

RESOLUTION NUMBER R- 259107

Adopted on AUG 16 1983

WHEREAS, TORREY PINES ASSOCIATION, by Jessie La Grange, and TORREY PINES PLANNING GROUP, by Maralyn J. Benn, appealed the decision of the Planning Commission in approving the proposed Tentative Map for SIERRA DEL MAR UNIT 2, located on the north side of Carmel Valley Road between Portofino Drive and Interstate 5, in the R-1-15, R-1-15 (HR), CO and CO (HR) Zones, in the Torrey Pines Community Plan area; and

WHEREAS, on June 9, 1983, the Planning Commission voted 5 to 0 to deny the appeals, approve the Tentative Map and uphold the decision of the Subdivision Board; and

WHEREAS, on June 14, 1983 and June 15, 1983, respectively, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, TORREY PINES ASSOCIATION, by Jessie La Grange, and TORREY PINES PLANNING GROUP, by Maralyn J. Benn, appealed the decision of the Planning Commission; and

WHEREAS, said appeals were set for public hearing on August 16, 1983, 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 appeals 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 makes the following findings of fact:

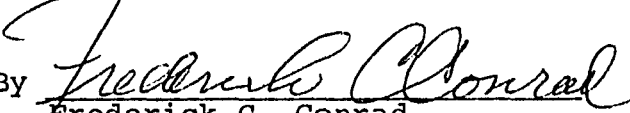
1. The proposed map is not consistent with the General Plan and Torrey Pines Community Plan which designate the property for residential use.
2. The design and proposed improvements for the subdivision are not consistent with the General Plan, Torrey Pines Community Plan, R-1-15 Zoning/Development Regulations and State Map Act Section 66473.1 regarding solar access.
3. The site is not 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 cause substantial environmental damage, based upon the findings of the Environmental Report EQD No. 77-12-28 EIR.
6. The design of the subdivision and the types of improvements will likely cause serious public health problems inasmuch as the map is not consistent with R-1-15 zoning and does not conform with City development regulations and with Planned Residential Development Permit No. PRD-83-0100.
7. The design of the subdivision and the type of improvements are such that they will conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

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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 appeals of TORREY PINES ASSOCIATION, by Jessie La Grange, and TORREY PINES PLANNING GROUP, by Maralyn J. Benn, are granted; the decision of the Planning Commission to deny the appeals is overruled, and said Tentative Map is hereby denied.

APPROVED: John W. Witt, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

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08/17/83  
Or.Dept:Clerk  
T.M.-83-0100  
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**AUG 16 1983**

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK  
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By *Margaret L. Postlewaite*, Deputy.

Office of the City Clerk, San Diego, California

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