

(R-85-657)

RESOLUTION NUMBER R- 261708

ADOPTED ON OCT 9 1984

WHEREAS, ROBINHOOD HOMES, INC., a California corporation, hereafter referred to as "Owner/Permittee," filed an application to grade and construct a subdivision with a hillside overlay on a portion of the property located on the northwest side of Palm Avenue and Beyer Boulevard, described as a portion of the Southwest Quarter of the Southeast Quarter of Section 22, Township 18 South, Range 2 West, S.B.B.M., in the R1-5000 Zone of the Otay Mesa-Nestor Community Plan area; and

WHEREAS, on August 16, 1984, the Planning Commission of The City of San Diego made its findings of fact, Hillside Review Permit No. 84-0276 and filed said decision in the office of the City Clerk on August 30, 1984; and

WHEREAS, on August 21, 1984, pursuant to the provisions of Section 101.0454 of the San Diego Municipal Code, SUSAN K. LAY for ROBINHOOD HOMES, INC. appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on October 9, 1984; and

WHEREAS, the Council of The City of San Diego received for its consideration documentary, written and oral testimony and heard from all interested parties present at the public hearing; and

WHEREAS, the City Council in considering said appeal is empowered by the provisions of 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 follow:

All of the following facts exist with respect to Hillside Review Permit No. 84-0276:

1. The development will result in minimal disturbance of the natural terrain commensurate with the proposed use of the lot or premises. The site is currently disturbed due to prior sand and gravel excavation. The entire northern slope (including the small portion of Hillside Review area) will be regraded to simulate the natural slopes to the west. The slope will vary from 2:1 to 3:1 steepness and will be replanted with indigenous and native plants to blend into the riparian habitat to the north.

2. Grading and excavation proposed in connection with the development will not result in soil erosion, silting of lower slopes, slide damage, flooding problems or severe cutting or scarring. The project will be designed and landscaped in conformance with all applicable engineering and planning regulations in order to prevent erosion, silting and slides.


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

the site. One quality of the site is its view of the Otay River. The project has been designed to take advantage of this resource by grading from a high point at the intersection of Palm Avenue and Beyer Boulevard down to a slope above the river. That slope, which has been severely disturbed in the past, will be contour-graded and replanted to simulate undisturbed 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 SUSAN K. LAY for ROBINWOOD HOMES, INC. is granted, the decision of the Planning Commission to grant the appeal of the Subdivision Board decision is overruled, and this Council does hereby grant to Owner/Permittee Hillside Review Permit No. 84-0276 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:ib:632
10/16/84
Or.Dept:Clerk
HRP-84-0276
R-85-657
Form=r.none

HILLSIDE REVIEW PERMIT NO. 84-0276
CITY COUNCIL

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

1. Permission is hereby granted to Owner/Permittee to grade and construct a subdivision with a Hillside Review Overlay on a portion of the property located at the northwest side of Palm Avenue and Beyer Boulevard, described as a portion of the Southwest Quarter of the Southeast Quarter of Section 22, Township 18 South, Range 2 West, S.B.B.M., in the R1-5000 Zone of the Otay Mesa-Nestor Community Plan area.

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

3. This Hillside Review Permit is to be developed in conformance with the Tentative Subdivision Map 84-0276.

4. No permit for grading shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

a. The Permittee signs and returns the permit to the Planning Department; and

b. The Hillside Review Permit is recorded in the office of the County Recorder.

If the signed permit is not received by the Planning Department within 90 days of the Planning Director decision or

within 30 days of a Planning Commission or City Council decision, the permit shall be void.

5. Before 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 to Exhibit "A," dated August 16, 1984, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications for amendment of this permit shall have been granted.

6. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A," dated August 16, 1984, on file in the office of the Planning Department and shall include additional information to include the number and sizes of the plant materials used. Approved planting shall be installed before occupancy of the premises. Such planting shall not be modified or altered unless this permit has been amended.

7. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

8. This Hillside Review Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

9. This Hillside Review Permit is a covenant running with the lands and shall be binding upon the Permittee and any

successor or successors, and the interests of any successor shall be subject to each and every condition set out.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON OCTOBER 9, 1984.

3330

Passed and adopted by the Council of The City of San Diego on OCT 9 1984,
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"/>
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 Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

(Seal)

By *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-261708 Adopted OCT 9 1984