

THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED:	June 20, 2019	REPORT NO. PC-19-066
HEARING DATE:	June 27, 2019	
SUBJECT:	CARMEL VALLEY HOTEL. Process Three Decisi	ion Appeal
PROJECT NUMBER:	<u>454123</u>	
REFERENCE:	Report to the Hearing Officer HO-18-117	
OWNER/APPLICANT:	3510 Valley Centre Drive LLC, Owner/W. Scott	t Ballard, Applicant/Architect

<u>SUMMARY</u>

<u>Issue</u>: Should the Planning Commission approve an appeal of the Hearing Officer's decision to approve a Coastal Development Permit, Site Development Permit and Neighborhood Development Permit for the proposed 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?

<u>Staff Recommendation</u>: DENY the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. 1597649, Site Development Permit No. 1597650 and Neighborhood Development Permit No. 2221177.

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

<u>Environmental Review</u>: The scope of this hearing only includes the project, and not the environmental determination. Mitigated Negative Declaration, <u>Report No. 454123</u>, was prepared for the project in accordance with state of California Environmental Quality Act (CEQA) guidelines. A mitigation, monitoring and reporting program was prepared and will be implemented which will reduce, to below a level of significance, any potential impacts identified in the environmental review process. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on April 16, 2019.

<u>Fiscal Impact Statement</u>: None with this action. All cost associated with the processing of the project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: None.

<u>Housing Impact Statement</u>: There is no housing proposed as part of this project. This is a commercial hotel project.

BACKGROUND

The previously developed 1.46-acre site is located at 3510 Valley Center Drive on the south side of Valley Center Drive, and approximately 0.04 mile from State Route 56 and 0.06 mile from Interstate 5 (Attachment 3).

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In 1983, the site was previously developed with a single-story approximately 8,669-square foot restaurant and an at grade paved parking lot and associated driveways, sidewalks, and landscaping. The project site is currently served by existing public services and utilities. The site located immediately south of an existing Marriott hotel and parking structure, north of Carmel Valley Road, Ted Williams Parkway, and an existing gas station, east of Interstate 5 (I-5), and west of a vacant site proposed for mixed-use development. The surrounding area is developed primarily with a mix of commercial and office uses, hotels, and open space. As the existing structure is less than 45 years old, the proposed demolition was not required to be evaluated for historic significance, under the City's Municipal Code.

The site is located within the VC Zone of the Carmel Valley Planned District, which allows for visitor commercial uses. The Carmel Valley Community Plan Area Precise Plan, Neighborhood 2, designated the site as Planned District – Visitor Commercial (CVPD-VC), which allows for visitor commercial uses (Attachment 2). 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 site is also located in the Coastal Overlay Zone and Parking Impact Overlay Zone.

DISCUSSION

Environmental Appeal

On December 5, 2018, the Hearing Officer approved the project. The Environmental Determination was appealed to the City Council. On April 16, 2019, the City Council heard and denied that appeal by a vote of 7 to 0 with Council Districts 4 and 9 absent.

Project Description:

The Carmel Valley Hotel project (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, which 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. Additionally, floors two through five 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 general 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, and 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, included in the 127-space total). 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 to coastal resources 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 it 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. The Project is consistent with the Community Plan, the City's environmental regulations, landscaping requirements, and fire protection policies. The proposed project does not request any deviations to the Land Development Code. Therefore, the proposed project complies with the regulations of the Land Development Code.

Process Approval

Consistent with SDMC 126.0702, a Coastal Development Permit is required for the proposed demolition and construction on the property within the Coastal Overlay Zone. Additionally, consistent with SDMC 153.0201, a Site Development Permit is required for major development within the Carmel Valley Planned District. Furthermore, consistent with SDMC Section 126.0402(d) a Neighborhood Development Permit is required for a commercial development proposing tandem parking. All permits are consolidated concurrently, pursuant to the Consolidation of Processing regulations contained in Municipal Code Section 112.0103.

Community Plan Analysis:

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 Community Plan also requires preparation of precise plans for individual neighborhoods and defers to these other plans for specific detail. The project site is within the Carmel Valley Employment Center, Neighborhood 2. A precise plan was adopted in 1981. The plan conceives the Employment Center "as a thoroughly planned tightly controlled business park of the highest quality." The lot of the original subdivision that encompasses this site is "designated for Visitor Center use as described in the Community Plan." The project site is zoned Visitor Commercial by the Carmel Valley Planned District Ordinance (CVPD-VC). The CVPD-VC zone defers to the Citywide zone of CV-1-1 for permitted uses and development regulations. The project is located in the Coastal Overlay Zone. Should it be determined that a Coastal Development Permit is required, the project must conform to the North City Local Coastal Program Land Use Plan. Controlling the flow rate and water quality of urban runoff is a coastal resource issue of importance in this area. Employment Center buildings present a strong design presence along the freeway interface typically with tapered building orientation, curved or angled facades, upper story stepbacks and use of high quality materials. Landscape buffers are also a design feature. The Employment Center Precise Plan Design Element guidelines are intended "to create an outstanding development of the highest quality. Interpretation of the guidelines should always be made in favor of high design quality." While all of the design guidelines should be reviewed and addressed with submittal of a future project, staff has identified several that are of particular importance: "Side and Rear Boundaries: A minimum horizontal dimension of 15' should be landscaped along the entire interior property lines or boundaries except when adjacent to open space." Interior lot boundaries are located to the north, east and south. The concept plan has a drive aisle rather than landscaping on the east boundary.

Project Appeal of the Hearing Officer Approval:

On December 5, 2018, the Hearing Officer approved the project after hearing public testimony. An appeal of that decision was filed on December 6, 2018 by Joseph Fred Oliver (Attachment 7). The following discussion includes the appeal issues as stated by the appellant, followed by staff/applicant consultant responses.

Appeal Issue No. 1: "There is no "HOA" recorded nor any association recorded."

<u>Staff Response</u>: At the Hearing Officer hearing, City Staff responded to a question by the Hearing Officer regarding the shared common access driveway to the site, shared with the adjacent properties to the east and south. City Staff incorrectly used the term HOA, when describing the common access easement. The common access easement to this project site is granted in the subdivision's original CC&R's for these properties sharing the common access, not by an HOA.

<u>Appeal Issue No. 2</u>: "The applicant needs to align its proposed new circulation with the circulation designed by Gensler architects for Carmel Valley Centre Drive LLC ("CVCD LLC") (which has the underlying fee ownership for the applicant's ownership off of Carmel Valley Centre Drive) proposed hotel and office."

<u>Staff Response</u>: The City of San Diego's Development Services Department Staff has worked with both this applicant and the adjacent Costa Azul project to make sure the alignment of common driveway and related pedestrian promenade are coordinated. A draft permit condition, (Attachment 5, Condition No. 34), was added to this project's draft permit, as part of the Hearing Officer approval to assure the common driveway and pedestrian promenade are properly aligned.

<u>Appeal Issue No. 3</u>: "Applicant's Architect needs to actively coordinate with Gensler for CVCD LLC on the alignment of the pedestrian/bike path proposed by both projects."

<u>Staff Response</u>: The City of San Diego's Development Services Department Staff has worked with both this applicant and the adjacent Costa Azul project to make sure the alignment of common driveway and related pedestrian promenade are coordinated. A draft permit condition, (Attachment 5, Condition No. 34), was added to this project's draft permit, as part of the Hearing Officer approval to assure the common driveway and pedestrian promenade are properly aligned.

<u>Appeal Issue No. 4</u>: "Applicant project is under parked. It has proposed a full-service restaurant and bar plus 2500 square-feet of meeting and banquet space open to the public. The meeting and banquet space requires a minimum of 25 additional spaces per City of San Diego code. City staff should verify this and other parking needs for a full-service restaurant and bar open to the public. (The public can book a dinner reservation at all Hyatt Place hotels ~customer service number 760 814 8879 opt 2) Restaurant requires 15 spaces per 1000 square feet."

<u>Staff Response</u>: The proposed hotel will not have a restaurant, café or store that will serve the general public. All hotel functions (buffet, gym, etc.) are accessory uses and are intended for paid hotel guest only. The proposed hotel floor plans show two meeting rooms of approximately 700 square feet for each room, are an accessory use intended for hotel patrons only. Therefore, the parking requirements discussed in Appeal Issue 4 do not apply to this project and the project will provide parking (127 parking spaces) as required by the City's Municipal Code.

<u>Appeal Issue No. 5:</u> "Employee parking: given that the hotel will have meeting and banquet space, a full-service restaurant and bar, the employer staffing will certainly require more than 9 employees to operate as suggested in their environmental document (actual needs would be closer to 1 manager/1front desk/2 kitchen/1 bartender/1 waitress/9 housekeeping/1 engineer/2 in the laundry for a total of 18 employees). Employee parking needs to be addressed.

<u>Staff Response:</u> The proposed hotel will not have a restaurant, café or store that will serve the general public. The project's applicant has verified that the employee count is still no more than 10 employees per shift. The total number and employee type will vary based on day of the week and the hotel's needs. Please see the table below:

	January 2019	2018	
1	General Manager	General Manager	
2	FD	FD	
3	FD	FD	
4	НЅК	FD	
5	НЅК	FD	
6	НЅК	НЅК	
7	HSK	НЅК	
8	Food Prep/HSK	HSK	
9	Maint/Houseman	HSK	
10	Houseman/Laundry	Houseman/Laundry	

- FD = Front Desk, HSK = Housekeeping, Maint = Maintenance
- HSK/Food Prep/Laundry/Houseman all positions are cross trained so these employees are scheduled in the department needed

<u>Appeal Issue No. 6:</u> Applicant needs to coordinate the proposed relocation of utilities across CVCD LLC underlying fee title or through their own flag lot.

Staff Response: Development Services Department's Engineering Section has reviewed the proposed site and grading plans for the proposed project and is satisfied that the utilities are adequately located within this applicant's property.

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 recommends that the Planning Commission deny the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. 1597649, Site Development Permit No. 1597650 and Neighborhood Development Permit No. 2221177, as the project meets all applicable development regulations and policies.

