



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: September 1, 2022 REPORT NO. PC-22-045
HEARING DATE: September 8, 2022
SUBJECT: Carmel Center, Process Three Decision Appeal
PROJECT NUMBER: [657923](#)
REFERENCE: [Report to Hearing Officer HO-22-030](#)
OWNER/APPLICANT: CDM Retail, L.P., Owner / Heritage Building & Development, Applicant

SUMMARY

Issue: Should the Planning Commission uphold or deny an appeal of the Hearing Officer's approval of a new one-story, 5,935 square-foot commercial building within an existing commercial development that will include three future tenants located at 11925 El Camino Real within the Carmel Valley Community Plan (Community Plan) area?

Staff Recommendation: Deny the appeal and uphold the Hearing Officer's decision to approve Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941.

Community Planning Group Recommendation: On October 22, 2020, a motion failed by a vote of 3-6-0 by the Carmel Valley Community Planning Board to support the project.

Environmental Review: The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15332 (In-Fill Development Projects). This determination was made on March 25, 2022, and the opportunity to appeal the determination ended April 11, 2022. There were no appeals to the environmental determination.

Fiscal Impact Statement: None with this action. All costs associated with the processing of the project are paid from the deposit account maintained by the applicant.

Code Enforcement Impact: None.

Housing Impact Statement: There is no residential development proposed.

BACKGROUND

The Carmel Center (Project) site is located at 11925 El Camino Real just north of SR-56 within an existing commercial development that was approved by North City West Planned District Development Plan (Permit No. 88-0941). The 0.43-acre site is in the Carmel Valley Planned District – Visitor Commercial Zone (CVPD-VC) and the Coastal (Non-Appealable) Overlay Zone within the Carmel Valley Community Plan area.

The original permit (Permit No. 88-0941) was amended in 2001 by Permit No. 40-0180 to construct an office building on a separate lot located in the northwest corner of the project site. A Site Development Permit is required for the project to comply with Condition No. 3 of Permit No. 88-0941. Pursuant to SDMC Section [153.0201\(b\)](#), a decision for a Site Development Permit shall be made in accordance with a Process Three decision. A Coastal Development Permit is also required for the project to comply with Condition No. 21 of Permit No. 88-0941.

The project proposes to construct a new one-story, 5,935 square-foot commercial building that will include three future tenants. On June 22, 2022, the Hearing Officer approved the project as proposed. The Hearing Officer Report [No. HO-22-030](#) (Attachment 1) contains the project background, analysis, and draft findings with a staff recommendation of approval. In addition, the Project Data Sheet (Attachment 2) contains the project land use designation and zoning information.

PROJECT APPEAL DISCUSSION

On July 6, 2022, an appeal (Attachment 3) was filed by Julie Hamilton, representing Southwest Value Partners, claiming that the findings were not supported by the record. The following are the appeal issues as stated by the appellant (bolded font), followed by the City staff responses.

Appeal Issue No. 1: The project will not enhance public views towards the ocean from SR 56 due to the removal of mature trees and replacement with young, smaller trees.

Staff Response: The project site is located approximately 1.5 miles east of the Pacific Ocean, and there are no public views from the project site, as identified in the Community Plan. The project will result in the removal three ornamental trees at the southern end of the project site. However, new 24-inch box canopy trees and wall vines will be installed to soften the appearance of the building from SR-56 and complies with the City's landscaping regulations and standards. The project complies with the community goals regarding public view preservation and enhancement since the project was designed to comply with the development regulations of the underlying Carmel Valley Planned District Visitor Commercial Zone (CVPD-VC) and the CV-1-1 city-wide commercial zone (development within the CVPD-VC Zone is subject to the development regulations of the CV-1-1 Zone, per SDMC Section [153.0305](#)), including a floor area ratio (.31) that does exceed the base zone requirement, building setbacks, and a building height (26 feet 4 inches) that is below the 30-foot height limit. No deviations or variances are required.

Appeal Issue No. 2: The project will impact access to the coast by contributing additional traffic to already congested roadways.

Staff Response: The project site is located approximately 1.5 miles east of the Pacific Ocean, and there is no public access to the coast from the project site, as identified in the Community Plan. The project demonstrated consistency with the traffic analysis conclusions for the

adjacent hotel and office buildings under the approved Negative Declaration associated with Permit No. 88-0941. The project was also designed to comply with the development regulations of the underlying CVPD-VC Zone and the CV-1-1 city-wide commercial zone. No deviations or variances are required.

Appeal Issue No. 3: The project will impact access to the coast by reducing the parking available to visitors to the coastal zone.

Staff Response: The proposed project is located approximately 1.5 miles east of the Pacific Ocean and will not adversely impact coastal access due to lack of parking. The project exceeds the current minimum off-street parking requirement of 76 spaces within the underlying development regulations by providing 126 spaces. The project permit also requires that all on-site parking stalls remain in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless authorized in writing by the appropriate City decision maker.

Appeal Issue No. 4: The project is not in conformity with the certified local coastal program because the North City West Planned District includes design guidelines and the project is not consistent with those guidelines.

Staff Response: The project complies with Permit No. 88-0941, and is consistent with the Design Element of the Community Plan and the Urban Design Element of the Neighborhood 6 Precise Plan, which provide guidelines for architectural form and character, including building form, materials and colors, and details among other elements. The project provides an architectural style that is compatible with the adjacent uses within the commercial center and provides visual unity. In particular, the building's architecture includes design features similar to the adjacent hotel and office development including "box" forms and flat roofs. The building also includes details such as earth-tone colors and entry canopies similar to the adjacent hotel. The project's building height (26 feet 4 inches) is below the 30-foot height limit, and the design includes off-setting planes with adequate fenestration to avoid blank walls along the front facade.

