

ORDINANCE NUMBER O- 19899 (NEW SERIES)

DATE OF FINAL PASSAGE SEP 1 2009

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 10.33 ACRES LOCATED AT 6599 ALVARADO ROAD, WITHIN THE COLLEGE AREA COMMUNITY PLAN, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CC-1-3 AND RS-1-1 ZONES INTO THE RM-4-10 ZONE, AS DEFINED BY CHAPTER 13, ARTICLE 1, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO.O-18451 (NEW SERIES), ADOPTED DECEMBER 9, 1997, OF ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICTS HEREWITH.

WHEREAS, under Charter section 280(a)(2) this ordinance 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; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That 10.33 acres located at 6599 Alvarado Road, and legally described as Lot 5 of Alvarado Plaza Unit 3, according to Map No. 6072, filed March 20, 1968, in the Office of the County Recorder, in the College Area Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4275, filed in the office of the City Clerk as Document No. OO- 19899, are rezoned from the CC-1-3 and RS-1-1 zones into the RM-4-10 zone, as the zone is described and defined by Chapter 13, Article 1, Division 4 of the San Diego Municipal Code. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O 18451 (New Series), adopted December 9, 1997, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

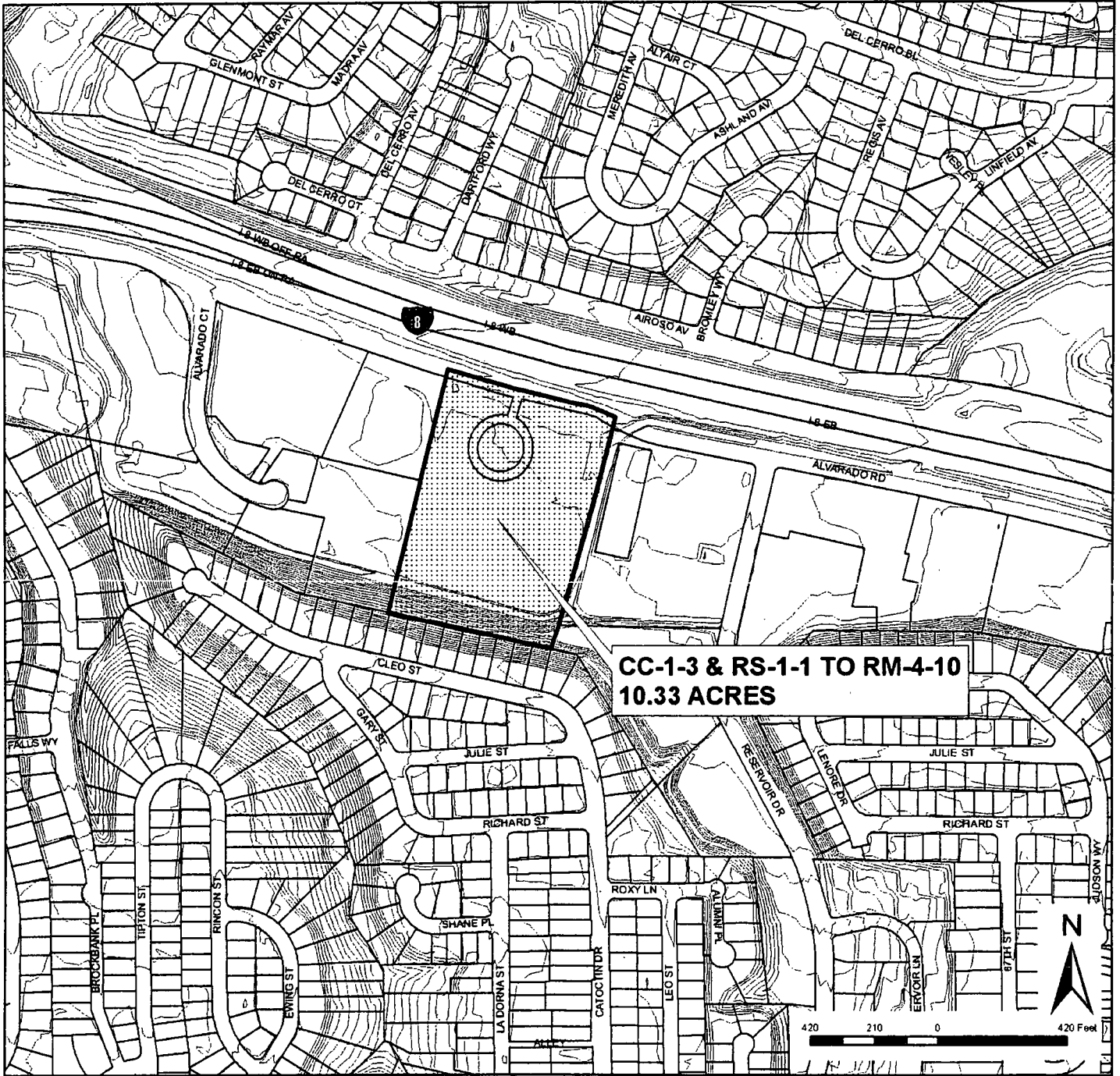


Keith Bauerle
Deputy City Attorney

KB:hm
06/24/09
Or.Dept:DSD
O-2009-167
MMS #9645



PROPOSED REZONING



CC-1-3 & RS-1-1 TO RM-4-10
10.33 ACRES

LOT 5 OF ALVARADO PLAZA UNIT 3, MAP NO 6072

ORDINANCE NO. _____
 EFF. DATE ORD. _____
 ZONING SUBJ. TO _____
 BEFORE DATE _____
 EFF. DATE ZONING _____
 MAP NAME AND NO. _____

REQUEST **RM-4-10**
 PLANNING COMM.
 RECOMMENDATION
 CITY COUNCIL
 ACTION

CASE NO. 157028

DEVELOPMENT SERVICES MANAGER

B- 4275

APN:463-590-09

(222-1719) 2-17-09 LDJ

19899

Passed by the Council of The City of San Diego on SEP 1 2009, by the following vote:

Council Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<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"/>
Carl DeMaio	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<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 1 2009.

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 Devenson Cruz, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUL 28 2009

, and on SEP 1 2009.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By Devenson Cruz, Deputy

Office of the City Clerk, San Diego, California

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