

RESOLUTION NUMBER R- 251963

Adopted on JUN 3 1980

WHEREAS, SPORTS ARENA PROPERTIES, INC., KOPLAR ENTERPRISES, INC., and CHASE HOTELS, INC., owners of UNIVERSITY CITY VILLAGE, applied for a permit to convert their property from apartments to condominiums under Condominium Conversion Permit CCP-101 and filed a tentative subdivision map, TM 80-56, as required by California Government Code Section 66426; and

WHEREAS, said application and tentative map were presented to the Planning Commission of The City of San Diego pursuant to Municipal Code Sections 101.0993 and 101.0997; and

WHEREAS, University City Village was developed under a conditional use permit granted by The City of San Diego for the purpose of developing a facility to provide for elderly rental housing; and

WHEREAS, Municipal Code Section 101.0992.2 provides that an application for a Condominium Conversion Permit for a residential project that was developed to provide for elderly, handicapped, disabled or low-income rental housing shall not be considered for a Condominium Conversion Permit unless provisions are made to perpetuate the use for which the project was developed and such provisions shall be made a part of the conditions of the Condominium Conversion Permit; and

WHEREAS, neither the application for the Condominium Conversion Permit nor the tentative map made any provisions to perpetuate the use of the property for elderly housing; and

WHEREAS, the Planning Commission considered the application for Condominium Conversion Permit CCP-101 and Tentative Map TM 80-56 and on April

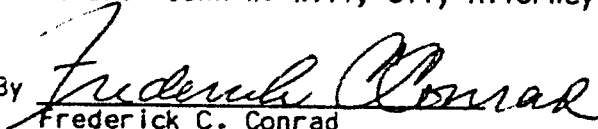
3, 1980, denied the application and tentative map based on the Planning Commission's finding that the application was inconsistent with the provisions of Municipal Code Section 101.0992.2 cited above and the tentative map was inconsistent with the R-1-5 zone and CUP 4826; and

WHEREAS, the applicants appealed from the decision of the Planning Commission to the City Council; NOW, THEREFORE,

BE IT RESOLVED, that the Council of The City of San Diego denies the appeal and affirms the decision of the Planning Commission and hereby denies the application for Condominium Conversion Permit CCP-101 based on the fact that the project is a Public Interest Project, as defined by Municipal Code Section 101.0992.2 and the application does not perpetuate the use of the property for elderly housing as provided for under CUP 4826 under which the project was developed.

BE IT FURTHER RESOLVED, that TM 80-56 is denied based on the fact that the approval of a tentative map filed for the purpose of converting the project from rental housing to condominiums would be inconsistent with the single family zoning (R-1-5) which applies to the property, inconsistent with CUP 4826 which allowed development of the project for elderly housing, and violative of Municipal Code Section 101.0992.2 which requires that the use of the property for elderly housing be perpetuated since no provision to perpetuate the use of the property for elderly housing was provided by the applicant.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:ps
9/23/81
Or.Dept: Clerk
CCP-101
TM 80-56

01217

JUN 3 1980

Passed and adopted by the Council of The City of San Diego on _____
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Barbara Benzinger, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

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