

RESOLUTION NO. 208148 JUN 14 1973

CONDITIONAL USE PERMIT NO. 382-PC

WHEREAS, BORDER PROPERTIES, LTD., a partnership, Owner, hereafter referred to as "Permittee," filed an application for a permit to construct and operate a 191-space travel trailer park, located between San Ysidro Boulevard and the Interstate 5 Freeway, on a portion of the NW 1/4, SW 1/4, Section 35, Township 18 South, Range 2 West, SBBM, more particularly described in Appendix "A" attached hereto and made a part hereof, in the A-1-5 (proposed CR) Zone; and

WHEREAS, on April 25, 1973, the Planning Commission of The City of San Diego made its findings of facts, which are set forth in Resolution No. 382-PC, and granted a conditional use permit to Permittee to construct and operate said travel trailer park, and filed said decision in the office of the City Clerk on May 15, 1973; and

WHEREAS, pursuant to Section 101.0507 of the San Diego Municipal Code, the application for Conditional Use Permit No. 382-PC was set for public hearing on June 14, 1973, 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 Conditional Use Permit No. 382-PC:

1. The proposed use at the particular location is necessary 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 residing 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 Border Area Plan, 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 8 to 0, this Council does hereby grant to BORDER PROPERTIES, LTD., a partnership, Conditional Use Permit No. 382-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

CONDITIONAL USE PERMIT NO. 382-PC

CITY COUNCIL

This conditional use permit is granted by the Council of The City of San Diego to BORDER PROPERTIES, LTD., a partnership, Owner, 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 and operate a 191-space travel trailer park, located between San Ysidro Boulevard and the Interstate 5 Freeway, on a portion of the NW 1/4, SW 1/4, Section 35, Township 18 South, Range 2 West, SBBM, more particularly described in Appendix "A" attached hereto and made a part hereof, in the A-1-5 (proposed CR) Zone.

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

- a. 191 overnight travel trailer spaces.
- b. Swimming pool, children's play area, general store, check-in office, laundry facilities, restrooms, showers, and manager's living unit.
- c. 56 square foot, 30 foot high, freestanding identification sign and 28 square foot, 5 foot high, freestanding entrance sign.

d. Incidental accessory uses as may be determined and approved by the Planning Director.

3. Not less than 191 off-street parking spaces shall be provided and maintained on the subject property in the approximate location shown on Exhibit A, dated April 25, 1973, on file in the office of the Planning Department. Each parking space shall be a minimum of 8-1/2 feet x 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. Prior to the issuance of any building permits, a subdivision map shall be recorded to effectuate CR zoning.

5. Occupancy of any lot shall not exceed six months in any 12-month period.

6. 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 14, 1973.

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 25, 1973, 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 25, 1973, 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.

LEGAL DESCRIPTION

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO, AND IS DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER 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 OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 35; THENCE ALONG THE WESTERLY LINE THEREOF, SOUTH 0°04'19" EAST 206.21 FEET; THENCE SOUTH 53°26'35" EAST 726.38 FEET TO THE BEGINNING OF A TANGENT 3917.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 9°35'43" A DISTANCE OF 657.12 FEET; THENCE NORTH 26°34'15" EAST 176.02 FEET; THENCE NORTH 32°02'40" WEST 104.40 FEET; THENCE NORTH 42°25'55" WEST 251.54 FEET; THENCE NORTH 41°19'50" EAST TO AN INTERSECTION WITH THE CENTER LINE OF CALIFORNIA STATE HIGHWAY ROUTE 10, DIVISION 3; THENCE ALONG SAID CENTER LINE NORTH 48°52'00" WEST TO THE NORTHERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 35; THENCE ALONG SAID NORTHERLY LINE NORTH 89°57'00" WEST TO THE POINT OF BEGINNING.

EXCEPTING THAT PORTION DESCRIBED IN PARCEL 3A IN THAT CERTAIN FINAL ORDER OF CONDEMNATION, RECORDED DECEMBER 9, 1970 AS DOCUMENT NO. 225833 OF OFFICIAL RECORDS, BEING THAT PORTION LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID SECTION 35, DISTANT ALONG SAID WESTERLY LINE SOUTH 0°25'48" WEST 1511.30 FEET FROM A 2 INCH IRON PIPE WITH TAG MARKED "LS 2881", MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 35; THENCE -1- SOUTH 52°56'49" EAST 668.98 FEET; -2- ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 3900.00 FEET, THROUGH AN ANGLE OF 10°37'44" A DISTANCE OF 723.49 FEET; -3- SOUTH 64°03'41" EAST 202.28 FEET TO THE EASTERLY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, DISTANT ALONG SAID EASTERLY LINE SOUTH 00°30'04" WEST 1047.42 FEET FROM A IRON PIN MARKING THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER.

ALSO EXCEPTING THAT PORTION DESCRIBED IN PARCEL 3B IN SAID FINAL ORDER OF CONDEMNATION, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY TERMINUS OF RECORD COURSE -13- AS DESCRIBED IN DEED TO THE STATE OF CALIFORNIA, RECORDED MAY 25, 1953 IN BOOK 4866, PAGE 298 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY; THENCE -1- ALONG THE BOUNDARY OF SAID STATE

LAND, NORTH 41°57'02" WEST 251.61 FEET; -2- CONTINUING ALONG SAID BOUNDARY NORTH 41°50'02" EAST 33.53 FEET TO THE CENTER LINE OF SAN YSIDRO BOULEVARD, 40 FEET WIDE, AS DESCRIBED IN DEED TO THE COUNTY OF SAN DIEGO, RECORDED AUGUST 24, 1896 IN BOOK 257, PAGE 168 OF DEEDS, RECORDS OF SAID COUNTY; -3- ALONG SAID CENTER LINE NORTH 48°19'13" WEST 400.98 FEET; -4- LEAVING SAID CENTER LINE SOUTH 41°40'47" WEST 20.00 FEET TO THE SOUTHWESTERLY LINE OF SAID SAN YSIDRO BOULEVARD; -5- SOUTH 40°08'29" EAST 154.42 FEET; -6- SOUTH 59°21'57" EAST 243.56 FEET; -7- ALONG A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 718.00 FEET THROUGH AN ANGLE OF 22°34'14" A DISTANCE OF 282.84 FEET TO SAID COURSE -13- IN SAID DEED TO THE STATE OF CALIFORNIA; -8- ALONG SAID COURSE -13- NORTH 31°34'01" WEST 24.31 FEET TO THE POINT OF BEGINNING.

EXCEPTING FROM PARCEL 3B ABOVE THAT PORTION CONTAINED WITHIN SAID SAN YSIDRO BOULEVARD AS DESCRIBED IN DEED TO SAID COUNTY, RECORDED AUGUST 24, 1896 IN BOOK 257, PAGE 168 OF DEEDS, RECORDS OF SAID COUNTY.

THE BEARINGS AND DISTANCES USED IN THE ABOVE EXCEPTIONS ARE ON THE CALIFORNIA COORDINATE SYSTEM, ZONE 6. MULTIPLY ALL DISTANCES USED IN THE ABOVE DESCRIPTION BY 0.9999645 TO OBTAIN GROUND LEVEL DISTANCES.

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.

BORDER PROPERTIES, LTD.,
a partnership

By _____

By _____

Acknowledgment

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, personally appeared _____, known to me to be _____ of the partners of the partnership that executed the within instrument, and acknowledged to me 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

JUN 14 1973

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

RECEIVED
CITY CLERK'S OFFICE

1973 JUN 27 PM 3:57

SAN DIEGO, CALIF.

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Mary Anne Nielsen, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 208148 Adopted JUN 14 1973