

RESOLUTION NUMBER R- 291027

ADOPTED ON DEC 01 1998

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING CONDITIONAL USE PERMIT 98-0355 (PROSWOOD DEVELOPMENT) WITHIN THE CENTRE CITY REDEVELOPMENT PROJECT AREA.

WHEREAS, Prowswood Development [the Developer] has submitted to the Centre City Development Corporation, Inc. [CCDC], an application for Conditional Use Permit 98-0355 to permit the Cordia Senior Residences project [the Development], a 101-unit senior housing project on the north side of J Street between 3rd and 4th Avenues within the Centre City Redevelopment Project Area; and

WHEREAS, the application, including Basic Concept/Schematic Drawings, has been reviewed by the Centre City Redevelopment Project Area Committee; and

WHEREAS, CCDC and the City Council have held public hearings to consider the proposed project, having duly published and mailed notice of such public hearings and permitted interested citizens and area residents to review and comment on the proposed development;

NOW, THEREFORE,

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

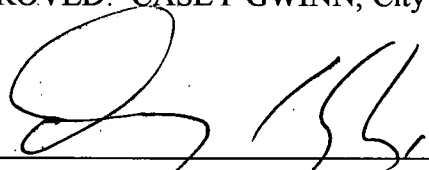
1. That the proposed use will not adversely affect the neighborhood, the General Plan, or the Community Plan, and, if conducted in conformity with the conditions provided by the Permit, will not be detrimental to the health, safety, and general welfare of persons residing or working in the area.

2. That the proposed use will comply with all the relevant regulations in the San Diego Municipal Code.

3. That Conditional Use Permit 98-0355, including the Basic Concept/Schematic Drawings, is hereby granted to Prowswood Development, subject to the conditions stated in Exhibit A attached hereto and incorporated herein by this reference.

APPROVED: CASEY GWINN, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

DKH:lc
11/17/98
Or.Dept:CCDC
Aud.Cert:N/A
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EXHIBIT A

DRAFT CONDITIONAL USE PERMIT

R-291027

**CENTRE CITY DEVELOPMENT CORPORATION
CONDITIONAL USE PERMIT NO. 98-0355**

WHEREAS, on September 10, 1998, Prowood Development, Permittee, filed a application for a conditional use permit (CUP) to operate a senior housing project with 98-102 assisted- and independent-living units located on the north side of J Street between 3rd and 4th Avenues. The site, described as Lots E, F, G, and H of Block 115 of Horton's Addition in the City of San Diego, County of San Diego, State of California, according to Map thereof on file in Book 13, Page 522 of Deeds in the Office of the County Recorder of San Diego County, is located in the Marina Sub-Area of the Centre City Community Plan Area; and,

WHEREAS, on November 13, 1998, the Centre City Development Corporation (CCDC) held a duly noticed public hearing and considered Conditional Use Permit No. 98-0355, including a staff report and recommendation and public testimony, pursuant to Sections 103.1904, 103.1925 and 103.1919 of the Municipal Code of the City of San Diego.

NOW, THEREFORE, BE IT RESOLVED by the Centre City Development Corporation as follows:

1. The proposed use will not adversely affect the neighborhood, the General Plan, or the Community Plan, and, if conducted in conformity with the conditions provided by the Permit, will not be detrimental to the health, safety, and general welfare of persons residing or working in the area.
2. The proposed use will comply with all the relevant regulations in the Municipal Code.

BE IT FURTHER RESOLVED that, based on the Findings hereinbefore adopted by the Agency, Conditional Use Permit No. 98-0355 is hereby GRANTED to Permittee, subject to the following conditions:

1. At least one tenant of each residential unit shall be at least 62 years of age or physically handicapped.
2. A minimum of 25 parking spaces shall be maintained on the site for use by the facility.
3. The project shall obtain approval of a Marina Development Permit and all required Exceptions.
4. Each lease shall contain language, approved by CCDC, which informs the tenant(s) that the project is located within the Asian Pacific Thematic Historic District and adjacent to the Gaslamp Quarter Historic District. The lease shall inform the tenant(s) that these areas contain many restaurants and entertainment facilities

which include live entertainment. In addition, there are numerous public events which include street closures and public festivals in the area. The tenants shall acknowledge this information and agree not to file any objections regarding these businesses and/or activities.

5. This Permit may be revoked by CCDC if there is a material breach or default in any of the conditions of this permit.
6. This Permit shall not become effective until:
 - a. The Permittee signs and returns the Permit to CCDC; and
 - b. The Permit is recorded in the Office of the County Recorder.
7. This Permit must be used within 36 months after the date of approval or the Permit shall be void.
8. After establishment of the business, the Property shall not be used for other uses unless:
 - a. Authorized by CCDC; or
 - b. The uses are consistent with all zoning and development regulations of the Marina Planned District Ordinance; or
 - c. This permit has been revoked by CCDC.
9. This Permit is a Covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.

Passed and adopted by the Redevelopment Agency on _____, 1998.

CENTRE CITY DEVELOPMENT
CORPORATION

PERMITTEE(S) SIGNATURE
