

APR 25 1978

WHEREAS, LAWRENCE R. REGA, Civil Engineer, appealed the decision of the Planning Commission in denying Preliminary Parcel Map 77-319, which proposes a two-parcel map of Lots 13-16, Block 70, Middletown Addition, Map No. 384, located on the southwest side of Neale Street between Wellborn and Washington Streets, in the R-1-5 and R-1-5 HR Zones, and within the Uptown Community Plan area; and

WHEREAS, on March 9, 1978, the Planning Commission voted 4 to 1 to deny the preliminary parcel map; and

WHEREAS, on March 20, 1978, pursuant to the provisions of Section 102.0203 of the San Diego Municipal Code, LAWRENCE R. REGA, Civil Engineer, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on April 18, 1978, continued to April 25, 1978, and testimony having been heard, evidence having been submitted, and the City Council having full considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council in considering said appeal is empowered by the provisions of Municipal Code, Section 102.0203, to affirm, reverse, or modify, in whole or in part, any determination of the Planning Commission, subject to the limitations as are placed upon the Planning Commission by the Municipal Code; NOW, THEREFORE,

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BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That the City Council adopts the findings of the Subdivision Review Board on Preliminary Parcel Map 77-318, as follows:

1. The proposed map is consistent with the General Plan and Uptown Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are not consistent with the General Plan and Uptown Community Plan and R-1-5 Zoning/Development Regulations.

3. The site is not physically suitable for the proposed residential development.

4. The site is suitable for the proposed residential density of development.

5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage based upon the findings of the Environmental Report EQD No. 77-11-23 ND.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems; however, the map is not consistent with the R-1-5 Zone and City development regulations.

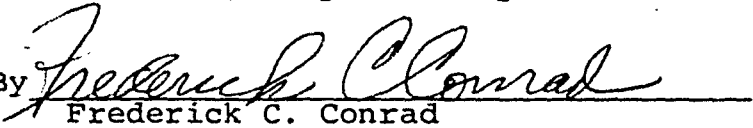
7. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8, That said 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 LAWRENCE R. REGA, Civil Engineer, is denied, the decision of the Planning Commission sustained, and said preliminary parcel map is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:clh
5/22/78
T.M. 77-318
Or.Dept.:Clerk

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

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<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"/>
Bill Lowery	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<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)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Jay R. Page*, Deputy.

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Office of the City Clerk, San Diego, California

Resolution Number **220736** Adopted **APR 25 1978**

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