

(R-88-2032)

RESOLUTION NUMBER R-270147

ADOPTED ON JANUARY 12, 1988

WHEREAS, on January 12, 1988, the Council of The City of San Diego ("Council") considered the Interim Development Ordinance ("IDO") Non-Accelerated Variance Application No. 87-2080, by Raul Rivera to construct a 32 unit residential project at 125 Averil Road, described as Assessor Parcel No. 638-080-48, zoned R-1500 (29 du/ac), in the San Ysidro Community. Applicant intends to demolish 4 existing single family residences and construct a 32 unit multi-family development. Applicant has been granted 10 Accelerated Allocation units; and

WHEREAS, the request for Non-Accelerated Variance is submitted by Raul Rivera pursuant to the IDO Section 7.C.3.

WHEREAS, the request for Non-Accelerated Variance submitted is governed by IDO Section 7.C.4. pursuant to which units granted will be taken from the reserve allocation as set forth in Schedule A of the IDO as modified by the procedures set forth in Resolution No. R-269742 adopted by the Council on November 16, 1987; and

WHEREAS, in arriving at their decision, the Council considered the staff report, the decision of the IDO Administrator, reviewed the plans and materials submitted prior to and at the public hearing, and heard public testimony presented at the hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the application for Non-Accelerated Variance of Raul Rivera is hereby denied, and therefore, upholds the decision of the IDO Administrator.

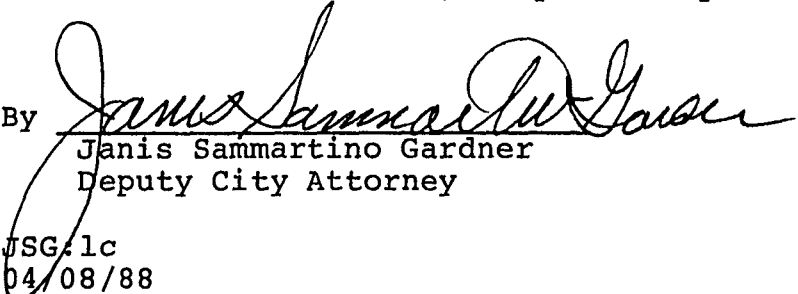
BE IT FURTHER RESOLVED, that in arriving at its decision, the Council made the following findings:

1. Reserve allocation for units in the community is depleted for the year.
2. Developer's interests when balanced with the community's interests do not outweigh the public policy of the IDO.
3. The project does not provide special benefit or extraordinary public improvement toward the community.

BE IT FURTHER RESOLVED, that the decision of the Council shall be final.

APPROVED: JOHN W. WITT, City Attorney

By

  
Janis Sammartino Gardner  
Deputy City Attorney

JSG:lc  
04/08/88  
Or.Dept:Clerk  
R-88-2032  
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SAN DIEGO, CALIF. *peh*

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**JAN 12 1988**

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"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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.

(Seal)

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

By *Rhonda B. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

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