ALTERNATIVES

- 1. Deny the appeal and affirm the Hearing Officer's decision to approve Coastal Development Permit No. 1597649/Site Development Permit No. 1597650/ Neighborhood Development Permit No. 2221177, with modifications.
- 2. Approve the appeal and 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,

P.I. FitzGerald

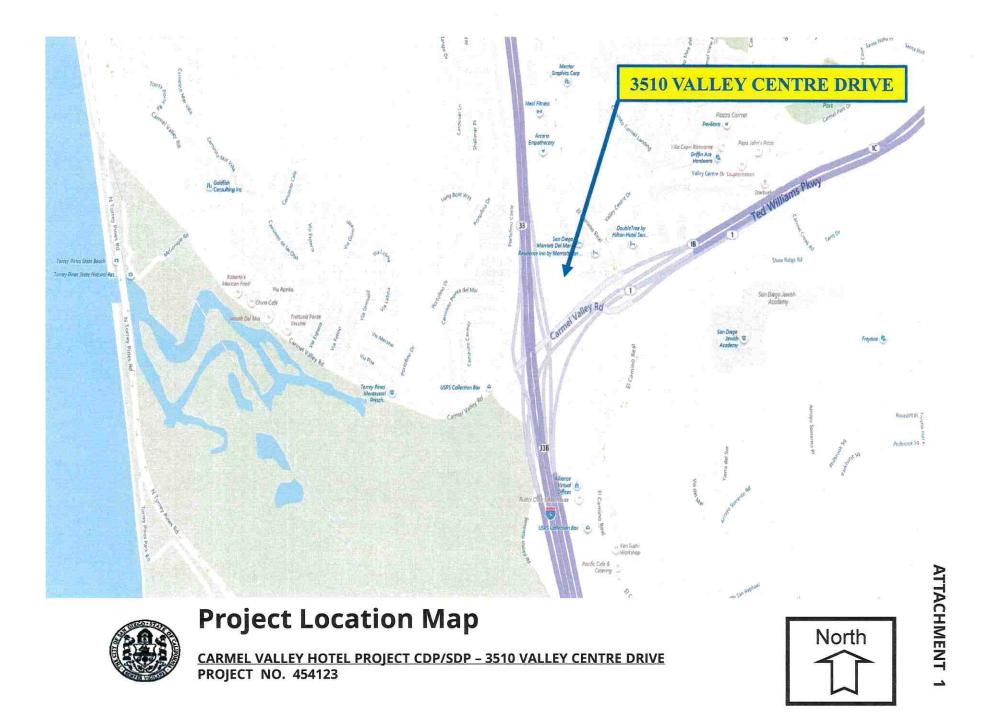
Assistant Deputy Director Development Services Department

Attachments:

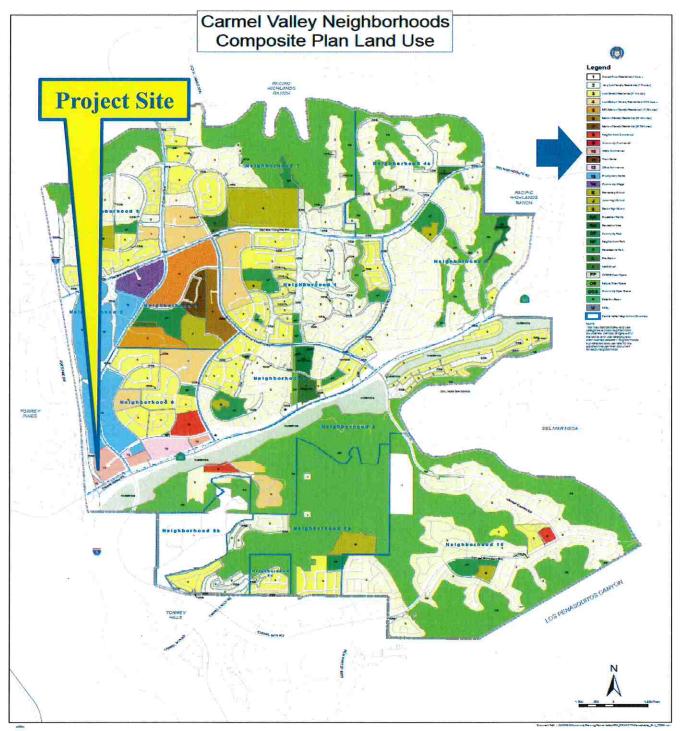
- 1. Aerial Photographs
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Draft Permit Resolution with Findings
- 5. Draft Permit with Conditions
- 6. Environmental Resolution with MMRP
- 7. Copy of Appeal
- 8. Project Rendering
- 9. Project Plans
- 10. Community Planning Group Recommendation
- 11. Ownership Disclosure Statement

Glenn R. Gargas

Development Project Manager Development Services Department



ATTACHMENT 2

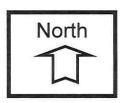








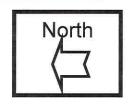
Aerial Photo <u>CARMEL VALLEY HOTEL PROJECT CDP/SDP – 3510 VALLEY CENTRE DRIVE</u> PROJECT NO. 454123







Aerial Photo <u>CARMEL VALLEY HOTEL PROJECT CDP/SDP – 3510 VALLEY CENTRE DRIVE</u> PROJECT NO. 454123



ATTACHMENT 3

ATTACHMENT 4

PLANNING COMMISSION RESOLUTION NO. _____ 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 and approved 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;

WHEREAS, on December 6, 2018, an appeal of the Hearing Officer's decision was filed; WHEREAS, on June 27, 2019, the Planning Commission of the City of San Diego considered an appeal of the Hearing Officer's December 5, 2018 decision to approve Coastal Development Permit No. 1597649, Site Development Permit No. 1597650, and Neighborhood Development Permit No.

2221177, pursuant to the Land Development Code of the City of San Diego;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as

follows;

That the Planning Commission denies the appeal, affirms the Hearing Officer's decision and adopts

the following written Findings, dated June 27, 2019;

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 it 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, the 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, 127guestroom 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 is 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.

ATTACHMENT 4

The proposed demolition of a single-story restaurant and construction of a five-story, 127guestroom 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, 127guestroom 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, 127guestroom 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 offstreet 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, 127guestroom 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 the appeal is denied, the decision of the Hearing Officer is affirmed and, 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 Planning Commission 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: June 27, 2019

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 PLANNING COMMISSION

This Coastal Development Permit No. 1597649/Site Development Permit No. 1597650/ Neighborhood Development Permit No. 2221177 ("Permit") is granted by the Planning Commission 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 June 27, 2019, 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. food buffet area, fitness room, meeting rooms, outdoor amenity area, all as accessory uses intended for hotel guest. The project also includes surface parking and one level of subterranean parking, including 10 mechanical lift parking spaces (5 tandem) 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 July ____, 2022 (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" 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.

The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, 12. 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 the 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 public improvement permit, 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 building permit (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. 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 another entity approved by the Development Services Department. 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.

32. 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."

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. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, which shall include a pedestrian promenade along the eastern property line connecting the development to Old El Camino Real for the mutual benefit of Costa Azul (APN 307-240-0400 & 307-240-0300) and the CV Hotel (APN 307-240-0200).

35. 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.

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

37. 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

38. 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.

39. 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.

40. 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:

41. 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:

42. 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.

43. 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 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 Planning Commission of the City of San Diego on June 27, 2019, by Resolution No.

ATTACHMENT 5

Permit Type/PTS Approval No.: CDP No. 1597649/SDP No. 1597650/NDP No. 2221177 Date of Approval: June 27, 2019

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-_____

DATE OF FINAL PASSAGE

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DENYING THE APPEAL, APPROVING THE ENVIRONMENTAL DETERMINATION OF MITIGATED NEGATIVE DECLARATION NO. 454123, AND ADOPTING THE MITIGATION, MONITORING, AND REPORTING PROGRAM FOR CARMEL VALLEY HOTEL – PROJECT NO. 454123.

WHEREAS, on December 5, 2018, Andrew Hunter Oliver submitted an application for Coastal Development Permit, Neighborhood Development Permit, and Site Development Permit to demolish an existing restaurant and construction of a 106,675 square-foot, five-story hotel building with 127 guest rooms and subterranean parking, located at 3510 Valley Centre Drive (Project) within the Carmel Valley Community Plan area; and

WHEREAS, the Environmental Analysis Section (EAS) of the Development Services

Department (DSD) determined that the project is not subject to CEQA as defined in the

California Environmental Quality Act (CEQA) Section 15378; and

WHEREAS, on December 5, 2018, an environmental determination appeal was filed by Andrew Hunter Oliver; and

WHEREAS, the appeal was heard by the City Council on April 16, 2019; and

WHEREAS, under San Diego Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the City Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Diego, that the appeal of the Environmental Determination of Mitigated Negative Declaration No. 454123 is denied, based upon the substantial evidence provided in the record to support the exemption and the determination that no substantial evidence has been provided to support a fair argument that one of the exceptions to the categorical exemption applies.

BE IT FURTHER RESOLVED, that the environmental determination of the Mitigated Negative Declaration and Mitigation, Monitoring, and Reporting Program was approved.

APPROVED: MARA W. ELLIOTT, City Attorney

By Noah J. Brazier Deputy City Attorney

NJB:als 04/17/2019 Or.Dept:DSD Doc. No.: 1985764

ATTACHMENT 6

RESOLUTION NUMBER R

ADOPTED ON APRIL 16, 2019

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;

WHEREAS, on December 6, 2018, an environmental determination appeal was filed by Andrew Hunter Oliver; and

WHEREAS, the appeal was heard by the City Council on April 16, 2019, and the appeal of the environmental determination was denied; and

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

BE IT RESOLVED, by the City Council 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.

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

ATTACHMENT 6

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 <u>the MMRP Conditions/Notes that apply ONLY to the</u> <u>construction phases of this project are included VERBATIM</u>, 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 SUBMIT	TAL/INSPECTION CHECKLIST	
lssue 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	Final MMRP Inspections Prior to
	Letter	Bond Release Letter

C. SPECIFIC MMRP ISSUE AREA CONDITIONS/REQUIREMENTS

PALEONTOLOGICAL MONITORING PROGRAM

- I. <u>Prior to Permit Issuance</u>
- A. Entitlements Plan Check
 - 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.

- Discoveries
 All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction.
- 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.

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.

