

RESOLUTION NUMBER R-264437

ADOPTED ON NOV 12 1985

WHEREAS, on September 3, 1985, the Subdivision Board of The City of San Diego, subject to certain conditions, approved Tentative Map No. TM-85-0559; and

WHEREAS, the decision of the Subdivision Board to approve TM-85-0559 was appealed to the Planning Commission of The City of San Diego; and

WHEREAS, on September 12, 1985, the Planning Commission heard the appeal of the Subdivision Board's decision to approve TM-85-0559 and voted 6 to 0 to uphold the decision of the Subdivision Board and approve Tentative Map No. TM-85-0559, subject to certain conditions; and

WHEREAS, on September 20, 1985, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, SKYLINE/PARADISE HILLS PLANNING COMMITTEE, by Cathy Alegria, appealed the decision of the Planning Commission in approving the proposed Tentative Map for a portion of Lots 43, 45, 46 through 78, 80 through 91, Blocks 391, 392 and 393, Encima de San Diego, Map No. 1546, and a portion of Encanto, Map No. 749 (approximately 9.4 acres), located at the northeast corner of Skyline Drive and Woodman Street in the Skyline-Paradise Hills Community Plan area, in the City of San Diego; and

WHEREAS, said appeal was set for public hearing on November 12, 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 not consistent with the General Plan and South Bay Terraces Community Plan which designate the property for residential and commercial use.

2. The design and proposed improvements for the subdivision are not consistent with the General Plan, South Bay Terraces Community Plan, R1-5000 (SL Overlay) and CN Zoning/Development Regulations and State Map Act Section 66473.1 regarding solar access.

3. The site is not physically suitable for commercial and residential development.

4. The site is not suitable for the proposed commercial and 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. 80-03-24 ND. EIR.

6. The design of the subdivision and the type of improvements will likely cause serious public health problems inasmuch as the map is not consistent with R1-5000 (SL Overlay Zoning) and CN zoning and does not conform with City development regulations and with Planned Commercial Development Permit No. 85-0176.

7. The design of the subdivision and the type of improvements are such that they will 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 the SKYLINE/PARADISE HILLS PLANNING COMMITTEE, by Cathy Alegria, is granted; the decision of the Planning Commission to approve the map is overruled, and said Tentative Map No. TM-85-0559 is hereby denied.

APPROVED: John W. Witt, City Attorney

By



Frederick C. Conrad  
Chief Deputy City Attorney

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01/09/86  
Or.Dept:Clerk  
R-86-1256  
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Passed and adopted by the Council of The City of San Diego on **NOV 12 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 Struikma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - vacant	<input 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 *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-264437** Adopted **NOV 12 1985**

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