

RESOLUTION NUMBER R- 284501

ADOPTED ON AUG 08 1994

WHEREAS, in March 1967, the Planning Commission approved a conditional use permit (CUP) for United States International University (USIU) to construct a campus on approximately 435 acres in the Scripps Ranch area for a maximum of 6,000 full time equivalent students; and

WHEREAS, USIU thereafter constructed and has operated a university on a portion of the CUP area; and

WHEREAS, an approximately 27-acre portion of the CUP area has gone into separate ownership from USIU and Friends of Chabad-Lubavich San Diego, Inc. (Chabad) has indicated its intent to purchase the approximately 27-acre parcel and develop and operate a kindergarten through twelfth grade private school and a rabbinical seminary; and

WHEREAS, Chabad has indicated that it plans to develop buildings on the property in substantially the same manner as was approved for the USIU facilities on the approximately 27-acre parcel; and

WHEREAS, the USIU facilities approved for the parcel included a law school and other university educational facilities; and

WHEREAS, Chabad and USIU intend to record an agreement as to the allocation of students between the 27-acre parcel portion of the CUP and the balance of the acreage; and

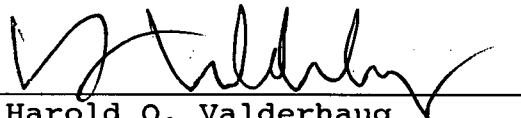
WHEREAS, Chabad approached City staff and the City Manager to seek a determination that its proposed facilities, i.e., a kindergarten through twelfth grade private school plus a "Yeshiva" (rabbinical seminary) accommodating a maximum of 800 full time equivalent students is in substance the same use previously approved under the CUP, therefore negating any need for a new CUP or CUP amendment; and

WHEREAS, the City Attorney supports a determination that the proposed Chabad use is substantively the same as the university use approved under the USIU conditional use permit provided; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that having heard all public testimony relating to the above proposal and having reviewed the City Manager's report, the City Council hereby determines that the use as described in the Manager's report which is proposed by Chabad is in fact substantively the same as the university use approved by the City and that therefore no new conditional use permit or amended conditional use permit will be required for such proposed development and use.

APPROVED: JOHN W. WITT, City Attorney

By



Harold O. Valderhaug
Chief Deputy City Attorney

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