

RESOLUTION NUMBER R-283517

ADOPTED ON MARCH 8, 1994

WHEREAS, Harry Kendall, appealed the decision of the Planning Commission in denying the request for Conditional Use Permit Amendment/Golden Hill Planned District Permit No. CUP/GHP-92-0644 submitted by CHAR-LOU MANOR, a corporation, Owner/Permittee, to operate a residential care facility with a maximum of 45 beds, located at 2456 E Street within the Golden Hill Historic District, in the Greater Golden Hill Community Plan area, described as Lots 37 through 40 of Block 5 of the Breed & Chase Subdivision of The City of San Diego, Deed Book 14, Page 640, in the GH-3000 zone; and

WHEREAS, the matter was set for public hearing on March 8, 1994, 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 City Council adopts the following findings with respect to Conditional Use Permit Amendment/Golden Hill Planned District Permit No. CUP/GHP-92-0644:

1. The proposed increase in the intensity of the existing permitted use beyond the existing 36 beds will adversely affect the Greater Golden Hill Community Plan. The Greater Golden Hill Community Plan (pages 22 and 35) cites an over-concentration of residential care facilities; that these facilities should not be

located within 600 feet of another such facility and care should be taken to ensure that the use would not impact the neighborhood. There are three other residential care facilities within 600 feet. The City Council has further stated by Resolution No. R-262837 that the Greater Golden Hill Community is adversely impacted by an over-concentration of residential care and substance abuse treatment facilities and that the implementation of the "Greater Golden Hill Precise Plan" will be impaired and the integrity of residential neighborhoods compromised by the further development of residential care or substance abuse treatment facilities.

2. The proposed increase in the intensity of the existing permitted use will be detrimental to the health, safety and general welfare of persons residing or working in the area and will adversely affect other property in the vicinity. The facility does not provide adequate parking for the existing use and is in an area over-concentrated with residential care facilities.

3. The proposed use will not comply with the relevant regulations in the San Diego Municipal Code. The existing facility does not comply with all relevant provisions of the San Diego Municipal Code in that it is located within a quarter mile radius of four other residential care facilities and the current facility only provides two parking spaces, where current regulations require 14 spaces.


4. The existing residential care facility is in close proximity to four other residential care facilities and it is

inappropriate, due to the concentration of residential care facilities in the area, to increase the allowed use from 36 to 45 beds.

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 Harry Kendall, is denied the decision of the Planning Commission is sustained, and Conditional Use Permit Amendment/Golden Hill Planned District Permit No. CUP/GHP-92-0644 is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold O. Valderhaug  
Chief Deputy City Attorney

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