

WHEREAS, MARY T. KELLEY appealed the decision of the Planning Commission in approving Preliminary Parcel Map 77-116, which proposes a two-parcel parcel map of Parcel 1, Parcel Map 846, located on the north side of Via Latina in the R-1-5 and R-1-5 HR Zone, and within the boundaries of the Torrey Pines Community Plan; and

WHEREAS, on June 1, 1978, the Planning Commission voted 5 to 0 to approve the preliminary parcel map; and

WHEREAS, on June 9, 1978, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, MARY T. KELLEY appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on June 27, 1978, and testimony having been heard, evidence having been submitted, and the City Council having fully 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 102.0308, 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,

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

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That the City Council adopt the findings recommended by the Planning Department, as follows:

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

2. The design and proposed improvements for the subdivision are consistent with the General Plan and Torrey Pines Community Plan and R-1-5 Zone and R-1-5 Zone Variance Development Regulations.

3. The site is physically suitable for 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. 77-04-27P Amendment.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as the map is consistent with R-1-5 Zone and requested R-1-5 Zone Variance and conforms with 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.

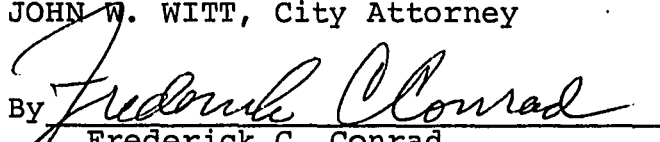
8. That said Findings are supported by the minutes, map and exhibits, all of which are herein incorporated by reference.

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BE IT FURTHER RESOLVED, that the appeal of MARY T. KELLEY is denied, the decision of the Planning Commission to approve the preliminary parcel map is sustained, and said preliminary parcel map is hereby granted.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad
Chief Deputy City Attorney

FCC:clh
8/8/78
T.M. 77-116
Or.Dept.:Clerk

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Passed and adopted by the Council of The City of San Diego on JUN 27 1978,
 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By *Angela Page*, Deputy.

(Seal)

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Office of the City Clerk, San Diego, California	
Resolution Number 221285	Adopted JUN 27 1978