

In the Matter of the Decision of the City)
Planning Commission to deny a Special Permit))
to establish a food locker distribution))
facility in an existing church on 0.18+))
acres in the Single Family (R-1) zone at))
1800 Burnett Way))

NOTICE OF DECISION
AND
FINDINGS OF FACT

At its regular meeting of June 23, 1988, the Planning Commission considered the above entitlement and indicated an intent to deny the special permit based upon findings of fact due July 14, 1988. Based upon oral documentary evidence at the June 23, 1988 Planning Commission meeting, the Commission denied the special permit based upon the following findings of fact:

Findings of Fact / Denial - Food Locker

1. The proposed project is not based upon sound principals of land use in that it does not comply with the following locational criteria for non-residential care facilities:
 - a. neighborhood disruption due to activities of both transients and recipients of food baskets who do not leave the neighborhood or who are attracted to the church when it is closed.
 - b. inadequate site area for the proposed food locker for volunteer parking and distribution of food items.
 - c. proximity to similar facilities providing a service to the needy within six blocks of the site.
2. The proposed project will be injurious to the surrounding property and be detrimental to the public health, safety and welfare and result in the creation of a nuisance in that:
 - a. prior activity of the food closet resulted in transients loitering on the site and in surrounding neighborhood properties;
 - b. operation of the program on Monday's only, may attract transients during other days of the week; and
 - c. the applicant cannot be reasonably expected to police and advise transients to leave the area when the church is closed or before opening or after closing the program on Mondays.