

(R-85-2134)

RESOLUTION NUMBER R- 263124

ADOPTED ON MAY 07 1985

WHEREAS, LARRY PERREIRA and MARIE PERREIRA, individuals, Owners/Permittees, filed an application to construct a Planned Residential Development consisting of two single-family dwelling units (including one existing unit) on an 0.82 acre lot, developed into two parcels, at 3604 Curtis Street, at the intersection of Chatsworth Boulevard and Dumas Street, described as Lot 78 and a portion of Lot 77, Point Loma Villas, Map No. 1587, in the R1-5000 Zone of the Peninsula Community Plan area; and

WHEREAS, on March 21, 1985, the Planning Commission of The City of San Diego made its findings of fact, denied Planned Residential Development Permit No. 84-0609, and filed said decision in the office of the City Clerk; and

WHEREAS, on March 27, 1985, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, LARRY and MARIE PERREIRA, by Gregory C. M. Garratt, attorney, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on May 7, 1985; 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 hearing; 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. 84-0609:

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 Peninsula Community Plan's residential element has designated this property for low density residential development, which allows for 5-10 dwelling units per net acre. The applicants propose to add one dwelling unit to an 0.82 acre site with an existing home, resulting in a density of 2.43 dwelling units per net acre. Therefore, the project is considered to be in conformance with the community plan.

2. The proposed use, despite conditions that have been applied to it, will be detrimental to the general welfare of persons residing or working in the area and will adversely affect other property in the vicinity. The site, owing to a sloping topography, is not physically suitable to develop the proposed structure. The creation of an additional dwelling unit on the site will not be compatible with existing land use patterns by creating a limited size building pad in relation to the neighborhood using retaining walls and slope banks. Adjacent parcels have structures that are set back deep within the property and maintain an extensive amount of landscaping. The proposed new structure would extend into the established building setback along the western side of Chatsworth Boulevard, between Elliot and Curtis Streets and is not in keeping with the physical

setting of the neighborhood. The proposed dwelling would be out of scale in its proposed juxtaposition in the immediate neighborhood.

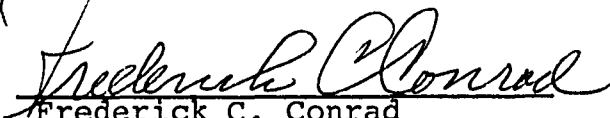
3. The proposed use will comply with the relevant regulations in the Municipal Code. The project conforms to all the regulations of the Planned Residential Development Ordinance, including the provisions for total and usable open space, parking and landscaping.

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 LARRY and MARIE PERREIRA, by Gregory C. M. Garratt, attorney, is denied, the decision of the Planning Commission to deny the permit is sustained, and this Council does hereby deny to LARRY PERREIRA and MARIE PERREIRA Planned Residential Development Permit No. 84-0609.

APPROVED: John W. Witt, City Attorney

BY



Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:632
05/09/85
Or.Dept:Clerk
PRD 84-0609
R-85-2134
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MAY 07 1985

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 Struikma | <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.

(Seal)

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

By *Raymond L. Portecow*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-263124 Adopted MAY 07 1985

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MAY 07 1985

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| Bill Mitchell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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