

(R-89-710)

RESOLUTION NUMBER R-271920

ADOPTED ON SEPTEMBER 20, 1988

WHEREAS, the Salvation Army, Major Richard Love, appealed the decision of the Planning Commission in denying Conditional Use Permit No. 88-0136 submitted by M. C. Strauss, an individual, Owner, and the Salvation Army, a California corporation, Permittee, described as Lots A and B, Block 82, Horton's Addition, located at the southeast corner of Tenth Avenue and G Street, south of G Street, east of Tenth Avenue, west of Eleventh Avenue and north of Market Street, in the Centre City Community Plan area, in the RCX Zone; and

WHEREAS, the matter was set for public hearing on September 20, 1988, 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. 88-0136:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Centre City Community Plan. The proposed use is compatible with existing surrounding development, and will reduce the number of beds from forty (40) to thirty-five (35) as compared to the existing uses of the structure.

2. The proposed use, because of the conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity. The proposed use of the property would result in the better maintenance of the property, upgrading its exterior visual appearance.

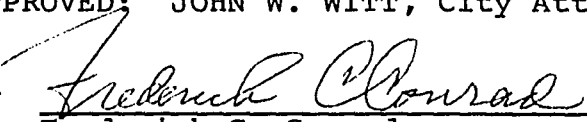
3. The proposed use will comply with the relevant regulations in the San Diego Municipal Code. Extensive rehabilitation and upgrades are proposed to the structure.

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 the Salvation Army, Major Richard Love, is granted; the decision of the Planning Commission is overruled, and Conditional Use Permit No. 88-0136 is hereby granted to M. C. Strauss, an individual, Owner, and the Salvation Army, a California corporation, Permittee, 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:ta
10/05/88
Or.Dept:Clerk
R-89-710
Form=r.permit

CONDITIONAL USE PERMIT NO. 88-0136

CITY COUNCIL

This Conditional Use Permit ("Permit") is granted by the City Council of The City of San Diego to M. C. STRAUSS, an individual, ("Owner"), and THE SALVATION ARMY, a California corporation, ("Permittee"), pursuant to Section 101.0510 of the Municipal Code of The City of San Diego ("Code").

1. Permission is granted to Owner/Permittee to operate a Federal Offenders Pre-Release Rehabilitation Program for up to thirty-five (35) individuals within an existing building, located at the southeast corner of Tenth Avenue and G Street, described as Lots A and B, Block 82, Horton's Addition, in the RCX Zone.

2. The facility shall consist of the following:

a. A total of six thousand (6,000) square feet within an existing eight thousand (8,000) square-foot building.

b. Eighteen (18) bedrooms, a lounge, laundry, kitchen and offices.

c. Off-street parking.

d. Accessory uses as may be determined incidental and approved by the Planning Commission, and shall be maintained on the property in the approximate location shown on Exhibit "A," dated September 20, 1988, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Zoning Regulations of the 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 at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.

3. No permit for operation and 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 Permit is recorded in the office of the County Recorder.

4. 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.

5. This Permit must be used within thirty-six (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 101.0510.k. of the Code. Any extension of time shall be subject to all standards and criteria in effect at the time of extension is applied for.

6. The operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.

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

a. Authorized by the Planning Commission.

b. The proposed use meets every requirement of the zone existing for the property at the time of conversion.

c. The Permit has been revoked by the City.

8. This Permit may be revoked by the City if there is a material breach or default in any of the conditions of this Permit.

9. This Permit is a covenant running with the subject property 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 in this Permit and all referenced documents.

10. A minimum of one (1) staff member is to be awake and on duty at all times.

11. The proposed security, alarms on all exits and closed circuit TV monitors are to be installed and maintained at all times.

12. The exterior of the building shall be painted and maintained for the life of the Permit.

13. Participants of the program shall not loiter around the surrounding sidewalks and streets.

14. Surrounding streets and sidewalks shall be maintained in a litter/trash free condition at all times.

15. Off-street parking shall be provided for all staff members.

16. The Permit is subject to a yearly review by the Planning Director for adherence to the conditions of this Permit.

17. This Permit is valid at this location, subject to the conditions, for a period of three (3) years from the effective date of the Permit, at which time it maybe extended.

18. In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by court of competent jurisdiction to be invalid, unenforceable or unreasonable, this Permit shall be void.

PASSED AND ADOPTED by the City Council on September 20, 1988.

331 b

SEP 20 1988

Passed and adopted by the Council of The City of San Diego on....., 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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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 *Jena Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-271920 Adopted SEP 20 1988