

(R-98-1204)

RESOLUTION NUMBER R-289990

ADOPTED ON APRIL 21, 1998

WHEREAS, R. Jeffrey Smith, Chairman of the Rancho Peñasquitos Planning Board, appealed the decision of the Planning Commission in approving Tentative Parcel Map No. 94-0229 submitted by Eduardo A. Rodriguez for a 4-parcel tentative parcel map, located north of Janal Way at the north end of Thebes Street, and described as Lots 39 and 40 of Peñasquitos Golf Views Map 8713, in the Rancho Peñasquitos Community Plan area, in the R-1-5000 Zone; and

WHEREAS, the matter was set for public hearing on April 21, 1998, 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 finds with respect to Tentative Parcel Map No. 94-0229 that the site is not physically suitable for residential development for the following reason: There is new evidence in the record contained in the letter from Ronald Shackelford, former Vice President and General Manager of the original subdivision approved in 1977. In that letter, Mr. Shackelford points out that the reason the Rodriguez properties were not developed as four lots in 1977 was to "avoid the potential drainage problems associated with more substantial alteration of the existing land form" and because an "alternate housing design (hillside development) was not considered a viable option due to the

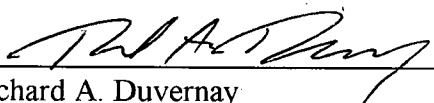
increased cost and incompatibility with the other houses in the subdivision." This area was not considered physically suitable for development of four lots in 1977 and so for the same reasons this proposed subdivision is not physically compatible with the rest of the neighborhood today.

BE IT FURTHER RESOLVED, by the Council of The City of San Diego, that this City Council finds with respect to Tentative Parcel Map No. 94-0229 that the subdivision is not consistent with the City's Community Plan for the following reason: Although the proposed subdivision is consistent with the technical application of local regulations (HR, Underlying Zone and RPO), it is not consistent with the stated goal in the Community Plan to protect "existing natural landforms" and to avoid development that would result in "severe hillside cutting and scarring." Therefore, this subdivision is not compatible or consistent with the community goals.

BE IT FURTHER RESOLVED, that the appeal of R. Jeffrey Smith is granted, the decision of the Planning Commission is overruled, and Tentative Parcel Map No. 94-0229 is hereby denied.

APPROVED: CASEY GWINN, City Attorney

By


Richard A. Duvernay
Deputy City Attorney

RAD:lc
05/11/98
Or.Dept:Clerk
R-98-1204
Form=denytmr.frm