

RESOLUTION NO.

R-253762

MAR 10 1981

WHEREAS, the Subdivision Board considered and approved Parcel Map No. 79-411 on January 14, 1980; and

WHEREAS, the action of the Subdivision Board was appealed to the Planning Commission and considered by the Planning Commission on February 21, 1980; and

WHEREAS, the Planning Commission denied the appeal and upheld the decision of the Subdivision Board; and

WHEREAS, the decision of the Planning Commission was appealed by the Skyline Paradise Hills Planning Committee to the City Council; and

WHEREAS, the appeal came before the City Council for consideration on March 18, 1980; continued to March 25, April 1, and May 13, 1980; and

WHEREAS, the City Council received testimony from all interested parties and considered documentary evidence presented to it; and

WHEREAS, on May 13, 1980 the City Council upheld the appeal of the Skyline Paradise Hills Planning Committee and denied Parcel Map No. 79-411; and

WHEREAS, on August 20, 1980, the applicants who sought approval of Parcel Map No. 79-411 filed with the Superior Court of California, County of San Diego, a civil complaint entitled Clarence Kiffe, et al. v. The City of San Diego, Case No. 457281; and

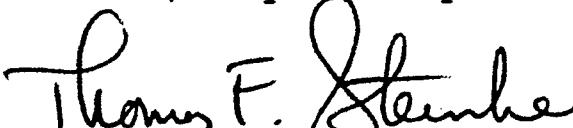
WHEREAS, on February 17, 1981 the Honorable Gerald Lewis after hearing oral argument, reviewing the administrative record and considering points and authorities submitted by counsel, ordered a preemptory writ of mandate to issue which commanded The City of San Diego to set aside its decision of May 13, 1980 which upheld the appeal of the Skyline Paradise Hills Planning Committee and denied Parcel Map No. 79-411; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That Resolution No. R. 251810 which was adopted on May 13, 1980 is hereby rescinded; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to renotice a public hearing for further consideration concerning the appeal of the Skyline Paradise Hills Planning Committee from the decision of the Planning Commission on February 21, 1980 which approved Parcel Map No. 79-411.

APPROVED: JOHN W. WITT, City Attorney

By 
Thomas F. Steinke, Deputy

TFS:db
3/4/81 REV. 3/5/81
Lit.

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Passed and adopted by the Council of The City of San Diego on MAR 10 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Susan Golding | <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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Mike Gotch | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Dick Murphy | <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.

Barbara Beridge Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-253762 Adopted MAR 10 1981