Conclusion:

Staff has reviewed the appeal and has determined that all appeal issues have been addressed. The project conforms with the Community Plan, and the adopted City Council policies and regulations of the Land Development Code. Therefore, staff recommends that the Planning Commission deny the appeal and uphold the Hearing Officer's decision to approve Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941.

ALTERNATIVES

1. Deny the appeal and uphold the Hearing Officer's decision to approve Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941, with modifications.
2. Approve the appeal and deny Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Renee Mezo
Assistant Deputy Director
Development Services Department



Xavier Del Valle
Development Project Manager
Development Services Department

Attachments:

1. Hearing Officer Report No. 22-030
2. Project Data Sheet
3. Appeal
4. Draft Resolution with Findings
5. Draft Permit with Conditions



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: June 15, 2022 REPORT NO. HO-22-030

HEARING DATE: June 22, 2022

SUBJECT: Carmel Center SDP/CDP, CEQA Exemption, Process Three Decision

PROJECT NUMBER: [657923](#)

OWNER/APPLICANT: CDM Retail, L.P., Owner / Heritage Building & Development, Applicant

SUMMARY:

Issue: Should the Hearing Officer approve a new one-story, 5,935 square-foot commercial building within an existing commercial development that will include three future restaurant tenants at 11925 El Camino Real within the Carmel Valley Community Plan area?

Staff Recommendation: Approve Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941.

Community Planning Group Recommendation: On October 22, 2020, a motion failed by a vote of 3-6-0 by the Carmel Valley Community Planning Board to support the project (Attachment 6).

Environmental Review: The project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15332 (In-Fill Development Projects). The environmental exemption determination for this project was made on March 25, 2022, and the opportunity to appeal the determination ended April 11, 2022 (Attachment 7). There were no appeals to the environmental determination.

BACKGROUND

The 0.43-acre site is located at 11925 El Camino Real (just north of SR-56) within an existing commercial development that was approved by North City West Planned District Development Plan Permit No. 88-0941 (Attachment 8). The site is in the Carmel Valley Planned District – Visitor Commercial Zone (CVPD-VC), Coastal (Non-Appealable) Overlay Zone, Parking Impact Overlay Zone, and Transit Priority Area within the Carmel Valley Community Plan area (Attachments 1-3). Pursuant to SDMC Section [153.0305](#), development within the CVPD-VC Zone is subject to the development regulations of the CV-1-1 city-wide commercial zone. The project site is within Environmentally

Attachment 1

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Sensitive Lands (ESL) for floodplains, however, the proposed project is exempt from ESL pursuant to San Diego Municipal Code (SDMC) Section [143.0110\(c\)\(9\)](#). The project is permitted in the underlying base zone and complies with SDMC Section [143.0145](#) and [143.0146](#) (Regulations for Special Flood Hazard Areas).

A Site Development Permit is required for the proposed project to comply with Condition No. 3 to Permit No. 88-0941. Pursuant to SDMC Section [153.0201\(b\)](#), a decision for a Site Development Permit shall be made in accordance with a Process Three. A Coastal Development Permit is also required for the proposed project to comply with Condition No. 21 to Permit No. 88-0941. The discretionary actions have been consolidated under this application and processed concurrently, pursuant to the Consolidation of Processing regulations contained in SDMC Section [112.0103](#). Therefore, the decision to approve, conditionally approve, or deny the project will be made by the Hearing Officer and is appealable to the Planning Commission.

DISCUSSION

The project consists of a new one-story, 5,935 square-foot commercial building that will include three future restaurant tenants (Attachment 10). The project was designed to comply with the development regulations of the underlying Carmel Valley Planned District Visitor Commercial Zone (CVPD-VC) and the CV-1-1 city-wide commercial zone. No deviations or variances are required.

The project is consistent with the Community Plan and the Land Use Element of the Precise Plan since the area is designated as Visitor Commercial, which is appropriate for visitor accommodations, eating and drinking establishments, and related services. The Design Element of the Community Plan also identifies guidelines for architectural form and character, including building form, materials and colors, and details among other elements. The project conforms with this Community Plan policy by incorporating earth tone colors and materials, and off-setting planes with adequate fenestration to avoid blank walls along the front facade. The project also proposes a design that is compatible with the adjacent commercial uses and a building height (26 feet 4 inches) that does not exceed the 30-foot height limit.

The project site is located approximately 1.5 miles east of the Pacific Ocean and is not within the First Public Roadway. There is no public view or coastal access from the project site, as identified in the Community Plan. The project site is mapped as urban developed and does not contain any sensitive vegetation. There are no impacts to biological resources, and the site is not within or adjacent to the Multiple Species Conservation Program/Multi Habitat Planning Area. In addition, there are no impacts to the special flood hazard area, and drainage for the project complies with the City's drainage regulations and standards.

The project permit contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. Permit requirements include: obtaining an Encroachment Maintenance Removal Agreement for the private storm drains, parking stalls and pavement within the public storm drain easement; obtaining a bonded grading permit for the grading; implementing storm water construction best management practices and entering into a Maintenance Agreement for ongoing permanent BMP maintenance; submitting a technical report based on storm water standards and a Water Pollution Control Plan; submitting an updated geotechnical report that addresses the construction plans; assuring by

Attachment 1 (PC-22-045)

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permit and bond the design and construction of new water and sewer services outside of any driveway or drive aisle, including the abandonment of any existing unused water and sewer services; installing appropriate private back flow prevention devices; obtaining an Encroachment Maintenance Removal Agreement for the required ADA ramp (for compliance with the Americans with Disabilities Act); and maintenance of all landscape improvements.

