

(R-90-1369)

RESOLUTION NUMBER R-275043

ADOPTED ON JANUARY 23, 1990

WHEREAS, Grosvenor Industries and Minami Investment, Inc., by Matthew A. Peterson, Attorney, appealed the decision of the Planning Commission in denying Conditional Use Permit No. 89-1110, submitted by J. Mark Grosvenor, Owner/Permittee, for the reuse of El Cortez Convention Center and Motel for courtrooms and related offices for the San Diego County Superior Court, said property is located on the north side of Beech Street between Seventh and Ninth Avenues and is further described as Lots 7 to 12, Block 10 and Lots 4 to 10, Block 15, Bay View Homestead, Caruthers Addition, in the Centre City Community Plan area, in the R-400 zone; and

WHEREAS, the matter was set for public hearing on January 23, 1990, 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. 89-1110:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Centre City Community Plan. Both the adopted 1976 community plan and the goals of the plan now being revised clearly state

that government offices, including federal, state and county should remain in the downtown area.

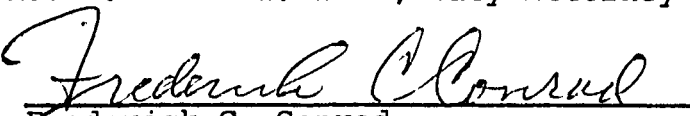
2. The proposed use, because of the conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. Conditions of approval include extensive public right-of-way improvements, review of parking adequacy and the shuttle service program within a specified period of time.

3. The proposed use will comply with the relevant regulations in the 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 the appeal of Grosvenor Industries and Minami Investment, Inc., by Matthew A. Peterson, Attorney, is granted; the decision of the Planning Commission is overruled, and Conditional Use Permit No. 89-1110 is hereby granted to J. Mark Grosvenor, 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:lc  
02/23/90  
Or.Dept:Clerk  
R-90- 1369  
Form=r.permit

CONDITIONAL USE PERMIT NO. 89-1110

CITY COUNCIL

This Conditional Use Permit is granted by the Council of The City of San Diego to J. MARK GROSVENOR, 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 reuse an existing convention center building for nine superior courtrooms and the conversion of a motel for court related office use located on the north side of Beech Street between Seventh and Ninth Avenues, described as Lots 7 to 12, Block 10 and Lots 4 to 10, Block 15, Bay View Homestead, Caruther's Addition, City of San Diego, in the R-400 zone.
2. The facility shall consist of the following:
  - a. Reuse and rehabilitation of two buildings totalling 60,000 square feet. One building, the El Cortez Convention Center will be reconstructed for nine courtrooms. The facade will also be modified. The second building, the motel on Beech and Eighth Street will be converted to court related office use.
  - b. The parking garage will be restriped to increase the capacity and the facade will be modified to shield the parked cars from the street.
3. No fewer than 75 off-street parking spaces shall be maintained for staff use in the parking garage adjacent to the motel or within 300 feet of the site shown on Exhibit "A," dated December 21, 1989, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Zoning Regulations 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 at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.
4. 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 Conditional Use Permit is recorded in the office of the County Recorder.
5. 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 December 21, 1989, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications, findings of substantial conformance or 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 December 21, 1989, 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 and is to be maintained in a disease-, weed- and litter-free condition at all times.
7. All projects that exceed \$250,000 in permit value must install specific public right-of-way improvements. The following conditions apply to this project:
  - a. All mature trees to remain and, where missing, to be replaced with adjacent like specimens;
  - b. All trees to be surrounded by handicapped approved tree grates;
  - c. Planting strips adjacent to the curb to be replaced by sidewalk paving. The designated sidewalk paving for these streets is Class 1 as found in the Streetscape Design Manual;
  - d. The designated street light for this area is Type C, 12 feet high with two lamps per globe at 55 watts per lamp;
  - e. A clear space of eight feet must be maintained for pedestrian traffic on all sidewalks. Footage less than eight feet must be reviewed by the Planning Director and City Engineer;
  - f. The developer will also be responsible for the replacement of curbs and gutters when required by the City Engineer;

- g. At least four trash receptacles, Hanson Model 130, to be placed in areas of high pedestrian traffic.
- 8. An evaluation of parking adequacy to be reviewed within two to five years for this project and subsequent development proposed in the conceptual master plan for the entire four-block area.
- 9. A shuttle service program to be prepared and accepted by the Planning Director prior to the issuance of an Occupancy Permit. Such program to consider 15-minute headways at peak hours connecting this court facility with the courthouse and major transit intersects. Thirty-minute headways can be considered for off-peak periods.
- 10. The shuttle program will be reviewed in two years.
- 11. This facility will be used primarily for the trial of civil cases. The only time that these courtrooms will be used for criminal cases is when there are no other courtrooms available for criminal cases.
- 12. This Conditional Use 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 101.0510.k. 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.
- 13. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
- 14. After establishment of the project, the property shall not be used for any other purposes unless:
  - a. Authorized by the Planning Commission; 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.
- 15. This Conditional Use Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.

16. This Conditional Use Permit is a covenant running with the property 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 in this permit and all referenced documents.

Passed and adopted by the Council of The City of San Diego on January 23, 1990.

FCC:lc  
02/22/90  
r-90-3169-p

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 \_\_\_\_\_, 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.

\_\_\_\_\_  
J. Mark Grosvenor  
Permittee

By \_\_\_\_\_

By \_\_\_\_\_

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

R 275043

3362

JAN 23 1990

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"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Bhonda R. Barner*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-275043* Adopted *JAN 23 1990*