



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: November 28, 2018 REPORT NO. HO-18-117

HEARING DATE: December 5, 2018

SUBJECT: CARMEL VALLEY HOTEL PROJECT, Process Three Decision

PROJECT NUMBER: [454123](#)

OWNER/APPLICANT: 3510 Valley Centre Drive LLC, Owner/W. Scott Ballard, Applicant/Architect

SUMMARY

Issue: Should the Hearing Officer approve the demolition of an existing one-story restaurant and construction of a five-story, 127-guestroom hotel with mechanical lift parking for five tandem parking spaces at 3510 Valley Centre Drive within the Carmel Valley Community?

Staff Recommendation:

1. Adopt Mitigated Negative Declaration No. 454123 and Adopt the Mitigation Monitoring and Reporting Program (MMRP); and
2. Approve Coastal Development Permit No. 1597649, Site Development Permit No. 1597650/Neighborhood Development Permit No. 2221177.

Community Planning Group Recommendation: On September 28, 2017, the Carmel Valley Community Planning Board voted 8-0-0 to recommend approval of the proposed project.

Environmental Review: Mitigated Negative Declaration, Report No. 454123, has been prepared for the project in accordance with state of California Environmental Quality Act (CEQA) guidelines. A mitigation, monitoring and reporting program has been prepared and will be implemented which will reduce, to below a level of significance, any potential impacts identified in the environmental review process.

BACKGROUND

The site is located within the Carmel Valley Community Plan area and designated for visitor commercial (VC) land uses (Attachment 2). Located at 3510 Valley Centre Drive, the site is within an area developed with other visitor commercial uses such as hotels, restaurants and gasoline stations adjacent to Interstate 5 and north of Carmel Valley Road. The property is in the VC Zone of the

Carmel Valley Planned District, which allows for visitor commercial uses. The site is currently developed with a single-story restaurant and an at grade parking lot built in 1983 (Attachment 1). The surrounding properties are developed with a hotel to the north-northeast and east, a gasoline service station to the south and Interstate 5 Freeway to the west (Attachment 3). As the existing structure is less than 45 years old, the proposed demolition was not required to be evaluated for historic significance.

A Coastal Development Permit is required by the San Diego Municipal Code (SDMC) Section 126.0702 for the proposed demolition and construction on the property within the Coastal Overlay Zone. A Site Development Permit is required by the SDMC Section 153.0201 for major development within the Carmel Valley Planned District. A Neighborhood Development Permit is required by SDMC Section 126.0402 (d) for a commercial development proposing tandem parking.

DISCUSSION

The Carmel Valley Hotel project proposes to demolish the single-story restaurant and construct a five-story, 127-guestroom hotel with a pool and spa, outdoor amenity area, fitness room, meeting space, surface parking, and one level of subterranean parking. The total gross building area, including the subterranean parking, would total 106,675 square feet. This includes approximately 1,400 square feet of meeting space, 2,500 square feet of food and beverage services and a 2,500-square foot lobby within the main floor of the building. Floors 2 through 5 would feature suite-style guest rooms. All hotel functions would serve hotel patrons and their guests only; the hotel would not have a restaurant, café, or store that would serve the public.

The flat-roof building would employ a variety of materials and colors. The roof cap would be cement plaster, the walls would be stone-look fiber cement tile panels with wood and wood-look fiber cement panels. The windows would be bronze colored aluminum framed windows.

The VC Zone of the Carmel Valley Planned District allows for a maximum Floor Area Ratio (FAR) of 2.0 and the project proposes an FAR of 1.23. The VC Zone of the Carmel Valley Planned District allows a maximum building height of 60 feet and the project proposes a building height of 60 feet. The proposed project complies with the required front setback of ten (10) feet, the required side setback of ten (10) feet, the rear setback of ten (10) feet.

The project would provide a total of 127 parking spaces for automobiles, five of which would be reserved for disabled drivers, three motorcycle spaces, eight bicycle spaces and two loading/unloading areas. The minimum parking requirement for the proposed 127 guestrooms hotel is 127 parking spaces at the rate of one space per hotel guestroom, pursuant to SDMC Section 142.0530, Table 142-05G. This proposal also includes a mechanical lift for five tandem parking spaces (a total ten parking spaces). The mechanical lift is fully enclosed within the subterranean garage and the spaces will be assigned as employee parking in conformance with the regulations SDMC Sections 142.0555 and 142.0556. The project would share driveway access with two adjacent lots to the east and southeast due to existing lot's flag shape configuration.

The expected trip generation for the proposed 127 guestrooms hotel is 1,143 average weekday trips (Average Daily Trips), based on the rate of nine trips per guest room. However, since the project will

remove the existing 8,669 square-foot restaurant, the expected additional trips did not require a traffic impact analysis.

As the project design proposes to follow the existing level grade of the site, grading outside the building footprint would be minimal. However, due to the subterranean garage, 12,000 cubic yards of excavation is proposed, with 500 cubic yards of fill and 11,500 cubic yards of export. No manufactured slopes would be created or required for the proposed design.

The site does not contain any form of existing or proposed physical accessway used by the public as identified by the Carmel Valley Community Plan or North City Local Coastal Program Land Use Plan. In addition, the project site does not contain, nor is adjacent to, any public views as identified by the Carmel Valley Plan and the North City Local Coastal Program Land Use Plan. The proposed project is contained within the existing lot area, entirely within private property and within the allowed building envelope. There are no proposed variances or deviations to the development regulations of the Land Development Code. The building setbacks, drainage, lot coverage, floor area ratio, building height, off-street parking, public views and public access will comply with all of the required development regulations and applicable policy documents.

