

(R-87-864)

RESOLUTION NUMBER R- 266878

ADOPTED ON OCT 28 1986

WHEREAS, SOUTHEAST DEVELOPMENT COMMITTEE, by Reynaldo Pisano, appealed the decision of the Planning Commission in approving Planned Residential Permit No. PRD-86-0506 submitted by CHARLES SPITZER, an individual, an extension of time on PRD-83-0085, for the construction of a Planned Residential Development on Parcels A-D, Division Plat 75, being a division of Lots 9-10, Orange Grove Tract, Map 925, located on the north side of Skyline Drive, between Leghorn Avenue and Woodman Street, in the Southeast San Diego Community Plan area, in the R-3000 Zone; and

WHEREAS, said appeal was set for public hearing on October 28, 1986, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Planned Residential Development Permit No. PRD-86-0506:

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 circumstances have changed relative to the subject property since the original date of approval of PRD-83-0085. Until July 20, 1983, this property had been shown for low density residential use (0-5 du/NRA) in the Southeast San

Diego Community Plan and was zoned R1-5000. A community plan amendment to redesignate the site to residential use at 10-15 du/NRA and a rezoning from the R1-5000 to the R-3000 Zone were processed and approved by this Council with the R-3000 Zone being effective on July 20, 1983. The community plan amendment, rezoning to the R-3000 Zone and the permit were approved in order to permit a higher density residential use adjacent to and in support for an area planned for commercial development. The commercial use was proposed at the northeast corner of the intersection of Skyline Drive and Woodman Street, just east of the subject property and outside of the Southeast San Diego Community Plan within the boundary of the Skyline/Paradise Hills Community Plan. This particular property is no longer planned for commercial development and the major reason by which the community and city supported the rezone of the subject property no longer exists. The finding for the approval of this extension of time request for the permit can no longer be made since Municipal Code Section 101.0900, paragraph I, specifies that "The Planning Director may grant an extension of time if it is found from the evidence submitted that there has been no material change in circumstances since the permit was originally granted."

2. The proposed use 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. This site and proposed townhouse development is in an area which contains predominantly detached single-family residences. The Southeast San Diego Development Committee, as well as the

Paradise Hills-Skyline Planning Committee and the Planning Department of The City of San Diego support for this project has been altered by the loss of the commercial development on the adjacent site to the east.


3. The proposed use will not comply with the relevant regulations in Municipal Code Section 101.0900, Paragraph K.3., which require that "The proposed development should be compatible with existing and planned land use. It shall not constitute a disruptive element to the neighborhood and community."

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 SOUTHEAST DEVELOPMENT COMMITTEE is granted; the decision of the Planning Commission is overruled, and Planned Residential Development Permit No. PRD-86-0506 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

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Or.Dept:Clerk
R-87-864
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OCT 28 1986

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<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 Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

By *June G. Blitchell*, Deputy.

(Seal)



Office of the City Clerk, San Diego, California

Resolution Number *R-266878* Adopted *OCT 28 1986*