

RESOLUTION NUMBER R- 252578

Adopted on AUG 26 1980

Planned Residential Development Permit No. 125/Extension of
Time No. 1

WHEREAS, SANDOVAL CONSTRUCTION, INC., a California corporation, Owner, hereafter referred to as "Permittee," filed an application for a one-year extension of time for Planned Residential Development Permit No. 125, to construct 30 dwelling units on 2.98 acres in the R-1-5 and C-1S Zones (proposed R-1-5 and R-2A Zones), within the boundaries of the Southeast San Diego Community Plan. The subject property is located on the south side of Federal Boulevard and the west side of Winnett Street and is more particularly described as Lots 186 through 192, Empire Addition to Encanto Heights, Map 1254; and

WHEREAS, on June 26, 1980, the Planning Commission of The City of San Diego made its findings of facts, approved Planned Residential Development Permit No. 125/Extension of Time No. 1; and

WHEREAS, on June 30, 1980, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, SOUTHEAST SAN DIEGO DEVELOPMENT COMMITTEE, by Verna M. Quinn, Vice Chairman, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on August 26, 1980; 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:

All of the following facts exist with respect to Planned Residential Development Permit No. 125:

1. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community. The Council believes that the proposed condominiums will add housing in an area of the City where such units are needed.

2. That such use will not, under the particular circumstances of the 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. The site was partially graded several years ago and left with several large slopes with no landscaping. This project will complete the grading and provide landscaping on which are now unsightly barren slopes.

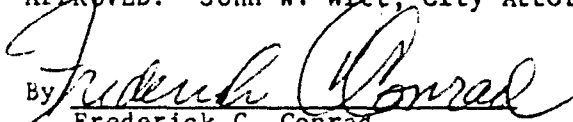
3. That all criteria set forth in the PRD ordinance will be met. The Council believes that the design criteria are being met with the exception of usable open space. Due to the rough topography, the Council has no objection to waiving a portion of this requirement.

4. That the granting of this planned residential development permit extension of time will not adversely affect the Progress Guide and General Plan of The City of San Diego or the adopted community plan or the adopted plan of any governmental agency. The adopted community plan designates this area for very low density (0-5 units per acre). However, this plan is to be used as a guide to development of specific properties. The area to the north is zoned for industrial-commercial uses. The area to the south is zoned R-1-10 which is in conformance with the very low density designation. It is believed that the development of this parcel at approximately 10 units per acre provides a transition from very low density to the south and industrial-commercial uses to the north and is not in violation of the goals of the adopted plan for this area.

BE IT FURTHER RESOLVED, that the appeal of SOUTHEAST SAN DIEGO DEVELOPMENT

COMMITTEE, by Verna M. Quinn, Vice Chairman, is hereby denied and this Council does hereby grant to SANDOVAL CONSTRUCTION, INC. an extension of time of one year for Planned Residential Development Permit No. 125, in the form and with the terms and conditions as set forth in the permit extension of time attached hereto and made a part hereof.

APPROVED: John W. Wiet, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps

~~11/12/80~~ Revised 6/8/81

PRD-125/EOT1

Or.Dept: Clerk

Form=r.appeal

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 125/
EXTENSION OF TIME NO. 1
CITY COUNCIL

This planned residential development permit extension of time for a period of one year is granted by the City Council of The City of San Diego to SANDOVAL CONSTRUCTION, INC., a California corporation, 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 Municipal Code of The City of San Diego.

1. Permission is hereby granted to Permittee to construct and operate a Planned Residential Development located south of Federal Boulevard and east of Winnett Street, more particularly described as Lots 186-192, Empire Addition to Encanto Heights, Map 1254; excepting therefrom the south half of Lots 187 and 190, and the south half of the west half of Lot 189, in the C-1S (proposed R-2A) and R-1-5 zones.

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. 30 dwelling units.
- b. Off-street parking.
- c. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Prior to the issuance of any building permits the accompanying rezoning shall be approved by City Council and a final subdivision map or maps shall be recorded on the subject

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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 75 parking spaces (or at a ratio of 2.5:1) shall be provided. 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 C.C. and Rs. Each space shall be maintained on the subject property in the approximate location as shown on Exhibit "A" dated July 27, 1978. Areas and drive-ways shall be surfaced with not less than 2-inch 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 Director. Patio covers shall be permitted only if they are consistent with the architecture of the dwelling unit and have been approved by the Homeowners' Association.

8. No manufactured slope shall be steeper than a ratio of 1.5:1.

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-2A Zone.

11. Delete Condition No. 4 of the General Conditions for Planned Residential Development Permits, and in its stead substitute the following:

"This Planned Residential Development Permit must be utilized within 12 months after the effective date of the concurrent proposed rezoning (Case No. 29-78-2). Failure to utilize subject permit within 12 months will automatically void the same.

12. Delete Condition No. 2 of the General Conditions for Planned Residential Development Permits, and in its stead substitute the following:

"Improved and detailed landscape plans shall be submitted to and approved by the Planning Commission 90 days after final disposition by the City Council."

13. A color palette shall be submitted and approved by the Planning Commission 90 days from final disposition by the City Council.

14. The Permittee shall comply with the General Conditions for Planned Residential Developments attached hereto and made a part hereof, except as set forth in Conditions 11 and 12 above.

Passed and adopted by the Council of The City of San Diego on August 26, 1980.

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 24, 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. Improved and detailed landscape plans shall be submitted to and approved by the Planning Commission 90 days after final disposition by the City Council.

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 12 months after the effective date of the concurrent proposed rezoning (Case No. 29-78-2). Failure to utilize subject permit within 12 months will automatically void the same.

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.

Passed and adopted by the Council of The City of San Diego on AUG 26 1980,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

By Ellen Bovard, Deputy.

Office of the City Clerk, San Diego, California

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