

(R-85-554)

RESOLUTION NUMBER R-- 261595

ADOPTED ON SEP 18 1984

WHEREAS, PARDEE CONSTRUCTION COMPANY, a California corporation, hereafter referred to as "Owner/Permittee," filed an application to construct a 500-room, 12-story hotel, three restaurants, an auto service station and a parking structure on the east side of I-5, north of the future alignment of Carmel Valley Road and west of El Camino Real, described as a portion of the Employment Center Development Unit 2A, Map 10394, Section 19, Township 14 South, Range 3 West, and portions of Sections 24 and 25, Township 14 South, Range 4 West, S.B.B.M. in the VC (Visitor Commercial) zone, of the North City West Planned District; and

WHEREAS, on June 7, 1984, the Planning Commission of The City of San Diego made its findings of fact, granted Planned District Development Plan Permits PD-83-0191 and PD-83-0191.1, and filed said decision in the office of the City Clerk on July 6, 1984; and

WHEREAS, on June 12, 1984, pursuant to the provisions of Section 103.0606 of the San Diego Municipal Code, MARALYN J. BENN appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on July 17, 1984, continued to September 18, 1984, 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 as follows:

All of the following facts exist with respect to Planned District Development Permits No. PD-83-0191 and PD-83-0191.1:

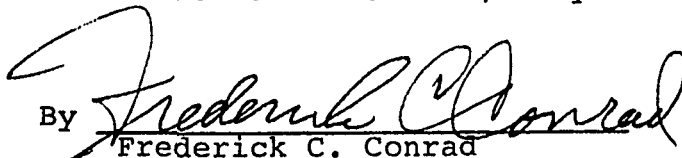
1. The proposed Development Plan is consistent with the North City West Employment Center Precise Plan and the VC Zone.
2. The proposed project will comply with all relevant regulations in the Municipal Code for such use.

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 MARALYN J. BENN is denied; the decision of the Planning Commission is upheld and this Council does hereby grant to Owner/Permittee Planned District Development Plan Permits No. PD-83-0191 and PD-83-0191, in the form and with the terms and conditions as set forth in the said permits.

APPROVED: John W. Witt, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:632
09/28/84
Or.Dept:Clerk
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NORTH CITY WEST PLANNED DISTRICT DEVELOPMENT
PLAN PERMIT NO. 83-0191
(EMPLOYMENT CENTER - VISITOR CENTER HOTEL AND RESTAURANTS)

CITY COUNCIL

This Planned District Development Plan Permit is hereby granted by the City Council of The City of San Diego to PARDEE CONSTRUCTION COMPANY, a California Corporation, "Owner/Permittee," under the conditions in Section 103.0611 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to construct a hotel facility and associated parking structure and three restaurants, located on the east side of Interstate 5, north of the future alignment of Carmel Valley Road and west of El Camino Real, described as a portion of the Employment Center Development Unit 2A, Map 10394, Section 19, T14S, R3W and portions of Sections 24 and 25, T14S, R4W, SBBM (Lots 41-45 of T.M. #83-0191), in the VC (Visitor Commercial) Zone of the North City West Planned District of the City of San Diego.
2. The facility shall consist of the following:
 - a. One hotel facility with 500 rooms, 12 stories in height. Three restaurants up to 40 feet in height;
 - b. The number of square feet of floor area permitted is as follows:

Hotel	355,000 square feet
Restaurant (Lot 2)	10,000 square feet
Restaurant (Lot 3)	11,500 square feet
Restaurant (Lot 4)	9,000 square feet
 - c. 1,305 parking spaces. Of these spaces, 1,000 shall be required for use by the hotel facility (at a ratio of two spaces per hotel room and 305 spaces shall be required for use by the restaurants (at a ratio of one space per 100 square feet of gross floor area); and
 - d. Landscaping covering 39 percent of the site.
3. Prior to the issuance of any building permits, complete building plans and site plans shall be submitted to the Planning Director for approval. Specifically, the Planning Director shall review and approve detailed building elevations, building materials and colors, exterior lighting and specific plant materials. A signage program shall also be approved by the Planning Director before the issuance of building permits, which will serve as the sign regulations

for the site. These plans shall be approved by the Planning Director only if they are in substantial conformity to Exhibit "A", dated Sept. 18, 1984. In addition to a site plan, landscape plan and building elevations, Exhibit "A" includes design guidelines and photographs of a model of the Development Plan, which are included as a part of this permit.

