

PLANNING COMMISSION
RESOLUTION NO. 3650-PC (DENIAL)
PLANNED DEVELOPMENT PERMIT NO. 9812
(AMENDING PLANNED RESIDENTIAL DEVELOPMENT PERMIT NO. 15)
DEL CERRO HEIGHTS UPPER GATE

WHEREAS, THE DEL CERRO HEIGHTS HOMEOWNER'S ASSOCIATION, A CALIFORNIA GENERAL CORPORATOIN, CHARLES V. ROSE, PRESIDENT, Owner/Permittee, filed an application with the City of San Diego for a permit to amend PRD 15 to allow controlled access of the "Upper Gate" to provide ingress and egress to residents of Del Cerro Heights, and controlled access to emergency services (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 9812, on portions of a 52-acre site;

WHEREAS, the project site is generally located west of Pasatiempo Avenue, between Rockhurst Court and Camino Rico, easterly of College Avenue in the RS-1-7 (Single-Family Residential) Zone of the Navajo Community Plan;

WHEREAS, the project site is legally described as Del Cerro Heights, Units 1-4, Map Nos. 7586, 7923, 7924 and 7925;

WHEREAS, on February 3, 2005, after reviewing submitted exhibits and hearing public testimony, the Planning Commission of the City of San Diego considered Planned Development Permit No. 9812, amending Planned Residential Development Permit No. 15, pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated February 3, 2005.

Planned Development Permit – Land Development Code Section 126.0604

1. The proposed development will not adversely affect the applicable land use plan.

The Community Facilities Element of the Navajo Community Plan acknowledges that the effectiveness of emergency services is diminished in the Navajo Community due to a fragmented street pattern requiring longer response times. In addition, one of the policies of the Mobility Element of the adopted Strategic Framework Element is to promote an interconnected street/trail network. The proposed opening of the Upper Gate for emergency and residential use would conform to the cited policies. Opening of the Upper Gate would also help facilitate access to Madra Avenue and Murray Park Drive, streets identified as two-lane collectors in the Navajo Community Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

Based on a traffic analysis, there will be no significant detrimental impacts to neighboring streets that might be detrimental to the public health, safety or welfare of other residents in the community.

3. The proposed development will comply with the regulations of the Land Development Code.

The proposed development will remain unchanged and approved conditions of PRD 15 will remain in effect. Mechanical means to provide controlled access are currently available to the property owner who can choose to implement them.

4. The proposed development, when considered as a whole, will NOT be beneficial to the community.

After reviewing submitted exhibits and considering public testimony, the Planning Commission has determined that there exists an adequate ability for the Homeowners (Del Cerro Heights) Association to install an emergency access, both in- and out- gate, that would serve their needs and as is required by the existing PRD. Therefore, an amendment to the PRD allowing controlled access is not required. Therefore, the Planning Commission has determined that the proposed modification to the existing PRD, when considered as a whole, will NOT be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

No deviations are being requested and no modifications are being made to the existing developed PRD. The utilization of an existing access point for emergency purposes can continue to be utilized for such use.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Planned Development Permit No. 9812 is hereby DENIED by the Planning Commission to the referenced Owner/Permittee.

William C. Tripp
Development Project Manager
Development Services

Adopted on: December 9, 2004

Job Order No. 42-1254

cc: Legislative Recorder, Planning Department