Staff has reviewed the proposal, including all the issues identified through the review process, and has determined that all project issues have been addressed. The project conforms with the Community Plan, and the adopted City Council policies and regulations of the Land Development Code. Therefore, draft findings and conditions to support project approval are presented to the Hearing Officer for consideration.

ALTERNATIVES

1. Approve Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941, with modifications.
2. Deny Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



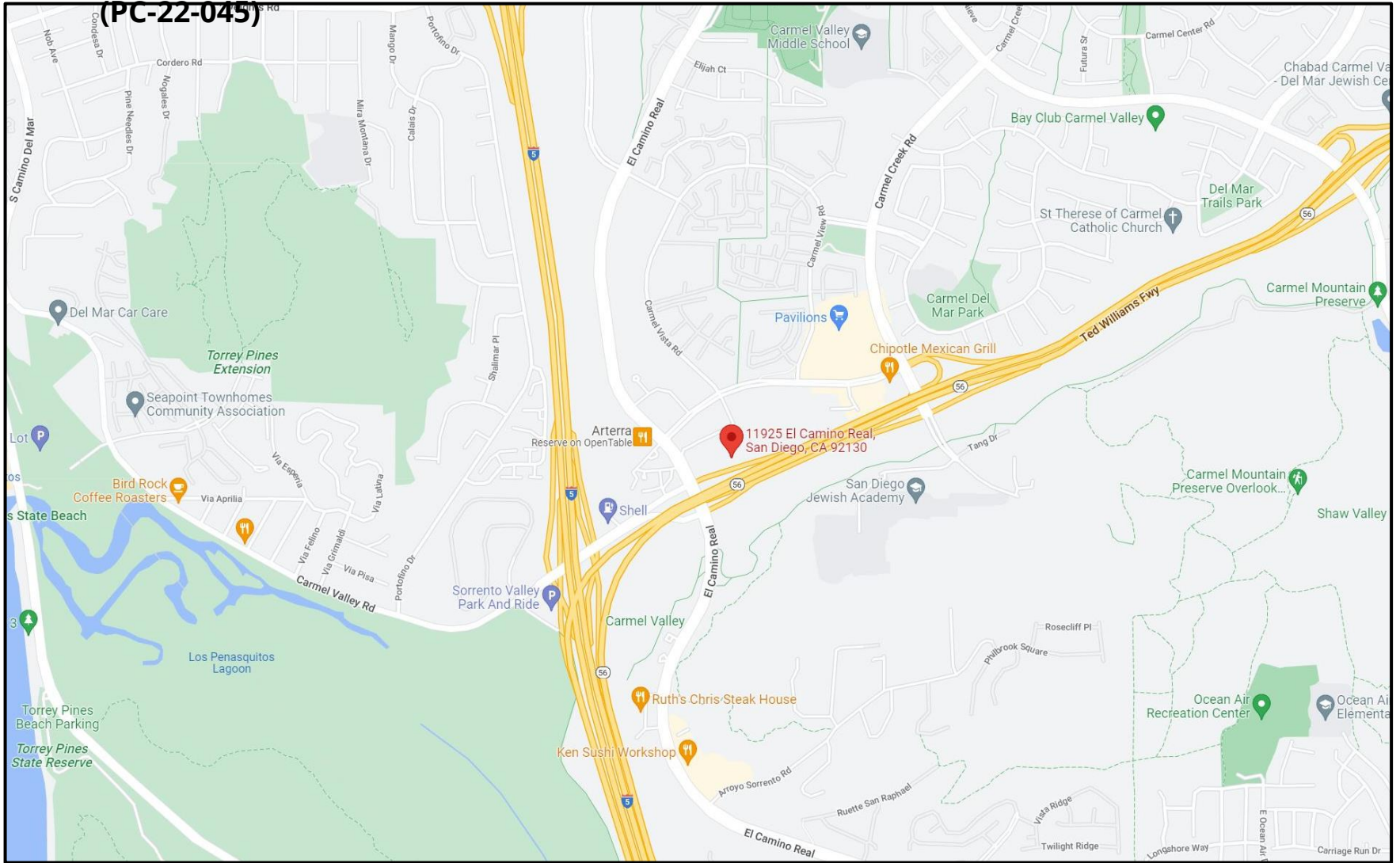
Xavier Del Valle, Development Project Manager

Attachments:

1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Community Planning Board Recommendation
7. Notice of Right to Appeal (NORA)
8. North City West Planned District Development Plan Permit No. 88-0941
9. Ownership Disclosure Statement
10. Project Plans

