

RESOLUTION NUMBER R- 304229

DATE OF FINAL PASSAGE OCTOBER 13, 2008

COSTA VERDE SOUTH TENTATIVE MAP NO. 216966,
PROJECT NO. 71257 – ENVIRONMENTAL APPEAL BY
CORY J. BRIGGS, BRIGGS LAW CORPORATION, ON
BEHALF OF CITIZENS FOR RESPONSIBLE EQUITABLE
ENVIRONMENTAL DEVELOPMENT AND THE
AFFORDABLE HOUSING COALITION OF SAN DIEGO
COUNTY.

WHEREAS, Costa Verde Developers, LLC, Applicant/Subdivider, and Hunsaker & Associates, Inc., Engineer, submitted an application to the City of San Diego for a tentative map (Tentative Map No. 216966) for the conversion of 606 existing residential units to condominiums. The project site is located at 8510-8550 Costa Verde Boulevard, which is bounded by Nobel Drive to the south, Regents Road to the west, Costa Verde Boulevard to the east and Plaza de Palmas to the north, legally described as Lots 3, 4, and 5 of Costa Verde, according to Map thereof No. 12045, in the RS-1-14 zone and within the University Community Plan area; and

WHEREAS, on June 5, 2008, the Planning Commission of the City of San Diego considered Tentative Map No.216966, and pursuant to Resolution No. 4406-PC, voted to approve the Tentative Map; and

WHEREAS, City Staff conducted the initial reviews of the proposed Tentative Map in accordance with the process set forth in Sections 15060 and 15061 of the California Environmental Quality Act [CEQA] and determined that the project was exempt from CEQA pursuant to State CEQA Guidelines Section 15301(k), and using the City's CEQA Significant Thresholds; and

WHEREAS, City staff has determined that the appeal period for that decision expired in June 2005, the Applicant represents that it has voluntarily elected to allow the project appeal applications filed by Briggs Law Corporation to serve as appeals of the City's environmental determination for this project; and

WHEREAS, the Affordable Housing Coalition of San Diego County and Citizens for Responsible Equitable Environmental Development, c/o Cory J. Briggs, Briggs Law Corporation, appealed the Planning Commission decision regarding the environmental determination to the Council of the City of San Diego; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; 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 issue was heard by the City Council on October 13, 2008; NOW,
THEREFORE,

BE IT RESOLVED, that the appeal of the Affordable Housing Coalition of San Diego County and Citizens for Responsible and Equitable Environmental Development and the

(R-2009-501)
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Affordable Housing Coalition of San Diego County, c/o Cory J. Briggs, Briggs Law Corporation, is denied, the decision of the Planning Commission is sustained.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Shannon Thomas
Shannon Thomas
Deputy City Attorney

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10/24/08
02/17/09 COR.COPY
Or.Dept:DSD
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