PLANNING COMMISSION RESOLUTION NO. 2554
GRANTING CONDITIONAL USE PERMIT NO. 10-608-0

WHEREAS, THE CITY OF SAN DIEGO, a municipal corporation, "Owner," and HOUSING OPPORTUNITIES, INC. . California corporation, "Permittee," filed an a[illegible] al use permit to construct and operate an [illegible] ith parking and landscaping, located on the sou[illegible] rive between 55th Street and Chollas Road, desc[illegible] d 2, C. C. Seaman's Map No. 214, in the R-1-

Legal

WHEREAS, on [illegible] ng Commission of The City of San Diego consi[illegible] it No. 10-608-0, pursuant to Section 101[illegible] e of The City of San Diego, and received fo[illegible] documentary, written and oral testimony and heard from all interested parties present at the public hearing; NOW, THEREFORE,

Cold 1980

BE IT RESOLVED by the Planning Commission of The City of San Diego as follows:

1. That the Planning Commission adopts as the findings of the Planning Commission those written findings set forth in the Report of the Planning Department dated June 6, 1980, and found beginning at Page 3 of said report, a copy of which is attached hereto and by this reference incorporated herein.

2. That said findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, the application for Conditional Use Permit No. 10-608-0 is hereby granted to Owner and Permittee in the form and with the terms and conditions as set forth in Conditional Use Permit No. 10-608-0, a copy of which is attached hereto and made a part hereof.

Charlotte L. Hunter

Charlotte L. Hunter, Secretary of the
Planning Commission

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CONDITIONAL USE PERMIT NO. 10-608-0
PLANNING COMMISSION

This conditional use permit is granted by the Planning Commission of The City of San Diego to THE CITY OF SAN DIEGO, a municipal corporation, "Owner," and HOUSING OPPORTUNITIES, a California corporation, "Permittee," for the purposes and under the terms and on the conditions as set out herein, pursuant to the authority contained in Section 101.0506 of the Municipal Co-e of The City of San Diego.

1. Permission is hereby granted to "Owner" and "Permittee" to construct and operate an elderly, disabled and handicapped housing project, located on the south side of College Grove Avenue, between 55th Street and Chollas Road, Portion Lots 1 and 2, C.C. Seaman's Subdivision Map No. 214, in the R-1-5 zone.

2. The elderly, disabled and handicapped housing facility shall include and the term "project" as used in this conditional use permit shall mean the total of the following facilities:

a. 60 units for the elderly, handicapped or disabled;

b. One manager's unit, with office;

c. A multi-use building;

d. Off-street parking;

e. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Not less than 49 off-street parking spaces shall be provided and maintained on the subject property in the approximate location shown on Exhibit "A," dated June 12, 1980, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Areas and driveways shall be surfaced with not less than two-inch A.C. or its equivalent and each parking space shall be marked. Parking spaces and aisles shall conform to Planning Department standards. No charge shall be made at any time for the use of these off-street parking spaces.

4. Parking on-site shall be reviewed by the Planning Department six months after occupancy, for adequacy.

5. At least one person in each unit shall be a minimum age of 55 years, handicapped or disabled, with the exception of the manager's quarters.

DOCUMENT NO. CUP 10-608-0

FILED July 15, 1980
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

6. Prior to issuance of any building permits, a subdivision map shall be recorded on the property. map # 10701

7. Prior to issuance of any building permits, a final landscape/ irrigation plan shall be submitted for Planning Director approval. The plan shall include the planting of rear slopes and adequate screen planting along the street frontages. approved 12/10/80 E.

8. Prior to completion of the project, a methane monitoring station shall be installed on the property and/or appropriate construction techniques shall be used to provide sufficient protection from methane gas on site.

9. The permittee shall comply with the General Conditions for Conditional Use Permits attached hereto and made a part hereof.

Passed and adopted by the Planning Commission on June 12, 1980.

GENERAL CONDITIONS FOR CONDITIONAL USE PERMITS

1. Prior to the issuance of any building permits, complete grading and building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit "A" dated June 12, 1980, on file in the office of the Planning Department. The property shall be developed in accordance with the approved grading and building plans except where regulations of this or other governmental agencies require deviation therefrom. Prior to and subsequent to the completion of the project, no changes, modifications or alterations shall be made unless and until appropriate applications for amendment of this permit shall have been approved and granted.

2. Prior to the issuance of any grading or building permits, a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit "A" dated June 12, 1980, on file in the office of the Planning Department. Approved planting shall be installed prior to the issuance of an occupancy permit on any building. Such planting shall not be modified or altered unless and until this permit shall have been amended to permit such modification or alteration.

3. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.

4. This Conditional Use Permit must be utilized within 18 months after the effective date thereof. Failure to utilize the Conditional Use Permit within the 18-month period will automatically void the same. This Conditional Use Permit shall be subject to all of the terms and conditions granted herein and pursuant to the terms set forth in Section 101.0506 and 101.0507 of the Municipal Code. See the latter referenced sections as those terms and conditions apply hereto.

5. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.

6. This Conditional Use Permit shall not be final until the eleventh day following its filing in the office of the City Clerk and is subject to appeal to the City Council as provided for in Section 101.0506 of the Municipal Code of The City of San Diego.

GENERAL CONDITIONS FOR CONDITIONAL USE PERMITS

7. The effectiveness of this Conditional Use Permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until, the following events shall have occurred:

a. Permittee shall have agreed to each and every condition hereof by having this Conditional Use Permit signed within 90 days of the Commission's decision. In no event shall this condition be construed to extend the time limitation set forth in Condition No. 4 above, i.e., the time commences to run on the date that the Planning Commission granted this Conditional Use Permit.

b. This Conditional Use Permit executed as indicated shall have been recorded in the office of the County Recorder.

8. After the establishment of the project as provided herein, the subject property shall not be used for any other purposes unless specifically authorized by the Planning Commission unless the proposed use meets every requirement of zone existing for the subject property at the time of conversion.

9. The property included within this Conditional Use Permit shall be used only for the purposes and under the terms and conditions as set forth in this permit unless the permit shall have been revoked by The City of San Diego.

10. In addition to any other remedy provided by law, any breach in any of the terms or conditions of this permit or any default on the part of the Permittee or its successors in interest shall be deemed a material breach hereof and this Conditional Use Permit may be cancelled or revoked. Cancellation or revocation of this Conditional Use Permit may be instituted by the City or Permittee. The Planning Director shall set this matter for public hearing before the Planning Commission, giving the same notice as provided in Section 101.0506 or 101.0507. An appeal from the decision of the Planning Commission may be taken to the City Council within ten days after the decision is filed with the City Clerk. The Clerk shall set this matter for public hearing before the City Council, giving the same notice as provided in Section 101.0506 or 101.0507.

11. This Conditional Use Permit shall inure to the benefit of and shall constitute a covenant running with the lands, and the terms, conditions and provisions hereof shall be binding upon Permittee and any successor or successors thereto, and the interests of any successor shall be subject to each and every condition herein set out.

AUTHENTICATED BY:

Nick Osler, Senior Planner
Planning Department

Charlotte L. Hunter, Secretary of the
Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On this 17th day of May, 19 80, before me, the undersigned, a Notary Public in and for said County and State, personally appeared NICK OSLER, known to me to be Senior Planner of The City of San Diego Planning Department, and CHARLOTTE L. HUNTER, known to me to be the Secretary of the Planning Commission of The City of San Diego and known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

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

NOTARY STAMP

OFFICIAL SEAL
JACQUELINE E. WHEAT
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
SAN DIEGO COUNTY
My Commission Expires March 30, 1984

ACKNOWLEDGED:

The undersigned "Owner/Permittee" by execution hereof agrees to each and every condition of this permit and promises to perform each and every obligation of Permittee hereunder.

THE CITY OF SAN DIEGO, a municipal corporation, "Owner"

By _____
Authorized Signator

HOUSING OPPORTUNITIES, INC., a California corporation, "Permittee"

By _____
Authorized Signator

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On July 7, 1980, before me, the undersigned, a Notary Public in and for said State, personally appeared J. P. Fowler, known to me to be the Deputy City Manager of the corporation that executed the within instrument, known to me to be the person who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its bylaws or a resolution of its Board of Directors.

(corporation)

WITNESS my hand and official seal.

Signature Viola H Lynn

Name Viola H. Lynn
(typed or printed)

OFFICIAL SEAL
VIOLA H LYNN
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY NOTARY SEAL
My comm. expires JUN 26, 1984

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On July 7, 1980, before me, the undersigned, a Notary Public in and for said State, personally appeared Philip L. Walling known to me to be the Exec. Director of the corporation that executed the within instrument, known to me to be the person who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its bylaws or a resolution of its Board of Directors.

(corporation)

WITNESS my hand and official seal.

Signature Viola H Lynn

Name Viola H. Lynn
(typed or printed)

OFFICIAL SEAL
VIOLA H LYNN
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY
My comm. expires JUN 26, 1984
NOTARY SEAL