Attachment 1

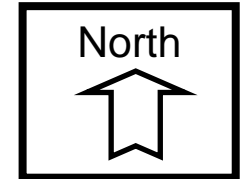
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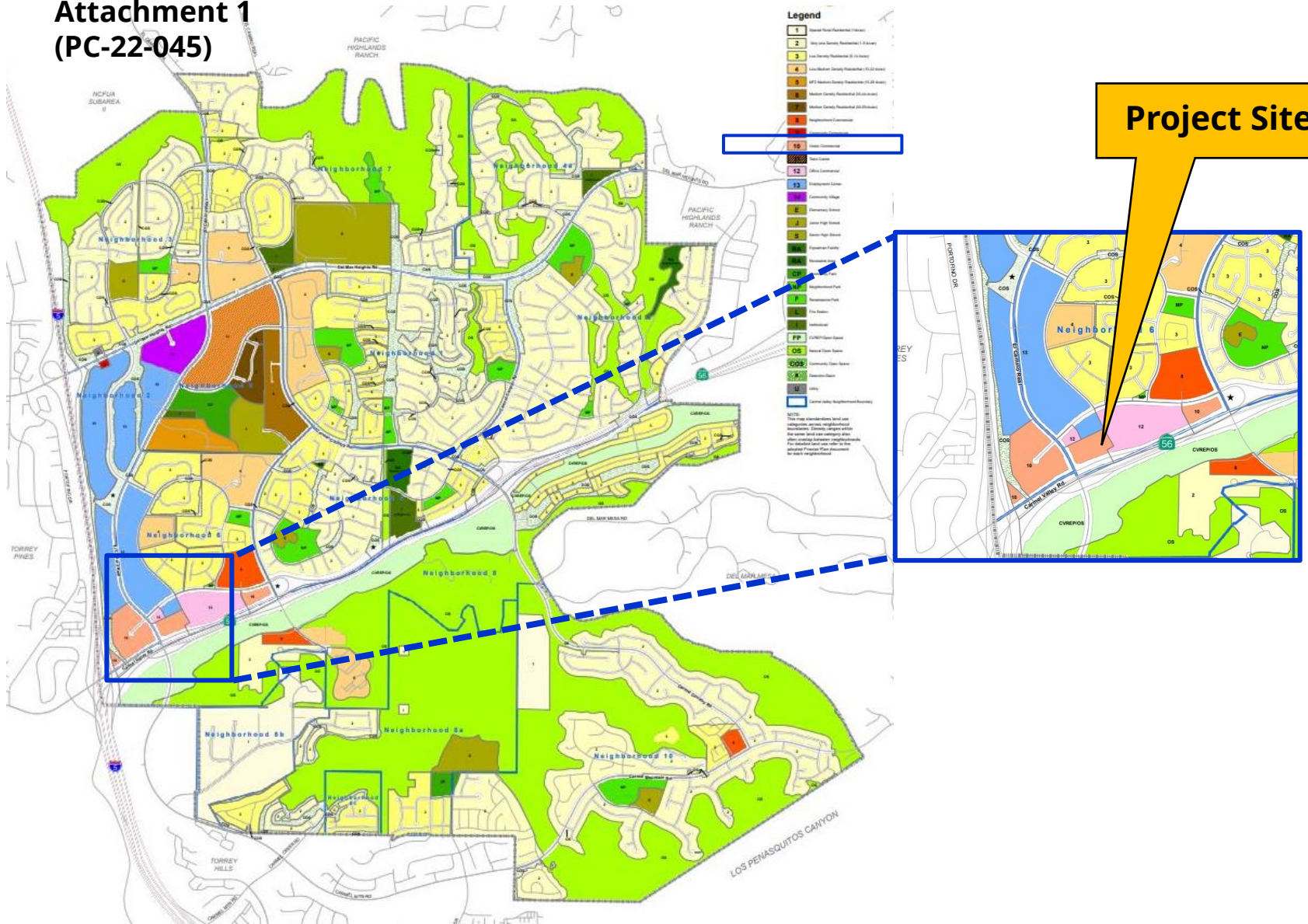
Project Location Map

Carmel Center SDP/CDP

Project No. 657923 - 11925 El Camino Real

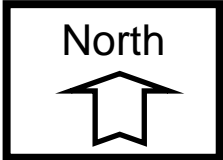


Attachment 1 (PC-22-045)