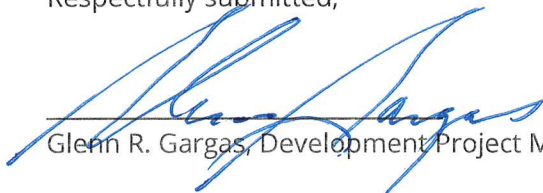
Conclusion

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. The design of the proposed project complies with all development regulations of the VC Zone of the Carmel Valley Planned District and no deviations are required to approve the project. Staff has provided draft findings (Attachment 4) to support the proposed development and draft conditions of approval (Attachment 5). Staff is recommending the Hearing Officer approve the project as presented.

ALTERNATIVES

1. Approve Coastal Development Permit No. 1597649/Site Development Permit No. 1597650/ Neighborhood Development Permit No. 2221177, with modifications.
2. Deny Coastal Development Permit No. 1597649/Site Development Permit No. 1597650/ Neighborhood Development Permit No. 2221177, if the findings required to approve the project cannot be affirmed.

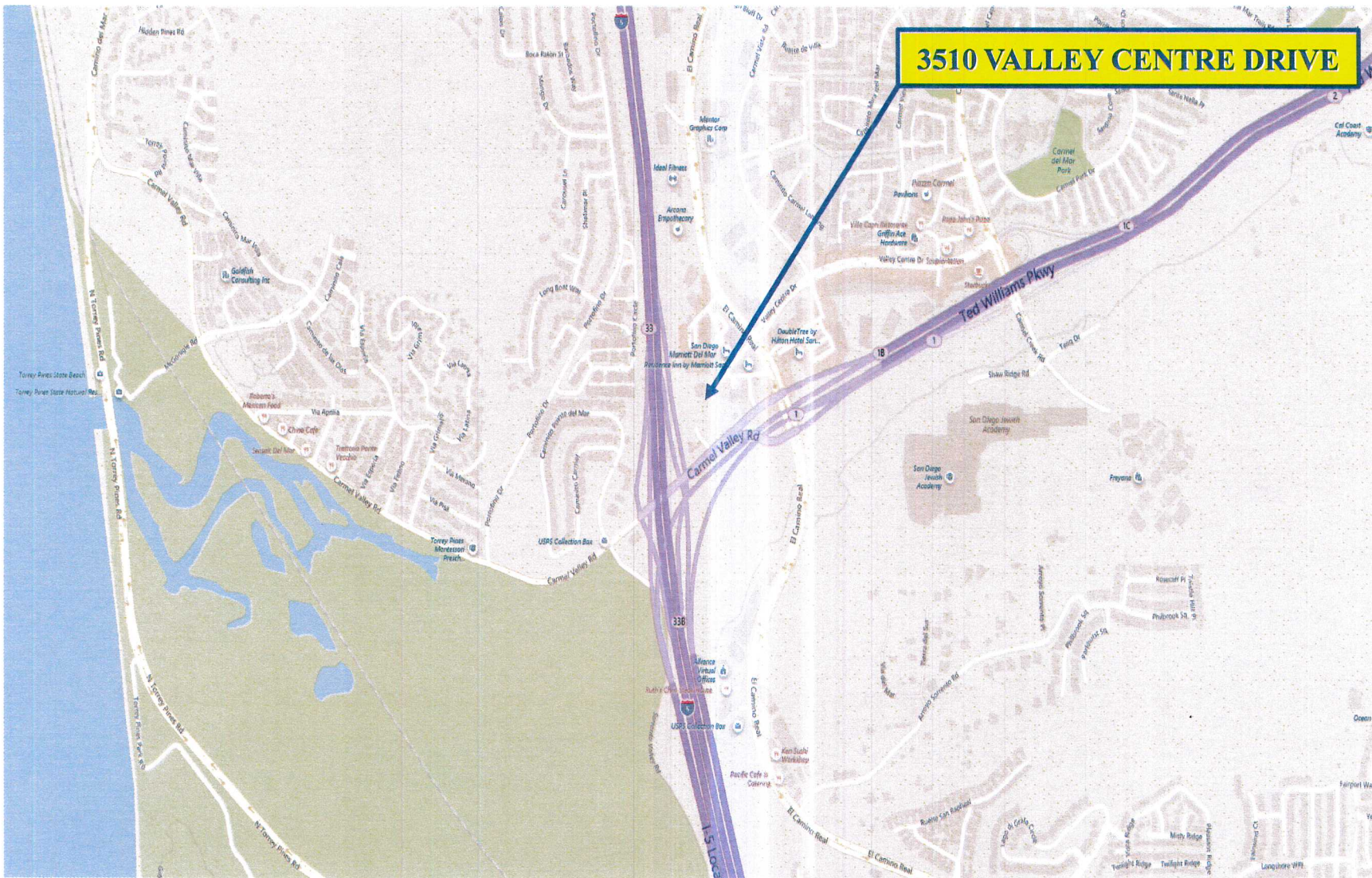
Respectfully submitted,


Glenn R. Gargas, Development Project Manager

Attachments:

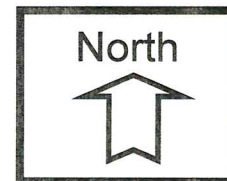
1. Project Location Map
2. Community Plan Land Use Map

3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Draft Environmental Resolution with MMRP
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Plans



