

RESOLUTION NUMBER R-267819

ADOPTED ON MARCH 3, 1987

WHEREAS, RANCHO BERNARDO COMMUNITY PLANNING BOARD, by Gary A. Kreitzer, appealed the decision of the Planning Commission in approving Hillside Review Permit No. HRP-85-0453 submitted by WESTWOOD VALLEY PARTNERSHIP, a general partnership, Owner/Permittee, for development of 591 open space and residential lots on a 287.5-acre site on Parcel 1, Parcel Map No. PM-13464, and a portion of Rancho San Bernardo Patent Book 2, Page 462, located north of Rancho Bernardo Road, between the City/County limits and Matinal Road, in the Rancho Bernardo Community Plan area, in the R1-5000, R1-5000 SLO and R-3000 Zones; and

WHEREAS, the matter was set for public hearing on March 3, 1987, 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 Council adopts the following findings with respect to Hillside Review Permit No. HRP-85-0453:

1. The site is physically suitable for the design and siting of the development. The development will result in minimum disturbance of sensitive areas. The Hillside Review Overlay Zone runs through a small portion of the site which has

been developed sensitively. Most of the development lies outside of the Hillside Review Overlay Zone.

2. The grading and excavation proposed in connection with the development will not result in soil erosion, silting of lower slopes, slide damage, flooding, severe scarring or any other geological instability which would affect health, safety and general welfare as approved by the City Engineer. Disturbed slopes are planted with native and self-sufficient vegetation. The Environmental Quality Division and the Planning Director evaluated the grading and excavation for the project and the plant materials proposed to mitigate impacts due to these actions. The landscape plan has been determined to be adequate to satisfy all concerns.

3. The development retains the visual quality of the site, the aesthetic qualities of the area and the neighborhood characteristics by utilizing proper structural scale and character, varied architectural treatments, and appropriate plant material. Unit 8 of Westwood Valley has been designed to provide lots with frontages and areas which meet R1-5000 Zone requirements adjacent to existing large single-family lots to create a compatible neighborhood.

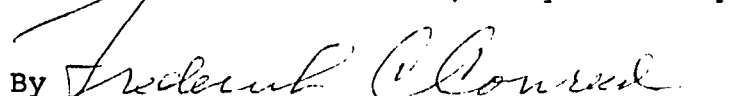
4. The development is in conformance with the Open Space Element of the General Plan, the Open Space and Sensitive Land Element of the community plan, any other adopted applicable plan, and the zone. Applicant has discussed the feasibility of open space dedications or easements with appropriate City staff. Applicant has designated most of the Hillside Review Overlay Area in Unit No. 8 as open space.

5. The development is in conformance with the qualitative development guidelines and criteria as set forth in the "Hillside Design and Development Guidelines," on file in the office of the City Clerk as Document No. RR-262129. The project meets these Guidelines and standards.

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 RANCHO BERNARDO COMMUNITY PLANNING BOARD is denied; the decision of the Planning Commission is sustained, and Hillside Review Permit No. HRP-85-0453 is hereby granted to WESTWOOD VALLEY PARTNERSHIP, under the terms and conditions 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:cc:600
04/14/87
Or.Dept:Clerk
R-87-1806
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HILLSIDE REVIEW PERMIT NO. HRP-85-0453
CITY COUNCIL

This Hillside Review Permit is granted by the City Council of The City of San Diego to WESTWOOD VALLEY PARTNERSHIP, Owner/Permittee, under the conditions in Section 101.0454 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to develop 591 open-space and residential lots (on a 287.5-acre site), located on the north side of Rancho Bernardo Drive between City/County limits and Matinal Road, described as Portion of Rancho San Bernardo Patent Book 2, Page 462 and Parcel Map No. 13464, in the R1-5000, proposed R1-5000, R1-5000 SLO and R-3000 Zones.
2. Slopes shall not exceed 2:1 in grade.
3. Prior to approval of individual Hillside Review Permits for development of Lots 22, 23 and 27 of Unit 1, a noise analysis shall be prepared to determine the necessary site specific noise mitigation measures for each of these lots. The noise analysis shall be submitted to the Deputy Director of the Environmental Quality Division for review.
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.
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 March 3, 1987, 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 March 3, 1987, on file in the office of the Planning Department. 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.

10. Prior to the issuance of any building permits, final subdivision maps must be recorded on the property.

11. This Hillside Review Permit must be used within 36 months after the date of City approval or the permit shall be void. An extension of time may be granted as set forth in the Municipal Code. Any extension of time shall be subject to all standards and criteria in effect at the time the extension is applied for.

Passed and adopted by the City Council of The City of San Diego on March 3, 1987.

AUTHENTICATED BY:

MAUREEN O'CONNOR, Mayor
The City of San Diego

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

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this _____ day of _____, 198_____, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared CHARLES G. ABDELNOUR, known to me to be the City Clerk of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.

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

The undersigned Permittee, by execution hereof, agrees to each and every condition of this permit and promises to perform each and every obligation of Permittee hereunder.

WESTWOOD VALLEY PARTNERSHIP
 a general partnership

(Permittee)

By _____

By _____

NOTE: Notary acknowledgments
must be attached per Civil
Code Section 1180, et seq.
Form=p.ack

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MAR 03 1987

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 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 Struiksma	<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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input checked="" 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 *Charles G. Abdelnour* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-267819** Adopted **MAR 03 1987**

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