

(R-93-1495)

RESOLUTION NUMBER R-281620

ADOPTED ON MARCH 16, 1993

WHEREAS, William Hawthorne for Vista Hills Community Treatment Systems appealed the decision of the Planning Commission in denying Southeast San Diego Development (SESD) Permit/Condition Use (CUP) Permit No. 92-0585 for the Jary Barreto Crisis Center submitted by Vista Hills Community Treatment Systems, Owner/Permittee, for the remodeling of two existing multifamily residences for use as a 14-bed residential care facility, located 2865, 2867 and 2867 1/2 Logan Avenue and described as Lot 9, Block 7 of Reed and Hubbells Addition, Map No. 327, in the Southeast San Diego Community Plan area, in the MF-3000 Zone; and

WHEREAS, the matter was set for public hearing on March 16, 1993, 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 Southeast San Diego Development Permit/Conditional Use Permit No. 92-0585:

1. The proposed use will fulfill an individual and/or community need and will not adversely affect the General Plan or the Southeast San Diego Community Plan.

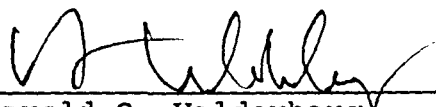
2. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety, and general welfare of persons residing or working in the area and will not adversely affect other property in the vicinity.

3. The propose use will comply with the other 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 Hawthorne for Vista Hills Community Treatment Systems is granted; the decision of the Planning Commission is overruled, and Southeast San Diego Development Permit/Conditional Use Permit No. 92-0585 is hereby granted to Vista Hills Community Treatment Systems, 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:lc
03/22/93
Or.Dept:Clerk
R-93-1495
Form=r.permit

SOUTHEAST SAN DIEGO DEVELOPMENT PERMIT/CONDITIONAL USE
PERMIT NO. 92-0585

JARY BARRETO CRISIS CENTER

CITY COUNCIL

This Southeast San Diego Development Permit/Conditional Use Permit No. 92-0585 is granted by the Council of The City of San Diego to VISTA HILLS COMMUNITY TREATMENT SYSTEMS, Owner/Permittee, under the conditions in Section 103.1706 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to remodel two existing multi-family residences for use as a 14-bed residential care facility located at 2865, 2867 and 2867½ Logan Avenue, described as Lot 9, Block 7 of Reed and Hubbells Addition, Map No. 327, in the MF-3000 Zone.

The facility shall open using only 12 of the 14 beds. This permit shall be subject to review by the City Council after one year of operation prior to utilizing the additional 2 beds.

2. The facility shall consist of the following:
 - a. A 3,600-square-foot, 14-bed residential care facility;
 - b. Landscaping;
 - c. Off-street parking;
 - d. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No fewer than five off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated March 16, 1993, on file in the office of the Planning Department. Parking spaces shall be consistent with San Diego Municipal Code Chapter X, Article 1, Division 8 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 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 Southeast San Diego Development Permit/Conditional Use Permit is recorded in the office of the County Recorder. .
5. If the signed permit is not received by the Planning Department within 30 days of the City Council decision, the permit shall be void.
6. Before issuance of any building permits, building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated March 16, 1993, 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.
7. Before issuance of any 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 March 16, 1993, 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.
8. 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.
9. This Southeast San Diego Development Permit/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 101.0910 of the Municipal Code.
10. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
11. The operation of the facility is subject to the Planning Department's annual review for compliance with the permit conditions. One year after issuance of Certificate of Occupancy, and each year thereafter, the applicant shall submit a statement that all permit conditions are complied with and any supporting additional information requested by the Planning Department.
12. 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).
13. After establishment of the project, the property shall not be used for any other purposes unless:
 - a. Authorized by the Planning Director; 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.
14. The original Conditional Use Permit (No. 85-0606) for the existing residential care facility shall be revoked by the Planning Commission prior to issuance of the Certificate of Occupancy for the new facility at 2865, 2867 and 2867½ Logan Avenue.
15. This Southeast San Diego Development Permit/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.
16. This Southeast San Diego Development Permit/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.

Passed and adopted by the Council of The City of San Diego on March 16, 1993, by Resolution No. R-281620.

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.

VISTA HILLS COMMUNITY TREATMENT SYSTEMS
Owner/Permittee

By _____

By _____

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

R. 281620

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Passed and adopted by the Council of The City of San Diego on MAR 16 1993
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING
Mayor of The City of San Diego, California.

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

By *Linda Luzano*, Deputy.

Office of the City Clerk, San Diego, California

Resolution 281620 Adopted MAR 16 1993
 Number Adopted