

ORDINANCE NUMBER O- 20177 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 26 2012

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REZONING OF 0.23 ACRES LOCATED AT 1595 PACIFIC HIGHWAY WITHIN THE DOWNTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE EMPLOYMENT/ RESIDENTIAL MIXED-USE ZONE TO THE PUBLIC FACILITY ZONE; APPROVING THE REZONING OF 0.11 ACRES LOCATED AT 404 8TH AVENUE WITHIN THE DOWNTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE BALLPARK MIXED-USE ZONE TO THE PUBLIC FACILITY ZONE; APPROVING THE REZONING OF 0.413 ACRES LOCATED AT 1320 EAST BROADWAY WITHIN THE DOWNTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE NEIGHBORHOOD MIXED-USE CENTER ZONE TO THE PUBLIC FACILITY ZONE; APPROVING THE REZONING OF 0.68 ACRES LOCATED AT 1330 AND 1340 G STREET, 728 AND 764 14TH STREET, AND 705 AND 753 13TH STREET WITHIN THE DOWNTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RESIDENTIAL EMPHASIS ZONE TO THE PARK/OPEN SPACE ZONE; APPROVING THE REZONING OF 0.45 ACRES LOCATED AT 705, 719 AND 721 14TH STREET WITHIN THE DOWNTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RESIDENTIAL EMPHASIS ZONE TO THE PARK/OPEN SPACE ZONE; APPROVING THE REZONING OF 0.29 ACRES LOCATED AT 1473 F STREET WITHIN THE DOWNTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RESIDENTIAL EMPHASIS ZONE TO THE PARK/OPEN SPACE ZONE; APPROVING THE REZONING OF 0.07 ACRES LOCATED AT 1451 F STREET WITHIN THE DOWNTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RESIDENTIAL EMPHASIS ZONE TO THE PARK/OPEN SPACE ZONE; AND APPROVING THE REZONING OF 0.67 ACRES LOCATED AT 345 BEECH STREET, 310 ASH STREET, AND 1450 AND 1438 FOURTH AVENUE WITHIN THE DOWNTOWN COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE RESIDENTIAL EMPHASIS ZONE TO THE PARK/OPEN SPACE ZONE.

WHEREAS, the Centre City Development Corporation (CCDC), Applicant, requested a rezone for the purpose of changing 0.23 acres located at 1595 Pacific Highway, on a site legally described as Lots 1 and 2, in Block 288 of Middletown, in the City of San Diego, County of San Diego, State of California, according to map thereof made by J.B. Jackson, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-01, filed in the Office of the City Clerk as Document No. OO- 20177⁻¹, from the Employment/Residential Mixed-Use zone to the Public Facility zone; and

WHEREAS, CCDC requested a rezone for the purpose of changing 0.11 acres located at 404 8th Avenue, on a site legally described as Lot G in Block 111 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-02, filed in the Office of the City Clerk as Document No. OO- 20177⁻², from the Ballpark Mixed-Use zone to the Public Facility zone; and

WHEREAS, CCDC requested a rezone for the purpose of changing 0.413 acres located at 1320 East Broadway, on a site legally described as Lots 1 through 8 in Block 27 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-03, filed in the Office of the City Clerk as Document No. OO- 20177⁻³, from the Neighborhood Mixed-Use Center zone to the Public Facility zone; and

WHEREAS, CCDC requested a rezone for the purpose of changing 0.68 acres located at 1330 and 1340 G Street, 728 and 764 14th Street, and 705 and 753 13th Street, on a site legally described as Lots A through L, in Block 78 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-04, filed in the office of the City Clerk as Document No. OO- 20177⁻⁴, from the Residential Emphasis zone to the Park/Open Space zone; and

WHEREAS, CCDC requested a rezone for the purpose of changing 0.45 acres located at 705, 719 and 721 14th Street, on a site legally described as Lots E, F, G, and H in Block 176 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-05, filed in the Office of the City Clerk as Document No. OO- 20177⁻⁵ from the Residential Emphasis zone to the Park/Open Space zone; and

WHEREAS, CCDC requested a rezone for the purpose of changing 0.29 acres located at 1473 F Street, on a site legally described as Parcels 1 and 2 of Parcel Map No. 16360, in the City of San Diego, County of San Diego, State of California, on file in the Office of the County Clerk of San Diego County, filed on January 24, 1991 as File No. 1991-0034118 of Official Records, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-06, filed in the Office of the City Clerk as Document No. OO- 20177⁻⁶ from the Residential Emphasis zone to the Park/Open Space zone; and

WHEREAS, CCDC requested a rezone for the purpose of changing 0.07 acres located at 1451 F Street, on a site legally described as all the portion of Lot 5 in Block 15 of Culverwell's Addition according to Map thereof No. 143 filed in the Office of the County Recorder of San Diego County on June 3, 1870, and of Lots J,K, and L in Block 176 of Horton's Addition, in the City of San Diego, County of San Diego, State of California according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County of San Diego, described as commencing at the point of F Street, 14 Feet West of the Northeast Corner of Lot 5, in Block 15 of Said Culverwell's Addition, thence West along F Street, 25 feet to a point 4.9 feet west of the northeast corner of Lot L in Block 176 of Horton's Addition, thence, southerly 140 feet, more or less, to a point in Lot J in said Block 176 that would be intersected by the north line of the alley in said block 15 of Culverwell's Addition if said line were extended west in a straight line, 3.4 feet west of the east line of said Lot J, thence east in a straight line 25 feet to a point 14 feet west of the southeast corner of Lot 5 in Block 15 of said Culverwell's Addition, thence north on a line parallel with and 14 feet west of the east line of said Lot 5 to the point of commencement, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-07, filed in the Office of the City Clerk as Document No. OO- 20177⁻⁷ from the Residential Emphasis zone to the Park/Open Space zone; and

WHEREAS, CCDC requested a rezone for the purpose of changing 0.67 acres located at 345 Beech Street, 310 Ash Street, 1450 and 1438 Fourth Avenue, on a site legally described as Lots D through F and Lots J through L in Block 200 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No.

