

RESOLUTION NO. 222349

DEC 5 1978 R.79-1506

WHEREAS, HENRY R. FLETCHER, agent for JAMES RIEMAN, appealed the decision of the Planning Commission in failing to approve Preliminary Parcel Map 78-280, which proposes a two-parcel parcel map of VILLA LOT 19, Mission Hills, Map 1115, located between Allen Road and Sierra Vista and southerly of Altura Place in the R-1-5, R-1-5 HR and R-1-40 HR Zones, and within the boundaries of the Uptown Community Plan; and

WHEREAS, on October 19, 1978, the Planning Commission of The City of San Diego voted 3 to 3 on a motion to approve the preliminary parcel map; due to the lack of four votes this is deemed a denial; and

WHEREAS, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, HENRY R. FLETCHER, agent for JAMES RIEMAN, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on November 14, 1978, continued to December 5, 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:

1. The proposed map is not consistent with the General Plan and Uptown Community Plan which designate the property for residential and open space uses.

2. The design and proposed improvements for the subdivision are not consistent with the General Plan and Uptown Community Plan and R-1-5 and R-1-40 Zoning/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. 78-07-49.


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 R-1-5 and R-1-40 zoning and does not 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.

BE IT FURTHER RESOLVED, that the appeal of HENRY R. FLETCHER, agent for JAMES RIEMAN, is denied, the decision of the Planning Commission sustained, and said preliminary parcel parcel map is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

for  BY _____
Frederick C. Conrad
Chief Deputy City Attorney

FCC:clh
2/10/79
T.M. 78-280
Or.Dept.:Clerk

DEC 5 1978

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

Councilmen	Yeas	Nays	Not Present	Ineligible
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 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 type="checkbox"/>	<input checked="" 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"/>
Lucy Killea	<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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Betty Goldberg, Deputy.

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Resolution Number **222349** Adopted **DEC 5 1978**