

(R-84-1079)

RESOLUTION NUMBER R- 259842

Adopted on DEC 13 1983

WHEREAS, CHILCOTE, INC., a California corporation, filed an application for a Planned Residential Development Permit to construct 62 dwelling units on Lots 1-21, Friedrich Manor, Map No. 9197, located on the north side of Whaley Avenue, between Friedrich Drive and Gregory Street, in the R-1-5 (HR) Zone, in the Park North-East Community Plan and Greater Golden Hill Precise Plan areas; and

WHEREAS, on August 18, 1983, the Planning Commission of The City of San Diego made its findings of fact, denied said Planned Residential Development Permit and filed said decision in the office of the City Clerk; and

WHEREAS, on August 22, 1983, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, CHILCOTE, INC., a California corporation, by David P. Cuning, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on October 11, 1983, continued to December 13, 1983; and

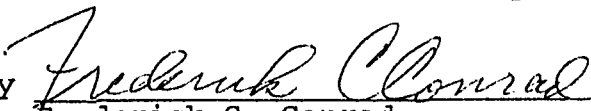
WHEREAS, the Council of The City of San Diego received for its consideration documentary, written and oral testimony and heard from all interested parties present at the public hearings; NOW, THEREFORE,

BE IT RESOLVED, that the Council of The City of San Diego hereby adopts as its findings the findings set forth in Planning Report No. 83-385, dated August 12, 1983, a copy of which

findings is attached hereto and by this reference incorporated herein, and which 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 CHILCOTE, INC., a California corporation, by David P. Cunning, is denied; the decision of the Planning Commission is sustained and Planned Residential Development Permit No. PRD-82-0589 is hereby denied.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:imb:640
12/22/83
Or.Dept:Clerk
PRD-82-0589
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FINDING OF FACT:

1. The proposed use will not fulfill an individual and/or community need and will adversely affect the General Plan or the community plan. The Greater Golden Hill Precise Plan permits limited development of the 34th Street canyon under a Planned Residential Development Permit and the Park North-East Community Plan shows this canyon for open space. Both plans recognize that since the property could not be acquired for open space, that development sensitive to the low-density character should be maintained and that proper relationships of buildings to their site and location to adjacent development should be considered. The Planning Department cannot make this Finding based on the high density requested which is not in character with canyon development, or the density of the adjoining neighborhood. This property is proposed to be increased to a density of 7.4 units per acre while the surrounding neighborhoods in the Park North-East and Greater Golden Hill communities are developed at a density of approximately 2.5 units per acre.

2. The proposed use, regardless of conditions that could 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 Planning Department believes that the magnitude of activity proposed for this canyon would constitute a disruptive and incompatible element to the adjoining neighborhoods and that the approved Planned Residential Development Permit No. 50 is an appropriate plan for this property that combines limited development in an open space designated canyon that was not acquired. The residential density of the presently approved PRD is approximately 3.8 units per acre.

3. The proposed use will not comply with the relevant regulations in the Municipal Code. The applicant has designed a roadway to the west to provide access for emergency vehicle access only in an area with inadequate circulation and access for emergency vehicles. The Planning Department cannot make this Finding in that the proposed amendment does not observe the design criteria of Section 101.0900, Paragraph K, of the Municipal Code which specifies that, "the proposed development shall be compatible with existing and planned land use and with circulation patterns on adjoining properties. It shall not constitute a disruptive element to the neighborhood and community." The Greater Golden Hill Precise Plan designates adjoining canyon areas to the northwest of the subject property as open space to be acquired and the increased density on this site would be incompatible with this community goal and element.

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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 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"/>
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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By June A. Blackwell, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

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