



**SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
Airport Land Use Commission
STAFF REPORT**

Item No.

4

Meeting Date: **JANUARY 5, 2012**

Subject:

Rescission of Resolution No. 2010-0036 ALUC

Recommendation:

Adopt Resolution No. 2012-0002 ALUC, rescinding Resolution No. 2010-0036 ALUC, making a determination that a project involving the construction of two office and research and development buildings located at 7475 Lusk Boulevard, City of San Diego was consistent with the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP) in effect at the time of the determination.

Background/Justification:

On July 1, 2010, the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, adopted Resolution No. 2010-0036 ALUC making a determination that a project involving the construction of two office and research and development buildings located at 7475 Lusk Boulevard, City of San Diego was consistent with the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP) in effect at the time of the determination.

On November 10, 2011, ALUC staff received an application for a consistency determination from the City of San Diego for an amendment to the project previously found consistent by the ALUC pursuant to Resolution No. 2010-0036 ALUC. The amended project involves a single office and research and research & development building.

On December 2, 2011, ALUC staff, pursuant to the provisions of the MCAS Miramar ALUCP allowing for staff-level consistency determinations for projects that are compatible in all respects, issued a consistency determination regarding the amended project finding that the amended project is compatible with noise, safety, and airspace compatibility factors. ALUC staff's consistency finding on the amended project was reported to the ALUC at its meeting of January 5, 2012.

The amended project, determined to be consistent by ALUC staff on December 2, 2011, supersedes the project reviewed by the ALUC and found consistent by Resolution No. 2010-0036 ALUC. Therefore, Resolution No. 2010-0036 ALUC is no longer accurate and must therefore be rescinded.

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Fiscal Impact:

ALUC functions are funded through the FY12 Airport Planning operating budget.

Authority Strategies:

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

Environmental Review:

- A. This ALUC action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended, 14 Cal. Code Regs. §15378. This ALUC presentation is not a "project" subject to CEQA, Cal. Pub. Res. Code §21065.
- B. This ALUC action is not a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

Equal Opportunity Program:

Not applicable.

Prepared by:

KEITH WILSCHETZ
DIRECTOR, AIRPORT PLANNING

RESOLUTION NO. 2012-0002 ALUC

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION FOR SAN DIEGO COUNTY RESCINDING RESOLUTION NO. 2010-0036 ALUC, MAKING A DETERMINATION THAT A PROJECT INVOLVING THE CONSTRUCTION OF TWO OFFICE AND RESEARCH AND DEVELOPMENT BUILDINGS LOCATED AT 7475 LUSK BOULEVARD, CITY OF SAN DIEGO WAS CONSISTENT WITH THE MARINE CORPS AIR STATION (MCAS) MIRAMAR AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) IN EFFECT AT THE TIME OF THE DETERMINATION

WHEREAS, on July 1, 2010, the San Diego County Regional Airport Authority, acting in its capacity as the Airport Land Use Commission (ALUC) for San Diego County, pursuant to Section 21670.3 of the Public Utilities Code, adopted Resolution No. 2010-0036 ALUC making a determination that a project involving the construction of two office and research & development buildings located at 7475 Lusk Boulevard, City of San Diego was consistent with the Marine Corps Air Station Miramar Airport Land Use Compatibility Plan in effect at the time of the determination; and

WHEREAS, on November 10, 2011, ALUC staff received an application for a consistency determination from the City of San Diego for an amendment to the project previously found consistent by the ALUC pursuant to Resolution No. 2010-0036 ALUC; and

WHEREAS, the amended project involves a single office and research and research & development building; and

WHEREAS, on December 2, 2011, ALUC staff, pursuant to the provisions of the Airport Land Use Plan for Marine Corps Air Station Miramar (ALUCP) allowing for staff-level consistency determinations for projects that are compatible in all respects, issued a consistency determination regarding the amended project finding that the amended project is compatible with noise, safety, and airspace compatibility factors; and

WHEREAS, ALUC staff's consistency finding on the amended project was reported to the ALUC at its meeting of January 5, 2012; and

WHEREAS, the amended project, determined to be consistent by ALUC staff on December 2, 2011, supersedes the project reviewed by the ALUC and found consistent by Resolution No. 2010-0036 ALUC; and

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WHEREAS, the ALUC has considered the information provided by staff, including information in the staff report regarding the project and the amended project; and

NOW, THEREFORE, BE IT RESOLVED that the ALUC hereby rescinds Resolution No. 2010-0036 ALUC, making a determination that a project involving the construction of two office and research and development buildings located at 7475 Lusk Boulevard, City of San Diego was consistent with the Marine Corps Air Station (MCAS) Miramar Airport Land Use Compatibility Plan (ALUCP) in effect at the time of the determination; and

BE IT FURTHER RESOLVED that the amended project was found by ALUC staff to be consistent with the noise, safety, and airspace compatibility factors of the ALUCP; and

BE IT FURTHER RESOLVED that this ALUC action is not a "project" as defined by the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §21065; nor is it a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

PASSED, ADOPTED, AND APPROVED by the ALUC for San Diego County at a regular meeting this 5th day of January, 2012, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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