

RESOLUTION NO. R-223746 (R.80-1581)

JUN 18 1979

WHEREAS, ROBERT A. GILES appealed the decision of the Planning Commission in failing to approve Preliminary Parcel Map 79-10, which proposes a two-parcel parcel map of a portion of Lots 3 and 4, Block 465 of Old San Diego. The property is located between Presidio Drive and Cosoy Way westerly of Altamirano Way in the R-1-5 Zone and within the boundaries of the Uptown Community Plan; and

WHEREAS, on April 5, 1979, the Planning Commission of The City of San Diego voted 4 to 2 to deny the preliminary parcel map, and filed said decision in the office of the City Clerk on May 22, 1979; and

WHEREAS, on April 17, 1979, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, ROBERT A. GILES appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on May 8, 1979, continued to May 22, 1979, June 5, 1979, and June 18, 1979, 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 adopts the findings of the Planning Commission as follows:

1. The proposed map is not consistent with the General Plan and Uptown Community Plan which designate the property for residential use, in that the proposed tentative map is not consistent with existing character and development in the area.

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

3. The site is not physically suitable for residential development.

4. The site is not 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. 79-01-10 N.D.

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 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.

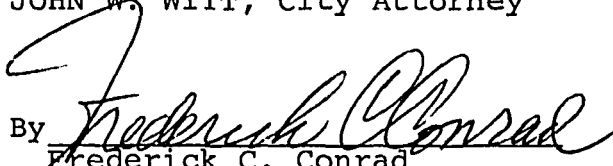
8. That said findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

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BE IT FURTHER RESOLVED, that the appeal of ROBERT A. GILES is denied, the decision of the Planning Commission sustained, and said preliminary parcel map is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
2/28/80
Or.Dept. Clerk
T.M. 79-10

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Passed and adopted by the Council of The City of San Diego on JUN 18 1979,
 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 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.

(Seal)

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

By Rita Andrus, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>7-223746</u>	Adopted <u>JUN 18 1979</u>

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