

**CITY OF SAN DIEGO  
M E M O R A N D U M**

DATE: November 4, 2005

TO: Chairman Shultz and Planning Commissioners

FROM: Laura C Black, Development Project Manager,  
Development Services Department

SUBJECT: Project No. 44512, Rancho Bernardo Inn,  
Continued from October 13, 2005

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This project was originally scheduled for Planning Commission on October 13, 2005. Staff requested a continuance to November 10, 2005, due to a noticing error regarding the original notice for the October 13, 2005 hearing date.

The project has been given enough time to allow proper noticing for the project in accordance with the San Diego Municipal Code.

Laura C Black

LCB

**DATE ISSUED:** October 6, 2005 **REPORT NO. PC-05-282**

**ATTENTION:** **Planning Commission, Agenda of October 13, 2005**

**SUBJECT:** PROCESS 4 - RANCHO BERNARDO INN - PROJECT NO. 44512

**REFERENCE:** Conditional Use Permit No. 5003 (Attachment 9)

**OWNER/** RBI Investors, LP, a Delaware limited partnership  
Paul L. Reed, Owner's Representative

**APPLICANT:** Randi Coopersmith, Latitude 33 Planning and Engineering  
(Attachment 12)

**SUMMARY**

**Issue(s):** Should the Planning Commission approve Planned Development Permit No. 263778 and Conditional Use Permit No. 132890 to amend Conditional Use Permit No. 86-0936 to allow the demolition of nine (9) existing tennis courts and construction of a 9,950 square foot meeting/ballroom, 1,150 square-feet of storage areas, a 2,560 square-foot kitchen, swimming pool, lawn area, patio area, and outdoor accessory areas totaling 26,000 square feet of new development within the existing 137.48 acre property?

**Staff Recommendations:**

1. **CERTIFY** Mitigated Negative Declaration No. 44512 and **ADOPT** Mitigation Monitoring Reporting Program No. 44512;
2. **APPROVE** Planned Development Permit No. 263778; and
3. **APPROVE** Conditional Use Permit No. 132890

**Community Planning Group Recommendation:** On August 18, 2005, the Rancho Bernardo Community Planning Board voted 21-0-0 to recommend approval of the project with 14 conditions as identified within Attachment 10. On September 15, 2005, the

Rancho Bernardo Community Planning Board reconsidered the project and voted 16-0-0 to recommend approval of the project with 15 modified conditions, from the previous August 18, 2005 vote, as identified within Attachment 11.

**Environmental Review:** A Mitigated Negative Declaration No. 44512 has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level below significance, any potential impacts identified in the environmental review process.

**Fiscal Impact Statement:** All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

**Code Enforcement Impact:** None with this action

**Housing Impact Statement:** The project proposes 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. The proposed project would have a neutral impact on housing within the Rancho Bernardo Community.

## **BACKGROUND**

The proposed project is located at 17550 Bernardo Oaks Drive in the RS-1-14 Zone within the Rancho Bernardo Community Plan Area and is designated for resort use. The site currently contains the following facilities: eighteen-hole golf course, club house, pro shop, lounge facilities, 283 guest units, 584 parking spaces, 12 tennis courts, two swimming pools, banquet and dining facilities, commercial and retail shops, restaurant, conference and meeting space, administrative offices, and maintenance/support facilities (Attachment 1). The irregular shaped site is approximately 137.48 acres and is bound by single family residences to the north and south. The golf course is to the east and west of the project site (Attachment 2). The site is relatively level in topography in the area proposed for redevelopment. The project is currently accessed by Bernardo Oaks Drive as the main ingress/egress to the facility.

The Rancho Bernardo Inn development was originally approved for the construction and operation of the golf course, club house, lodge and related facilities by the Planning Commission on August 1, 1962, under Conditional Use Permit No. 5003 (Attachment 9). There have been six subsequent amendments to CUP No. 5003 the last being approved by the Planning Commission on January 29, 1987, CUP No. 86-0936. These amendments allowed for additional uses on the site that were not covered in previous permits including: 283 guest units, 584 parking spaces, 12 tennis courts, swimming pools, banquet and dining facilities, commercial and retail shops, restaurant, conference and meeting space, administrative offices, and maintenance/support facilities.