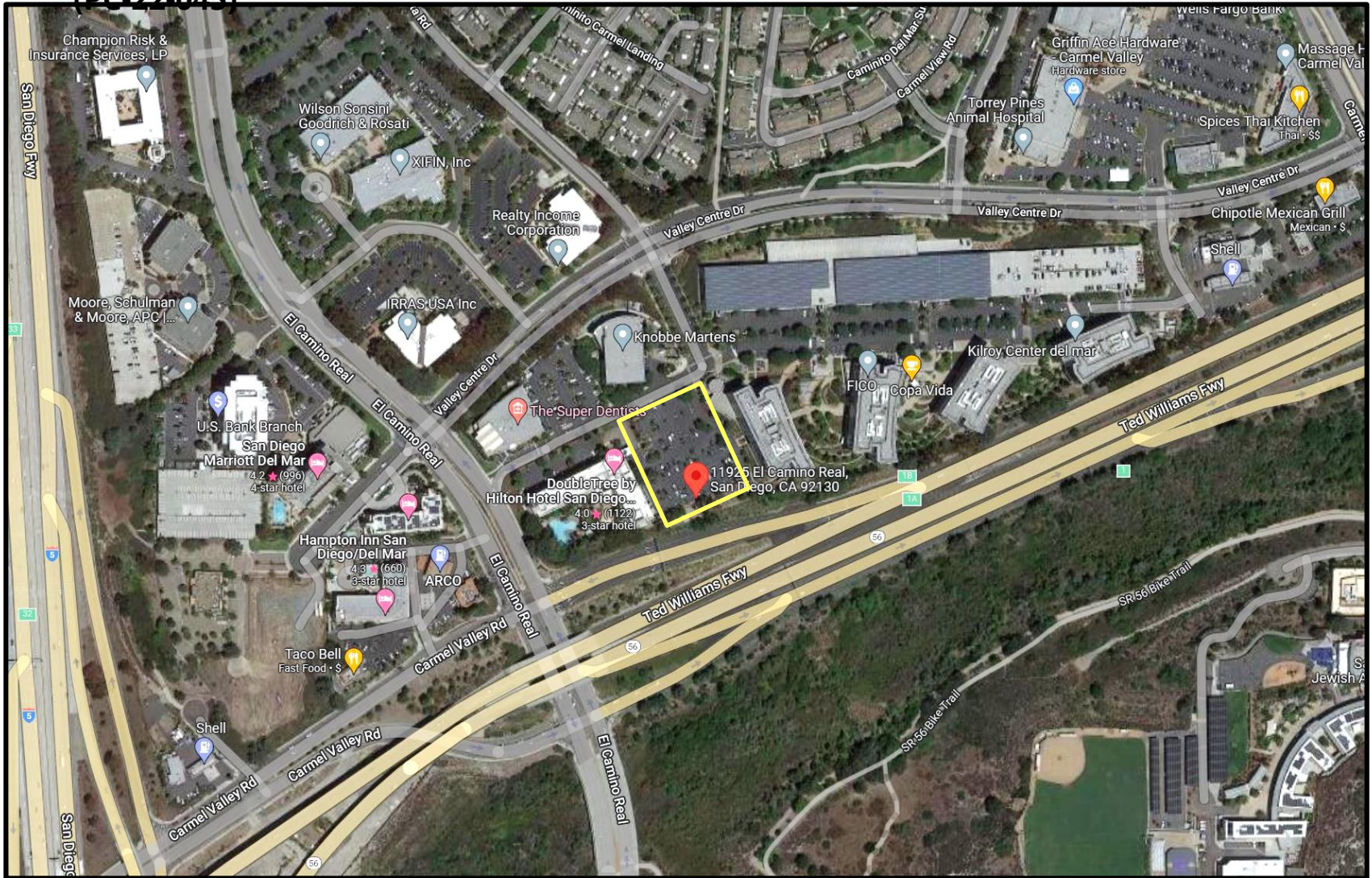


Land Use Map

Carmel Center SDP/CDP
Project No. 657923 - 11925 El Camino Real

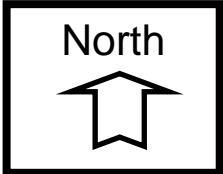


Attachment 1 (PC-22-045)



Aerial Photograph

Carmel Center SDP/CDP
Project No. 657923 - 11925 El Camino Real



COASTAL DEVELOPMENT PERMIT NO. 2402858
SITE DEVELOPMENT PERMIT NO. 2402859
AMENDMENT TO NORTH CITY WEST PLANNED DEVELOPMENT PERMIT NO. 88-0941
CARMEL CENTER CDP/SDP - PROJECT NO. 657923
HEARING OFFICER

WHEREAS, CDM RETAIL L.P., a California Limited Partnership, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a one-story, 5,935 square-foot commercial building for three future restaurant tenants (as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941), on portions of a 0.43-acre site;

WHEREAS, the project site is located at 11925 El Camino Real and is in the Carmel Valley Planned District – Visitor Commercial Zone (CVPD-VC), Coastal (Non-Appealable) Overlay Zone, Parking Impact Overlay Zone, Transit Priority Area, and Environmentally Sensitive Lands for floodplains within the Carmel Valley Community Plan area;

WHEREAS, the project site is legally described as Parcel A, Parcel 2 of Parcel Map No. 18098, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, August 25, 1998 as File No. 1998-541314 of the Official Records, and Parcel B, a non-exclusive easement for ingress and egress for vehicular and pedestrian traffic and vehicle parking together with the other uses and rights as more fully and specifically described in Article X, Paragraph A, Grants of Reciprocal Easements contained in that certain document entitled Agreement between land owners, including easements with covenants and restrictions affecting land for Carmel Valley Commercial, recorded September 29, 1994 as File No. 1994-0579026 of the Official Records;

WHEREAS, on March 25, 2022, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15332 (In-Fill Development Projects) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on June 22, 2022, the Hearing Officer of the City of San Diego considered associated Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to associated Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941:

A. COASTAL DEVELOPMENT PERMIT [San Diego Municipal Code (SDMC) Section 126.0708]

1. Findings for all Coastal Development Permits:

- a. 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 located approximately 1.5 miles east of the Pacific Ocean and is not within the First Public Roadway. There is no public view or coastal access from the project site, as identified in the Community Plan. The project complies with the community goals regarding public view preservation and enhancement since the project was designed to comply with the development regulations of the underlying Carmel Valley Planned District Visitor Commercial Zone (CVPD-VC) and the CV-1-1 city-wide commercial zone. No deviations or variances are required. Therefore, the project 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 project 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.

b. The proposed coastal development will not adversely affect environmentally sensitive lands.

The project site is mapped as urban developed and does not contain any sensitive vegetation. There are no impacts to biological resources, and the site is not within or adjacent to the Multiple Species Conservation Program/Multi Habitat Planning Area. In addition, there are no impacts to the special flood hazard area, and drainage for the project complies with the City's drainage regulations and standards. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

c. 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 is a commercial use located within an existing commercial development that was approved by North City West Planned District Development Plan Permit No. 88-0941. The project was designed to comply with the development regulations of the underlying Carmel Valley Planned District Visitor Commercial Zone (CVPD-VC) and the CV-1-1 city-wide commercial zone. No deviations or variances are required.

