

(R-85-1896)

RESOLUTION NUMBER R- 262869

ADOPTED ON APR 8 1985

WHEREAS, HOWARD FRANK and JOSEPH MILCHEN, a partnership, Owner/Permittee, filed an application for permission under Conditional Use Permit No. 83-0053.1 to use registered City of San Diego Historic Site No. 169, a two-story, single family residence, for attorneys' offices, with eleven on-site parking spaces, on property situate at the northwest corner of Second Avenue and Redwood Street, described as Lots G & H, Block 360, Horton's Addition, in the R1-5000 Zone of the Uptown Community Plan area; and

WHEREAS, on July 19, 1984, the Planning Commission of The City of San Diego made its findings of fact, approved said Conditional Use Permit No. 83-0053.1 and filed said decision in the office of the City Clerk on August 21, 1984; and

WHEREAS, on July 24, 1984, pursuant to the provisions of Section 101.0506 of the San Diego Municipal Code, ALVIN J. MCGOWAN and HAROLD HOERSCH appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on April 8, 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. 83-0053.1:

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 proposed use would preserve an historic site in conformance with the Uptown Community Plan which recommends that limited commercial-office uses should be granted where necessary to preserve structures of historic and/or architectural significance, and other structures which, due to their scale and appearance, will help maintain the historic character and pedestrian scale of the community in the context of planned growth.

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

3. 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 hereby denies the appeal of ALVIN J. MCGOWAN and HAROLD HOERSCH, upholds the decision of the Planning Commission, and hereby grants to HOWARD FRANK and JOSEPH MILCHEN, a partnership, Owner/Permittee Conditional Use Permit No. 83-0053.1 issued by this Council on September 18, 1984.

APPROVED: John W. Witt, City Attorney

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

FCC:ib:640
04/16/85
Or.Dept:Clerk
CUP No. 83-0053.1
R-85-1896
Form=r.none

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Passed and adopted by the Council of The City of San Diego on **APR 8 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 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input type="checkbox"/>	<input checked="" 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 *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

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