

RESOLUTION 2014-53

**RESOLUTION APPROVING PORT MASTER PLAN
AMENDMENT AND DIRECTING FILING WITH THE
CALIFORNIA COASTAL COMMISSION FOR
CERTIFICATION**

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

WHEREAS, the District has a certified Port Master Plan, which was prepared, adopted and certified pursuant to the Port District Act, the California Coastal Act and other applicable laws; and

WHEREAS, Sunroad Marina Partners, LP (Sunroad) currently has a 50-year lease with the District for a 600-slip marina at 955 Harbor Island Drive, in the City of San Diego, on east Harbor Island (Existing Leasehold) that will expire in 2037; and

WHEREAS, on June 14, 2011, the Board of Port Commissioners (Board) granted an option to lease agreement with Sunroad for a new 55-year lease located on the Existing Leasehold site for development of a 175-room, four-story limited service hotel with ancillary meeting and fitness space, common areas, an exterior pool, and surface parking (Sunroad Hotel Project) and the Sunroad Hotel Project would remove 111 parking spaces, an existing locker building and some parking, with the existing marina offices to remain; and

WHEREAS, the existing certified Port Master Plan allows for commercial recreational use at the Sunroad Hotel Project site and allows for a hotel of up to 500 rooms on the westernmost parcel of East Harbor Island (located west of the Sunroad Hotel Project site), which is currently used for temporary rental car parking and was formerly used by the San Diego International Airport for employee parking; and

WHEREAS, a Port Master Plan amendment is required for the Sunroad Hotel Project to be developed; and

WHEREAS, the proposed Port Master Plan amendment (Port Master Plan Amendment) includes, among other things, revisions to the precise plan text and maps, land use acreage tables, and project list for Planning District 2 and more specifically, the proposed Port Master Plan Amendment revises the precise plan text to (a) allow for development of two or three hotels on East Harbor Island, including the Sunroad Hotel Project, with a combined total of not more than 500

rooms, rather than a single 500-room hotel, (b) include the proposed road and traffic circle realignment, (c) revise the Project List to add the Sunroad Hotel Project and the other up to two hotels, and (d) revise land use acreage table to reflect proposed changes to the commercial recreation, promenade, open space (traffic circle), and street land use designations; and

WHEREAS, proposed Port Master Plan Amendment has been prepared and processed in accordance with the Port Act, Coastal Act and other applicable laws; and

WHEREAS, the Sunroad Hotel Project and proposed Port Master Plan Amendment are collectively referred to as the "Project"; and

WHEREAS, Sunroad is the applicant for the Sunroad Hotel Project; and

WHEREAS, a Revised Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA), CEQA Guidelines, and District procedures relative to the Project, has been prepared and certified and its contents considered.


NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Port Master Plan Amendment pertaining to the Sunroad Hotel Project, on file in the office of the District Clerk as Document No. 61419 is approved, that the Executive Director or his designated representative is hereby authorized and directed to transmit said Port Master Plan Amendment, together with all relevant factual information, the certified Revised Final Environmental Impact Report, and the Coastal Act consistency analysis to the California Coastal Commission for its review, approval and certification pursuant to Public Resources Code Section 30714 and that the Executive Director or his designated representative is hereby authorized to amend the Port Master Plan application prior to the California Coastal Commission's certification; provided, however, that the Port Master Plan Amendment, as certified by the California Coastal Commission, shall be presented to the Board of Port Commissioner's for its final approval at a subsequent date.

BE IT FURTHER RESOLVED, consistent with Public Resources Code Sections 30714 and 30716, and California Code of Regulations Title 14, Section 13632(e), the Port Master Plan Amendment shall not be effective until: (a) the California Coastal Commission certifies the Port Master Plan Amendment; (b) the Board adopts the Port Master Plan Amendment as certified by the California Coastal Commission; and (c) the California Coastal Commission has received notice of such Board action and accepts the same as consistent with its certification.

BE IT FURTHER RESOLVED, that the Port Master Plan Amendment shall not be effective unless and until an indemnity agreement, as approved by the Executive Director or his designated representative, is entered into by Sunroad and the District, which provides for Sunroad to indemnify the District for all attorneys' fees, costs and other expenses incurred by the District in the event of any third party legal challenge to the Final Environmental Impact Report or the Master Plan Amendment.

APPROVED AS TO FORM AND LEGALITY:
PORT ATTORNEY


By: Assistant Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 4th day of March, 2014, by the following vote:

AYES: Bonelli, Malcolm, Merrifield, Moore, Nelson, and Valderrama

NAYS: None.

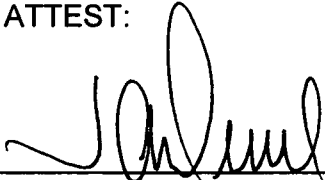
EXCUSED: None.

ABSENT: None.

ABSTAIN: Castellanos.


Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:


Timothy A. Deuel
District Clerk

(Seal)