

(R-85-1458)

RESOLUTION NUMBER R- 262453

ADOPTED ON FEB 5 1985

WHEREAS, on July 23, 1984, the Subdivision Board of The City of San Diego, denied Tentative Parcel Map No. 83-0325 and filed its decision in the office of the City Clerk on October 8, 1984; and

WHEREAS, the decision of the Subdivision Board to approve TM-83-0325 was appealed to the Planning Commission of The City of San Diego; and

WHEREAS, on September 27, 1984, the Planning Commission heard the appeal of the Subdivision Board's decision to deny TM-83-0325 and voted 6 to 0 to uphold the decision of the Subdivision Board and deny Tentative Parcel Map No. 83-0325; and

WHEREAS, on October 8, 1984, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, RUSSELL and LOLA HILL, by Gerald M. Dawson, attorney, appealed the decision of the Planning Commission in denying the Tentative Map which proposes a two-lot parcel map of Lot 393, Western Hills, Unit 4, Map No. 3672, located on the west side of Penrose Street, south of Penrose Court and east of Illion Street, in Zone R1-5000 of the Clairemont Mesa Community Plan area; and

WHEREAS, said appeal was set for public hearing on October 23, 1984, continued to January 22, 1985 and further continued to February 5, 1985, 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 following findings:

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 and the Clairemont Mesa Community Plan. However, the proposed lots do not meet the minimum lot depth requirements of the R1-5000 Zoning/Development Regulations.

3. The site is not 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. 83-0325 EX.

6. The design of the subdivision and the type of improvements will not likely cause serious public health

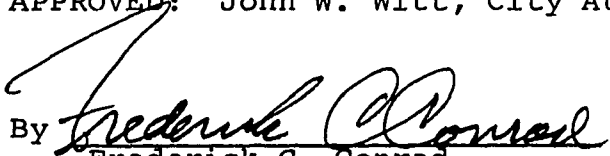
problems. However, the proposed lots are not consistent with R1-5000 zoning regulations in that they do not meet minimum lot depth requirements of 95 feet.

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 RUSSELL and LOLA HILL, by Gerald M. Dawson, attorney, 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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02/07/85  
Or.Dept:Clerk  
R-85-1458  
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Passed and adopted by the Council of The City of San Diego on FEB 5 1985,  
 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

**ROGER HEDGECOCK**  
 Mayor of The City of San Diego, California.

**CHARLES G. ABDELNOUR**  
 City Clerk of The City of San Diego, California.

(Seal)

By *Barbara Baxter*, Deputy.

Office of the City Clerk, San Diego, California	
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