REPORT TO THE HEARING OFFICER

HEARING DATE: March 19, 2014

ATTENTION: HEARING OFFICER

SUBJECT: RESIDENCE INN; PROJECT NO. 322365 PROCESS 3

LOCATION: 445 Camino Del Rio South

OWNER/APPLICANT: M7 Dev, LLC, a California Limited Liability Company

SUMMARY

Requested Action: Should the Hearing Officer approve the demolition of an existing restaurant and construction of a 118-guestroom, 5-story hotel on a 1.41-acre site located at 445 Camino Del Rio South in the Mission Valley Community Planning area?

Staff Recommendation: APPROVE Site Development Permit No. 1126097.

Community Planning Group Recommendation: On December 4, 2013, the Mission Valley Planning Group voted 13-0-1 to recommend approval of the project with conditions (Attachment 9).

Environmental Review: This project is exempt from environmental review pursuant to Article 19, Section 15332 (Infill Development) of the California Environmental Quality Act (CEQA). The project proposes the demolition of an existing restaurant and subsequent construction of a 118-guestroom, 5-story hotel. The environmental exemption determination for this project was made on December 19, 2013. A Notice of Right to Appeal (NORA) the environmental determination was posted on February 11, 2014, and the opportunity to appeal that determination ended February 26, 2014 (Attachment 10).

BACKGROUND

The project site is located at 445 Camino Del Rio South (Attachment 1), east of State Route 163 (Attachment 2). The site is in the Mission Valley-Commercial Office-Commercial Victor (MV-CO-CV) Zone of the Mission Valley Planned District (Attachment 3) within the in the Mission Valley Community Plan (Attachment 4), Hillside Subdistrict (Southern slopes) and the Development Intensity Overlay District Area J within the Mission Valley Planned District (MVPD), Federal Aviation Administration (FAA) Part 77 Noticing Area for the San Diego
International Airport (SDIA) Lindbergh Field and Montgomery Field, Airport Influence Area for
the Montgomery Field, and the Transit Area Overlay Zone. The MV-CO-CV zoning designation
allows for establishments catering to the lodging, dining, and shopping needs of visitors. The
community plan designates the proposed project site for Office (office, professional-medical, and
financial institutions) or Commercial-Recreation (lodging, recreational, and entertainment
facilities) uses.

The project site is a trapezoid shaped lot with frontage along Camino Del Rio South. The parcel
has been previously graded and developed with a 9,216-square foot restaurant (El Torito’s),
which was constructed in 1975. The project site currently has two driveway/access points from
Camino Del Rio South. The northern driveway is shared with the Benihana restaurant and the
southern driveway is shared with the Worldmark Timeshare Hotel complex. The properties to the
north and east are zoned MV-CO-CV, the properties to the west are zoned MV-CO, and the
property to the south is zoned CC-1-3. The community plan designates the property to the west
for Commercial Office use, and the properties to the north, east and south are designated for
Office or Commercial-Recreation uses.

DISCUSSION

Project Description:

The project proposes the demolition of the restaurant and construction of a 118-guestroom, 5-
story hotel with underground parking on a 1.41-acre site. The development proposes a maximum
building height of 63-feet 2-inches. The property is an interior lot, located at 445 Camino Del
Rio South, east of State Route 163, in the MV-CO-CV Zone within the Hillside Subdistrict
(Southern slopes) and the Development Intensity Overlay District Area J of the MVPD. The
southern portion of the project site is identified within the Hillsides (25-percent or greater slope
gradient) area within the Mission Valley Community Plan (MVCP). However, the property
contains a maximum 15-foot slope differential or 7.4-percent slope with a highest slope contour
of 55-feet. Therefore, the site is not within or adjacent to the Multiple Species Conservation
Program (MSCP) Multiple Habitat Planning Area (MHPA) and does not contain any other type
of Environmental Sensitive Lands (ESL) as defined in Land Development Code (LDC) Section
113.0103.

Within the Hillside Subdistrict, the building height is limited to 40-feet. An exception to the 40-
foot height limit may be approved up to 65-feet in height if specific development standards are
met in accordance with LDC Section 1514.0303(c)(1)(A). These development standards are as
follows: 1. All natural existing hillside vegetation and topography shall be preserved; 2. Any
previously graded hillsides shall be recontoured into a naturalistic form and revegetated with
indigenous plants; and 3. Buildings and structures shall be designed and sited so that a minimum
30-foot wide open public view corridor is created to the hillside from adjacent public streets and
freeways.

The Worldmark Timeshare Hotel complex to the south is located between the project site and the
existing hillside, and the project site does not contain any existing natural hillside vegetation or
topography. Therefore, the first and second development standards are not applicable to the
proposed site.
The third development standard requires the building to be designed and sited so that a minimum 30-foot wide open public view corridor is created to the hillside from adjacent public streets and freeways. Although the proposed project provides a view corridor along Camino Del Rio South of 21-feet (measuring from property line to the building edge along the west side), the current public view toward the hillside is already blocked by the adjacent Worldmark Timeshare Hotel complex to the south. Therefore, the view corridor requirement is not applicable at this location and the request to exceed the 40-foot height limit may be approved up to 65-feet in height.