4. In order to minimize impacts to the visual environment, the following conditions of the addendum to EIR No. 80-05-35, EQD No. 84-0213, shall be implemented:
 - a. Extensive landscaping shall be incorporated into the project, as shown on the landscape plans. Dense landscaping with trees and shrubs shall occur on the western border of the project site which, when mature, will mask views of the development. The landscaping should conform to "Parking Structure Edge Treatment" of Exhibit "A".
 - b. Planter boxes shall be constructed around the perimeter of the parking structure at each above-ground level. Cascading type plant species shall be planted in these boxes in order to further shield the parking structure.
 - c. Construction of the top level of the parking structure shall include landscaped islands and planter boxes. Large canopy type trees shall be planted in the landscaped islands and/or planter boxes. Landscaped islands shall also include dense plantings with lower growing shrubs and ground cover.
 - d. Special care shall be taken to ensure that the tops of buildings are visually appealing. To the extent possible, air conditioning and heating apparatus shall be enclosed within buildings. Vents and any other apparatus which necessitate placement on top of buildings shall be enclosed within attractive facades.
5. Prior to issuance of any building permits, a final subdivision map or maps shall be recorded on the subject property.
6. The tentative map of Employment Center Development Unit 2A requires the improvement of Carmel View Road within the project (Street "A" on the tentative map) as a 40-foot curb-to-curb roadway within a 60-foot-wide right-of-way, with a 55-foot property-line-radius cul-de-sac.

Now that a detailed proposal for the development of the property has been submitted for review, it has been determined that the traffic which will be generated by the project is more than anticipated during the review of the

tentative map, and that Carmel View Road within the project will have to be widened.

Accordingly, Carmel View Road within the project southwesterly of El Camino Real will now have to be constructed as a collector street with curbs, five-foot-wide sidewalks, and a 64-foot-wide paved roadway within an 84-foot-wide dedicated right-of-way, with a fully improved cul-de-sac at the end. The minimum size for the cul-de-sac may be a 50-foot curb-radius and a 60-foot property-line-radius.

The widening of this street can be accomplished either by constructing the street as a 64/84 collector street in connection with the other map improvements, or by assuring the widening and dedication by permit and bond prior to the issuance of any building permits in connection with this project.

7. Prior to the issuance of any building permits in connection with this project, the applicant shall assure by permit and bond the following work, in a manner satisfactory to the City Engineer:
 - a. Construction of a continuous raised median in El Camino Real from Carmel View Road northerly to connect to the raised median northerly of the project's boundary.
 - b. The modification of the raised median in El Camino Real southerly of Carmel View Road, in a manner satisfactory to the City Engineer, to provide a left-turn pocket for left turns onto Carmel View Road into the project.
 - c. The construction of a 12-inch looping water main through the project between Carmel View Road and Carmel Valley Road.
 - d. The construction of gravity sewer mains adequate to serve the project, in a manner satisfactory to the City Engineer.
8. Prior to the issuance of any building permits in connection with this project, the applicant:
 - a. Grant easements, as required by the City Engineer, for the public water and sewer mains to be constructed within the project.
 - b. Provide evidence, satisfactory to the Water Utilities Director, to show that private easements will be provided for sewer laterals and water services that cross lot lines.

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- c. Provide fire hydrants at locations specified by the Fire Department.
9. The proposed facility shall comply with the General Conditions of the North City West Development Plan Permits (Employment Center).

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
SAN DIEGO ON September 18, 1984.

GENERAL CONDITIONS FOR NORTH CITY WEST
DEVELOPMENT PLAN PERMITS
(EMPLOYMENT CENTER)

1. Prior to the issuance of any building permits, complete grading and building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit "A," dated Sept. 18, 1984, 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 Sept. 18, 1984 on file in the office of the Planning Department. 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. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.

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

5. This Planned District Development Plan Permit shall not be final until the seventh day following the decision of the Planning Commission and is subject to appeal to the City Council as provided for in Section 103.0606 of the Municipal Code of The City of San Diego.

6. The effectiveness of this Planned District Development Plan 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 Planned District Permit

signed within 90 days of the Commission's decision. In no event shall this condition be construed to extend the time limitation as set forth in Condition 5 above, i.e. the time commences to run on the date that the Planning Commission granted this Planned District Development Plan Permit;

- b. This Planned District Development Plan Permit executed as indicated shall have been recorded in the office of the County Recorder.

7. After the establishment of the project as provided herein, the subject property shall not be used for any other purposes unless specifically authorized by the Planning Commission or unless the proposed use meets every requirement of the zone existing for the subject property at the time of conversion.

8. The property included within this Planned District Development Plan shall be used only for the purposes and under the terms and conditions as set forth in this permit unless specifically authorized by the Planning Director or the permit shall have been revoked by The City of San Diego.

