

(R-90-1433)

RESOLUTION NUMBER R-274964

ADOPTED ON JANUARY 9, 1990

WHEREAS, Reza Paydar by Matthew A. Peterson, Attorney, appealed the decision of the Planning Commission in denying Hillside Review Overlay Zone Permit No. 88-0923 submitted by Reza Paydar, Owner/Permittee, for a single-family residence located at the westerly terminus of Clemson Circle, west of Rutgers Road, and is more particularly described as Parcel 2, Lot 14, Muirlands Vista Map No. 3133, La Jolla Community Plan area, in the R1-20,000/HR zone; and

WHEREAS, the matter was set for public hearing on January 9, 1990, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this City Council adopts the following findings with respect to Hillside Review Overlay Zone Permit No. 88-0923:

1. The site is physically suitable for construction of a single family dwelling. The site has an existing relatively level portion which is adequate size to accommodate a single-family house with required yards. The proposed structure however is not compatible in design with the scale of the surrounding neighborhood (see finding 3 below).

2. Portions of the house (finished floor) will be elevated above the existing grade, retaining walls are also proposed to elevate the grade around the house. A fill slope is proposed on western side of the house. The Planning Department considers and we concur that the grading proposed to elevate the house as noted above exceeds the minimum necessary to locate a structure on the site and that alternative grading could be proposed which would result in a lower building profile. Therefore, as proposed the development grading will not minimize the alteration of natural landforms on the site.

The site, however, does not lie within a geological risk area as identified on the City's constraint maps (Series C-720) and the City's initial study under the California Environmental Quality Act indicates that the grading will not result in soil erosion, silting or lower slopes, slide damage, flooding, severe scarring or any other geologic instability which would affect health, safety and welfare.

3. The adjoining neighborhood is characterized by predominantly single-story residences interspersed with some two-story structures (without basements) and some single- and two-story structures (without basements) with a maximum average floor area of 5,000 square feet.

Surrounding houses have low-pitched roofs punctuated by single chimneys with few architectural projections above the roofline. The building's floor area of 6,604 square feet and bulk are larger than the neighboring structures and the elevation of the site by grading and retaining walls, overly accentuates

the building visually in comparison to adjoining residences which have a lower building profile. The house also proposes more stories (predominantly 2 story) than other houses in the neighborhood. Therefore, the proposed house is not visually compatible with the surrounding area. The development does not retain the visual quality of the site, the aesthetic qualities of the area and neighborhood characteristics by utilizing proper structural scale.

4. The site abuts an area of privately owned open space as identified in the La Jolla Community Plan. Should this application be modified to comply with all the required findings, The City of San Diego will discuss the application of open space easements or dedications for all slope areas at or exceeding 25 percent with the applicant.

5. Guideline 10 of The City of San Diego "Hillside Design and Development Guidelines" (Document No. RR-262129) states: "Match scale and character of buildings with scale and character of terrain and the surrounding neighborhood.

a) Keep the scale (height and bulk) of the structure compatible with the site and neighborhood.

b) Do not create development patterns which form visually protruding . . . . vertical bulk."

As outlined above (finding 3), the structure is not compatible with the scale of the surrounding area. The combination of building mass and bulk and elevation of the building above the pad mean that the structure will visually protrude on the surrounding neighborhood.


The proposal is therefore not in conformance with The City of San Diego "Hillside Design and Development Guidelines."

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 Reza Paydar by Matthew A. Peterson, is denied; the decision of the Planning Commission is sustained, and Hillside Review Overlay Zone Permit No. 88-0923 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By

  
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Frederick C. Conrad  
Chief Deputy City Attorney

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Or.Dept:Clerk  
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Passed and adopted by the Council of The City of San Diego on.....  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

(Seal)

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

By *Branda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

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