The proposed development would be located on private property and proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use, design guidelines, and development standards in effect for this site. Development of the proposed project requires the approval of a Process 3 Site Development Permit (SDP) for development on a property that's located within the MVPD. As a component of the proposed project, the building will utilize renewable energy technology, and will achieve a United States Green Building Council's (USGBC's) Leadership in Energy and Environmental Design (LEED) Silver Certification. Because the project utilizes renewable technologies and qualifies as a Sustainable Building, the land use approvals have been processed through the Affordable/In-Fill Housing and Sustainable Buildings Expedite Program.

Project-Related Issues:

Airport Land Use Commission Consistency Determination- The project site is located in the FAA Part 77 Noticing Area for the SDIA Lindbergh Field and Montgomery Field. The proposed maximum building height of 63-feet 2-inches is less than the 80-foot threshold for FAA Part 77 notification for this particular site. The proposed project will not be required to notify the FAA. In addition, the project site is located in the Airport Influence Area for Montgomery Field, but it is not in the Airport Land Use Compatibility (ALUCP) Noise Exposure Zone and Safety Zone area; therefore, an Airport Land Use Commission consistency determination is not required for the proposed development.

Community Plan Analysis:

The project site is located at 445 Camino Del Rio South, east of State Route 163, in the MVCP area. The community plan designates the site for Office (office, professional-medical, and financial institutions) or Commercial-Recreation (lodging, recreational, and entertainment facilities) uses. The proposed 118-guestroom hotel is in conformance with the Commercial-Recreation land use designation.

The southern portion of the project site is identified within the Hillsides (25-percent or greater slope gradient) area within the MVCP. However, the property contains a maximum 15-foot slope differential or 7.4-percent slope with a highest slope contour of 55-feet. In this area, the MVCP objective is to allow for low-intensity development to occur on remaining hillsides exceeding 25-percent slope to be located below the 150-foot elevation contour. Even though the property does not contain a 25-percent or greater slope gradient, the proposed maximum building height of 63-feet 2-inches with the highest slope contour of 55-feet would have an overall height of 118-feet 2-inches, which is below 150-foot elevation contour.
The MVCP contains goals and policies for design and development, including criteria for hillside and density. These design criteria have been incorporated in the MVPD Ordinance regulations that govern the site. The proposed project meets all applicable regulations and complies with all policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site.

Community Group:

On December 4, 2013, the Mission Valley Planning Group voted 13-0-1 to recommend approval of the project with the following conditions: 1) Applicant fulfills all outstanding City cycle comments; 2) Project is determined to be exempt from environmental review; and 3) Applicant includes rendering and materials proposed for the project in the recorded discretionary documents.

Staff’s Response: 1) The applicant has fulfilled all of the outstanding review comments and had submitted all of the required documents. 2) The City of San Diego, as Lead Agency, through the Development Services Department, conducted an Initial Study of the proposed development, made and issued an Environmental Determination that the project is exempt from CEQA under CEQA Article 19, Section 15332 (Infill Development). 3) The rendering and material information has been incorporated into the plans and is referenced in the Permit and Resolution as Exhibit “A.”

Conclusion:

The project meets all applicable regulations and policy documents, and staff finds the project consistent with the recommended land use, design guidelines, and development standards in effect for this site per the adopted MVCP, LDC, and the General Plan. As a component of the proposed project, the building will utilize renewable energy technology, and will achieve a LEED Silver Certification.

ALTERNATIVES

1. **APPROVE** Site Development Permit No. 1126097, **with modifications.**

2. **DENY** Site Development Permit No. 1126097, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

Jeffrey A. Peterson
Development Project Manager
Development Services Department

WESTLAKE/JAP
Attachments:

1. Location Map
2. Aerial Photograph
3. Zoning Map
4. Community Plan Land Use Map
5. Project Data Sheet
6. Project Plans
7. Draft Permit with Conditions
8. Draft Resolution with Findings
9. Community Group Recommendation
10. Environmental Exemption
11. Ownership Disclosure Statement
12. Project Chronology
13. Copy of Public Notice (forwarded to HO)
14. Copy of Project Plans (full size-forwarded to HO)

Internal Order No. 24003752
Location Map
Residence Inn; Project No. 322365
445 Camino Del Rio South

North
Mission Valley Community Land Use Map

Residence Inn; Project No. 322365
445 Camino Del Rio South
# PROJECT DATA SHEET

<table>
<thead>
<tr>
<th>PROJECT NAME:</th>
<th>Residence Inn; Project No. 322365</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT DESCRIPTION:</td>
<td>Demolition of an existing restaurant and construction of a 118-guestroom, 5-story hotel on a 1.41-acre site.</td>
</tr>
<tr>
<td>COMMUNITY PLAN AREA:</td>
<td>Mission Valley</td>
</tr>
<tr>
<td>DISCRETIONARY ACTIONS:</td>
<td>Site Development Permit</td>
</tr>
<tr>
<td>COMMUNITY PLAN LAND USE DESIGNATION:</td>
<td>Office (office, professional-medical, and financial institutions) or Commercial-Recreation (lodging, recreational, and entertainment facilities) uses.</td>
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</tbody>
</table>

## ZONING INFORMATION:
- **ZONE**: MV-CO-CV Zone of the Mission Valley Planned District
- **HEIGHT LIMIT**: 40-foot standard/65-foot exception LDC Section 1514.0303(c)(1)(A)
- **LOT SIZE**: 5,000 square feet
- **FLOOR AREA RATIO**: NA
- **LOT COVERAGE**: 70 percent
- **FRONT SETBACK**: 20-foot
- **SIDE SETBACK**: 15-foot
- **STREETSIDE SETBACK**: NA
- **REAR SETBACK**: 8-foot
- **PARKING**: 118 on-site spaces or 102 with a TDM Reduction

