

(R-87-1929)

RESOLUTION NUMBER R- 267885

ADOPTED ON MAR 17 1987

WHEREAS, BAYSIDE SETTLEMENT HOUSE, INC., by Lynn Sinjem, Executive Director, appealed the decision of the Planning Commission in denying Conditional Use Permit No. CUP-86-0480 submitted by BAYSIDE SETTLEMENT HOUSE, INC., a California nonprofit corporation, Owner/Permittee, to convert a duplex structure for the operation of a nonprofit social services center on Lots 23 and 24, Block 125, City Heights, Map No. 1007, located on the east side of Central Avenue, between Thorn and Redwood Streets, in the Mid-City Community Plan area, in the MR-3000 Zone; and

WHEREAS, the matter was set for public hearing on March 17, 1987, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Conditional Use Permit No. CUP-86-0480:

1. The proposed use will not adversely affect the neighborhood, the General Plan or the community plan, and will not be detrimental to the health, safety and general welfare of persons residing or working in the area.

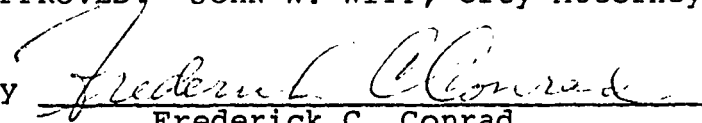
2. The proposed use will comply with all relevant regulations in the Municipal Code. Municipal Code Section 101.0510, paragraph C.3.k. grants the Council authority, under conditions, to approve nonprofit institutions whose primary purpose is the promotion of public health and welfare by Conditional Use 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 the appeal of BAYSIDE SETTLEMENT HOUSE, INC., is granted; the decision of the Planning Commission is overruled, and Conditional Use Permit No. CUP-86-0480 is hereby granted to BAYSIDE SETTLEMENT HOUSE, INC., under the terms and conditions 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:cc:600
04/27/87
Or.Dept:Clerk
R-87-1929
Form=r.permit

CONDITIONAL USE PERMIT NO. CUP-86-0480
CITY COUNCIL

This Conditional Use Permit is granted by the City Council of The City of San Diego to BAYSIDE SETTLEMENT HOUSE, INC., a California nonprofit corporation, Owner/Permittee, under the conditions in Section 101.0510 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to convert an existing duplex structure to a social services center, located on the east side of Central Avenue (3103-3105 Central Avenue) at Redwood Street, described as Lots 23 and 24, Block 125, City Heights, Map No. 1007, in the Mid-City Planned District MR-3000 Zone.
2. The facility shall consist of the following:
 - a. Social services center providing senior citizen, children and family counseling services, serving approximately 15 daily hot lunches for seniors, distribution of emergency food and clothing, and educational and recreational classes for children after school;
 - b. Off-street parking; and
 - c. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No fewer than four off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated March 17, 1987, 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. The applicant shall enter into an agreement with the City waiving the right to oppose a special assessment initiated for sidewalks on Central Avenue and street improvements on Redwood Street.

5. The Planning Department shall conduct a review of the parking in the vicinity of this permit six months from City approval of the permit. The applicant shall provide any additional onsite parking spaces as required by the Planning Director and the City Engineer as a result of this review.. If adequate onsite parking cannot be provided, the applicant will be requested to amend the permit to provide parking commensurate with need.

6. Operating hours for the center shall be between 8:30 a.m. and 4:30 p.m., weekdays only.

7. Educational and recreational classes for children shall be conducted after school only between the hours of 2:30 p.m. to 4:15 p.m. on weekdays.

8. The structure shall be restuccoed and repainted within twelve months of the date of issuance of the Conditional Use Permit.

9. Signage shall be approved by the Planning Director prior to the issuance of sign permits.

10. No permit for remodeling or occupancy 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.

11. 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 March 17, 1987, 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.

12. 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 March 17, 1987, 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.

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13. 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.

14. 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 101.0510K of the Municipal Code. Any extension of time shall be subject to all standards and criteria in effect at the time the extension is applied for.

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

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

- a. Authorized by the Planning Commission or City Council; 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.

17. 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 or the findings for approval are found to have changed.

18. 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.

Passed and Adopted by the City Council on March 17, 1987.

AUTHENTICATED BY:

MAUREEN O'CONNOR, Mayor
The City of San Diego

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

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On this _____ day of _____, 198_____, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared 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 person whose name is subscribed to the within instrument, as a witness thereto, who being by me duly sworn, deposes and says that he was present and saw MAUREEN O'CONNOR, known to him to be the Mayor of The City of San Diego, and known to him to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same, and that said affiant subscribed his name to the within instrument as a witness.

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 permit and promises to perform each and every obligation of Permittee hereunder.

BAYSIDE SETTLEMENT HOUSE, INC.
a California corporation
(Permittee)

By _____

By _____

NOTE: Notary acknowledgments
must be attached per Civil
Code Section 1180, et seq.
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Passed and adopted by the Council of The City of San Diego on MAR 17 1987,
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmā	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-267885</u>	Adopted <u>MAR 17 1987</u>