## **DISCUSSION**

### **Project Description:**

The project proposes to process a Planned Development Permit and Conditional Use Permit to amend CUP No. 5003 to demolish nine (9) of the 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. The project would not result in any additional guest rooms over the current guest room total of 283 rooms.

The maximum building height on the site would be 29'-8" feet, and would be limited to the proposed meeting/ballroom building. The exterior of the building would consist of colored stucco to match existing buildings on the project site, windows, terra cotta colored clay tile roof, metal wrought iron, and concrete columns to match colored stucco.

As designed, the project site would generally maintain existing drainage patterns. Flows from the site would drain over, and be filtered by, the existing golf course. All onsite drainage would be collected via 6" drains placed throughout the proposed development area and then directed into the City's storm drain system. The proposed project has been reviewed by City Landscape staff and would comply with all applicable landscape regulations.

There are currently 584 parking spaces onsite. During review of the project, it was determined that this was sufficient for the current project site with the proposed redevelopment taken into consideration. The project proposes to close exiting from the main parking lot to Bernardo Oaks Drive as part of the project and make Greens East Road the main access. The main parking lot will not exit to Bernardo Oaks Drive and will be open to Emergency Vehicles only.

The Rancho Bernardo Inn is located in an area designated as resort/golf course use within the Rancho Bernardo Community Plan. The community plan also states "commercial recreational uses and meeting areas are encouraged to locate in private facilities such as the Rancho Bernardo Inn" (Page 66). The proposed meeting/ballroom building conforms to this use and is located within the area designated as golf course. The proposed project is consistent with this designation. The project site is zoned RS-1-14. The zone allows a golf course use with a CUP. Additionally, the RS-1-14 zone has a maximum structure height of 35 feet. The project is proposing a maximum structure height of 29'8", which conforms with the underlying zone.

### **Community Plan Analysis:**

The proposed project does not adversely impact the Rancho Bernardo Community Plan. The Rancho Bernardo Community Plan encourages commercial recreational uses and meeting areas to be located in private facilities such as the Rancho Bernardo Inn. Page 66 of the Community Plan, contained within the "Open Space, Parks and Recreation" element, under the heading

"Private Recreation Facilities", provides detailed policy language for Golf Course uses within the Rancho Bernardo Community. The paragraph is as follows: "Four golf courses containing about 523 acres have been developed within the community. Two 18-hole courses are privately owned and maintained for the exclusive use of members. In addition, an 18-hole golf course and a 27-hole executive golf course have been developed and are open for public use. Commercial recreational uses and meeting areas are encouraged to locate in private facilities such as the Rancho Bernardo Inn."

### **Environmental Analysis:**

The City of San Diego conducted an Initial Study and determined that the proposed project could have a significant environmental effect in the following area: paleontological resources. The project, as revised, now avoids or mitigates the potentially significant environmental effects previously identified. A Mitigated Negative Declaration No. 44512, has been prepared for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines.

A traffic analysis and noise study was prepared for the project during the initial study. The traffic analysis is written in a letter report format, dated June 15, 2005 and was prepared by Urban Systems Associates, Inc. The report was prepared to examine the proposed project impacts to the existing street system. The report determined that the proposed project does not create any new or unexpected impacts that cannot be accommodated by the existing street system. The project contains 584 parking spaces and supports the proposed meeting/ballroom building. No additional onsite parking spaces will be required with the proposed development.

A noise study titled "Final Acoustical Compliance Assessment, Rancho Bernardo Inn Ballroom Addition – San Diego, CA, ISE Report #05-024", dated May 6, 2005 was prepared by Investigative Science and Engineering, Inc. The report was prepared to ascertain exterior property line noise levels due to future amplified music inside the meeting/ballroom building. The report determined that the proposed amplified music within the meeting/ballroom building would not increase the existing ambient noise levels in the surrounding community. Additionally, the applicant has agreed to condition the project to not allow amplified music outside the meeting/ballroom building at any time during operational hours.

