

(R-87-74)

RESOLUTION NUMBER R- 266078

ADOPTED ON JUN 24 1986

WHEREAS, LOMAS GROUP, by John J. Parks, President, appealed the decision of the Planning Commission in denying Planned Commercial Development Permit No. PCD-85-0492, an amendment to Planned Commercial Development Permit Nos. PCD-82-0696 and PCD-84-0147, submitted by LOMAS SANTA FE, INC., a California corporation, Owner/Permittee, which proposes to replace two high-rise structures and one mid-rise structure containing 269 condominium units and 66 apartments, with two mid-rise office towers and an office/retail structure, central plaza and sculpture garden, a total of 313,000 square feet of new office space and 7,500 square feet of new retail space, on Lots 1 through 19, Regents Park, Map 10703, located on the north side of La Jolla Village Drive, between Genesee Avenue and Regents Road, in the University Community Plan area, in the CN Zone; and

WHEREAS, said appeal was set for public hearing on June 24, 1986, 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 Planned Commercial Development Permit No. PCD-85-0492:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the University Community Plan.

a. The applicant has demonstrated that there is a need for increased commercial office space within the University Community Plan area. As shown in the Regents Park Community Plan Analysis, the increase of 313,000 square feet of office space will assist the community in fulfilling its role as one of the three urban cores of the City.

b. The applicant has demonstrated that the deletion of three high-rise residential towers is necessary to respond to market conditions. High-rise towers are not economically feasible, and there is no demand for such housing in the University Community Plan area.

c. The three high-rise residential towers will be replaced with only two high-rise office buildings. This reduces the overall project square footage by 139,700 square feet, allowing for a large central plaza. This central plaza will be developed with an amphitheater and sculpture garden available to the employees and residents of the University Community Plan area, thereby fulfilling a community need for an open urban area and cultural experience.

d. The applicant has demonstrated that the reduction of the residential component of the project has no impact on the University Community as a whole, because the reduction of dwelling units represents about one percent of the community total. In addition, other projects currently approved within the community represent a 12-year supply of housing based on current absorption rates.

e. The applicant has demonstrated that the proposed amendments are consistent with the housing goals of the University Community Plan, as shown on Exhibit A in the correspondence dated June 24, 1986, from Peterson, Thelan & Price which is attached hereto and made a part hereof.

2. The proposed use, because of the 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.

a. The conditions of the proposed planned commercial development amendment include, but are not limited to, the provision for traffic safety plan across Regents Road from the University housing to the retail center, an extensive pedestrian circulation system and the establishment of an arts commission. All of the conditions of the amendment will enhance the health, safety, and general welfare of persons residing or working in the area.

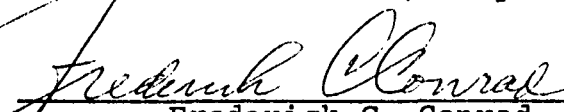
b. The traffic generated from the proposed amendment is slightly less than would be generated by the approved project. In addition, the proposed amendment will generate 6,060 average daily trips less than the total average daily trips allocated by the 1980 Land Use Forecast and Traffic Analysis. This reduction in traffic generation will assist the traffic circulation within the vicinity of Regents Park, thereby not adversely affecting other property within the vicinity.

3. The proposed use will comply with San Diego Municipal Code Section 101.0910 and all other relevant regulations of the Code.

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 LOMAS GROUP is granted; the decision of the Planning Commission is overruled, and Planned Commercial Development Permit No. PCD-85-0492 is hereby granted to LOMAS SANTA FE, INC., 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:640
09/22/86
Or.Dept:Clerk
R-87-74
Form=r.permit

EXHIBIT "A"
 REGENTS PARK CONSISTENCY WITH THE HOUSING GOALS OF
 THE UNIVERSITY COMMUNITY PLAN

HOUSING GOALS

1. "Provide a broad range of housing types and costs to accommodate various age groups, household sizes and compositions, tenure patterns (renter/owner-occupied), and income levels."

2. "Encourage housing for students and employees of the University and life sciences research facilities."

3. "Locate higher density housing nearest the University, the Town Center core and La Jolla Village Square."

CONSISTENCY

1. The housing within Regents Park will be multi-family with a density of about 55 dwelling units per net residential acre (DU/NRA) on the portion of Regents Park designated residential. 250 units of housing are planned for the project. A variety of unit types will be offered, including one and two (possibly three) bedroom units.

The units will be planned and designed to be attractive to the employees of Regents Park and other commercial centers within the Community Plan's urban core. The larger units will accommodate various household sizes, including students sharing expenses. Provisions are being made to provide ground level access units for senior citizens. Providing market rate housing within Regents Park is a goal of the project.

2. Residing in Regents Park will be viable option for university students and employees because of the housing's close proximity to UCSD. Regents Park is less than 1.5 miles from the heart of UCSD. Walking or biking to work will be a desirable feature of the project.

3. The housing density range of Regents Park is 15-30 DU/NRA. This is the second to the highest density classification called for in the Community Plan. The Regents Park housing will be developed at a density of about 55 DU/NRA, based on the area where the dwelling units will be built.

4. "Provide affordable housing for low and moderate income households."

5. "Encourage religious and other non-profit organizations to develop and operate rental and cooperative housing for low and moderate income households."

6. "Encourage a mixture of residential, commercial, and professional office uses."

7. "Encourage the provision of nonstructured recreation areas such as open grassy playing fields."