Project Location Map

**CARMEL VALLEY HOTEL PROJECT CDP/SDP – 3510 VALLEY CENTRE DRIVE
PROJECT NO. 454123**





Aerial Photo

**CARMEL VALLEY HOTEL PROJECT CDP/SDP - 3510 VALLEY CENTRE DRIVE
PROJECT NO. 454123**



HEARING OFFICER
COASTAL DEVELOPMENT PERMIT NO. 1597649/SITE DEVELOPMENT PERMIT NO.
1597650/NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2221177
CARMEL VALLEY HOTEL CDP/SDP - PROJECT NO. 454123 MMRP

WHEREAS, 3510 Valley Centre Drive LLC, a California Limited Liability Company, Owner/Permittee, filed an application with the City of San Diego for a permit to demolish an existing restaurant and construct a five-story hotel (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 1597649, 1597650 and 2221177), on portions of a 1.46-acre property;

WHEREAS, the project site is located at 3510 Valley Centre Drive, in the Visitor Commercial (VC) Zone of the Carmel Valley Planned District, Coastal (Appealable & Non-appealable) and Parking Impact Overlay Zone (Coastal Impact Area) Overlay Zones within the Carmel Valley Community Planning area;

WHEREAS, the project site is legally described as, Lot 2 of Pardee Visitor Center, in the City of San Diego, County of San Diego, State of California, according to Map Thereof No. 11479, filed in the Office of the County Recorder of San Diego County, April 2, 1986;

WHEREAS, on December 5, 2018, the Hearing Officer of the City of San Diego considered Coastal Development Permit No. 1597649/Site Development Permit No. 1597650/Neighborhood Development Permit No. 2221177, pursuant to the Land Development Code of the City of San Diego;
NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Coastal Development Permit No. 1597649/Site Development Permit No. 1597650/Neighborhood Development Permit No. 2221177:

Coastal Development Permit - Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.

The project site is developed with a single-story restaurant, located east of Interstate 5 and north of Carmel Valley Road, approximately one mile from the Pacific Ocean coastline. This project proposes demolition of a single-story restaurant and construction of a, five-story, 127-guestroom hotel. The project site is not located within the First Public Roadway (south of Carmel Valley Road and west of Sorrento Valley Road) and the Pacific Ocean.

The site does not contain any form of existing physical accessway legally used by the public as identified by the Carmel Valley Community Plan and North City Local Coastal Program Land Use Plan and none is anticipated. In addition, the project site does not contain, nor is adjacent to any public views as identified by the Carmel Valley Plan and the North City Local Coastal Program Land Use Plan. The proposed project is contained within the existing project site lot area, entirely within private property and within the allowed building construction envelope. The proposed project meets all of the development standards, such as building setbacks, off-street parking, building height and floor area ratio required by the underlying zone. There are no variances or deviations proposed as part of this project. Thus, the proposed hotel development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in the Carmel Valley Community Plan and the North City Local Coastal Program Land Use Plan; and the proposed development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Carmel Valley Community Plan and North City Local Coastal Program Land Use Plan.

2. The proposed coastal development will not adversely affect Environmentally Sensitive Lands.

The project site is developed with a single-story restaurant, located on a previously graded flat pad, within an urbanized area of Carmel Valley adjacent to the Interstate 5 Freeway. A biological survey was prepared for the project to assess any potential impacts from the project to biological resources. The biological survey concluded that construction of the hotel will not have an adverse impact to biological resources since the impacts will not exceed 0.1-acre of sensitive Environmentally Sensitive Lands (ESL) vegetation. Therefore, no mitigation measures are required. The site does not contain or support ESL as defined by the Biology Guidelines of the City's Land Development Manual. The site does not contain native or sensitive plant species, wildlife species, or vegetation communities; wetlands that would be expected to support special status wildlife species; or lands classified as Tier I, Tier II, Tier IIIA, or Tier IIIB Habitats. West of the project site there is a man-made storm water retention facility that contains vegetation dominated by cattail, which is commonly found in

storm water facilities throughout the City of San Diego. The project would not directly impact this storm water retention facility, which is maintained by the City and does not support sensitive species. Surface drainage run-off from the developed portions of the site will be conveyed through a new drain and biofiltration system. Long-term operational storm water discharge would be reduced compared to existing conditions, and directed through on-site landscaping and storm drains prior to discharging into existing off-site detention basin. An environmental review determined that this project may have a significant environmental effect on Cultural Resources (Paleontology) and the City prepared a Mitigated Negative Declaration (MND), in accordance with the California Environmental Quality Act (CEQA). The MND's Mitigation Monitoring and Reporting Program (MMRP) incorporates mitigation measures into the project for potential impacts to Cultural Resources (Paleontology), to reduce the potential impacts to a level below significance. The development of this site proposes 12,000 cubic yards of cut, and 500 cubic yards of fill, for a total export of 11,500 cubic yards. Based on the above, this proposed demolition of the restaurant and construction of the five-story hotel will not adversely affect Environmentally Sensitive Lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The project proposes to demolish a single-story restaurant and construct a five-story, 127-guestroom hotel. The project site is designated Visitor Commercial (VC) land use by the Carmel Valley Community Plan. The Visitor Commercial designation is intended to provide motel, restaurant, and related services for the adjacent industrial/office park in the Carmel Valley Employment Center as well as for nearby industrial uses in Sorrento Valley. The proposed hotel use is consistent with community plan land use. The proposed five-story hotel is designed to comply with the VC Zone of the Carmel Valley Planned District by utilizing the existing topography and minimizing the amount of grading outside of the building foot print. The project is designed to conform to all of the applicable development regulations of the VC Zone and the Coastal Overlay Zone. The proposed five-story hotel will be 60 feet in height, and therefore in compliance with the maximum 60-foot height limit of the VC Zone. The proposed project complies with the required front setback of 10 feet, the required side setbacks of 10 feet, the rear setback of 10 feet and the maximum floor area ratio of 2.00.

