

(R-84-687)

RESOLUTION NUMBER R- 259413

Adopted on OCT 11 1983

WHEREAS, SAN DIEGO RESCUE MISSION, a California corporation, "Owner/Permittee," filed an application for permission under Conditional Use Permit No. 83-0417 to construct and operate a rescue mission to provide meals, temporary housing, health clinic, counseling, a chapel and related facilities for homeless and poor families and individuals, on a 0.69 acre site located on the north side of "J" Street, between 11th and 12th Avenues, described as Lots D through I, Block 107, Horton's Addition, L. L. Lockling Map, in the M-2 Zone of the Centre City Community Plan area; and

WHEREAS, on September 1, 1983, the Planning Commission of The City of San Diego made its findings of fact, approved said Conditional Use Permit No. 83-0417 and filed said decision in the office of the City Clerk; and

WHEREAS, on September 9, 1983, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, McDONALD, HECHT & SOLBERG, by Paul E. Robinson, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on October 11, 1983, testimony having been heard, evidence having been submitted, and the City Council having fully considered the same; and

WHEREAS, the City Council in considering said appeal is empowered by the provisions of Municipal Code, 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. 83-0417:

1. The proposed use will not adversely affect the neighborhood or the Centre City Community Plan, nor will it be detrimental to the health, safety and general welfare of persons living or working in the area. The Centre City Community Plan designates the property for mixed use development compatible with existing land uses in the area. The new facility would provide services vital to the homeless and poor in the San Diego region. Conditions contained in the Conditional Use Permit will assure compatibility with adjacent development.

2. The proposed use will comply with the relevant regulations in the Municipal Code. Section 101.0506 of the Municipal Code of San Diego, paragraph A.10., grants the Planning Commission authority, subject to appropriate conditions, to approve nonprofit institutions whose primary purpose is the promotion of public health and welfare by Conditional Use Permit. The City Council believes that appropriate conditions exist to grant the permit.

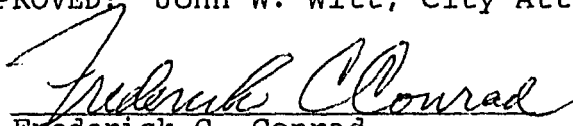
The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that this Council does hereby deny

the appeal of McDONALD, HECHT & SOLBERG, by Paul E. Robinson, sustains the decision of the Planning Commission, and does hereby grant to SAN DIEGO RESCUE MISSION, a California corporation, "Owner/Permittee," Conditional Use Permit No. 83-0417, 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:ib:632
10/17/83
Or.Dept:Clerk
CUP-83-0417
Form=r.none

CONDITIONAL USE PERMIT
NO. 83-0417
CITY COUNCIL

This Conditional Use Permit is granted by the City Council of The City of San Diego to SAN DIEGO RESCUE MISSION, a California corporation, Owner/Permittee, for the purposes and under the terms and 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 Owner/Permittee to construct and operate a rescue mission and related facilities on the north side of "J" Street, between 11th and 12th Avenues, described as Lots D through I, Block 107, Horton's Addition, L. L. Lockling Map, in the M-2 Zone of the Centre City Community Plan area.

2. The facility shall consist of the following:

- a. A two-story building with basement;
- b. Off-street parking; and
- c. Accessory uses as may be determined incidental and approved by the Planning Director.

3. No fewer than 22 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated September 1, 1983, 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 . Use of the parking lot shall be limited to administrative staff, visitors and for pickup and delivery of necessary supplies only.

4. All persons awaiting services at this facility shall be required to wait indoors or within the property boundary to prevent lines interfering with access in the public right-of-way.

5. No permit for construction of the new 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 1, 1983, 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 1, 1983, 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 Sections 101.0506 and 101.0507 of the San Diego Municipal Code.

10. Construction and operation of the approved uses 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; 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.

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. Outdoor storage of materials and equipment shall be prohibited.

15. The maximum amount of time any client may stay at the facility is limited to five consecutive days.

16. Service of 1,000 meals per day shall not be exceeded.

17. The facility shall be limited to a maximum of 205 overnight lodgers, 70 employees and 10 administrative staff.

18. Prior to the issuance of building permits, the applicant shall submit revised building elevations and landscaping plans for review and approval by the Planning Commission.

19. The parking lot shall be gated at night to restrict access and prevent loitering on the premises.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON October 11, 1983.

AUTHENTICATED BY:

Mayor of The City of San Diego

City Clerk of The City of San Diego

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

On this _____ day of _____, 1983, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared ROGER HEDGECOCK, known to me to be the Mayor, and CHARLES G. ABDELNOUR, 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 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.
SAN DIEGO RESCUE MISSION, a California corporation

By _____

By _____

NOTE: NOTARY ACKNOWLEDGEMENTS MUST
BE ATTACHED PER CIVIL CODE,
SEC. 1180 et seq.

Form=ACK

OCT 11 1983

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Marjorie L. Pontecorvo Deputy.

Office of the City Clerk, San Diego, California

Resolution
Number

R-259413

Adopted

OCT 11 1983