

RESOLUTION NUMBER R-262197

ADOPTED ON DECEMBER 17, 1984

WHEREAS, ANGELUCCI DEVELOPMENT, INC., a California corporation, hereafter referred to as "Owner/Permittee," filed an application to construct a Planned Residential Development east and west of Genesee Avenue, between Governor and Nobel Drives, on property described as portions of Pueblo Lots 1272, 1277 and 1278 of Pueblo Lands, Miscellaneous Map No. 36, in the R1-5000 and R1-1500 (HR) Zones of the University Community Plan area; and

WHEREAS, on November 1, 1984, the Planning Commission of The City of San Diego made its findings of fact, granted Planned Residential Development Permit No. 84-0314 and filed its decision in the office of the City Clerk; and

WHEREAS, on November 8, 1984, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, GENESEE GROUP, by D. Dwight Worden, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on December 17, 1984; and

WHEREAS, the Council of The City of San Diego received for its consideration documentary, written and oral testimony and having 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. 84-0314:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the community plan. The General Plan shows both parcels of this project for residential use. The adopted University Community Plan shows the parcel on the west side of Genesee Avenue for a density range of 0-10 dwelling units per acre and the Planned Residential Development proposes a density of 6.2 dwelling units per acre. The University Community Plan shows the parcel on the east side of Genesee Avenue for a density range of 15-30 dwelling units per acre and the Planned Residential Development proposes a density of 19.23 dwelling units per acre.

2. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. This project is subject to all the standard conditions of Planned Residential Development Permits. Additionally, this project has been extensively reviewed by the Planning Department's Urban Design Section and the alignment of the dwelling units and site layout have been revised to assimilate the project to the community on both parcels. Revegetation of manufactured slopes with native and natural species on the west parcel and conditions to mitigate impacts to existing single-family residences on the east parcel have been incorporated in the permit.

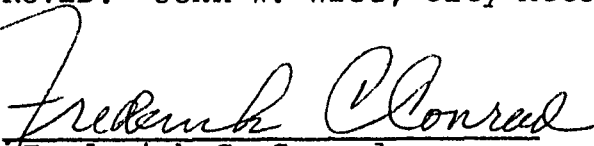
3. The proposed use will comply with the relevant regulations in the San Diego Municipal Code. This project meets the intent and purpose of the Planned Residential Development Ordinance and satisfies all the requirements and regulations of the Municipal Code.

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 GENESEE GROUP, by D. Dwight Worden is denied; the decision of the Planning Department to deny the appeal is sustained, and this Council does hereby grant to Owner/Permittee Planned Residential Development Permit No. 84-0314.

APPROVED: John W. Witt, City Attorney

By



Frederick C. Conrad
Deputy City Attorney

FCC:ib:632
12/31/84
REV. 1 - 04/26/85
Or.Dept:Clerk
PRD-84-0314
R-85-1190
Form=r.none

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 84-0314
CITY COUNCIL

This Planned Residential Development Permit is granted by the City Council of The City of San Diego to ANGELUCCI DEVELOPMENT, INC., a California Corporation, "Owner/Permittee," under the conditions contained in Section 101.0900 of the Municipal Code of The City of San Diego.

1. Permission is granted to "Owner/Permittee" to construct a Planned Residential Development described as Portion of Pueblo Lots 1272, 1277 and 1278, Misc. Map 36, located on the east and west sides of Genesee Avenue between Governor Drive and Rose Canyon, in the R1-5000, portion HR Overlay (Proposed R1-5000 and R-1500, portion HR Overlay) Zones.

2. The Planned Residential Development Permit shall include the total of the following facilities:

- a. 135 attached dwelling units consisting of 60 units on the west side of Genesee Avenue in three-story structures over parking and 75 units on the east side of Genesee Avenue in two-story structures.
- b. Off-street parking.
- c. Incidental accessory uses as may be determined and approved by the Planning Director.
- d. Swimming pools, jacuzzi's, spas, and gazebo's.

3. Prior to the issuance of any building permits, a final subdivision map shall be recorded on the subject property. Rezoning of the subject property shall be approved by the City Council and become effective with the recordation of the subdivision map.

4. An open-space easement shall be granted and shown on said map on all areas not shown for building sites. Such areas shall be coupled with the severalty interests of the owners of the dwelling units.

5. Prior to the issuance of grading permits, a landscaping and irrigation plan shall be submitted to the Planning Director for approval. Prior to the issuance of building permits, complete building plans, including landscaping and signs, shall be

PRD Permit No. 84-0314

submitted to the Planning Director for approval. All plans shall be in substantial conformity to Exhibit "A," dated December 17, 1984 and January 14, 1985, on file in the Planning Department. All landscaping shall be installed prior to issuance of an occupancy permit. Subsequent to the completion of this project, no changes shall be made until an appropriate application for an amendment to this permit shall have been granted.

6. The construction and continued use of this permit shall be subject to the regulations of this or other governmental agencies.

7. 326 total parking spaces shall be provided (at a ratio of 2.41 spaces per dwelling unit). Of those spaces, 116 shall be provided for guests (at a ratio of approximately 0.86 spaces per unit). No curb spaces may be included in the calculation. 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 R's. Each space shall be maintained on the subject property in the approximate location as shown on Exhibit "A," dated January 14, 1985. 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.

