

RESOLUTION NO. 200271 JUL 9 1970

WHEREAS, on April 3, 1969 the Council of The City of San Diego granted a conditional use permit, No. 192-PC, to Coast Security Corporation and Beck Construction Company to construct and operate a planned unit development project; and

WHEREAS, said conditional use permit provided in paragraph No. 13 as follows:

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 (FAILURE TO UTILIZE CONDITIONAL USE PERMIT OR VARIANCE) and Section 101.0509 (ZONE VARIANCE OR CONDITIONAL USE PERMIT EXTENSION) of the San Diego Municipal Code. See the latter referenced sections as those terms and conditions apply hereto;

and

WHEREAS, Kensington Improvement Association and Protective Land Use Association, Inc. by Edward T. Butler, Attorney, requested the City of San Diego to inquire concerning the use of said conditional use permit within the allowed time period; and

WHEREAS, the City Council on May 12, 1970 considered the request of Kensington Improvement Association and Protective Land Use Association, Inc. and directed the Planning Commission to hold a public hearing on the subject; and

WHEREAS, the Planning Commission held a public hearing on June 10, 1970, pursuant to the instructions of the City Council; and

WHEREAS, after due consideration of the testimony and evidence presented, the Planning Commission voted 4 to 2 to sustain the conditional use permit; and

WHEREAS, on June 15, 1970 Edward T. Butler, as attorney for Kensington Improvement Association and Protective Land Use Association, Inc. filed an appeal from the decision of the Planning Commission in the office of the City Clerk; and

WHEREAS, said appeal was set for public hearing on July 9, 1970, testimony having been heard and 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:

The Council of The City of San Diego finds that substantial construction had not commenced and was not proceeding within one year of the effective date of the conditional use permit.

BE IT FURTHER RESOLVED, that the Council of The City of San Diego finds that the construction involved has not been diligently prosecuted as required by Municipal Code Section 101.0506.

BE IT FURTHER RESOLVED, that due to the failure of the Permittee to perform substantial construction within one year from the effective date of the conditional use permit and due to the failure of the Permittee to diligently prosecute the construction toward completion, the conditional use permit, No. 192-PC, is declared to be void and all rights granted by said conditional use permit are rescinded and cancelled.

APPROVED: JOHN W. WITT, City Attorney

By

  
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JUL 9 1970,  
 by the following vote:

RECEIVED  
 CITY CLERK'S OFFICE  
 1970 JUL 31 PM 4:37  
 me  
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

By Elfa V. Hamel, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number 200271 Adopted JUL 9 1970

*[Handwritten initials]*