

RESOLUTION NO. 206163  
Conditional Use Permit No. 345-PC

AUG 1 1972

WHEREAS, SAN DIEGO MEDICAL ASSOCIATE PROPERTIES, INC., a California corporation, Owner, and DOCTORS HOSPITAL OF SAN DIEGO, INC., a non-profit corporation, hereafter referred to as "Permittee," filed an application for a conditional use permit to construct, operate and maintain a hospital located on the south side of Kenyon Street between Kemper and Wing Streets, more particularly described as Lot 1, Point Loma Medical Tract, Map No. 3734; Lots 1-5, Fordham Square, Map No. 4700; Lots 8-11, 17 and portion of Lot 12, Point Loma Park, Map No. 5017; Lot 38, Country Club Terrace Unit 2, Map No. 3696, on file in the office of the County Recorder, in the R-1-5, R-4 and CO Zones; and

WHEREAS, on June 7, 1972, the Planning Commission of The City of San Diego made its findings of facts, which are set forth in Resolution No. 345-PC, and denied Conditional Use Permit No. 345-PC, to Permittee for the construction, operation and maintenance of said hospital, and filed said decision in the office of the City Clerk on June 15, 1972; and

WHEREAS, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, DOCTORS HOSPITAL OF SAN DIEGO, INC., by James F. Bray, Jr., Administrator, under date of June 23, 1972, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on July 25, 1972, 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. 345-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 will not adversely affect the General Plan of the City and 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 9 to 0, this Council does hereby grant to DOCTORS HOSPITAL OF SAN DIEGO, INC., a non-profit corporation, Conditional Use Permit No. 345-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

FCC:nr  
8-7-72

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206163

CITY COUNCIL

CONDITIONAL USE PERMIT NO. 345-PC

This conditional use permit is granted by the Council of The City of San Diego to SAN DIEGO MEDICAL ASSOCIATE PROPERTIES, INC., a California corporation, Owner, and DOCTORS HOSPITAL OF SAN DIEGO, INC., a non-profit corporation, hereafter referred to as "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, operate and maintain a hospital, located on the south side of Kenyon Street between Kemper and Wing Streets, more particularly described as Lot 1, Point Loma Medical Tract, Map No. 3734; Lots 1-5, Fordham Square, Map No. 4700; Lots 8-11, 17 and portion of Lot 12, Point Loma Park, Map No. 5017; Lot 38, Country Club Terrace Unit 2, Map No. 3696, on file in the office of the County Recorder, in the R-1-5, R-4 and CO Zones.

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

- a. A 200-bed general hospital.
- b. An eight bed obstetric facility.
- c. A 50-bed long term facility.
- d. A 25-bed observation facility.
- e. A 54-bed bed and board facility.

- f. A doctors' office building.
- g. Off-street parking.
- h. Incidental accessory uses as may be determined and approved by the Planning Director.
- i. A single-family dwelling for the resident physician.

3. Not less than 654 off-street parking spaces (computed at a ratio of 1.75 parking spaces for each general hospital bed and obstetrics bed; not less than one off-street parking space for each long-term observation and bed and board bed; and not less than one space for each 400 square feet of gross floor area for the office building) shall be provided and maintained on the subject property in the approximate location shown on Exhibit A, dated April 12, 1972, on file in the office of the Planning Department. Each parking space shall be a minimum of 8 1/2 feet by 20 feet in size and shall not be 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.

4. All incineration facilities shall be in full compliance with state and county health regulations and any requirement of the San Diego County Air Pollution Officer.

5. The entire hospital grounds should be adequately landscaped with an appropriate approved combination of lawn, shrubs, trees and ground cover.

6. A minimum of two percent of the area of any outdoor vehicular parking lot shall be landscaped with trees and shrubs or ground cover.

7. Loading platforms, if visible from any adjoining street, highway or residential property, shall be screened by landscaping or an architectural feature.

8. Sign area.

- a. The combined total face area of all wall, freestanding and directional signs shall not exceed .2 of one square foot for each lineal foot of street frontage or exceed 100 square feet in area, whichever is the smaller. The aggregate area, however, need not be less than 20 square feet.
- b. Signs on the premises shall not project over adjoining property or public rights-of-way and should be set back a minimum of ten feet from any contiguous R-zoned property.
- c. The number of signs shall be limited to one freestanding sign for each street frontage, one directional sign for each vehicular entrance and any number of wall signs or signs attached to canopies or porch roofs. Special directional signs shall be provided at emergency entrances.

d. Sign height.

(1.) Freestanding - the height of any freestanding sign shall not exceed 12 feet measured from the base at ground level to the apex of the sign.

(2.) Wall signs - wall signs shall be parallel to the face of the buildings and shall not project more than 16 inches beyond the wall of the building or above the eaves or parapets.

e. Signs may be lighted, however, none shall contain visibly moving parts or be illuminated by flashing lights.

9. The collection and disposal of waste accumulation shall be on a daily basis.

10. All plant materials shall be maintained in a healthy, growing condition at all times.

11. Improvements (building, parking lots, etc.) shall be maintained in good condition at all times.

12. Prior to the approval of the subject conditional use permit, the street closings in Wing Street and Kenyon Court shall be completed.

13. No access shall be taken on Shadowlawn Street from the east property corner to the west side of Wing Street.

14. All structures must have pressure regulators.

15. A 10-inch V.C. sewer shall be constructed in Fordham Street from the existing 10-inch sewer in Fordham Street to the sewer lateral for the new hospital.

16. A 12-inch A.C. water main shall be constructed in Fordham Street from the existing 16-inch A.C. main in Midway Drive to Kenyon Street, and all the 6-inch A.C. water main in Kenyon Street shall be replaced with 12-inch A.C. main. The 12-inch A.C. main in Kenyon Street shall extend easterly far enough to service the hospital.

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

Passed and adopted by the City Council of The City of San Diego on July 25, 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 April 12, 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 April 12, 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.

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.

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, person-  
ally 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.

SAN DIEGO MEDICAL ASSOCIATE  
PROPERTIES, INC., a California  
corporation

DOCTORS HOSPITAL OF SAN DIEGO, INC.,  
a non-profit corporation

By \_\_\_\_\_

By \_\_\_\_\_

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

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 \_\_\_\_\_ of \_\_\_\_\_

the nonprofit corporation that executed the within instrument and known to me to be the person who executed the same on behalf of said nonprofit corporation and acknowledged to me that said nonprofit 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

Passed and adopted by the Council of The City of San Diego on AUG 1 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 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 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 Harriet M. Nop, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 206163 Adopted AUG 1 1972  
eh