

(R-88-2505)

RESOLUTION NUMBER R-270953

ADOPTED ON MAY 10, 1988

WHEREAS, on May 10, 1988, the Council of The City of San Diego ("Council") considered the Interim Development Ordinance ("IDO") Non-Accelerated Variance Application No. 87-2009, by Cheng Development, Inc., to construct a 15-unit project at 5530-5540 La Jolla Boulevard in the La Jolla Planned District area, Lots 21, 22, 23 and 24 of Block 16, Bird Rock Addition Map 1083, a Zone 4 site, in the La Jolla Community; and

WHEREAS, the request for Non-Accelerated Variance is submitted by Cheng Development, Inc., 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 Cheng

Development, Inc., 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. The project is inconsistent with proposed Planned District Ordinance changes. Both proposed density and two story structure exceed proposed changes.

2. Reserve allocation for units in the community is depleted for the year.

3. Developer's interests when balanced with the community's interests do not outweigh the public policy of the IDO.

4. 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
06/09/10
Or.Dept:Clerk
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MAY 10 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 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 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 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 type="checkbox"/>	<input checked="" 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.

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

By *Charles G. Abdelnour* Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number *R-270953* Adopted **MAY 10 1988**

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1988 JUN 27 PM 3:54
SAN DIEGO, CALIF. C. H.

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