

JUL 3 1979

WHEREAS, SHAPELL INDUSTRIES OF SAN DIEGO, appealed the decision of the Planning Commission in approving the proposed T. M. 76-180 for Mesa Del Sol Subdivision, which proposes an approximately 297-lot subdivision and Planned Residential Development of a portion of Ice Skating Arena, Map 7424 and a portion of Section 30, Township 14 South, Range 2 West, S.B.B.M., located north of Galvin Road at the northerly extension of Black Mountain Road in the A-1-10 (proposed R-1-5 and R-2) Zone; and

WHEREAS, on March 8, 1979, the Planning Commission of The City of San Diego voted 3 to 1 on a motion to deny the appeal; due to the lack of four votes this is deemed a denial; and

WHEREAS, on March 14, 1979, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, SHAPELL INDUSTRIES OF SAN DIEGO, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on April 3, 1979, continued to April 10, 1979, May 1, 1979, May 15, 1979, May 21, 1979, June 12, 1979, June 18, 1979, and July 3, 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,

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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:

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

1. The proposed map is consistent with the General Plan and the Mira 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 the Mira Mesa Community Plan and R-1-5 and R-2 zoning, CUP 286 and PRD 105 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. 74-1-014P.

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 and R-2 zoning and conforms with City development regulations for CUP 286 and PRD 105.

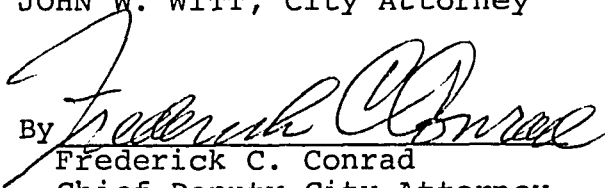
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7. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

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 SHAPELL INDUSTRIES OF SAN DIEGO 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
3/6/80
T.M. 76-180
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	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 type="checkbox"/>	<input checked="" 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 Barbara Berridge, Deputy.

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Office of the City Clerk, San Diego, California

Resolution Number **223909** Adopted **JUL 3 1979**