

(R-85-655)

RESOLUTION NUMBER R- 261705

ADOPTED ON OCT 9 1984

WHEREAS, LOMAS SANTA FE, INC., a California corporation, hereafter referred to as "Owner/Permittee," filed an application to construct a Planned Commercial Development on the north side of La Jolla Village Drive, between Genesee Avenue and Regents Road, described as Lots 1-19, Regents Park, Map No. 10703, in the CN Zone of the University North Community Plan area; and

WHEREAS, on August 9, 1984, the Planning Commission of The City of San Diego made its findings of fact, granted Planned Commercial Development Permit No. 84-0147 and filed said decision in the office of the City Clerk on August 29, 1984; and

WHEREAS, on August 16, 1984, pursuant to the provisions of Section 101.0910 of the San Diego Municipal Code, CHARLES E. CRAVEN 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; 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 Planned Commercial Development Permit No. 84-0147:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Community Plan. The project is in conformance with the University North Community Plan and is adjacent to the University Towne Center Corp. The project will provide housing, business and shopping opportunities in the community.

2. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. The Engineering and Development Department has indicated that the proposed parking is sufficient to adequately serve the development. The proposed landscaping conforms with the requirements of the zoning ordinance.

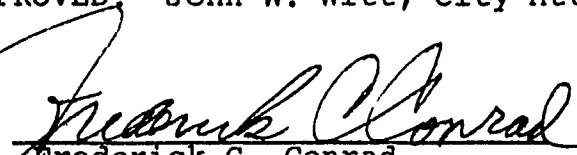
3. The proposed use will comply with the relevant regulations in the Municipal Code. The project is consistent with the purpose and intent of the Planned Commercial Development ordinance to promote and facilitate imaginative, innovative and comprehensively planned developments integrating compatible activities that compliment the surrounding community.

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 CHARLES E. CRAVEN is denied, the decision of the Planning Commission is upheld, and this Council does hereby grant to Owner/Permittee Planned Commercial Development Permit No. 84-0147 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
10/12/84
Or.Dept:Clerk
PCD-84-0147
R-85-655
Form=r.none

PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 84-0147
(AMENDMENT TO PCD 82-0696)
CITY COUNCIL

This Planned Commercial Development Permit is granted by the City Council of The City of San Diego to LOMAS SANTA FE, 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 101.0910 of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to "Owner/Permittee" to amend PCD No. 82-0696 to construct a Planned Commercial Development on premises located on the north side of La Jolla Village Drive, between Genesee Avenue and Regents Road, described as Lots 1-19, Regents Park, Map No. 10703, in the CN Zone of the University North Community Plan area.

2. The facility shall consist of the following:

a. A 1,802,733 square-foot mixed use development containing:

Retail 20,000 square feet;

Hotel 250,333 square feet (360 rooms);

Residential 838,200 square feet (545 dwelling units);

Office and Banking 670,200 square feet;

Market 12,000 square feet; and

Restaurant 12,000 square feet.

- b. Landscaping as shown on Exhibit "A;"
- c. Off-street parking; and
- d. Accessory uses as may be determined incidental and approved by the Planning Director.

3. The permitted uses for the retail establishments on Lots 6, 7 and 8 will be as follows:

- a. Restaurant.
- b. Market-Departments:
 - (1) Meat.
 - (2) Produce.
 - (3) Bakery.
 - (4) Canned and frozen foods.
 - (5) Liquor.
 - (6) Housewares.
 - (7) Dry goods.
- c. Food: types:
 - (1) Deli.
 - (2) Donuts.
 - (3) Ice cream.
 - (4) Yogurt.
 - (5) Bakery.
 - (6) Health foods.
- d. Service: types:
 - (1) Cleaners/laundry/laundromats.
 - (2) Beauty shop.
 - (3) Barber shop.
 - (4) Travel agency.

- (5) Optometrists.
- (6) Pharmacy.
- (7) Print/copy shop.
- (8) Shoe repair.
- (9) Photo services/processing-camera.
- (10) Tailors.
- (11) Real estate.
- (12) Health clubs.

e. Retail Service:

- (1) Florist.
- (2) Liquor.
- (3) Cards, books, gifts.
- (4) Stationers.
- (5) Variety (soft goods/hardware).
- (6) Video rental.
- (7) Toys/hobbies.
- (8) Bicycle.
- (9) Interior design.
- (10) Sporting goods.
- (11) Newsstand.
- (12) Tobacco shop.

f. Any other uses, including accessory uses, which the Planning Director may find to be similar in character to the uses enumerated above and consistent with the purpose and intent of this development.

4. The office uses on Lots 6 and 8 will be marketed to the small 1,000 square-foot to 2,500 square-foot user or other office use and size that would be satisfactory to the Planning Director.

5. A nonexclusive easement for improvement and use of vehicular ramps and other driveways over Lots 5 and/or 6 is permitted for parking facility use.

6. Design of the bridge crossing and pedestrian ramp over Genesee Avenue to Lot 2, together with the sidewalk design abutting Lots 1 and 2 along Genesee Avenue leading to the bridge, will be submitted for review and satisfaction of the Planning Director prior to occupancy permits on Lot 2.

7. The design of the auto courts/pedestrian plaza at the juncture of Lots 1, 2 and 3 shall be submitted for review and satisfaction of the Planning Director prior to issuance of building permits for Lots 1 and 3.

8. Prior to issuance of building permits for Lot 6 and building and/or occupancy permits for Lot 5, plans for a pedestrian linkage for the retail frontage on Lot 6 to the junction of the pedestrian bridge crossing over La Jolla Village Drive at its terminal point on Lot 5 shall be submitted for review and satisfaction of the Planning Director.

9. Interior streets within the project are to be private streets.

10. No fewer than 4,195 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated August 9, 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.

11. No permit for construction, operation or occupancy 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;

b. The Planned Commercial Development 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.

12. 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 9, 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.

13. 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 review and approval. 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.

14. 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.

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

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

- a. Authorized by the Planning Director; 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.

17. This Planned Commercial Development Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

18. This Planned Commercial Development 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.

19. Any encroachment into the dedicated right-of-way will require an encroachment permit and encroachment removal agreement from the City Engineer.

20. A traffic safety plan along Regents Road shall be developed by the Permittee in conjunction with the Engineering and Development Department, University of California at San Diego and approved by the Planning Director to ensure safe crossing of Regents Road from the University student housing area.

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

3226

OCT 9 1984

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

(Seal)

By Julia A. Blackhall, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-261705 Adopted OCT 9 1984