

RESOLUTION NUMBER R- 308433

DATE OF FINAL PASSAGE OCT 01 2013

ITEM # 202  
SUB-B  
9/16/13

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING GENERAL PLAN AMENDMENT AND EAST ELLIOTT COMMUNITY PLAN AMENDMENT FOR THE CASTLEROCK PROJECT NO 10046.

WHEREAS, on September 16, 2013, 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 East Elliott Community Plan; and

WHEREAS, Pardee Homes, requested an amendment to the General Plan and the East Elliott Community Plan to construct up to 283 Single Family detached dwelling units, 147 Multi-Family detached condominium units, and a public park on an undeveloped 203.64-acre site known as the Castlerock project, located on the north side of Mast Boulevard between Medina Drive and West Hills Parkway, and legally described as Portions of Lots 4, 5, 8, and 9 of the Resubdivision of a part of Fanita Rancho, Map No. 1703, within the East Elliott Community Plan area, in the RS-1-8 zone which is proposed to be rezoned to the RX-1-1, RM-2-4, and OC-1-1 zones, in the City of San Diego, County of San Diego, State of California; and

WHEREAS, representatives of the City of San Diego, City of Santee, Padre Dam Municipal Water District, and Pardee Homes have negotiated an agreement, for the independent review and approval of public agency decision-makers, identifying the rights and duties of said parties that would facilitate orderly development of the Castlerock project described herein (“Annexation Agreement”); and

WHEREAS, the Castlerock project is a dual scenario project; the first scenario, the Annexation Scenario, proposes the subdivision of a 203.64-acre site into a 430-unit residential

development with 283 detached single-family residences and 147 multi-family detached units clustered on larger lots (referred to as green court units), approximately 4.0-acres (gross) of public parks, 0.64-acre (0.49-acre usable) of pocket parks, a multi-use trail, public streets and private driveways, and approximately 90 acres of dedicated open space. Under the Annexation Scenario, the project site would be detached from the City of San Diego, except for an approximately 90-acre open space area, and annexed into the City of Santee's territory and the Padre Dam Municipal Water District (PDMWD) service district. In the event the San Diego Local Area Formation Commission (LAFCO) does not approve the Annexation Scenario or the Annexation Scenario is terminated by either the failure of the City of Santee to approve the Annexation Agreement within 45 days of the City of San Diego's introduction of the ordinance approving the Annexation Agreement (or such date as extended by mutual written consent of the City of San Diego, City of Santee, Pardee Homes, and Padre Dam Municipal Water District) or the failure of the Padre Dam Municipal Water District to approve the Annexation Agreement within 30 days of the of the latter of (i) the final passage of the ordinance approving the Annexation Agreement or (ii) the City of Santee's approval of the Annexation Agreement (or such dates as extended by mutual written consent of the City of San Diego, City of Santee, Pardee Homes, and Padre Dam Municipal Water District), or the City of Santee or the Padre Dam Municipal Water District's failure to adopt the Resolution of Application for Reorganization and Resolution of Support, respectively, within 60 days (or such date as extended by mutual written consent of the City of San Diego, City of Santee, Pardee Homes, and Padre Dam Municipal Water District) of the Annexation Agreement effective date, the second scenario, the No Annexation Scenario goes into effect. The No Annexation Scenario proposes the subdivision of the 203.64-acre site into a 422-unit residential development with 282 detached

single-family residences, 140 multi-family green court units, approximately 4.0-acres (3.0 usable) of public parks, 0.50 acre (0.39-acre usable) of pocket parks, a multi-use trail, public streets and private driveways, approximately 90 acres of dedicated open space, and related on-site and off-site water and sewer infrastructure improvements; and

WHEREAS, the specific General Plan and East Elliott Community Plan amendment result is contingent on a final decision by the San Diego Local Agency Formation Commission (LAFCO) to approve or deny the associated proposal to de-annex approximately 109-acres from the City of San Diego to the City of Santee; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment consistent with the General Plan; and

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; 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 evidence presented; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that that two separate and different General Plan and East Elliott Community Plan amendments are approved, with the outcome contingent on the final decision by LAFCO to approve or deny the proposed deannexation, as follows:

1. The amendments to the East Elliott Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR- 308433; are adopted.

2. An amendment to the General Plan for the City of San Diego to remove approximately 109-acres from the City of San Diego's boundaries and to incorporate the amended plan in section 1 above is adopted.

3. The amendments in sections 1 and 2 shall take effect only upon a final decision by the San Diego Local Agency Formation Commission to grant the proposed annexation and contingent upon final passage of Ordinance No. O- 20303, rezoning the site from the RS-1-8 zone, into the RX-1-1, RM-2-4, and OC-1 zones. No building permits for development inconsistent with the provisions of this resolution shall be issued unless application therefore was made prior to the passage of this resolution.

4. The amendments to the East Elliott Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR- 308433 are adopted.

5. An amendment to the General Plan for the City of San Diego to incorporate the amended plan in section 4 is adopted.

6. The amendments in sections 4 and 5 shall take effect only upon a final decision by the San Diego Local Agency Formation Commission to deny the proposed annexation, or failure of either the City of Santee to approve the Annexation Agreement within 45 days of the City of San Diego's introduction of an ordinance approving the Annexation Agreement or Padre Dam Municipal Water District to approve the Annexation Agreement within 30 days of the latter of (i) the final passage of the City of San Diego ordinance approving the Annexation Agreement or (ii) the City of Santee's approval of the Annexation Agreement (or such date as extended by mutual written consent of the City of San Diego, City of Santee, Pardee Homes, and Padre Dam

Municipal Water District), or the City of Santee or the Padre Dam Municipal Water District's failure to adopt the Resolution of Application for Reorganization and Resolution of Support, respectively, within 60 days (or such date as extended by mutual written consent of the City of San Diego, City of Santee, Pardee Homes, and Padre Dam Municipal Water District) of the Annexation Agreement effective date, but not less than thirty days from and after its final passage, and contingent upon final passage of Ordinance No. O- ~~20303~~ rezoning the site from the RS-1-8 zone, into the RX-1-1, RM-2-4, and OC-1 zones. No building permits for development inconsistent with the provisions of this resolution shall be issued unless application therefore was made prior to the passage of this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon M. Thomas  
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
08/22/13  
Or.Dept:DSD  
Doc. No.: 621115

Passed by the Council of The City of San Diego on SEP 16 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 01 2013

(Please note: When a resolution is approved by the Council President as interim Mayor; the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT  
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Mary Zemanek*, Deputy

Office of the City Clerk, San Diego, California

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