

RESOLUTION NUMBER R- 308434

DATE OF FINAL PASSAGE OCT 01 2013

ITEM # 202
SUB-G
9/16/17

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO IN SUPPORT OF DEANNEXING APPROXIMATELY 109 ACRES FROM THE CITY OF SAN DIEGO, EAST ELLIOTT COMMUNITY PLAN AREA, TO THE CITY OF SANTEE, RELATING TO THE CASTLEROCK RESIDENTIAL DEVELOPMENT – PROJECT NO. 10046.

WHEREAS, Pardee Homes, Owner/Permittee, filed an application to obtain approvals from the City of San Diego for a residential development known as the Castlerock project, located on Mast Boulevard, west of Medina, in the East Elliott Community Plan Area, and abutting the City of Santee, and legally described as portions of Lots 4, 5, 8, and 9 of the Resubdivision of a part of Fanita Rancho, Map No. 1703, in the East Elliott Community Plan area; and

WHEREAS, the Castlerock project is a dual scenario project, whereby under the first scenario, the City of San Diego 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 94 acres of open space (Annexation Scenario). Under the Annexation Scenario, the City of San Diego proposes to detach the project site, except for the approximately 94 acre open space area, from the City of San Diego and annex it into the City of Santee's territory and the Padre Dam Municipal Water District (PDMWD) service district; 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, in the event the City of Santee, PDMWD, or the San Diego Local Area Formation Commission (LAFCO) do 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, which proposes the subdivision of the 203.64-acre site into a 422-unit residential development with 282 detached single-family residences, 140 multi-family detached green court units, approximately 4.0-acres (3.0 usable) of public parks, 0.50-acre (0.39-acre usable) of packet

parks, a multi-use trail, public streets and private driveways, approximately 94 acres of open space, and related on-site and off-site water and sewer infrastructure improvements. The exhibits for the project's Vesting Tentative Map identify both the Annexation Scenario and No Annexation Scenario and San Diego's approval of the proposed project authorizes development of the Annexation Scenario dependent on Santee, LAFCO, and PDMWD's subsequent approval and development of the No Annexation Scenario only upon events that terminate the Annexation Scenario; and

WHEREAS, on September 16, 2013, the City Council of the City of San Diego, as Lead Agency, certified that Environmental Impact Report (Project No. 10046/SCH No. 2004061029) (EIR) was prepared in accordance with the California Environmental Quality Act [CEQA] (Public Resources Code section 21000 et. seq.) and the CEQA Guidelines, adopted CEQA Findings and a Statement of Overriding Consideration, and adopted a Mitigation Monitoring and Reporting program; and

WHEREAS, the City of Santee is now or will be considering a Resolution of Application Requesting the Local Agency Formation Commission to Take Proceedings for the Castlerock Development Project Reorganization; and

WHEREAS, through this resolution, the City of San Diego desires to communicate to LAFCO its consent to the Reorganization and to support the Santee Application Requesting the Local Agency Formation Commission to Take Proceedings for the Castlerock Development Project Reorganization; and

WHEREAS, on July 11, 2013, the Planning Commission of the City of San Diego considered Pardee Homes' request for a resolution of support for the Santee Application

Requesting the Local Agency Formation Commission to Take Proceedings for the Castlerock Development Project Reorganization and recommended approval; 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; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the recitals above are hereby incorporated by reference.

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that it finds approval of this resolution to be consistent with the applicable land use plans because the City of San Diego General Plan Land Use Element through the East Elliott Community Plan states, “Due to a lack of nearby residential development or services in San Diego and proximity to residential areas, services and utilities in Santee, detachment of this 117-acre area to Santee should be considered if in the future Santee favors such annexation.”

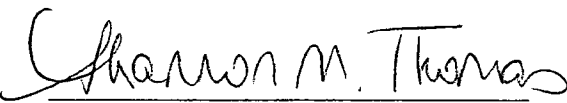
BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that it finds through its review of the EIR and other materials in the Administrative Record, the Council evaluated (a) the present and planned land uses for project site as envisioned in the City’s General Plan and the East Elliott Community Plan; (b) the present and future need for urban services and facilities; (c) the fiscal impact of the reorganization; (d) whether the reorganization promotes an orderly and logical revision of City boundaries; (e) the ability of the City of San Diego, City of Santee, and PDMWD to provide urban level services under the Annexation and No Annexation Scenario; (f) whether the reorganization would induce residential growth; (g)

whether the proposal would provide for affordable housing; (h) whether the proposal would provide for open space; (i) the effect of the reorganization on social and economic interests; and (j) the level of support on the part of affected property owners and area residents; and

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that it finds the level of support from the property owners and area residents in the mostly uninhabited East Elliott Community is adequate and changes were made to the initial proposed project in response to community concerns; and

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that it finds the Annexation Scenario contributes to social and economic interests and benefits and promote an orderly and logical revision of the City of San Diego boundaries because it facilitates the Castlerock Residential Development, which will dedicate open space lands and inclusionary housing fees to the City of San Diego, while affording the City of Santee and PDMWD the first opportunity to provide more efficient public services to the project in exchange for applicable development fees and government revenues generated by construction and operation of the residential development.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 

Shannon M. Thomas
Deputy City Attorney

SMT:als
8/23/2013
Or.Dept:DSD
Doc. No.: 621195

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

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr 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 Zumaiga*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 308434