

RESOLUTION NUMBER R- 301468

DATE OF FINAL PASSAGE MAY 22 2006

WHEREAS, William Lyon Homes, Inc. and Good Nite Inn San Diego, Inc., requested an amendment to the Progress Guide and General Plan and the Navajo Community Plan in order to redesignate a 5.672-acre site located at 4545 Waring Road, from Commercial Visitor to Multifamily Residential.; and

WHEREAS, the site is legally described as a portion of Lot 70 of College Canyon Park, Unit No. 3, Map No. 6287, a portion of Lot 69 of College Canyon Park, Unit No. 2, Map No. 5995 and a portion of Lot 67 of Rancho Mission of San Diego, Map thereof in the action entitled "*Juan M. Luco et al, vs. The Commercial Bank of San Diego, et al*" under Superior Court case No. 348 filed in the office of the County Recorder of San Diego, City of San Diego, County of San Diego, State of California; and

WHEREAS, City Council Policy 600-7 provides that public hearings to consider revisions to the Progress Guide and General Plan for the City of San Diego may be scheduled concurrently with public hearings on proposed community plans in order to retain consistency between said plans and the Planning Commission has held such concurrent public hearings; and

WHEREAS, on February 16, 2006, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering an amendment to the Progress Guide and General Plan and the Navajo Community Plan; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the Progress Guide and General Plan; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on MAY 22 2006, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the Progress Guide and General Plan and the Navajo Community Plan; and

WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council adopts the amendments to the Navajo Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR- 101468.

BE IT FURTHER RESOLVED, that the Council adopts the amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the above amended plan.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Shannon M. Thomas  
Shannon M. Thomas  
Deputy City Attorney

SMT:pev:als

03/21/06

Or.Dept:DSD

R-2006-775

MMS #3095

Community Plan Amend – Applicant Initiated Amendment 11-01-04

Passed by the Council of The City of San Diego on MAY 22 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

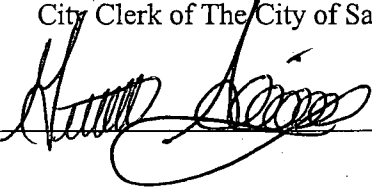
Date of final passage MAY 22 2006

AUTHENTICATED BY:

JERRY SANDERS  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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