

(R-89-753)

RESOLUTION NUMBER R-271703

ADOPTED ON AUGUST 9, 1988

WHEREAS, on August 9, 1988, the Council of The City of San Diego ("Council") considered the Interim Development Ordinance ("IDO") Non-Accelerated Variance Application No. 88-4142, by J. M. Peters Co. to construct five units at Calle Tragar West of Sparren Avenue described as Assessor's Parcel Number 306-203-(20-24), zoned R-1-5, in the Penasquitos East Community; and

WHEREAS, the request for Non-Accelerated Variance is submitted by J. M. Peters Co. 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 J. M. Peters Co.

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SAN DIEGO, CALIF.

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:

1. The project is consistent with the adopted Community Plan, and Progress Guide and General Plan.
2. The project complies with applicable zoning.
3. 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.
4. A construction delay on the project would significantly impede the ability of J. M. Peters Co. to proceed at some future time.
5. 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.
6. J. M. Peters Co. has presented financial evidence of readiness to proceed.
7. The project obtained a Vesting Tentative Map (84-0497) which complies with section 7.C.3.(b) of the IDO.

BE IT FURTHER RESOLVED, that the Council hereby incorporates those findings contained in Planning Department Memorandum dated August 9, 1988, to the Honorable Mayor O'Connor and City Council regarding Interim Development Ordinance Variance Request - Variance Criteria Analysis, IDO No. 88-4142, a copy of which is on file in the office of the City Clerk as Document No.

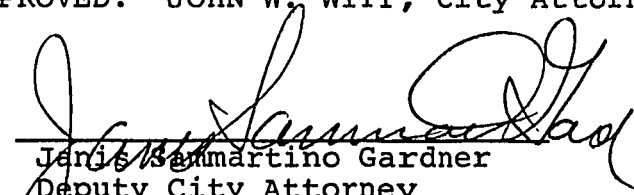
RR- 271703.

BE IT FURTHER RESOLVED, that the units granted by the Council pursuant to this Non-Accelerated Variance shall come from the reserve.

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

APPROVED: JOHN W. WITT, City Attorney

By


Janis S. Gardiner
Deputy City Attorney

JSG:lc
10/12/88
Or. Dept: Clerk
R-889-753
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Passed and adopted by the Council of The City of San Diego on.....AUG 09 1988.....,
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<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"/>
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 *Jena Martin* , Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *l-271703* Adopted *AUG 09 1988*