

(R-85-843)

RESOLUTION NUMBER R- 261859

ADOPTED ON OCT 30 1984

WHEREAS, RANCHO BERNARDO PLANNING BOARD, by Gary A. Kreitzer, appealed the decision of the Planning Commission in approving the proposed Tentative Map for BERNARDO HEIGHTS UNIT 26, located on the east side of Avenida Alcachofa, between Corte Sabio and Calle Saucillo, (approximately 12.5 acres), in the A-1-10 Zone of the Rancho Bernardo Community Plan area; and

WHEREAS, on July 19, 1984, the Planning Commission voted 4 to 2 to deny the appeal, approve the Tentative Map and uphold the decision of the Subdivision Board; and

WHEREAS, on July 27, 1984, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, RANCHO BERNARDO PLANNING BOARD, by Gary A. Kreitzer, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on October 30, 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, that the Council of The City of San Diego, hereby adopts as its findings the following:

1. The proposed map is inconsistent with the General Plan and Rancho Bernardo Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are inconsistent with the General Plan, Rancho Bernardo Community Plan, A-1-10 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 cause substantial environmental damage, based upon the findings of the Environmental Report EQD No. 84-0207 ND.

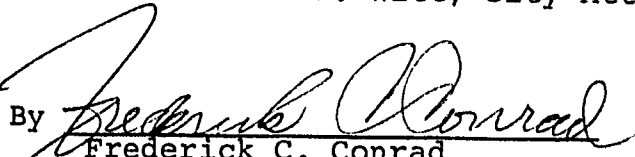
6. The design of the subdivision and the type of improvements will likely cause serious public health problems inasmuch as the map is inconsistent with A-1-10 zoning and does not conform with City development regulations.

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 the appeal of RANCHO BERNARDO
PLANNING BOARD, by Gary A. Kreitzer, is granted; the decision of
the Planning Commission to deny the appeal is overruled, 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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11/05/84
Or.Dept:Clerk
R-85-843
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Passed and adopted by the Council of The City of San Diego on OCT 30 1984,
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California	
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