

RESOLUTION NUMBER R- 268091

ADOPTED ON APR 07 1987

WHEREAS, COMMUNITY RESEARCH FOUNDATION, by Hobie Hawthorne, Ph.D., appealed the decision of the Planning Commission in denying Conditional Use Permit No. CUP-86-1024 submitted by COMMUNITY RESEARCH FOUNDATION, a California corporation, Permittee, to allow the use of existing residential buildings as a social rehabilitation facility for the homeless mentally-ill, on Lots I and J, Block 74, Horton's Addition, located on the west side of Tenth Avenue, between F and G Streets, in the Centre City Community Plan area, in the RCX Zone; and

WHEREAS, the matter was set for public hearing on April 7, 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-86-1024:

1. The use will not adversely affect 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. The use is in conformance with the Centre City Community Plan and Centre City East Planned District. The facility will provide needed services for the homeless. No detrimental effect


on surrounding development is anticipated due to the highly supervised nature of this type of operation. In addition, the Conditional Use Permit will be reviewed after one year to ensure that compatibility with adjacent development is maintained.

2. The use will comply with the relevant regulations in the Municipal Code. Municipal Code Section 101.0510, Paragraph C.3., grants the Council authority to approve, subject to appropriate conditions, residential care facilities for more than twelve aged, mentally disordered, or otherwise disabled or dependent persons by Conditional Use Permit. This Council believes the use is appropriate and fulfills a community need.

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 COMMUNITY RESEARCH FOUNDATION, by Hobie Hawthorne, Ph.D., is granted; the decision of the Planning Commission is overruled, and Conditional Use Permit No. CUP-86-1024 is hereby granted to COMMUNITY RESEARCH FOUNDATION, 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-87-2094
Form=r.permit

00300

R- 268091

CONDITIONAL USE PERMIT NO. CUP-86-1024

CITY COUNCIL

This Conditional Use Permit is granted by the City Council of The City of San Diego to COMMUNITY RESEARCH FOUNDATION, a California Corporation, Permittee, under the conditions in Section 101.0506 of the Municipal Code of The City of San Diego.

1. Permission is granted to Permittee to operate a 14-bed group home social rehabilitation facility for the homeless mentally disabled located on the west side of 10th Avenue, described as Lots I and J, Block 74, Horton's Addition, in the RCX Zone of the Centre City Community Plan area.

2. The facility shall consist of the following:

- a. A 14-bed group home social rehabilitation facility for the homeless mentally disabled, located within three existing residential structures, and with associated outdoor recreation area;
- b. Landscaping;
- c. Off-street parking; and
- d. Accessory uses as may be determined incidental and approved by the Planning Director.

3. No fewer than ten (10) off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated April 7, 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. No permit for operation of the 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.

5. Before issuance of any building permits, complete building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated April 7, 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.

R - 268091

00301

6. 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 April 7, 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. An encroachment permit will be required by the Engineering Department for landscaping and improvements within the public right-of-way.

7. 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.

8. This Conditional Use Permit shall be valid for a period of one (1) year from the date of City approval, at which time the Planning Commission shall hold a noticed public hearing to consider an extension of time based upon the following:

- (a) parking study;
- (b) parking area landscaping plan;
- (c) continued compatibility with adjacent development;
- (d) compliance with all conditions of the permit.

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

10. 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.

11. 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.

12. 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.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO, APRIL 7, 1987.

R - 268091

00302

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.

COMMUNITY RESEARCH FOUNDATION
a California corporation
(Permittee)

By _____

By _____

NOTE: Notary acknowledgments must be attached per Civil Code Section 1180, et seq.
Form=p.ack

3336

Passed and adopted by the Council of The City of San Diego on APR 07 1987,
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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"/>
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 Maureen O'Connor, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R- 268091 Adopted APR 07 1987