

RESOLUTION NO. R- 252765 (R.81-1169)

PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 194 SEP 29 1980

WHEREAS, STEVE HARDISON, an individual, hereafter referred to as "Permittee," filed an application to construct 13 dwelling units with parking and landscaping on 3.52 acres in the R-1-20 (proposed R-1-10) Zone and within the boundaries of the Mission-Pacific Beach Community Plan. The subject property is located on the north side of Loring Street, east of Windsor Drive and is more particularly described as a portion of Lot 11, Pacific Beach, Map-854 and a portion of Lot 26, Soledad Terrace, Map-1618; and

WHEREAS, on June 26, 1980, the Planning Commission of The City of San Diego made its findings of facts, voted 3 to 3 to deny said Planned Residential Development Permit No. 194; due to the lack of four affirmative votes this is deemed a denial; and

WHEREAS, on July 2, 1980, pursuant to the provisions of Section 101.0900 of the Municipal Code, MCDONALD, HECHT & WORLEY, by Paul E. Robinson, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on September 29, 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 hearings; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

01044

All of the following facts exist with respect to Planned Residential Development Permit No. 194:

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 applicant is proposing a rezoning from the R-1-20 Zone to the R-1-10 Zone to accommodate 13 dwelling units on 3.52 acres. The adopted Mission-Pacific Beach Community Plan shows this for 0-5 dwelling units per net acre. The zoning pattern in the area is a combination of the R-1-10 and the R-1-20 zones. The City Council believes that the request to rezone the property from R-1-20 to R-1-10 to accommodate 13 dwelling units is not justifiable as the existing zone is consistent with the adopted community plan. In addition the PRD ordinance states the density of a Planned Residential Development shall not exceed the density of the adopted community plan or the existing zone whichever is less. This development would exceed the existing zone.

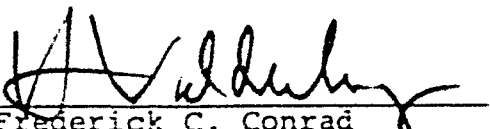
2. The proposed use, because of conditions that have been applied to it, will be detrimental to the health, safety and general welfare of persons residing or working in the area and will adversely affect other property in the vicinity. The Engineering and Development Department has indicated that access from Loring Street is not adequate and would require additional right-of-way.

3. The proposed use will not comply with the relevant regulations of the Municipal Code. The Council believes that this finding cannot be met in that the PRD ordinance requires that a PRD not exceed the density of a community plan or the underlying zone whichever is less. This development would require approval of a rezoning from the R-1-20 Zone to the R-1-10 Zone. In addition, the applicant is providing 1.13 acres of total open space; however, this is deficient by 4,200 square feet of usable open space which is that area having a grade less than 10%. Therefore, three additional findings for approval would be required for the deviation from the minimum standards for usable open space.

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 MCDONALD, HECHT & WORLEY, by Paul E. Robinson, is denied, the decision of the Planning Commission is upheld, and this Council does hereby deny to STEVE HARDISON, an individual, Planned Residential Development Permit No. 194.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:ps  
12/22/80  
PRD-194  
Or.Dept. Clerk

SEP 29 1980

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 Barbara Berridge, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-252765 Adopted SEP 29 1980