Based on the traffic analysis and noise study, no significant impacts would be associated with the proposed project; therefore, no traffic or noise mitigation is required. The project proposes to grade the location of the nine (9) tennis courts. The project proposes 2.3 acres of grading with the amount of proposed cut of 1,200 cubic yards, with 1,550 cubic yards of import, for total fill of 2,750 cubic yards. The maximum depth of cut would be 12 feet. The proposed amount of grading requires paleontological monitoring while grading; therefore, the Mitigated Negative Declaration was prepared in accordance with CEQA.

### **Project-Related Issues:**

The Rancho Bernardo Community Planning Board had 14 conditions of their recommendation of approval of 21-0-0 at their meeting on August 18, 2005 as identified within Attachment 10. On September 15, 2005, the Rancho Bernardo Community Planning Board modified the proposed conditions and voted to approve the project with revised conditions by a vote of 16-0-0. The revised recommended project conditions by the Rancho Bernardo Community Group have been reviewed by the applicant. The applicant agrees to implementation of the proposed conditions via a private agreement with the community group. The following revised conditions from the community group are not contained with the draft permit (Attachment 7) and are not considered as part of the proposed project:

Conditions Related to Traffic Circulation

1. The Permittee (Rancho Bernardo Inn) shall at all times maintain Greens East Road as the main ingress/egress to the facility by:
  - a. Permanently (except as required by law for emergency vehicles) closing the south parking lot exit to Bernardo Oaks Drive and providing directional signs to Greens East Road;
  - b. Changing all promotional material, effective September 1, 2005, to reflect Greens East Road as the entrance/exit to the Facility. (Promotional materials include, but are not limited to: brochures, mailers, periodical advertisements and web site materials and internet mapping services.
2. Prior to the issuance of any building permits, the Permittee shall demonstrate to the satisfaction of the City Engineer that the Permittee has the right, either through ownership or written agreement, to implement proposed improvements to the private road extending west from Greens East Road to the facility's East property line.
3. Prior to the issuance of an occupancy permit for the proposed expansion, the following improvements to the private road extending from the end of Greens East Road to the facility's property line shall be completed:
  - a. Upgrade and maintain the private roadway surface to meet appropriate City standards;
  - b. Complete concrete curbing along the entire length of the south side of the easement;
  - c. Paint all curbing red and install signage to indicate "No Stopping;"
  - d. Extend the existing landscape island to meet Greens East Road and widen the island where possible for additional speed control;
  - e. Construct a monument sign on the island that will direct guests and vendors to the facility;
  - f. Raise the existing cart crossing to provide traffic calming; and
  - g. Replace the existing drainage dip with a subterranean drain across entire width of easement with road level grating.

#### Conditions Related to Parking

4. The Rancho Bernardo Inn will implement and maintain primarily valet parking 24 hours per day, 7 days per week. Said valet parking will be established and maintained so as to increase onsite parking from the current 584 spaces to a level of not less than 684 spaces. There will be no charge for this service to day only guests. A self parking option will be maintained with 308 spaces of the 684 spaces designated for this purpose.
5. Use of the adjacent residential streets for employee parking or facility-related truck parking (including, but not limited to, delivery, catering, transportation, construction or service vehicles) shall constitute a violation of the CUP.
6. All parking needs for daily operations and special events shall be contained on site or at a prearranged off site parking lot. If daily operations or special events result in a spill over of parking onto adjacent neighborhood streets for more than three occasions during the calendar year the CUP shall be reviewed by the City to determine if changes are required to current operations in order to ensure that all parking needs for the project can be contained on site.
7. The Permittee shall limit annual special events to not more than twelve (12) per year and will notice such events on the Rancho Bernardo Inn's web site not less than 10 days prior to the event. 'Special Events' are defined as any event that will maximize on site parking.

