

RESOLUTION NUMBER R- 259753

Adopted on DEC 06 1983

WHEREAS, MARY E. CLARK, et al., appealed the decision of the Planning Commission in approving an Extension of Time for the proposed Tentative Map for FAIRMOUNT, LTD., located on the east side of Fairmount Avenue, between Montezuma Road and Natalie Drive, described as portions of Lot 23 of Rancho Mission of San Diego, in the R-1-5 (HR) and R-1-40 (HR) Zones, in the Mid-City Community Plan and State University Area Plan areas; and

WHEREAS, on October 20, 1983, the Planning Commission voted 4 to 0 to approve the Extension of Time for Tentative Map TM-83-0567, and uphold the decision of the Subdivision Board; and

WHEREAS, on November 3, 1983, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, MARY E. CLARK, et al., appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on December 6, 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 findings of the Planning Commission as follows:

1. The proposed map is consistent with the General Plan, Mid-City Community Plan and State University Area Plan, which designate the property for open space and very low density residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan, State University Area Plan, Mid-City Community Plan, R-1-40 and R-1-5 HR 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. 80-05-29 EIR.

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-1-40 and R-1-5 HR zoning and conforms with City development regulations and with Planned Residential Development Permit No. 83-0567.

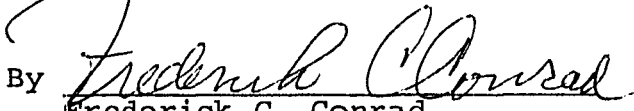
7. The design of the subdivision and the type of

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 MARY E. CLARK, et al., is denied; the decision of the Planning Commission to deny the appeal is sustained, and said Extension of Time to December 6, 1985 for Tentative Map No. TM-83-0567 is hereby granted, subject to conditions 1 through 20, inclusive, set forth in Planning Commission Resolution No. 4597, adopted October 20, 1983.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

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12/13/83
1/6/84 (Rev.1)
Or.Dept:Clerk
TM-83-0567
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DEC 06 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 Magdell L. Portleico, Deputy.

Office of the City Clerk, San Diego, California

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