

(ORIGINAL CLUP
62 yrs old)

215-1728
121 34

Page 1 of 5

CONDITIONAL USE PERMIT NO. 83-0833
PLANNING COMMISSION

This Conditional Use Permit is granted by the Planning Commission of The City of San Diego to RILLA LOVELL, an individual, Owner/Permittee, under the conditions in Section 101.0506 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to construct and operate an elderly housing project located on the west side of Utah Street between El Cajon Boulevard and Howard Avenue, described as Lots 24, 25, and 26, Block 121, University Heights D'Hemecourt Map Amended, in the R-600 Zone.
2. The facility shall consist of the following:
 - a. One three-story residential structure containing 26 one-bedroom senior housing apartments;
 - b. Off-street parking; and
 - c. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No fewer than 13 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated January 19, 1984, on file in the office of the Planning Department. Parking spaces shall be consistent 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. Parking areas shall be marked.
4. At least one tenant in each unit shall be 62 years of age or older.
5. No permit for construction or operation 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; and
 - 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 January 19, 1984, 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 January 19, 1984, 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. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.

9. 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 Section 101.0506 and 101.0507 of the Municipal Code.

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

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

- a. Authorized by the Planning Commission; and
- 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.

12. 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.

13. 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.

14. Prior to the issuance of any building permits, the applicant shall enter into an agreement with the City waiving any right to oppose any special assessments for alley improvements in Block 121 of University Heights D'Hemecourt Map Amended.

15. Prior to issuance of any building permits, the applicant shall assure by permit and bond the replacement of two existing driveways on Utah Street with full height curb.

16. This development shall be an apartment project and shall not be converted to condominium use unless authorized by the Planning Commission.

17. The Owner/Permittee shall inform each perspective tenant that each unit is to have at least one tenant 62 years of age or older and a copy of this permit is to be displayed in a prominent location on the site and be visible to all the tenants.

18. No charge shall be made for the parking spaces.

Passed and adopted on January 19, 1984, by the Planning Commission of The City of San Diego.