

RESOLUTION NO. 198890

WHEREAS, LINN WILLIAM COFFEY, an individual, "Permittee," and HAROLD C. RICHTER, an individual, Owner, filed an application for a conditional use permit to construct and operate a general hospital and nursing home located on the north side of Bunker Hill Street, easterly of Mission Bay Drive and westerly of Interstate Highway 5, more particularly described as Lot 1, Harrison Tract, Map No. 4786, on file in the office of the County Recorder, in the C-1A Zone; and

WHEREAS, on December 30, 1969, the Planning Commission of The City of San Diego made its findings of facts, which are set forth in Resolution No. 241-PC, and granted a conditional use permit to Linn William Coffey, "Permittee," and Harold C. Richter, Owner, to construct and operate a general hospital and nursing home; and

WHEREAS, Comprehensive Health Planning Association of San Diego and Imperial Counties, by Richard F. Jacobsen, pursuant to the provisions of Section 101.0508 of the San Diego Municipal Code, appealed the decision of the Planning Commission on December 31, 1969; and

WHEREAS, said appeal was set for public hearing on January 15, 1970, 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, as follows:

This Council finds and hereby declares that the findings of the Planning Commission set forth in Resolution No. 241-PC are supported in all particulars by the testimony, minutes, tape of the proceedings, maps and exhibits, all of which are herein incorporated by reference, and said findings are hereby adopted as the findings of this Council.

BE IT FURTHER RESOLVED, that by a vote of 9 to 0, the appeal of Comprehensive Health Planning Association of San Diego and Imperial Counties be, and it is hereby denied; and the City Council does hereby grant to LINN WILLIAM COFFEY and HAROLD C. RICHTER, a conditional use permit, to construct and operate a general hospital and nursing home, in the form and with the terms and conditions as set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

CONDITIONAL USE PERMIT - CITY COUNCIL

This conditional use permit is granted by the Council of The City of San Diego to LINN WILLIAM COFFEY, an individual, "Permittee," and HAROLD C. RICHTER, an individual, Owner, for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101.0505 et sequitur of the San Diego Municipal Code.

1. Permission is hereby granted to Linn William Coffey, an individual, "Permittee," and Harold C. Richter, an individual, Owner, to construct and operate a general hospital and nursing home, located on the north side of Bunker Hill Street, easterly of Mission Bay Drive and westerly of Interstate Highway 5, more particularly described as Lot 1, Harrison Tract, Map No. 4786, on file in the office of the County Recorder, in the C-1A Zone.

2. The general hospital and nursing home shall include, and the term "Project" as used in this conditional use permit shall mean and include the total of the following facilities:

a. First phase:

1. 98-bed general hospital.
2. 52-bed nursing home.

b. Second phase:

1. A total of 150-bed general hospital.
2. A total of 86-bed nursing home.

c. Off-street parking.

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

3. At the time of occupancy, off-street parking shall be provided and maintained on the subject property in the approximate location shown on Exhibit A, dated December 22, 1969, on file in the office of the Planning Department, at a ratio of 1.75 automobile parking spaces for each general hospital bed and one automobile

parking space for every three nursing home beds. Areas and driveways shall be surfaced with not less than 2" 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. Prior to occupancy, offsite sewer mains and water mains shall be installed and in operation as required by the Utilities Director.

5. Prior to occupancy, sidewalks and curbs shall be replaced to the satisfaction of the City Engineer.

6. Prior to occupancy, a street tree permit shall be secured and approved trees shall be installed as directed by the Park Superintendent.

7. Permittee shall comply with the General Conditions for Conditional Use Permits attached hereto and made a part hereof.

Passed and adopted by the Council of The City of San Diego
January 15, 1970.

GENERAL CONDITIONS FOR CONDITIONAL USE PERMITS

1. Prior to the issuance of any building permits, complete building plans (including signs) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit A dated December 22, 1969, on file in the office of the Planning Department. The property shall be developed in accordance with the approved 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 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 December 22, 1969, 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. Substantial construction of the project shall have commenced and shall be proceeding within one year from the effective date of this conditional use permit or any extension of time as may be granted herein by The City of San Diego pursuant to the terms set forth in Section 101.0506 and Section 101.0509 of the San Diego Municipal Code.

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

6. 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 Council's decision. In no event shall this condition be construed to extend the time limitation set forth in 4 above; i.e., the time commences to run on the date that the City Council granted this conditional use permit.

b. This conditional use permit executed as indicated shall have been recorded in the office of the County Recorder.

7. 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, or City Council, or both unless the proposed use meets every requirement of zone existing for the subject property at the time of conversion.

8. The project 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.

9. 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 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 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 101.0505.2. 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 the matter for public hearing before the City Council giving the same notice as provided in Section 101.0505.2.

10. 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:

Mayor of The City of San Diego, California

City Clerk of The City of San Diego, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss

On this _____ day of _____, 1970, before me the undersigned, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared FRANK CURRAN, known to me to be the Mayor, and JOHN LOCKWOOD, 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 persons who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation 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 Stamp)

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 conditional use permit and promises to perform each and every obligation of Permittee hereunder.

Harold C. Richter

Linn William Coffey

Acknowledgment

STATE OF CALIFORNIA) ss
COUNTY OF SAN DIEGO)

On this _____ day of _____, 19 __, before me the undersigned, a Notary Public in and for said County and State, personally appeared _____, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that _____ executed the within instrument.

WITNESS my hand and official seal.
(Notary Stamp)

Notary Public in and for the County
of San Diego, State of California

Acknowledgment

STATE OF CALIFORNIA) ss
COUNTY OF SAN DIEGO)

On this _____ day of _____, 19____, before me the undersigned, a Notary Public in and for said County and State, personally appeared _____, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that _____ executed the within instrument.

WITNESS my hand and official seal.
(Notary Stamp)

Notary Public in and for the County
of San Diego, State of California

Passed and adopted by the Council of The City of San Diego on JAN. 15. 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE

1970 JAN 22 PM 3: 18

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa D. Hamel, Deputy
EH

Office of the City Clerk, San Diego, California

Resolution Number 198890 Adopted JAN 15 1970