

RESOLUTION NUMBER R-293130

ADOPTED ON MAY 16, 2000

WHEREAS, T.C. and Jane Hu, Owners and Rancho Santa Fe Driving Range, Inc., Permittee, filed an application with The City of San Diego for a permit to construct a recreation facility consisting of a golf practice range, three 9-hole putting courses, a roller hockey facility and ancillary uses on a 26.9-acre site for a period of ten years, located on the southeast corner of Via de la Valle and El Camino Real, legally described as a portion of Section 6, Township 14 South, Range 3 West, in the San Bernardino Meridian, in the North City Future Urbanizing Area, in the AR-1-1, Flood Plain Fringe, Hillside Review Overlay zone; and

WHEREAS, on February 17, 2000, the Planning Commission of The City of San Diego considered and denied, pursuant to Resolution No. 2928-PC, Conditional Use Permit [CUP]/ Resource Protection Ordinance [RPO] Permit No. 96-7315; and

WHEREAS, the matter was set for public hearing on May 16, 2000, 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/Resource Protection Ordinance Permit No. 96-7315:

CONDITIONAL USE PERMIT FINDINGS:

- 1. The proposed use will adversely affect the neighborhood, the general plan, or the community plan, and, if conducted in conformity with the conditions provided by the permit, will be detrimental to the health, safety, and general welfare of persons residing or working in the area. The development of youth sports facility encompassing a 60 tee driving**

range, three 9-hole putting courses, a roller hockey facility with two arenas and associated accessory uses and improvements on 23.9 acres of a 26.9-acre site will be detrimental to the health, safety and general welfare of persons residing and working in the area. Public testimony received at the public hearings on this project indicated that traffic on Via de la Valle would be significantly impacted by the development of this facility at this location. As part of the Environmental Impact Report, the City was requested to make Findings of Overriding Consideration with respect to traffic in order to approve the project. The Council determined that the proposed project would negatively impact the rural nature of adjacent uses by introducing new noise, light and traffic impacts therefore, this findings could not be made.

2. The proposed development will not be sited and designed to prevent adverse impacts on any environmentally sensitive lands and resources located adjacent parks and open space areas and will not provide adequate buffer areas to protect such resources. The Council determined that the project would introduce noise, traffic and light impacts which would not be consistent with the general development pattern of the surrounding area. No overriding benefits could be identified by the Council which mitigated these impacts to a level of insignificance therefore, this finding could not be made.

3. The proposed development will not conform to the community plan for the area and any other applicable plans, policies and ordinances. The Council determined that the project would conform to the City of San Diego's Progress Guide and General Plan however, because of its design and orientation, the project would generate noise, light and traffic impacts beyond what was anticipated for this site in the Future Urbanizing Framework Plan without the necessary infrastructure to support this type of development, even on an interim basis.

4. The proposed development is not sited, designed constructed and maintained to minimize adverse impacts on environmentally sensitive lands. The Council determined that the proposed project would impact environmentally sensitive lands due to the projects intensity and commercial orientation and its close proximity to the San Dieguito River Park and other open space and rural character uses. The Council additionally determined that the noise, lighting, traffic and visual impacts of the project would not be compatible with adjacent uses.

5. The proposed development will not minimize the alterations of natural land forms and will not result in undue risks from geological and erosional forces and/or flood and fire hazards. The Council determined that the addition of approximately 53,000 cubic yards of fill to the site in order to create the golf driving range, putting courses and other improvements on this site did not minimize alterations to existing land forms on the project site.

6. Feasible measures, as defined in San Diego Municipal Code section 126.0504 (c), to protect and preserve the special character or the special historical, architectural archaeological or cultural value of the affected significant prehistoric or historic site or resource have not been provided by the applicant. No sensitive historical, archaeological, architectural or cultural resources have been identified on this property. Two sensitive habitats; coastal sage scrub and freshwater marsh, have been identified on-site. The Council determined that the development of the site with a golf driving range and other associated improvements

would negatively impact adjacent uses and that the addition of approximately 53,000 cubic yards of fill to develop the project would destroy the special character of the site.

7. There are no special circumstances or conditions applying to the land that are peculiar to such land and not of the applicants making whereby the strict application of the provisions would deprive the owner of the reasonable use of the land. The Council determined that there were no special circumstances related to this site which justified the approval of the project. The owner/applicant could construct two residential units or conduct agricultural uses on the property by right as permitted in the AR-1-1 zone.

8. There are feasible measures that can further minimize the potentially adverse impacts on environmentally sensitive lands; The Council believed that the owners right to develop uses that would be permitted in the AR-1-1 zone provided the owner/permittee with sufficient alternatives of use. The Council believed that the future development which could occur in connection with such a project would result in fewer environmental impacts than those associated with the proposed project.

9. Alternative compliance for the development will adversely affect the progress guide and general plan for the City of San Diego; The project requires alternative compliance because traffic generation levels for the project exceed those anticipated in the Future Urbanizing Area (FUA) of the City's Progress Guide and General Plan. The Council determined that the approval of alternative compliance to allow the traffic generation levels to be exceeded for the development proposed would have a detrimental impact on the surrounding area and adversely affect the Progress Guide and General Plan and would not be consistent with the FUA or with Council Policy 600-29.

10. The proposed development will not conform to the adopted community plan for the area and any other applicable plans, policies and ordinances. The Council determined that the proposed Rancho Santa Fe Golf Range and Park project is not in conformance with the overall goal of the San Dieguito River Park Concept Plan to preserve and restore land within the River Park's Focused Planning Areas as a regional open space greenway and park system. The Council also determined that the project would be inconsistent with the goals and the guiding principles of the NCFUA Framework Plan because of traffic impacts associated with this the project.

BRUSH MANAGEMENT FINDINGS:

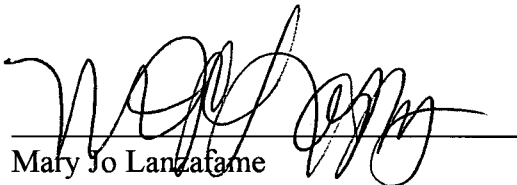
11. The proposed brush management program will adversely affect flood plains, biologically sensitive lands, hillsides, significant prehistoric sites and resources and wetlands as defined in the Resource Protection Ordinance, San Diego Municipal Code section 101.0462. The proposed Brush Management Program encroaches twenty (20) feet into a hillside vegetated with non-native plant species. The Council determined that because the property has a right to be developed under the AR-1-1 zone, that all impacts associated with the development of this site with the golf driving range, putting courses and other improvements could be eliminated if this project was not implemented.

12. The proposed brush management program will not minimize the alterations of vegetation and will result in undue risks from erosional forces. The project proposes filling of the site (approximately 53,000 cubic yards) to accommodate the development of the project. Although the majority of the site has been previously disturbed as a result of previous commercial and agricultural activities, the Council determined that the loss of wetland vegetation along Via de la Valle would be significant.

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 decision of the Planning Commission is sustained, and Conditional Use Permit/Resource Protection Ordinance Permit No. 96-7315 is hereby denied to T.C. and Jane Hu, Owners and Rancho Santa Fe Driving Range, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

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Or.Dept:Clerk
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