

(R-89-1927)

RESOLUTION NUMBER R- 271530

ADOPTED ON JUL 26 1988

WHEREAS, on July 26, 1988, the Council of The City of San Diego, California, considered the appeal of Friends of Lubavitch, Inc., by Lynn Heidel, Attorney, from the decision of the Board of Zoning Appeals in partially granting the amendment to Case C-17798 which permitted Friends of Lubavitch, Inc. to operate a preschool and kindergarten through third grade for eighty (80) children, Monday through Friday from 9:00 a.m. to 3:30 p.m. where such use is permitted by Conditional Use Permit only and to maintain an existing 4'0" high fence observing a 0'0" front yard where 3'0" high is permitted; and

WHEREAS, the applicant requested an amendment to the above permit to (1) maintain grades four through eight, increase hours from 8:00 a.m. to 5:30 p.m. with evening and weekend school related activities and increase enrollment to maximum three hundred children; (2) maintain three temporary classroom trailers; and (3) to construct two classroom buildings, administrative offices and assembly hall; and

WHEREAS, the subject property is located at 4905 Catoctin Drive in the RI-5000 zone in the State University Community Plan area. The subject property for the original permit is described as Lot 9, except for southeasterly 50', Alvarado Heights, Map-1634 and the amendment would add Lot 8 to the legal description; and

WHEREAS, in reaching their decision the City Council considered the staff report, decisions of the Zoning Administrator and Board of Zoning Appeals, the plans and materials submitted prior to and at the public hearing and public testimony presented at the hearing;- and,

WHEREAS, the City Council found the proposed use does not adversely affect the neighborhood, the General Plan or the Community Plan and is not detrimental to the health, safety and general welfare of persons residing or working in the area; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the appeal of Friends of Lubavitch, Inc., by Lynn Heidel, Attorney, is granted, subject to the following conditions:

1. That the construction be consistent with the guidelines from the draft community plan.
2. That the applicant submit revised plans within 90 days to the Zoning Administrator.
3. That the school may add grades four through eight.
4. That the school hours will be from 8:00 a.m. to 5:30 p.m.
5. That evening and weekend activities be allowed with conditions imposed by the Zoning Administrator, including twice a month for parent/teacher conferences and fifteen times a year for the evenings and weekends.
6. That the Honors Sunday class be allowed to continue.
7. That the applicant maintain the trailers.
8. That the maximum number of students shall be two hundred.

9. That loading and unloading of students and passengers take place in the driveway only, and not in the street.

10. That the driveway be installed, subject to appropriate review and approval by the Engineering and Development Department for safety.

11. That the outdoor public address system be allowed for use only three times a year for events such as carnivals.

12. That the subject property be used for school purposes only.

13. That landscape and fence requirements are met as referenced by Planning Department conditions dated March 4, 1988.

14. That plans for the above be submitted to the Zoning Administrator and approved in 90 days from the public hearing.

15. That the parking area and the driveway shall be installed and maintained in compliance with Division 8 of the Municipal Code.

16. That a six-foot high solid fence be erected along the southerly side of the property line observing the front yard setback.

17. That the fence in the front yard shall comply with the City of San Diego's fence ordinance.

18. That the existing four-foot high chain link fence shall be removed to observe a fifteen foot front yard and shall be brought into compliance with The City of San Diego's fence ordinance within 60 days of the public hearing.

19. That the revised plans shall indicate that there be landscaping for the front yard and that said landscaping shall be installed and maintained in a good growing condition.

20. That the administrative uses of the subject property be restricted to office use solely related to the school.

21. That the child care program shall comply with County and State licensing requirements.

22. That the Conditional Use Permit be signed and notarized by the applicant and returned to the Zoning Administrator within 30 days of receipt.

23. That the applicant shall send a copy of their October filing with the supervisor of Public Instruction, showing their enrollment figures and give that information to the Zoning Administrator.

24. That the applicant shall send a calendar, notice or schedule of the school's evening and weekend activities to the Zoning Administrator for monitoring.

25. That the City of San Diego's traffic engineer or his designee regularly check the school's traffic immediately before and after school hours, to insure it is in good condition.

BE IT FURTHER RESOLVED, by the City Council that the question of the design process for private schools (preschool through eighth grade) be referred to the Rules Committee for further review.

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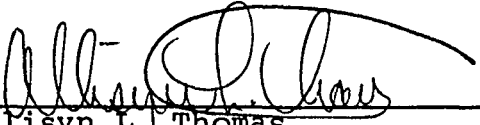
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SAN DIEGO, CALIF.

BE IT FURTHER RESOLVED, by the City Council that its decision
is final.

APPROVED: JOHN W. WITT, City Attorney

By


Allisyn L. Thomas
Deputy City Attorney

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JUL 26 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 Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
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.

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

(Seal)



By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California	
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