The project is consistent with the Community Plan and the Land Use Element of the Precise Plan since the area is designated as Visitor Commercial, which is appropriate for visitor accommodations, eating and drinking establishments, and related services. The Design Element of the Community Plan also identifies guidelines for architectural form and character, including building form, materials and colors, and details among other elements. The project conforms with this Community Plan policy by incorporating earth tone colors and materials, and off-setting planes with adequate fenestration to avoid blank walls along the front facade. The project also proposes a design that is compatible with the adjacent commercial uses and a building height (26 feet 4 inches) that does not exceed the 30-foot height limit.

The project site is located approximately 1.5 miles east of the Pacific Ocean and is not within the First Public Roadway. There is no public view or coastal access from the project site, as identified in the Community Plan. Therefore, the proposed project is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

- d. 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 approximately 1.5 miles east of the Pacific Ocean and is not within the First Public Roadway. There is no public access from the project site, as identified in the Community Plan. The project will be developed entirely within private property and will not adversely impact any public recreation opportunities. Therefore, the project conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

B. SITE DEVELOPMENT PERMIT [SDMC Section 126.0505]

1. Findings for all Site Development Permits:

- a. The proposed development will not adversely affect the applicable land use plan.**

The project is a commercial use located in an existing commercial development that was approved by North City West Planned District Development Plan Permit No. 88-0941. The project will provide space for three restaurant tenants and is consistent with the Community Plan and the Land Use Element of the Precise Plan since the area is designated as Visitor Commercial, which is appropriate for visitor accommodations, eating and drinking establishments, and related services.

The Design Element of the Community Plan also identifies guidelines for architectural form and character, including building form, materials and colors, and details among other elements. The project conforms with this Community Plan policy by incorporating earth tone colors and materials, and off-setting planes with adequate fenestration to avoid blank walls along the front facade. The project also proposes a design that is compatible with the adjacent commercial uses and a building height (26 feet 4 inches) that does not exceed the 30-foot height limit.

The project site is located approximately 1.5 miles east of the Pacific Ocean and is not within the First Public Roadway. There is no public view or coastal access from the project site, as identified in the Community Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

Staff has reviewed and accepted a geotechnical report for the site that concluded that the project adequately addresses the site's soil and geologic conditions. There are no impacts to the special flood hazard area, and drainage for the project complies with the City's drainage regulations and standards.

The project permit also contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. Permit requirements include: obtaining an Encroachment Maintenance Removal Agreement for the private storm drains, parking stalls and pavement within the public storm drain easement; obtaining a bonded grading permit for the grading; implementing storm water construction best management practices and entering into a Maintenance Agreement for ongoing permanent BMP maintenance; submitting an updated geotechnical report that addresses the construction plans; assuring by permit and bond the design and construction of new water and sewer services outside of any driveway or drive aisle, including the abandonment of any existing unused water and sewer services; installing appropriate private back flow prevention devices; obtaining an Encroachment Maintenance Removal Agreement for the required ADA ramp (for compliance with the Americans with Disabilities Act); and maintenance of all landscape improvements. Therefore, the project will not be detrimental to the public, health, safety, and welfare.

c. 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 is a commercial use located within an existing commercial development that was approved by North City West Planned District Development Plan Permit No. 88-0941. The project was designed to comply with the development regulations of the underlying Carmel Valley Planned District Visitor Commercial Zone (CVPD-VC) and the CV-1-1 city-wide commercial zone. No deviations or variances are required. Therefore, the project will comply with the regulations of the Land Development Code.

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

BE IT FURTHER RESOLVED that, based on these findings adopted by the Hearing Officer, associated Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in associated Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941, a copy of which is attached hereto and made a part hereof.

Xavier Del Valle
Development Project Manager
Development Services

Adopted on June 22, 2022

IO#: 24008530

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: 24008530

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2402858
SITE DEVELOPMENT PERMIT NO. 2402859
AMENDMENT TO NORTH CITY WEST PLANNED DEVELOPMENT PERMIT NO. 88-0941
CARMEL CENTER CDP/SDP - PROJECT NO. 657923
HEARING OFFICER

This Coastal Development Permit No. 2402858 and Site Development Permit No 2402859 to amend North City West Planned Development Permit No. 88-0941 is granted by the Hearing Officer of the City of San Diego to CDM RETAIL L.P., a California Limited Partnership, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702 and 126.0502. The 0.43-acre site is located at 11925 El Camino Real and is in the Carmel Valley Planned District – Visitor Commercial Zone, Coastal (Non-Appealable) Overlay Zone, Parking Impact Overlay Zone, Transit Priority Area, and Environmentally Sensitive Lands for floodplains within the Carmel Valley Community Plan area. The project site is legally described as: Parcel A, Parcel 2 of Parcel Map No. 18098, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, August 25, 1998 as File No. 1998-541314 of the Official Records, and Parcel B, a non-exclusive easement for ingress and egress for vehicular and pedestrian traffic and vehicle parking together with the other uses and rights as more fully and specifically described in Article X, Paragraph A, Grants of Reciprocal Easements contained in that certain document entitled Agreement between land owners, including easements with covenants and restrictions affecting land for Carmel Valley Commercial, recorded September 29, 1994 as File No. 1994-0579026 of the Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a one-story commercial building for three restaurant tenants described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 22, 2022, on file in the Development Services Department.

The project shall include:

- a. Construction of a one-story, 5,935 square-foot commercial building for three future restaurant tenants; and

- b. 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 7, 2025.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until the Owner/Permittee signs and returns the Permit to the Development Services Department, and the Permit is recorded in the Office of the San Diego County Recorder.
3. 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.
4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
5. 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.).
6. 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.
7. 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.
8. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

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

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

CLIMATE ACTION PLAN REQUIREMENTS:

10. 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:

11. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the proposed private storm drains, parking stalls and pavement within the public storm drain easement, satisfactory to the City Engineer.