The site does not contain any form of physical accessway legally used by the public as identified by the Carmel Valley Community Plan and North City Local Coastal Program Land Use Plan and none are anticipated. In addition, the project site does not contain nor is adjacent to any public views as identified by the Carmel Valley Plan and the North City Local Coastal Program Land Use Plan. The proposed project is sited within the private property, only within the allowed building envelope and will not negatively affect any designated public view, as identified by the Carmel Valley Community Plan and the North City Local Coastal Program Land Use Plan. Project development will be fully contained within the existing legal lot area. Therefore, the proposed project has been determined to be in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

The project site is located at 3510 Valley Centre Drive and is not located within the first public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. The proposed redevelopment of the property will maintain the existing public right-of-way. Therefore, the project is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

Site Development Permit - Municipal Code Section 126.0504

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

The project proposes to demolish a single-story restaurant and construction of a five-story, 127-guestroom hotel. The project site is designated Visitor Commercial by the Carmel Valley Community Plan. The Visitor Commercial designation is intended to provide motel, restaurant, and related services for the adjacent industrial/office park in the Carmel Valley Employment Center as well as for nearby industrial uses in Sorrento Valley. The proposed hotel use is consistent with community plan land use. The proposed project is staying within the allowed building construction envelope and will not negatively affect any identified public view. The proposed development has been found consistent with the identified public access and identified public views of the Carmel Valley Community Plan and the North City Local Coastal Program Land Use Plan, the development regulations, and design recommendations of the VC Zone of the Carmel Valley Planned District. Thus, the proposed hotel development will not adversely affect the Carmel Valley Community Plan and North City Local Coastal Land Use Plan.

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

The proposed demolition of a single-story restaurant and construction of a five-story, 127-guestroom hotel has been designed to comply with all of the applicable development regulations, including those of the VC Zone of the Carmel Valley Planned District, the Coastal Overlay Zone and Parking Impact (Coastal) Overlay Zone. An environmental review determined that this project may have a significant environmental effect on Cultural Resources (Paleontology) requiring the preparation of a Mitigated Negative Declaration (MND) in accordance with the California Environmental Quality Act (CEQA). MND's Mitigation Monitoring and Reporting Program (MMRP) incorporate mitigation measures into the project for potential impacts to Cultural Resources (Paleontology), to reduce the potential impacts to a level below significance. The environmental analysis did not find any significant impacts to public health and safety. The project will not have any impact on the provision of essential

public services. The project will make public health and safety improvements such as closure of an existing driveway on Carmel Centre Drive, restoration of curb, gutter and sidewalks along the Valley Centre Drive street frontage, construction of a new 25-foot wide driveway, and dedication of an additional three feet to the public right-of-way on Valley Centre Drive. The permit controlling the development for this site contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require the review and approval of all construction plans by staff prior to construction to determine the construction of the project will comply with all regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations. Therefore, the proposed development will not be detrimental to the public health, safety, and welfare.

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

The project proposes to demolish a single-story restaurant and construct a five-story, 127-guestroom hotel. The project as proposed will comply with the development regulations of the VC Zone of the Carmel Planned District, Coastal Overlay Zone, and Local Coastal Program for the Carmel Valley Community Plan area. The proposed hotel will be 60 feet in height, in compliance with the maximum 60-foot height limit of the VC Zone. The proposed project complies with the required front setback of 10 feet, the required side setback of 10 feet, the rear setback of 10 feet and the proposed floor area ratio (FAR) of 1.23 is less than the maximum allowed FAR of 2.00. The project proposes no variances or deviations to the development regulations of the Land Development Code. The building setbacks, drainage, lot coverage, floor area ratio, building height, off-street parking, public views and public access will comply with all of the required development regulations and applicable policy documents. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code.

Neighborhood Development Permit - Section 126.0404

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

The project proposes to demolish a single-story restaurant and construct a five-story, 127-guestroom hotel. This proposal also includes a mechanical lift for 10 tandem parking spaces, requiring a Neighborhood Development Permit. The mechanical lift is fully enclosed within the subterranean garage and the spaces will be assigned as employee parking in conformance with the regulations. The project site is designated Visitor Commercial by the Carmel Valley Community Plan. The Visitor Commercial designation is intended to provide motel, restaurant, and related services for the adjacent industrial/office park in the Carmel Valley Employment Center as well as for nearby industrial uses in Sorrento Valley. The proposed hotel use is consistent with community plan land use. The proposed project is staying within the allowed building envelope and will not negatively affect any identified public view. The proposed development has been found consistent with the identified public

access and identified public views of the Carmel Valley Community Plan and the North City Local Coastal Program Land Use Plan, the development regulations, requirements for mechanical lift parking, and design recommendations of the VC Zone of the Carmel Valley Planned District. Thus, the proposed hotel development, with the mechanical lift for off-street parking will not adversely affect the Carmel Valley Community Plan and North City Local Coastal Land Use Plan.

