

(R-91-778)

RESOLUTION NUMBER R-276516

ADOPTED ON SEPTEMBER 11, 1990

WHEREAS, the Otay Mesa-Nestor Community Planning Committee by Ruth J. Schneider appealed the decision of the Planning Commission in approving Planned Residential Development Permit No. 89-0790 submitted by Philip Chodur, Owner/Permittee, for the construction of 46 attached and detached dwelling units with common recreation facilities, located on the east side of 27th Street, between Grove and Iris Avenues, said property is more particularly described as a portion of Section 27, Township 18 South, Range 2 West, SBBM, in the Otay Mesa-Nestor Community Plan area, in the R1-10,000 (proposed R-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 City Council adopts the following findings with respect to Planned Residential Development Permit No. 89-0790:

1. The proposed use will not fulfill an individual and/or community need but will not adversely affect the General Plan or the community plan. The Otay Mesa-Nestor Community Plan designates the project site for low-medium density residential development at a density of 10-15 dwelling units per acre. This would yield a maximum of 56 dwelling units for the project site.

Although only 46 dwelling units are proposed, this will result in significant cumulative impacts to public elementary schools. Excessive residential development in the area over the last several years has resulted in an overcrowding situation at all schools in both the elementary and high school districts.

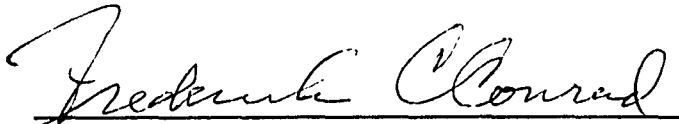
2. The proposed use will be detrimental to the health, safety and general welfare of persons residing or working in the area and will adversely affect other property in the vicinity. The Creekside Village project will add 31 elementary school students to area schools already operating well over capacity. This results in significant unmitigated cumulative impacts on public elementary schools because there are no means of mitigation. Significant impacts on public secondary schools will also result from this project; however, these can be mitigated through the payment of park fees and annexation into the School District's Community Facilities District. Significant adverse impacts will result from residential development of this site since the addition of any number of students to schools already operating over capacity is considered significant.

3. The proposed use will comply with the relevant regulations in the San Diego Municipal Code. The Creekside Village project does not conform to the existing R1-10,000 zone. A rezone to R-3000 is required and was requested concurrently. The rezone request was not granted. The environmental impact report prepared for this project identified significant adverse impacts that would result from the residential development.

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 the Otay Mesa-Nestor Community Planning Committee by Ruth J. Schneider is granted; the decision of the Planning Commission is overruled, and Planned Residential Development Permit No. 89-0790 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

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01/17/91  
Or.Dept:Clerk  
R-91-778  
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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 checked="" type="checkbox"/> | <input checked="" 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 *Maureen G. Pate* Deputy.

Office of the City Clerk, San Diego, California

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