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RESOLUTION NUMBER R- 305926

DATE OF FINAL PASSAGE JUL 02 2010

RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A GRANT OF AVIGATION EASEMENT IN FAVOR OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, AFFECTING THE AIR SPACE ABOVE THE PENINSULA YMCA, WHICH IS LOCATED WITHIN A PORTION OF CLEATOR COMMUNITY PARK.

WHEREAS, the Peninsula YMCA proposes to add a two-story addition to its present recreational facility located at 4390 Valeta Street; and

WHEREAS, as the Peninsula YMCA site is located within the Airport Influence Area for the San Diego International Airport, the City of San Diego requested that the San Diego County Regional Airport Authority, in its capacity as the San Diego County Airport Land Use Commission, review the proposed project for a consistency determination; and

WHEREAS, while the proposed project will be located within the 70-75 decibel Community Noise Equivalent Level noise contour, the Airport Land Use Compatibility Plan does not address the compatibility of recreational land uses within any noise contour, but does require new construction projects to record an avigation easement for aircraft noise and height with the County Recorder; and

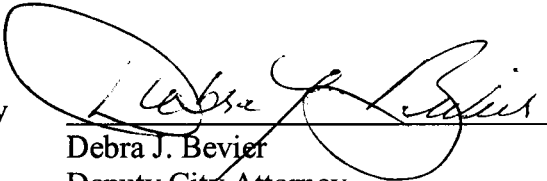
WHEREAS, the San Diego County Airport Land Use Commission found the Peninsula YMCA's height to be in compliance and required that an avigation easement for aircraft noise and height be recorded with the County Recorder as a condition for the proposed new construction; and

WHEREAS, the required avigation easement will be in favor of the San Diego County Regional Airport Authority and will permit the unencumbered and unrestricted flight of aircraft to or from San Diego International airport, affecting the air space above the Peninsula YMCA leasehold, which is located within a portion of Cleator Community Park; and

WHEREAS, the avigation easement authorized by this resolution will fulfill the San Diego County Airport Land Use Commission's requirement for the Peninsula YMCA's proposed project; NOW, THEREFORE,

BE IT RESOLVED, that the Mayor, or his designee, is hereby authorized to execute a Grant of Avigation Easement in favor of the San Diego County Regional Airport Authority permitting the unencumbered and unrestricted flight of aircraft to or from San Diego International airport, affecting the air space above the Peninsula YMCA leasehold, which is located within a portion of Cleator Community Park.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Debra J. Bevier
Deputy City Attorney

DJB:mm
004/16/2010
Or.Dept:READ
R-2010-766
MMS#12015

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 22 2010.

ELIZABETH S. MALAND
City Clerk

By *Devenson-Cruz*
Deputy City Clerk

Approved: 7-2-10
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor