

RESOLUTION NO. 199846

WHEREAS, MERLE F. PALMER, an individual, Owner, "Permittee," filed an application for a conditional use permit to construct and operate a 98-space mobile home park located west of Reo Drive, east of Calle Abajo and north of Sweetwater Valley Road and more particularly described as Lots 3 through 18, inclusive, Block 55, Paradise Hills Unit No. 3, Map No. 2101, on file in the office of the County Recorder, in the R-1-5 Zone; and

WHEREAS, on April 15, 1970, the Planning Commission of The City of San Diego made its findings of facts, which are set forth in Resolution No. 207-PC Amendment, and granted a conditional use permit to Permittee to construct and operate a 98-space mobile home park; and

WHEREAS, FREDERICK C. CONRAD, pursuant to the provisions of Section 101.0508 of the San Diego Municipal Code, and pursuant to instructions from the Council of The City of San Diego, under date of April 21, 1970, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on May 21, 1970, testimony having been heard, evidence having been submitted and the 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. 207-PC Amendment 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 FREDERICK C. CONRAD be, and the same is hereby denied, and the Council does hereby grant to MERLE F. PALMER, a conditional use permit to construct and operate a 98-space mobile home park, in the form and with the terms and conditions as set forth in the conditional use permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By 

Frederick C. Conrad, Deputy

CONDITIONAL USE PERMIT - CITY COUNCIL
Case No. 207-PC Amendment

This conditional use permit amendment is granted by the Council of The City of San Diego to MERLE F. PALMER, an individual, Owner, "Permittee," 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 MERLE F. PALMER, an individual, Owner, "Permittee," to construct and operate a 98-space mobile home park located west of Reo Drive, east of Calle Abajo and north of Sweetwater Valley Road and more particularly described as Lots 3 through 18, inclusive, Block 55, Paradise Hills Unit No. 3, Map No. 2101, on file in the office of the County Recorder in the R-1-5 Zone.

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

- a. 98-space mobile home park.
- b. Off-street parking.
- c. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Prior to the issuance of any building permits, a final subdivision map shall have been recorded and the subject property rezoned R-3 in accordance with Ordinance No. 9614 (New Series).

4. Not less than 1-1/2 off-street parking spaces per trailer lot shall be provided and maintained on the subject property in the approximate location shown on Exhibit A dated April 2, 1969 and Exhibit B dated April 15, 1970, on file in the office of the Planning Department. 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.

5. Approved receptacles for garbage and trash shall be provided at each trailer lot.

6. Each lot within the mobile home park shall be appropriately numbered or lettered and these numbers or letters shall be placed on appropriate signs at a point near the front lot line.

7. Radio and television antennas on the exterior of homes and buildings shall not be permitted. A central radio and television antenna may be provided in the mobile home park with underground service to the individual lots and service buildings.

8. All utility lines including telephone service shall be placed underground within the mobile home park.

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 Council of The City of San Diego on May 21, 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 April 2, 1969 and Exhibit B dated April 15, 1970, 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 April 2, 1969 and Exhibit B dated April 15, 1970, 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 _____, 19____, 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.

Merle F. Palmer

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

RECEIVED
CITY CLERK'S OFFICE

1970 MAY 29 PM 2:48

MR SAN DIEGO, CALIF.

Passed and adopted by the Council of The City of San Diego on MAY 21 1970,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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.

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

(Seal)

By Elfa N. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Resolution
Number 199846 Adopted MAY 21 1970

dj