

(R-90-1558)

RESOLUTION NUMBER R-275284

ADOPTED ON MARCH 13, 1990

WHEREAS, Frances Grosset, et al., appealed the decision of the Planning Commission in approving Tentative Map No. 87-0269 submitted by J.C. Martinez, Owner, and Carlo Martinez, Permittee, for a proposed subdivision of a 2.26-acre parcel into six parcels and the construction of four single-family units, located west of Wilshire Drive, north of 35th Street, east of Cromwell Place and south of Camino Del Rio South and is more particularly described as Lot 3 and a portion of Lot 4, Mission View Point Map No. 2269, in the Mid-City Community Plan area, in the R1-5000 and R1-40000 zones; and

WHEREAS, the matter was set for public hearing on March 13, 1990, 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 Council adopts the following findings with respect to Tentative Map No. 87-0269:

1. The map proposes to subdivide a 2.26-acre site into six lots for residential development (0-5 and 5-10 dwelling units per acre). This type of development is inconsistent with the General Plan and the Mid-City Community Plan which designate the area for residential use. The proposed map will not retain the

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community's character by encouraging orderly, sequential development compatible in its intensity with surrounding existing and future land development.

2. The design and proposed improvements for the map are not consistent with the zoning/development regulations of the R1-5000 and R1-40000/HRO zones as listed in paragraph "d" below in that:

a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic only as allowed under a Planned Infill Residential Development (PIRD) permit.

b. All lots meet the minimum dimension requirements of the R1-5000 and R1-40000/HRO zones, only as allowed under a PIRD.

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, only as allowed under a PIRD.

d. Development of the site is controlled by Planned Infill Residential Development Permit No. 87-0269. This project as submitted is not compatible with the existing character of the surrounding neighborhood.

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 not physically suitable for residential development. The harmony in scale, height, bulk, density and coverage of development creates a compatible physical relationship to surrounding properties for which this area has been planned.

5. The site is not physically suitable for the proposed density of development. This is consistent with the community plan which provides for low-density residential development (0-5 and 5-10 dwelling units per acre). The development as proposed would be out of character with the surrounding neighborhood.

6. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat based upon the findings of Environmental Impact Report No. 87-0269, which is included herein by this reference. However, a finding has been made pursuant to subdivision (c) of Section 21081 of the Public Resources Code that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

7. The design of the subdivision and the type of improvements will 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 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 environmental 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 Frances Grosset, et al., is granted; the decision of the Planning Commission is overruled, and Tentative Map No. 87-0269 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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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"/>
John Hartley	<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"/>
Linda Bernhardt	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Ellen Boward*, Deputy.

Office of the City Clerk, San Diego, California

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