

RESOLUTION NUMBER R- 262196

ADOPTED ON DEC 17 1984

WHEREAS, on September 17, 1984, the Subdivision Board of The City of San Diego, subject to certain conditions, approved Tentative Map No. 84-0314; and

WHEREAS, the decision of the Subdivision Board to approve TM-84-0314 was appealed to the Planning Commission of The City of San Diego; and

WHEREAS, on November 1, 1984, the Planning Commission heard the appeal of the Subdivision Board's decision to approve TM-84-0314 and voted 5 to 1 to uphold the decision of the Subdivision Board and approve Tentative Map No. 84-0314, subject to certain conditions; and

WHEREAS, on November 8, 1984, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, GENESEE GROUP, by D. Dwight Worden, appealed the decision of the Planning Commission in approving the proposed Tentative Map for University Garden Apartments, located east and west side of Genesee Avenue, between Governor and Nobel Drives, described as portions of Pueblo Lots 1272, 1277 and 1278 of Pueblo Lands, Miscellaneous Map No. 36, in the R1-5000 (HR) and R-1500 (HR) Zones, in the University City Community Plan area; and

WHEREAS, said appeal was set for public hearing on December 17, 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 the findings of the Planning Commission as follows:

1. The proposed map is consistent with the General Plan and University City Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan, University City Community Plan, R1-5000 and R-1500 (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, i.e., 6.2 dwelling units per acre on the west side of Genesee Avenue and 19.23 dwelling units per acre on the east side of Genesee Avenue.

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. 84-0314 EIR.

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 and R-1500 (HR) zoning and conforms with City development regulations and with Planned Residential Development Permit No. 84-0314.

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.

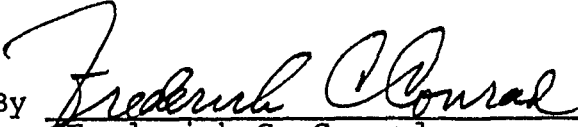
8. That said findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the appeal of GENESEE GROUP, by D. Dwight Worden, is denied; the decision of the Planning Commission to deny the appeal is sustained, and said Tentative Map is hereby granted, subject to the condition that the issues regarding the grading plan and traffic circulation, continued to the January 14, 1985 Council meeting at 2:00 p.m., shall be further approved by the Planning Commission and City Council, and further subject to all of the conditions set forth in Planning Commission Resolution No. 5290, adopted November 1, 1984, except that condition 9 is amended to read as follows:

9. The subdivider shall extend the existing raised median in Genesee Avenue northerly in a manner satisfactory to the City Engineer to the northerly subdivision boundary as shown on the approved tentative map. Only two median breaks will be allowed in the median adjacent to the subdivision. One break will be

located at Calgary Drive with a left-turn pocket for the southbound on Genesee Avenue to eastbound on the Calgary Drive turn. The second median break will be at the public entrance to the westerly portion of the development. This median break shall have a left-turn pocket for the northbound on Genesee Avenue to westbound into the development turn. The design of this median break shall be as required by the City Engineer so as to preclude left turns out of the development to northbound on Genesee Avenue.

APPROVED: John W. Witt, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

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12/31/84  
Or.Dept:Clerk  
R-85-1189  
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Passed and adopted by the Council of The City of San Diego on DEC 17 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 checked="" 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 *Janet A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

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