4. The developer of Regents Park intends to develop housing which is attractive and affordable to employees within the urban core. The centralized location and expansive pedestrian circulation system of Regents Park will assist in eliminating the need and expense of owning and maintaining a car.

5. It is not anticipated that housing within Regents Park will be developed by religious or other non-profit organizations.

6. Regents Park will be a mixed use development consisting of office, retail, and housing. These uses, Regents Park's central location within the urban core, and the well defined pedestrian circulation system of walkways and pedestrian bridges encourage the viability of the mixed use objective of the Community Plan's urban core.

7. Large open grassy playing fields are absent from the project recreation areas planned for Regents Park. Figure 21 of the Community Plan, however, illustrates a city owned park site to be located directly adjacent to the northern edge of the project boundary.

A number of passive recreation areas will be provided throughout the development. Including a central plaza with an amphitheatre and sculpture garden. The Regents Park Arts Commission will facilitate the showing of local artists' work for the enjoyment of Regents Park residents and employees, as well as the residents and employees of the surrounding area.

009RM4

00963

EXHIBIT A

R- 266078

PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. PCD-85-0492
(AMENDMENT TO PCD NOS. 82-0696 AND 84-0147)
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 granted to Owner/Permittee to amend PCD No. 84-0147 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 Lot 1-19, Regents Park, Map No. 10703, in the CN Zone of the University Community Plan area.
2. The facility shall consist of the following:
 - a. A 1,735,033-square-foot mixed use development containing:
 - Retail 27,500 square feet;
 - Hotel 250,333 square feet (360 rooms);
 - Residential 450,000 square feet (250 dwelling units);
 - Office and Banking 983,200 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.

00964

R- 266078

- 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) Delicatessen.
 - (2) Donuts.
 - (3) Ice cream.
 - (4) Yogurt.
 - (5) Bakery.
 - (6) Health foods.
- d. Service: types:
 - (1) Cleaners/laundry/laundromat.
 - (2) Beauty shop.
 - (3) Barber shop.
 - (4) Travel agency.
 - (5) Optometrist.
 - (6) Pharmacy.
 - (7) Print/copy shop.
 - (8) Shoe repair.
 - (9) Photo services/processing-camera.
 - (10) Tailors.

(11) Real estate.

(12) Health club.

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 shall 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. 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.

7. 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.

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

9. No fewer than 4,607 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated June 24, 1986, 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.

10. 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.

11. 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 June 24, 1986, 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.

12. 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. Plans shall be in substantial conformity to Exhibit "A" dated June 24, 1986, 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.

13. 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.

14. This Planned Commercial Development 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 Section 101.0910 of the Municipal Code. Any such extension must meet all Municipal Code requirements and applicable guidelines in effect at the time the extension is considered.

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; and
- 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 prior to issuance of any building permits on Lots 7-19.

21. The applicant shall not oppose and shall participate in the establishment of an assessment district to finance the implementation of operation of a transit loop shuttle service, other than an LRT, in North University City.

22. The applicant shall use its best efforts to work with the owner of Lot 2 to redesign and improve access into the project from the existing pedestrian bridge over Genesee Avenue, to the satisfaction of the Planning Director, prior to the issuance of building permits for Lots 7-19.

23. The applicant shall design access to the proposed pedestrian bridge connecting to the Costa Verde site (on the Regents Park site) to the satisfaction of the Planning Director, prior to the issuance of building permits for Lots 7-19.

24. The applicant shall dedicate a right-of-way of 18.5 feet in width and 625 feet in length along Executive Drive for light rail transit (LRT) purposes. Applicant shall have the right to temporarily encroach in said right-of-way for landscaping and parking purposes, subject to the approval of the Planning Director, until such time as the right-of-way is needed for the LRT. The applicant will not have any further responsibilities, financial or otherwise, for the LRT, other than participation in an area wide assessment district.

25. Bus stop facilities (i.e. attractive weather shelters and benches) shall be provided along La Jolla Village Drive, Genesee Avenue, and Executive Drive, to the satisfaction of MTDB and the City Engineer.

26. At a minimum 60 percent of the 250 dwelling units provided by the applicant shall be two or more bedrooms.

27. Prior to the issuance of the building permit for the last commercial structure on Lots 7-19, the applicant shall commence construction of residential units on Lots 7-19 in accordance with Exhibit "A", dated May 15, 1986.

28. A public arts program shall be developed for Lots 7-19 to the satisfaction of the Planning Director, prior to the issuance of building permits for the last commercial structure on Lots 7-19.

29. Revised plans incorporating the additional 40 dwelling units, redesigned Regents Park Cultural Center and LRT dedication shall be reviewed by the University Community Planning Group and approved by the Planning Director and City Engineer, prior to the issuance of any building permits for Lots 7-19. These revised plans shall augment the Regents Park Cultural Center by deleting commercial office square footage, and substituting therefore retail/restaurant square footage; and by adding conference/exhibit area and a community-serving workshop and meeting facilities. Traffic generation shall not exceed 26,790 ADT for the entire amended project.

30. The applicant shall provide plans for and implement median landscaping programs for Regents Road, Executive Drive and Genesee Avenue fronting the subject property to the satisfaction of the Planning Director and City Engineer, prior to the occupancy of any buildings on Lots 7-19.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO
ON JUNE 24, 1986.

336 b

JUN 24 1986

Passed and adopted by the Council of The City of San Diego on ,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

ED STRUIKSMA
Deputy Mayor of The City of San Diego, California.

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

(Seal)

By *Maybell L. Antecano*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-266078** Adopted **JUN 24 1986**