

(R-83-798)

RESOLUTION NUMBER R-257469

Adopted on November 9, 1982

WHEREAS, GENSTAR DEVELOPMENT INC., by Bruce Warren, appealed the decision of the Planning Commission in denying the applicant's request for modification of conditions of approval for Tentative Map TM-82-0477 (Mesa Rim), which proposes a 21-lot subdivision of Parcel 1, Parcel Map PM-7131, on property located south of Mira Mesa Boulevard, east of I-805 and north of El Camino Memorial Park in the A-1-10 (Hillside Review) (proposed M-1B, Hillside Review) Zone and within the boundaries of the Mira Mesa Community Plan; and

WHEREAS, on October 21, 1982, the Planning Commission voted 3 to 1 to approve the appeal but due to a lack of 4 affirmative votes, it was deemed a denial of the appeal and the decision of the Subdivision Board was upheld; and

WHEREAS, on October 22, 1982, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, GENSTAR DEVELOPMENT INC., by Bruce Warren, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on November 9, 1982, 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 Mira Mesa Community Plan which designate the property for industrial and agricultural use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan, Mira Mesa Community Plan, M-1B, HR, A-1-10, HR Zoning/Development Regulations, HRP 45-236-0, and State Map Act, Section 66473.1.

3. The site is physically suitable for industrial and agricultural development.

4. The site is suitable for the proposed industrial and agricultural 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. 80-11-15 EIR.

6. The design of the subdivision and the type of improvement will not likely cause serious public health problems inasmuch as the map is consistent with A-1-10, HR, M-1B, HR Zoning and conforms with City development regulations and Hillside Review Permit No. 45-236-0.


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 GENSTAR DEVELOPMENT, INC., by Bruce Warren, is granted; the decision of the Planning Commission to deny the appeal is overruled, and said Tentative Map is hereby granted with modification of conditions of approval as requested by applicant.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:
11/16/82
Or.Dept:Clerk
T.M. 82-0477
Form=r.none

Passed and adopted by the Council of The City of San Diego on NOV 9 1982,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" 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 Bovard, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-257469 Adopted NOV 9 1982