

SEP 19 1978

WHEREAS, DOUGLAS B. and DOROTHY A. BYRNE appealed the Decision of the Planning Commission in denying Preliminary Parcel Map 78-81, which proposes a two-parcel parcel map of Lot 945, Mission Village Unit No. 10, Map 3883, located on the southeast side of Overton Avenue southerly of Wilbee Court, in the R-1-5 Zone, and within the boundaries of the Serra Mesa Community Plan; and

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

WHEREAS, on June 6, 1978, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, DOUGLAS B. and DOROTHY A. BYRNE appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on September 19, 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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All of the following facts exist with respect to Preliminary Parcel Map 78-81:

1. The proposed map is consistent with the General Plan and Serra Mesa 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 Serra Mesa Community Plan and R-1-5 Zoning/Development Regulations.

3. The site is physically suitable for increased residential development.

4. The site is suitable for the proposed increased 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 Environmental Report EQD No. 78-02-49 ND.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems; the map is consistent with R-1-5 zoning and does conform 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, maps and exhibits, all of which are herein incorporated by reference.

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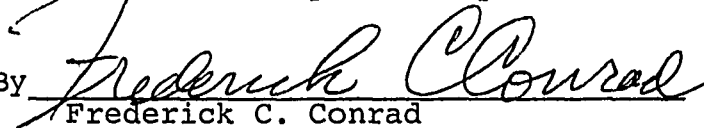
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BE IT FURTHER RESOLVED, that the appeal of DOUGLAS R. and DOROTHY A. BYRNE is granted, the decision of the Planning Commission is overruled, and said Preliminary Parcel Map 78-81 is hereby granted.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad
Chief Deputy City Attorney

ECC:clh
11/21/78
T.M. 78-81
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 Betty Sweeney, Deputy.

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Resolution Number 221847 Adopted SEP 19 1978