

RESOLUTION NUMBER R- 301919

DATE OF FINAL PASSAGE SEP 19 2006

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AMENDMENT TO THE CARMEL VALLEY COMMUNITY PLAN AND THE CARMEL VALLEY NEIGHBORHOOD 8 PRECISE PLAN, LOCAL COASTAL PROGRAM LAND USE PLAN AND PROGRESS GUIDE AND GENERAL PLAN FOR THE CREEKSIDE VILLAS PROJECT.

WHEREAS, on SEP 19 2006, the City Council of the City of San Diego held a public hearing to consider the amendments to the Carmel Valley Community Plan and the Carmel Valley Neighborhood 8 Precise Plan, Local Coastal Program Land Use Plan and Progress Guide and General Plan; and

WHEREAS, Creekside Villas, LLC, requested an amendment to the Carmel Valley Community Plan and the Carmel Valley Neighborhood 8 Precise Plan, Local Coastal Program Land Use Plan and Progress Guide and General Plan for the purpose of reconfiguring development and open space areas on a 12.25-acre site to allow the proposed "Creekside Villas" project; and

WHEREAS, the site is legally described as the westerly 590.84 feet of the east 1/2 of the Southeast 1/4 of Section 19, Township 14 South, Range 3 West, San Bernardino Base Meridian, County of San Diego, State of California, lying southerly of the center line of Carmel Valley Road, shown on County Road Survey No. 758, filed in the office of the County Surveyor, described in deed to the County of San Diego recorded September 29, 1938, in Book 819, Page 365 of Official Records, excepting therefrom all that portion thereof as condemned in the certain final order of condemnation recorded March 7, 1994 as File No. 1944-173263 of Official Records, in the Carmel Valley Community Plan area, in the City of San Diego, California, as

shown on Zone Map Drawing No. B-4219, are rezoned from the MF1 and OS zones to the MF3 zone and from the MF1 to the OS zone, as the MF3 and OS zones are described and defined by San Diego Municipal Code Chapter 10, Article 3, Division 6. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006; and

WHEREAS, 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 City Council has held such concurrent public hearings; and

WHEREAS, on June 22, 2006, the Planning Commission of the City of San Diego held a public hearing for the purpose of considering an amendment to the Progress and General Plan and the Carmel Valley Community Plan and the Carmel Valley Neighborhood 8 Precise Plan and the Local Coastal Program Land Use 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, 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 it adopts the amendments to the Carmel Valley Community Plan and the Carmel Valley Neighborhood 8 Precise Plan, and the Local Coastal Program Land Use Plan, a copy of which is on file in the office of the City Clerk as Document No.

RR- 301919

BE IT FURTHER RESOLVED, that this amendment is not effective until unconditionally certified by the California Coastal Commission.

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:als
07/12/06
Or.Dept:DSD
R-2007-30
MMS#3481

Passed by the Council of The City of San Diego on SEP 19 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 checked="" type="checkbox"/>	<input 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"/>

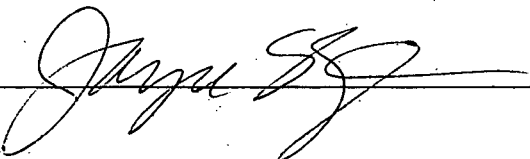
Date of final passage SEP 19 2006

AUTHENTICATED BY:

(Seal)

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

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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