

RESOLUTION NUMBER R- 259843

Adopted on DEC 13 1983

WHEREAS, CHILCOTE, INC., by David P. Cunning, appealed the decision of the Planning Commission in denying the proposed Tentative Map for FRIEDRICK MANOR, known as Lots 1 through 21, Map No. 9197, located on the north side of Whaley Avenue, between Friedrick Drive and Gregory Street, in the R-1-5 (HR) Zone, in the Park North-East Community Plan and Greater Golden Hill Precise Plan areas; and

WHEREAS, on August 18, 1983, the Planning Commission voted 5 to 0 to deny the appeal, deny the Tentative Map and uphold the decision of the Subdivision Board; and

WHEREAS, on August 22, 1983, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, CHILCOTE, INC., by David P. Cunning, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on October 11, 1983, continued to December 13, 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 and Park North-East Community Plan and Golden Hill Precise Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are not consistent with the General Plan, Park North-East Community Plan, Golden Hill Precise 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 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. 82-0589 ND.

6. The design of the subdivision and the types of improvements will not likely cause serious public health problems; however the map is not consistent with R-1-5 zoning and does not conform with City development regulations.

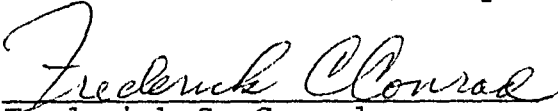
7. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through

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, based on Findings 2, 4 and 6, the appeal of CHILCOTE, INC., by David P. Cuning, is denied; the decision of the Planning Commission to deny the appeal is sustained, 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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12/22/83  
Or.Dept:Clerk  
TM-82-0589  
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Passed and adopted by the Council of The City of San Diego on DEC 13 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 Jane A. Blacknell, Deputy.

Office of the City Clerk, San Diego, California

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