	SD	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101	Development Permit/ Environmental Determination Appeal Application	FORM DS-3031		
	In order to as	ssure your appeal application i	s successfully accepted and processed, you must read and u	November 2017 Inderstand		
	1. Type of Appeal:	Mation Bulletin 505, "Developm Ø Appeal of the Project Ø Appeal of the Environmental	nent Permits/Environmental Determination Appeal Procedu	re."		
	2. Appellant: Please ch		cially recognized Planning Committee 🛛 "Interested Person"			
^	(Per M.C. Sec. 113.0103)					
13	Carmel Valley Centr	e Driver LLC_ Joseph	Fred OLIVER Fred@assetpropertygroup.co	m		
	Address: 7969 Engineer Road	#108 San	State: Zip Code: Telephone: Diego CA 92111 858-560-9363	ñ		
	3. Project Name: Carmel Valley Hotel Proje	ect				
	4. Project Information Permit/Environmental De	etermination & Permit/Documen	t No.: Date of Decision/Determination City Project Ma	anager:		
	454123		12/05/2018 GLEN GF	PGAS		
2	Decision(Describe the pe Approved with the condit	rmit/approval decision): ion that applicant participates in	the mutually mandated pedestrian/bike path.			
				3		
	5. Ground for Appeal(Pl	ease check all that apply):				
	 Factual Error Conflict with other Findings Not Support 		 New Information City-wide Significance (Process Four decision) 	sions only)		
	Description of Grounds Chapter 11, Article 2, Divisi	for Appeal (Please relate your de ion 5 of the San Diego Municipal Co	scription to the allowable reasons for appeal as more fully described <u>ode</u> . Attach additional sheets if necessary.}	d in		
	SEE ATTAC	HED SHEET	(\mathbf{i})			
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1	8		DEC 06 2013			
			DEVELOPMENT SERV	ICES		
	6. Appellant's Signature	l certify under penalty of perj	ury that the foregoing, including all names and addresses, is	s true and correct.		
	Signature:	$V \sim$	Date: <u>12/05/2018</u>			
		Note:	Faxed appeals are not accepted.			
L	Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.					

Upon request, this information is available in alternative formats for persons with disabilities. DS-3032 (11-17)

- 1. There is no "HOA" recorded nor any association recorded.
- The applicant needs to align its proposed new circulation with the circulation designed by Gensler architects for Carmel Valley Centre Drive LLC ("CVCD LLC") (which has the underlying fee ownership for the applicants ownership off of Carmel Valley Centre Drive) proposed hotel and office.
- Applicant's Architect needs to <u>actively</u> coordinate with Gensler for CVCD LLC on the alignment of the pedestrian/bike path proposed by both projects.
- 4. Applicant project is under-parked. It has proposed a full service restaurant and bar plus 2500 sq ft of meeting and banquet space open to the public. The meeting and banquet space requires a minimum of 25 additional spaces per City of San Diego code. City staff should verify this and other parking needs for a full service restaurant and bar open to the public. (The public can book a dinner reservation at all Hyatt Place hotels ~customer service number 760 814 8879 opt 2) Restaurant requires 15 spaces per 1000 square feet.
- 5. Employee parking: given that hotel will have meeting and banquet space, a full service restaurant and bar, the employer staffing will certainly require more than 9 employees to operate as suggested in their environmental document (actual needs would be closer to 1 manager/1 front desk/2 kitchen/1 bartender/1 waitress/9 house keeping/1 engineer/2 in the laundry for a total of 18 employees). Employee parking needs to be addressed.
- 6. Applicant needs to coordinate the proposed relocation of utilities across CVCD LLC underlying fee title or through their own flag lot.



View from Northeast Arrival



Project Rendering

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

North

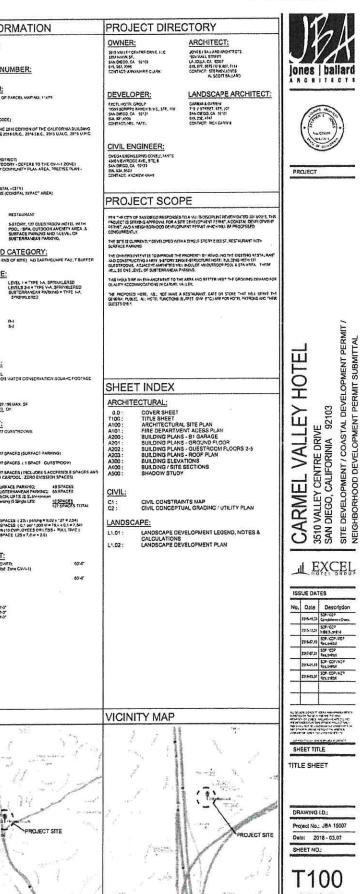
CARMEL VALLEY HOTEL

CARMEL VALLEY SAN DIEGO, CALIFORNIA

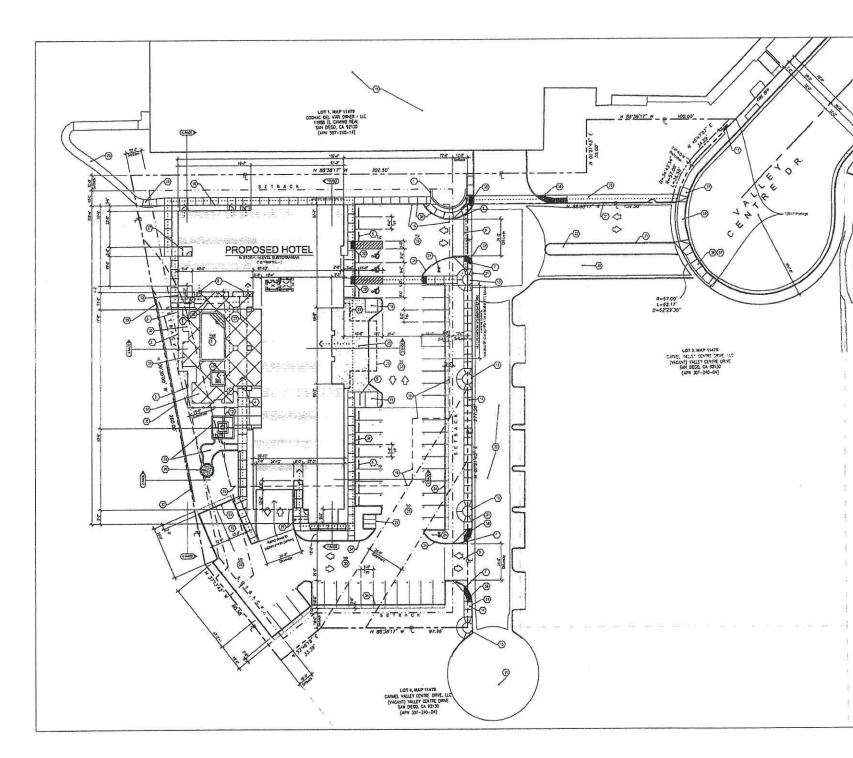


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ATTACHMENT 9



SHEET 2 OF 15



1. ARCHITECTURAL SITE PLAN (SEE FREE ACCESS PLAN, SHT. AUGI, FOR FURTHER INFO.)

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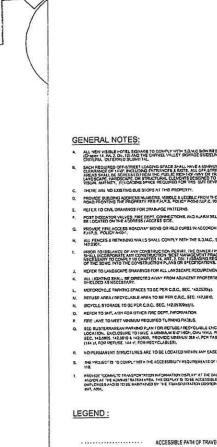
ATTACHMENT 9

KEY NOTES:

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- PART OF THIS PROJECT. ING SPACES PER S.D.M.C., SEC. 142,053(1)
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- H. ALL FENCES & RETABLING WALLS SHALL COMPLY WITH THE S.D.M.C., SEC. 42,7901.
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PROJECT

LOPMENT CARMEL VALLEY H 3510 VALLEY CENTRE DRIVE SAN DIEGO, CALIFORINIA 92103 SITE DEVELOPMENT / COASTAL DEVEL

VALLEY HOTEL



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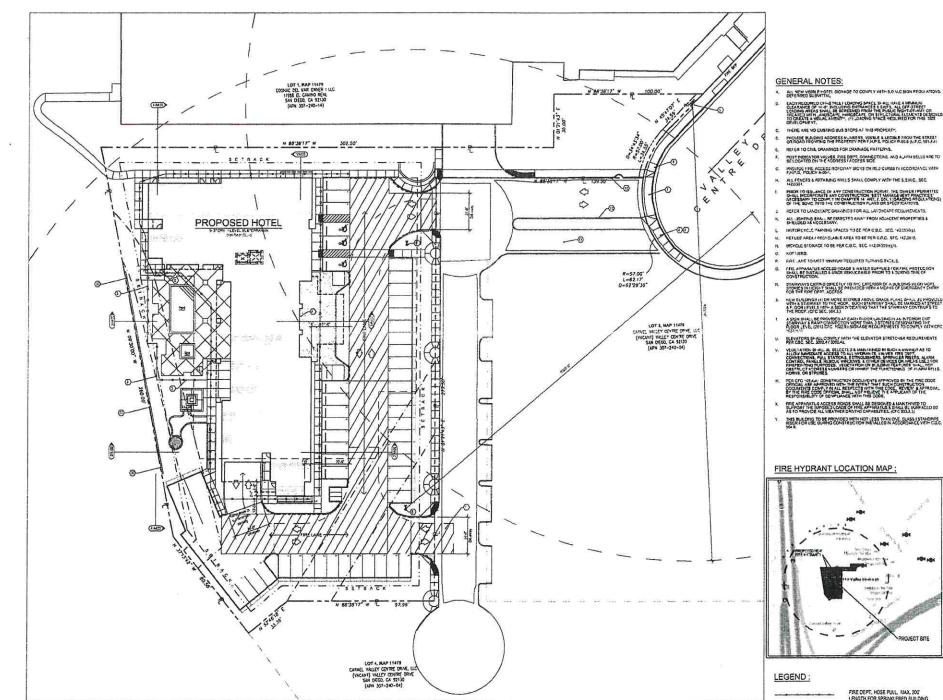
SHEET TITLE

ARCH. SITE PLAN

Project	No.: JBA 15007
Date:	2018-03,07
SHEET	NO.:

SHEET 3 OF 15





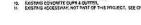
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ATTACHMENT 9

KEY NOTES:

