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9/24/12

RESOLUTION NUMBER R- 307694
DATE OF FINAL PASSAGE OCT 11 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO INITIATING AN AMENDMENT TO THE
EAST ELLIOT COMMUNITY PLAN TO REDESIGNATE
LAND FROM OPEN SPACE TO INDUSTRIAL.

WHEREAS, on August 29, 2011, Quail Brush Genco, LLC (Applicant) submitted an Application for Certification to the California Energy Commission to construct and operate a 100 megawatt gas-fired intermediate peaker plant on an approximately 22 acre parcel located on Sycamore Landfill Road, 0.6 miles north of Mast Boulevard (Property); and

WHEREAS, the Property's current land use designation is Open Space, which is inconsistent with the development and operation of an energy generation facility; and

WHEREAS, on July 19, 2012, the Planning Commission of the City of San Diego held a public hearing to consider a request to initiate an amendment to the East Elliot Community Plan adopted as Document RR-202550, and including its subsequent amendments, to redesignate a portion of the Property from Open Space to Industrial; and

WHEREAS, the Planning Commission considered Report No. PC-12-027 as well as all maps, exhibits, evidence, and testimony; and

WHEREAS, the Planning Commission denied the initiation of the East Elliot Community Plan amendment on July 19, 2012 by a vote of 4-1-2; and

WHEREAS, the Land Use and Community Planning Element of the General Plan, Policy LU-D.8, allows an applicant to submit a request to the City Clerk for the City Council to consider the initiation if it is denied by the Planning Commission; and

WHEREAS, the City Council may initiate a community plan amendment by resolution pursuant to the Land Use and Community Planning Element of the General Plan, Policy LU-D.9, which recognizes the ability of the City Council to initiate a General Plan and community plan amendment when direction is received through a vote of the City Council without demonstration of meeting the initiation criteria to prepare a plan amendment; and

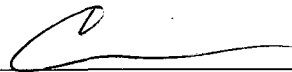
WHEREAS, on September 24, 2012, the Council of City of San Diego held a public hearing to consider initiating an amendment to the East Elliot Community Plan; and

WHEREAS, the City Council has considered all maps, exhibits, evidence, and testimony;
NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that it hereby denies the request to initiate an East Elliot Community Plan Amendment to redesignate a portion of the Property from Open Space to Industrial; and

BE IT FURTHER RESOLVED, Council urges the Applicant to withdraw its Application for Certification.

APPROVED: JAN I. GOLDSMITH, City Attorney


By 

Corrine L. Neuffer
Deputy City Attorney

CLN:js
September 12, 2012
September 24, 2012 Rev. Copy
Or.Dept: DSD
Doc. No. 444064

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 24 2012

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

Please note they Mayor did not sign this resolution within the specified time limit. See San Diego City Charter Section 280(c)(4).