## ADJACENT PROPERTIES:

<table>
<thead>
<tr>
<th>ADJACENT PROPERTIES</th>
<th>LAND USE DESIGNATION &amp; ZONE</th>
<th>EXISTING LAND USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NORTH:</td>
<td>Office or Commercial-Recreation; MV-CO-CV</td>
<td>Restaurant</td>
</tr>
<tr>
<td>SOUTH:</td>
<td>Office or Commercial-Recreation; R-S &amp; NC-S</td>
<td>Hotel</td>
</tr>
<tr>
<td>EAST:</td>
<td>Office or Commercial-Recreation; MV-CO-CV</td>
<td>Hotel</td>
</tr>
<tr>
<td>WEST:</td>
<td>Commercial Office; MV-CO</td>
<td>Office</td>
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## DEVIATIONS OR VARIANCES REQUESTED:
- None.

## COMMUNITY PLANNING GROUP RECOMMENDATION:
- On December 4, 2013, the Mission Valley Planning Group voted 13-0-1 to recommend approval of the project with conditions.
**LEGAL DESCRIPTION**

**PROJECT INFORMATION**

**PROJECT SCOPE**

**SHEET INDEX**

**PROJECT DIRECTORY**

**LEGAL INFORMATION**

**LEED INFORMATION**

**CONSTRUCTION TYPE:**

- **OCCUPANCY:**
- **LEF SIZE:**

**GROSS FLOOR AREA:**

**STRUCTURAL COVERAGE:**

**ELECTRICAL PLAN:**

**MECHANICAL PLAN:**

**CIVIL ENGINEERING:**

**Landscape/Architectural Engineering:**

**GEOLOGICAL MAP:**

**FIRE HYDRANT LOCATION MAP**

**AREA MAP**

**VICINITY MAP**

**ATTACHMENT 6**
2 First Floor Plan

1 Basement Plan
**EROSION AND SEDIMENT CONTROL NOTES**

**MINIMUM POST-CONSTRUCTION MAINTENANCE PLAN**

1. **Any erosion control requirements that are not met in the Performance Plan will be corrected by the Contractor.**
2. **Immediate action is required to prevent further erosion.**
3. **The contractor shall notify the Project Manager in writing prior to starting any activities that will affect the existing erosion control measures.**

**PERMANENT POST-CONSTRUCTION BMP NOTES**

1. **The contractor shall provide a permanent erosion control measure in the form of a vegetative cover or other approved method.**
2. **The maintenance plan shall be provided to the City for review and approval.**

**WORK TO BE DONE**

<table>
<thead>
<tr>
<th>Task</th>
<th>Quantity</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>Trenching</td>
<td></td>
<td></td>
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</table>
C105  SHEET N OF 12

PROJECT

CAMINO DEL RIO SOUTH

RESIDENCE INN
@ MISSION VALLEY

ATTACHMENT 6

441 CAMINO DEL RIO S.
SAN DIEGO, CA 92108

T2

PERFORMANCE/ARCHITECT

DEVELOPMENT

ATTACHMENT 6

DESIGN BL plan

DRAWING

DATE

2013 12 05

PROJECT ISSUE DATES

DEVELOPMENT ISSUE DATES

SHEET TITLE

DEMOLITION PLAN

SHEET NO

1 OF

2-
5. ROLLED CONCRETE CURB AND GUTTER TERMINATION

10. CONCRETE CURB AND GUTTER

14. 4' LONG REINFORCED PRECAST WHEEL STOP

15. STANDARD 32' PARKING STALL

17. ACCESSIBLE 30' PARKING STALL

18. GUTTERMAT DETAIL

19. ACCESSIBLE PARKING DESIGNATION SIGN

NOTES:

