

(R-93-830)

RESOLUTION NUMBER R-281031

ADOPTED ON NOVEMBER 10, 1992

WHEREAS, William Dawson of Community Resources and Self Help, Inc. (CRASH), appealed the decision of the Planning Commission in denying Conditional Use Permit No. 92-0441 submitted by 3 B'S PARTNERSHIP, a General Partnership, Owner, and CRASH, Inc., Permittee, to operate a forty-eight (48) bed drug rehabilitation residential care facility, located at 4890 67th Street, described as a portion of Block 33, a portion of a closed street, and a portion of Block C, La Mesa Colony, in the Mid-City Community Plan area, in the MR-1000 zone; and

WHEREAS, the matter was set for public hearing on November 10, 1992, 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. 92-0441:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Mid-City Community Plan. The facility provides needed services for drug rehabilitation. No detrimental effect on surrounding development is expected due to the highly supervised nature of the type of operation.

2. The proposed use, because of the conditions that have

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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 project meets all of the Residential Care Facility Guidelines in the San Diego Municipal Code. The project provides a needed community facility.

3. The proposed use will comply with the relevant regulations in the Municipal Code. Conditions contained in the conditional use permit will ensure compliance with all relevant regulations in the Municipal Code.

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 William Dawson is granted; the decision of the Planning Commission is overruled, and Conditional Use Permit No. 92-0441 is hereby granted to 3 B'S PARTNERSHIP and CRASH, 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 
Harold O. Valderhaug
Chief Deputy City Attorney

HOV:pev
12/14/92
Or.Dept:Clerk
R-93-830
Form=r.permit

CONDITIONAL USE PERMIT NO. 92-0441

CRASH RESIDENTIAL CARE FACILITY

CITY COUNCIL

This conditional use permit is granted by the Council of The City of San Diego to 3 B'S PARTNERSHIP, a General Partnership (Owner) and CRASH INC., a non-profit California corporation (Permittee), pursuant to Section 101.0510 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to operate a forty-eight (48) bed residential care facility for drug rehabilitation, located at 4890 67th Street, described as a portion of Block 33, a portion of a closed street, and a portion of Block C, La Mesa Colony, Map 346, in the MR-1000 zone.
2. The facility shall consist of the following:
 - a. A forty-eight (48) bed drug rehabilitation facility;
 - b. Off-street parking; and
 - c. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No fewer than sixteen (16) off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated November 10, 1992, on file in the office of the Planning Department. Parking spaces shall be consistent with Chapter X, Article 1, 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 at all times. Landscaping located in any parking area shall be permanently maintained and not converted for any other use.
4. No permit for 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.
5. 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 November 10, 1992, 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. The landscaping shall be maintained in a disease-, weed- and litter-free condition at all times.

6. 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.
7. This conditional use 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 Municipal Code. Any extension of time shall be subject to all standards and criteria in effect at the time the time of extension is applied for.
8. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
9. 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.
10. 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.
11. This conditional use 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.
12. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.
13. 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.

14. An amendment to this permit is required should the management change from Community Resources and Self Help, Incorporated.
15. Prior to the issuance of any building permits, the applicant shall assure, by permit and bond, the installation of curb 20 feet from the centerline, sidewalk, and additional paving as necessary, adjacent to this site for 67th Street, satisfactory to the City Engineer.
16. Prior to the issuance of any building permits, the applicant shall provide evidence that a mutual-access/reciprocal-access agreement exists between this site and the adjacent property to the north.
17. Prior to the issuance of any building permits, the applicant shall:
 - a. Ensure that building address numbers are visible and legible from the street (Uniform Fire Code (UFC) § 10.208).
 - b. Show the location of all fire hydrants on the plot plan (UFC § 10.301).
18. This property may be subject to a building permit park fee in accordance with San Diego Municipal Code section 96.0401 et seq.
19. This community may be subject to impact fees, as established by the City Council, at the time of building permit issuance.
20. An inspection and approval by the Fire Department is required prior to issuance of building permits.
21. The access driveway to the rear parking lot shall be widened to a minimum of 20 feet to allow two-way circulation on-site with a 15-foot minimum inside turning radius.
22. This project shall be reviewed by the City Council one year after final inspection and clearance for building permits.

Passed and adopted by the Council of The City of San Diego on November 10, 1992 by Resolution No. R-281031.

AUTHENTICATED BY:

SUSAN GOLDING, 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 _____, 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 SUSAN GOLDING, 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.

3 B'S PARTNERSHIP
Owner

By _____

CRASH, Inc.
Permittee

By _____

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

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NOV 10 1992

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input checked="" 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 *Mary Cepeda* Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-281031* NOV 10 1992
Number Adopted