

(R-91-780)

RESOLUTION NUMBER R-276518

ADOPTED ON SEPTEMBER 11, 1990

WHEREAS, on May 7, 1990, the Subdivision Board of The City of San Diego approved Tentative Map No. 89-0790 submitted by Philip Chodur and San Diego Land Surveying and Engineering, Inc., for the purpose of subdividing a 3.838-acre site into 47 lots for low-medium residential development located at 1355 27th Street south of Grove Avenue, and more particularly described as the north half of the northwest quarter of the southwest quarter of the southeast quarter, Section 27, Township 18 South, Range 2 West, in the Otay Mesa-Nestor Community Plan area, in the R1-10,000 (proposed R-3000) zone; and

WHEREAS, on July 5, 1990, the Planning Commission voted 2-3 to approve the tentative map, however, due to a lack of four affirmative votes, the decision of the Subdivision Board was upheld; and

WHEREAS, the Otay Mesa-Nestor Community Planning Committee by Ruth J. Schneider appealed the decision of the Subdivision Board; 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 Tentative Map No. 89-0790:

1. The map proposes to subdivide a 3.838-acre site into 47 lots for low-medium density residential development (12 dwelling units per acre). This type of development is consistent with the General Plan and the Otay Mesa-Nestor Community Plan which designate the area for low-medium density residential use (10-15 dwelling units per acre). The proposed map will retain the 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 consistent with the zoning/development regulations of the R-3000 zone 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 residential development (PRD) permit.

b. All lots meet the minimum dimension requirements of the R-3000 zone, only as allowed under a PRD.

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 PRD.

d. Development of the site is controlled by Planned Residential Development Permit No. 89-0790.

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 nature heating and/or cooling opportunities.

4. The site is 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 physically suitable for the proposed density of development. This is consistent with the community plan, which provides for low-medium residential density of 10-15 dwelling units per acre.

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 in that the proposed subdivision will not endanger known rare biological resources or will not create an undesirable environmental impact based upon the findings in Environmental Impact Report No. 89-0790, which is included herein by this reference.

7. The design of the subdivision and the type of improvements will cause serious public health problems inasmuch

as needed public services and facilities are unavailable. 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 and unmitigatable. There are no acceptable school sites in the area. There is no financing district that is set up for the elementary schools and thus the cumulative impact exists.

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.

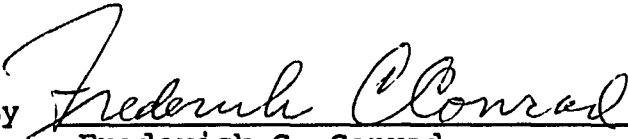
9. The Planning Commission has reviewed the adopted Housing Element, the Progress Guide and General Plan of The City of San Diego, and hereby finds, pursuant to Section 66412.3 of the Government Code, that the housing needs of the region are being met since residential development has been planned for 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 the Otay Mesa-Nestor Community Planning Committee by Ruth J. Schneider is

hereby granted, the decision of the Subdivision Board is
overruled and Tentative Map No. 89-0790 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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Or.Dept:Clerk
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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 type="checkbox"/>	<input checked="" 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 *Mayfull G. Abdelnour*, Deputy

Office of the City Clerk, San Diego, California

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