

(R-91-945)

RESOLUTION NUMBER R-276888

ADOPTED ON NOVEMBER 20, 1990

WHEREAS, Torrey Pines Community Planning Group by Opal Trueblood, Chair, and Kevin Patrick, M.D., appealed the decision of the Planning Commission (by a vote of 2-2) to deny the appeal which, due to a lack of four affirmative votes, resulted in the Planning Director's decision to approve the project being upheld, for Coastal Development Permit No. 89-0799 (Austin Lots 1 and 3 Project) submitted by Douglas Austin, Applicant, and Kent and Lana Wilson, Owners, for the construction of two single-family detached residences on two separate building lots consisting of a total combined gross floor area of 8,864 square feet (including off-street parking), with related site landscaping and brush management on a vacant 0.41 acre site, and a variance to provide a common driveway on the site with access to the proposed structures from Via Latina, located on the east side of Via Latina, between Portofino Drive and Via Grimaldi, and is more particularly described as Parcels 1 and 3 of Map No. 5893, in the Torrey Pines Community Plan area, in the R1-5000 zone; and

WHEREAS, the matter was set for public hearing on November 20, 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,

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BE IT RESOLVED, by the Council of The City of San Diego, that this City Council adopts the following findings with respect to Coastal Development Permit No. 89-0799:

1. The proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in an adopted Local Coastal Program Land Use Plan; nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points. The proposed use would not obstruct or encroach upon any existing public accessway(s) or public views to the ocean or other prominent scenic coastal areas as identified in the adopted Local Coastal Program Land Use Plan or adopted Torrey Pines Community Plan.

2. The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources. The Environmental Mitigated Negative Declaration (No. 89-0799) prepared for this site and completed on April 13, 1990, concluded that no adverse impacts in the areas of marine resources, archaeological or paleontological resources, or other environmentally sensitive areas and habitats would result from the project as proposed.

3. The proposed development will comply with the requirements related to biologically sensitive lands and significant prehistoric and historic resources as set forth in the Resource Protection Ordinance, Section 101.0462 of the San Diego Municipal Code, unless by the terms of the Resource Protection Ordinance, it is exempted therefrom.

4. The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources. No coastal scenic resources or recreational or visitor-serving facilities presently exist or were identified by the project's environmental report (DEP 89-0799) for the area adjacent to and immediately surrounding the project site. Therefore, no mitigation would be required and no adverse impacts would occur resulting from the project as proposed.

5. The proposed development would not be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreational areas, and would not provide adequate buffer areas to protect such resources.

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

7. The proposed development would not be visually compatible with the character of the surrounding areas, and where feasible, would restore and enhance visual quality in visually degraded areas. The proposed use is not compatible with the character of surrounding areas relative to housing type, bulk and scale of the proposed single-family residences.

8. The proposed development would conform with the General Plan, the Local Coastal Program, and any other applicable adopted plans and programs. The proposed use is consistent with land use designations of the adopted Torrey Pines Community Plan, which

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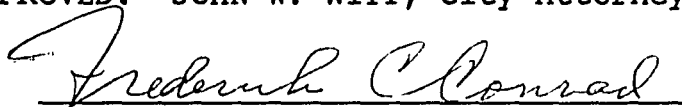
recommends up to a maximum of four dwelling units on the subject site. Therefore, the proposed two unit project conforms with the adopted community plan. The project also fulfills requirements of the Municipal Code relevant to the Local Coastal Program and hillside review guidelines currently being implemented by the City (Section 101.0454 of the Municipal Code).

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 Torrey Pines Community Planning Group by Opal Trueblood, Chair, and Kevin Patrick, M.D., is granted; the decision of the Planning Director is overruled, and Coastal Development Permit No. 89-0799 for the Austin Lots 1 and 3 Project 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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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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 *Brenda R. Barnes* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-276888 Adopted NOV 20 1990