

(R-91-777)

RESOLUTION NUMBER R-276515

ADOPTED ON SEPTEMBER 11, 1990

WHEREAS, Linda Staton, appealed the decision of the Planning Commission in granting Resource Protection Ordinance Permit No. 89-0899 submitted by S. L. Emerson, Inc., Owner/Permittee, for the construction of 16 residential units totaling 26,036 square feet of gross floor area, located on the east side of Parrot Street between Ash and Beech Streets and is more particularly described as Lots 2-12 inclusive, Block 31, Marilou Park, Map No. 517, in the Mid-City Community Plan area, in the MR-3000 Zone; and

WHEREAS, the matter was set for public hearing on September 11, 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 Resource Protection Ordinance Permit No. 89-0899:

1. The site is not physically suitable for the design and siting of the proposed structures and will result in disturbance of sensitive areas.

2. Based on the conceptual grading plan, the grading and excavation proposed in connection with the development may potentially result in soil erosion, silting of lower slopes, slide damage, flooding, severe scarring or any other geological

instability which would affect health, safety and general welfare. An adequate final grading plan has not been provided to the Planning Department to assure these issues have been addressed.

3. The proposed development does not retain the visual quality of the site, the aesthetic qualities of the area and the neighborhood characteristics. The design of the structures does not incorporate architectural elements required by the Mid-City Planned District Ordinance which would serve to enhance the overall visual quality of the project.

4. The proposed development is in conformance with the Open space Element of the General Plan, the Open Space and the Sensitive Land Element of the community plan, any other adopted applicable plan, and the zone. The applicant has discussed the feasibility of open space dedications or easements with appropriate City staff.

5. The proposed development is not in conformance with the qualitative guidelines and criteria as set forth in Document No. RR-262129, "Hillside Design and Development Guidelines." The project has not been designed so as to be sensitive to the topographic character of the site.

6. The proposed development has not been sited, designed, and constructed to minimize, if not preclude, adverse impacts upon sensitive natural resources and environmentally sensitive areas.

7. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and

resources located in adjacent parks and recreation areas and will provide adequate buffer areas to protect such resources.

8. The proposed development will not minimize the alterations of natural landforms and will not result in undue risks from geological and erosional forces and/or flood and fire hazards.

9. The proposed development will not be visually compatible with the character of surrounding areas, and will not restore and enhance visual quality in visually degraded areas.

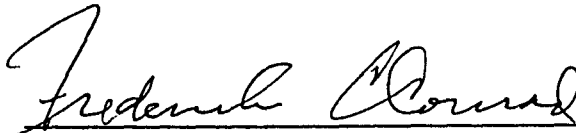
10. The proposed use will not conform with The City of San Diego's Progress Guide and General Plan, the Community Plan, the Local Coastal Program, and any other applicable adopted plans and programs.

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 Linda Staton, is granted; the decision of the Planning Commission is overruled, and Resource Protection Ordinance Permit No. 89-0899 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
12/13/90
Or.Dept:Clerk
R-91-777
Form=r.permit

SEP 11 1990

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<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.

(Seal)

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

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

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