

ORDINANCE NUMBER O- **20446** (NEW SERIES)

DATE OF FINAL PASSAGE **DEC 09 2014**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 18.0 ACRES LOCATED AT 1002 18TH STREET, WITHIN THE OTAY MESA-NESTOR COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE SINGLE FAMILY ZONE OF RS-1-7 TO THE MULTI-FAMILY ZONE OF RM-1-2, AND REPEALING ORDINANCE NO. 8029 ADOPTED DECEMBER 18, 1958 OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICTS HEREWITH [MMRP].

WHEREAS, on December 27, 2012, MCP Ventures LLC submitted an application to the Development Services Department for a General Plan and Otay Mesa-Nestor Community Plan Amendment No. 1076726, Rezone No. 1076704, Planned Development Permit No. 1076705, and Vesting Tentative Map No. 1076706, for the Marian Catholic Residential Project (Project); and

WHEREAS, the requested Rezone will affect an approximately 18-acre site located at 1002 18<sup>th</sup> Street in the City of San Diego, which property is legally described as Lots 5, 6, 13, 14, 21, 22, 29 and 30 of Aloha Tract Map No. 611, filed in the office of the County Recorder of San Diego on August 8, 1889; and

WHEREAS, the Project site is currently in the RS-1-7 Zone (proposed RM-1-2 Zone), and designated School (proposed Low-Medium Density Residential) in the Otay Mesa-Nestor Community Planning area;

WHEREAS, the ordinance will rezone the site from Residential-Single Unit (RS-1-7) to Residential-Multiple Unit (RM-1-2), to allow for the construction of 175 residential units; and

WHEREAS, on October 9, 2014, the Planning Commission of the City of San Diego considered the proposed Rezone, and pursuant to Resolution No. 4624-PC, voted to recommend to the City Council their approval; and

WHEREAS, on November 17, 2014, the City Council of the City of San Diego held a public hearing for the purpose of considering the Project, including the Rezone; 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 ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That 18.0 acres located at 1002 18<sup>th</sup> Street, in the City of San Diego, north of Coronado Avenue and east of Thermal Avenue, and legally described as Lots 5, 6, 13, 14, 21, 22, 29 and 30 of Aloha Tract Map No. 611, filed in the office of the County Recorder of San Diego County on August 8, 1889, in the Otay Mesa-Nestor Community Plan area, as shown on Zone Map Drawing No. B-4302, filed in the office of the City Clerk as Document No. OO-

**20446** are rezoned from the RS-1-7 Zone into the RM-1-2 Zone, as described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 4. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. 8029 (New Series), adopted December 18, 1958, of the ordinances of the City of San Diego is repealed insofar as the same conflicts with the rezoned uses of the land.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date of adoption of this ordinance.

