

(R-88-380)

RESOLUTION NUMBER R-269110

ADOPTED ON AUGUST 11, 1987

WHEREAS, DEL CERRO HEIGHTS HOMEOWNERS ASSOCIATION, by Donald H. Warfield, appealed the decision of the Planning Commission in denying Planned Residential Development Permit No. PRD-87-0184, an amendment to PRD-15, submitted by DEL CERRO HEIGHTS HOMEOWNERS ASSOCIATION, Owner/Permittee, for conversion of a gated entryway on Del Cerro Heights Units 1 through 4, Map Nos. 7586, 7923, 7924 and 7925, located on Rancho Park Drive, west of Pasatiempo Avenue and east of Bernadette Lane, in the Navajo Community Plan area, in the R1-5000 (Hillside Review) Zone; and

WHEREAS, the matter was set for public hearing on August 11, 1987, 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-87-0184:

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 gate which the applicant is requesting to be modified to permit the residents of Del Cerro Heights to acquire as a second means of ingress and egress to their development was required and approved by this Council on October 14, 1971 under

Planned Residential Development Permit No. 15 as an "emergency vehicle access only." The adjacent residents outside the boundary of Del Cerro Heights on Del Paso Avenue, Rancho Park Drive and Rockhurst Court felt that these neighborhoods would be adversely affected by traffic emanating into and out of Del Cerro Heights. The Navajo Community Planning Group supported the neighborhoods and in granting Planned Residential Development Permit No. 15, the Council agreed, thus limiting the use of the second entry to Del Cerro Heights.

On November 23, 1976, the Council considered an amendment to the Del Cerro Heights project to modify the emergency vehicle access to permit resident ingress and egress. This request was denied with the Council finding no material change in circumstances since the original permit was granted and the opening of the gate would create more traffic on the neighboring streets.

The Planning Director cannot find, with a similar request regarding this gate today, that circumstances have materially changed in order to support the applicant's request. The use of a gate established for "emergency vehicle use only" since 1971, for the use of residents within Del Cerro Heights will not fulfill an individual or community need of the general population of the Navajo Community and could adversely affect traffic in the area.

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.

The adjacent neighbors to Del Cerro Heights identified potential adverse impacts relating to traffic from the development of Del Cerro Heights in 1971, and opposed the modification of the gate on Rancho Park Drive in 1976 for the same reasons. The Del Cerro Heights Development was approved with project entry on Caminito Estrellado south of Camino Rico and for all interior streets to be private. The gate on Rancho Park Drive is there for emergency vehicle use only and fulfills a need to provide for the health, safety and general welfare of people in the area.


3. The proposed use will not comply with the relevant regulations in the Municipal Code. The purpose and intent of the Planned Residential Development ordinance is to, in part, encourage imaginative and innovative planning of residential neighborhoods, to use in areas which contain steep slopes, to permit greater flexibility in design of neighborhoods and offer a variety of well integrated site arrangements. The design criteria of the ordinance requires compatibility "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 requested amendment would not be in conformance with the Planned Residential Development regulations (Municipal Code Section 101.0900) because of the existing design of Del Cerro Heights and the conditions which created the gate in its approved form.

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 DEL CERRO HEIGHTS HOMEOWNERS ASSOCIATION is denied; the decision of the Planning Commission is sustained, and Planned Residential Development Permit No. PRD-87-0184 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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Or.Dept:Clerk
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AUG 11 1987

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

(Seal)

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

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

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