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

The proposed demolition of a single-story restaurant and construction of five-story, 127-guestroom hotel has been designed to comply with all of the applicable development regulations, including those of the VC Zone of the Carmel Valley Planned District, the Coastal Overlay Zone and Parking Impact (Coastal) Overlay Zone. This proposal also includes a mechanical lift for 10 tandem parking spaces, requiring a Neighborhood Development Permit. An environmental review determined that this project may have a significant environmental effect on Cultural Resources (Paleontology) requiring the preparation of a Mitigated Negative Declaration (MND) in accordance with the California Environmental Quality Act (CEQA). MND's Mitigation Monitoring and Reporting Program (MMRP) incorporate mitigation measures into the project for potential impacts to Cultural Resources (Paleontology), to reduce the potential impacts to a level below significance. The environmental analysis did not find any significant impacts to public health and safety. The project will not have any impact on the provision of essential public services. The project will make public health and safety improvements such as closure of an existing driveway on Carmel Centre Drive, restoration of curb, gutter and sidewalks along the Valley Centre Drive street frontage, construction of a new 25-foot wide driveway, and dedication of an additional three feet to the public right-of-way on Valley Centre Drive. The permit controlling the development for this site contains specific conditions addressing compliance with the City's codes, policies, regulations and other regional, state, and federal regulations to prevent detrimental impacts to the health, safety and general welfare of persons residing and/or working in the area. Conditions of approval require the review and approval of all construction plans by staff prior to construction to determine the construction of the project will comply with all regulations. The construction will be inspected by certified building and engineering inspectors to assure construction is in accordance with the approved plans and with all regulations. 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 proposes demolition of a single-story restaurant and construction of a five-story, 127-guestroom hotel. This proposal also includes a mechanical lift for 10 tandem parking spaces, requiring a Neighborhood Development Permit. The mechanical lift is fully enclosed within the subterranean garage and the spaces will be assigned as employee parking in conformance with the regulations, pursuant to SDMC Sections 142.0555 and 142.0556. The project as proposed will comply with the development regulations of the VC Zone of the

Carmel Planned District, Coastal Overlay Zone, and Local Coastal Program for the Carmel Valley Community Plan area. The proposed hotel will be 60 feet in height, in compliance with the maximum 60-foot height limit of the VC Zone. The proposed project complies with the required front setback of 10 feet, the required side setback of 10 feet, the rear setback of 10 feet and the proposed floor area ratio (FAR) of 1.23 is less than the maximum allowed FAR of 2.00. The project proposes no variances or deviations to the development regulations of the Land Development Code. The building setbacks, drainage, lot coverage, floor area ratio, building height, off-street parking, public views and public access will comply with all of the required development regulations and applicable policy documents. Therefore, the proposed development will comply with the applicable regulations of the Land Development Code.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Coastal Development Permit No. 1597649/Site Development Permit No. 1597650/Neighborhood Development Permit No. 2221177, is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 1597649, 1597650 and 2221177, a copy of which is attached hereto and made a part hereof.

Glenn R. Gargas
Development Project Manager
Development Services

Adopted on: December 5, 2018

IO#: 24006303

fm 7-17-17

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24006303

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 1597649/SITE DEVELOPMENT PERMIT NO. 1597650/
NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2221177
CARMEL VALLEY HOTEL - PROJECT NO. 454123 MMRP
HEARING OFFICER

This Coastal Development Permit No. 1597649/Site Development Permit No. 1597650/
Neighborhood Development Permit No. 2221177 ("Permit") is granted by the Hearing Officer of the
City of San Diego to 3510 Valley Centre Drive LLC, a California Limited Liability Company,
Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] sections 126.0702, 153.0201 and
126.0402. The 1.46-acre site is located at 3510 Valley Centre Drive in the Visitor Commercial (VC)
zone of the Carmel Valley Planned District, Coastal (Appealable & Non-appealable) and Parking
Impact Overlay Zone (Coastal Impact Area) Overlay Zones within the Carmel Valley Community
Planning area. The project site is legally described as: Lot 2 of Pardee Visitor Center, in the City of
San Diego, County of San Diego, State of California, according to Map thereof No. 11479, filed in the
Office of the County Recorder of San Diego County, April 2, 1986.

Subject to the terms and conditions set forth in this Permit, permission is granted to
Owner/Permittee to demolish an existing restaurant and construct a five-story hotel described and
identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"]
dated December 5, 2018, on file in the Development Services Department.
The project shall include:

- a. Demolition of an existing one-story restaurant and construction of a 106,675-square-foot,
five-story, 127-guestroom hotel with pool and spa, meeting space, outdoor amenity area,
surface parking and one level of subterranean parking, including 10 mechanical lift parking
spaces on a 1.46-acre property;
- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Walls, fencing, outdoor pool, spa, patio and exterior lighting; and

- e. 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 December __, 2021(pending California Coastal Commission Appeal Period).
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. 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.
4. Prior to issuance of any construction permit authorizing grading or construction of impervious surfaces, a fee of \$1,603.15 shall be deposited with the Development Services Department for the Los Peñasquitos Watershed Restoration and Enhancement Program. The enhancement fee shall be computed on the basis of site grading at a rate of \$0.005 per square foot for all areas graded, with an additional rate of \$0.03 per square foot for all impervious surfaces created by the development. The enhancement fee shall be computed by the Owner/Permittee and verified by the Development Services Department.
5. 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.
6. 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.
7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

8. 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.).

9. 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.

10. 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.

11. 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" condition(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.

12. 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.

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

13. Mitigation requirements in the Mitigation, Monitoring, and Reporting Program [MMRP] shall apply to this Permit. These MMRP conditions are hereby incorporated into this Permit by reference.
14. The mitigation measures specified in the MMRP and outlined in Mitigated Negative Declaration No. 454123, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL MITIGATION REQUIREMENTS.
15. The Owner/Permittee shall comply with the MMRP as specified in Mitigated Negative Declaration No. 454123, to the satisfaction of the Development Services Department and the City Engineer. Prior to issuance of any construction permit, all conditions of the MMRP shall be adhered to, to the satisfaction of the City Engineer. All mitigation measures described in the MMRP shall be implemented for the following issue areas:

Cultural Resources (Paleontology)

CLIMATE ACTION PLAN REQUIREMENTS:

16. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

17. The project proposes to export 11,500 cubic yards of material from the project site. All excavated material listed to be exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
18. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to the requirements of the City of San Diego Municipal Code in a manner satisfactory to the City Engineer.
19. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for private improvements including pool enclosure, concrete curb and enhanced paving within 15-foot Storm Drain Easement.
20. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for private storm drain pipes within 25-foot public utility easement.

21. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond closure of existing driveway and restore curb/gutter and sidewalk per current City standard.
22. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond construction of a new 25-foot driveway per current City standard to access the site.
23. Prior to the issuance of any building permits, the Owner/Permittee shall dedicate an additional 3 feet on Valley Center Drive to provide a 10-foot curb-to-property-line distance, satisfactory to the City Engineer.
24. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.
25. Prior to the issuance of any construction permit, the applicant shall submit a Technical Report that will be subject to final review and approval by the City Engineer, based on the Storm Water Standards in effect at the time of the construction permit issuance.
26. Development of this project shall comply with all storm water construction requirements of the State Construction General Permit, Order No. 2009-0009DWQ, or subsequent order, and the Municipal Storm Water Permit, Order No. R9-2013-0001, or subsequent order. In accordance with Order No. 2009-0009DWQ, or subsequent order, a Risk Level Determination shall be calculated for the site and a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented concurrently with the commencement of grading activities.
27. Prior to issuance of a grading or a construction permit, a copy of the Notice of Intent (NOI) with a valid Waste Discharge ID number (WDID#) shall be submitted to the City of San Diego as a proof of enrollment under the Construction General Permit. When ownership of the entire site or portions of the site changes prior to filing of the Notice of Termination (NOT), a revised NOI shall be submitted electronically to the State Water Resources Board in accordance with the provisions as set forth in Section II.C of Order No. 2009-0009-DWQ and a copy shall be submitted to the City.

LANDSCAPE REQUIREMENTS:

28. 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 City of San Diego Landscape Standards, Stormwater Design Manual, 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 Development Services Department.
29. 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 show, label, and dimension 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.

30. Prior to issuance of any construction permits for structures (including shell), the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are 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 Development Services Department. Construction plans shall provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per §142.0403(b)(5).

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

32. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.

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

PLANNING/DESIGN REQUIREMENTS:

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. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. 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 appropriate City decision maker in accordance with the SDMC.

38. Prior to issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the construction of one 25-foot-wide driveway on Valley Centre Drive per current City Standards, satisfactory to the City Engineer. All improvements shall be completed and accepted by the City Engineer prior to first occupancy.

39. Prior to issuance of the first building permit, the Owner/Permittee shall assure by permit and bond the closure of all non-utilized driveways along Valley Centre Drive with current City Standard curb and gutter, satisfactory to the City Engineer. All improvements shall be completed and accepted by the City Engineer prior to first occupancy.

GEOLOGY REQUIREMENT:

40. Prior to the issuance of any construction permits (either grading or building), the Owner/Permittee shall submit a geotechnical investigation report or update letter prepared in accordance with the City's "Guidelines for Geotechnical Reports" 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.

PUBLIC UTILITIES DEPARTMENT REQUIREMENTS:

41. Prior to any construction permit issuance, the existing sewer lateral scheduled for reuse must be inspected by a California licensed plumbing contractor using closed-circuit television to verify (to the satisfaction of the City Engineer) that the lateral is in good condition, free of all debris, properly connected to a public sewer main, and in all other ways suitable for reuse. If it is not, the Owner/Permittee is required to repair, remove and replace, or abandon and cap the lateral at the property line in a manner satisfactory to the City Engineer.

42. Prior to any Certificate of Occupancy being issued, all public water and/or sewer facilities necessary to serve the development (including services and laterals) shall be complete and operational in a manner satisfactory to the Public Utilities Director and the City Engineer.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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

ATTACHMENT 5

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 December 5, 2018, by Resolution No.

_____.

ATTACHMENT 5

Permit Type/PTS Approval No.: CDP No. 1597649/SDP No. 1597650/NDP No. 2221177
Date of Approval: Dec. 5, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Glenn R. Gargas
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.

3510 Valley Centre Drive LLC
Owner/Permittee

By _____
Neil Patel
President

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

RESOLUTION NUMBER R _____

ADOPTED ON DECEMBER 5, 2018

WHEREAS, on December 2, 2015, W. Scott Ballard of Jones/Ballard Architects submitted an application to the Development Services Department for a Site Development Permit (SDP), Coastal Development Permit (CDP) and Neighborhood Development Permit (NDP) for the Carmel Valley Hotel (Project); and

WHEREAS, the matter was set for a public hearing to be conducted by the Hearing Officer of the City of San Diego; and

WHEREAS, the issue was heard by the Hearing Officer on December 5, 2018, and

WHEREAS, the Hearing Officer considered the issues discussed in Mitigated Negative Declaration No. 454123(Declaration) prepared for this Project; NOW THEREFORE,

BE IT RESOLVED, by the Hearing Officer that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Hearing Officer in connection with the approval of the Project.

