

RESOLUTION NO. 204266
Planned Residential Development Permit No. 39

NOV 23 1971

WHEREAS, R. W. KERNS, an individual, Owner, HAROLD J. O'BRIEN, an individual, hereafter referred to as "Permittee," filed an application for a permit to construct and operate a planned residential development, located on the east side of La Jolla Mesa Drive and north of Lamplight Drive, being portions of Lots 2 and 3, Pueblo Lot 1782, more particularly described in Appendix "A" attached hereto and made a part hereof, in the R-1-5 Zone; and

WHEREAS, on October 13, 1971, the Planning Commission of The City of San Diego made its findings of facts, and granted Planned Residential Development Permit No. 39 to Permittee to construct and operate said planned residential development and filed the same in the office of the City Clerk on October 26, 1971; and

WHEREAS, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, LA JOLLA MESA VISTA HOME OWNERS ASSOCIATION, by PETER W. FOWLER, President, under date of October 22, 1971, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on November 23, 1971, 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,
as follows:

All of the following facts exist with respect to the denial of Planned Residential Development Permit No. 39 on the property described in the preamble of this resolution.

1. The proposed use at the particular location is not necessary to provide a facility which will contribute to the general well-being of the community.

2. Such use will, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

3. All design criteria and minimum standards for a Planned Residential Development will not be met.

4. The granting of this permit will adversely affect the General Plan of the City of San Diego and the La Jolla Community Plan.

The above findings are further supported by the minutes, tape of the proceedings, maps and exhibits, all of which are herein incorporated by reference.

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BE IT FURTHER RESOLVED, that by a vote of 5 to 2, the appeal of LA JOLLA MESA VISTA HOME OWNERS ASSOCIATION, by PETER W. FOWLER, is hereby granted and said Planned Residential Development Permit No. 39 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Chief Deputy

FCC:plm
12-7-71

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Passed and adopted by the Council of The City of San Diego on NOV 23 1971,
by the following vote:

Record 12-9-71

| Councilmen | Yeas | Nays | Excused | Absent |
|-----------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| Helen Cobb | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sam T. Loftin | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Henry L. Landt | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Floyd L. Morrow | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Bob Martinet | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Allen Hitch | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mike Schaefer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Frank Curran | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.
EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By *Judith A. Hillen*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 204266 Adopted NOV 23 1971
eh