

**CITY COUNCIL RESOLUTION NO.
CONDITIONAL USE PERMIT NO. 132890
PLANNED DEVELOPMENT PERMIT NO. 263778
RANCHO BERNARDO INN**

WHEREAS, RBI INVESTORS, LP., a Delaware limited partnership, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish nine (9) existing tennis courts and construct a 9,950 square foot meeting/ballroom, 1,150 square-feet of storage areas, a 2,560 square-foot kitchen, swimming pool, lawn areas, patio areas and accessory areas totaling 26,000 square feet of new development area (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permits No. 132890 and 263778), on portions of a 137.48 acre site;

WHEREAS, the project site is located at 17550 Bernardo Oaks Drive, in the RS-1-14 Zone of the Rancho Bernardo Community Plan;

WHEREAS, the project site is legally described as Portions of Parcel 2 and 3, Map No. 4380, and Parcel 1 of Map No. 509, including other small contiguous parcels identified as APN 272-110-40.;

WHEREAS, on February 21, 2006, the City Council of the City of San Diego considered Conditional Use Permit No. 132890 and Planned Development Permit No. 263778 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego as follows:

That the City Council adopts the following written Findings, dated February 21, 2006.

FINDINGS:

Conditional Use Permit – Section 126.0305

1. The proposed development will not adversely affect the applicable land use plan.
The Rancho Bernardo Community Plan’s commercial and recreation element designates the subject property for resort/golf course use and states that “commercial recreational uses and meeting area are encouraged to locate in private facilities such as the Rancho Bernardo Inn” (Page 66). The proposed project conforms to this designated use as recommended in the community plan. Additionally, the Rancho Bernardo Inn was approved by Conditional Use Permit in 1962. This Conditional Use Permit was subsequently amended six times and each time positive findings were made that the Rancho Bernardo Inn use, as then proposed, would not adversely affect the then existing applicable land use plan. The project as currently proposed would not materially change or affect the existing operations of the Rancho Bernardo Inn and will continue to implement the applicable land use plan. Therefore, the project will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.
The proposed development has been designed and will be constructed to meet all applicable zoning codes, environmental, building, fire and other regulations applicable to this type of development as imposed by the City of San Diego, the State of California and all federal agencies. The proposed

development will provide for the health, safety and welfare of residents by incorporating measures to improve traffic flow, parking, and reduce potential impacts from lighting and noise. The proposed development will limit exterior lighting through intensity, direction and shading to comply with all current standards. The proposed meeting/ballroom building will be designed with self closing doors that lead to an enclosed patio. The proposed meeting/ballroom building will operate within the City of San Diego's adopted noise standards. As such, the proposed development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code.

The proposed development complies with the San Diego Municipal Code, specifically the RS-1-14 zone for building height, setbacks and required onsite parking spaces. The proposed development complies with the resort use designated within the Rancho Bernardo Community Plan for the project site. The proposed development will not obstruct any public view or scenic vista and the architectural style of the building will be compatible and similar in character to the existing surrounding neighborhood and community.

4. The proposed use is appropriate at the proposed location

As previously stated, a Conditional Use Permit for the existing Rancho Bernardo Inn was originally approved in 1962 and amended six times. In each instance, positive findings were made that the Rancho Bernardo Inn use, as then proposed, was an appropriate use at the subject site. The Rancho Bernardo community is a planned community containing four golf courses. The Rancho Bernardo Inn has been operating within the community since 1962. The Rancho Community Plan promotes commercial recreational uses and meeting areas are "encouraged to locate in private facilities such as the Rancho Bernardo Inn". The proposed meeting/ballroom building will serve as a destination for conferences and banquets. These improvements will continue to implement the goals of the Rancho Bernardo Community Plan. As such, the proposed use is appropriate at the proposed location.

Planned Development Permit – Section 126.0604

1. The proposed development will not adversely affect the applicable land use plan;

The Rancho Bernardo Community Plan's commercial and recreation element designates the subject property for resort/golf course use and states that "commercial recreational uses and meeting area are encouraged to locate in private facilities such as the Rancho Bernardo Inn" (Page 66). The proposed project conforms to this designated use as recommended in the community plan. The project as currently proposed would not materially change or affect the existing operations of the Rancho Bernardo Inn and will continue to implement the applicable land use plan. Therefore, the project will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety and welfare;

The proposed development has been designed and will be constructed to meet all applicable zoning codes, environmental, building, fire and other regulations applicable to this type of development as imposed by the City of San Diego, the State of California and all federal agencies. The proposed development will provide for the health, safety and welfare of residents by incorporating measures to improve traffic flow, parking, and reduce potential impacts from lighting and noise. The proposed development will limit exterior lighting through intensity, direction and shading to comply with all current standards. The proposed meeting/ballroom building will be designed with self closing doors that lead to an enclosed patio. The proposed meeting/ballroom building will operate within the City of San

Diego's adopted noise standards. As such, the proposed development will not be detrimental to the public health, safety and welfare.

3. The proposed development will comply with the regulations of the Land Development Code;

The proposed development complies with the San Diego Municipal Code, specifically the RS-1-14 zone including, but not limited building height, setbacks, floor area ratio and required onsite parking spaces. The proposed development complies with the resort/golf course use designated within the Rancho Bernardo Community Plan for the project site. Further, the proposed development is consistent with the existing neighborhood scale and is designed to minimize noise, visual impacts and is architecturally consistent in terms of style and materials with the existing Rancho Bernardo Inn and adjoining community. No deviations from the Land Development Code are requested as part of the proposed development.

4. The proposed development, when considered as a whole, will be beneficial to the community; and

The Rancho Bernardo community is a planned community containing four golf courses. The Rancho Bernardo Inn has been operating within the community since 1962. The Rancho Community Plan promotes commercial recreational uses and meeting areas are "encouraged to locate in private facilities such as the Rancho Bernardo Inn". The proposed meeting/ballroom building will serve as a destination for conferences and banquets. These improvements will implement the goals of the Rancho Bernardo Community Plan. The proposed development when considered as part of the larger project, Rancho Bernardo Inn, the proposed meeting/ballroom building would be beneficial to the community by providing additional meeting and banquet space for both business and social events. The proposed meeting/ballroom building allows for the continued viability of the Rancho Bernardo Inn, which has been an important community focal point since 1962. As such, the proposed use is appropriate at the proposed location.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The proposed development is not requesting any deviations from the underlying zone. The Planned Development Permit is for the proposed project meeting the applicable land use plan, in this case, the Rancho Bernardo Community Plan. The community plan designates the proposed project as resort/golf course use. The proposed meeting/ballroom building would be constructed within the area designated as golf course within the community plan. The Rancho Bernardo Community Plan's commercial and recreation element designates the subject property for resort/golf course use and states that "commercial recreational uses and meeting area are encouraged to locate in private facilities such as the Rancho Bernardo Inn" (Page 66). As such, the proposed meeting/ballroom building would result in a more desirable project.

ATTACHMENT 4

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the City Council, Planned Development Permit No. 263778 and Conditional Use Permit No. 132890 is hereby GRANTED by the City Council to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permits No. 263778 and 132890, a copy of which is attached hereto and made a part hereof.

Laura C Black
Development Project Manager
Development Services

Adopted on: February 21, 2006

Job Order No. 423114

cc: Legislative Recorder, Planning Department