

RESOLUTION NO. 205822
Conditional Use Permit No. 341-PC

JUN 15 1972

WHEREAS, SERO AMUSEMENT COMPANY, a California corporation, owner, hereafter referred to as "Permittee," filed an application for a permit to construct and operate a mobile home park with 62 mobile home sites and 13 travel trailer sites located on the west side of Interstate 5, between Elm and Coronado Avenues, described as portions of Lots 1 and 2, Bayview Drive-In Theatre Tract No. 2, and portions of Lots 8 through 15, Nestor Acres, more particularly described in Appendix A attached hereto and made a part hereof, in the CA and R-4 Zones (proposed R-2); and

WHEREAS, on May 10, 1972, the Planning Commission of The City of San Diego made its findings of facts, which are set forth in Resolution No. 341-PC, and granted a conditional use permit to Permittee to construct and operate a mobile home park with 62 mobile home sites and 13 travel trailer sites, and filed said decision in the office of the City Clerk on May 17, 1972; and

WHEREAS, pursuant to Section 101.0507 of the San Diego Municipal Code, the application for Conditional Use Permit No. 341-PC was set for public hearing on June 15, 1972, testimony having been heard, evidence having been submitted and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council, in considering said appeal, is empowered by the provisions of Municipal Code Section 101.0506, paragraph E.4., to affirm, reverse, or modify in whole or in part any determination of the Planning Commission, subject to the limitations as are placed upon the Planning Commission by the Municipal Code; 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 Conditional Use Permit No. 341-PC.

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

2. Such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons 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 permit will not adversely affect the Master 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 7 to 0,
this Council does hereby grant to SERO AMUSEMENT COMPANY,
Conditional Use Permit No. 341-PC 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, Chief Deputy

205822

FCC:cav
6/27/72

CITY COUNCIL

CONDITIONAL USE PERMIT NO. 341-PC

--This conditional use permit is granted by the Council of The City of San Diego to SERO AMUSEMENT COMPANY, 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 101.0507 of the San Diego Municipal Code.

1. Permission is hereby granted to Permittee to construct and operate a mobile home park located on the west side of Interstate 5, between Elm and Coronado Avenues, described as portions of Lots 1 and 2, Bayview Drive-In Theatre Tract No. 2, and portions of Lots 8 through 15, Nestor Acres, more particularly described in Appendix A attached hereto and made a part hereof, in the CA and R-4 Zones (proposed R-2).

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. 62 mobile home sites
- b. 13 travel trailer sites
- c. Off-street parking
- d. One existing single family residence
- e. Recreation building
- f. Incidental accessory uses as may be determined and approved by the Planning Director.

205822

3. Prior to the issuance of any building permits, a final subdivision map shall be recorded in the office of the County Recorder.

4. A solid wall six feet in height shall be constructed surrounding the subject property with the exception of that portion of the property which abuts I-5 and that portion of the property which is adjacent to the drive-in theatre.

5. No less than two parking spaces per mobile home lot and no less than one parking space per travel trailer lot shall be provided and maintained on the subject property in the approximate location shown on Exhibit "A" dated June 15, 1972, on file in the office of the Planning Department. Said parking spaces shall be a minimum 8-1/2 feet by 20 feet in size and shall be permanently maintained and not converted for any other use. 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.

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

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

205822

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

9. All utility lines including television services shall be placed underground within the Project.

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

11. 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 June 15, 1972.

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 June 15, 1972, 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 June 15, 1972, 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.

205822

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

205822

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.

205822

That parcel of land in the City of San Diego, County of San Diego, State of California, being portions of Lots 1 and 2 of Bayview Drive-In Theatre Tract No. 2, Map thereof No. 4493 filed in the Office of the Recorder of said County, together with portions of Lots 8, 9, 10, 11, 12, 13, 14 and 15 of Nestor Acres Map thereof No. 1768 filed in the Office of the Recorder of said County, described as a whole as follows:

Beginning at the Southeast corner of said Map No. 4493; thence along the most Easterly line of said Map No. 4493 North $0^{\circ}08'00''$ West, 45.00 feet to the TRUE POINT OF BEGINNING; thence leaving said Easterly line South $89^{\circ}59'00''$ East, along the Easterly prolongation of the Northerly line of Coronado Avenue as dedicated on said Map No. 4493 60 feet, more or less, to the Easterly line of said Lot 10 of Map No. 1768; thence Northerly along said Easterly line and continuing Northerly along the Easterly line of said Lot 15 of Map No. 1768 to an intersection with the Westerly Right of Way line of California State Highway 11-SD-5 (P.M. 4.2) as shown on State Right of Way Drawing No. L.O. 2514; thence Northerly along said Westerly Right of Way to an intersection with the Easterly prolongation of the Southerly line of Elm Avenue as dedicated on said Map No. 4493; thence leaving said Westerly Right of Way line North $89^{\circ}57'57''$ West along said Easterly prolongation to the Northeast corner of said Lot 2 of Map No. 4493; thence along the Northerly line of said Lot 2 North $89^{\circ}57'57''$ West to the Easterly line of that certain 60.00 foot wide easement as shown on said Map No. 4493; thence Southerly along said Easterly line 450.00 feet; thence Easterly at right angles to said Easterly line 80 feet, more or less to the beginning of a tangent 630.00 foot radius curve, concave Southwesterly; thence Easterly and Southerly along said curve through an angle of $89^{\circ}54'42''$, to an intersection with a line that is parallel with, and 58.00 feet Westerly, measured at right angles, from the most Easterly line of said Map No. 4493; thence Southerly along said parallel line South $0^{\circ}08'00''$ East to the Southerly line of said Lot 1 of Map No. 4493; thence along said Southerly line South $89^{\circ}59'00''$ East, 58.00 feet more or less to the TRUE POINT OF BEGINNING.

205822

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 PETE WILSON, 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.

SERO AMUSEMENT COMPANY,
a California corporation (Seal)

By _____

By _____

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 _____ and
_____ known to me to be the
of _____

the corporation that executed the within instrument and known
to me to be the persons who executed the same on behalf of said
corporation and acknowledged to me that said corporation
executed the same, pursuant to its bylaws or a resolution of
its Board of Directors.

WITNESS my hand and official seal.
(Notary Stamp)

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

205822

Passed and adopted by the Council of The City of San Diego on JUN 15 1972
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

By *Harvey M. Noel*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number 205822	Adopted JUN 15 1972
<i>eh</i>	