

RESOLUTION NUMBER R- 306471

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 THE 7836 EL PASEO TENTATIVE MAP AND COASTAL DEVELOPMENT PERMIT.

WHEREAS, on March 24, 2009, the City Council approved Tentative Map No. 426356 and Coastal Development Permit No. 426369, for the 7836 El Paso Project, an 8-unit residential complex located 7836 El Paseo Grande within the La Jolla Community Planning area; and

WHEREAS, on March 25, 2009, the Citizens for Responsible Equitable Environmental Development (CREED) filed a lawsuit against this project and this lawsuit was ultimately dismissed by the Superior Court on July 12, 2010. 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) and 66452.12, states that the expiration date for the Tentative Map and subsequent permits 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 for the 7836 El Paseo approvals for the period of time the 7836 El Paseo Project was in litigation.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon Thomas
Shannon Thomas
Deputy City Attorney

ST:als
11/08/10
11/19/10 Cor.Copy
Or.Dept:DSD
R-2011-468
PL#2010-03220

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