

RESOLUTION NUMBER R- 254835

Adopted on AUG 18 1981

WHEREAS, FAIRMOUNT LIMITED and HALL ENGINEERING filed a 94-lot subdivision of portions of Lot 23, Rancho Mission of San Diego, located on the east side of Fairmount Avenue and south side of Montezuma Road in the R-1-5 HR Zone; and

WHEREAS, on August 18, 1981, the City Council of The City of San Diego considered FAIRMOUNT PRD-20-203-0, TM-01-074-0, and received for its consideration documentary, written and oral testimony, and heard from all interested parties present at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, that the City Council of The City of San Diego makes the following findings:

1. The proposed map is consistent with the City of San Diego Progress Guide and General Plan ("General Plan"), the Mid-City Community Plan ("Mid-City Plan") and the State University Area Plan ("State Plan") which designate the property for open space and very low density residential use because:

(a) The project preserves over 88% of the property in natural and permanent open space. The open space area will be dedicated to the City for permanent protection in its natural state. (General Plan, pages 95-99; Mid-City Plan, pages 40, 43 and 46; State Plan, pages 41-43).

(b) The proposed density conforms with the zoning of the project area (R-1-5 and R-1-40). The General Plan provides that open space that is not publicly owned or acquired will be preserved through regulatory devices, and that these areas will be permitted to develop in a manner consistent with the zoning as applied to them. (General Plan Land Use Map; General Plan, page 98).

(c) The project preserves all of Montezuma Canyon as open space which will be dedicated to the City for its permanent use and protection. The State Plan, in which Montezuma Canyon is located, provides that open space be limitedly developed under zoning and/or acquisition initiated through private means. (State Plan, page 42).

(d) The project will fulfill an individual and/or community need in that the project carries out objectives and recommendations of the General Plan, and the Mid-City Plan to encourage planned unit development procedures in open space, canyons, and hillside areas. The filling in of the developed areas of the city should be encouraged to provide needed housing. (General Plan, pages 23 and 119; Mid-City Plan, page 52).

2. The design and proposed improvements for the subdivision will not adversely affect the General Plan, Mid-City Plan and State Plan because of the following goals, objectives, guidelines or recommendations specified in the referenced plans:

(a) Provide high quality multi-family residential developments (Mid-City Plan, page 39).

(b) Provide for the efficient use of residential land and various densities according to locations and nature of the area (Mid-City Plan, page 47).

(c) Provide for open spaces in conjunction with planned unit development concepts (Mid-City Plan, page 52; State Plan, pages 41-43).

(d) Strong reliance upon planned residential developments in order to avoid repetitive, standardized lot and street patterns and excessive cutting, scarring and other disruptions of the natural environment (General Plan, page 23).

(e) Encourage use of planned residential development procedures in canyons and on hillsides (General Plan, page 119).

(f) Encourage sensitive development which is built in a way which complements the natural character of hillsides and relates well to the regional open space system (General Plan, page 163).

3. The site is physically suitable for residential development because:

(a) The design of the project will result in a minimum disturbance of the natural terrain commensurate with the proposed use of the land.

(b) The development of the project site will involve a minimal cutting of canyon walls. The ratio of total cubic yards to be graded per dwelling unit (approximately 1,309/unit) is not excessive in comparison with other developments and subdivisions.

(c) Any grading to be done will not result in any erosion, slide damage, or flooding problems due to the minimal impact of the grading on canyon walls, the proposed landscaping and installation of a canyon subdrain system.

(d) The design and siting of the project will leave all of the upper canyon walls and the majority of the canyon area undisturbed.

4. The site is suitable for the proposed residential density of development. The density of the project is consistent with the present zoning of R-1-5 and R-1-40 of the area. The density of the project is also consistent with the existing density of the surrounding residential area which is 5 to 15 dwelling units per acre.

5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, based upon the findings of the Environmental Report EQD No. 80-05-19 EIR. Based upon the findings and mitigation measures set forth in Environmental Report EQD No. 80-05-19, the project has been designed so as to minimize any adverse environmental effects.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems by reason of the high quality of the development, including but not limited to the physical layout and design of the project, the landscaping, and traffic access.

7. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. The following evidence is incorporated herein by this reference and serves as further support for the findings herein:

(a) The maps, exhibits, written documents, materials contained in the file regarding this permit on record at the City of San Diego, the written documents referred to herein and the oral presentation presented.

BE IT FURTHER RESOLVED, that the appeal from the Planning Commission approval of Tentative Subdivision Map No. 01-074-0 is hereby denied and the map is approved subject to the following conditions in addition to those attached to Planning Department Report No. 81-194:

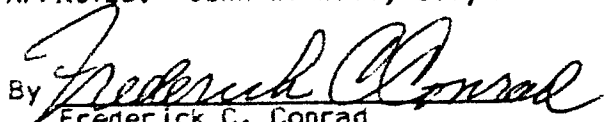
(1) The project shall be modified as set forth on the plot plan filed with the City Council on August 18, 1981.

(2) The project as modified shall be subject to the review and approval of the final grading, landscaping and building plans by the Planning Director.

(3) No final map shall be approved by the City Council nor shall any construction permits whatsoever (such as an advance grading permit or otherwise), be granted by the City with respect to the development contemplated herein, prior to May 19, 1982, provided, however, that the City shall calendar a hearing for a progress report on the status of the public acquisition of the subject property on November 17, 1981, at 2:00 p.m., and at that hearing the City may delete this condition, if it

determines that no substantial ongoing effort, having any reasonable probability of success, is being made to acquire the subject property for open space, or in the alternative, the City Council may calendar a public acquisition progress report for February 16, 1982, at 2:00 p.m. for further review.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
11/9/81
Or.Dept: Clerk
TM-01-074-0
R-82-602

AUG 18 1981

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 checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Fred Schnaubelt | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 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.

By Barton Berridge, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number B-254835 Adopted AUG 18 1981