

DEC 11 1979

WHEREAS, VICTOR T. WIGLESWORTH appealed the decision of the Planning Commission in denying the proposed Tentative Subdivision Map No. 79-97 for Broadway Heights Vista which proposes a four-lot subdivision of a portion of Broadway Heights, Map 3830. The subject property is located on the south side of Federal Boulevard at MacArthur Drive, in the R-1-6 Zone and within the boundaries of the Southeast San Diego Community Plan; and

WHEREAS, on November 1, 1979, the Planning Commission voted 4 to 1 to deny the tentative subdivision map and overrule the decision of the Subdivision Board; and

WHEREAS, on November 13, 1979, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, VICTOR T. WIGLESWORTH appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on December 11, 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 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 Planning
Commission as follows:

1. The proposed map is consistent with the General Plan
and Southeast San Diego Community Plan which designate the
property for residential use.

2. The design and proposed improvements for the sub-
division are consistent with the General Plan and Southeast
San Diego Community Plan and R-1-6 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 improve-
ments will not cause substantial environmental damage, based
upon the findings of the Environmental Report EQD No. 79-03-12 EIR;
however, the problems of flooding on the subject property have
not been adequately addressed by the map.

6. The design of the subdivision and the type of improve-
ments will not likely cause serious public health problems inas-
much as the map is consistent with R-1-6 zoning and conforms with
City development regulations.

7. The design of the subdivision and the type of improve-
ments 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.


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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 VICTOR T. WIGLESWORTH is denied, the decision of the Planning Commission to deny the appeal and overrule the decision of the Subdivision Board is upheld, and said tentative map is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By 
for Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
3/28/80
Or.Dept. Clerk
T.M.79-97

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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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

By Barbara Berridge, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-250821 Adopted _____ DEC 11 1979

CC-1276 (REV. 10-78)

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