

(R-91-1147)

RESOLUTION NUMBER R-277049

ADOPTED ON DECEMBER 11, 1990

WHEREAS, Jacky Feighan appealed the decision of the Planning Commission in approving Coastal Development Permit No. 90-0494 submitted by Dr. Richard A. Merino, Owner/Permittee, for construction of a two-story, single-family home totaling 1,629 square feet on a 2,925 square foot lot, located at 7323 Monte Vista Avenue, south of Marine Street, east of Vista Del Mar, north of Sea Lane, and west of Olivetas Avenue and more particularly described as Lot 10, Block 7, La Jolla Beach, Map No. 893 1/2, in the La Jolla Community Plan area, in the R-1-5000 Zone (Single-Family Residential, minimum lot size of 5,000 square feet); and

WHEREAS, the matter was set for public hearing on December 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 Coastal Development Permit No. 90-0494:

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 LCP Land Use Plan; nor will it obstruct views and along the ocean and other scenic coastal areas from public vantage points. This single-

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family home development is not adjacent to any view corridors identified in the adopted LCP Land Use Plan nor is the development adjacent to any public vantage points. The proposal will therefore not obstruct views from public vantage points nor will it encroach upon any accessways legally utilized by the public.

2. The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources. The proposed development is located on a previously developed lot in an urbanized residential area of La Jolla and does not contain marine resources, environmentally sensitive areas, or archaeological or paleontological resources.

3. The proposed development will comply with the requirements related to biologically sensitive lands and significant prehistoric or 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. This single-family development is located in an existing urbanized area previously developed with a single-family home and was not found to be historically significant and is exempt from the Resource Protection Ordinance.

4. The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources. The project site does not contain existing or planned recreational facilities, visitor-serving facilities or coastal

scenic resources. Thus, the proposed development will not adversely affect these resources.

5. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreational areas, and will provide adequate buffer areas to protect such resources. The site does not contain nor is it adjacent to any parks and recreational areas as identified in the La Jolla Coastal Program Land Use Plan and the La Jolla Community Plan.

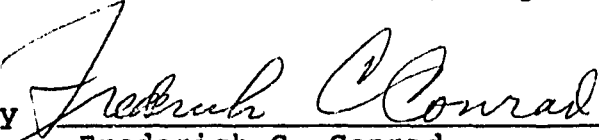
6. The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geological and erosional forces and/or flood and fire hazards. The proposed development is located on a previously graded lot in an urbanized area. The site is not located in a geologic, flood or fire hazard area.

7. The proposed development would not be compatible with the character of the surrounding area. The redesign of the project to reduce its height, exposed floor area, length and added architectural features does not result in a project that is usually compatible with the area because the redesigned project still exceeds the bulk and scale of the structure that comprises the surrounding area.

8. The proposed development will conform with the General Plan but will not comply with the Local Coastal Program for the reasons expressed in the preceding paragraph.

BE IT FURTHER RESOLVED, that the appeal of Jacky Feighan is granted, the decision of the Planning Commission is overruled, and Coastal Development Permit No. 90-0494 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:

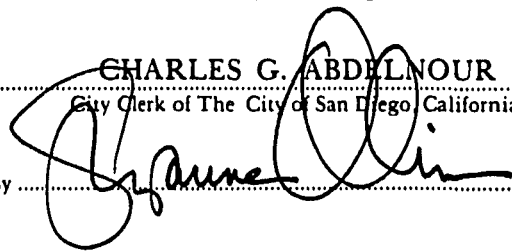
Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input 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 type="checkbox"/>	<input checked="" 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  Deputy.

Office of the City Clerk, San Diego, California

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