1. DRAINAGE DITCH SHALL BE PROPORTIONED TO THE SPECIFIED DRAINAGE REQUIREMENTS AS SHOWN ON SHEET 1.

2. ALL MASONRY UNITS SHALL BE OF NON-SHRINK CONCRETE ROLLER.

3. ALL CONCRETE BASE AND WALL SUPPORT FOOTING SHALL BE OF NON-SHRINK CONCRETE ROLLER.

4. ALL CLEANOUTS SHALL BE MARKED WITH "S".

5. CONCRETE SHALL BE PLACED AS SPECIFIED.

6. CONCRETE SHALL BE CAST WITH A "NO PARKING" DESIGNATION.
This Site Development Permit No. 1126097 is granted by the Hearing Officer of the City of San Diego to M7 DEV, LLC, a California Limited Liability Company, Owner and Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0504. The 1.41-acre site is located at 445 Camino Del Rio South, east of State Route 163. The site is in the MV-CO-CV Zone of the Mission Valley Planned District within the in the Mission Valley Community Plan, Hillside Subdistrict (Southern slopes) and the Development Intensity Overlay District Area J within the Mission Valley Planned District (MVPD), Federal Aviation Administration (FAA) Part 77 Noticing Area for the San Diego International Airport (SDIA) Lindbergh Field and Montgomery Field, Airport Influence Area for the Montgomery Field, Transit Area Overlay Zone, and Council Districts 3 and 7. The project site is legally described as Parcel 1: Lot 2 of Cross Road Mission Valley in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 7395, on file in the Office of the County Recorder of San Diego County on August 9, 1972; Parcel 2: Non-Exclusive Easements within the common areas of Lots 1 and 3 of Cross Road Mission Valley in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 7395, on file in the Office of the County Recorder of San Diego County on August 9, 1972, as set forth in that certain document entitled Declaration of Restrictions and Grant of Easements dated March 5, 1975, executed by Crossroads Associates, a General Partnership, recorded April 7, 1975, Document No. 75-077997 of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for the demolition of an existing restaurant and construction of a 118-guestroom, 5-story hotel; described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit “A”] dated March 19, 2014, on file in the Development Services Department.
The project shall include:

a. Demolition of an existing restaurant and construction of a 103,500-square foot (total gross area includes the parking garage), 118-guestroom, 5-story hotel with underground parking;

b. Landscaping (planting, irrigation and landscape related improvements);

c. Off-street parking;

d. Construction of associated site improvements (i.e. hardscape, fences and site walls);

e. Leadership in Energy and Environmental Design (LEED) Silver Certification; and

f. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer’s requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by April 3, 2017.

2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

   a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and

   b. The Permit is recorded in the Office of the San Diego County Recorder.

3. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

4. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

7. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

8. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

9. All of the conditions contained in this Permit have been considered and were determined-necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

10. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to
control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

11. Prior to the issuance of any construction permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMP’s) maintenance, satisfactory to the City Engineer.

12. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate any construction BMP’s necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications, satisfactory to the City Engineer.

13. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate and show the type and location of all post-construction BMP’s on the final construction drawings, in accordance with the approved Water Quality Technical Report, satisfactory to the City Engineer.

14. The drainage system proposed for this development is private and subject to approval by the City Engineer.

15. All driveways and curb openings shall comply with City Standard Drawings SDG-163 and SDG-164, and be constructed to the satisfaction of the City Engineer.

16. Prior to the issuance of a grading permit, the Owner/Permittee shall obtain an Encroachment Maintenance and Removal Agreement for private storm drains proposed in the public right-of-way, satisfactory to the City Engineer.

17. This project proposes to export 2,650 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per LDC Section 141.0620(i).

18. Prior to the issuance of a building permit, the Owner/Permittee shall obtain a grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.

19. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 2009-009 DWQ and the Municipal Storm Water Permit, Order No. 2009-009 (NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and
a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB.

20. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 2009-009 DWQ, and any subsequent amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 2009-009 DWQ.

21. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond, the construction of sidewalk, curb and gutter along the project frontage, as shown on Exhibit “A,” to the satisfactory to the City Engineer.

22. Prior to issuance of any construction permit, the Owner/Permittee shall assure by permit and bond, the demolition and removal of the concrete masonry block wall and electrical equipment in the Camino del Rio South public right-of-way, to the satisfaction of the City Engineer.

GEOLOGY REQUIREMENTS:

23. The Owner/Permittee shall submit a geotechnical investigation report or update letter that specifically addresses the proposed construction plans. The geotechnical investigation report or update letter shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to issuance of any construction permits.

24. The Owner/Permittee shall submit an as-graded geotechnical report prepared in accordance with the City's "Guidelines for Geotechnical Reports" following completion of the grading. The as-graded geotechnical report shall be reviewed for adequacy by the Geology Section of the Development Services Department prior to exoneration of the bond and grading permit close-out.

LANDSCAPE REQUIREMENTS:

25. Prior to issuance of any engineering permits for grading, the Owner/Permittee shall submit complete construction documents for the revegetation and hydroseeding of all disturbed land in accordance with the Landscape Standards and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit (including Environmental conditions) and Exhibit “A,” on file in the Office of the Development Services Department.

26. Prior to issuance of any engineering permits for right-of-way improvements, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall take into account a 40 square foot area around each tree which is unencumbered by utilities.
Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.

27. In the event that a foundation only permit is requested, the Owner/Permittee shall submit a site plan or staking layout plan identifying all landscape areas consistent with Exhibit “A,” Landscape Development Plan, on file in the Office of the Development Services Department. These landscape areas shall be clearly identified with a distinct symbol, noted with dimensions and labeled as 'landscaping area.'

28. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit “A,” Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

29. Prior to issuance of any construction permits, the Owner/Permittee shall submit a tree protection plan to be reviewed and approved by the Development Services Department. The tree protection plan shall be in substantial conformance with Exhibit “A,” Landscape Development Plan, on file in the Office of the Development Services Department.

30. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or “topping” of trees is not permitted unless specifically noted in this Permit.

31. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity.

32. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace it, in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department, within 30 days of damage.

PLANNING/DESIGN REQUIREMENTS:

33. Prior to issuance of building permits, the Owner/Permittee shall provide documentation that the project has been submitted to the U.S. Green Building Council for review and will achieve at least a Leadership in Energy and Environmental Design (LEED) Silver Certification. Construction documents shall note all criteria included in the design and construction of the project as identified in the LEED certification application.
34. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

35. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit “A” or City-wide sign regulations.

36. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS:

37. The applicant shall implement a Transportation Demand Management (TDM) plan employing techniques such as carpooling, van pooling, transit, bicycling, shuttle service, and walking. Annually or in response to Code Enforcement activities, the applicant shall ensure that the TDM Plan adequately meets the proposed reduction in automobile parking satisfactory to the City Engineer. The TDM has been made a part of the approved Exhibit “A.”

38. No fewer than 118 off-street parking spaces (or 102 off-street parking spaces provided and an approved TDM Plan implemented) shall be permanently maintained on the property within the approximate location shown on the project’s Exhibit “A” provided an acceptable TDM plan has been implemented and is maintained. Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City’s Land Development Code, and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Department Director.

39. The owner/applicant shall provide for future construction or expansion of a parking facility that provided at least 18 additional parking spaces as shown on Exhibit “A,” Sheet A100, to be constructed upon direction of the City Manager, if the TDM plan is not complied with by the applicant. Any parking removed during this construction shall be temporarily replaced via shared parking agreements with adjacent properties during construction.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

40. Prior to the issuance of any building permits, the Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s), on each water service (domestic, fire and irrigation), in a manner satisfactory to the Director of Public Utilities and the City Engineer. BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the right-of-way. The Public Utilities Department will not permit the required BFPDs to be located below grade or within the structure.

41. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the design and construction of all public water and sewer facilities are to be in accordance with established criteria in the most current City of San Diego Water and Sewer Design Guides.
42. All proposed private water and sewer facilities located within a single lot are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

43. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

44. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to cap (abandon) at the property line any existing unused sewer lateral and install new sewer lateral(s) which must be located outside of any driveway or vehicular use area.

45. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, to remove (kill) at the main any existing unused water service.

INFORMATION ONLY:

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on March 19, 2014, pursuant to Resolution No. HO-__________.
Permit Type/PTS Approval No.: SDP No. 1126097
Date of Approval: March 19, 2014

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Jeffrey A. Peterson
Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

M7 Dev, LLC, a California Limited Liability Company
Owner/Permittee

By __________________________
Name:
Title:

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.
WHEREAS, M7 DEV, LLC, a California Limited Liability Company, Owner and Permittee, filed an application with the City of San Diego for a permit to demolish an existing restaurant and to construct a 118-guestroom, 5-story hotel with underground parking (as described in and by reference to the approved Exhibits “A” and corresponding conditions of approval for the associated Permit No. 1126097), on portions of a 1.41-acre site;

WHEREAS, the project site is located at 445 Camino Del Rio South, east of State Route 163. The site is in the MV-CO-CV Zone of the Mission Valley Planned District within the Mission Valley Community Plan, Hillside Subdistrict (Southern slopes) and the Development Intensity Overlay District Area J within the Mission Valley Planned District (MVPD), Federal Aviation Administration (FAA) Part 77 Noticing Area for the San Diego International Airport (SDIA) Lindbergh Field and Montgomery Field, Airport Influence Area for the Montgomery Field, Transit Area Overlay Zone, and Council Districts 3 and 7;

WHEREAS, the project site is legally described as Parcel 1: Lot 2 of Cross Road Mission Valley in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 7395, on file in the Office of the County Recorder of San Diego County on August 9, 1972; Parcel 2: Non-Exclusive Easements within the common areas of Lots 1 and 3 of Cross Road Mission Valley in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 7395, on file in the Office of the County Recorder of San Diego County on August 9, 1972, as set forth in that certain document entitled Declaration of Restrictions and Grant of Easements dated March 5, 1975, executed by Crossroads Associates, a General Partnership, recorded April 7, 1975, Document No. 75-077997 of Official Records;

WHEREAS, on March 19, 2014, the Hearing Officer of the City of San Diego considered Site Development Permit No. 1126097 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on December 19, 2013, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15332 (Infill Development), and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated March 19, 2014.
FINDINGS:

I. Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan;

The project site is located at 445 Camino Del Rio South, east of State Route 163, in the MV-CO-CV Zone of the Mission Valley Planned District (MVPD) within the Mission Valley Community Plan (MVCP) area. The MV-CO-CV zoning designation allows for establishments catering to the lodging, dining, and shopping needs of visitors. The community plan designates the proposed project site for Office (office, professional-medical, and financial institutions) or Commercial-Recreation (lodging, recreational, and entertainment facilities) uses.

The project proposes the demolition of an existing restaurant and construction of a 118-guestroom, 5-story hotel with underground parking on a 1.41-acre site. The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Therefore, the proposed development will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare; and

The project proposes the demolition of an existing restaurant and construction of a 118-guestroom, 5-story hotel with underground parking on a 1.41-acre site. The project site is an interior lot, located at 445 Camino Del Rio South, east of State Route 163, in the MV-CO-CV Zone within the Hillside Subdistrict (Southern slopes) and the Development Intensity Overlay District Area J of the MVPD. The southern portion of the project site is identified within the Hillsides (25-percent or greater slope gradient) area within the MVCP. However, the property contains a maximum 15-foot slope differential or 7.4-percent slope with a highest slope contour of 55-feet. The site is not within or adjacent to the Multiple Species Conservation Program (MSCP) Multiple Habitat Planning Area (MHPA) and does not contain any other type of Environmental Sensitive Lands (ESL) as defined in Land Development Code (LDC) Section 113.0103. The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site.