12. The proposed drainage system is subject to approval by the City Engineer.

13. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the proposed grading. All grading shall conform to the requirements of the SDMC, in a manner satisfactory to the City Engineer.

14. Prior to the issuance of any building permits, the Owner/Permittee shall incorporate into the construction plans or specifications any construction Best Management Practices (BMPs) necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC.

15. Prior to the issuance of any building permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

16. Prior to the issuance of any building permits, a Technical Report shall be submitted based on the Storm Water Standards in effect at the time of construction permit issuance and is subject to approval by the City Engineer.

17. Prior to the issuance of any building permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

18. Prior to issuance of any construction permits, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City's Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit A on file in the Development Services Department.

19. Prior to issuance of any construction permits, the Owner/Permittee shall submit to the Development Services Department for approval complete landscape construction documents for public right-of-way improvements. The 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 to not prohibit the placement of street trees.

20. Prior to issuance of any construction permits, the Owner/Permittee shall submit to the Development Services Department for approval complete landscape and irrigation construction documents, which are consistent with the Landscape Standards. 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 SDMC Section 142.0403(b)6.

21. 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.

22. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the public 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.

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

GEOLOGY REQUIREMENTS:

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

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

PLANNING/DESIGN REQUIREMENTS:

26. 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.

27. 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:

28. All on-site parking stalls and driveway aisles 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.

WATER & SEWER DEVELOPMENT REQUIREMENTS:

29. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the design and construction of new water and sewer services outside of any driveway or

drive aisle, including the abandonment of any existing unused water and sewer services within the public right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

30. The Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention devices (BFPDs) on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. The BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the public right-of-way.

31. The Owner/Permittee shall grant private water and sewer easements for all cross-lot private water and sewer services from one lot to another as shown on the Project Civil Sheets.

32. The Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the proposed ADA ramp adjacent to the south of the existing public water and sewer easement.

33. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.

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

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 Hearing Officer of the City of San Diego on June 22, 2022 and Resolution Number_.

Coastal Development Permit No. 2402858
Site Development Permit No 2402859
Date of Approval: June 22, 2022

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Xavier Del Valle
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.

**CDM RETAIL L.P.,
Owner/Permittee**

By _____
NAME
TITLE

**CDM RETAIL L.P.,
Owner/Permittee**

By _____
NAME
TITLE

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

Page 3		City of San Diego · Information Bulletin 620		May 2020
	City of San Diego Development Services	<h2 style="margin: 0;">Community Planning Committee Distribution Form</h2>		
Project Name: Center Parkway Center		Project Number: 657923		
Community: Carmel Valley				
<p>For project scope and contact information (project manager and applicant), log into OpenDSD at https://aca.accela.com/SANDIEGO.</p> <p>Select "Search for Project Status" and input the Project Number to access project information.</p>				
<input checked="" type="radio"/> Vote to Approve <input type="checkbox"/> Vote to Approve with Conditions Listed Below <input type="checkbox"/> Vote to Approve with Non-Binding Recommendations Listed Below <input type="checkbox"/> Vote to Deny				
# of Members Yes 3	# of Members No 6	# of Members Abstain 0		
Conditions or Recommendations: Motion to approve the project as presented with the request to add color and trees to the back elevation. MOTION FAILS.				
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.) Explanatory Note: The applicant missed an opportunity to design and develop a unique and creative infill commercial project. Instead the design is representative of a strip center, therefore it wasn't supported.				
NAME: Frisco White				
TITLE: Chair		DATE: October 22, 2020		
<i>Attach additional pages if necessary (maximum 3 attachments).</i>				



THE CITY OF SAN DIEGO

Date of Notice: March 25, 2022

**NOTICE OF RIGHT TO APPEAL
ENVIRONMENTAL DETERMINATION
DEVELOPMENT SERVICES DEPARTMENT**

SAP or I.O. No. 24008530

PROJECT NAME / NUMBER: Carmel Center SDP/CDP / 657923

COMMUNITY PLAN AREA: Carmel Valley Community Plan

COUNCIL DISTRICT: 1

LOCATION: 11925 El Camino Real San Diego, CA 92130

PROJECT DESCRIPTION: The project requests a Coastal Development Permit and Site Development Permit for a new one-story 6,000 square-foot commercial building that will include three future restaurant tenants at 11925 El Camino Real. Development of the property is governed by North City West Planned District Development Plan Permit (NCWPDDPP) No. 88-0941 and an SDP is required to amend this permit. The 0.43-acre site is located in Neighborhood 6 and is designated Visitor-Commercial pursuant to the Carmel Valley Community Plan and is subject to the CVPD-VC zoning requirements and is currently developed with parking lot and landscaping. The project is also subject to Coastal Overlay Zone, Environmentally Sensitive Lands (floodplain), Parking Impact Overlay Zone, Transit Priority Area, and Council District 1. (Legal Description: Parcel A, Parcel 2 of Parcel Map No. 18098, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, August 25, 1998 as File No. 1998-541314 of the Official Records, and Parcel B, a non-exclusive easement for ingress and egress for vehicular and pedestrian traffic and vehicle parking together with the other uses and rights as more fully and specifically described in Article X, Paragraph A, Grants of Reciprocal Easements contained in that certain document entitled Agreement between land owners, including easements with covenants and restrictions affecting land for Carmel Valley Commercial, recorded September 29, 1994 as File No. 1994-0579026 of the Official Records.)

