

RESOLUTION NUMBER R-268648

ADOPTED ON JUNE 22, 1987

WHEREAS, SHERATON HOTEL CORP., by Craig Beam of Luce, Forward, Hamilton & Scripps, appealed the decision of the Planning Commission in denying Planned Commercial Development Permit No. PCD-86-0679 submitted by THE CITY OF SAN DIEGO, Owner, and SHERATON CORPORATION, Permittee, to construct a 4-story, 400-room hotel and two levels of subterranean parking for 738 parking spaces on an 11-acre site on Pueblo Lots 1330 and 1331, Miscellaneous Map No. 36, located on the west side of North Torrey Pines at the Torrey Pines Municipal Golf Course, in the University Community Plan area, in the R1-5000 Zone (proposed CR Zone); and

WHEREAS, the matter was set for public hearing on June 22, 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 Planned Commercial Development Permit No. PCD-86-0679:

1. The proposed use will fulfill a need and will not adversely affect the neighborhood, General Plan or the University Community Plan.


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.

3. The proposed use will comply with the relevant regulations in the Municipal Code. The project conforms to design criteria for Planned Commercial Development regulations set forth in Municipal Code Section 101.0910.

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 SHERATON HOTEL CORP. is granted; the decision of the Planning Commission is overruled, and Planned Commercial Development Permit No. PCD-86-0679 is hereby granted to THE CITY OF SAN DIEGO, Owner, and SHERATON CORPORATION, Permittee, 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
07/14/87
Or.Dept:Clerk
R-88-106
Form=r.permit

PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 86-0679
CITY COUNCIL

This Planned Commercial Development Permit is granted by the City Council of the City of San Diego to THE CITY OF SAN DIEGO, "Owner", and THE SHERATON CORPORATION, "Permittee", under the conditions in Section 101.0910 of the Municipal Code of the City of San Diego.

1. Permission is granted to Owner/Permittee to construct a 400-room hotel with accompanying meeting facilities and parking located on the west side of North Torrey Pines Road at the Torrey Pines Municipal Golf Course, described as Pueblo Lots 1330 and 1331 of the Pueblo Lands of San Diego in the City of San Diego, in the R1-5000 (proposed CR) Zone.

2. The facility shall consist of the following:

- a. A 400-room hotel;
- b. Related hotel facilities including banquet rooms, meeting rooms, restaurant and kitchen, a ballroom, lobby, entryways and service areas;
- c. Off-street parking;
- d. Accessory uses as may be determined incidental and approved by the Planning Director.

3. Interior noise levels shall be mitigated by incorporation of noise attenuation features during construction of the hotel to the satisfaction of the City Noise Abatement officer. An Acoustical Engineering study, including on-site monitoring will be required to determine the appropriate design measures as specified partly within Environmental Impact Report No. 860679.

4. No fewer than 738 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated June 22, 1987, 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.

5. No permit for construction 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.
6. 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 22, 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.
 7. 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 June 22, 1987, 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.
 8. 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.
 9. 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 extension of time shall be subject to all standards and criteria in effect at the time the extension is applied for.
 10. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
 11. 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.
 12. 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.

13. 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.

14. Before issuance of any grading or building permits, the property shall be rezoned from R1-5000 to the CR Zone.

15. Before issuance of any grading or building permits, the applicant shall obtain approval, by City Council, of an amendment to the adopted 1983 University Community Plan for this site to allow the increase in allowable density proposed by this project.

16. Prior to issuance of any grading or building permits, the applicant shall obtain approval of CUP/AM No. 86-0679 to delete this site from inclusion within the Torrey Pines Municipal Golf Course.

17. Prior to issuance of any sign permits the applicant shall submit a signage program for approval by the Planning Director. Monument signage shall be considered for approval only if it is a low scale sign.

18. Fire lane material should be reviewed and approved by the Planning Director and Fire Department.

19. Eucalyptus trees shall be located in the parkway along the west side of North Torrey Pines Road. A detailed landscape plan showing proposed planting along North Torrey Pines Road shall be submitted to the Planning Director for approval before issuance of any grading or building permits.

20. Eight-foot non-contiguous sidewalks with an eight-foot landscape strip shall be located along North Torrey Pines Road and on both sides of the main entry connecting to the hotel. Sidewalks shall be provided along the edge of the hotel connecting to the Torrey Pines Inn to the north and the Scripps Aerobic Center to the south. All walkways shall be reviewed and approved by the Planning Director prior to the issuance of any building permits for this project.

21. The applicant shall participate in the Facilities Benefit Assessment (FBA) program to finance the construction of traffic mitigation measures in the University Community Plan Area at a level to be determined by the City Engineer. Signalization of the intersection of North Torrey Pines Road and Science Park Road shall be provided.

22. Before issuance of any grading or building permits, the applicant shall obtain approval of final Tentative Map No. 86-0679. Tentative Map No. 86-0679 shall show a cross section of Torrey Pines Road with a five-foot parkway, eight-foot sidewalk, and bike lane.

23. No open space easements shall be granted within this Planned Commercial Development. Non-building easements shall be granted as required by the Planning Director to implement the open space provision of the project.

24. The applicant shall provide emergency access as shown on the approved Planned Commercial Development exhibit. This emergency access shall be maintained by the hotel and shall be gated in a manner satisfactory to the Fire Department.

25. The applicant shall agree to pay all the FBA fees as determined by the City Council when the FBA Program for the University community is approved.

Passed and Adopted by the City Council on June 22, 1987.

00699

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.

SHERATON CORPORATION
(Permittee)

By_____

By_____

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

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R- 268648

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JUN 22 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 type="checkbox"/>	<input checked="" 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	
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