The City Council is approving fifteen of the required guest parking spaces in tandem garage spaces below the dwelling units in trade for additional landscaping between structures on the portion of the project on the west side of Genesee Avenue. These landscaped areas shall be shown for future parking for a period of three years from the date of issuance of the Occupancy Permit for the 60th dwelling unit on this site. During this three-year period, the Planning Department shall review the adequacy of the parking configuration on this site, and if determined necessary, the 15 parking spaces shown as future parking shall be constructed in conformity to Exhibit "A," dated November 1, 1984. The developer shall post a bond in the amount of \$20,000.00 with the City to cover this three-year period to guarantee the construction of these spaces as required.

8. Exterior radio or television antennas shall be prohibited, except for one master antenna 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.

9. No building additions, including patio covers, shall be permitted unless approved by the homeowners association and the Planning Director. Patio covers may be permitted only if they are consistent with the architecture of the dwelling unit.

PRD Permit No. 84-0314

10. No manufactured slope shall be steeper than a ratio of 2:1.

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

12. 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 R1-5000 and R-1500 Zones.

13. Sidewalks shall be provided from each unit to the sidewalk within the dedicated right-of-way, and if the sidewalks are contiguous to the curb of private streets, a five-foot general utility easement must be provided behind this walk.

14. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located.

15. The effective date of this permit shall be the date of final action by the Planning Director or the effective date of a concurrent rezoning case. If an appeal is filed, the effective date shall be the date of final action by the Planning Commission or, if appealed, the date of City Council action. The permit must be utilized within 36 months after the effective date. Failure to utilize the permit within 36 months will automatically void the permit unless an extension of time has been granted by the Planning Director, as set forth in Section 101.0900 of the Municipal Code. Any such extension of time must meet all the Municipal Code requirements and applicable guidelines in effect at the time the extension is considered by the Planning Director.

16. No development shall commence, nor shall any permit for construction be issued, until:

a. The Permittee signs and returns the permit to the Planning Department;

b. The planned residential development permit is recorded in the Office of the County Recorder.

If the signed permit is not received by the Planning Department within 90 days of the decision of the Planning Director, Planning Commission or City Council, the permit shall be void.

17. The property included within this Planned Residential Development shall be used only for the purposes and under the terms and conditions set forth in this permit unless authorized by the Planning Director or the permit has been revoked by The City of San Diego.

18. This Planned Residential Development Permit may be cancelled or revoked if there is any material breach or default in any of the conditions of this permit. Cancellation or revocation may be instituted by the City or Permittee.

19. This Planned Residential Development shall constitute a covenant running with the land; all conditions and provisions shall be binding upon the permittee and any successor(s), and the interests of any successor(s) shall be subject to every condition herein.

20. Private streets shall be named and begin with appropriate terms such as "Caminito," "Ruelle," "Row," or "Square." Public refuse collection shall not be permitted unless approved by the Director of General Services. All private streets shall be improved to the requirements set forth by the Engineering and Development Director. No parking shall be permitted on any private streets except in approved locations.

21. This Planned Residential Development shall be constructed prior to sale to individual owners to ensure that all development is consistent with conditions and exhibits submitted to and approved by the Planning Director.

22. The manufactured slopes on the west side of Genesee Avenue which are currently covered with hotten-tot-fig, commonly known as ice plant, will be revegetated with native species and "naturalized" species per the landscape plan as shown on Exhibit "A," dated January 14, 1985.

23. A landscaped earthen berm shall be constructed along the west side of Genesee Avenue to screen the parking lot and reduce the visual impact to drivers. This berm shall be constructed in that location shown on Exhibit "A," dated January 14, 1985.

24. The developer shall offer to the City of San Diego for dedication as open space those areas on the west side of Genesee Avenue as shown on the approved site plan. Should the City not accept the dedication, these hillsides would be covered by open space easements as required by Condition No. 4 of this Permit.

PRD Permit No. 84-0314

25. The parking and storage of trailers and boats shall be prohibited. The parking and storage of motorized recreational vehicles which cannot be contained in a standard parking space shall be prohibited. This condition shall be enforced by the owners of the property.

26. Grading and fill necessary to develop this project shall be prohibited between the hours of 6:30 a.m. and 7:30 a.m. and between 2:15 p.m. and 3:15 p.m. on school days to avoid conflict with the movement and safety of school children. These hours are subject to modification should the school hours change. No truck traffic associated with the grading operation shall utilize the local streets, Calgary Drive and Edmonton Avenue.

27. Landscaping shall be provided in the median islands on Genesee Avenue as shown on Exhibit "A," dated January 14, 1985, to the satisfaction of the City Engineer, Park and Recreation Department and Planning Director. This landscaping shall be irrigated and maintained by the developer or any homeowners association which might be established for this 135-unit Planned Residential Development.

28. A continuous six-foot high solid block wall shall be constructed on the north and south property lines of the eastern parcel adjacent to the existing single-family residences and gasoline service station. In addition to this wall on the north property line, an earthen berm with a maximum height of four feet shall be constructed. This berm will begin at the north end of this property line with a tapering of eight to ten feet into the project property as shown on the approved site plan dated January 14, 1985. Those portions of the berm to be constructed on the adjacent single-family lots are subject to the permission of these owners. The construction of a wall atop that portion of the berm not on the property line is subject to approval by the Planning Director with review by the developer and adjacent homeowners.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON JANUARY 14, 1985.

CORRECTED COPY

203d

DEC 17 1984

Passed and adopted by the Council of The City of San Diego on _____, 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *Janet Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-262197* Adopted *DEC 17 1984*