2012-08, filed in the Office of the City Clerk as Document No. OO- 20177⁻⁸ from the Residential Emphasis zone to the Park/Open Space zone; and

WHEREAS, on April 12, 2012, the Planning Commission of the City of San Diego considered the requested rezonings and voted 5-0 to recommend City Council approval; and

WHEREAS, the matter was set for public hearing on JUN 12 2012, testimony having been heard, evidence having been submitted and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

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

Section 1. That the 0.23 acres located at 1595 Pacific Highway, legally described as Lots 1 and 2, in Block 288 of Middletown, in the City of San Diego, County of San Diego, State of California, according to map thereof made by J.B. Jackson, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-01, filed in the Office of the City Clerk as Document No. OO- 20177⁻¹, is rezoned from the Employment/Residential Mixed-Use zone to the Public Facility zone. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That the 0.11 acres located at 404 8th Avenue, on a site legally described as Lot G in Block 111 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-02, filed in the Office of the City Clerk as Document No. OO- 20177⁻², is rezoned from the Ballpark Mixed-Use zone to the

Public Facility zone. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 3. That the 0.413 acres located at 1320 East Broadway, on a site legally described as Lots 1 through 8 in Block 27 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-03, filed in the Office of the City Clerk as Document No. OO- 20177⁻³, is rezoned from the Neighborhood Mixed-Use Center zone to the Public Facility zone. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 4. That the 0.68 acres located at 1330 and 1340 G Street, 728 and 764 14th Street, and 705 and 753 13th Street, on a site legally described as Lots A through L, in Block 78 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-04, filed in the office of the City Clerk as Document No. OO- 20177⁻⁴, is rezoned from the Residential Emphasis zone to the Park/Open Space zone. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 5. That the 0.45 acres located at 705, 719 and 721 14th Street, on a site legally described as Lots E, F, G, and H in Block 176 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan

area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-05, filed in the Office of the City Clerk as Document No. OO- 20177⁻⁵ is rezoned from the Residential Emphasis zone to the Park/Open Space zone. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 6. That the 0.29 acres located at 1473 F Street, on a site legally described as Parcels 1 and 2 of Parcel Map No. 16360, in the City of San Diego, County of San Diego, State of California, on file in the Office of the County Clerk of San Diego County, filed on January 24, 1991 as File No. 1991-0034118 of Official Records, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-06, filed in the Office of the City Clerk as Document No. OO- 20177⁻⁶, is rezoned from the Residential Emphasis zone to the Park/Open Space zone. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 7. That the 0.07 acres located at 1451 F Street, on a site legally described as all the portion of Lot 5 in Block 15 of Culverwell's Addition according to Map thereof No. 143 filed in the Office of the County Recorder of San Diego County on June 3, 1870, and of Lot's J,K, and L in Block 176 of Horton's Addition, in the City of San Diego, County of San Diego, State of California according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County of San Diego, described as commencing at the point of F Street, 14 Feet West of the Northeast Corner of Lot 5, in Block 15 of Said Culverwell's Addition, thence West along F Street, 25 feet to a point 4.9 feet west of the northeast corner of Lot L in Block 176 of Horton's Addition, thence, southerly 140 feet, more or less, to a point in Lot J in said Block 176 that would be intersected by the north line of the alley in said block 15 of Culverwell's Addition if said line were extended west in a straight line, 3.4 feet west of the east line of said

Lot J, thence east in a straight line, 25 feet to a point 14 feet west of the southeast corner of Lot 5 in Block 15 of said Culverwell's Addition, thence north on a line parallel with and 14 feet west of the east line of said Lot 5 to the point of commencement, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-07, filed in the office of the City Clerk as Document No. OO- 20177⁻⁷, is rezoned from the Residential Emphasis zone to the Park/Open Space zone. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 8. That the 0.67 acres located at 345 Beech Street, 310 Ash Street, 1450 and 1438 Fourth Avenue, on a site legally described as Lots D through F and Lots J through L in Block 200 of Horton's Addition, in the City of San Diego, County of San Diego, State of California, according to map thereof made by L.L. Lockling, on file in the Office of the County Clerk of San Diego County, in the Downtown Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. 2012-08, filed in the office of the City Clerk as Document No. OO- 20177⁻⁸, is rezoned from the Residential Emphasis zone to the Park/Open Space zone. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.


Section 9. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public a day prior to its passage.

Section 10. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this ordinance 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.

Section 11. Permits shall not be issued for development that is inconsistent with this ordinance unless complete applications were submitted prior to the effective date of this ordinance.

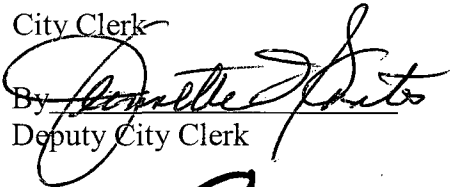
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Keith Bauerle
Deputy City Attorney

KB:hm
05/07/2012
Or.Dept:CCDC
Doc. No. 367671

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 12 2012.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6.26.12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor