

RESOLUTION NO. 202361 APR 8 1971
Case No. 279-PC

WHEREAS, UNITED STATES NATIONAL BANK, a California corporation, Owner, and SAN DIEGO NEIGHBORHOOD DEVELOPMENT CORPORATION and AVCO NEIGHBORHOODS, INC., a California corporation, "Permittee," filed an application for a conditional use permit to construct and operate a 105-unit mobile home park, located on the east side of Smythe Street (proposed Picador Boulevard) between Iris Avenue and Avenue de la Madrid, being a portion of the Northwest 1/4 of Section 36, and a portion of the Northeast 1/4 of Section 35, Township 18 South, Range 2 West, S.B.B.M., more particularly described in Appendix "A" attached hereto and made a part hereof, in the A-1-10 Interim (proposed R-2) Zone; and

WHEREAS, on March 10, 1971, the Planning Commission of The City of San Diego made its findings of facts, which are set forth in Resolution No. 279-PC, and granted a conditional use permit to Permittee to construct and operate a 105-unit mobile home park; and

WHEREAS, pursuant to Section 101.0507, of the San Diego Municipal Code, the application for Conditional Use Permit No. 279-PC was set for public hearing on April 8, 1971, 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:

All of the following facts exist with respect to the
issuance of said conditional use permit on property described
in the preamble of this resolution.

1. The proposed use at the particular location is neces-
sary to provide a facility which will contribute to the general
well-being of the community.

2. Such use will not, under the circumstances of the par-
ticular case, be detrimental to the health, safety or general
welfare of persons residing or working in the vicinity, or
injurious to property or improvements in the vicinity.

3. The proposed use will comply with the regulations and
conditions specified in the Code for such use.

4. The granting of this conditional use will not adversely
affect the General Plan of the City or the adopted plan of any
governmental agency.

The above findings are further supported by the minutes,
tape of the proceedings, maps and exhibits, all of which are
herein incorporated by reference.

BE IT FURTHER RESOLVED, that by a vote of 5 to 0, this
Council does hereby grant to UNITED STATES NATIONAL BANK, Owner,
and SAN DIEGO NEIGHBORHOOD DEVELOPMENT CORPORATION and AVCO
NEIGHBORHOODS, INC., a conditional use permit to construct and

operate a 105-unit mobile home park, 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
Frederick C. Conrad, Deputy

FCC:plm
4-26-71

CONDITIONAL USE PERMIT - CITY COUNCIL

This conditional use permit is granted by the Council of The City of San Diego to UNITED STATES NATIONAL BANK, Owner, and SAN DIEGO NEIGHBORHOOD DEVELOPMENT CORPORATION and AVCO NEIGHBORHOODS, INC., "Permittee," for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101.0507 of the San Diego Municipal Code.

1. Permission is hereby granted to Permittee to construct and operate a 105-unit mobile home park, located on the east side of Smythe Street (proposed Picador Boulevard) between Iris Avenue and Avenue de la Madrid, being a portion of the Northwest 1/4 of Section 36, and a portion of the Northeast 1/4 of Section 35, Township 18 South, Range 2 West, S.B.B.M., on file in the office of the County Recorder, more particularly described in Appendix "A" attached hereto and made a part hereof, in the A-1-10 Interim (proposed R-2) 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. 105 mobile home units.
- b. Recreation facility.
- c. Off-street parking.
- d. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Not less than two off-street parking spaces shall be provided and maintained on the subject property in the approximate location shown on Exhibit "A," dated March 10, 1971, 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.

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

5. Radio and television antennas shall be prohibited; however, one master antenna may be permitted for each recorded lot.

6. Prior to the issuance of any building permits, a final subdivision map shall be recorded and the property zoned R-2.

7. A 15-foot landscaping strip from the property line shall be provided adjacent to all public streets. A solid 6-foot wall or fence shall be constructed at a 15-foot setback line adjacent to all public streets, and at all side and rear lot lines, except for the area shown as open space on Exhibit "A," dated March 10, 1971.

8. 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 April 8, 1971.