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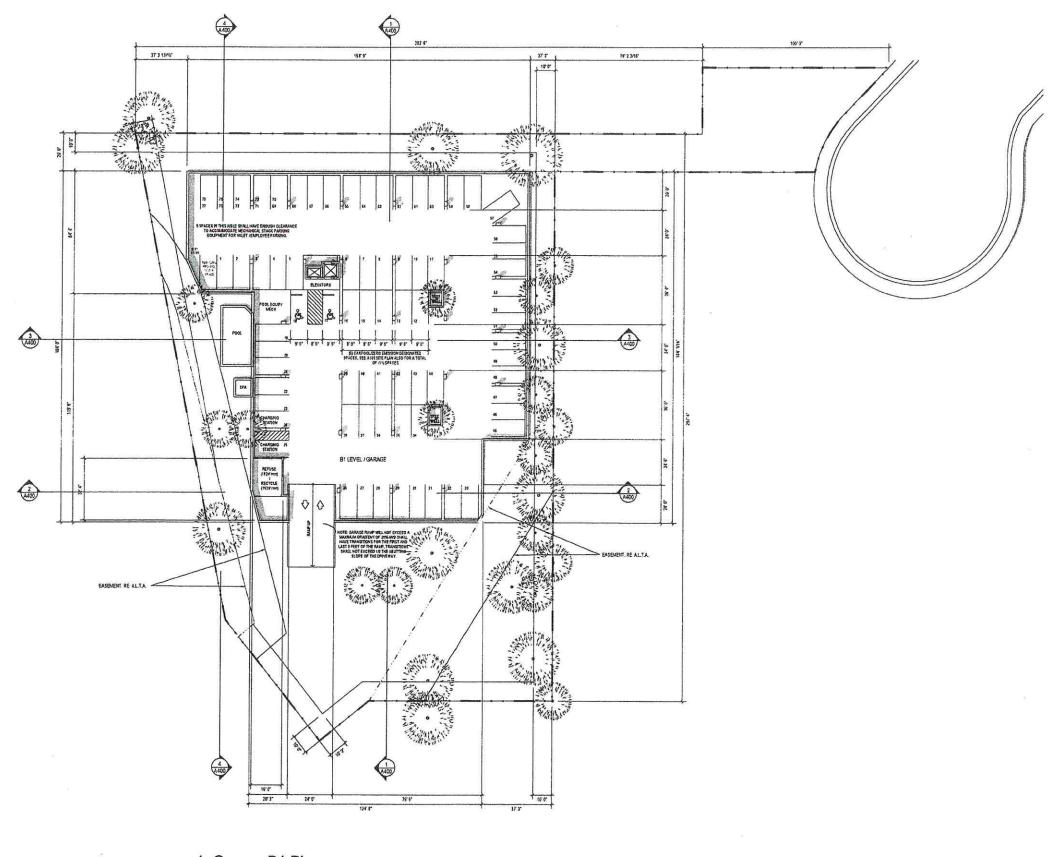
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SHEET 4 OF 15

FIRE DEPT. ACCESS



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ATTACHMENT 9

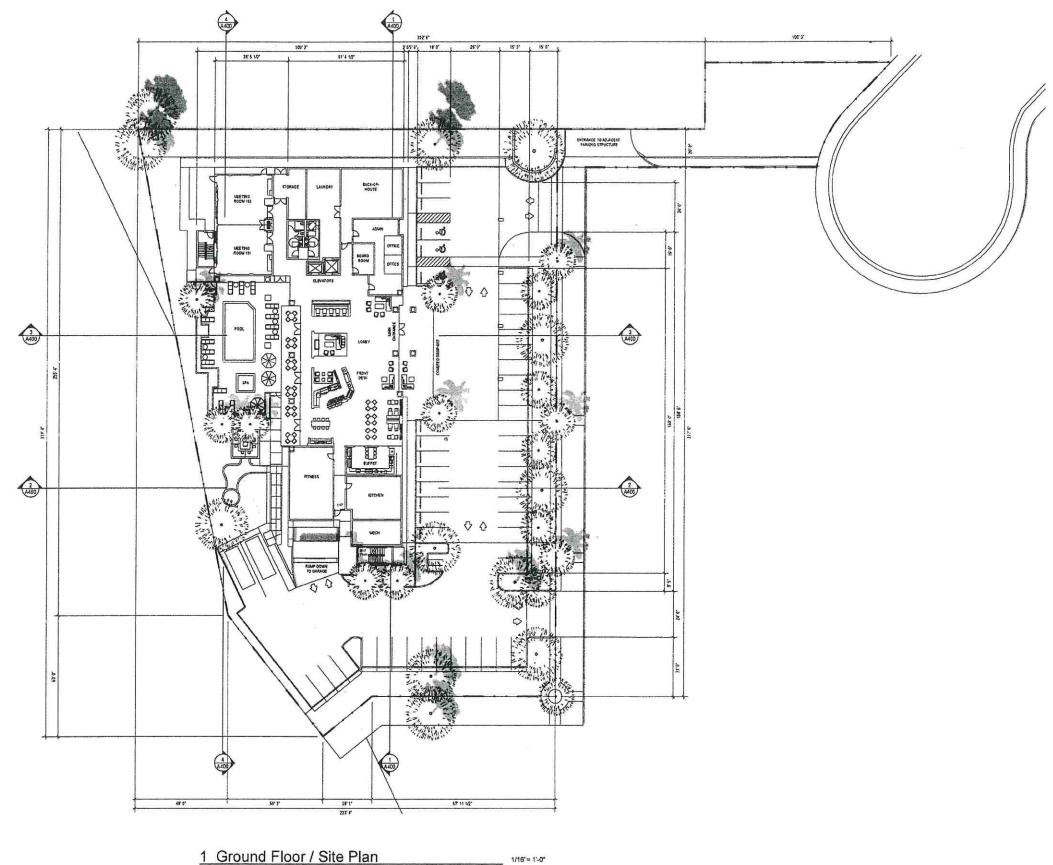


PROJECT:

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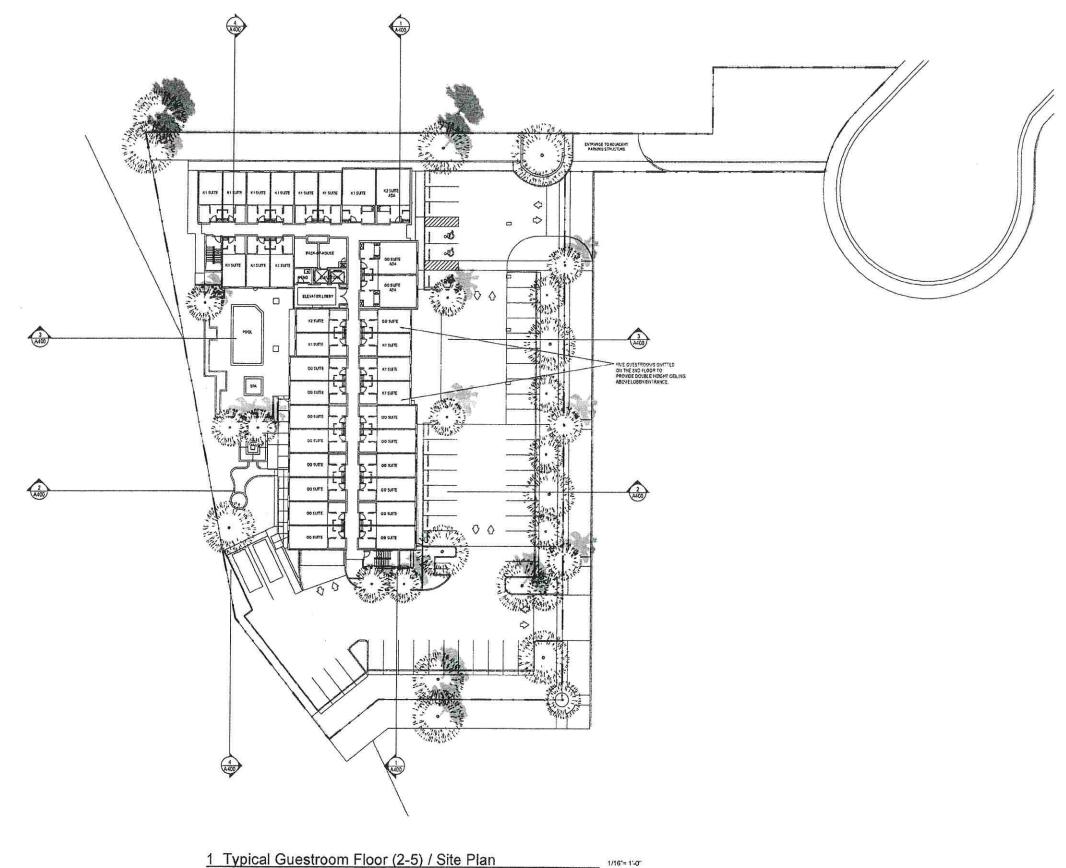
SHEET 5 OF 15

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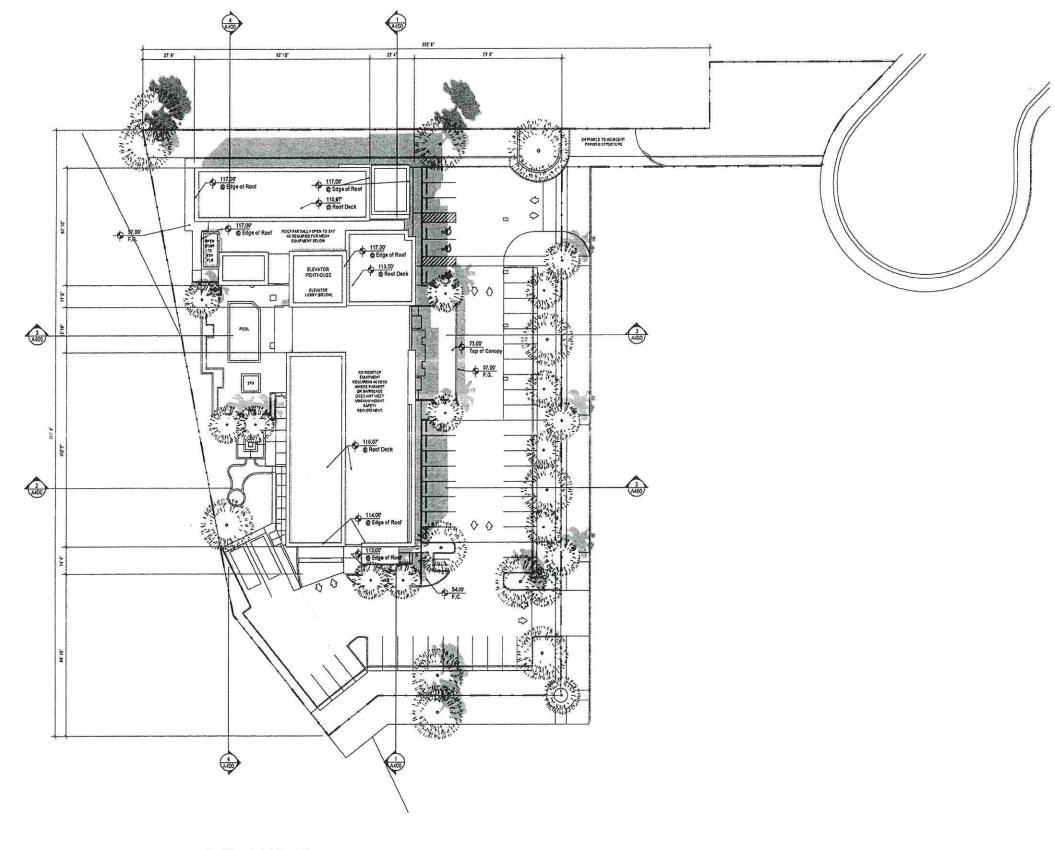
SHEET TITLE TYPICAL FLOOR / SITE PLAN

DRAWING I.D.: Project No. JBA 15007 Date 2015 - 03 07 SHEET NO.