#### Conditions Related to Community Compatibility

8. Prior to the issuance of an occupancy permit, the Permittee shall demonstrate to the satisfaction of the City external walls of a STC 46 rating and in addition, floor to ceiling sound attenuating glass walls and doors on the north, south, and west perimeters of the facility.
9. To avoid noise impacts to the adjacent residences and ensure compliance with the Noise Ordinance, the Permittee shall:
  - a. Inform all event sponsors of required noise conditions (including time restrictions) prior to signing an agreement or contract to use the facility;
  - b. Post noise regulations in public areas of the new structure;
  - c. Cease all use of the pool and other outdoor facilities at 10:00 PM; and
  - d. Regulate all sound equipment to ensure that bass levels and other vibrations and sounds generated at the facility do not adversely affect adjacent residents.
10. Prior to the issuance of an occupancy permit, appropriate landscaping and/or fencing shall

be installed to visually screen and reduce the noise generated from the maintenance yard and recycling area. Recycling hours will be restricted to 9:00 am to 7:00 pm.

11. Truck deliveries to the facility and pick up of recycled products shall only occur between the hours of 7:00 am and 10:00 pm.
12. To ensure that landscape conditions on the golf course are maintained in a manner that is compatible with the adjacent community, the Permittee shall agree to implement the following practices and procedures:
  - a. The condition of the golf course as documented with the Neighborhood Committee on May 17, 2005 (pictures attached) shall be the basis for future maintenance (baseline);
  - b. Representatives of the Rancho Bernardo Inn and Neighborhood Committee shall review the golf course landscaping at a minimum of twice a year, to insure May 17, 2005 conditions are maintained;
  - c. All weeds and dead plant material shall be removed at least quarterly, and minor trimming shall be conducted as required to protect views and insure the health of plant material;
  - d. At a minimum of once a year, palms shall be trimmed, saplings removed, trees laced and trimmed, and view corridors that were identified in the baseline along the perimeter of the golf course shall be maintained; and
  - e. A good neighbor policy shall be maintained by acting reasonably and timely to neighborhood issues, including view corridors.
13. The Permittee shall provide a detailed construction plan indicating phasing, duration, number and location of temporary facilities, truck volumes and other issues impacting nearby residents and notice all property owners within a 300-foot radius of the construction site, thirty (30) days prior to initiating construction. (*change proposed by Applicant*)
14. The Permittee shall maintain a published hot line number and email address for neighborhood complaints and a public record of the number of complaints and their subject matter. Complaints will be responded to within 15 minutes by a responsible person on a 24 hour per day/ 7-day per week basis.
15. The Permittee shall provide and maintain a mobile speed-monitoring device for quarterly assessment of speed and traffic flow along Bernardo Oaks Drive and Greens East Road.

Condition Number 1a has been agreed to by the applicant and City Staff to incorporate in the proposed project design. The remaining conditions from the Rancho Bernardo Community Planning Group will be incorporated into a private agreement with the community and the Rancho Bernardo Inn.



**Critical Project Features to Consider During Substantial Conformance Review**

- **PARKING/CIRCULATION:** At no time should the parking drop below the number of parking spaces required in the permit.
- **ARCHITECTURE:** The architecture for future development should conform to the overall existing design established onsite.
- **LANDSCAPING:** Onsite landscaping should conform to the conditions within the permit.

**Conclusion:**

Staff recommends approval of the proposal as requested. The project is consistent with the Rancho Bernardo Community Plan as well as the underlying zone. The Rancho Bernardo Community Planning Board unanimously voted to approve the project as proposed.

The proposed project does not propose an increase in guest rooms beyond the current number of guest rooms, totaling 283 rooms. The project currently has 584 onsite parking spaces which is adequate for the existing uses on site. The current 584 onsite parking spaces will meet the required parking for the proposed meeting/ballroom building.

**ALTERNATIVES**

1. **Approve Conditional Use Permit No. 132890, with modifications.**
2. **Deny Conditional Use Permit No. 132890, if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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**Jeffrey D. Strohminger**  
**Acting Deputy Director, Customer Support and**  
**Information Division**  
**Development Services Department**

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**Laura C Black, Project Manager**  
**Customer Support and**  
**Information Division**  
**Development Services Department**

JDS/LCB

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plans
6. Project Plans
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. Copies of CUP No. 5003 and amendments
10. Community Planning Group Recommendation, August 18, 2005
11. Community Planning Group Recommendation, September 15, 2005
12. Ownership Disclosure Statement
13. Project Chronology