

(R-88-1258)

RESOLUTION NUMBER R-269825

ADOPTED ON NOVEMBER 24, 1987

WHEREAS, Carmel Highland Golf Associates, by Thomas DiBenedetto, Owner, appealed the decision of the Planning Commission in denying Conditional Use Permit No. CUP-87-0346 (an amendment to Conditional Use Permit No. CUP-5206), to allow the retention of the existing Carmel Mountain Country Club identification sign which does not conform to City-wide signage regulations, located on the west side of Interstate 15, north of Carmel Mountain Road exit and is described as Parcel 1, all that portion of Rancho Los Penasquitos according to map accompanying the patent to said Rancho recorded in Book 2, Page 385 of Patents; Parcel 2, Lot 4 of Penasquitos Unit 2 according to Map-5599; Parcel 3, Lots 5 and 6 of Penasquitos Unit 2 according to Map-5599, in the Penasquitos East Community Plan area, in the R1-5000 Zone; and

WHEREAS, the matter was set for public hearing on November 24, 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 Conditional Use Permit No. CUP-87-0346 (an amendment to Conditional Use Permit No. CUP-5206):

1. The proposed sign will fulfill an individual need but will adversely affect the General Plan and the adopted Penasquitos East Community Plan. The retention of the existing freeway-oriented sign does not meet requirements of the underlying R1-5000 Zone or the criteria for freeway oriented signs. The sign would set a precedent in the Penasquitos East Community and undermine the regulations of the City-wide Sign Code.

2. The proposed sign 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 Environmental Quality Division has exempted this project from environmental review under Section 15301 (Existing Structures).

3. The proposed Conditional Use Permit amendment will not comply with all the relevant regulations of the San Diego Municipal 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 Conditional Use Permit No. CUP-87-0346 (an amendment to Conditional Use Permit No. CUP-5206), to maintain a permanent sign (at approximately the same location as the existing sign), shall be subject to the following conditions:

1. The existing sign must be removed either upon
  - (a) completion of the new hotel and conference center, or
  - (b) completion of a period of no more than twelve (12) months from the date of this hearing, whichever occurs first.

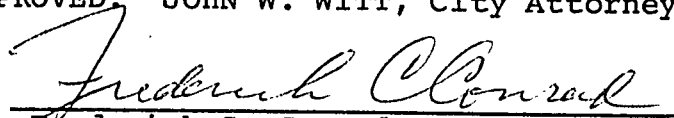
2. The new sign must be of a design similar to (carved redwood) that of the welcoming signs at the entrances to the community and landscaped in a manner consistent with community standards. Moreover, the body of the sign shall have its entire base on the ground and reach a height at its highest point of no more than eight (8) feet. Furthermore, the sign shall bear only the following message, "Welcome to Rancho Penasquitos, Home of the Carmel Highlands Country Club," in carved or raised, but not painted, letters.

3. That prior to issuance of any occupancy permits for part or all of the conference center, country club, hotel or any support facility, that Great Pacific Hotels and the Carmel Highlands Country Club be required to obtain final approval from the Rancho Penasquitos Town Council and the Council of The City of San Diego, of the design, location and installation of the permanent sign.

BE IT FURTHER RESOLVED, that the appeal of Carmel Highland Golf Associates, by Thomas DiBenedetto, is granted; the decision of the Planning Commission is overruled, and Conditional Use Permit No. CUP-87-0346 (an amendment to Conditional Use Permit No. CUP-5206), is hereby granted to Carmel Highland Golf Associates, by Thomas DiBenedetto, 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:ta  
11/24/87  
CUP-87-0346  
Or.Dept:Clerk  
R-88-1258  
Form=r.permit

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.

MOUNTAIN GOLF ASSOCIATE  
(Permittee)

By \_\_\_\_\_

By \_\_\_\_\_

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

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A-269825

CONDITIONAL USE PERMIT AMENDMENT NO. 87-0346  
(AMENDMENT TO CONDITIONAL USE PERMIT 5206)

CITY COUNCIL

This Conditional Use Permit Amendment ("Permit") is granted by the Council of The City of San Diego to MOUNTAIN GOLF ASSOCIATE, a Limited Partnership ("Owner/Permittee"), under the conditions in Section 101.0510 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to retain the existing nonconforming Carmel Mountain Country Club Identification Sign and continue operation of the Golf Course Facilities located on the west side of Interstate 15, north of Carmel Mountain Road, described as Parcel 1: All that portion of Rancho Los Penasquitos, according to map accompanying the patent to said Rancho recorded in Book 2, Page 386 of patents; Parcel 2: Lot 4 of Penasquitos, Unit No. 2 according to Map No. 5599; Parcel 3: Lots 5 and 6 of Penasquitos, Unit No. 2 according to Map No. 5599, in the R1-5000 Zone.

2. The facility shall consist of the following:

- a. Existing Golf Course and Clubhouse Facilities.
- b. Existing 221 square foot freeway - oriented ground sign identifying the Carmel Mountain Country Club.
- c. Off-street parking.
- d. Accessory uses as may be determined incidental and approved by the Planning Director.

3. No fewer than the existing number of off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated November 24, 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.

4. No permit for 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.
- b. The Permit is recorded in the office of the County Recorder.

5. Before the issuance of 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 November 24, 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 November 24, 1987, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on the 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. This Permit must be used within thirty- six (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 Sections 101.0506 and 101.0510 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.

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

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

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

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

12. This 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.

13. The existing sign must be removed either upon  
i) completion of the new hotel and conference center, or,  
ii) completion of a period of no more than twelve (12) months from the date of this hearing, whichever occurs first.

14. The new sign must be of a design similar to (carved redwood) that of the welcoming signs at the entrances to the community and landscaped in a manner consistent with community standards. Moreover, the body of the sign shall have its entire base on the ground and reach a height at its highest point of no more than eight (8) feet. Furthermore, the sign shall bear only the following message, "Welcome to Rancho Penasquitos, Home of the Carmel Highlands Country Club," in carved or raised, but not painted, letters.

15. Prior to issuance of any occupancy permits for part or all of the Conference Center, Country Club, Hotel or any support facility, the Great Pacific Hotels and the Carmel Highlands Country Club will be required to obtain final approval from the Rancho Penasquitos Town Council and the San Diego City Council of the design, location, and installation of the permanent sign.

PASSED AND ADOPTED by the City Council on November 24, 1987.



NOV 24 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT
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 checked="" type="checkbox"/>	<input 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 *Brenda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **A-269825** Adopted **NOV 24 1987**