

RESOLUTION NUMBER R-299042

ADOPTED ON MARCH 30, 2004

WHEREAS, Mission Village Properties, L.P., Applicant, and Stuart Engineering, Engineer, submitted by an application to the City of San Diego for a 4-lot tentative map for the Mission Village project [Project], located west of Ruffin Road and north of Gramercy Drive, and legally described as Lots 1 and 2 of Mission Center Village Map 8791, in the Serra Mesa Community Plan area, in the CA zone; and

WHEREAS, on January 15, 2004, the Planning Commission of the City of San Diego considered Tentative Map No. 57552, and pursuant to Resolution No. 3452-PC voted to recommend City Council approval of the map; and

WHEREAS, Serra Mesa Planning Group appealed the Planning Commission decision to the Council of the City of San Diego; and

WHEREAS, the matter was set for public hearing on March 30, 2004, 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 it adopts the following findings with respect to Tentative Map No. 57552:

1. The map proposes the subdivision of a 9.1-acre site into four parcels for multi-family and commercial development. This type of development is consistent with the General Plan and the Serra Mesa Community Plan, which designate the area for commercial use with a multi-family density of twenty-nine 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 are inconsistent with the zoning/ development regulations of the CA zone.
 - a. All lots have minimum frontage on a dedicated street which is open to and usable by vehicular traffic, as allowed under a Planned Commercial Development [PCD] Permit.
 - b. All lots meet the minimum dimension requirements of the CA zone, as allowed under a PCD.
 - c. All lots are designed so that required improvements do not result in nonconforming lots in respect to building area, side yard and rear yard regulations, as allowed under a PCD.
 - d. Development of the site is controlled by PCD Permit No. 57551.
3. The design and proposed improvements for the subdivision are inconsistent with State Map Act section 66473.1 regarding the design of the subdivision for future passive or natural heating and/or cooling opportunities.
4. The site is physically suitable for multi-family and commercial 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 twenty-nine dwelling units per acre and commercial uses.
6. The design of the subdivision or the proposed improvements could cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. However, the project as revised now avoids or mitigates the potentially significant environmental effects based upon the findings of Negative Declaration No. 6547, which is included herein by this reference.
7. The design of the subdivision and the type of improvements will not likely cause serious public health problems, in as much as needed public services and facilities are available/or required by condition of this map to provide for water and sewage facilities, as well as other related public services.
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 decision-maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and

the available fiscal and environmental resources in conformance with the Subdivision Map Act section 66412.3 and the San Diego Municipal Code Section 125.0440(h).

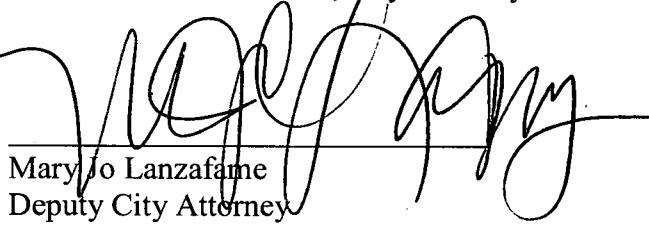
10. It has been determined that a Geotechnical Report is not required for the proposed Tentative Map.

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 Serra Mesa Community Group is denied, the decision of the Planning Commission is sustained, and Tentative Map No. 57552 is granted to Mission Village Properties, L.P., Applicant, and Stuart Engineering, Engineer, subject to the conditions attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By



Mary Jo Lanzafame
Deputy City Attorney

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Or.Dept:DSD
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