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SHEET 7 OF 15

NORTH



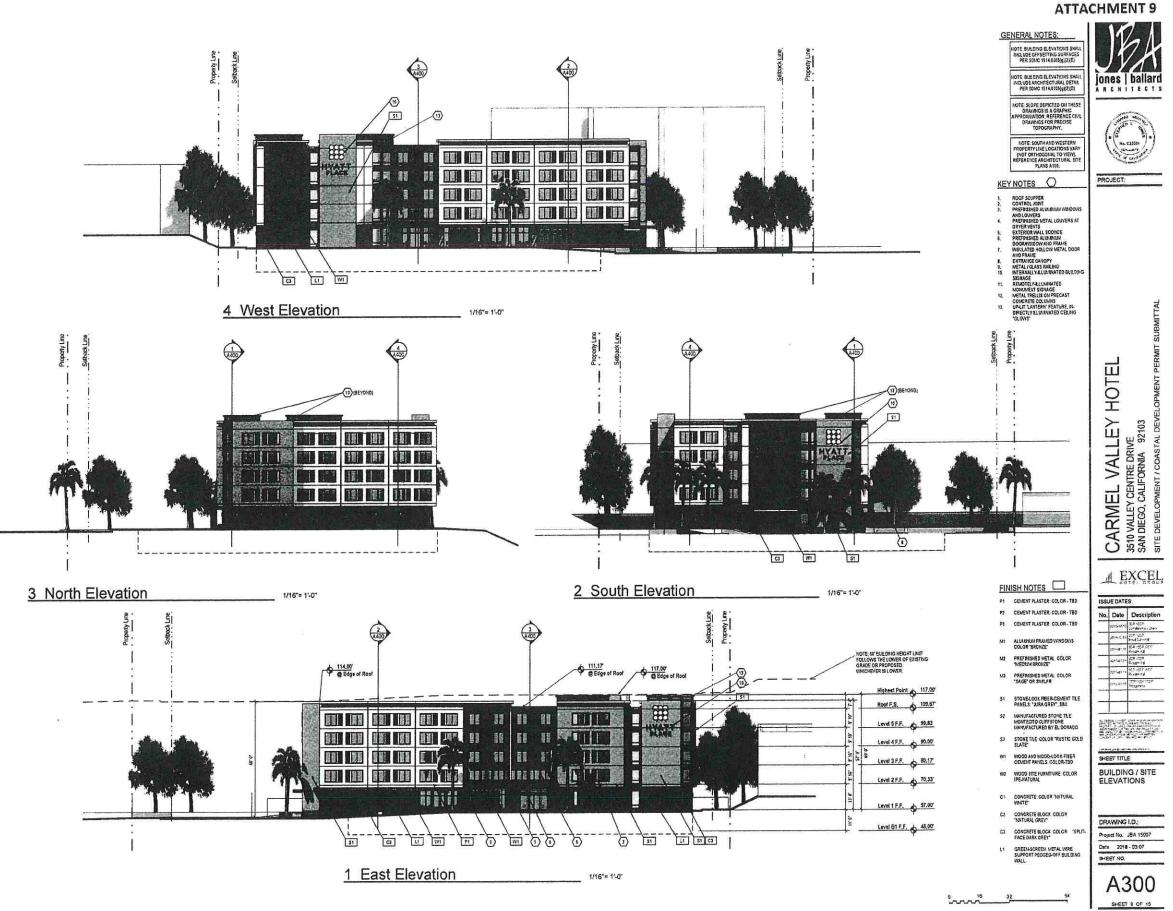
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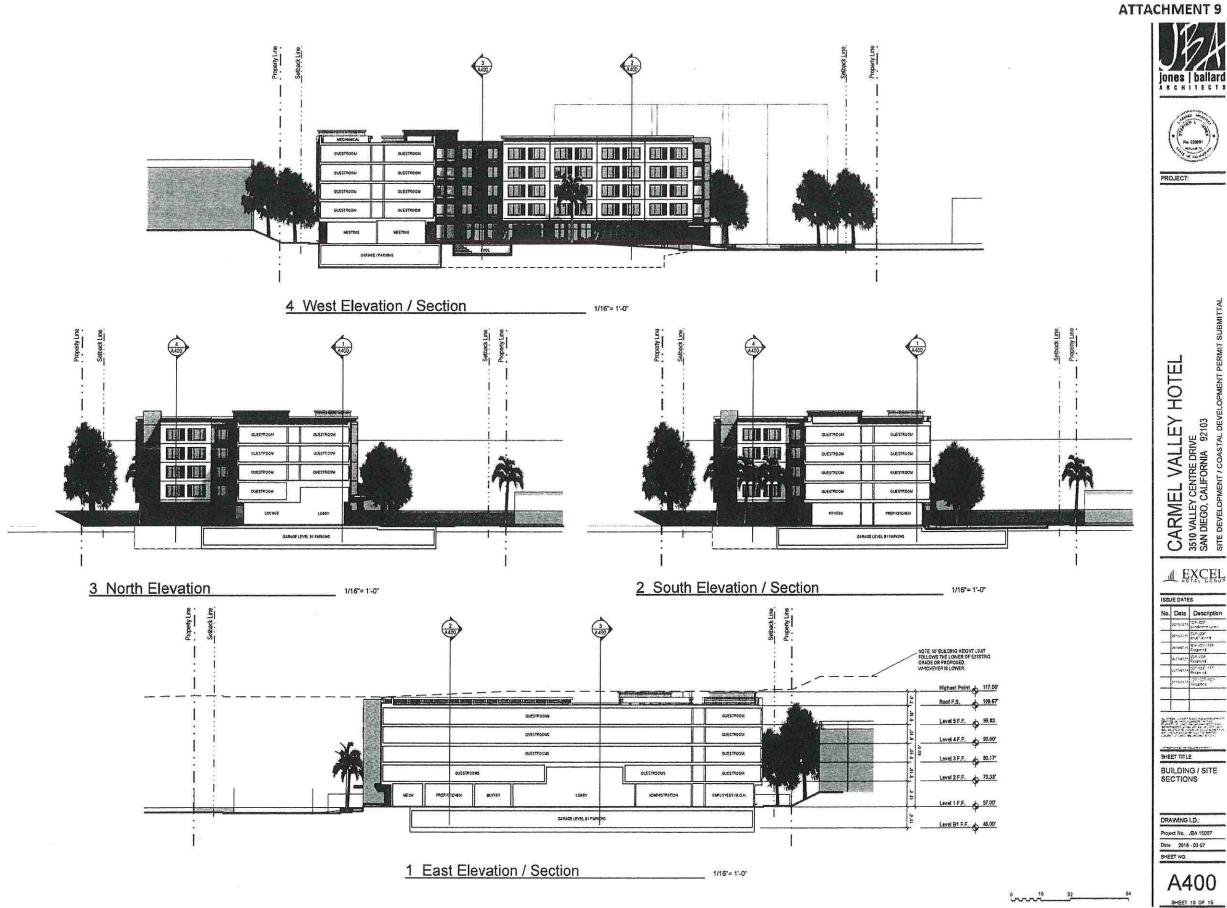
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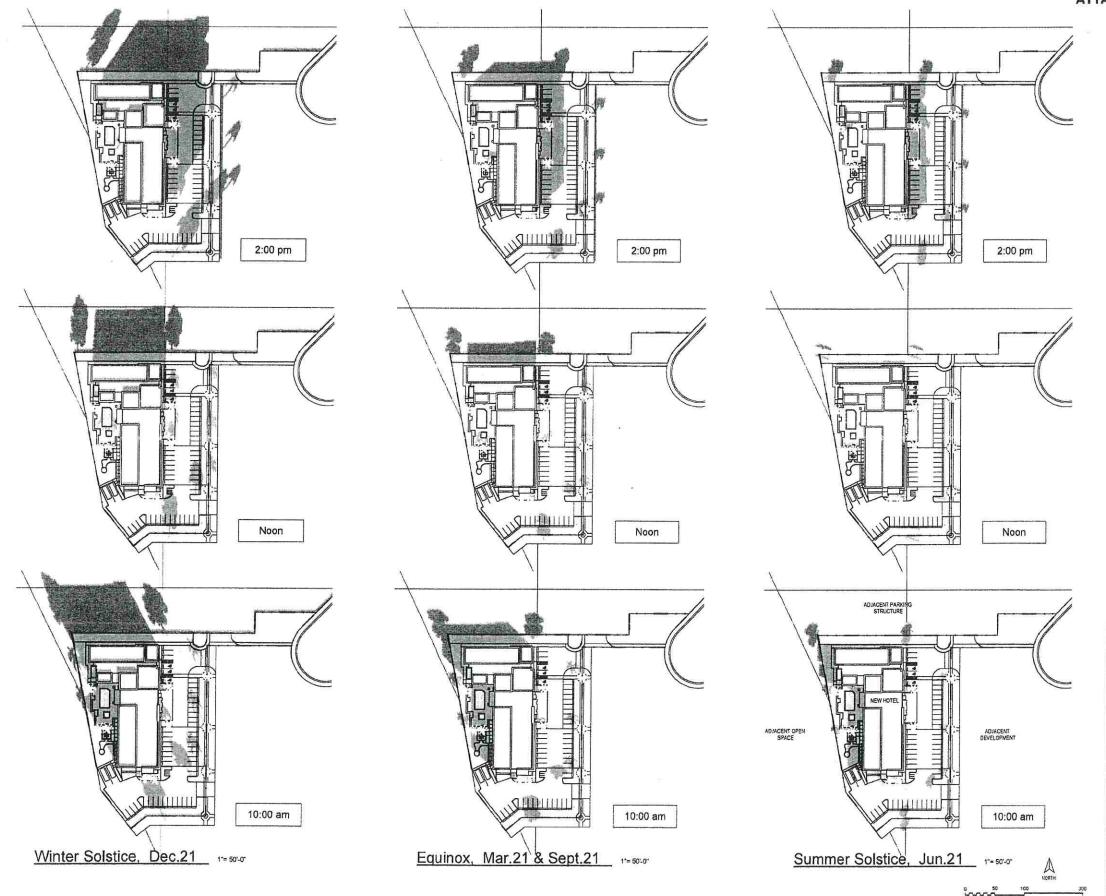


