

RESOLUTION NUMBER R-270744

ADOPTED ON APRIL 12, 1988

WHEREAS, on April 12, 1988, the Council of The City of San Diego ("Council") considered the Interim Development Ordinance ("IDO") Non-Accelerated Variance Application No. 87-2101, by The Fieldstone Company, to construct 208 units on the west side of Camino Ruiz between los Sabalos and Penasquitos Canyon, described as portions of Sections 24, 25 and 26, Township 14 South, Range 3 West, SBBM, zoned R1-5000, in the Mira Mesa Community; and

WHEREAS, the request for Non-Accelerated Variance is submitted by The Fieldstone Company pursuant to the IDO Section 7.C.3.; and

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 The Fieldstone

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Company is hereby granted and, therefore, overturns the decision of the IDO Administrator.

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

APPROVAL FINDINGS

1. The following discretionary permits were previously approved: PRD 83-0589, PRD 86-0339, HRP 87-0165, TM 86-1005.
2. Substantial public improvements have been constructed, including traffic signals, sewer, streets, and storm drains.
3. The project is consistent with the adopted Community Plan, and Progress Guide and General Plan. There are no applicable Community Plan revisions pending.
4. The project complies with applicable zoning.
5. The project will not result in material damage or prejudice to other property in the vicinity, nor be detrimental to the public health, safety or general welfare.
6. A construction delay on the project would significantly impede the ability of The Fieldstone Company to proceed at some future time.
7. Absent growth management provisions of the IDO necessitating the application and approval process described in Sections 6. and 7. of the IDO, the project could proceed.
8. One Hundred Seventy-Five (175) units of the project were allocated through the "pipeline" reserve.
9. Length of ownership and occupancy plans demonstrate substantial commitment to community welfare and fostering the Community Plan.

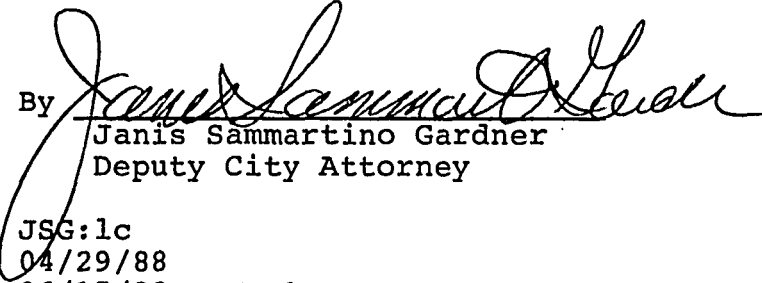
10. The Fieldstone Company has presented financial evidence of readiness to proceed.

11. Units are available and will be borrowed from the unused allocations of other communities. Those community allocations will then be reduced accordingly.

BE IT FURTHER RESOLVED, that 149 of the units are to be issued now, and 59 are to be issued September 1, 1988. (100 units - North Park, 14 units - Serra Mesa, and 35 units - Mission Valley, comprising the present issuance; 59 units - Mission Valley comprising the September 1, 1988 issuance.)

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
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Passed and adopted by the Council of The City of San Diego on.....**APR 12 1988**.....
by the following vote:

| Council Members | Yeas | Nays | Not Present | Ineligible |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Abbe Wolfsheimer | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Ron Roberts | <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"/> |
| H. Wes Pratt | <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"/> |
| 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 *Charles G. Abdelnour*..... Deputy.

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|-------------------------------------------------|----------------------------|
| Office of the City Clerk, San Diego, California | |
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