

RESOLUTION NUMBER R- 304231

DATE OF FINAL PASSAGE OCTOBER 13, 2008

COSTA VERDE NORTH TENTATIVE MAP NO. 216983,
PROJECT NO. 71264 – 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 North Village, LLC, Applicant/Subdivider, submitted an application to the City of San Diego for a tentative map (Tentative Map, No. 216983) to allow the conversion of 651 existing residential units to condominiums to be known as the Costa Verde North Project [Project], on a site located at 8720-8950 Costa Verde Boulevard, which is bounded by Plaza de Palmas to the south, Regents Road to the west, Costa Verde Boulevard to the east and La Jolla Village Drive to the north, and legally described as Lots 1 and 2 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.216983, and 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 environmental review pursuant to State CEQA Guidelines Section 15301(k), and using the City's CEQA Significance Thresholds; and

WHEREAS, although City staff has determined that the opportunity to appeal the environmental determination for this Project has 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, Citizens for Responsible Equitable Environmental Development and the Affordable Housing Coalition of San Diego County, c/o Cory J. Briggs, Briggs Law Corporation, appealed the Planning Commission decision regarding the environmental determination to 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;

WHEREAS, the issue was heard by the City Council on October 13, 2008; NOW,
THEREFORE,

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

(R-2009-505)
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Cory J. Briggs, Briggs Law Corporation, is denied, and 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
02/18/09 COR.COPY
Or.Dept:DSD
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