

#59  
11/01/22

(O-2023-60)

ORDINANCE NUMBER O- 21563 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 01 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO CHANGING 17- ACRES LOCATED AT 4707, 4727, 4747, 4750 AND 4757 EXECUTIVE DRIVE, WITHIN THE UNIVERSITY COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, FROM THE CV-1-2 ZONE INTO THE CO-3-1 ZONE, AS DEFINED BY SAN DIEGO MUNICIPAL CODE SECTION 131.0505; AND REPEALING ORDINANCE NO. O-13455 (OLD SERIES), ADOPTED FEBRUARY 15, 1932, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

WHEREAS, AAT LA JOLLA COMMONS 3, LLC, a Delaware limited liability company, Owner/Permittee, filed an applied to rezone a 17-acre site located at 4707, 4727, 4747, 4750 and 4757 Executive Drive, as legally described below, within the University Community Plan area from CV-1-2 (Commercial--Visitor) to CO-3-1 (Commercial--Office) zone; and

WHEREAS, the project is legally described as Lots 1 through 5 of La Jolla Commons III, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 16247, filed in the office of the County Recorder for San Diego County on December 28, 2017 as File No. 2017-7000533 of Official Records; in the University Community Plan area, in the CV-1-1 zone which is proposed to be rezoned to the CO-3-1 zone; and

WHEREAS, the matter was set for public hearing on October 17, 2022, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, under Charter section 280(a)(2) this ordinance 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; and

WHEREAS, the Office of the City Attorney has drafted this ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

Section 1. That 17-acre site located at 4707, 4727, 4747, 4750 and 4757 Executive Drive and legally described as Lots 1 through 5 of La Jolla Commons III, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 16247, filed in the office of the County Recorder for San Diego County on December 28, 2017 as File No. 2017-7000533 of Official Records; in the University Community Plan area, in the University Community Plan area, in the City of San Diego, California, as shown on Zone Map Drawing No. B-4361 filed in the office of the City Clerk as Document No. OO- 21563 is rezoned from the CV-1-2 zone to the CO-3-1 zone, as the described and defined by San Diego Municipal Code Chapter 13 Article 1 Division 131.0406. This action amends the Official Zoning Map adopted by Resolution R-301263 on February 28, 2006.

Section 2. That Ordinance No. O-13455 (Old Series), adopted February 15, 1932, of the ordinances of the City of San Diego is repealed insofar as the same conflict with the rezoned uses of the land.

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

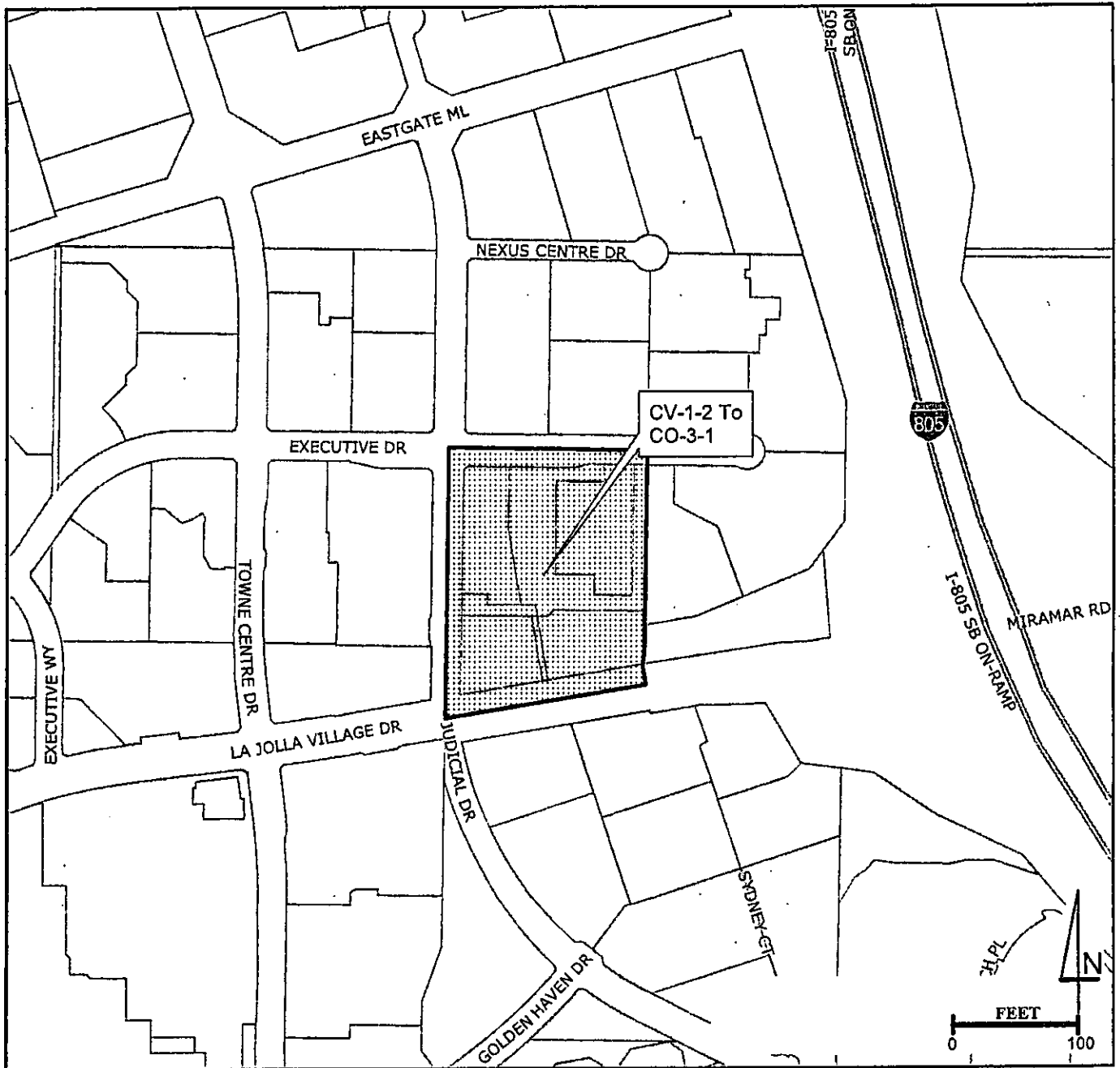
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Noah J. Brazier  
Noah J. Brazier  
Deputy City Attorney

NJB:nja  
09/27/2022  
Or. Dept: DSD  
Doc. No.: 3100040

Attachment: Rezone Map Drawing No. B-4361

# SD CITY OF SAN DIEGO • DEVELOPMENT SERVICES PROPOSED REZONING



**LOCATION DESCRIPTION:** 4704, 4727, 4747, 4750 and 4757 Executive Dr.

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

REQUEST **CV-1-2 to CO-3-1**

PLANNING COMM.  
RECOMMENDATION

CITY COUNCIL  
ACTION

CASE NO.

DEVELOPMENT SERVICES MANAGER

**B-4361**

APN: 34525006, 12, 13, 14, 15, 16, 17, 18, 19  
 (218-1707)

Passed by the Council of The City of San Diego on NOV 01 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 01 2022.

AUTHENTICATED BY:

(Seal)

TODD GLORIA  
Mayor of The City of San Diego, California.

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

By Kristell Medina, 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

OCT 17 2022, and on NOV 01 2022.

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 Kristell Medina, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21563