

(R-82-1377)

RESOLUTION NUMBER R- 255811

Adopted on FEB 0 1982

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 20-159-0
EXTENSION OF TIME

WHEREAS, HALIFAX VIEWS PARTNERSHIP, a partnership, Owner, hereafter referred to as "Permittee," filed an application for an extension of time to Planned Residential Development Permit No. 20-159-0 which proposes a 41-unit residential development in the R-1-5 Zone and within the boundaries of the Navajo Community Plan area. The subject property is located on the east side of Halifax Street, between Havenwood Street and the north end of Halifax Street, and is more particularly described as Lots 2615 and 2616, Allied Gardens Unit 13, Map-3544; and

WHEREAS, on December 10, 1981, the Planning Commission of The City of San Diego made its findings of facts, granted said Planned Residential Development Permit No. 20-159-0 Extension of Time, and filed said decision in the office of the City Clerk on January 7, 1982; and

WHEREAS, on December 17, 1981, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, B. JOAN BOYER appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on February 9, 1982; 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,

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. 20-159-0:

1. On September 24, 1979, the Planning Director originally approved this Planned Residential Development and the Subdivision Board approved the accompanying tentative map. Access to the project would be from the northerly terminus of Halifax Street.

2. On November 2, 1981, the Planning Director approved a two-year extension of time to the PRD, and the Subdivision Board approved an extension of time for the accompanying tentative map with the finding that no material change in circumstances had occurred.

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

BE IT FURTHER RESOLVED, that the appeal of B. JOAN BOYER is denied, the decision of the Planning Commission is upheld, and this Council does hereby granted to HALIFAX VIEWS PARTNERSHIP, a partnership, Owner and Permittee, Planned Residential Development Permit No. 20-159-0 Extension of Time for two years, 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. Witt, City Attorney

By Frederick C. Conrad
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
4/1/82
Or.Dept:Clerk
PRD-20-159-0/EOT
R-82-1377
Form=r.none

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 20-159-0
EXTENSION OF TIME NO. 1
CITY COUNCIL

This planned residential development permit extension of time is granted by the City Council of The City of San Diego to HALIFAX VIEWS PARTNERSHIP, a partnership, Owner, hereafter referred to as "Permittee," for the purposes and under the terms and on the conditions as set forth 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 on the east side of Halifax Street, north of Greenbrier Street, more particularly described as Lots 2615 and 2616 of Allied Gardens Unit 13, in the R-1-5 zone.

2. This planned residential development permit shall be amended as follows:

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

This planned residential development permit granted by the City shall be utilized prior to October 9, 1983. Failure to utilize the planned residential development permit prior to October 9, 1983, will

automatically void the same. The planned residential development shall be subject to all the terms and conditions granted herein and pursuant to the terms set forth in Section 101.0900 of the Municipal Code.

Adopted by the City Council of The City of San Diego on February 9, 1982.

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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 September 24, 1979, 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 September 24, 1979, 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 granted by the City shall be utilized prior to October 9, 1983. Failure to utilize the planned residential development permit prior to October 9, 1983, will automatically void the same. The planned residential development shall be subject to all the terms and conditions granted herein and pursuant to the terms 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 PETE WILSON, known to me to be the Mayor, and CHARLES G. ABDELNOUR, 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.

HALIFAX VIEWS PARTNERSHIP, a
partnership

By _____

By _____

NOTE: NOTARY ACKNOWLEDGMENTS
MUST BE ATTACHED - PER
CIVIL CODE, SEC.1180 et seq.

R-255811
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Passed and adopted by the Council of The City of San Diego on FEB 9 1982,
 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"/>
Susan Golding	<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"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<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 Board, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-255811 Adopted FEB 9 1982