BE IT FURTHER RESOLVED, that the Hearing Officer finds on the basis of the entire record that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.

ATTACHMENT 6

BE IT FURTHER RESOLVED, that pursuant to CEQA Section 21081.6, the Hearing Officer hereby adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this Hearing Officer in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

BE IT FURTHER RESOLVED, that Development Services Staff is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.

By: _____
Glenn Gargas, Development Project Manager

ATTACHMENT(S): Exhibit A, Mitigation Monitoring and Reporting Program

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

Site Development Permit (SDP), Coastal Development Permit (CDP) and Neighborhood Development Permit (NDP)

PROJECT NO. 454123

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Entitlements Division, 1222 First Avenue, Fifth Floor, San Diego, CA, 92101. All mitigation measures contained in the Mitigated Negative Declaration No.454123 shall be made conditions of SDP, CDP, and NDP as may be further described below.

A. GENERAL REQUIREMENTS – PART I
Plan Check Phase (prior to permit issuance)

1. Prior to the issuance of a Notice To Proceed (NTP) for a subdivision, or any construction permits, such as Demolition, Grading or Building, or beginning any construction related activity on-site, the Development Services Department (DSD) Director's Environmental Designee (ED) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the MMRP requirements are incorporated into the design.

2. In addition, the ED shall verify that the MMRP Conditions/Notes that apply ONLY to the construction phases of this project are included VERBATIM, under the heading, "ENVIRONMENTAL/MITIGATION REQUIREMENTS."

3. These notes must be shown within the first three (3) sheets of the construction documents in the format specified for engineering construction document templates as shown on the City website:

<https://www.sandiego.gov/development-services/industry/information/standtemp>

4. The TITLE INDEX SHEET must also show on which pages the "Environmental/Mitigation Requirements" notes are provided.

5. SURETY AND COST RECOVERY – The Development Services Director or City Manager may require appropriate surety instruments or bonds from private Permit Holders to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

B. GENERAL REQUIREMENTS – PART II
Post Plan Check (After permit issuance/Prior to start of construction)

1. PRE CONSTRUCTION MEETING IS REQUIRED TEN (10) WORKING DAYS PRIOR TO BEGINNING ANY WORK ON THIS PROJECT. The PERMIT HOLDER/OWNER is responsible to arrange and perform this meeting by contacting the CITY RESIDENT ENGINEER (RE) of the Field Engineering Division and City staff from MITIGATION MONITORING COORDINATION (MMC). Attendees must also include the Permit holder's Representative(s), Job Site Superintendent and the following consultants:

Qualified Paleontological Monitor

Note:

Failure of all responsible Permit Holder’s representatives and consultants to attend shall require an additional meeting with all parties present.

CONTACT INFORMATION:

- a) The PRIMARY POINT OF CONTACT is the RE at the Field Engineering Division – 858-627-3200
- b) For Clarification of ENVIRONMENTAL REQUIREMENTS, it is also required to call RE and MMC at 858-627-3360

2. MMRP COMPLIANCE: This Project, Project Tracking System (PTS) #454123 and /or Environmental Document # 454123, shall conform to the mitigation requirements contained in the associated Environmental Document and implemented to the satisfaction of the DSD’s Environmental Designee (MMC) and the City Engineer (RE). The requirements may not be reduced or changed but may be annotated (i.e. to explain when and how compliance is being met and location of verifying proof, etc.). Additional clarifying information may also be added to other relevant plan sheets and/or specifications as appropriate (i.e., specific locations, times of monitoring, methodology, etc.

Note:

Permit Holder’s Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

3. OTHER AGENCY REQUIREMENTS: Evidence of compliance with all other agency requirements or permits shall be submitted to the RE and MMC for review and acceptance prior to the beginning of work or within one week of the Permit Holder obtaining documentation of those permits or requirements. Evidence shall include copies of permits, letters of resolution or other documentation issued by the responsible agency. Not Applicable

4. MONITORING EXHIBITS

All consultants are required to submit , to RE and MMC, a monitoring exhibit on a 11x17 reduction of the appropriate construction plan, such as site plan, grading, landscape, etc., marked to clearly show the specific areas including the LIMIT OF WORK, scope of that discipline’s work, and notes indicating when in the construction schedule that work will be performed. When necessary for clarification, a detailed methodology of how the work will be performed shall be included.

NOTE:

Surety and Cost Recovery – When deemed necessary by the Development Services Director or City Manager, additional surety instruments or bonds from the private Permit Holder may be required to ensure the long term performance or implementation of required mitigation measures or programs. The City is authorized to recover its cost to offset the salary, overhead, and expenses for City personnel and programs to monitor qualifying projects.

5. OTHER SUBMITTALS AND INSPECTIONS:

The Permit Holder/Owner’s representative shall submit all required documentation, verification letters, and requests for all associated inspections to the RE and MMC for approval per the following schedule:

DOCUMENT SUBMITTAL/INSPECTION CHECKLIST		
Issue Area	Document Submittal	Associated Inspection/Approvals/Notes
General	Consultant Qualification Letters	Prior to Preconstruction Meeting

General	Consultant Construction Monitoring Exhibits	Prior to Preconstruction Meeting
Paleontological Resources	Monitoring Report(s)	Monitoring Approval
Bond Release	Request for Bond Release Letter	Final MMRP Inspections Prior to Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

PALEONTOLOGICAL MONITORING PROGRAM

I. Prior to Permit Issuance

A. Entitlements Plan Check

1. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits or a Notice to Proceed for Subdivisions, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.

