

RESOLUTION NO. 204407 DEC 14 1971
Planned Residential Development Permit No. 38

WHEREAS, C. H. and MARILYN L. RAPIER, HERBERT R. and CHERRY A. MOORE, and others, Owners, and RICHARD A. MCKEE CONSTRUCTION COMPANY, a California corporation, hereafter referred to as "Permittee," filed an application for a permit to construct and operate a planned residential development, located on the west side of Catalina Boulevard, between Alicia Drive and Atascadero Drive, being portions of Lots 22-25, Catalina Villas, Map No. 1892, on file in the office of the County Recorder, 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. 38 to Permittee to construct and operate said planned residential development and filed the same in the office of the City Clerk on October 27, 1971; and

WHEREAS, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, GERALD A. ESTEP, GEORGE P. and VIRGINIA G. SCHUMACHER, and others, under date of November 5, 1971, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on December 14, 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. 38 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 Peninsula 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.

BE IT FURTHER RESOLVED, that by a vote of 7 to 1, the appeal of GERALD A. ESTEP, GEORGE P. and VIRGINIA G. SCHUMACHER, and others,

is hereby granted and said Planned Residential Development Permit
No. 38 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Chief Deputy

FCC:plm
12-30-71

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204407

APPENDIX A
LEGAL DESCRIPTION

ALL OF LOTS 23, 24 AND 25 AND THAT PORTION OF LOT 22 OF CATALINA VILLAS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1892, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 11, 1926, LYING SOUTHWESTERLY OF A LINE DRAWN FROM THE MIDPOINT OF THE NORTHWESTERN LINE OF SAID LOT TO THE MIDPOINT OF THE SOUTHEASTERLY LINE OF SAID LOT; TOGETHER WITH THAT PORTION OF THE 15.00 FOOT WIDE ALLEY BETWEEN SAID LOTS 22 AND 23 LYING SOUTHEASTERLY OF THE SOUTHWESTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF SAID LOT 22.

EXCEPTING THEREFROM ALL THAT PORTION OF THE SOUTHERLY 50.00 FEET OF LOT 25 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 25, THENCE WESTERLY ALONG THE SOUTHERLY LINE THEREOF 135.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTHERLY TO A POINT ON THE NORTHERLY LINE OF THE SOUTHERLY 50.00 FEET OF SAID LOT 25, SAID POINT BEING 140.00 FEET WESTERLY OF THE EAST LINE OF SAID LOT 25, SAID 140.00 FEET BEING MEASURED ALONG THE NORTH LINE OF THE SOUTHERLY 50.00 FEET OF SAID LOT 25.

ALSO EXCEPTING THEREFROM ALL THAT PORTION OF THE NORTHERLY 50.00 FEET OF LOT 25 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 25, THENCE WESTERLY ALONG THE NORTHERLY LINE THEREOF 125.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHERLY TO A POINT ON THE SOUTH LINE OF THE NORTHERLY 50.00 FEET OF SAID LOT 25, SAID POINT BEING 125.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID LOT 25, SAID 125.00 FEET BEING MEASURED ALONG THE SOUTH LINE OF THE NORTHERLY 50.00 FEET OF SAID LOT 25.

ALSO EXCEPTING THEREFROM ALL THAT PORTION OF THE SOUTHERLY 50.00 FEET OF LOT 24 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 24, THENCE WESTERLY ALONG THE SOUTHERLY LINE THEREOF 125.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTHERLY TO A POINT IN THE NORTH LINE OF THE SOUTHERLY 50.00 FEET OF SAID LOT 24, SAID POINT BEING 125.00 FEET FROM THE EASTERLY LINE OF SAID LOT 24, SAID 125.00 FEET BEING MEASURED ALONG THE NORTH LINE OF THE SOUTHERLY 50.00 FEET OF SAID LOT 24.

ALSO EXCEPTING THEREFROM ALL THAT PORTION OF THE NORTHERLY 50.00 FEET OF LOT 24 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 24, THENCE WESTERLY ALONG THE NORTHERLY LINE THEREOF 125.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHERLY TO A POINT IN THE SOUTH LINE OF THE NORTHERLY 50.00 FEET OF SAID LOT 24, SAID POINT BEING 125.00 FEET

LEGAL DESCRIPTION (continued)

FROM THE EASTERLY LINE OF SAID LOT 24, SAID 125.00 FEET BEING MEASURED ALONG THE SOUTH LINE OF THE NORTHERLY 50.00 FEET OF SAID LOT 24.

ALSO EXCEPTING THEREFROM ALL THAT PORTION OF THE SOUTHERLY 50.00 FEET OF LOT 23 LYING WEST OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 23, THENCE WESTERLY ALONG THE SOUTHERLY LINE THEREOF 121.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTHERLY TO A POINT ON THE NORTH LINE OF THE SOUTHERLY 50.00 FEET OF SAID LOT 23, SAID POINT BEING 121.00 FEET WESTERLY OF THE EAST LINE OF SAID LOT 23, SAID 121.00 FEET BEING MEASURED ALONG THE NORTH LINE OF THE SOUTHERLY 50.00 FEET OF SAID LOT 23.

ALSO EXCEPTING THEREFROM ALL THAT PORTION OF THE NORTHERLY 50.00 FEET OF LOT 23 LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 23, THENCE WESTERLY ALONG THE NORTHERLY LINE THEREOF 122.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHERLY TO A POINT ON THE SOUTH LINE OF THE NORTHERLY 50.00 FEET OF SAID LOT 23, SAID POINT BEING 121.00 FEET WESTERLY OF THE EASTERLY LINE OF SAID LOT 23, SAID 121.00 FEET BEING MEASURED ALONG THE SOUTHERLY LINE OF THE NORTHERLY 50.00 FEET OF SAID LOT 23.

Passed and adopted by the Council of The City of San Diego on DEC 14 1971,
 by the following vote:

RECEIVED
 & CITY CLERK'S OFFICE
 1972 JAN -3 AM 10:32
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maureen F. O'Connor	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By Judith A. Nielsen, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 204107 Adopted DEC 14 1971
eh