The City of San Diego conducted an environmental review of this site in accordance with State of California Environmental Quality Act (CEQA) guidelines. The project was
determined to be categorically exempt from CEQA pursuant to Section 15332, Infill Development, which allows for the construction of infill development within an urbanized area that can be adequately serviced by all required utilities and public services.

The permit for the project does include various conditions and referenced exhibits of approval relevant to achieving project compliance with the applicable regulations of the LDC in effect for this project. Such conditions have been determined as necessary to avoid adverse impacts upon the health, safety and general welfare of persons residing or working in the surrounding area. The project shall comply with the development conditions in effect for the subject property as described in Site Development Permit (SDP) No. 1126097, and other regulations and guidelines pertaining to the subject property per the LDC. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

The project site is located at 445 Camino Del Rio South, east of State Route 163, in the MV-CO-CV Zone of the MVPD within the MVCP area. The MV-CO-CV zoning designation allows for establishments catering to the lodging, dining, and shopping needs of visitors. The community plan designates the proposed project site for Office (office, professional-medical, and financial institutions) or Commercial-Recreation (lodging, recreational, and entertainment facilities) uses. The project proposes the demolition of an existing restaurant and construction of a 118-guestroom, 5-story hotel with underground parking on a 1.41-acre site.

The MVCP contains goals and policies for design and development, including criteria for the hillside and density. These design criteria have been incorporated in the MVPD Ordinance regulations that govern the site. The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site pursuant to the applicable regulations of the LDC.

II. Mission Valley Planned District - Section 1514.0201(d)(3)

1. The proposed development is consistent with the Mission Valley Community Plan and the Progress Guide and General Plan;

The project site is an interior lot, located at 445 Camino Del Rio South, east of State Route 163, in the MV-CO-CV Zone within the MVCP. The community plan designates the proposed project site for Office (office, professional-medical, and financial institutions) or Commercial-Recreation (lodging, recreational, and entertainment facilities) uses. The project proposes the demolition of an existing restaurant and construction of a 118-guestroom, 5-story hotel with underground parking on a 1.41-acre site. The development proposes a maximum building height of 63-feet 2-inches.
The southern portion of the project site is identified within the Hillsides (25-percent or greater slope gradient) area within the MVCP. However, the property contains a maximum 15-foot slope differential or 7.4-percent slope with a highest slope contour of 55-feet. In this area, the MVCP objective is to allow for low-intensity development to occur on remaining hillsides exceeding 25-percent slope to be located below the 150-foot elevation contour. Even though the property does not contain a 25-percent or greater slope gradient, the proposed maximum building height of 63-feet 2-inches with the highest slope contour of 55-feet would have an overall height of 118-feet 2-inches, which is below 150-foot elevation contour.

The MVCP contains goals and policies for design and development, including criteria for the hillside and density. These design criteria have been incorporated in the MVPD Ordinance regulations that govern the site. The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site pursuant to the MVCP and the Progress Guide and General Plan.

2. The proposed development provides the required public facilities and is compatible with adjacent open space areas;

The project proposes the demolition of an existing restaurant and construction of a 118-guestroom, 5-story hotel with underground parking on a 1.41-acre site. The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for the site. The site is an interior lot, located at 445 Camino Del Rio South, east of State Route 163, in an urbanized area of the MVPD that contains existing public facilities. However, as a condition of approval, the existing sidewalk, curb and gutter along the project frontage shall be replaced and landscape improvements shall be incorporated into the public right-of-way. The site is not within or adjacent to any existing or proposed open space, the MHPA, and does not contain any other type of ESL as defined in LDC Section 113.0103. Therefore, the proposed development provides the required public facilities.

3. The proposed development meets the purpose, intent and criteria of the Mission Valley Planned District Ordinance including the applicable "Guidelines for Discretionary Review" adopted as a part of this planned district; and

The project site is an interior lot, located at 445 Camino Del Rio South, east of State Route 163, in the MV-CO-CV Zone within the Hillside Subdistrict (Southern slopes) and the Development Intensity Overlay District Area J of the MVPD. The project proposes the demolition of an existing restaurant and construction of a 118-guestroom, 5-story hotel with underground parking on a 1.41-acre site. The development proposes a maximum building height of 63-feet 2-inches. The property contains a maximum 15-foot slope differential or 7.4-percent slope with a highest slope contour of 55-feet. The site is not within or adjacent
to the MHP A and does not contain any other type of ESL as defined in LDC Section 113.0103.

Within the Hillside Subdistrict, the building height is limited to 40-feet. An exception to 40-foot height limit may be approved up to 65-feet in height if specific development standards are met in accordance with LDC Section 1514.0303(c)(1)(A). These development standards are as follows: 1. All natural existing hillside vegetation and topography shall be preserved; 2. Any previously graded hillsides shall be recontoured into a naturalistic form and revegetated with indigenous plants; and 3. Buildings and structures shall be designed and sited so that a minimum 30-foot-wide open public view corridor is created to the hillside from adjacent public streets and freeways.

The Worldmark Timeshare Hotel complex to the south is located between the project site and the existing hillside, and the project site does not contain any existing natural hillside vegetation or topography. Therefore, the first and second development standards are not applicable to the proposed site.

