

RESOLUTION NUMBER R-269750

ADOPTED ON NOVEMBER 17, 1987

WHEREAS, William P. Dryden, Susan Modell and Ann Cunningham, appealed the decision of the Planning Commission in approving Planned Commercial Development Permit No. PCD-87-0452 submitted by William DeLeeuw and the Bank of Coronado, Owner, and Catamaran Resort Hotel, as Applicant, a proposal to amend the Pacific Beach Community Plan and Local Coastal Program Land Use Plan to redesignate a 0.93-acre parcel of vacant land from Single-Family Residential (nine dwelling units/net residential acre) to Visitor-Commercial use. The proposal also involves a request to rezone the site from R1-5000 to CV in conjunction with a Planned Commercial Development permit. The property is located on the south side of Braemar Lane between Bayard Street and Cass Street (Lots 1-7 of Braemar Sail Bay, Map No. 1444); and

WHEREAS, the matter was set for public hearing on November 17, 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-87-0452:

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CITY CLERK'S OFFICE

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SAN DIEGO, CALIF.

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1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Pacific Beach 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 fulfills all requirements of the Municipal Code relevant to Planned Commercial Developments and tentative maps and meets the criteria and guidelines of the adopted Pacific Beach Community Plan.

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 William P. Dryden, Susan Modell and Ann Cunningham is denied; the decision of the Planning Commission is sustained, and Planned Commercial Development Permit No. PCD-87-0452 is hereby granted to William DeLeeuw, the Bank of Coronado and the Catamaran Resort Hotel, under the terms and conditions set forth in the permit as modified with the additional conditions requiring the Catamaran to provide unlimited validated parking to all hotel visitors, except overnight guests, maintain an entrance and exit on Mission Boulevard with signs directing visitors to a coastal access

route, install hedges to help lessen lights of existing cars and limit the development of the property to the 42-unit hotel expansion attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By Ted Bromfield  
Ted Bromfield  
Chief Deputy City Attorney

TB:js:600  
01/08/88  
01/13/88 Rev. 1  
Or.Dept:Clerk  
R-88-1353  
Form=r.permit

PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 87-0452  
CITY COUNCIL

This Planned Commercial Development Permit is granted by the City Council of The City of San Diego to CATAMARAN RESORT HOTEL, a California Corporation, Owner/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 expand the existing Catamaran Hotel with 42 rooms within three two-story buildings located on the south side of Braemar Lane between Bayard Street and Cass Street, described as Lots 1 thru 7 of Braemar Sail Bay, Map 11444, in the R1-5000 (proposed CV) Zone.

2. The facility shall consist of the following:

- a. A 42-unit expansion of the existing Catamaran Resort Hotel within three two-story buildings;
- b. Landscaping;
- c. Off-street parking;
- d. Accessory uses as may be determined incidental and approved by the Planning Director.

3. Prior to issuance of any grading or building permits the applicant shall obtain City Council approval of an amendment to the adopted Pacific Beach Community Plan to redesignate the site from Low Density Residential to a Commercial-Visitor land use designation. Additionally, the property shall be rezoned from R1-5000 to CV to accommodate the proposed hotel development.

4. No fewer than 42 off-street parking spaces shall be maintained, and marked for exclusive use of the proposed 42 hotel rooms, within the existing parking structure located on the existing Catamaran Hotel property as shown on Exhibit "A" dated November 17, 1987, on file in the office of the Planning Department.

The applicant shall submit a reciprocal parking agreement to the Planning Department, as approved by the City Attorney, which ensures that the required parking spaces shall always be available to the 42 units proposed by this permit.

Parking spaces shall be consistent with Division 8 of the Municipal Code and shall be permanently maintained and not converted to any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked.

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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 November 17, 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 November 17, 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.

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.

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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. The two-story 20-guest room building which runs parallel to the eastern property line separating the hotel from the Andrews residence will be no closer than 25 feet from the property line as indicated on the site plan marked "Exhibit A," dated November 17, 1987.

15. The area between the aforementioned building and the property line and the area along Braemar Street will be landscaped substantially in accordance with the preliminary landscape plan marked "Exhibit A," dated November 17, 1987.

16. The sides of the aforementioned building and the building which is parallel to the shoreline and perpendicular to property line of the Andrews home shall be constructed so as to have the same character of materials and color as the home on the Andrews property to the satisfaction of the Planning Director.

17. There shall be a fence with a controlled "open only on demand" vehicular gate across and Bayard Street entrance to be limited to emergency, laundry and maintenance vehicles with no pedestrian traffic.

18. The applicant shall agree not to oppose and to participate in the Sail Bay Improvement Project.

19. All day and evening users of the hotel and employees shall be provided validated parking for the length of their stay (no 3-hour limit). This condition shall not apply to overnight guests.

20. The hotel shall keep open the western entrance/exit gate at all times.

21. The applicant shall post coastal access signs directing the general public to existing access points to the east.

22. Conditions 19 thru 21 shall be fulfilled before December 24, 1987.

23. The applicant shall agree to limit the development of the project site to the approved 42-units in their existing height and configuration.

24. The applicant shall install proper mitigation to provide screening from the auto headlights into the residences to the north.

Passed and Adopted by the City Council on November 17, 1987.

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## FINDINGS

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Community Plan. The site is proposed to be designated "Commercial/Visitor" within the adopted Pacific Beach Community Plan, and rezoned from R1-5000 to CV. The proposed hotel expansion would enable greater visitor access to Mission Bay in conformance with goals of the Pacific Beach and Mission Beach Community Plan.
2. The proposed use, because of 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. The property is designed with no vehicular access to Braemar Lane; the residential street on which it fronts. Proposed buildings are compatible with adjacent residences with regard to height, scale and setback. Additionally, a 25-foot, heavily landscaped buffer is proposed along the easterly property line to separate the residential uses from the hotel use.
3. The proposed use will comply with the relevant regulations in the Municipal Code. All applicable provisions of Planned Commercial Developments and of the Municipal Code have been met.

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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.

CATAMARAN RESORT HOTEL  
(Permittee)

By \_\_\_\_\_

By \_\_\_\_\_

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

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NOV 17 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 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"/>	
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Vacant
Ed Struiksmma	<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 *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-269750 Adopted NOV 17 1987