

RESOLUTION NO. 223054

R.80-406  
REV.

Hillside Review Permit No. 125

MAR 13 1979

WHEREAS, CHILCOTE, INC., a California corporation, Owner, hereafter referred to as "Permittee," filed an application under Hillside Review Permit No. 125, for grading in the Hillside Review Overlay Zone (HR Zone) to allow development under the regulations of the A-1-10, R-1-20 and R-1-40 proposed R-1-10 and R-1-20 Zones. The property is located south and east of Madra Avenue between Del Cerro Boulevard and Murray Park Drive, and is more particularly described as portions of Lot 67, Rancho Mission of San Diego, Map No. 330, S.C.C. No. 348; and

WHEREAS, on January 25, 1979, the Planning Commission of The City of San Diego made its finding of facts, granted said Hillside Review Permit No. 125, and filed said decision in the office of the City Clerk on February 9, 1979; and

WHEREAS, on January 29, 1979, pursuant to the provisions of Section 101.0454 of the San Diego Municipal Code, NAVAJO COMMUNITY PLANNERS, INC., by HENRY WILSON, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on February 20, 1979, continued to February 27, 1979 and March 13, 1979, and 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

**CORRECTED COPY**

MICROFILMED

01543

WHEREAS, the City Council in considering said appeal is empowered by the provisions of the Municipal Code, Section 101.0454, 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, as follows:

All of the following facts exist with respect to Unit No. 1 only of Hillside Review Permit No. 125:

1. The proposed development would result in minimum disturbance of the natural terrain commensurate with the proposed use of the lot or premises.

The project proposes an overall density of 1.68 units per acre (not including the 19 acres proposed for open space dedication). This density would be consistent with the adopted Navajo Community Plan for density computed for slope analysis. The applicant proposes to retain approximately 50 acres of the site's 123-acre total for open space purposes. Part of the open space would be deeded to The City of San Diego, while the remaining open space would be in the form of an easement or the rear portions of lots along Park Ridge Boulevard in Unit 2. The Planning Department believes that the revised development plan for the property represents minimum disturbance of the natural terrain commensurate with the proposed use of the property.

MICROFILMED

223054

01541

2. That grading and excavating proposed in connection with the development would not result in soil erosion, silting of lower slopes, slide damage or flooding problems.

The development plan has been revised to provide for reduced grading, improved drainage system and the retention of excessively steep slopes in open space. The Environmental Impact Report indicates that the revised project has been designed in a manner consistent with recommended mitigations for potential geologic problems on site. The landscaping proposed in conjunction with this project would serve to mitigate problems of soil erosion, slide damage, silting of lower slopes and flooding problems.

3. The proposed development would serve to preserve and enhance the natural environment and the aesthetic qualities of the site.

The Planning Department believes that the revised design of the project, including additional open space, a reduction in grading and an improved drainage system would serve to preserve and enhance the natural environment and aesthetic qualities of the site. The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

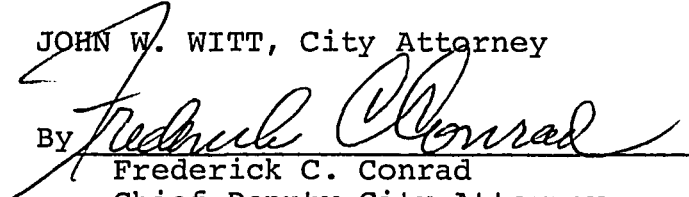
BE IT FURTHER RESOLVED, that the appeal of NAVAJO COMMUNITY PLANNERS, INC., by HENRY WILSON is denied, and this Council does hereby grant to CHILCOTE, INC., a California corporation,

MICROFILMED

Owner and Permittee, Hillside Review Permit No. 125 covering only the area described as Unit No. 1 on Exhibit A, dated January 25, 1979, in the form and with the terms and conditions as set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By

  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
8/22/79  
Rev. 9/17/79  
Or.Dept.:Clerk

MICROFILMED  
223054

01546

HILLSIDE REVIEW PERMIT NO. 125

CITY COUNCIL

This Hillside Review Permit is granted by the City Council of The City of San Diego to CHILCOTE, INC., a California corporation, Owner, hereafter referred to as "Permittee," for the purposes and under the terms and conditions as set out herein, pursuant to the authority contained in Section 101.0454 of the San Diego Municipal Code.

