

RESOLUTION NUMBER R- 259910

Adopted on JAN 03 1984

WHEREAS, BENJAMIN WEISSMANN appealed the decision of the Planning Commission in approving the proposed Tentative Map for DELANEY SUBDIVISION, located on the east side of Morena Boulevard, between Avati and Jutland Drives, more particularly described as Parcel A of Parcel Map No. PM-11753 and Lot 373 of Harbor View Heights Unit 6, Map No. 5937, in the R-1-5 and M-IP (proposed R-1-5) zones, in the Clairemont Mesa Community Plan area; and

WHEREAS, on December 1, 1983, the Planning Commission voted 5 to 1 to deny the appeal, approve the Tentative Map and uphold the decision of the Subdivision Board; and

WHEREAS, on December 1, 1983, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, BENJAMIN WEISSMANN appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on January 3, 1984, 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 Clairemont Mesa Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan, Clairemont Mesa Community Plan, R-1-5 Zoning/Development Regulations and State Map Act Section 66473.1 regarding solar access and with PRD Permit No. 83-0475.

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. 83-0475 ND.

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 and with Planned Residential Development Permit No. PRD-83-0475.

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 BENJAMIN WEISSMANN is denied; the decision of the Planning Commission to deny the appeal is sustained, and said Tentative Map is hereby granted, subject to all of the conditions set forth in Planning Commission Resolution No. 4674, adopted December 1, 1983

APPROVED: John W. Witt, City Attorney

BY



Frederick C. Conrad  
Chief Deputy City Attorney

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01/05/84  
Or.Dept:Clerk  
TM-83-0475  
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JAN 03 1984

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 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 Struiksmma	<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 Charles G. Abdelnour, Deputy.

Office of the City Clerk, San Diego, California

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