ANALYSIS

Existing Conditions

Existing use of property: vacant
Existing zoning: R-1-5 and R-1-40 (HR)
Proposed zone: R-1-5 and R-1-40 (HR)

Surrounding:	Use	Zoning
North	single-family	R-1-40
East	apartments	R-3
South	single-family attached & detached	R-1-5
West	vacant	R-1-40

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Site Configuration

Site varies in elevation from 210 to 390

57% of site has slope of 35% or greater

16% of property falls within HR Zone

Description: The property is located at the southeast corner of a heavily trafficed intersection of Montezuma Road and Collwood Boulevard. Most of the proposed development would be topographically separated from existing residential development.

Dwelling Units

92 dwelling units at 6.02 dwelling units/net acre. Type of unit: multi-family. Units will be approximately 1,000 sq. ft. in floor area. Exterior materials: stucco wood trim and mission tile roofs.

Access, Parking

Vehicular access will be from Collwood Boulevard. 276 parking spaces yield ratio of 3:1 spaces per unit. Type of parking with dwelling unit, one in carport and one in open area, 38 curb spaces, and 54 bay.

Landscaping

Trees are scheduled to be planted along Montezuma Road and Collwood Boulevard. Examples of some of the trees are Eucalyptus, Pepper and Pine. Slopes will be reseeded with a hydroseed mix. Areas around the dwelling units are shown to be turf.

Open Space

Total proposed open space versus required 5.5 acres more
Proposed usable open space versus required 1.77 less

Recreation

Swimming pool and jacuzzi
60,000 cubic yards are proposed to be moved.
16% of 35% slope or greater is proposed to be graded.
1.5:1 steepest slope ratio
30 feet maximum slope height

Price

Units to range from \$49,000 to \$59,000 if apartments are eventually sold.

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FINDINGS OF FACT

The First Finding that must be met is that the proposed use at this particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or community. The Department believes that this finding can be met as these proposed dwelling units are near commercial facilities and public facilities.

The Department believes the second finding can be met i.e., that 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 the property or improvement in the vicinity.

The third finding of fact is that all criteria set fourth in the PRD ordinance will be met. The proposed development meets all the criteria for a Planned Residential Development with the exception that the applicant is providing 1.77 fewer sq. ft. of useable open space than is required. However, the Department feels that the additional grading that will be required to provide the useable open space would be create a greater disturbance. The applicant proposes trees along Collwood Street and Montezuma Road. In addition, the applicant proposes a swimming pool and therapeutic pool as amenities to the residents. There is sufficient parking and total open space is in excess to the amount required.

The Planning Department believes that the fourth finding which stipulates that the granting of this permit will not adversely affect the Progress Guide and General Plan for The City of San Diego or any adopted plan of any governmental agency can be met. The Adopted State University Area Plan shows this area for low density (0 to 9 dwelling units per acre) on the R-1-5 zoned property and open space on the R-1-40 zoned property. All of the R-1-40 zoned property is being left as natural open space.

This project is in the area of the City that does not require a letter from the San Diego Unified School District stating that schools are available.

Environmental Quality Division has prepared a Negative Declaration for this project which is on file in the office of the Environmental Quality Division and is available for public review.

In addition, the Planning Department would agree that the three finding of facts for an Hillside Review Permit can be met.

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The first finding of fact that the development will results in minimum disturbance of the natural terrain commensurate with the proposed use of the lot or premises can be met. The applicant is proposing relatively little development in the HR zoned portion of the property.

The second fact that the excavating proposed in connection with the development will not result in soil erosion, silting of lower slopes, slide damage, flooding problems or severe cutting or scarring can be met as the applicant is providing extensive landscaping for those areas which are in the HR Zone to restore existing vegetation.

The third finding that the proposed development will serve to preserve and enhance the natural environment and the aesthetic qualities of the site can be met as the applicant shows the majority of the areas shown in the HR Zone as permanent open space.

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PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 127
CITY COUNCIL

This planned residential development permit is granted by the City Council of The City of San Diego to COLLWOOD MEADOWS, LTD. and RAND A BUILDERS, INC., Owners, hereafter referred to as "Permittees," 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 west of Collwood Boulevard, more particularly described as a portion of Lot 2 of Marcellena Tract, Map 828 in the R-1-5 and R-1-40 (HR) Zone.

2. The Planned Residential Development shall include and the term "Project" as used in the Planned Residential Development shall mean the total of the following facilities:

- a. 92 units.
- b. Off-street parking.
- c. Incidental accessory uses as may be determined and approved by the Planning Director.
- d. Swimming pool and therapeutic pool.

3. Prior to the issuance of any building permits 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. An open space easement shall be granted and shown on said map on all areas not shown for building sites.

5. Not less than 276 parking spaces (or at a ratio of 3.1) shall be provided. Each of the parking spaces shall be a minimum of 8-1/2 feet by 20 feet in dimension, and 43 compact spaces, 8 feet by 16 feet, 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 C.C.&Rs. Each space shall be maintained on the subject property in the approximate location as shown on Exhibit "A" dated August 10, 1978. 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 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. 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.

7. No building additions shall be permitted unless approved by the Planning Commission. Patio covers shall be permitted only if they are consistent with the architecture of the dwelling unit and have been approved by the Home Owners Association.

8. No manufactured slope shall be steeper than a ratio of 1:1/2 to 1.

9. The applicant shall post a copy of the approved permit in the sales office for consideration by each prospective buyer.

10. 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-1-5 Zone.

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

Adopted by the Council of The City of San Diego on September 19, 1978.

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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 August 10, 1978, 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 August 10, 1978, 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.

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Acknowledgment

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, personally appeared _____, known to me to be _____ of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

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 _____, 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

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SEP 19 1978

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

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fred Schnaubelt	<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"/>
Larry Stirling	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Hare	<input 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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Betty Goebbing, Deputy.

(Seal)

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Office of the City Clerk, San Diego, California

Resolution Number 221845 Adopted SEP 19 1978