

(R-84-546)

RESOLUTION NUMBER R- **259329**

Adopted on SEP 27 1983

WHEREAS, THOMAS P. WHISLER appealed the decision of the Planning Commission in denying the proposed Tentative Map for a two-lot division of Lot 2, Princess View Gardens, Unit No. 1, Map No. 5200, located on the west side of Princess View Drive, between Waring Road and Mission Gorge Road, in the R-1-5 Zone, in the Navajo Community Plan area; and

WHEREAS, on March 17, 1983, the Planning Commission voted 4 to 3 to deny the appeal, deny the Tentative Map and uphold the decision of the Subdivision Board; and

WHEREAS, on March 28, 1983, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, THOMAS P. WHISLER appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on April 19, 1983, continued to June 28, 1983, August 9, 1983 and September 27, 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 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 as its findings the following:

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

2. The design and proposed improvements for the subdivision are consistent with the General Plan, Navajo Community Plan, R-1-5 Zoning/Development Regulations and State Map Act Section 66473.1 regarding solar access.

3. The site is physically suitable for residential development.

4. The site is 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. 82-0646 EX.

6. The design of the subdivision and the types of improvements will not likely cause serious public health problems inasmuch as the map is consistent with R-1-5 zoning and conforms 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 THOMAS P.

WHISLER is granted; the decision of the Planning Commission to deny the appeal is overruled, and said Tentative Map is hereby granted, subject to the following conditions:

1. The "General Conditions of Approval for Tentative Maps," filed in the office of the City Clerk under Document No. 767688 on May 7, 1980, shall be made a condition of map approval. Only those exceptions to the General Conditions which are shown on the Tentative Map and covered in these special conditions will be authorized.

2. This property is subject to payment of a park fee prior to the filing of the final subdivision map in accordance with San Diego Municipal Code, Sections 102.0406 et seq. This property is also subject to a Building Permit park fee in accordance with San Diego Municipal Code, Sections 96.0401 et seq.

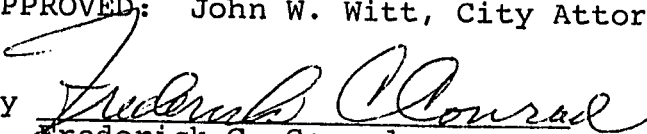
3. Undergrounding of proposed public utility systems and service facilities is required according to San Diego Municipal Code, Section 102.0404, subsection 2.

4. The subdivider shall construct an eight-inch sewer main in Princess View Drive, as required by the City Engineer, that is adequate to serve Parcel 2.

5. The subdivider must provide a geological reconnaissance on the subject property to determine the stability of the soil. All slopes shall be constructed in accordance with the provisions of San Diego Municipal Code, Sections 62.0410 et seq.

APPROVED: John W. Witt, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:imb:640
R-84-546
09/30/83
Or.Dept:Clerk
TM-82-0646
Form=r.subma

Passed and adopted by the Council of The City of San Diego on SEP 27 1983,
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"/>
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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-259329 Adopted SEP 27 1983