APPROVED: JAN I. GOLDSMITH, City Attorney

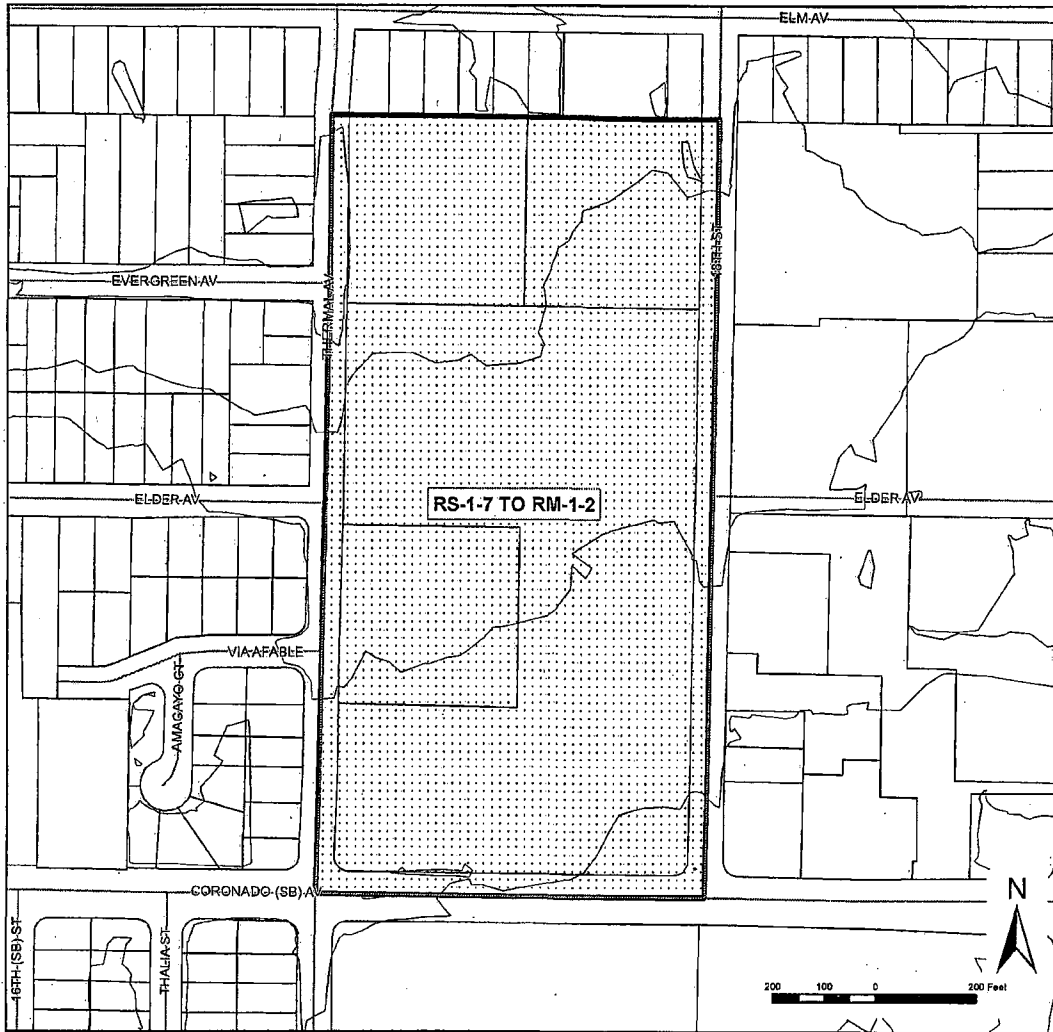
By Shannon M. Thomas  
Shannon Thomas  
Deputy City Attorney

ST:IBL:mcm  
10/29/2014  
11/18/2014 Cor. Copy  
01/07/2015 Cor. Copy 1  
Or.Dept: DSD  
Doc. No.:904187\_2

Attachments: Exhibit A, Proposed Rezoning

12 008-A 041103

CITY OF SAN DIEGO • DEVELOPMENT SERVICES  
**PROPOSED REZONING**



LOTS 5,6,21&30 SUBMAP 000611

ORDINANCE NO. \_\_\_\_\_  
 EFF. DATE ORD. \_\_\_\_\_  
 ZONING SUBJ. TO \_\_\_\_\_  
 BEFORE DATE \_\_\_\_\_  
 EFF. DATE ZONING \_\_\_\_\_  
 MAP NAME AND NO. \_\_\_\_\_

REQUEST RM-1-2  
 PLANNING COMM. RECOMMENDATION  
 CITY COUNCIL ACTION

CASE NO.

DEVELOPMENT SERVICES MANAGER

**B-4302**

APN:627-301-16,17,18&19

(141-1737) 9-11-14 LDJ

Passed by the Council of The City of San Diego on DEC 09 2014, 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"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 09 2014

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

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

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

NOV 17 2014

DEC 09 2014

, and on

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

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

By [Signature], Deputy

Office of the City Clerk, San Diego, California

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