

RESOLUTION NUMBER R- 316108

DATE OF FINAL PASSAGE MAR 11 2025

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A MOTION FOR RECONSIDERATION OF ALL PEOPLES CHURCHS - PROJECT NO. 636444.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. On January 9, 2024, Council considered All Peoples Church’s application for permits and approvals to construct a church/sanctuary building and a two-level parking garage and surface parking areas, including (1) General Plan/Navajo Community Plan Amendment No. 2292367; (2) Site Development Permit (SDP) No. 2292338 and Planned Development Permit (PDP) No. 2292339; (3) Tentative Map No. 2490918; (4) approval of Easement Vacation (including revestment of rights) No. 2292340; and (5) certification of environmental impact report (EIR) No. 636444/SCH No. 2021100394, including the adoption of the mitigation and monitoring and reporting program and findings (Project). At the conclusion of the hearing, Council voted 6-2 not to approve the Project.

B. On March 25, 2024, All Peoples Church filed an action against the City of San Diego (City) in United States District Court, *All Peoples Church v. City of San Diego*, 24-cv-0562-TWR-MSB, alleging that the denial of the Project violated the Religious Land Use and Institutionalized Person Act (RLUIPA), All Peoples Church’s right to free exercise of religion and the right to free speech and assembly under the First Amendment of the United States Constitution, and the California Constitution.

C. On June 10, 2024, Council agreed to docket a request to hear a motion for reconsideration of the Project pursuant to the City's procedure for reconsideration as codified in the San Diego Municipal Code section 22.0101, Rule 2.12, Rules of Council.

D. A request to reconsider a matter at any time after the meeting at which the matter was voted upon must be re-docketed as a Special Order of Business.

E. Once the request to reconsider is docketed and in order to reconsider a matter that included a noticed hearing as described in San Diego Municipal Code section 22.0101, Rule 2.4.4, Rules of Council, the Council must first suspend these Rules of Council by a two-thirds vote of the Councilmembers before it may vote on the motion to reconsider.

F. On March, 11, 2025, Council suspended the Rules of Council, section 22.0101 of the San Diego Municipal Code by a vote of two-thirds of the Councilmembers

G. On March 11, 2025, Council considered the request for a motion for reconsideration of the Project.

H. The Office of the City Attorney prepared this Resolution based on the information provided by City staff, with the understanding that this information is complete and accurate.

I. Under Charter Section 280(a)(2), this Resolution is not subject to veto by the Mayor because this matter requires the Council to act as a quasi-judicial body, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented.

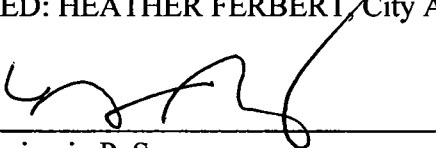
ACTION ITEMS

Based on the Recitals set forth above, the Council resolves as follows:

1. The Council hereby approves the motion for reconsideration of the Project.

APPROVED: HEATHER FERBERT, City Attorney

By



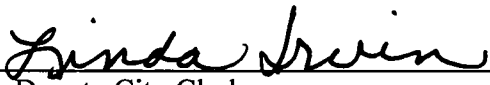
Benjamin P. Syz
Senior Deputy City Attorney

BPS:ctm
February 21, 2025
Or. Dept: City Attorney
Doc. No. 3761588

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 11 2025.

DIANA J.S. FUENTES
City Clerk

By



Deputy City Clerk
For Gilbert Sanchez

Passed by the Council of The City of San Diego on MAR 1 1 2025, 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<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 type="checkbox"/>	<input checked="" 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 MAR 1 1 2025

(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.

(Seal)

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

By Hinda Irwin, Deputy

Office of the City Clerk, San Diego, California

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