

RESOLUTION NO. 222669

R.79-1665

Conditional Use Permit No. 550-PC

JAN 23 1979

WHEREAS, WELTON BECKET ASSOCIATES for WORLD EVANGELISM, INC., a California corporation, Owner, hereafter referred to as "Permittee," filed an application under Conditional Use Permit No. 550-PC, to construct and operate a religious and residential complex, primarily retirement housing with complete support facilities, parking and landscaping on approximately 230 acres in the A-1-10 Zone. The property is located on the east and west side of Black Mountain Road between Capricorn Way and Penasquitos Canyon, in the Mira Mesa Community Plan area, and is more particularly described as the West 1/2 of the Northeast 1/4, Section 29, Township 14 South, Range 2 West, S.B.B.M.; the Northeast 1/4, Section 30, Township 14 South, Range 2 West, S.B.B.M.; and parcels recorded on (Deed) File/Page Nos. 168992 and 168993; and

WHEREAS, on November 30, 1978, the Planning Commission of The City of San Diego made its findings of fact, approved said Conditional Use Permit No. 550-PC and filed said decision in the office of the City Clerk on December 14, 1978; and

WHEREAS, on December 11, 1978, pursuant to the provisions of Section 101.0507 of the San Diego Municipal Code, MR. and MRS. DORIAN appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on January 23, 1979, 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

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WHEREAS, the City Council in considering said appeal is empowered by the provisions of Municipal Code, Section 101.0507 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. 550-PC:

1. The proposed religious and residential development at this location would be desirable to provide a facility contributing to the general well-being of the neighborhood and community.

The development of the subject property is proposed by a nonprofit religious institution whose primary purpose is the promotion of public health and welfare. The project will provide for the much needed Black Mountain Road traffic artery which will be built by the project as part of the first phase of development, and the facilities as proposed will provide Mira Mesa with additional school facilities, cultural facilities and worship facilities. The retirement housing at this location would be consistent with the City's balanced community policy which recommends that housing for the elderly be located in all areas of the City.

2. The facility will not be detrimental to the health, safety or general welfare of persons living or working in the area, nor be injurious to property or improvements in the vicinity.

The project will considerably reduce dangers as a result of pedestrian traffic safety problems that exist now on Black Mountain Road. The Environmental Impact Report for this project demonstrates that the noise, air pollution and traffic impacts that result from this project would be no greater during peak hour conditions than if the subject property had been developed into a purely residential usage consistent with the densities presently shown on the community plan.

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

The adopted Municipal Code (zoning ordinance) provides that nonprofit institutions may be established in any zone with a granting of a conditional use permit by the Planning Commission. The subject property is currently zoned A-1-10, and the type of development is permitted by conditional use permit in the agricultural zone. The project would be subject to the recordation of a subdivision map to assure the necessary public improvements that would be required in addition to the construction of Black Mountain Road. All on-site improvements will be maintained by the applicant, which includes the interior street system and all landscaping parking areas, and the construction of the interchange with Black Mountain Road will be the sole responsibility of the applicant.

4. The granting of this conditional use permit will not adversely affect the General Plan of the City, nor the Mira Mesa Community Plan.

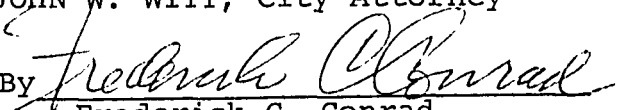
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The adopted General Plan and Mira Mesa Community Plan designate the subject property for very low density residential development and low density residential development. The adopted Mira Mesa Plan designates the subject property as part of Area C of the residential element and establishes development criteria which the Planning Department believes the subject permit complies with as it relates to design control minimizing grading and landscaping and the suggestion by the plan that a planned residential development procedure be utilized. The conditional use permit process permits the same review as would a PRD on the subject property. The Council further believes that because of the type of facility being religious and retirement housing, there would be less impact on the residential community of Mira Mesa than would single-family residential development.

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

BE IT FURTHER RESOLVED, that this Council does hereby deny the appeal of MR. and MRS. DORIAN, sustains the decision of the Planning Commission, and does hereby grant to WELTON BECKET ASSOCIATES FOR WORLD EVANGELISM, INC., a California corporation, Owner and Permittee, Conditional Use Permit No. 550-PC, with the condition that staff monitor for adequate landscape to mitigate the views of the parking facility, 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
2/24/79
Or.Dept.:Clerk

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CONDITIONAL USE PERMIT NO. 550-PC
CITY COUNCIL

This Conditional Use Permit is granted by the Council of The City of San Diego to WORLD EVANGELISM, INC., a California corporation, 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 101.0506 of the San Diego Municipal Code.

1. Permission is hereby granted to Permittee to construct and operate a religious and retirement residential development located on the east and west sides of Black Mountain Road between Capricorn Way and Penasquitos Canyon, described as being a portion of Sections 29 and 30, Township 14 South, Range 2 West, S.B.B.M., in the A-1-10 Zone.

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

a. Phase I.

- 1) Construct Black Mountain Road.
- 2) Construct the primary periphery road, administrative office and support facilities (150,000 square feet).
- 3) School of ministry: capacity 1,000 students, 500 living units.
- 4) Retirement Village 1: 861 units.
- 5) Hillside Villas: 18.

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b. Phase II.

- 1) Retirement Village 2: 731 units.
- 2) Construct adjacent roads.

c. Phase III.

- 1) Worship center: 6,000 seat capacity.
- 2) Visitor center: 9,000 square feet.

d. Phase IV.

- 1) Hillside Villas: 260.
- 2) Parochial school (K-12): capacity 1,000 students.
- 3) Convalescent hospital: 340 beds.

e. Offstreet parking.

f. Incidental accessory uses as may be determined by the Planning Director.

3. Not less than 4,803 offstreet parking spaces shall be provided and maintained on the subject property in the approximate location shown on Exhibit "A," dated October 5, 1978, 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 any grading permits for the project, an archaeological testing and salvage program of the site, satisfactory to the Planning Director, shall be completed.

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5. Prior to the issuance of any building permits, a final subdivision map shall be recorded to assure necessary public improvements for the Phase I development.

6. Prior to the issuance of any building permits, Permittee shall submit a color palette, texture rendering, and landscape plan to the Planning Commission for approval.

7. Prior to the issuance of any building permits for Phase III development, the diamond interchange with Black Mountain Road for access to the worship center, satisfactory to the City Engineer, shall be assured.

8. Prior to issuance of any building permits for Phase III, Permittee shall submit a traffic circulation study demonstrating adequacy of the existing and proposed street system to accommodate anticipated volumes of traffic to the Engineering and Development Department for approval.

9. One member of each retirement living unit shall be 62 years of age or older.

10. Adequate landscaping shall be installed to screen the parking facility from view from adjoining property.

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

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON JANUARY 23, 1979.

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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 November 30, 1978, 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 November 30, 1978, 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.

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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

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.

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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

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JAN 23 1979

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<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"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Ellen Board*, Deputy.

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Office of the City Clerk, San Diego, California

Resolution Number **222669** Adopted **JAN 23 1979**