

(R-89-758)

RESOLUTION NUMBER R-272013

ADOPTED ON SEPTEMBER 27, 1988

WHEREAS, on September 27, 1988, the Council of The City of San Diego ("Council") considered the Interim Development Ordinance ("IDO") Non-Accelerated Variance Application No. 87-2115, by McKellar Development, to construct four units at Royal Birkdale Row at Walton Heath Row described as Assessor's Parcel Numbers 313-431-10-51, 52, 53 and 54, zoned R-1500, in the Rancho Bernardo Community; and

WHEREAS, the request for Non-Accelerated Variance is submitted by McKellar Development 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 McKellar Development is hereby granted, and, therefore, overturns the decision of the IDO Administrator.

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ATTORNEY GENERAL

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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, the General Plan, and with proposed Community Plan revisions.

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 McKellar Development 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. Occupancy plans demonstrate substantial commitment to community welfare and fostering the Community Plan.

7. McKellar Development has presented financial evidence of readiness to proceed.

BE IT FURTHER RESOLVED, that the Council hereby incorporates those findings contained in Planning Department Memorandum dated September 27, 1988, to the Honorable Mayor O'Connor and City Council regarding Interim Development Ordinance Variance Request - Variance Criteria Analysis, IDO No. 87-2115, a copy of which is on file in the office of the City Clerk as Document No.

RR-272013.

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 Sammartino Gardner
Deputy City Attorney

JSG:lc
10/12/88
Or.Dept:Clerk
R-89-758
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SEP 27 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 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 Struiksma	<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 *Blonde R. Barnes* Deputy.

Office of the City Clerk, San Diego, California

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