

(R-89-1693)

RESOLUTION NUMBER R-272746

ADOPTED ON JANUARY 24, 1989

WHEREAS, Frederick and Raymond Hampe, by Edward F. Gabrielson, appealed the decision of the Planning Commission in denying Tentative Map No. 87-0115 submitted by Frederick and Raymond Hampe for a 149-lot subdivision, described as a Portion of the Southwest quarter of the Northeast quarter of Section 12, Township 14 South, Range 3 West, San Bernardino Base and Meridian located at the southerly terminus of La Trucha Street between Stargaze Avenue and Rotherham Way, in the Penasquitos East Community Planning area, in the A1-10,000 (HRO) (proposed R1-5000 (HRO)) zone; and

WHEREAS, the matter was set for public hearing on January 24, 1989, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this City Council adopts the following findings with respect to Tentative Map No. 87-0115:

1. The map proposes the subdivision of a 40.3-acre site into 149 lots for residential development and a neighborhood park site. This type of development is consistent with the General Plan and the Penasquitos East Community Plan which designate the area for low density residential use (0-6 dwelling units/acre)

and a neighborhood park. However, this map which proposed 148 dwelling units is inconsistent with the midrange density resolution (Resolution No. R-268424) adopted by the City Council on May 26, 1987, for the Penasquitos East Community Plan. This resolution limits development in this community to a density not to exceed the midrange density proposed by the community plan. The community plan would allow 156 dwelling units on this site based on a maximum of 6 dwelling units per acre. The midrange density (based on 3 dwelling units/acre) would allow 78 dwelling units; thus, the 148 dwelling units proposed exceeds the midrange density by 71 dwelling units. This resolution was necessitated by the fact that developments within the residential areas are typically being proposed at the maximum density specified in the community plan when the plan anticipated a range of densities. Therefore, based on the midrange density resolution, the proposed map will not retain the community's character nor encourage orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are consistent with the zoning/development regulations of the R1-5000 Zone in that:

- a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic.
- b. All lots meet the minimum dimension requirements of the R1-5000 Zone.
- c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area, setbacks, side yard and rear yard regulations.

d. Development of this site is controlled by Hillside Review Permit No. 87-0115.

3. The design and proposed improvements for the subdivision are consistent with State Map Act Section 66473.1 regarding the design of the subdivision for future passive or natural heating and/or cooling opportunities.

4. The site is physically suitable for residential development.

5. The site is physically suitable for the proposed density of development uses. However, the proposed density exceeds that established by the midrange density resolution as outlined in Finding No. 1 above.

6. The design of the subdivision and the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Mitigated Negative Declaration No. 87-0115 which is included herein by this reference.

7. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as needed public services and facilities are available or required by condition of this map to provide for water and sewage facilities as well as other related public services.

8. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or

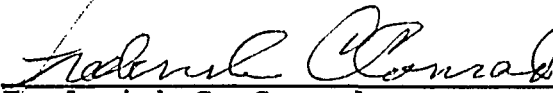
use of the property within the proposed subdivision as demonstrated by the City Engineer's request for public dedications and adequate improvement on the proposed subdivision map.

9. The City Council has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for the area and public services programmed for installation, as determined by the City Engineer, in accordance with financing and environment policies of the City Council.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the appeal of Frederick and Raymond Hampe by Edward F. Gabrielson is denied; the decision of the Planning Commission is sustained, and Tentative Map No. 87-0115 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

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TM-87-0115  
Or.Dept:Clerk  
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Passed and adopted by the Council of The City of San Diego on JAN 24 1990,  
 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 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.

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

(Seal)

By Lena Martin, Deputy.  
*for JG Sm*

Office of the City Clerk, San Diego, California

Resolution Number 272746 Adopted JAN 24 1990

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