

RESOLUTION NUMBER R- 311961

DATE OF FINAL PASSAGE SEP 10 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AMENDING THE GENERAL PLAN AND THE
UNIVERSITY COMMUNITY PLAN FOR THE 9775 TOWNE
CENTRE DRIVE PROJECT- PROJECT NO. 527644.

WHEREAS, BMR-APEX LP, a Delaware limited partnership, Owner/Permittee, requests an amendment to the University Community Plan to transfer development intensity from Subarea 11 to Subarea 12, and within Subarea 12, from Lots 3A, 3B and 3D to Lot 6A, in order to construct a 165,000-square-foot, four-story scientific research building with two levels of underground parking at 9775 Towne Centre Drive, which site is legally described as Parcel 1 of Parcel Map No. 15937, filed in the Office of the County Recorder of San Diego County, January 4, 1990 as file/page No. 90-006036 of Official Records; and

WHEREAS, the Planning Commission of the City of San Diego found the proposed amendment to the University Community Plan consistent with the General Plan by a vote of 6-0-0 on June 21, 2018; 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, a public hearing is required by law implicating due process rights of individuals affected by the decision, and the Council is required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, on September 10, 2018, the City Council of the City of San Diego (City Council) held a public hearing for the purpose of considering the requested amendment to the University Community Plan; and

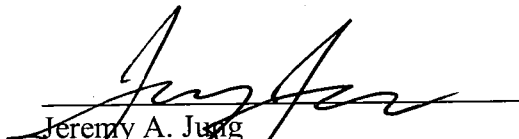
WHEREAS, the City Council has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it amends the University Community Plan by adopting the amended Table 3 – Land Use and Development Intensity, reflecting the transfers in development intensity to Item 12 Eastgate Technology Park (PID), as shown in the document on file in the office of the City Clerk as Document No.

RR- 311961 .

APPROVED: MARA W. ELLIOTT, City Attorney

By


Jeremy A. Jung
Deputy City Attorney

JAJ:nja

08/24/18

Or. Dept: DSD - Planning Division

Doc. No.: 1821170

Passed by the Council of The City of San Diego on SEP 10 2018, by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|-----------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Barbara Bry | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 Gómez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage SEP 10 2018.

(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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **311961**