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 March 10, 1971, 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 March 10, 1971, 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 101.0507 and Section 101.0508 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 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.

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 101.0506. 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 101.0506.

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.

APPENDIX "A"

Being a portion of the Northwest 1/4 of Section 36 and a portion of the Northeast 1/4 of Section 35, Township 18 South, Range 2 West, San Bernardino Base and Meridian, in the City of San Diego, County of San Diego, State of California, according to United States Government Survey, approved February 25, 1870, being more particularly described as follows:

Commencing at the intersection of the Westerly line of said Section 36 with the Westerly prolongation of the centerline of Avenida De La Madrid as shown on Mt. Carmel Heights Unit No. 6, according to Map thereof No. 6263, filed in the office of the County Recorder of San Diego County, January 14, 1969; thence Northerly along said Westerly line of Section 36 a distance of 130.00 feet to the True Point of Beginning; thence, parallel to said centerline of Avenida De La Madrid, South $89^{\circ}51'32''$ East, 264.00 feet; thence Northeasterly, in a straight line, to the Southwest corner of the Southerly 125.00 feet of the Easterly 331.00 feet of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of said Section 36; thence Northerly, along the Westerly line of said Southerly 125.00 feet of the Easterly 331.00 feet, 125.00 feet to the Northwest corner thereof; thence Easterly, along the North line of said Southerly 125.00 feet of the Easterly 331.00 feet and its Easterly prolongation, 346.00 feet more or less; thence Northerly, parallel to the East line of said Northwest 1/4 of Section 36, to the centerline of Road Survey No. 154 (known as Iris Avenue), a plot of which is on file in the office of the County Engineer of said County; thence Westerly along said centerline and the City of San Diego proposed realignment of said Iris Avenue to an intersection with a line that is 12.00 feet Westerly of and parallel with the centerline of Picador Boulevard, as the alignment of said Picador Boulevard is proposed by the City of San Diego; thence Southerly along said line to an intersection with said Westerly line of Section 36; thence Southerly along said Westerly line to the True Point of Beginning. The above written description is compiled from record information only and does not constitute a field survey and is therefore subject to revision.

AUTHENTICATED BY:

 Mayor of The City of San Diego, California

 City Clerk of The City of San Diego, California

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, residing therein, duly commissioned and sworn, personally appeared FRANK CURRAN, known to me to be the Mayor, and EDWARD NIELSEN, 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.

UNITED STATES NATIONAL BANK,
 a corporation

SAN DIEGO NEIGHBORHOOD DEVELOPMENT
 CORPORATION & AVCO NEIGHBORHOODS, INC.,
 a corporation

By _____

By _____

By _____

By _____

Acknowledgment

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss

On _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known to me to be the _____ President, and _____, known to me to be the _____ Secretary of United States National Bank, the corporation that executed the within instrument and known to me to be the persons who executed the within instrument on behalf of said corporation, said corporation being known to me to be one of the partners of _____, the partnership that executed the within instrument, and acknowledged to me that such corporation executed the same as such partner and that such partnership executed the same.

WITNESS my hand and official seal.
(Notary Stamp)

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

STATE OF CALIFORNIA) ss
COUNTY OF SAN DIEGO)

On _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, known to me to be the _____ President, and _____, known to me to be the Secretary of San Diego Neighborhood Development Corporation and Avco Neighborhoods, Inc., the corporation that executed the within instrument and known to me to be the persons who executed the within instrument on behalf of said corporation, said corporation being known to me to be one of the partners of _____, the partnership that executed the within instrument, and acknowledged to me that such corporation executed the same as such partner and that such partnership executed the same.

WITNESS my hand and official seal.
(Notary Stamp)

Notary Public in and for the County
of San Diego, State of California
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APR 8 1971

Passed and adopted by the Council of The City of San Diego on _____,
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.
 EDWARD NIELSEN
~~JOHN LOCKWOOD~~
 City Clerk of The City of San Diego, California.

(Seal)

By Barbara Villani, Deputy. *KR*

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 CITY CLERK'S OFFICE
 1971 APR 30 PM 2:24
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number 202361 Adopted APR 8 1971