

RESOLUTION NUMBER R- 268774

ADOPTED ON JUL. 6 1987

WHEREAS, ROBERT L. JADLOW appealed the decision of the Planning Commission in approving Conditional Use Permit No. CUP-86-0955 submitted by the STATE OF CALIFORNIA, Owner, and the REGIONAL TASK FORCE ON THE HOMELESS, Permittee, for the establishment of a day center for the homeless on the Interstate 5 freeway/right-of-way located on the east side of 17th Street, between J and L Streets, in the Centre City Community Plan area, in a Centre City East Planned District zoned area; and

WHEREAS, the matter was set for public hearing on May 12, and continued to June 2 and July 6, 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-86-0955:

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. Conditions attached to the permit will assure neighborhood compatibility. These include the presence of staff on the premises 24 hours a day to prevent loitering on the premises and in the vicinity of the facility.

In addition, no overnight accommodations will be provided at the facility. The permit will require an annual review by the Planning Director at a noticed public forum with a report to be forwarded to the Planning Commission. The applicant has been put on notice that if complaints are received the permit will be set for hearing to consider possible revocation before the year is up. The permit will expire five years from the date of City approval, unless revoked.

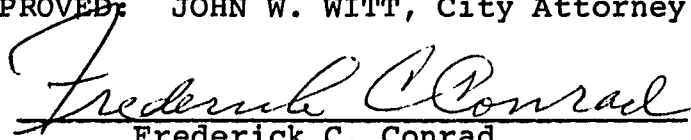
2. The proposed project will comply with the relevant regulations in the Municipal Code. Municipal Code Section 101.0510.C.3.k. grants the Planning Commission authority, under conditions, to approve nonprofit institutions whose primary purpose is the promotion of public health and welfare. With the recommended conditions, the Municipal Code requirements will be met in every respect.

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 ROBERT L. JADLOW is denied; the decision of the Planning Commission is sustained, and Conditional Use Permit No. CUP-86-0955 is hereby granted to the STATE OF CALIFORNIA, Owner, and the REGIONAL TASK FORCE ON THE HOMELESS, 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  
07/16/87  
Or.Dept:Clerk  
R-88-102  
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R- 268774

CONDITIONAL USE PERMIT NO. CUP-86-0955  
CITY COUNCIL

This Conditional Use Permit is granted by the City Council of The City of San Diego to THE STATE OF CALIFORNIA, owner, and REGIONAL TASK FORCE ON THE HOMELESS, 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 establish a day center for the homeless located on the east side of 17th Street between "J" and "L" Streets, described as Interstate 5 Freeway/right-of-way, in the Centre City East Planned District (CSX subdistrict).
2. The facility shall consist of the following:
  - a. Proposed 4,280-square-foot structure for the day center including showers, locker rooms, laundry facilities, staff living quarters, counseling offices.
  - b. Outdoor recreation area;
  - c. Off-street parking; and
  - d. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No fewer than two off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated July 6, 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. Approval from the California State Department of Transportation (CALTRANS) shall be obtained before the issuance of building permits.
5. At least one staff member shall be located on the premises 24 hours a day to maintain security on-site and prevent loitering on and near the facility.
6. No overnight accommodations or meals for transients shall be provided.
7. There shall be no loitering or lining up outside of the building.
8. Staff shall be instructed to discourage their clients from loitering and congregating in the vicinity of the day center.

9. This Conditional Use Permit shall be reviewed yearly by the Planning Director in a noticed public forum, with a report forwarded to the Planning Commission.

10. If complaints are received, this Conditional Use Permit shall be set for public hearing for possible revocation before the Planning Commission.

11. This center is to be open only during daylight hours; specific hours of operation shall be approved by the Planning Director.

12. 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.

13. 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 July 6, 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.

14. 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 July 6, 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.

15. 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.

16. 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.

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

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18. 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.

19. 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.

20. 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.

21. This permit shall expire in five years from the date of City approval, unless revocation proceedings are instituted.

ADOPTED BY THE COUNCIL OF THE CITY OF SAN DIEGO ON JULY 6, 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.

REGIONAL TASK FORCE ON THE HOMELESS  
(Permittee)

By \_\_\_\_\_

By \_\_\_\_\_

NOTE: Notary acknowledgments  
must be attached per Civil  
Code Section 1180, et seq.  
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R- 268774

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Passed and adopted by the Council of The City of San Diego on JUL 6 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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 *Barbara Bayler* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-268774 Adopted JUL 6 1987