

RESOLUTION NO. 223299 (R.80-1566)

MAR 17 1979

WHEREAS, JAY M. BRAUN, appealed the decision of the Planning Commission in approving the proposed T. M. 78-321 for Cedar Ridge Subdivision which proposes a 58-lot subdivision of Lots 16 through 24, and Fractional Lot 15, Block 87; Lots 13 through 19, Block 88; Lots 1 through 9, 16 through 24, Fractional Lots 10 and 15, Block 110; Lots 6 through 12, Block 116, Choates Addition, Map No. 351 and Lots 13 through 24, Block 86; Lots E through H, Block 87; Lots A through H, Block 110 and Lots 1 through 24, Block III, Morse, Whaley and Dalton's Subdivision, Map No. 516. The property is located west of 1-15 between Ash Street and Pentucket Avenue in the R-1-5, R-1-5 HR, R-2 and R-2 HR Zones and within the boundaries of the Park North East Community Plan; and

WHEREAS, on March 8, 1979, the Planning Commission voted 5 to 0 to deny the appeal, approve the tentative map and uphold the decision of the Subdivision Board; and

WHEREAS, on March 21, 1979, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, JAY M. BRAUN appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on April 17, 1979, 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

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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:

That the City Council adopts findings of the Subdivision Board as follows:

1. The proposed map is consistent with the General Plan and Park Northeast 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 Park Northeast Community Plan and R-1-5, R-1-5 HR, R-2 and R-2 HR Zoning/Development Regulations and conforms with PRD 143.

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. 78-08-37 N.D.

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, R-1-5 HR, R-2 and R-2 HR zoning 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, maps and exhibits all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the appeal of JAY M. BRAUN is denied, the decision of the Planning Commission to deny the appeal and uphold the decision of the Subdivision Board is sustained, and said tentative map is hereby granted.

APPROVED: JOHN W. WITT, City Attorney

By 

Frederick C. Conrad  
Chief Deputy City Attorney

FCC:ps  
2/28/80  
Or. Dept. Clerk  
T.M. 78-321

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Passed and adopted by the Council of The City of San Diego on APR 17 1979,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Barbara Berridge, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number	<u>223299</u> Adopted <u>APR 17 1979</u>

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