

## **RESOLUTION 2015-133**

### **RESOLUTION RESCINDING RESOLUTION NO. 2011-176 FINDING SEAPORT VILLAGE OPERATING COMPANY, LLC'S REDEVELOPMENT PROPOSAL CONSISTENT WITH THE DISTRICT'S VISION FOR THE SEAPORT VILLAGE SITE WITH CONDITIONS**

**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**, Section 21 of the Port Act authorizes the Board of Port Commissioners (BPC) to pass all necessary ordinances and resolutions for the regulation of the District; and

**WHEREAS**, Seaport Village Operating Company, LLC d.b.a. Seaport Village (SVOC) has a 40-year lease with the District to operate a tourist-oriented shopping village including restaurants, retail shops, artisan activities and incidental uses, and a limited second story office space located at 849 West Harbor Drive in San Diego (Seaport Village), which commenced on October 1, 1978 and expires on September 30, 2018; and

**WHEREAS**, SVOC also has a 40-year lease for another specialty retail center located adjacent to the SVOC leasehold (The Headquarters), which commenced on January 11, 2012 and expires on January 10, 2052; and

**WHEREAS**, in November 2010, the BPC first considered specific visioning goals for Seaport Village and adjacent areas, in conjunction with staff's review of a redevelopment plan submitted by SVOC; and

**WHEREAS**, as consideration for the amendment to SVOC's option to redevelop The Headquarters, SVOC was required to incur costs associated with entering into a three-party agreement with the District and a District-selected, mutually-agreeable planning consultant, and to conduct public and stakeholder outreach forums to verify the initial visioning goals for Seaport Village and the surrounding areas; and

**WHEREAS**, after conducting a year-long visioning process, the results were presented to the BPC on September 13, 2011, and the BPC adopted Resolution 2011-134, which adopted specific visioning goals for Seaport Village and the surrounding area (Visioning Goals); and

**WHEREAS**, SVOC presented a revised redevelopment proposal to the BPC in November 2011 and on December 13, 2011, the BPC adopted Resolution 2011-176 finding the November 2011 SVOC redevelopment proposal consistent with the District's Visioning Goals, with conditions; and

**WHEREAS**, in July 2012, SVOC submitted a refined redevelopment proposal for Seaport Village which was in alignment with the BPC's vision at the time, but SVOC and the District were unable to agree on business terms, so SVOC ultimately indicated to staff that the redevelopment proposal was not financially feasible and that SVOC may resubmit at a later time; and

**WHEREAS**, the District is currently engaged in a comprehensive and integrated update to the Port Master Plan to guide future development within the District's jurisdiction; and

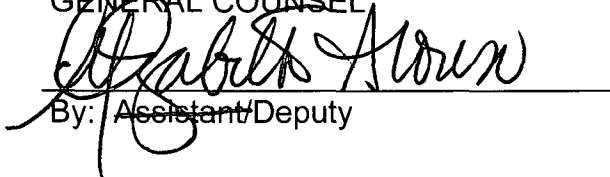
**WHEREAS**, during the July 22, 2015 Study Session on Integrated Planning, the BPC directed staff to return with a recommended path forward for the redevelopment of the broader area which includes Seaport Village; and

**WHEREAS**, rescinding Resolution No. 2011-176 would establish a clean slate to enable staff to proceed with developing a recommended redevelopment strategy for Seaport Village and the broader area as a location-specific planning initiative.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Port Commissioners of the District, as follows:

That Resolution No. 2011-176 finding Seaport Village Operating Company, LLC's redevelopment proposal consistent with the District's vision for the Seaport Village site with conditions is hereby rescinded.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

  
By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 6<sup>th</sup> day of October 2015, by the following vote:


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

NAYS: None.

EXCUSED: None.

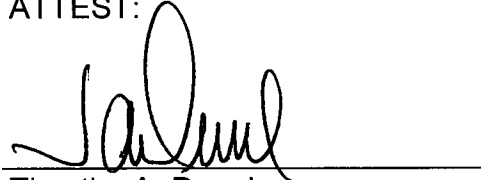
ABSENT: None.

ABSTAIN: None.



Dan Malcolm, Chairman  
Board of Port Commissioners

ATTEST:



Timothy A. Deuel  
District Clerk

