

#136

(R-2011-409)  
COR. COPY

RESOLUTION NUMBER R- 306470

DATE OF FINAL PASSAGE DEC 14 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO REQUESTING TO STAY THE EXPIRATION DATE  
FOR EMERALD MANOR TENTATIVE MAP NO. 70179.

WHEREAS, on March 24, 2009, the City Council of San Diego approved the Tentative Map No. 70179, for the Emerald Manor Project, a 48-unit residential complex located at 4655 Lamont Street within the Pacific Beach Community Planning area; and

WHEREAS, on March 25, 2009, the Citizens for Responsible Equitable Environmental Development (CREED) filed a lawsuit against this project; and

WHEREAS, this lawsuit was ultimately dismissed by the Superior Court on July 12, 2010, and this lawsuit was pending in court for a total of 474 days; and

WHEREAS, the State Subdivision Map Act pursuant to Government Code Section 66452.6(c), states that the expiration date for the Tentative Map shall not include the period of time during which a lawsuit involving the project was pending in court. The Government Code allows applicants affected by the lawsuit to apply for the City for a delay of the project's expiration date, and authorizes the City to stay that expiration date for the period of time the tentative map was pending in court; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that this City Council approval will stay (delay) the expiration date of the Emerald Manor approval for the period of time that the Emerald Manor Project was in litigation.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon Thomas  
Shannon Thomas  
Deputy City Attorney

ST:als  
10/27/10  
11/19/10 Cor.Copy  
Or.Dept:DSD  
R-2011-409  
PL#2010-03216

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 [Signature]  
Deputy City Clerk

Approved: 12-14-10  
(date)

[Signature]  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor