

RESOLUTION NUMBER R- 300472

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 PLAYA DEL SOL TENTATIVE MAP, EASEMENT VACATION AND PLANNED DEVELOPMENT PERMIT.

WHEREAS, on February 17, 2009, the City Council approved Tentative Map No. 551809, Easement Vacation No. 580203 and Planned Development Permit No. 8075, for the Playa Del Sol Project, which has not been constructed to date, a 16 multi-story condominiums consisting of 1578-unit residential complex located south of Ocean Hills Parkway, north of State Route 905 and west of A Street within the Otay Mesa Planning area; and

WHEREAS, on March 19, 2009, the Citizens for Responsible Equitable Environmental Development (CREED) filed a lawsuit against this project and this lawsuit is still in on-going; 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 related 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 of the Playa Del Sol approvals until the Playa Del

Sol Project is no longer in litigation, but no event shall this stay exceed the applicable five year limit of the Subdivision Map Act.

BE IT FURTHER RESOLVED, that such time as City determines the Injunction, and any modification(s) no longer apply to the Playa Del Sol Project, the City will terminate the Stay. If the City determines that the Injunction no longer applies to the Playa Del Sol Project, City shall notify the applicant, Pardee Homes in writing.

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-2011-410
PL#2010-03218

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