

RESOLUTION NUMBER R- 306730

DATE OF FINAL PASSAGE MAR 29 2011

A RESOLUTION ADOPTING COMMUNITY PLAN
AMENDMENT TO THE GENERAL PLAN AND THE
CARMEL VALLEY NEIGHBORHOOD 8 PRECISE PLAN FOR
GABLES CARMEL VALLEY PROJECT.

WHEREAS, Lion Gables Realty Limited Partnership, a Delaware Limited Partnership, requested an amendment to the General Plan and the Carmel Valley Neighborhood 8 Precise Plan from open space to residential land use at the site located at the southeast corner of Tang Drive and Carmel Creek Road in the Carmel Valley Planned District in the CVPD MF-1 zone (proposed CVPD MF-3 zone) of the Carmel Valley Neighborhood 8 Precise Plan, the site being legally described as a portion of the east half of the southwest quarter of the southeast quarter of Section 19, Township 14 South, Range 3 West, San Bernardino Meridian, according to U.S. Government Survey approved May 20, 1884, in the City of San Diego, County of San Diego, State of California, as described in deed to Marvin Del Carmel, a General Partnership, filed in the Office of the County Recorder of San Diego County on May 26, 1983 as File No. 83-175453 of Official Records; and

WHEREAS, on March 29, 2011, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the General Plan and the Carmel Valley Neighborhood 8 Precise Plan; and

WHEREAS, City Council Policy 600-7 provides that public hearings to consider revisions to the General Plan for the City of San Diego may be scheduled concurrently with public hearings on proposed community plans in order to retain consistency between said plans and the Planning Commission has held such concurrent public hearings; and

WHEREAS, the Planning Commission of the City of San Diego recommended approval of the proposed amendment to the General Plan; and

WHEREAS, under Charter section 280(a)(2) this resolution 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;


WHEREAS, the Council of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the amendments to the Carmel Valley Neighborhood 8 Precise Plan, a copy of which is on file in the office of the City Clerk as Document No. RR- 306730

BE IT FURTHER RESOLVED, that the Council adopts an amendment to the General Plan for the City of San Diego to incorporate the above amended plan.

BE IT FURTHER RESOLVED, that this resolution shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this resolution applicable inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

APPROVED: IAN I. GOLDSMITH, City Attorney

By 
for Shannon M. Thomas
Deputy City Attorney

(R-2011-762)
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