

(R-85-1306)

RESOLUTION NUMBER R- 262346

ADOPTED ON JAN 15 1985

WHEREAS, PHILLIP RAY BERDESKI, an individual, "Owner/Permittee," filed an application for permission under Conditional Use Permit No. 84-0413, to establish an eleven-unit senior citizen housing project on a 6250 square-foot site located at 4243 49th Street, described as Lots 13 and 14, Block 36, Fairmount Addition to City Heights, Map No. 1035, in the R-600 Zone of the Mid-City Community Plan area; and

WHEREAS, on October 4, 1984, the Planning Commission of The City of San Diego made its findings of fact, denied said Conditional Use Permit No. 84-0413 and filed said decision in the office of the City Clerk on November 2, 1984; and

WHEREAS, on October 15, 1984, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, PHILLIP RAY BERDESKI appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on November 20, 1984, continued to January 15, 1985, 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. 84-0413:

1. The proposed use 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 in the Municipal Code. Section 101.0506 of the San Diego Municipal Code grants the City Council authority to approve housing for the elderly in any residential or commercial zone with a Conditional Use Permit, subject to appropriate conditions of approval. The proposed development would meet standards recently adopted by the Planning Commission.

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 grant the appeal of PHILLIP RAY BERDESKI, overrules the decision of the Planning Commission and does hereby grant to PHILLIP RAY BERDESKI, "Owner/Permittee," Conditional Use Permit No. 84-0413, 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*
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ib:632
01/22/85
Or.Dept:Clerk
CUP-84-0413
R-85-1306
Form=r.none

Passed and adopted by the Council of The City of San Diego on JAN 15 1985,
 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 Struiksmma	<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 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.

By *Jan A. Blackwell*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California	
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