

(R-91-1384)

RESOLUTION NUMBER R-277283

ADOPTED ON JANUARY 29, 1991

WHEREAS, Richard J. Mitchell appealed the decision of the Planning Commission in approving Resource Protection Ordinance Permit No. 89-0956 (the Trenton Street Project) submitted by James R. Toone for the construction of three single-family homes located east of the Trenton Avenue Alley between Ticonderoga Street and Bunker Hill Street, in the Clairemont Mesa Community Plan area, R1-5000 zone; and

WHEREAS, the matter was set for public hearing on January 29, 1991, 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. 89-0956:

1. The proposed development is not designed to minimize adverse impacts upon sensitive areas in that the site design proposes buildings in areas containing slopes of greater than 25 percent. The construction of smaller units would reduce the amount of building coverage on the steeper slopes.

2. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas and will provide adequate buffer areas to protect such resources.

The subject site is not adjacent to any parks or recreation areas so a buffer is not required.

3. 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 structures are designed with a series of internal retaining walls to minimize the amount of grading required to site the homes on the hillside. The negative declaration identified no undue risks from geological and erosional forces and/or flood and fire hazards.

4. The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance visual quality in visually degraded areas.


The surrounding areas are characterized by single-family homes on individual lots. The proposed project maintains the character of the existing neighborhood by proposing detached single-family homes which observe the front and sideyard setbacks of the R1-5000 zone.

5. The proposed development will not conform with General Plan and the community plan. These plans require compliance with other City ordinances and the proposed project is not in compliance with the Resource Protection Ordinance in that the design proposes an encroachment of more than 10 percent onto slopes of 25 percent or greater.

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 Richard J. Mitchell is granted; the decision of the Planning Commission is overturned; and Resource Protection Ordinance Permit No. 89-0956 for the Trenton Street Project is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:lc  
03/29/91  
Or.Dept:Clerk  
R-91-1384  
RPOZ 89-0956  
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Passed and adopted by the Council of The City of San Diego on.....**JAN 29 1991**.....  
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 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 ....., Deputy.

Office of the City Clerk, San Diego, California

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