The third development standard requires the building to be designed and sited so that a minimum 30-foot wide open public view corridor is created to the hillside from adjacent public streets and freeways. Although the proposed project provides a view corridor along Camino Del Rio South of 21-feet (measuring from property line to the building edge along the west side) the current public view toward the hillside is already blocked by the adjacent Worldmark Timeshare Hotel complex to the south. Therefore, the view corridor requirement is not applicable at this location and the request to exceed the 40-foot height limit may be granted up to 65-feet in height.

The MVCP contains goals and policies for design and development, including criteria for the hillside and density. These design criteria have been incorporated in the MVPD Ordinance regulations that govern the site. The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site. Therefore, proposed development meets the purpose, intent and criteria of the MVPD Ordinance including the applicable "Guidelines for Discretionary Review" adopted as a part of this planned district.

4. **The proposed development will comply with all other relevant regulations in the San Diego Municipal Code.**

The project site is located at 445 Camino Del Rio South, east of State Route 163, in the MV-CO-CV Zone of the MVPD within the MVPD area. The MV-CO-CV zoning designation allows for establishments catering to the lodging, dining, and shopping needs of visitors. The community plan designates the proposed project site for Office (office, professional-medical, and financial institutions) or Commercial-Recreation (lodging, recreational, and entertainment facilities) uses. The project proposes the demolition of an
existing restaurant and construction of a 118-guestroom, 5-story hotel with underground parking on a 1.41-acre site.

The MVCP contains goals and policies for design and development, including criteria for the hillside and density. These design criteria have been incorporated in the MVPD Ordinance regulations that govern the site. The project proposes no deviations or variances from the applicable regulations and policy documents, and is consistent with the recommended land use designation, design guidelines, and development standards in effect for this site pursuant to the applicable regulations of the San Diego Municipal Code (SDMC). The proposed development will comply with all other relevant regulations in the SDMC.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Development Services Department, Site Development Permit No.1126097 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1126097 a copy of which is attached hereto and made a part hereof.

Jeffrey A. Peterson  
Development Project Manager 
Development Services Department 

Adopted on: March 19, 2014 

Internal Order No. 24003752
recommended approval with following conditions:

- Applicant fulfill all outstanding City cycle comments
- Project is determined to be exempt from environmental review
- Applicant include rendering and materials proposed for project in the recorded discretionary documents

The motion was approved 13 – 0 – 1.

Regards,

Dottie Surdi | Advisor
Sperry Van Ness Finest City Commercial
Sales | Leasing | Management
4849 Ronson Ct., Suite #216 | San Diego, CA 92111

BRE 01771294 | Cell 858 349-2007 Fax 619 342-3189
Serving All Your Commercial Real Estate Needs
All Sperry Van Ness® Offices Independently Owned and Operated

No representation or recommendation is made by Sperry Van Ness Finest City Commercial as to the legal sufficiency or tax consequences of this document or the transaction to which it relates. These are questions for your attorney and/or other advisors. In any real estate transaction, it is recommended that you consult with a professional such as an attorney, accountant, civil engineer, property inspector or other person, with experience in evaluating the transaction, and the legal documents prepared in connection therewith.
NOTICE OF EXEMPTION

(Check one or both)

TO:  ____X__ Recorder/County Clerk
     P.O. Box 1750, MS A-33
     1600 Pacific Hwy, Room 260
     San Diego, CA  92101-2422

     _____Office of Planning and Research
     1400 Tenth Street, Room 121
     Sacramento, CA  95814

FROM: City of San Diego
      Development Services Department
      1222 First Avenue, MS 501
      San Diego, CA  92101

Project Title/No.: RESIDENCE INN SDP / 322365

Project Location-Specific: 445 Camino Del Rio South, San Diego, CA

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: A SITE DEVELOPMENT PERMIT is being requested for the demolition of an existing two-story restaurant and associated surface parking lot and construction of a 118-room, five-story hotel with a one-level subterranean parking. The project would also construct various associated site improvements (e.g. pool, outdoor amenities, hardscape, retaining walls, and landscaping). The developed 1.41-acres (61,546-square-feet) project site is located at 445 Camino Del Rio South. The land use designation for the project site is Commercial Recreation within the community plan. The project site is located within MV-CO-CV Zone of the Mission Valley Planned District Ordinance (MVPDO), the Southern Hillside Subdistrict of the MVPDO, Development Intensity Overlay Area J, and the Airport Influence Area (Review Area 2 – Montgomery Field) of the Mission Valley Community Plan area. (LEGAL DESCRIPTION: Parcel 1: Lot 2 of Crossroad Mission Valley Map No. 7395; Parcel 2: Non-exclusive easements within the common areas of Lots 1 and 3 of Crossroads Mission Valley, Map No. 7395, as set forth in that certain document entitled Declarations of Restrictions and Grant of Easements, dated March 5, 1975, Document No. 75-077997).

Name of Person or Agency Carrying Out Project: Rashik Patel, SO Circle Hotel LLC, 620 Newport Center Drive, Newport Beach, CA  92660, (949) 610-8036.

Exempt Status: (CHECK ONE)

( ) Ministerial (Sec. 21080(b)(1); 15268)
( ) Declared Emergency (Sec. 21080(b)(3); 15269(a))
( ) Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
( X ) Categorical Exemption: 15332 (Infill Development Projects)
( ) Statutory Exemptions:

Reasons why project is exempt: The project meets the criteria set forth in CEQA Section 15332 which allows for the construction of infill development within an urbanized area that can be adequately served by all required utilities and public services. The development occurs within the City of San Diego jurisdiction and the project site is less than five acres (1.41-acres) and is surrounded by urban uses; the project would not result in any significant impacts to biological resources, historical resources, traffic, noise, air quality, or water quality; and lastly, the project can be adequately be served by all required utilities and public services.
Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

Lead Agency Contact Person: E. Shearer-Nguyen
Telephone: (619) 446-5369

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project?
   ( ) Yes  ( ) No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA.

