

(R-82-883)

RESOLUTION NUMBER R- 255375

Adopted on NOV 17 1981

CONDITIONAL USE PERMIT NO. 10-637-0

WHEREAS, THE CITY OF SAN DIEGO, a municipal corporation, Owner, and SAN DIEGO HOUSING COMMISSION, a California corporation, hereafter referred to as "Permittee," filed an application under Conditional Use Permit No. 10-637-0 to construct 242 units of housing for low-income senior citizens (minimum age 62 years) on a City-owned site (approximately 10.5 acres) located on the westside of I-805 between Stalmer and Beal Streets, in the Clairemont Mesa Community Plan area, and more particularly described as a portion of Lot 1 of subdivision of the east 1/2 of Pueblo Lot 1215, Pueblo Lands, Map-690; and

WHEREAS, on September 17, 1981, the Planning Commission of The City of San Diego made its findings of facts, granted Conditional Use Permit No. 10-637-0, and filed said decision in the office of the City Clerk on October 6, 1981; and

WHEREAS, on September 23, 1981, LAWRENCE and MARGARET McCAW, and on September 24, 1981, DOROTHY L. COOKE, appealed the decision of the Planning Commission pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code; and

WHEREAS, said appeal was set for public hearing on November 17, 1981; and

WHEREAS, the Council of The City of San Diego received for its consideration documentary, written and oral testimony and heard from all interested parties present at the public hearing; 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. 10-637-0:

1. The proposed use will not adversely affect the neighborhood, the General Plan or the community plan, and will not be detrimental to the health, safety and general welfare of persons residing or working in the area.

The resulting population and density of the project would be less than if the site were developed at the maximum density as designated on the Clairemont Mesa Community Plan. The building type is similar to other development located to the south. The density is within the recommendation of the community plan. Therefore, the project would not adversely affect the neighborhood, General Plan or the community plan and will not be detrimental to the health, safety and general welfare of persons residing in the area.

2. The proposed use will comply with all the relevant regulations in the Municipal Code.

Section 101.0506 of the Municipal Code of San Diego, paragraph A 14 grants the Planning Commission authority under conditions, to approve housing for the elderly and any residential or commercial zone by a Conditional Use Permit.

3. That said findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the appeals of LAWRENCE and MARGARET McCRAW and DOROTHY L. COOKE are denied and this Council does hereby grant to THE CITY OF SAN DIEGO, a municipal corporation, and SAN DIEGO HOUSING COMMISSION, a California corporation, Owner and Permittee, Conditional Use Permit No. 10-637-0, with the further condition that Condition 5 of Subdivision Board Resolution 3223 be amended as follows:

5. The subdivider shall provide access to the subdivision by constructing cul-de-sacs in both Belden Street and Angelucci Street. These turnaround facilities shall have a curb-radius of 35 feet, with sidewalks. Offsite dedication and improvement of Angelucci Street to complete the cul-de-sac and a full-width, 36-foot, local street will be required, extending to Stalmer Street to the south. Said offsite improvements shall include the curb and sidewalk on the west side, and the necessary pavement to complete the travelway.

APPROVED: John W. Witt, City Attorney

By Frederick C. Conrad
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
12/18/81
Or.Dept:Clerk
R-82-883

CONDITIONAL USE PERMIT NO. 10-637-0
CITY COUNCIL

This conditional use permit is granted by the City Council of The City of San Diego to THE CITY OF SAN DIEGO, a municipal corporation, Owner, and the SAN DIEGO HOUSING COMMISSION, a California corporation, hereafter referred to as "Permittee," for the purpose and under the terms and on the conditions as set out herein pursuant to the authority contained in Section 101.0506 of the Municipal Code of The City of San Diego.

1. Permission is hereby granted to Permittee to construct and operate a senior citizen housing project located on the extensions of Belden Street and Angelucci Street and west of Interstate 805, described as a portion of Lot 1, Pueblo Lot 1215, Map No. 690, in the R-1-5 and proposed R-2A Zone.

2. The facility shall consist of the following:

a. 242 senior citizen housing units in nine one- and two-story buildings;

b. A manager unit, community building and two laundry buildings;

c. Off-street parking;

d. Accessory uses as may be determined incidental and approved by the Planning Director.

3. No fewer than 97 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A" dated September 17, 1981, on file in the office of the Planning Department. Parking spaces shall be consistent

00805

with Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. 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. Parking areas shall be marked.

4. Before the issuance of any building permit a final Subdivision Map shall be recorded on the property and the property shall be zoned R-2A.

5. No permit for construction of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:

a. The Permittee signs and returns the permit to the Planning Department;

b. The conditional use permit is recorded in the office of the County Recorder.

If the signed permit is not received by the Planning Department within 90 days of the Planning Commission decision or within 30 days of a City Council decision, the permit shall be void.

6. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A" dated September 17, 1981, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications for amendment of this permit shall have been granted.

7. Before issuance of any grading or building permits, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Director for approval. The plans shall be in substantial conformity to Exhibit "A" dated September 17, 1981, on file in the office of the Planning Department. Approved planting shall be installed before issuance of any occupancy permit on any building. Such planting shall not be modified or altered unless this permit has been amended.

8. The Permittee shall provide daily except Sundays a van service for the residents.

This conditional use permit must be used within 18 months after the date of City approval or the permit shall be void. An extension of time may be granted as set forth in Sections 101.0506 and 101.0507 of the Municipal Code.

9. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

10. At least one tenant in each unit shall be 62 years of age or older.

11. After establishment of the project, the property shall not be used for any other purposes unless:

- a. Authorized by the Planning Commission; or
- b. The proposed use meets every requirement of the zone existing for the property at the time of conversion;
or
- c. The permit has been revoked by the City.

00807

12. The subdivider shall provide access to the subdivision by constructing cul-de-sacs in both Belden Street and Angelucci Street. These turnaround facilities shall have a curb-radius of 35 feet, with sidewalks. Offsite dedication and improvement of Angelucci Street to complete the cul-de-sac and a full-width, 36-foot, local street will be required, extending to Stalmer Street to the south. Said offsite improvements shall include the curb and sidewalk on the west side, and the necessary pavement to complete the travelway.

13. This conditional use permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit. A revocation may be requested by the Permittee. Revocation of this conditional use permit may be initiated by the City or the Permittee. The Planning Director shall set the revocation for a public hearing before the Planning Commission, as provided in Section 101.0506 or 101.0507 of the Municipal Code. 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 this matter for a public hearing before the City Council as provided in Sections 101.0506 or 101.0507.

14. This conditional use permit is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.

Passed and adopted by the Council of The City of San Diego on November 17, 1981.

00808

Passed and adopted by the Council of The City of San Diego on NOV 17 1981
 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"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Jane A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-255375 Adopted NOV 17 1981