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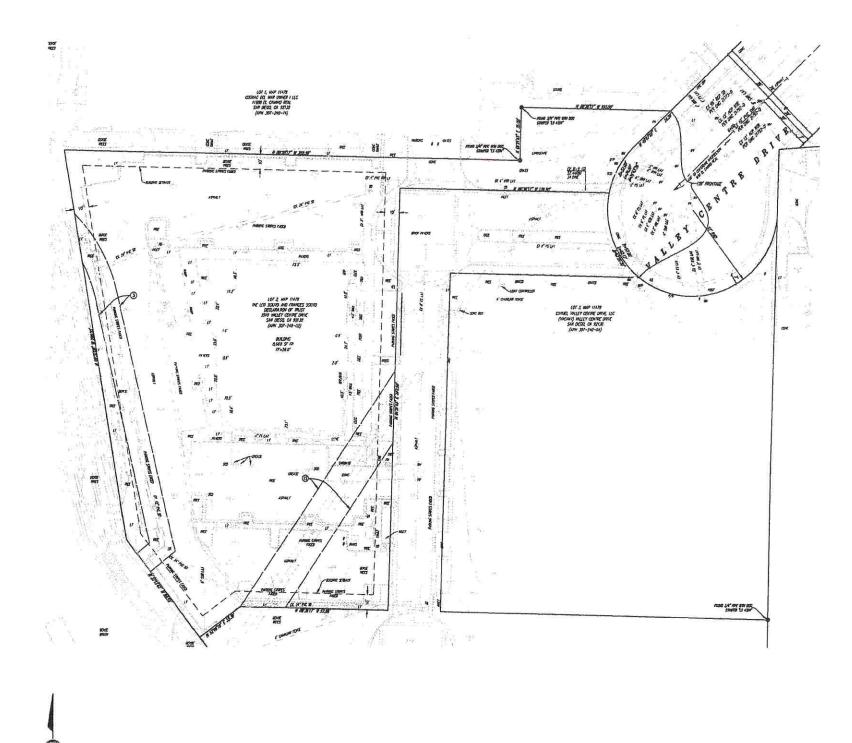






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ATTACHMENT 9

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SOURCE OF TOPOGRAPHY

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TITLE INFORMATION

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ABBREVIATIONS:

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EXCEPTIONS AND EXCLUSIONS

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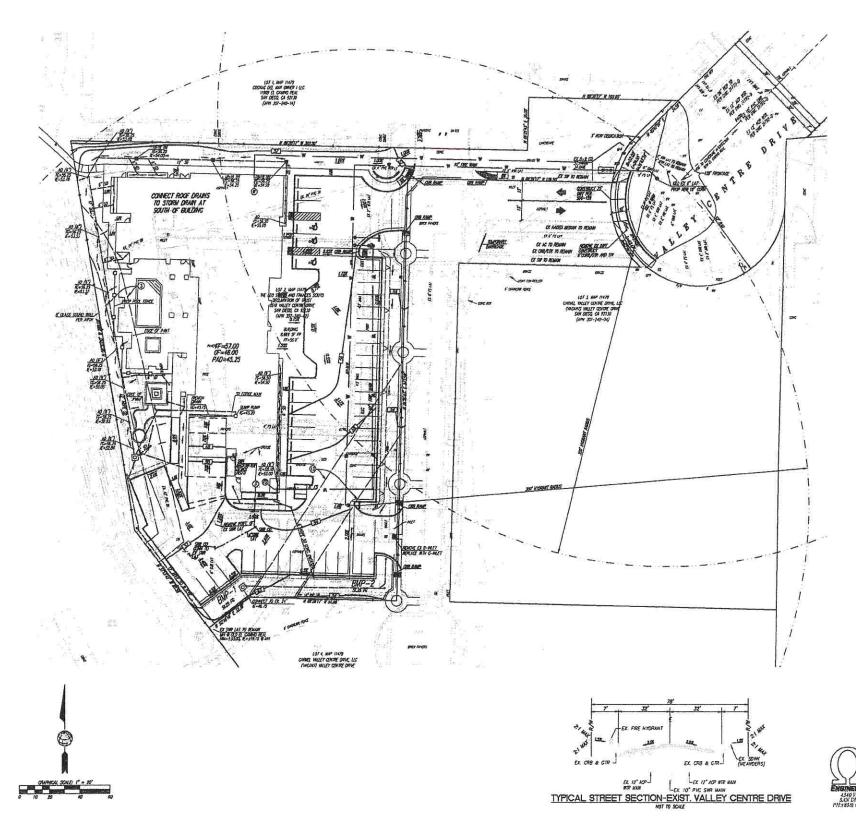
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CONCEPTUAL GRADING PLAN HYATT PLACE HOTEL 3510 VALLEY CENTRE DRIVE SAN DIEGO, CA 92130



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PALEONTOLOGIAL RESOURCES NOTE:

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ande Alana NORTH & KANN RCE

Project No 0343 Date: 2018-03-07 SHEET NO

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HYATT PLACE HOTEL @ Carmel Valley	3510 VALLEY CENTRE DRIVE SAN DIEGO, CALIFORINIA 92103	SITE DEVELOPMENT / COASTAL DEVELOPMENT PERMIT SUBMITTAL			
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PLANT MATERIAL LEGEND MATURE PERCENTAGE / HEIGHT / SIZE SPREAD GTY SYMBOL BOTANICAL NAME / COMMON NAM 100%/35 BOX 40/10 10 L SCALE ACCENT THEE SUCH AS CHITALPA TABHENTENJIS TRIK DAWN - CHITALPA CIRCIS CAVADONSIS - EAST REN REGULD CIRCIS CAVADONSIS - CHASTERN REGULD VITEX AONUS-CASTUB - CHASTE TRES LIGERSTROBAKA X FAURIE NATCHEZ - CRAPE NYA \odot 100%/ 24" BOX 20/20 0 100% / 38" BOX 30/25 100%/15'8TH 50707 UTO DOL OUTS CALL NO PALM VARIES VARIES 6 SUSTING PINE TREE & VARIES VARIES 1 PER SHOWN ON PLAN SHRUBS \odot CREENING EVERGREEN SHRUB, SUCH AS RHUS INTEGRIFOLIA - LEMONAIDE BERF OSMANTHUS FRAGRANS - SWEET OLIVI 100% /5 GAL 473 4 \odot MEDUM SCALE ACCENT SHRUB, SUCH AS PHORMUM TEXAX - REV/ZEALAND FU 100% / 1 GAL 8/5 ALVIA CLEVELANDE- CALIFORNIA I NIGOZANTHOS FLAVIDUE - KANDA

100% / 1 GAL 3/3

100%/1 GAL 372 28

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ALL SCALE BORDER SHRUB, SUCH AS ROSA ICEBERG'- WHITE SHRUB RO

CALLISTEMON 'LITTLE JOHN' - DY MYRTU'S COMPACTA - DYMAF M' HEBE BUXIFOLIA - BOXLEAF HEB MEDIAN SCALE ACCENT, SUCH AS WERHOFA UVARIA. RED HOT POYER ALOS BLUE ELP. BIUE ELFALOS HESPERALOS PARVIOLIA. HESPERA HESPERALOS MARVIAVE. YELLOW

O MEDIUM SCALE EVERGREEN SHRUE BUCH AS

O BORDER SHRUB SUCH AS

IN SCALE STEPPINE OFFICIANALLIS TUSCAN BLUE - ROSENART OREVILLEA NOELLI - NOELLI OREVALEA NANDINA DOMESTICA - HEAVENLY SALMEOO NANDINA DOMESTICA - HEAVENLY SALMEOO

HEMEROCALLIS HYBRIDS - DAY LILY LAVENDULA STOECHUS OTTO QUAST - SPANISH BOUGANNYLLEA 1A JOLLA - LA JOLLA BOUGANNY

SYNIBOL	BOTANICAL NAME / CONTACH NAME	PERCENTAGE/ SIZE	MATURE HEIGHT / SPREAD	QTY
GROUNDCOVER & VINES	ĥ			
	FLOWERING GROUNDCOVER SUCH AS SENECIO MANDRALISCAE - BLUE CHALKSTICKE SEDUM REFLEXUM BLUE SPRUCE'- SPRUCE SEDUM SALVIA GREGGI - AUTUMN SAGE	24" O C / 1 GAL	VARIES	Ŧ
	DROUGHT TOLERANT MEADOW BRASS SUCH AS CAREX PRAEGRACHUS- CALIFORNA PIELD SEDGE BOUTELOUX GRACHUS- UC VERDE BUFFALO GRASS AGROSTIS PALLENS - NATIVE GALIFORNIA BENT ORASS	100%/ SOD ON PLUGS	VARIES	8
Ŧ	VINE, SUCH AS: BOUGAINVILLER 'SAN DIEGO RED' DISTICTUS BUCCINATORIA - RED TRUMPET VINE	100% / 5 GAL	VARIES	*
	EXISTING LANDSCAPE RICLUDING TURF RMAPHICLEPSIS SPP - NOWN HAVITHODINE TRACHELOSPERIUM ASSIMICIDES - STAR JASINIE PRVIJS CANARENISS - CANARY ISLAND PRIE	EXISTING	VARIES	£

HARDSCAPE LEGEND

STABOL	TYPE	5126
	DECORATIVE RIVER COBBLE	1-3", 3"DEPTH
2201	ENHANCED PAVING PER INTERIOR DESIGNER	LIN KNOWN

GENERAL NOTES:

- GROWTH 3 ROUTINE STRUCTURAL BMPS
- LANDSCAPE DESIGN.

