

RESOLUTION NO. 214911

R.76-1382

Conditional Use Permit No. 431-PC

DEC 18 1975

WHEREAS, THE CITY OF SAN DIEGO, Owner, and the YMCA, hereafter referred to as "Permittee," filed an application to construct and operate a branch YMCA on 3.09 acres in the R-2 Zone, more particularly described as a portion of Pueblo Lot 206 (known as Collier Park), located on the south side of Valeta Street between Clovis Street and Camulos Street, in the Peninsula Community Plan; and

WHEREAS, on September 16, 1975, the Planning Commission of The City of San Diego made its findings of fact which are set forth in Resolution No. 385, granted said conditional use permit to Permittee and filed the decision in the office of the City Clerk on October 6, 1975; and

WHEREAS, on October 3, 1975, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, J. MORLEY and ROBERT BREGMAN appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on November 13, 1975, continued to December 18, 1975, and 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,

MICROFILMED

MAY 22 1978

01209

Section 101.0506 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. 431-PC:

1. The proposed use at this location is necessary and desirable to provide a service or facility that will contribute to the health and well being of the neighborhood and the community. The applicant indicates that the proposed branch YMCA would provide such services as personal improvement, physical development, aquatic training, recreational facilities, family activities, personal counseling, encouragement of moral and spiritual development, and related YMCA programs and activities. The applicant also states that the particular location has been selected as being approximately central to the branch YMCA service area for which it is to serve. Existing YMCA facilities in the Peninsula Community consist of a rented office on Rosecrans Street and the use of numerous public and private recreational facilities throughout the Point Loma area. The Planning Department believes that the proposed facility would contribute to the general well being of the neighborhood and community by providing needed recreational services.

MICROFILMED MAY 22 1978

2. The use, under the circumstances of this particular case, would not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements (existing or future) in the vicinity.

The landscaping, fencing, supervisory personnel as well as the activities offered by this facility should promote the general health, safety and welfare of persons residing and working in the area. The Planning Department believes that to further insure compatibility with adjacent residential uses across Valeta Street, a solid six-foot high masonry wall should be installed between the swimming pool area and the front property line instead of the wrought iron fence indicated. In addition, a three-foot high solid masonry wall should be installed between the parking lot on site and the front property line. Solid fencing would provide for additional buffering of activity and light on site from properties across Valeta Street.

3. The proposed use would, subject to conditions, comply with all of the regulations and conditions specified in the Municipal Code for such use. The City's Engineering and Development Department has indicated that on-site parking for this facility should be increased from 56 spaces to 123 spaces to adequately accommodate a facility of this size and function. During the peak utilization periods lack of adequate on-site parking could result in the overloading of

MICROFILMED

214911 MAY 22 1978

01211

curbside parking along Valeta, Clovis and Camulos Streets, thereby diminishing the available parking for existing residents in the area. The Planning Department believes that finalization of negotiations for uses of adjacent parking areas, indicated by the applicant would partially mitigate this problem. The Department further believes a condition of the permit for a review of offstreet parking needs two years after opening would mitigate this finding.

4. The granting of this conditional use permit would not adversely affect the General Plan of the City, the Peninsula Plan or the adopted plan of any governmental agency. The subject property is designated for institutional complex development (school, church, park and recreational usage) on the adopted Peninsula Community Plan. The Planning Department believes that the recreational function provided by this facility would be consistent with this designation and that, further, the proposed branch YMCA should provide services not generally available from public park sites. The Park and Recreation Department indicates that the proposed YMCA at this location should compliment adjacent City-owned property along Nimitz Boulevard to the west, which is proposed for park development.

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

MICROFILMED

-4-


MAY 22 1978

214911

01212

BE IT FURTHER RESOLVED, that by a vote of 7 to 1, the appeal of J. MORLEY and ROBERT BREGMAN is hereby denied, and this Council does hereby grant to THE CITY OF SAN DIEGO and the YMCA Conditional Use Permit No. 431-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 City Attorney

FCC:clh
12/31/75

MICROFILMED
MAY 22 1978

214911

CONDITIONAL USE PERMIT NO. 431-PC

CITY COUNCIL

This conditional use permit is granted by the Council of The City of San Diego to THE CITY OF SAN DIEGO, Owner, and the YMCA, 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 branch YMCA located on the southwest side of Valeta Street, between Clovis and Camulos Streets, described as a portion of Pueblo Lot 206, Map #36, in the R-2 Zone.

2. The branch YMCA shall include, and the term "Project" as used in this Conditional Use Permit shall mean the total of the following facilities:

a. Two, one-story structures containing lobby, shower and dressing rooms, meeting rooms, restrooms, storage room, administrative offices and a kitchen (5,639 square feet).

b. A swimming pool, including related pool deck areas, bleacher seats and pool equipment building.

c. Offstreet parking.

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

MICROFILMED

MAY 22 1978

3. Not less than 56 offstreet parking spaces shall be provided and maintained on the subject property in the approximate location shown on Exhibit "A," dated August 12, 1975, 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 marked. Parking spaces and aisles shall conform to Planning Department standards. No charge shall be made at any time for the use of these offstreet parking spaces.

4. Prior to the issuance of building permits, agreements shall have been made to utilize adjacent properties for parking during peak periods.

5. The adequacy of the offstreet parking shall be reviewed by the Planning and Engineering Departments two years after the issuance of building permits.

6. Sign identification shall consist of a four-foot-high, 34 square-foot monument identification sign as shown on Exhibit "A" dated August 12, 1975, on file in the office of the Planning Department.

7. Solid, three-foot-high masonry fencing shall be installed between the parking area on-site and the front property line and solid, six-foot-high, masonry fencing shall be installed between the pool and deck area on-site and the front property line.

MICROFILMED

MAY 22 1978

8. The second phase of development shall be subject to Planning Commission review and approval prior to the issuance of any permit for that phase.

9. 4-inch PCC sidewalk shall be constructed on Valeta Street adjacent to the subject property.

10. The pool shall be available for public use for an average of 20 hours a week on an annual basis, with fees no higher than the highest fee charged by the City Park and Recreation Department.

11. The swimming pool shall be provided with a ramp per handicapped standards.

12. Meeting rooms shall be made available for public use.

13. The 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 on December 18, 1975.

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 September 23, 1975, 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 September 23, 1975, 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.

MICROFILMED

MAY 22 1978

214911

01217

4. Substantial construction of the project shall have commenced and shall be proceeding within 18 months 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

MICROFILMED

MAY 22 1978

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.

MICROFILMED

MAY 22 1978

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 planned residential development
permit and promises to perform each and every obligation of
Permittee hereunder.

YMCA OF SAN DIEGO AND SAN DIEGO
COUNTY, a California corporation

By _____
MICROFILMED MAY 22 1978

214911

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 person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that _____ executed the within instrument.

WITNESS my hand and official seal.
(Notary Stamp)

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

MICROFILMED

MAY 22 1978

214911

01221

Passed and adopted by the Council of The City of San Diego on DEC 18 1975,
 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"/>
Lee Hubbard	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<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.

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

By Kathleen Martinez, Deputy.

(Seal)

RECEIVED
 CITY CLERK'S OFFICE
 1976 JAN -7 PM 2:00
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California	
Resolution Number 214911	Adopted DEC 18 1975

MICROFILMED

01222
 MAY 22 1978