

RESOLUTION NO. R-250590

R.80-1051

Hillside Review Permit No. 126

NOV 6 1979

WHEREAS, ROBERT L. HILL, Trustee, LEON E. CAMPBELL, Trustee, and LEON E. CAMPBELL AND MARY L. CAMPBELL, Owners, hereafter referred to as "Permittees," filed an application under Hillside Review Permit No. 126, for grading in the Hillside Review Overlay Zone (HR Zone) to allow development under the regulations of the R-1-40 and R-1-8 Zones. The property is located south of Hillside Drive between Castellana and Via Siena and is more particularly described as Lots 1 through 4, La Jolla Hillside, Map No. 8782; and

WHEREAS, on September 21, 1978, the Planning Commission of The City of San Diego made its findings of fact, denied said Hillside Review Permit No. 126, and filed said decision in the office of the City Clerk on October 4, 1978; and

WHEREAS, on September 28, 1978, pursuant to the provisions of Section 101.0454 of the San Diego Municipal Code, LEON E. CAMPBELL, ROBERT L. HILL and RICHARD K. LIVETT appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on October 24, 1978, continued to December 5, 1978, January 16, 1979 and November 6, 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

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:

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

The proposed access drive, with the indicated grading and retaining walls, would result in minimum disturbance of the natural terrain. A substantial portion of the property would be left undisturbed by the road construction and substantially less grading is proposed by the revised plan than by the original plan considered by the Planning Commission in September.

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

The applicant has submitted grading and landscape plans which would meet requirements of the City's Engineering and Development Department for prevention of soil erosion, silting of lower slopes, slide damage and flood problems. The extensive use of retaining walls in this case would minimize grading on the property.

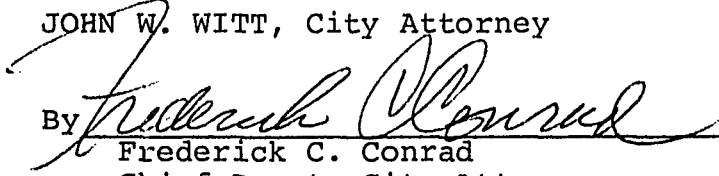
3. The proposed development would serve to preserve and enhance the natural environment and aesthetic qualities of the site.

The extensive use of retaining walls in this case would minimize disturbance to the property resulting in most of the site being left in its natural terrain.

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 LEON E. CAMPBELL, ROBERT L. HILL and RICHARD K. LIVETT is granted, and this Council does hereby grant to ROBERT L. HILL, Trustee, LEON E. CAMPBELL, Trustee, and LEON E. CAMPBELL and MARY L. CAMPBELL, Owners and Permittees, Hillside Review Permit No. 126, 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
11/23/79
Or.Dept.:Clerk

HILLSIDE REVIEW PERMIT NO. 126
CITY COUNCIL

This Hillside Review Permit is granted by the City Council of The City of San Diego to LEON E. CAMPBELL and ROBERT L. HILL, Owners, and RICHARD K. LIVETT, 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 on the south side of Hillside Drive between Castelana and Via Siena, more particularly described as Lots 1 through 4, La Jolla Hillside, Map No. 8782, on file in the office of the County Recorder, in the R-1-40 Zone.

2. Slopes shall not exceed 1-1/2:1 in grade.

3. The grade of the proposed road shall not exceed 25 percent as shown on Exhibit "A" dated November 30, 1978.

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

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON NOVEMBER 6, 1979

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 November 30, 1978, 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 November 30, 1978, 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.

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.

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.

Passed and adopted by the Council of The City of San Diego on NOV 6 1979,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

By Dallie Blodham, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R- 250590 Adopted NOV 6 1979