

RESOLUTION NUMBER R- 301988

DATE OF FINAL PASSAGE OCT 16 2006

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AN AMENDMENT TO THE CARMEL VALLEY NEIGHBORHOOD 8B PRECISE PLAN, LOCAL COASTAL PROGRAM LAND USE PLAN AND PROGRESS GUIDE AND GENERAL PLAN FOR THE COSTA DEL MAR II PROJECT.

WHEREAS, the Leon Perl Family Trust, requested an amendment to the Carmel Valley Neighborhood 8B 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 10.22-acre site to allow the proposed "Costa Del Mar II" project; 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 May 11, 2006, the Planning Commission of the City of San Diego considered 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 OCT 16 2006, the City Council of the City of San Diego held a public hearing to consider the amendments to the Carmel Valley Neighborhood 8B Precise Plan, Local Coastal Program Land Use Plan and Progress Guide and General 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 Carmel Valley Neighborhood 8B Precise Plan, a copy of which is on file in the office of the City Clerk as Document No. RR- 301988.

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.

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

APPROVED: MICHAEL J. AGUIRRE, City Attorney

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

SMT:als
09/11/06
Or.Dept:DSD
R-2007-271
MMS#3750

R-301988

OCT 16 2006

Passed by the Council of The City of San Diego on _____, by the following vote:

Council Members	Yeas	Nays	Not Present	Recused
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"/>

OCT 16 2006

Date of final passage _____

AUTHENTICATED BY:

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

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

(Seal)

By _____, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R-200988