

RESOLUTION NUMBER R- 311205

DATE OF FINAL PASSAGE JUN 26 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ACCEPTING CALIFORNIA COASTAL COMMISSION SUGGESTED MODIFICATIONS FOR CERTIFICATION OF AN AMENDMENT TO THE GENERAL PLAN AND THE MISSION BEACH PRECISE PLAN AND LOCAL COASTAL PROGRAM.

WHEREAS, MB9 OWNER, LLC, a Delaware Limited Liability Company, requested an amendment to the General Plan and the Mission Beach Precise Plan and Local Coastal Program to re-designate the Project site from 'Institutional & Public and Semi-Public Facilities' in the General Plan to 'Residential' and from 'School' in the Mission Beach Precise Plan to 'Residential' use at 36 dwelling units per acre (du/ac); and

WHEREAS, on April 11, 2016, the City Council of the City of San Diego held a public hearing for the purpose of considering amendment to the General Plan and the Mission Beach Precise Plan and Local Coastal Program and other actions associated with the Mission Beach Residences Project No. 366139 (Project); and

WHEREAS, the affected area is within the Coastal Zone and, therefore, requires certification by the California Coastal Commission to become effective; and

WHEREAS, on May 11, 2017, the California Coastal Commission approved the Mission Beach Precise Plan and Local Coastal Program amendment for the Project subject to modifications that address visitor serving accommodations and public access and recreation; and

WHEREAS, on June 26, 2017, the City Council of the City of San Diego considered the modifications suggested by the California Coastal Commission; and

WHEREAS, the City Council of the City of San Diego desires to adopt the modifications suggested by the California Coastal Commission and has considered all maps, exhibits, and written documents contained in the file for this Project on record with the City of San Diego, and has considered the oral presentations given at the public hearing; and

WHEREAS, under Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE,

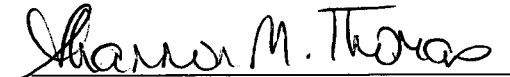
BE IT RESOLVED, by the City Council of the City of San Diego, as follows:

1. That the City Council adopts amendments to the General Plan and the Mission Beach Precise Plan and Local Coastal Program in conformance with the suggested modifications of the California Coastal Commission, a copy of which is on file in the office of the City Clerk as Document No. RR- 311205.

2. That after adoption, the Mayor or his designee is authorized to submit this resolution to the California Coastal Commission for final certification and incorporation into the City's certified Local Coastal Program.

BE IT FURTHER RESOLVED, that this resolution shall not take effect until the date the California Coastal Commission unconditionally certifies these provisions as a Local Coastal Program amendment.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
06/01/2017
Or.Dept:DSD
Doc. No.: 1513330

Passed by the Council of The City of San Diego on JUN 26 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 26 2017.

(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:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By Linda Bruin, Deputy

Office of the City Clerk, San Diego, California

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