B. Letters of Qualification have been submitted to ADD

1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.
2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to be Monitored

Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).

3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

- III. During Construction
 - A. Monitor Shall be Present During Grading/Excavation/Trenching
 1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the PME.
 2. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.
 3. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
 - B. Discovery Notification Process
 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
 - C. Determination of Significance
 1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

- IV. Night and/or Weekend Work
 - A. If night and/or weekend work is included in the contract
 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.

2. The following procedures shall be followed.
 - a. No Discoveries
In the event that no discoveries were encountered during night and/or weekend work, The PI shall record the information on the CSVR and submit to MMC via fax by 8AM on the next business day.
 - b. Discoveries
All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
 - c. Potentially Significant Discoveries
If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.
- V. Post Construction
 - A. Preparation and Submittal of Draft Monitoring Report
 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which describes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
The PI shall be responsible for recording (on the appropriate forms) any significant or potentially significant fossil resources encountered during the Paleontological Monitoring Program in accordance with the City's Paleontological Guidelines, and submittal of such forms to the San Diego Natural History Museum with the Final Monitoring Report.
 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 4. MMC shall provide written verification to the PI of the approved report.
 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
 - B. Handling of Fossil Remains
 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
 - C. Curation of fossil remains: Deed of Gift and Acceptance Verification
 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
 - D. Final Monitoring Report(s)
 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.

ATTACHMENT 6

2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy and/or final maps to ensure the successful completion of the monitoring program.

CARMEL VALLEY COMMUNITY PLANNING BOARD

Attn: Allen Kashani, CVCPB Secretary
13400 Sabre Springs Pkwy, Ste. 200
San Diego CA 92128
858-794-2571 / Fax: 858-794-2599

October 16, 2017

Glenn Gargas
CITY OF SAN DIEGO
Development Services Department
1222 First Ave., MS 302
San Diego, CA 92101

Re: Carmel Valley Hotel
Project No.: 454123

Dear Glenn:

The Carmel Valley Community Planning Board on September 28, 2017 considered the Carmel Valley Hotel project's request for Site Development, Coastal Development and Neighborhood Development Permits to construct a 5-story, single structure hotel with 127 guest rooms, outdoor pool and spa. One level of underground parking provides for one parking space for each room and all hotel functions, such as food service are only for the hotel patrons and guests. Presently the Tio Leo restaurant occupies the site.

Applicant provided an overview of changes the project has gone through. The hotel's height was lowered from 72 feet to 60 feet. The reduced height will now allow the proposal to go through as a Process 3. Design elements have also changed due to the height reduction. Applicant highlighted limited surface parking, material variety for architectural texture at the pedestrian level, glass elements, and accentuated heights to create a changing view of the building. The board had concerns about the lack of connectivity with the upcoming Costa Azul project. Rather than a campus-like site plan between the two projects, parking has been designed that separates the projects. Applicant interjected that a plaza-like connectivity was a bit difficult due to a 30 feet landscape ban surrounding the property line.

The applicant committed that they will work with the Costa Azul's applicant to better develop and find a solution to resolve our concerns with project connectivity and a sense of one development rather than two individual projects. The board voted unanimously 8-0-0 to approve the Carmel Valley Hotel project with the aforementioned commitment and that they will also update the board in October with their connectivity progress.

This project was nicely designed and will architecturally enhance the area.

Sincerely,
Carmel Valley Community Planning Board



Frisco White, AIA
Chair



City of San Diego
Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other _____

Project Title **Project No. For City Use Only**
 Carmel Valley Hotel

Project Address:
 3510 Valley Centre Drive, San Diego CA 92130

Part I - To be completed when property is held by Individual(s)

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 owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names 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 individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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 No

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature : _____ Date: _____

Project Title:

Project No. (For City Use Only)

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation Limited Liability -or- General) What State? CA Corporate Identification No. 45-5518747
 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 No

Corporate/Partnership Name (type or print):
 3510 Valley Centre Drive, LLC
 Owner Tenant/Lessee
 Street Address:
 3202 Hawk St
 City/State/Zip:
 San Diego, CA 92103
 Phone No: 619-962-2095 Fax No: 858-368-8524
 Name of Corporate Officer/Partner (type or print):
 Annamarie Clark
 Title (type or print):
 Managing Member
 Signature:  Date: 11/19/2015

Corporate/Partnership Name (type or print):

 Owner Tenant/Lessee
 Street Address:

 City/State/Zip:

 Phone No: _____ Fax No: _____
 Name of Corporate Officer/Partner (type or print):

 Title (type or print):

 Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

 Owner Tenant/Lessee
 Street Address:

 City/State/Zip:

 Phone No: _____ Fax No: _____
 Name of Corporate Officer/Partner (type or print):

 Title (type or print):

 Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

 Owner Tenant/Lessee
 Street Address:

 City/State/Zip:

 Phone No: _____ Fax No: _____
 Name of Corporate Officer/Partner (type or print):

 Title (type or print):

 Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

 Owner Tenant/Lessee
 Street Address:

 City/State/Zip:

 Phone No: _____ Fax No: _____
 Name of Corporate Officer/Partner (type or print):

 Title (type or print):

 Signature : _____ Date: _____

Corporate/Partnership Name (type or print):

 Owner Tenant/Lessee
 Street Address:

 City/State/Zip:

 Phone No: _____ Fax No: _____
 Name of Corporate Officer/Partner (type or print):

 Title (type or print):

 Signature : _____ Date: _____