

## **RESOLUTION 2018-132**

### **RESOLUTION GRANTING CONCEPT APPROVAL TO FERRY LANDING ASSOCIATES, LLC FOR UP TO TWO NEW RESTAURANTS AT THE REVISED FERRY LANDING PROJECT**

**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**, Ferry Landing Associates, LLC (FLA) currently has a 40-year lease with the San Diego Unified Port District (District) for an office building and two restaurant buildings located at 1311 First Street in the City of Coronado; and

**WHEREAS**, FLA, as the project applicant/proponent, has submitted an application for a bayside commercial development that would accommodate up to two new restaurants in one building (herein referred to as the Revised Project) on the existing vacant lot on the FLA leasehold; and

**WHEREAS**, in 1989, a larger commercial development project, within which the Revised Project site is located, was analyzed pursuant to the California Environmental Quality Act (CEQA) in the Final Environmental Impact Report (FEIR) (SCH #88062222; UPD #83356-EIR-143; District Clerk Document No. 24647) for the "Coronado Boatyard Plan Amendment - The Wharf Development Project" (herein referred to as Wharf Development); and

**WHEREAS**, the FEIR analyzed full-scale redevelopment including up to three full-service restaurants, other food and beverage services shops, retail and management office space, a marina, and an underground parking garage; and

**WHEREAS**, on December 19, 1989, the Board of Port Commissioners (BPC) certified the FEIR (Resolution No. 89-382; District Clerk Document No. 24647); and

**WHEREAS**, in 1999, the first restaurant (Il Fornaio) was constructed. In 2008, an Addendum to the FEIR was prepared for the proposed construction of a second restaurant (First Addendum) (District Clerk Document No. 53309). Additionally, for the proposed construction of the second restaurant an amendment to CDP-97-3 was prepared (CDP-2008-82; Clerk Document No. 53487); and

**WHEREAS**, due to market conditions, the second restaurant was not constructed at that time, nor was it constructed within the two-year timeframe set

forth in the amended CDP as a condition for development, and as such, the CDP amendment is void; and

**WHEREAS**, in October 2015, FLA submitted an application for the Revised Project to construct a one-story building with the option to operate up to two restaurants within; and

**WHEREAS**, on January 12, 2016, the Revised Project was presented to the BPC for preliminary project review and at that BPC meeting, the BPC authorized staff to commence the environmental review process pursuant to CEQA; and

**WHEREAS**, a Second Addendum to the FEIR, dated July 2018, has been prepared to analyze changes to the Wharf Development project, and to document that none of the conditions in CEQA Guidelines Sections 15162 and 15163, triggering preparation of a subsequent or supplemental EIR, have occurred; and

**WHEREAS**, the Second Addendum is appropriate under CEQA Guidelines Section 15164, and incorporates the updated and refined project description into the FEIR for the BPC to consider and adopt; and

**WHEREAS**, on July 12, 2018, Second Addendum was adopted by the BPC; and

**WHEREAS**, pursuant to BPC Policy No. 357, plans for new tenant development must be presented to the BPC for approval if the project is estimated to cost more than \$500,000; and

**WHEREAS**, the Revised Project cost is approximately \$1.7 million, and involves the construction of single-story 7,500 sf commercial building with outdoor seating areas and landscaping improvements; and

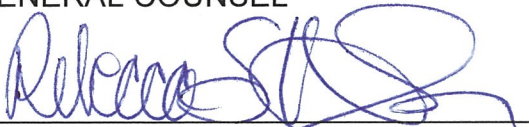
**WHEREAS**, District staff recommends the BPC grant concept approval for the Revised Project.

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

That the BPC finds that the Revised Ferry Landing Project, as reflected in the concept plans, was fully analyzed and is within the scope of the Final EIR and Second Addendum and no additional CEQA review is required. Based on the entire record available to the BPC and the findings set forth in this Resolution, concept approval for up to two new restaurants at the Revised Ferry Landing Project located at 1311 First Street in the City of Coronado is hereby granted.

**BE IT FURTHER RESOLVED**, the BPC finds the BPC action complies with Section 87 of the Port Act, which allows for the establishment, improvement, and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operations of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the BPC actions are consistent with the Public Trust Doctrine.

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 17<sup>th</sup> day of July 2018, by the following vote:

AYES: Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

NAYS: None.

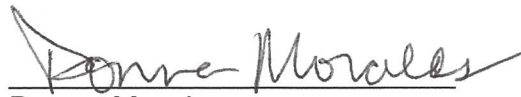
EXCUSED: Bonelli

ABSENT: None.

ABSTAIN: None.

  
Rafael Castellanos, Chairman  
Board of Port Commissioners

ATTEST:

  
Donna Morales  
District Clerk

(Seal)