

(R-85-1957)

RESOLUTION NUMBER R- 262951

ADOPTED ON APR 16 1985

WHEREAS, on December 10, 1984, by Resolution No. 3901, the Subdivision Board of The City of San Diego, subject to certain conditions, approved Tentative Map No. 83-0589, and filed said Resolution in the office of the City Clerk on February 21, 1985; and

WHEREAS, the decision of the Subdivision Board to approve TM-83-0589 was appealed to the Planning Commission of The City of San Diego; and

WHEREAS, on February 14, 1985, the Planning Commission heard the appeal of the Subdivision Board's decision to approve TM-83-0589 and voted 5 to 1 to uphold the decision of the Subdivision Board and approve Tentative Map No. 83-0589, subject to certain conditions; and

WHEREAS, on February 20, 1985, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, ROBERT CHAMBERLAIN, appealed the decision of the Planning Commission in approving the proposed Tentative Map for Mirador Park Phase I, located on the west side of Camino Ruiz, between Mira Mesa Boulevard and Penasquitos Canyon, described as portions of Sections 25 and 26, Township 14 South, Range 3 West, S.B.B.M., in the R1-5000 Zone, of the Mira Mesa Community Plan area; and

WHEREAS, said appeal was set for public hearing on April 16, 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 findings of the Planning Commission as follows:

1. The proposed map is consistent with the General Plan and the Mira 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, Mira Mesa Community Plan, R1-5000 Zoning/Development Regulations, Planned Residential Permit No. 83-0589 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., 4.4 units/net acre.
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. 83-0589 EIR; however, this Council finds that the need for housing, the

desire to locate new development within the existing neighborhoods of the City and the goal of providing balanced housing for all communities and income levels override the impacts which result from this project.

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.

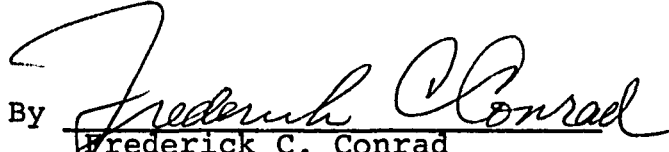
7. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. An Implementation Program for Financing Public Improvements has not been developed, and the approval of this Tentative Map and the timing and phasing of the development prior to the development and implementation of such a financing program will not jeopardize the achievement of the Progress Guide and General Plan objectives of assuring adequate public facilities at the time of development of the community.

9. 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 ROBERT CHAMBERLAIN is denied; the decision of the Planning Commission to deny the appeal is sustained, and said Tentative Map is hereby granted subject to conditions numbered 1 through 25, inclusive, of Planning Commission Resolution No. 5452 dated February 14, 1985.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:640
04/18/85
Or.Dept:Clerk
R-85-1957
TM-83-0589
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Passed and adopted by the Council of The City of San Diego on APR 16 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 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 Ellen Bovard, Deputy.

Office of the City Clerk, San Diego, California

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