

RESOLUTION NO. 204634 JAN 13 1972
Planned Residential Development Permit No. 41

WHEREAS, ROBERT W. KERNS, Owner, and MARINE BUILDERS COMPANY, INC., a California corporation, hereafter referred to as "Permittee," filed an application for a permit to construct and operate a planned residential development, located north of Forward Street and east of Bellevue Avenue, being a portion of Bird Rock City by the Sea, Map 975, a portion of Lot 9 of La Jolla Butterfield Estates, Map 3782, and a portion of Lot 5 in Pueblo Lot 1782 in the City of San Diego, County of San Diego, State of California, more particularly described in Appendix "A" attached hereto and made a part hereof, on file in the office of the County Recorder, in the R-1-5 zone; and

WHEREAS, on December 8, 1971, the Planning Commission of The City of San Diego made its findings of facts, and denied Planned Residential Development Permit No. 41 and filed the same in the office of the City Clerk on December 16, 1971; and

WHEREAS, pursuant to the provisions of Section 101.0900 of the San Diego Municipal Code, MARINE BUILDERS CO., INC., by Harrison Waite, under date of December 17, 1971, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on January 13, 1972, 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. 41 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.

BE IT FURTHER RESOLVED, that by a vote of 9 to 0 the appeal of MARINE BUILDERS CO., INC., by Harrison Waite is hereby denied and said Planned Residential Development Permit No. 41 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Chief Deputy

FCC:nkr
1-26-72

JAN 13 1972

Passed and adopted by the Council of The City of San Diego on
by the following vote:

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1972 JAN 31 AM 8:38
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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. Hillen*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 204634 Adopted JAN 13 1972
efh