9. 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 the Permittee or its successors in interest, shall be deemed a material breach hereof, and this Planned District Development Plan Permit may be cancelled or revoked. Cancellation or revocation of this Planned District Development Plan Permit may be instituted by the City or Permittee. The Planning Commission may cancel or revoke this permit with that decision appealable to the City Council. Public notice will be provided as in Section 103.0606. An appeal from the decision of the Planning Commission may be taken to the City Council within seven (7) 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 103.0606.

10. This Planned District Development Plan 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.

NORTH CITY WEST DEVELOPMENT PLAN PERMIT NO. 83-0191.1,
CONDITIONAL USE PERMIT FOR VISITOR CENTER AUTO SERVICE STATION

CITY COUNCIL

This North City West Development Plan Permit is granted by the City Council of The City of San Diego to Pardee Construction Company, a California Corporation, Owner/Permittee, under the conditions in Section 103.0611 of the Municipal Code of The City of San Diego. This permit shall also serve as a Conditional Use Permit for the subject property.

1. Permission is granted to Owner/Permittee to construct and operate an auto service station, located east of Interstate 5, north of Carmel Valley Road and on the west side of El Camino Real in the Employment Center Precise Plan area of the North City West community and described as a portion of the Employment Center Development Unit 2A, Map 10394, Section 19, T14S, R3W and portions of Sections 24 and 25, T14S, R4W, SBBM (Lots 41-45 of TM #83-0191), in the VC (Visitor Commercial) Zone of the North City West Planned District.
2. The facility shall consist of the following:
 - a. Automobile service center including a service area, restrooms and office;
 - b. Gasoline pump station;
 - c. Off-street parking; and
 - d. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No fewer than three off-street parking spaces plus one space for each service bay shall be maintained on the property in the approximate location shown on Exhibit "A," dated Sept. 18, 1984 on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked.
4. No permit for construction or operation of any facility 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;

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- b. The North City West Development Plan 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 Commission decision or within 30 days of a 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," of Sept. 18, 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 Sept. 18, 1984, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended.

7. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.

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

9. After establishment of the project, the property shall not be used for any other purposes unless:

- a. Authorized by the Planning Commission; or
- b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
- c. The permit has been revoked by the City.

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

11. This North City West Development Plan 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.

12. Pennants or banners shall not be permitted on the premises.

13. Signaling devices to alert station attendants to entering vehicles shall be located and adjusted as to minimize noise disturbances to adjoining properties.

14. All underground petroleum product storage tanks shall be so designed as to prevent hydrocarbon vapor or gas loss to the atmosphere in accordance with the requirements of the Air Pollution Control Officer of San Diego County.

15. All vehicles shall be repaired and serviced entirely within service bays, except gasoline or motor oil may be dispensed outdoors. No merchandise or supplies shall be stored or displayed outdoors except that motor oils may be stored on suitable racks on pump islands.

16. All trash shall be stored in suitable containers and the containers shall be placed within the building or within enclosed solid walls or fences.

17. All outdoor lighting fixtures shall be ground lights not to exceed 2 feet in height or attached to the building or walls and in no case shall be carried on freestanding signs.

18. A letter from the lessee stating that he has read and understands the conditions imposed on the service station shall be written, signed and sent to the parent oil company and a copy sent to The City of San Diego Planning Department.

19. A copy of this North City West Development Plan/Conditional Use Permit shall be posted on the premises of the service station at all times and be available for viewing by any person or persons who may desire to see the document.

20. In the event that the gasoline sales service facility is abandoned or vacated for a continuous period of one year (12 months), the property owner shall cause to have all structures, buildings, signs, and accessory uses related to the gasoline service station and other potentially hazardous conditions removed from the premises. Underground fuel storage tanks shall also be removed or capped satisfactory to the Fire Department.

21. The canopy for the gas pump areas shall be of natural materials with no metal treatment and integrated with the building and no signage on either the canopy or building is to occur on the site.

22. The northerly portion of the building is to be integrated with the landscaping plan of the site and potentially extended toward the slope area for backfilling and retaining of landscaping in a manner approved by the Planning Director.

23. Specimen trees shown on Exhibit "A" shall be a mixture of 24- and 48-inch box.

24. A comprehensive signing program shall be approved by the Planning Director prior to building permit issuance on the property.

25. The concrete paving for limited portions of the service station shall be broken up with simulation brick finishing or other design detail treatment as approved by the Planning Director.

Passed and Adopted by the City Council of The City of San Diego on Sept. 18, 1984.

Passed and adopted by the Council of The City of San Diego on SEP 18 1984,
 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 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 *June A. Blackhall*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-261595 Adopted SEP 18 1984