

(R-82-622)

RESOLUTION NUMBER R- **255152**

Adopted on OCT 6 1981

WHEREAS, EMMA MASSERY appealed the decision of the Planning Commission in denying Preliminary Parcel Map PM-02-123-0, which proposes a two-lot division of Lot 6, Redland Gardens Extension, Map-1778, located on the northwest corner of 55th Street and Collier Avenue in the R-1-5 Zone and within the boundaries of the State University Community Plan; and

WHEREAS, on August 20, 1981, the Planning Commission of The City of San Diego voted 7 to 0 to deny the appeal and the preliminary parcel map, and filed said decision in the office of the City Clerk on September 9, 1981; and

WHEREAS, on September 3, 1981, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, EMMA MASSERY appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on October 6, 1981, 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:

That the City Council adopts findings as follows:

1. The proposed map is not consistent with the General Plan and State University Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are not consistent with the General Plan, State University Community Plan, R-1-5 Zoning/Development Regulations and State Map Act Section 66473.1.

3. The site is 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 improvements will not cause substantial environmental damage, based upon the findings of the Environmental Report EQD No. 81-05-21 EX.

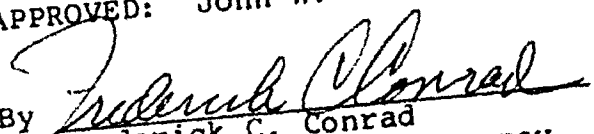
6. The design of the subdivision and the type of improvements will not likely cause serious public health problems; however, the map is not consistent with R-1-5 zoning and does not conform with City development regulations.

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.

BE IT FURTHER RESOLVED, that the appeal of EMMA MASSERY is denied, the decision of the Planning Commission is upheld, and said Preliminary Parcel Map PM-02-123-0 is hereby denied.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
12/3/81
Or Dept:Clerk
PM-02-123-0
R-82-622

R-255152

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OCT 6 1981

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"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" 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 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 Maguel L. Pontecorvo, Deputy.

Office of the City Clerk, San Diego, California

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