

JUL 1 1980

WHEREAS, STEPHENIE ZINOVOY appealed the decision of the Planning Commission in failing to approve Preliminary Parcel Map 79-436, which proposes a two-lot division of Lot 3, Sorrento Estates, Map 8735. The subject property is located on the south side of Arroyo Sorrento Road, east of Tierra Del Sur in the A-1-1 (HR) Zone and within the boundaries of the Progress Guide and General Plan.

WHEREAS, on November 29, 1979, the Planning Commission of The City of San Diego voted 3 to 2 on a motion to approve the preliminary parcel map; due to the lack of four votes this is deemed a denial; and

WHEREAS, on November 29, 1979, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, STEPHENIE ZINOVOY appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on April 22, 1980, continued to June 24 and July 1, 1980, 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:

1. The proposed map is consistent with the General Plan which designates the property for agricultural use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan and A-1-1 Zoning/Development Regulations.

3. The site is physically suitable for agricultural development.

4. The site is suitable for the proposed 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. 79-09-23 ND.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems; the map is consistent with A-1-1 zoning and does conform with City 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.

R-252218

BE IT FURTHER RESOLVED, that Preliminary Parcel Map 79-436 is subject to the following extra conditions:

1. The "General Conditions of Approval for Tentative Maps" filed in the office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval.

2. This property is subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code Section 102.0406 et seq.

This property is also subject to Building Permit park fee in accordance with San Diego Municipal Code Section 96.0401 et seq.

3. Undergrounding of proposed public utility systems and service facilities is required according to San Diego Municipal Code Section 102.0404, Subsection 2.

4. The subdivider must provide a soils report as required by Section 102.0411, San Diego Municipal Code, and by Chapter 4, Article 7, California Subdivision Act, and a geological reconnaissance on the subject property to determine the stability of the soil.

5. The subdivider must enter into an agreement with the City waiving the right to oppose a 1911 Act Assessment District initiated for street and utility improvements on Arroyo Sorrento Road.

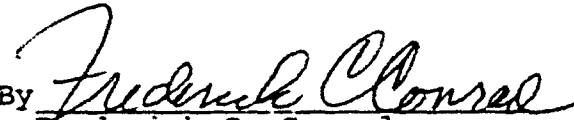
6. Prior to the recording of the final parcel map, the subdivider must provide the City Engineer with evidence of County Health Department approval for the use of septic tanks to sewer the project.

0' 928

7. The subdivider must enter into an agreement with the City waiving the right to oppose a 1911 Act Assessment District initiated for a water main crossing the I-5 freeway or other type connection to provide an adequate water supply.

BE IT FURTHER RESOLVED, that the appeal of STEPHENIE ZINOVY is granted, the decision of the Planning Commission is overruled, and Preliminary Parcel Map 79-436 is hereby granted.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:ps  
9/8/80  
PM 79-436  
Or.Dept. Clerk

Passed and adopted by the Council of The City of San Diego on JUL 1 1980,  
 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"/> |
| Bill Cleator      | <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 type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Fred Schnaubelt   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch        | <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 type="checkbox"/>            | <input checked="" 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.

By Ellen Board, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-252218 Adopted JUL 1 1980