

RESOLUTION NUMBER R-261709

ADOPTED ON OCTOBER 9, 1984

WHEREAS, SUSAN K. LAY for ROBINHOOD HOMES, INC., a California corporation, appealed the decision of the Planning Commission in denying the proposed Tentative Map for THE HEIGHTS BY ROBINHOOD, approximately 27 acres, located at the northwest side of Palm Avenue and Beyer Boulevard, described as a portion of the Southwest Quarter of the Southeast Quarter of Section 22, Township 18 South, Range 2 West, S.B.B.M., in the R1-5000 Zone of the Otay Mesa-Nestor Community Plan area; and

WHEREAS, on August 16, 1984, the Planning Commission voted 5 to 0 to grant the appeal of the Subdivision Board decision, deny the Tentative Map and overrule the decision of the Subdivision Board; and

WHEREAS, on August 21, 1984, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, SUSAN K. LAY for ROBINHOOD HOMES, INC. appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on October 9, 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, that the City Council adopts as its findings the following:

1. The proposed map is consistent with the General Plan and Otay Mesa-Nestor Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan, Otay Mesa-Nestor Community Plan, R1-5000 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 in accordance with proposed amendment to the Community Plan.

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. 84-0276 MND.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as the map is consistent with R1-5000 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

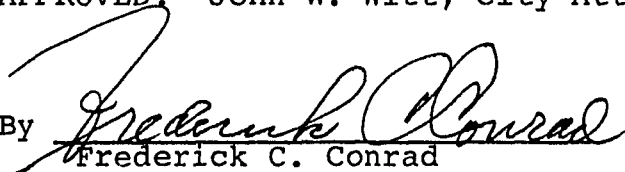
easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

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 SUSAN K. LAY for ROBINHOOD HOMES, INC. is granted; the decision of the Planning Commission to grant the appeal of the Subdivision Board decision is overruled, and said Tentative Map is hereby granted, subject to the condition that the maximum number of units to be constructed shall be 144 and further subject to all of the conditions set forth in Subdivision Board Resolution No. 3838, adopted July 23, 1984.

APPROVED: John W. Witt, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

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10/16/84
Or.Dept:Clerk
R-85-658
Rev. 1 12/04/84
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Passed and adopted by the Council of The City of San Diego on OCT 9 1984,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" 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 *Julie G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

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