

RESOLUTION NUMBER R- 265256

ADOPTED ON MAR 17 1986

WHEREAS, BARBARA GREENE, et al., appealed the decisions of the Subdivision Board and Planning Director in approving the proposed Tentative Map and Planned Residential Development Permit on a 0.95-acre site, located at 4561 54th Street, between El Cajon Boulevard and Adams Avenue, in the R-600 and R1-5000 Zones, in the State University Community Plan area; and

WHEREAS, on January 9, 1986, the Planning Commission voted 7 to 0 to deny the appeals, approve the Tentative Map and the Planned Residential Development Permit and sustain the decisions of the Subdivision Board and Planning Director; and

WHEREAS, on January 16, 1986, pursuant to the provisions of Sections 101.0900 and 102.0308 of the San Diego Municipal Code, DOROTHEA G. KEMP, et al., appealed the decision of the Planning Commission; and

WHEREAS, said appeals were set for public hearing on March 17, 1986, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council in considering said appeals is empowered by the provisions of Municipal Code, Sections 101.0900 and 102.0308, to affirm, reverse or modify in whole or in part any determination of the Planning Commission subject to the limitations as are placed upon the Planning Commission by the Municipal Code; 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. PRD-84-0193.1:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the community plan. Approximately one-third of the site is zoned R-600 and shown in the State University Community Plan for medium-high residential density at 45-74 dwelling units per acre. The other two-thirds of the property is zoned R1-5000 and shown in the community plan for low-medium development at a density of 1-9 dwelling units per acre. The overall project density is 10.64 dwelling units per acre and the site plan and type of unit designed is considered to be compatible with existing residential improvements in this area of the community.

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 vicinity. This development permit is being built on a site which consists of canyon slopes and relatively flat fill with single-family housing to the north and east of the project site and multi-family housing across 54th Street to the west. Structures would be situated on the flat portion of the site following a minimal amount of grading and would not encroach into future canyon slopes. Trees would be added to increase slope stabilization and provide visual relief to the site. Additional landscaping would be provided in the form of trees, shrubs and

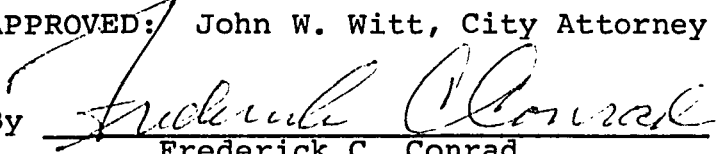
assorted groundcover at the entrance of the site to provide a visually pleasing entry to the project. Also, fences would not be allowed to encroach into the canyon.

3. The proposed use will comply with relevant regulations in the Municipal Code. This project would provide density and open space in conformance with the Planned Residential Development Regulations. Also, resident parking would conform with the Municipal Code and guest parking with established Council Policy.

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 appeals of DOROTHEA G. KEMPF, et al., are denied; the decision of the Planning Commission to deny the appeals is sustained; Tentative Map No. TM-84-0193.1 is granted, and this Council does hereby grant to JOSEPH P. SANDY and TERRILL A. STEWART, a partnership, Planned Residential Development Permit No. PRD-84-0193.1, in the form and with the terms and conditions as set forth in the permit attached hereto and made a part hereof.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:cc:632
06/24/86
Or.Dept:Clerk
R-86-1796
Form=r.tm&prd-appeal

**PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 84-0193.1
CANYON VIEW**

CITY COUNCIL

This Planned Residential Development Permit is granted by the City Council of The City of San Diego to JOSEPH P. SANDY and TERRILL A. STEWART, a partnership, "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 Lot 15, Collwood Unit No. 1, Map 2401 and a portion of Lot 11, Redland Tract Map 732, located on the east side of 54th Street between El Cajon Boulevard and Adams Avenue in the R-600 and R1-5000 Zones.
2. The Planned Residential Development Permit shall include the total of the following facilities:
 - a. 9 detached single family 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, a final subdivision map 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. A "Non-Building Area" designation shall be granted and shown on all canyon slopes.
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 submitted to the Planning Director for approval. All plans shall be in substantial conformity to Exhibit "A," dated March 17, 1986 1986, 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

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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. 24 total parking spaces shall be provided (at a ratio of 2.66 spaces per dwelling unit). Of those spaces, nine shall be provided for guests (at a ratio of 1.0 spaces per unit). Three 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 March 17, 1986. 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.

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 and/or the Planning Director. Patio covers may be permitted only if they are consistent with the architecture of the dwelling unit.

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 Zone.

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 driveways, 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.

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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. Public refuse collection shall not be permitted unless approved by the Director of General Services. All unnamed, non-dedicated, privately maintained private driveways shall be

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improved to the requirements set forth by the Fire Department. No parking shall be permitted on any private driveways except in approved locations.

21. This Planned Residential Development allows the sale of individual lots for the purpose of construction of residential units consistent with conditions and exhibits of the permit.

22. The developer shall provide and maintain front yard landscaping following planting for a period of one year.

23. At no time shall any fencing be allowed to extend into the canyon slopes. All fencing must conform with the plans, marked Exhibit "A," dated January 9, 1986.

24. No open space easements are to be granted on the final map. However, non-building area easements will be granted on the final map in order to implement the open space provisions of the Planned Residential Development ordinance.

25. No access control gates shall be constructed in connection with this Planned Residential Development.

26. Access to the dwelling units within the Planned Residential Development shall be by means of an unnamed, non-dedicated, privately maintained, private driveway constructed in a manner satisfactory to the Fire Department.

27. Maintenance of the Non-Building Area shall be the responsibility of each property owner.

28. Landscape maintenance of the parkway shall be the responsibility of the property owner of Unit 1.

29. A homeowners association shall be established by the developer for the maintenance of the common lot, No. 10, as shown on Exhibit "A," dated March 17, 1986, by the owners of the dwelling units on Lots 1 through 9.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON MARCH 17, 1986.

MAR 17 1986

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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"/>
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"/>
Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

ED STRUIKSMA

Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Charles G. Abdelnour*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-265255 Adopted MAR 17 1986