

RESOLUTION NUMBER R- 306466

DATE OF FINAL PASSAGE DEC 14 2010

RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE WHETHER THE PUBLIC HEALTH, SAFETY OR GENERAL WELFARE REQUIRES THE FORMATION OF RESIDENTIAL PROJECT BLOCK 7R (ALLIED GARDENS) SURCHARGE FUNDED UNDERGROUND UTILITY DISTRICT.

WHEREAS, Chapter VI, Article 1, Division 5 of the San Diego Municipal Code establishes a procedure for the creation of underground utility districts and requires as an initial step in such procedure the holding of a public hearing to determine whether the public health, safety or general welfare requires removal of poles, overhead wires and associated structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service in any such district; and

WHEREAS, Council Policy 600-8, "Underground Conversion of Utility Lines by Utility Company" further governs the undergrounding of utilities; and

WHEREAS, in accordance with Chapter VI, Article 1, Division 5 of the San Diego Municipal Code and Council Policy 600-8, it has been recommended that the following underground utility district [District] be formed:

- Lots 1 through 46 of MAP 4731 – ALLIED GARDENS UNIT NO. 16
- Lot 1 of MAP 9099 – MISSION GORGE CONDOMINIUMS
- Lots 2188 through 2217; Lots 2389 through 2416; Lots 2333 through 2336; Lots 2353 through 2388; Lots 2218 through 2222 of MAP 3439 – ALLIED GARDENS UNIT NO. 10

- Lots 2116 through 2127; Lots 2128 through 2154; Portion of Lots 2155 through 2157; Lots 2158 through 2163; Lots 2164 through 2187; Lots 2015 through 2069; Lots 2093 through 2103 of MAP 3438 – ALLIED GARDENS UNIT NO. 9
- Portion of Lot 2157 of MAP 3873 – ALLIED GARDENS UNIT NO. 15
- Portion of Lots 2155 & 2156 of MAP 4731 – ALLIED GARDENS UNIT NO. 16
- Lots 2468 through 2491, Lots 2424 through 2447 of MAP 3527 – ALLIED GARDENS UNIT NO. 11
- Parcel 2 in Subdivision MAP PM 18742 – THE CLIFFS MOBILE HOME PARK
- Lot 1 of Map 5172 – MISSION VALLEY INDUSTRIAL PARK UNIT NO. 1
- Lot 5 & 6 of Map 5321 – MISSION VALLEY INDUSTRIAL PARK UNIT NO. 2
- Parcel 1 & 2 in Subdivision MAP PM 1937 – MISSION VALLEY INDUSTRIAL PARK UNIT NO. 2
- Lots 2656 through 2679 of MAP 2873 – ALLIED GARDENS UNIT NO. 15
- Portion of Lots 12 through 15 of MAP 1550
- Lot 1 of MAP 9336 – Valley Meadows North Condm
- Lot 1 of MAP 9335 – Valley Meadows Condm
- Lots 1 through 3 of MAP 5673 – Zion Tract
- Lot 1 of MAP 9380 – Mission Knolls (Condm)

Said district shall also include the following public rights of way:

- OLD CLIFFS ROAD between east end of Old Cliffs Rd. and line extending southwesterly from the southwest corner of Lot 1 and of MAP 5172 – MISSION VALLEY INDUSTRIAL PARK UNIT NO.1.
- ALFRED AVENUE between lines extending southwesterly from the southwest corner Lot 2218 to the northwest corner of Lot 2357 and northeasterly from northeast corner Lot 2353 to the southeast corner of Lot 2222 of MAP 3449 – ALLIED GARDENS UNIT NO. 10.

