

RESOLUTION NUMBER R- 257278

Adopted on OCT 4 1982

WHEREAS, ELAINE BURNETTE GARCIA, by Charles W. Christensen & Associates, appealed the decision of the Planning Commission in denying the proposed Tentative Map for a two-lot parcel map of Lot 12, Block A, Riviera Villas, Map No. 1929, located at 1246 Trieste Avenue, south of Point Loma Avenue, in the R-1-5 Zone and within the boundaries of the Peninsula Community Plan; and

WHEREAS, on July 22, 1982, the Planning Commission voted 6 to 0 to deny the appeal, deny the Tentative Map and uphold the decision of the Subdivision Board; and

WHEREAS, on July 22, 1982, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, ELAINE BURNETTE GARCIA, by Charles W. Christensen & Associates, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on August 17, 1982 and continued to October 4, 1982 at the request of Charles W. Christensen & Associates for full Council hearing on said date, 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 Subdivision Board as follows:

1. The proposed map is consistent with the General Plan and Peninsula Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan, but not with R-1-5 Zoning/Development Regulations.

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. 82-0246 ND.


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.

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 ELAINE BURNETTE GARCIA, by Charles W. Christensen & Associates, is denied; the decision of the Planning Commission to deny the appeal and uphold the decision of the Subdivision Board is sustained, and said Tentative Map is hereby denied.

APPROVED: John W. Witt, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:imb  
12/07/82  
Or.Dept:Clerk  
T.M. No. 82-0246  
Form=r.none

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
by the following vote:

OCT 4 1982

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"/>
Ed Struiksma	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Ellen Boward, Deputy.

RECEIVED  
CITY CLERK'S OFFICE

1982 DEC -8 AM 9:35

SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number R-257278 Adopted OCT 4 1982