

NOV 20 1979

WHEREAS, KOPLAR ENTERPRISES, INC., CHASE HOTEL, INC. and SPORTS ARENAS PROPERTIES, INC. by Bruce A. Ray, attorney, appealed the decision of the Planning Commission in denying Tentative Subdivision Map 79-224 (University City Village) which proposes a one-lot subdivision for condominium purposes of Lots 1 through 4, University City Unit 9, Map 5100. The subject property is located on the south side of Governor Drive, east and west of Gullstrand Street in the R-1-5 and R-1-5 (HR) Zones, and within the boundaries of the University Community Plan; and

WHEREAS, on October 4, 1979, the Planning Commission voted 7 to 0 to deny the tentative map and sustain the decision of the Subdivision Review Board; and

WHEREAS, on October 15, 1979, pursuant to the provisions of Sections 102.0205 and 102.0205.1 of the San Diego Municipal Code, KOPLAR ENTERPRISES, INC., CHASE HOTEL, INC. and SPORTS ARENAS PROPERTIES, INC. by Bruce A. Ray, attorney, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on November 13, 1979, continued to November 20, 1979, and testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council in considering said appeal is empowered by the provisions of the Municipal Code, Section 102.0205 to affirm, reverse or modify, in whole or in part, any determination of the Planning Commission subject to the limitations as are placed upon the Planning Commission by the Municipal Code; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That the City Council adopts the findings of the Subdivision Review Board on tentative subdivision map 79-224 (University Village), as follows:

1. The proposed map is consistent with the General Plan and University City Community Plan which designate the property for residential use.
2. The design and proposed improvements for the subdivision are consistent with the General Plan and University City Community Plan.
3. The site is physically suitable for residential development.
4. The site is suitable for the proposed residential density of development.
5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage based upon the findings of the Environmental Report EQD No. 79-06-11 EX.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems.


7. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. The proposed map is not consistent with R-1-5 and R-1-5 (HR) Zoning and does not conform with City Development regulations and Conditional Use Permit No. 4826, which approved the development of the property as a nonprofit, senior citizens' housing project.

9. That said 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 KOPLAR ENTERPRISES, INC., CHASE HOTEL, INC. and SPORTS ARENAS PROPERTY, INC. by Bruce A. Ray, attorney, is denied, the decisions of the Subdivision Board and the Planning Commission are sustained, and said tentative map is hereby denied.

APPROVED: JOHN W. WITT, City Attorney

BY   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
7/31/80  
630  
Or.Dept.:Clerk

Passed and adopted by the Council of The City of San Diego on NOV 20 1979,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

(Seal)

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

By Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number	<u>7C-250700</u> Adopted <u>NOV 20 1979</u>