

RESOLUTION NO. R-253466

(R.81-956)

RESOLUTION ADOPTING FINDINGS IN SUPPORT OF
THE APPROVAL OF PARCEL MAP TM 80-1

JAN 19 1981

WHEREAS, CHARLES W. CHRISTENSEN & ASSOCIATES appealed to the City Council from the decision of the Planning Commission to deny Parcel Map 80-1, which proposes a two lot division of Lot 1, Roseland Terrace and a portion of Pueblo Lot 1287 of the Pueblo Lands of San Diego, Miscellaneous Map 36. The subject property is located on the south side of Roseland Drive at Torrey Pines Road in the SF (Single Family) Zone and within the boundaries of the La Jolla Shores Planned District; and

WHEREAS, said appeal was set for public hearing on May 13, 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 and is empowered by the provisions of Municipal Code Section 102.0413 to grant variances or suspend any provision of the subdivision requirements providing there are special circumstances or conditions that warrant such action and that such action will not be materially detrimental to the general welfare of adjacent persons or property; NOW, THEREFORE,

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BE IT RESOLVED, that the City Council of the City of San Diego makes the following findings:

1. The proposed map is consistent with the General Plan and La Jolla Shores Planned District which designate the property for residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan and La Jolla Shores Planned District and SF Zoning/Development Regulations based on the following:

a. The proposed parcel exceeds the minimum lot size for the SF Zone.

b. The parcel is provided with 15 feet of frontage upon a street by virtue of the panhandle configuration of the parcel and a variance from the requirement that the parcel have direct access to a street is justified by the fact that an existing easement provides access to the property. The variance to allow easement access to the parcel will not be materially detrimental to the general welfare of adjacent persons because several of the adjacent lots are presently provided access over the existing easement. Permitting the use of the easement for access to the parcel will be consistent with the existing development in the immediate vicinity which derives its access by the same easement as the proposed lot and the additional traffic generated by the proposed lot will not exceed the traffic capacity of the easement.

c. The existence of the easement which provides ready access to the parcel, as well as adjacent parcels, represents a special circumstance or condition that warrants the variance of the requirement for direct street access. Providing access through use of the easement will be less disruptive of existing development than would use of the panhandle area. The existing easement is developed with a road whereas an elongated drive would have to be developed to provide street access utilizing the panhandle areas.

d. The variance or suspension of the requirement of Municipal Code Section 102.0402 relating to street frontage which is open to and useable by vehicular traffic is not inconsistent with state law.

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. 79-06-33.1 N.D.

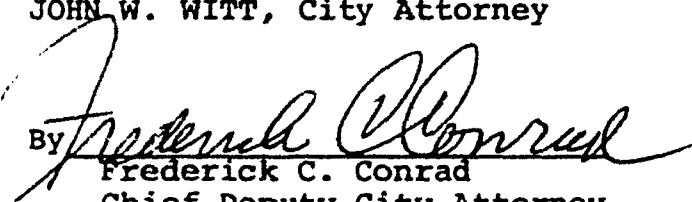
6. The design of the subdivision and the type of improvements will not likely cause serious public health problems.

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 CHARLES W. CHRISTENSEN & ASSOCIATES is upheld and Parcel Map T.M. 80-1 is hereby approved.

APPROVED: JOHN W. WITT, City Attorney

BY 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
11/17/80
TM 80-1

Passed and adopted by the Council of The City of San Diego on JAN 19 1981,
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT
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"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 June A. Blackwell, Deputy.

(Seal)

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-253466</u>	Adopted <u>JAN 19 1981</u>