

WHEREAS, SHELDON and MARTHA TYSON appealed the decision of the Planning Commission in approving Preliminary Parcel Map 78-103, which proposes a two-parcel parcel map of Lot 7 and the northerly 25 feet of Lot 8, Block 5, Beverly Heights, Map 2229, located on the west side of Mar Avenue opposite the intersection of Massena Street, in the R-1-5 Zone, and within the boundaries of the La Jolla Community Plan; and

WHEREAS, on May 18, 1978, the Planning Commission voted 7 to 0 to approve the preliminary parcel map; and

WHEREAS, on June 1, 1978, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, SHELDON and MARTHA TYSON appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on June 27, 1978, continued to July 11, 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,

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

That the City Council adopt the findings of the Subdivision Review Board, as follows:

1. The proposed map is consistent with the General Plan and La Jolla 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 La Jolla Community Plan and R-1-5 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. 78-02-45 ND.

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.

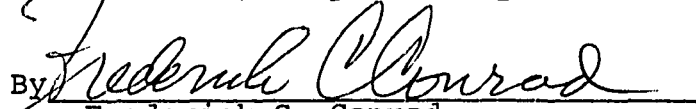
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8. The undergrounding utility requirements for existing facilities are waived since the conversion involves a short span of overhead facility (less than 600 feet in length) and it has been determined that such conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area. The undergrounding utility requirements for existing facilities are waived since the conversion would represent an isolated undergrounding with a minimum possibility of extension in the future.

9. 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 SHELDON and MARTHA TYSON 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
8/2/78
T.M. 78-103
Or.Dept.:Clerk

221472 MICROFILMED

Passed and adopted by the Council of The City of San Diego on JUL 25 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 Betty Lueshing, Deputy.

(Seal)

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Resolution Number 221472 Adopted JUL 25 1978

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