Signature/Title

Senior Planner

Date

December 19, 2013

Check One:
(X) Signed By Lead Agency
( ) Signed by Applicant

Date Received for Filing with County Clerk or OPR:
NOTICE OF RIGHT TO APPEAL
ENVIROMENTAL DETERMINATION
DEVELOPMENT SERVICES DEPARTMENT
Internal Order No. 2403752

PROJECT NAME/NUMBER: RESIDENCE INN SDP / 322365

COMMUNITY PLAN AREA: Mission Valley

COUNCIL DISTRICT: 7

LOCATION: 445 Camino Del Rio South, San Diego, CA

PROJECT DESCRIPTION: A SITE DEVELOPMENT PERMIT is being requested for the demolition of an existing two-story restaurant and associated surface parking lot and construction of a 118-room, five-story hotel with a one-level subterranean parking. The project would also construct various associated site improvements (e.g. pool, outdoor amenities, hardscape, retaining walls, and landscaping). The developed 1.41-acres (61,546-square-feet) project site is located at 445 Camino Del Rio South. The land use designation for the project site is Commercial Recreation within the community plan. The project site is located within MV-CO-CV Zone of the Mission Valley Planned District Ordinance (MVPDO), the Southern Hillside Subdistrict of the MVPDO, Development Intensity Overlay Area J, and the Airport Influence Area (Review Area 2 – Montgomery Field) of the Mission Valley Community Plan area. (LEGAL DESCRIPTION: Parcel 1: Lot 2 of Crossroad Mission Valley Map No. 7395; Parcel 2: Non-exclusive easements within the common areas of Lots 1 and 3 of Crossroads Mission Valley, Map No. 7395, as set forth in that certain document entitled Declarations of Restrictions and Grant of Easements, dated March 5, 1975, Document No. 75-077997).

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA pursuant to CEQA State Guidelines, Section 15332 (Infill Development Projects).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The project meets the criteria set forth in CEQA Section 15332 which allows for the construction of infill development within an urbanized area that can be adequately served by all required utilities and public services. The development occurs within the City of San Diego jurisdiction and the project site is less than five acres (1.41-acres) and is surrounded by urban uses; the project would not result in any
significant impacts to biological resources, historical resources, traffic, noise, air quality, or water quality; and lastly, the project can be adequately be served by all required utilities and public services.

Furthermore, the exceptions listed in CEQA Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effect on the environmental were identified; the project is not adjacent to a scenic highway; the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

DEVELOPMENT PROJECT MANAGER: Jeffrey A. Peterson
MAILING ADDRESS: 1222 First Avenue, MS-501, San Diego CA 92101
PHONE NUMBER: (619) 446-5237

On December 19, 2013 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business (February 26, 2014) from the date of the posting of this Notice. The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.
**Part II - To be completed when property is held by a corporation or partnership**

**Legal Status (please check):**

- [ ] Corporation
- [x] Limited Liability -or- [ ] General
- [ ] Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached [ ] Yes [x] No

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Below is Ownership Info. for site in question:

M7 Dev, LLC
Mayur Patel Family Trust 99%
Mayur Patel - Trustee 50%
Kalpana Patel - Trustee 50%

MKP One, LLC 1% - Managing Member of LLC
Mayur Patel - Member 50%
Kalpana Patel - Member 50%
## DEVELOPMENT SERVICES DEPARTMENT
### PROJECT CHRONOLOGY
#### RESIDENCE INN - PROJECT NO. 322365

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Description</th>
<th>City Review Time (Working Days)</th>
<th>Applicant Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/20/2013</td>
<td>First Submittal</td>
<td>Project Deemed Complete</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>10/3/2013</td>
<td>First Assessment Letter</td>
<td></td>
<td>9 days</td>
<td></td>
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<tr>
<td>12/6/2013</td>
<td>Second Submittal</td>
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<td>43 days</td>
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<tr>
<td>12/20/2013</td>
<td>Second Assessment Letter</td>
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<td>10 days</td>
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<tr>
<td>1/28/2014</td>
<td>Third Submittal</td>
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<td>34 days</td>
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<td>2/7/2014</td>
<td>Third Review Completed</td>
<td>All issues resolved.</td>
<td>8 days</td>
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<tr>
<td>2/11/2014</td>
<td>NORA Posted</td>
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<td>2 days</td>
<td></td>
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<tr>
<td>2/26/2014</td>
<td>NORA</td>
<td>End of NORA appeal period</td>
<td>10 days</td>
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<tr>
<td>3/19/2014</td>
<td>Public Hearing</td>
<td>First available date.</td>
<td>15 days</td>
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</tbody>
</table>

**TOTAL STAFF TIME**
(Does not include City Holidays or City Furlough)

**TOTAL APPLICANT TIME**
(Does not include City Holidays or City Furlough)

**TOTAL PROJECT RUNNING TIME**
From Deemed Complete to Hearing

44 days

87 days

131 working days
(180 calendar days)