

RESOLUTION NUMBER R- 314932

DATE OF FINAL PASSAGE MAY 23 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO ADOPTING AN AMENDMENT TO THE 2014
OTAY MESA COMMUNITY PLAN TO REDESIGNATE A
13.44 ACRE SITE FROM COMMUNITY COMMERCIAL-
RESIDENTIAL PROHIBITED TO COMMUNITY
COMMERCIAL-RESIDENTIAL PERMITTED IN THE OTAY
MESA COMMUNITY.

WHEREAS, the applicant, BDM Investments, LLC, requested an amendment to the 2014 Otay Mesa Community Plan to redesignate a 13.44-acre site located south of Otay Mesa Road, east of Emerald Crest Court, southwest of Corporate Center Drive, and north of State Route 905 from Community Commercial-Residential Prohibited to Community Commercial-Residential Permitted; and

WHEREAS, the site is legally described as: Lots 1, 2, 3, 4, 5, A and C of Handler Commercial, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 16340, filed in the Office of County Recorder of San Diego County, May 7, 2019; and

WHEREAS, on March 30, 2023, the Planning Commission of the City of San Diego found the proposed amendment consistent with the General Plan, and the Otay Mesa Community Plan; and

WHEREAS, on May 23, 2023, the City Council of the City of San Diego held a public hearing for the purpose of considering an amendment to the Otay Mesa Community Plan; and

WHEREAS, the City Council has considered the Planning Commission record and recommendation, as well as the maps, exhibits, and written documents contained in the file for

this amendment on record in the City of San Diego, and has considered the oral presentation given at public hearing; and

WHEREAS, the amendment retains internal consistency with the Otay Mesa Community Plan and the General Plan and helps achieve long-term community and citywide goals; and


WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; and

WHEREAS, under San Diego 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 City 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 City Council of the City of San Diego, that the amendment to the Otay Mesa Community Plan and General Plan is approved, a copy of which is on file in the Office of the City Clerk as Document No. RR- 314932.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Noah J. Brazier
Deputy City Attorney

NJB:nja
05/02/2023
05/30/2023 Cor. Copy
Or. Dept: DSD
Doc. No. 3292078

Passed by the Council of The City of San Diego on MAY 23 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Kent Lee	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 MAY 23 2023

(Please note: When a resolution is approved by the 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
Mayor of The City of San Diego, California.

DIANA J. S. FUENTES
City Clerk of The City of San Diego, California.

By , Deputy

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R- 314932