

(R-84-241)

RESOLUTION NUMBER R- 259011

Adopted on AUG 2 1983

WHEREAS, JAY GUEDALIA and JAMES C. MARTINEZ, partnership, Owner, filed an application under Hillside Review Permit No. 83-0110 to construct a 12-unit condominium project supported on columns above grade on an 0.36 acre site located on the south side of Montecito Way, between Goldfinch and Falcon Streets, in the R-3 (HR) Zone, within the boundaries of the Uptown Community Plan, and described as Lots 1-6 and portions of Lots 23 and 24, Block 345, Arnold and Choate's Addition, Map No. 334; and

WHEREAS, on June 9, 1983, the Planning Commission of The City of San Diego made its finding of facts, granted said Hillside Review Permit No. 83-0110, subject to conditions, and filed said decision in the office of the City Clerk; and

WHEREAS, on June 15, 1983, pursuant to the provisions of Section 101.0454 of the San Diego Municipal Code, JOHN M. LOMAC, JR. appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on August 2, 1983, 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:

All of the following facts exist with respect to Hillside Review Permit No. 83-0110:

1. The Council believes that the proposed development will not result in minimum disturbance of the natural terrain commensurate with the proposed use.

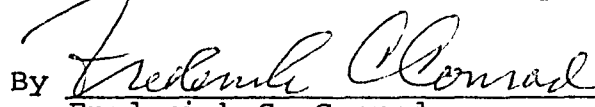
2. Proposed grading and excavation of this project will result in soil erosion, silting or lower slopes slide damage.

3. The proposed development will not preserve and enhance the natural environment by maintaining the existing topography 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 JOHN M. LOMAC, JR. is granted; the decision of the Planning Commission to deny the appeal is overruled, and said Hillside Review Permit No. 83-0110 is hereby denied.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:630
08/05/83
R-84-241
Or.Dept:Clerk
Case No. HRP-83-0110
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Passed and adopted by the Council of The City of San Diego on AUG 2 1983,
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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"/>
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 checked="" type="checkbox"/>	<input 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.

By *Bartone Burridge*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

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