

RESOLUTION NO. R-250102 (R.80-1466)

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 151

AUG 21 1979

WHEREAS, LENYOUN GROUP, a general partnership, Owner, and AUSTIN-HANSEN, A.I.A., a general partnership, hereafter referred to as "Permittee", filed an application to construct 26 dwelling units in 14 duplex structures with swimming pool, jacuzzi, sauna, parking, landscaping and other amenities on 7.34 acres in the R-1-10 and R-1-20 (proposed R-1-10) Zone. The property is located on the north side of Broadway between 60th Street and Scimitar Drive and is more particularly described as a portion of Lot 5, Block 19, Tract No. 2, Encanto Heights, Map No. 1100; a portion of Lot 7, Murphy's Subdivision, Map No. 2275; and Lots 101 and 102, Rosemont Addition to Encanto Heights, Map No. 1133; and

WHEREAS, on June 14, 1979, the Planning Commission of The City of San Diego made its findings of facts, denied said Planned Residential Development Permit No. 151, and filed said decision in the office of the City Clerk on July 10, 1979; and

WHEREAS, on June 22, 1979, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, DOUGLAS H. AUSTIN appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on August 7, 1979, continued to August 21, 1979; 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. 151:

1. 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 Council believes that the first finding can be met in that additional housing would be provided in an area of the City where public facilities are available. While this is an area that does not require a school letter, the San Diego Unified School District has indicated that elementary, junior and senior high schools are all available.

2. The development, under the circumstances of the particular case, would not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, nor injurious to property or improvements in the vicinity. The Council believes that this finding can be met in that the applicant shows a minimum of grading in the HR Zone and proposes to leave the creek bed along Radio Drive undisturbed. In addition, this area is within the HR Overlay Zone which has three additional findings that must be met. The first requires that the development will result in a minimum of disturbance of the natural terrain commensurate with the proposed use of the lot or premises. The developer proposes to leave majority of the steep sloping property undisturbed. The second finding for an HR Permit states that the grading and excavating proposed

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in connection with the development will not result in soil erosion, silting of lower slopes, slide damage, flooding problems or severe cutting and scarring. The applicant proposes to re-landscape those areas disturbed by earth moving. The third finding is that the proposed development will serve to preserve and enhance the natural environment and aesthetic qualities of the site. The applicant proposes to relandscape areas which are disturbed and to leave the natural creek area undisturbed.

3. All design criteria and minimum standards as set forth in the PRD Ordinance can be met. The Council believes that the criteria and standards have been met. The applicant proposes to provide 2.3 acres more total open space than is required by the PRD Ordinance and additional .82 acres of usable open space than is required by the PRD Ordinance. The Plan shows recreational facilities to include a swimming pool, a barbecue area and a children's play area.

4. The granting of this permit will not adversely affect the Progress Guide and General Plan for The City of San Diego or any adopted community plan or the adopted plan of any governmental agency. The property was rezoned to the R-1-20 Zone by a City-initiated rezoning to implement the adopted Southeast Community Plan in 1973. The northwestern portion of the property which borders Radio Drive is shown in the Open Space Element. The applicant proposed to designate that area as open space with a provision to allow public access to satisfy the goals of the Open Space Element. However, the Council believes that the

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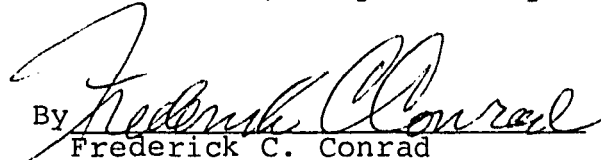
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proposed R-1-10 zoning in this area would be in conflict with the adopted Southeast Community Plan.

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 DOUGLAS H. AUSTIN is denied, the decision of the Planning Commission is sustained, and this Council does hereby deny to LENYOUN GROUP, a general partnership, and AUSTIN-HANSEN, A.I.A., a general partnership, Planned Residential Development Permit No. 151.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
2/12/80
Or.Dept. Clerk

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Passed and adopted by the Council of The City of San Diego on AUG 21 1979,
 by the following vote:

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

(Seal)

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

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 11-250102 Adopted AUG 21 1979