- CARTWRIGHT STREET between lines extending northeasterly from the northwest corner Lot 2394 to the southwest corner of Lot 2359 and easterly from southeast corner Lot 2382 to the southwest corner of Lot 2375 of MAP 3439 – ALLIED GARDEN UNIT NO. 10.
- MILLBROOK STREET between the south corner of Lot 2204 and the northwest corner of Lot 2218 of Map 3438 – ALLIED GARDENS UNIT NO. 10.
- GREENBRIER AVENUE between lines extending northeasterly from the northwest corner Lot 2416 to the southwest corner of Lot 2199 and northerly from northeast corner Lot 2376 to the southeast corner of Lot 2375 of MAP 3439 – ALLIED GARDENS UNIT NO. 10.
- ALLIED ROAD between lines extending northeasterly from the northwest corner Lot 45 to the southwest corner of Lot 1 of MAP 4731 – ALLIED UNIT NO. 16 and easterly from northeast corner Lot 2335 to the northwest corner of Lot 2334 of MAP 3439 – ALLIED GARDENS UNIT NO. 10.
- CLARA LEE AVENUE between the south side of Zion Ave. of MAP 3438 – GARDENS UNIT NO. 9 and line extending eastwardly from the upper northeast corner Lot 2300 to the upper northwest corner of Lot 2293 of MAP 3439 – ALLIED GARDENS UNIT NO. 10.
- ARCHWOOD AVENUE between the north side of Zion Ave. and boundary of Burgundy St. of MAP 3873 – ALLIED GARDENS UNIT NO. 15.
- CRAWFORD STREET between line extending northwesterly from the upper northwest corner Lot 2178 to the upper northeast corner of Lot 2159 of MAP 3438 – ALLIED UNIT NO. 9 and easterly from lower southeast corner Lot 2667 to the lower southwest corner of Lot 2666 of MAP 3873 – ALLIED GARDENS UNIT NO. 15.
- BURGUNDY STREET between boundary of Archwood Ave. of MAP 3438 – ALLIED GARDENS UNIT NO. 9 and north side of Orcutt Ave. of MAP 3527 – ALLIED GARDENS UNIT NO. 11.
- SEAMAN STREET between the northwest corner of Lot 2127 and the southwest corner of Lot 2116 of Map 3438 – ALLIED GARDENS UNIT NO. 9.
- CARTWRIGHT STREET between the north end of Cartwright St. and north side of Zion Ave. of MAP 3438 – ALLIED GARDENS UNIT NO. 9.
- DELBARTON STREET between the north side of Zion Ave. and west side of Clara Lee Ave. of MAP 3438 – ALLIED GARDENS UNIT NO. 9.

- ZION AVENUE between the east side of Mission Gorge Rd. of Map 5673 – ZION TRACT and line extending southeasterly from the southeast corner of Lot 2017 of MAP 3438 – ALLIED GARDENS UNIT NO. 9 to northeast corner of Lot 2508 of MAP 3526 – ALLIED GARDENS UNIT NO. 12.

WHEREAS, Exhibit Attachment RESIDENTIAL BLOCK PROJECT 7R (ALLIED GARDENS) UNDERGROUND UTILITY DISTRICT Map, and Exhibit Attachment GENERAL BOUNDARY DESCRIPTION FOR RESIDENTIAL BLOCK PROJECT 7R (ALLIED GARDENS) UNDERGROUND UTILITY DISTRICT Legal Description, depicts the above District with greater specificity; NOW, THEREFORE,


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

1. Notice is hereby given that a public hearing will be held by the Council of the City of San Diego on JAN 25 2011, at the hour of 2:00 p.m. in the Council Chambers of the City Administration Building, 202 C Street, San Diego, California, to determine whether the public health, safety or general welfare requires the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, community antenna television or similar or associated service in the District described above.

2. At such hearing all persons interested shall be given an opportunity to be heard and said hearing may be continued from time to time as may be determined by the City Council. The decision of the City Council as to the formation of the District as described above shall be final and conclusive.

3. The City Clerk shall notify all affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code and each utility company concerned of the time and place of the hearing by following the procedure set forth in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

APPROVED: JAN GOLDSMITH, City Attorney

By 
Ryan Kohut
Deputy City Attorney

RK:cfq
11/04/10
Or.Dept:E&CP
ProLaw 2010-02667

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 7 2010.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12-14-10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor