

(R-85-926)

RESOLUTION NUMBER R- **261946**

ADOPTED ON NOV 13 1984

WHEREAS, QUEEN VICTORIA I, a general partnership, "Owner/Permittee," filed an application for permission under Conditional Use Permit No. 84-0341 to construct and maintain a 22-unit senior citizen housing apartment project on property located on the south side of Chalcedony Street, between Ingraham and Jewell Streets, in the R-1500 Zone of the Pacific Beach Community Plan area, more particularly described as Lots 2, 3 and 4, Block A, Kenrick's Addition to San Diego Beach, Map No. 1873; and

WHEREAS, on October 11, 1984, the Planning Commission of The City of San Diego made its findings of fact, approved said Conditional Use Permit No. 84-0341, modified to allow 19 units, and filed said decision in the office of the City Clerk on November 6, 1984; and

WHEREAS, on October 18, 1984, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, QUEEN VICTORIA I, a general partnership, by Donald R. Worley, and LORRAINE TRUP, et al, appealed the decision of the Planning Commission; and

WHEREAS, said appeals were set for public hearing on November 13, 1984, testimony having been heard, evidence having been submitted and the City Council having fully considered the same; and

**C1211**

WHEREAS, the City Council in considering said appeals 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. 84-0341:

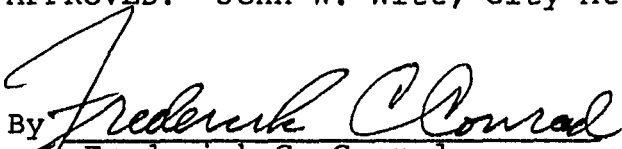
1. As modified, the proposed project will not adversely affect the neighborhood, the General Plan nor the Community Plan and will not be detrimental to the health, safety and general welfare of persons residing or working in the area. The senior citizen housing project would provide alternative housing for the area.

2. The proposed use would comply with all relevant regulations of the San Diego Municipal Code. Section 101.0506 of the San Diego Municipal Code, paragraph A.14. grants the Planning Commission authority to approve housing for the elderly in any residential or commercial zone by Conditional Use Permit, subject to appropriate conditions of approval. The proposed development meets standards recently adopted by the Planning Commission relative to density and proximity to commercial shopping facilities.

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 appeals of QUEEN VICTORIA I, a general partnership, by Donald E. Worley, and LORRAINE TRUP, et al, sustains the decision of the Planning Commission and does hereby grant to QUEEN VICTORIA I, a general partnership, Owner/Permittee, modified Conditional Use Permit No. 84-0341, 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  
11/23/84  
Or.Dept:Clerk  
CUP No. 84-0341  
R-85-926  
Form=r.none

CONDITIONAL USE PERMIT NO. 84-0341  
CITY COUNCIL

This Conditional Use Permit is granted by the Council of The City of San Diego to QUEEN VICTORIA I, a general partnership, 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 a senior housing facility located on the south side of Chalcedony Street between Ingraham and Jewell streets, described as Lots 2, 3, and 4, Block A, Kendrick's Addition, 20 San Diego Beach, Map No. 1873, in the R-1500 Zone.

2. The facility shall consist of the following:

- a. One three-story residential structure, containing 19 two-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 22 off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated October 11, 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. No recreational vehicles shall be parked on the premises.

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

5. This project shall provide and maintain a transportation service for residents of the facility. The type, amount and extent of these supplemental transportation system will be determined by the Planning Commission prior to issuance of building permits for this project. The transportation system shall be reviewed by the Planning Commission within one year of initiation of the project operation.

6. 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;

- 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.

7. 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 October 11, 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.

8. Before issuance of any grading or building permit, a complete landscape plan, including a permanent irrigation system, shall be submitted to the Planning Commission for approval. The plans shall be in substantial conformity to Exhibit "A," dated October 11, 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.

9. 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.

10. This Conditional Use Permit must be used within 36 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. Any extension of time shall be in compliance with criteria and standards in effect at the time the extension is applied for.

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

12. 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.

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.

CUP No. 84-0341

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.

15. Prior to the issuance of any building permits in connection with this Conditional Use Permit, the applicant shall assure by permit and bond that any unused driveway ramps adjacent to the project along Chalcedony Street will be replaced with full-height curb.

16. Prior to the issuance of building permits, the redesign of this facility for 19 units shall be submitted to the Planning Commission for review and approval.

Passed and Adopted by the Council of The City of San Diego,  
November 13, 1984.



33/6

Passed and adopted by the Council of The City of San Diego on NOV 13 1984  
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"/>
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 Struiksmā	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK  
Mayor of The City of San Diego, California.

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

(Seal)

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-261946 Adopted NOV 13 1984