DESIGN CRITERIA:

- SOIL CONDITIONS
- AND CONSTRAINT

- STORMWATER SYSTEM

MAINTENANCE:

OF THE NATIONAL ARBORIST ASSOCIATION

MIN. TREE / IMPROVEMENT SEPARATION DISTANCE: TRAFFIC SGNAL (STOP SIGN-20 FEET UNDERGROUND UTLITY UNES: 5 FEET ABOVE GROUND UTLITY STRUCTURES - 10 FEET SEVERS - 10 FEET DRIVEWAYS - 10 FEET NTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET

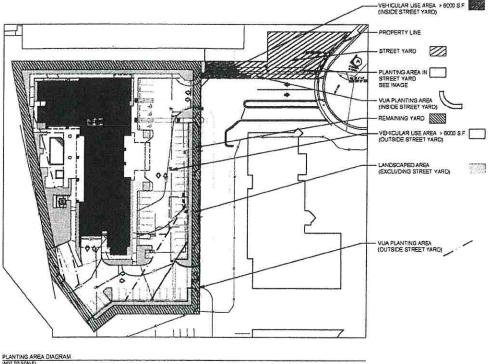
VEHICULAR USE AREA > 6,000 S.F. OUTSIDE STREET YARD

PLANTING AREA REQUIRED TOTAL VEHICULAR USE AREA: 20,788 S F PLANTING AREA REQUIRED: 524 S F PLANTING AREA PROVIDED 4507 S F EXCESS AREA PROVIDED 4503 S F

PLANT POINTS REQUIRED TOTAL VEHICULAR USE AREA: 20,135 S.F. PLANT POINTS REQUIRED: 604 PLANT POINTS REQUIRED THROUGH TREES: 302 PLANT POINTS PROVIDED: 728 PLANT POINTS PROVIDED THROUGH TREES 350 EXCESS PLANT POINTS PROVIDED 125 VEHICULAR USE AREA > 6,000 S.F. INSIDE STREET YARD

PLANTING AREA REQUIRED TOTAL VEHICULAR USE AREA. 785 S.F. PLANTING AREA REQUIRED. 39 S.F. PLANTING AREA PROVICED. 175 S.F. EXCESS AREA PROVICED. 126 S.F.

PLANT POINTS REQUIRED PLANT POINTS REQUIRED 39 PLANT POINTS REQUIRED 39 PLANT POINTS PROVIDED 45 PLANT POINTS PROVIDED THROUGH TREES. 0 EXCESS PLANT POINTS PROVIDED 6







14 余门 EXISTING STREET YARD PLANTING LOOKING WEST

LANDSCAPE CALCULATIONS:

STREET YARD PLANTING AREA REQUIRED TOTAL STREET YARD AREA 5757 S F PLANTING AREA REQUIRED 1,439 S F PLANTING AREA PROVIDED 4,559 S F EXCESS AREA PROVIDED 3,120 S F

PLANT POINTS REQUIRED TOTAL STREET YARD AREA: 5,757 SF PLANT POINTS REQUIRED: 283 PLANT POINTS REQUIRED THROUGH TREES, 285 PLANT POINTS PROVIDED THROUGH TREES 200 EXCESS PLANT POINTS PROVIDED 12

REMAINING YARD

PLANTING AREA REQUIRED TOTAL REMAINING YARD AREA: 9,516 S F PLANTING AREA REQUIRED: 2,854 9 F PLANTING AREA REQUIRED: 7,500 S F EXCESS AREA PROVIDED: 649 S F

PLANT POINTS REQUIRED TOTAL REMAINING YARD AREA 95165 F POINTS REQUIRED 478 POINTS PROVIDED 1876 PLANT PROVIDED 1876 PLANT POINTS PROVIDED THROUGH TREES 1250 EXCESS PLANT POINTS PROVIDED 626

 ALL GRADED, DISTURBED, OR ERODED AREAS THAT WALL NOT BE PERMANENTLY PAVED OR COVERED BY STRUCTURES SHALL BE
 PERMANENTLY REVEGETATED AND IRRIGATED AS SHOWN IN TABLE 142-OF (OF THE SAN DIEGO MUNICIPAL CCCE) AND N ACCORDANCE WITH THE STANDARDS IN THE LAND DEVELOPMENT MANUAL.

GRACED PAD AREAS SHALL BE HYDROSSEEDED TO PREVENT EROSION IN THE EVENT THAT CONSTRUCTION OF BUILDINGS DOES NOT OCCUR WITHIN 30 DAYS OF GRADING HYDRO-SEED SHALL BE IRRIGATED OR REAPPLIED AS NECESSARY TO ESTABLISH

A THE ONSITE DRAINS AND CATCH BASINS WILL BE STENCILED TO INDICATE THAT THE AREAS DRAIN DIRECTLY TO THE OCEAN COMMON AREAS FOR TRASH WILL BE PROVIDED AND WILL BE MINITAINED TO REDUCE ANY RUNOFF FROM THEAREA. THE
 PROPERTY MANAGERS WILL BE RESPONSIBLE FOR THIS MAINTENANCE
 WATER-EFFICENT IRRIGATION SYSTEMS WILL BE USED. DROUGHT-TOLERANT PLANTS WILL BE INCORPORATED INTO THE

4 ALL PLANTING IRRIGATION AND LANDSCAPE RELATED IMPROVEMENTS WILL COMPLY WITH THE CITY OF SAN DIEGO LANDSCAPE.

ALL PROMITING INFORMATION, AND UNLOCATE RECALED IMPROVEMENTS VILL COMPLEXITY WITH THE OT TOP SAIL DESIGNATION OF REQUILATIONS AND THE LAND DEVELOPMENT WANNAL LANDSCORE STANDARDS NON-BODEGRADABLE ROOT BARRIERS SKALL BE INSTALLED AROUND ALL NEW STREET TREES ALL TREES SKALL BE MANTINED SO THAT ALL BRANCHES OVER THE PEDESTRAIN WALKWAYS ARE AT LEAST & FEET ABOVE THE WALKWAY GRADE AND SO THAT ALL BRANCHES OVER VEHICLE TRAVEL WAYS ARE 14 FEET ABOVE GRADE OF THE TRAVEL WAY. ALL REQUIRED PLANTING AREAS SHALL BE MAINTAINED FREE OF WEEDS, DEBRIS, AND LITTER

 ALL RECORED FLANTING AREAS SHALL BE MAINTAINED FREE OF WEEDS, DEBRIS, MOLITTER
 ALL RECORED FRANKTING NESTERS SHALL USE AN APPROVED FAIN SENSOR SHUTGEF DEVICE
 HIGH WATER USE PLANTS SHALL BE LIMITED TO NOT MORE THAN 10 PERCENT OF THE TOTAL DEVELOPED LANDSCAPE AREA. ALL OTHER RAINTINGS SHALL BE COMPOSED OF LOW MATER. USE PLANT WATERIAL
 AN AUTOMATIC, ELECTREVILLY CONTROLLED IRRGATION SYSTEM SHALL BE INSTALLED AS SHOWN ON THE CONSTRUCTION PLANS AND IN ACCORDANCE WITH THE CRITERIA AND STANDARDS OF THE SAID DESO LANDSCAPE ORDINANCE SECTION 142 043 AND THE AND IN ACCORDANCE WITH THE CRITERIA AND STANDARDS OF THE SAID DESO CANDSCAPE ORDINANCE SECTION 142 043 AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL LANDSCAPE STANDARDS. IRRIGATION SYSTEMS SHALL BE MAINTAINED FOR PROPER DEVELOPMENT AND MAINTENANCE OF THE VEGETATION IN A HEALTHY DISEASE RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED NO PROPOSED IMPROVEMENTS PENDING EMRA APPROVAL

DESIGN STATEMENT: THE UNDSCAPE CONCEPT FOR THE HYAIT PLACE HOTEL IS INFLUENCED BY THE CARMEL VALLEY (NORTH CITY WEST) COMMUNITY PLAN, AS WELL AS THE STYLE OF THE ADJACENT COMMUNITY AND COMPLEMENTS THE ARCHITECTURAL STYLE OF THEBUILDING TH ARRANGEMENT OF HARDSCAPE AND PLANTINGS PROMOTES MOVEMENT THROUGH THE SITE STREET TARD THE ANNANUEMENT OF MARDSCAPE AND ELANTINGS PROMOTES MOVEMENT THROUGH THE SITE STREET TREES AND STREET YARD PLANTINGS VENLLY TIE INTO THE ROJACENT IN BESHORMOOD AS WELL AS THE PROPOSED MIKED USE ADJACENT PROPERTY THE DESIGN WILL PROMODE A UNIFIED PROPERTY AND STREETSCAPE ORNAMENTAL VEGETATION HAS BEEN SELECTED WITH CONSIDERATION OF DROUGHT TOLEPANCE. EASE OF MANTENANCE STRUCTURE FLOWER AND FOLIAGE A RESTRICTED PALETTE OF PLANT MARTINAL SHALL MAINTAIN THE CONSIDER THEME OF THE LANDSCAPE DESIGN THE LANDSCAPE STYLE SHALL MAINTAIN CONSISTENCY TO AVOID COMPLEX PLANT MIXTURES AND VISUAL CONFUSION.

ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE LANDSCAPE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS, THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL AND ALL OTHER LANDSCAPE-RELATED CITY AND REGIONAL

REDUCTIONS THE OFF OF ANY DEVELOPMENT OF THE PROJECT AND ACD VISUAL INTEREST TO THE SITE 2. PLANTING WILL BE DESIGNED TO HIGHLIGHT ENTRANCE AREAS TO THE PROJECT AND ACD VISUAL INTEREST TO THE SITE 3. ARCHITECTURAL ELEMENTS OF THE SITE WILL BE HIGHLIGHTED AND ENVANCED WITH PLANTINGS OF SIMILAR DESIGN CHARACTER 4. ALL PLANT MATERIAL SELECTED FOR USE WILL BE OF A TYPE KNOWN TO BE SUCCESSFUL IN THE AREA OR IN SIMILAR CLIMATIC AND

SOL CONCITIONS COLOR FOLMS COLOR FOLM PLATE FOLMAGE BARK, OR FLOWERS WILL BE UTILIZED TO CREATE AN INVITING WARM, AND VISUALLY APPEALING LANDSCAPE ENVIRONMENT, THEMATIC COLOR SCHEWES WILL BE UTILIZED TO CONVEY PERMANENCE, SUBSTANCE, TIMELESSNESS

AND CONSTRAINT IRRIGATION CONCEPT: THE LANDSCAPE ASSOCIATED WITH THIS PROJECT SHALL BE IRRIGATED BY VEANS OF AN AUTOMATIC IRRIGATION SYSTEM THE SYSTEM SHALL INCLUDE THE FOLLOWING: 1 IRRIGATION SYSTEM SHALL BE PROTECTED BY A BACKFLOW PREVENTION DEVICE

RRIGATION SYSTEM SHALL BE PROTECTED BY A BOOKLOW PREVENTION DEVICE RRIGATION SYSTEM SHALL BE ANAUTOLING C PERMANENT HOSE BIBBS ANDOR QUICK COUPLING VALVES SHALL BE INCLUDED TO SERVICE PLANTING AREAS RRIGATION SYSTEMS SHALL BE SRAV OR DAP SYSTEMS NO IRRIGATION RIVORT SHALL DERN OFFICIE INTO THE PUBLIC RIGHT-OF-WAY STREETS, DRIVES OR ALLEYS A CONNECTION SHALL NOT BE MADE TO ANY STORMMATER SYSTEM WITHOUT PROPER BMP'S

6 THE BMPS SHALL STORE AND TREAT ALL STORMWATER AND ACCIDENTAL IRRIGATION RUN-OFF PRIOR TO DISCHARGE INTO CITY

ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE OWNER. LANDSCAPE AREAS SHALL BE FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT ALL PRUNING SHALL COMPLY WITH THE STANDARDS

OF THE NATIONAL ANGORDS ASSOCIATION
GENERAL NOTE:
I ALL CANOPY TREES SHALL BE PROVIDED WITH 40 SQUARE FEET OF ROOT ZONE AND PLANTED IN AN AIR AND WATER PERMEABLE
LANGSCAPE AREA. THE MINIMUM DIMENSION (MOTH) OF THIS AREA SHALL BE SFEET
2. ALL PROPOSED RETAINING WALLS (SFEET) IN HEIGHT OR GREATER SHALL BE SCREENED WITH VINES AND SHRUBS ALL PLANTING
PROVIDED ON THE FACE OF THE WALL WILL SCREEN 80% OF THE WALL WITHIN TWO YEARS
3. THERE ARE EXISTING FREH HYDRANTS WITHIN SOOTEST
4. NO TREES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT OF MATURITY SHALL BE INSTALLED WITHIN TEN FEET OF ANY SERVER
FACILITES AND PRE-FEET OF ANY WATER FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN 10 FEET OF ANY SERVER
FACILITES OR SHRUBS EXCEEDING THREE FEET IN HEIGHT AT MATURITY SHALL BE INSTALLED WITHIN 10 FEET OF ANY FIRE
HYDRANT

HTURANI 6. THE VUA OF THE SUBJECT PARCEL IS PART OF A LARGER VUA SYSTEM WITH THE ADJACENT PARCELS ALSO REFER TO VUA IMPROVEMENTS UNDER PTS 400127

STREET TREES TOTAL STREET FRONTAGE 61 L F. NUMBER OF STREET TREES REQUIRED 2 NUMBER OF STREET TREES PROVIDED 2

ATTACHMENT 9 Carbind # Garbini ARCHITECTURE BESIGN

PROJECT

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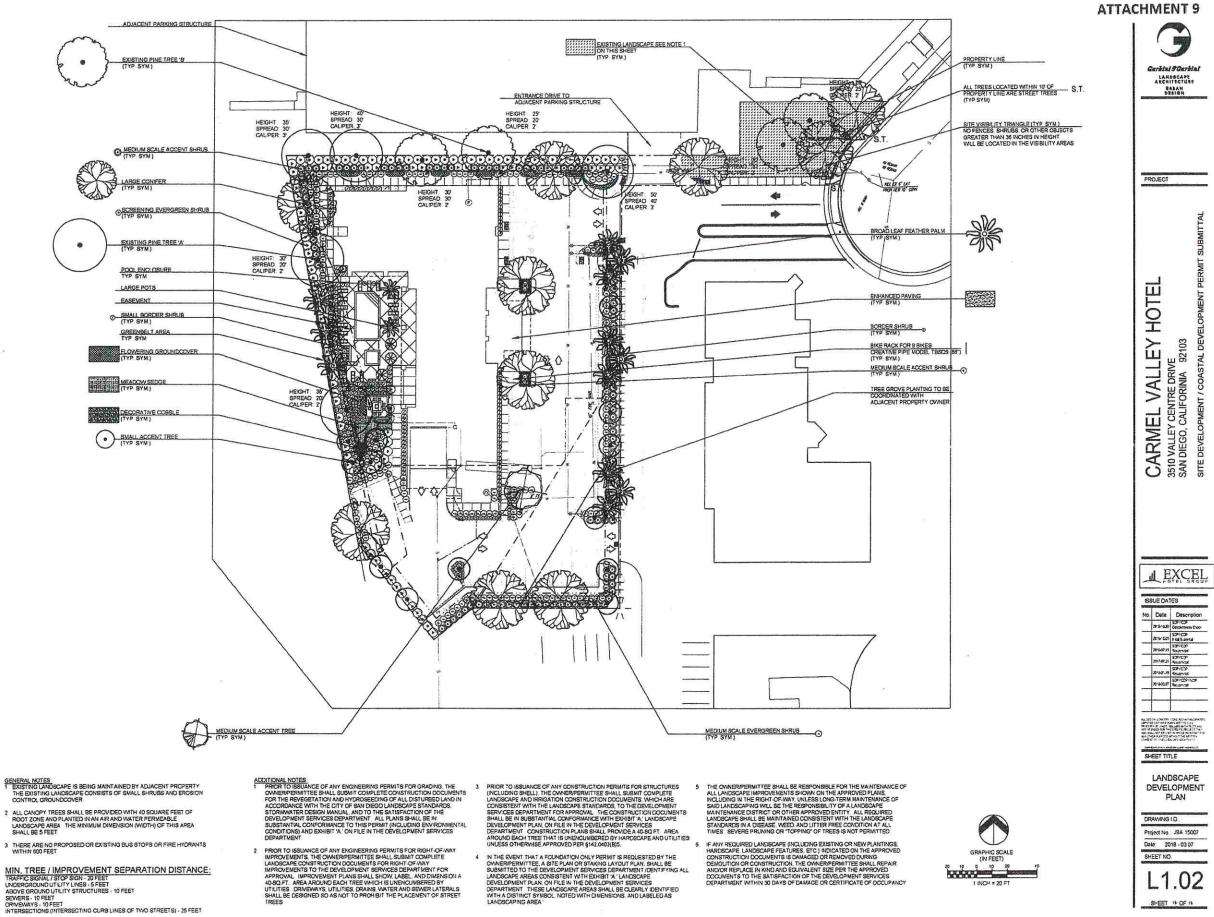
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CHARACTER AND INCOME. SHEET TITLE LANDSCAPE DEVELOPMENT LEGEND. NOTES & CALCULATIONS DRAWING I D

Project No JBA 15007 Date 2018 - 03 07 SHEET NO

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SHEET 14 OF 15



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

			ATTACHMENT 11				
	City of San Diego					FORM	
SD	Development Servi 1222 First Ave., MS 3 San Diego, CA 92101	ces () 02	wnersh	1.17	tement	DS-318	
	(619) 446-5000					October 2017	
Neighborhood Devel	appropriate box for type of a lopment Permit Site Dev sting Tentative Map DAg ARMEL A 3510 VALLE	elopment Permi	t 🛛 Planned Develo	pment Permit (ent • 🗅 Other _	Coastal Developm Conditional Use Pro- For City Use Only	ermit D Variance	
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	ership/Legal Status (pleas ted Liability -or- D General		CA corpor	ate Identification	n No.		
Partnership 🗆 Indivi	•	- Wildt State:	Corpora				
owner(s), applicant(s), i individual, firm, co-par with a financial interess individuals owning mo officers. (A separate pa <u>ANY</u> person serving a A signature is requirec notifying the Project M ownership are to be gi	lego on the subject proper and other financially intere- tnership, joint venture, ass it in the application. If the re than 10% of the shares, age may be attached if nect s an officer or director of d of at least one of the pro- lanager of any changes in ven to the Project Managel wnership information could	sted persons of ociation, social c applicant includ If a publicly-ow essary.) If any pe the nonprofit c operty owners. ownership durir at least thirty d	the above reference lub, fraternal organ es a corporation or ned corporation, ind erson is a nonprofit organization or as t Attach additional pa g the time the app avs prior to any put	ed property. A fization, corpora partnership, inc clude the names organization or rustee or bene ages if needed. lication is being plic hearing on t	financially interested tion, estate, trust, r clude the names, tit s, titles, and address a trust, list the nam ficiary of the nonp Note: The applicar processed or cons	I party includes any eceiver or syndicate les, addresses of all ses of the corporate es and addresses of rofit organization. ti is responsible for idered. Changes in	
Property Owner	1.						
Name of Individual: Street Address: _32	SCIUTO HOSP	Ditalitie	5,24		Tenant/Lessee	Successor Agency	
	IEGO	21			State: CA	7in: 97103	
Phone No.: 619-	962-2095	Fax No.:		Email:		- p	
10	1. The	IEA.	Sciuto	Lindii	5/2011	<u></u>	
Signature: <u>See0</u>	Spine 1	TEDV	SLIVIO	Date:		1	
Additional pages Attach	ed: 🛛 Yes	D No	D.(Xi				
Applicant				C Owner	Tenant/Lessee	Successor Agency	
						- 500005501 (15010)	
					State:	Zip:	
Additional pages Attach		🗆 No			-		
Other Financially Inte			· · · · · · · · · · · · · · · · · · ·				
						Successor Agency	
Street Address:						587	
						Zip:	
Phone No.:		Fax No.:		Email:			
Signature:				Date:		(4)	
Additional pages Attach	ed: 🛛 Yes	D No					

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