

RESOLUTION NO. R- 251535 (R.80-1985)

Condominium Conversion Permit No. 56

MAR 25 1980

WHEREAS, KLARA RAFTERY appealed the decision of the Planning Commission in granting Condominium Conversion Permit No. 56 which proposes the conversion of existing 7-apartment units (Bak Condominiums No. 2) to condominiums. The subject property is located on the west side of 35th Street between Adams and Collier Avenues, in the R-3A Zone, and within the boundaries of the Mid-City Community Plan and is more particularly described as Lot 18, Block 25, Normal Heights, Map 985; and

WHEREAS, on February 21, 1980, the Planning Commission voted 5 to 0 to approve the condominium conversion permit and uphold the decision of the Subdivision Board, and filed said decision in the office of the City Clerk on February 26, 1980; and

WHEREAS, on February 22, 1980, pursuant to the provisions of Section 101.0995 of the San Diego Municipal Code, KLARA RAFTERY appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on March 25, 1980, 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 Municipal Code, Section 101.0995.1 to affirm, reverse or modify in whole or in part any determination of the Planning Commission subject to the limitations as are

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placed upon the Planning Commission by the Municipal Code;

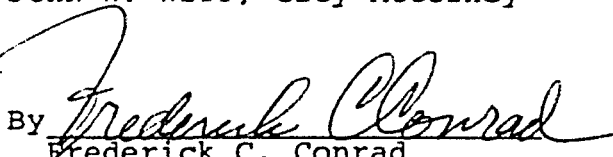
NOW, THEREFORE,

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

That said Council finds that the applicant has complied with all the terms and conditions of the Condominium Conversion Ordinance and that the purpose and intent of the permit will be met.

BE IT FURTHER RESOLVED, that the appeal of KLARA RAFTERY is denied, the decision of the Planning Commission to deny the appeal and uphold the decision of the Subdivision Board is sustained, and this Council does hereby grant to C. G. ZERBI Condominium Conversion Permit No. 56, in the form and with the terms and conditions as set forth in the permit attached hereto and made a part hereof.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:ps  
4/14/80  
Or.Dept. Clerk  
CCP 56

CONDOMINIUM CONVERSION PERMIT NO. 56  
CITY COUNCIL

This Condominium Conversion Permit is granted by the Council of The City of San Diego to C. G. ZERBI, or his successors in interest, for the purposes and under the terms and on the conditions as set out herein pursuant to the authority contained in Sections 101.0990 to 101.0999 of the Municipal Code of The City of San Diego.

1. The Condominium Conversion Permit shall apply to the 7-unit apartment project at the location described herein. Permission is hereby granted to "Owner/Permittee" to utilize a Condominium Conversion Permit located on the west side of 35th Street more particularly described as Lot 18, Block 25, Normal Heights, Map 985 in the existing R-3A Zone.

2. The applicant for the Condominium Conversion Permit shall provide the following benefits for those tenants who on the date of mailing of the notice of the Planning Commission hearing on the Condominium Conversion Permit were elderly, handicapped, disabled or low-income persons as defined by the Condominium Conversion Ordinance:

A. A relocation assistance payment equivalent to two (2) months current rent per unit, which shall be paid to the tenants by the applicant, for the purpose of assisting displaced tenants in relocating their places of residence, to be paid on or before the fifth (5th) working day after the tenant has vacated the unit; and

B. Assistance in locating one dwelling unit acceptable to the tenant or tenants; provided, that if such a unit is unacceptable, the tenant or tenants shall be entitled to occupancy of the present unit of residence for a period of time that shall be; (1) one year from the day the 180-day written notice of intention to convert is given to the tenants; (2) 60 days following the notice of the right to purchase, whichever provides the tenant with the greater period of occupancy.

3. Permittee shall give written notice of intention to convert the premises to condominiums to all who were tenants of the premises on the date of the application for this permit. Such notice shall be given no less than 180 days preceding the sale of the first unit within the project. Termination of tenancy of any tenant to whom notice is required to be given by this permit without just cause before the expiration of the 180-day notice period shall constitute a violation of this permit.

4. The applicant shall mail or cause to be delivered written notice to all tenants residing within the project within ten (10) days after approval of any condominium conversion project. Such notice shall state all of the conditions of the approval.

5. A written notice shall also be given by the applicant to all prospective tenants prior to rental to them of any of the units for which a conversion permit has been applied for or approved, stating that an application for a conversion permit has been filed or granted, advising such prospective tenants that they shall not be entitled to any of the benefits of these

provisions, except as provided by California Government Code Sec. 66427.1, due to their acceptance of tenancy during a pending conversion. In the event that the Condominium Conversion Permit is approved, the notice shall also state all of the conditions of the approval.

6. This permit shall inure to the benefits of and shall constitute a covenant running with the lands, and the terms, conditions and provisions hereof shall be binding upon Permittee and any successor or successors thereto, and the interests of any successor shall be subject to each and every condition herein set out.

7. Proof of compliance with the provisions of conditions numbers 5 and 6 shall be submitted by permittee prior to City Council consideration of the final map of the property covered by this permit.

8. The Owner/Permittee is aware and understands that failure to perform the obligations of permittee as contained on this permit and the Condominium Conversion Permit Ordinance may result in the revocation of this permit by The City of San Diego.



Passed and adopted by the Council of The City of San Diego on MAR 25 1980,  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 Walter Blodham, Deputy.

Office of the City Clerk, San Diego, California

Resolution  
Number R-251535 Adopted MAR 25 1980