1. Permission is hereby granted to Permittee to develop the subject property located southeast of Norman Lane between Del Cerro Boulevard and Elmhurst Drive (identified as Unit No. 1 on Exhibit A, more particularly described as portions of Lot 67, Rancho Mission of San Diego, Map No. 330 SCC #348, on file in the office of the County Recorder, in the R-1-20, R-1-40 and A-1-10 Zones (R-1-10, R-1-20 and A-1-10 Zones proposed).

2. Slopes shall not exceed 1:1 in grade as shown on Exhibit A, dated January 25, 1979.

3. The Permittee shall comply with the General Conditions for Hillside Review Permits attached hereto and made a part hereof.

4. The Planning Commission shall review the plot plans, elevations and landscaping of the development prior to the issuance of building permits.

5. Prior to the issuance of building permits, the design of individual units and location on property, the landscaping and the color palette shall be submitted to the Planning Commission for approval.

223054 MICROFILMED

01547

6. A home owners' association shall be formed to maintain the open space.

7. Easements shall not permit fencing nor any development to take place in the open space.

8. The CC&Rs and White Report shall outline the conditions relative to the open space.

9. A report by the City Engineer on the proposed grading practices and plans for this subdivision shall be made to the City Council prior to filing the final map.

Adopted by the Council of The City of San Diego on March 13, 1979.

MICROFILMED

223054

01548

GENERAL CONDITIONS FOR HILLSIDE REVIEW PERMITS

1. Prior to the issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit A, dated January 25, 1979, on file in the office of the Planning Department. The property shall be developed in accordance with the approved grading and building plans except where regulations of this or other governmental agencies require deviation therefrom. Prior to and subsequent to the completion of the project, no changes, modifications or alterations shall be made unless and until appropriate applications for amendment of this permit shall have been approved and granted.

2. Prior to the issuance of any grading or building permits, a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit A, dated January 25, 1979, on file in the office of the Planning Department and shall be in accordance with the Hillside Review Ordinance No. 11640 (New Series). Approved planting shall be installed prior to the issuance of an occupancy permit on any building. Such planting shall not be modified or altered unless and until this permit shall have been amended to permit such modification or alteration.

MICROFILMED

223054

01549

3. Construction and operation of the approved permit shall comply at all times with the regulations of this or other governmental agencies.

4. The effectiveness of this hillside review permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the following events shall have occurred:

a. Permittee shall have agreed to each and every condition hereof by having this permit signed within 90 days of the Council's decision.

b. This hillside review permit executed as indicated shall have been recorded in the office of the County Recorder.

5. In addition to any other remedy provided by law, any breach in any of the terms or conditions of this permit or any default on the part of Permittee or its successors in interest, shall be deemed a material breach hereof and this hillside review permit may be cancelled or revoked. Cancellation or revocation of this permit may be instituted by the City or Permittee. The Planning Director shall set this matter for public hearing before the Planning Commission giving the same notice as provided in Section 101.0506. An appeal from the decision of the Planning Commission may be taken to the City Council within ten days after the decision is filed with the City Clerk. The Clerk shall set this matter for public hearing before the City Council giving the same notice as provided in Section 101.0506.

MICROFILMED

223654

01550



6. This hillside review permit shall inure to the benefit of and shall constitute a covenant running with the lands, and the terms, conditions and provisions hereof shall be binding upon Permittee, and any successor or successors thereto, and the interests of any successor shall be subject to each and every condition herein set out.

MICROFILMED

223054



**Acknowledgment**

STATE OF CALIFORNIA) ss  
COUNTY OF SAN DIEGO)

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, known to me to be the \_\_\_\_\_ and \_\_\_\_\_ known to me to be the \_\_\_\_\_ of \_\_\_\_\_

the corporation that executed the within instrument and known to me to be the persons who executed the same on behalf of said corporation and acknowledged to me that said corporation executed the same, pursuant to its bylaws or a resolution of its Board of Directors.

WITNESS my hand and official seal.  
(Notary Stamp)

\_\_\_\_\_  
Notary Public in and for the County  
of San Diego, State of California

MICROFILMED

Passed and adopted by the Council of The City of San Diego on MAR 13 1979,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

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

By Rita Andrews, Deputy.

(Seal)

RECEIVED  
 CITY CLERK'S OFFICE  
 SAN DIEGO, CALIF.  
 1979 SEP 20 PM 1:59

Office of the City Clerk, San Diego, California

Resolution Number 223054 Adopted MAR 13 1979