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Hearing Officer

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

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego determined that the project would qualify to be categorically exempt from CEQA pursuant to CEQA Guidelines Section 15332, which consists of in-fill projects meeting the following conditions in this section.

Development is consistent with the applicable general plan designation and policies and with the applicable zoning designation and regulations; occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; has no value as habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. In addition, the exceptions listed in Section 15300.2 would not apply.

DEVELOPMENT PROJECT MANAGER: Xavier Del Valle
MAILING ADDRESS: 1222 First Avenue, MS 501, San Diego, CA 92101-4153
PHONE NUMBER / EMAIL: (619) 557-7941 / xdelvalle@sandiego.gov

On March 25, 2022 the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (April 11, 2022). During the Statewide "Safer-at-Home" directive to reduce the spread of COVID-19, beginning March 19, 2020, appeals to the City Clerk must be filed by email or US Mail as follows:

- 1) Appeals filed via E-mail: The Development Permit/Environmental Determination Appeal Application Form DS-3031 can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>.

Send the completed appeal form (including grounds for appeal and supporting documentation in pdf format) by email to Hearings1@sandiego.gov by 5:00pm on the last day of the appeal period; your email appeal will be acknowledged within 24 business hours. You must separately mail the appeal fee by check payable to the City Treasurer to: City Clerk/Appeal, MS 2A, 202 C Street, San Diego, CA 92101. The appeal filing fee must be United States Postal Service (USPS) postmarked before or on the final date of the appeal. Please include the project number on the memo line of the check.

- 2) Appeals filed in person: The Development Permit/Environmental Determination Appeal Application Form DS-3031 can be obtained at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3031.pdf>.

Deposit the fully completed appeal application [DS-3031](#) (including grounds for appeal and supporting documentation) in a sealed envelope, into the Drop-Off Box located under the Public Notice Kiosk to the left of the public entrance to the City Administration Building, 202 "C" Street, San Diego, CA 92101, by 5:00pm on the last day of the appeal period. The Drop-Off Box is available from 8:00am to 5:00pm Monday through Friday (excluding City-approved holidays). The completed appeal package must include the required appeal fee per this bulletin in the form of a check or money order payable to the "City Treasurer." Please include the project number on the memo line of the check/money order. This Drop-Off Box is checked daily, and payments are processed the following business day.

This information will be made available in alternative formats upon request.

POSTED IN THE OFFICE OF DSD	
Posted	<u>MAR 2 5 2022</u> <i>ml</i>
Removed	<u>APR 1 1 2022</u> <i>ss</i>
Posted by	<u>Myrafel</u>

1220

NOTE: COUNTY RECORDER, EASE RECORD AS
RESTRICTION ON USE OR DEVELOPMENT OF
REAL PROPERTY AFFECTING THE TITLE TO
OR POSSESSION THEREOF. Attachment 8

Recording requested by
mail to:
City of San Diego
Planning Department
1300 C Street, H.S. 41
San Diego, CA 92101-3284

PLANNING COMMISSION RESOLUTION NO. 0419-PC
GRANTING NORTH CITY WEST PLANNED DISTRICT
DEVELOPMENT PLAN PERMIT NO. 88-0941
CARMEL DEL MAR HOTEL

WHEREAS, CARMEL VALLEY PARTNERS, a General Partnership, Owner/Permittee, filed an application for a permit to construct a hotel on Lot 1, a restaurant on Lot 2, and an office building on each of Lots 3 and 4 of Tentative Map No. 88-0941, located on the east side of El Camino Real between Carmel Valley Road (SR-56) and Valley Centre Drive, described as Parcels 2 and 3, Map No. 12871, and a Portion of the Southeast Quarter of Section 19, Township 14 South, Range 3 West, SBM, in the VC, EC, and Coastal Zones of the North City West Planned District; and

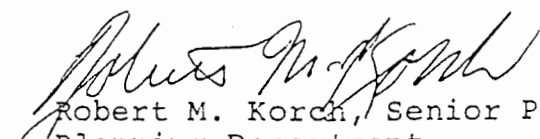
WHEREAS, on March 16, 1989, the Planning Commission of the City of San Diego held a public hearing to consider a Development Plan Permit No. 88-0941 and Tentative Subdivision Map No. 88-0941 for a development which will consist of the following: Lot 1, a 226-room, 113,000-square-foot hotel; Lot 2, a 12,000-square-foot restaurant; Lot 3, a 55,000-square-foot office building; Lot 4, a 55,000-square-foot office building; Lot 5, no development with this permit; six hundred and twelve (612) parking spaces; and thirty-seven (37) percent of the site landscaped, pursuant to Section 103.0606 of the Municipal Code of The City of San Diego; and

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

BE IT RESOLVED by the Planning Commission of the City of San Diego that the proposed Development Plan is consistent with the North City West Neighborhood Six Precise Plan and the VC, EC, and Coastal Zones, as set forth in Planning Report No. 89-128, dated March 10, 1989, the Planning Report by this reference is incorporated herein; and

BE IT FURTHER RESOLVED by the Planning Commission of the City of San Diego that NORTH CITY WEST PLANNED DISTRICT DEVELOPMENT PLAN PERMIT NO. 88-0941 is hereby GRANTED to Owner/Permittee in the form and with the terms and conditions set forth in the permit, a copy of which is attached hereto and made a part hereof.

89 246607


Robert M. Korch, Senior Planner
Planning Department

RECORDED IN
OFFICIAL RECORDS
OF SAN DIEGO COUNTY, CA.

Adopted on March 16, 1989
by a vote of 5-0

89 MAY 10 AM 8:13

RF 9
AD 6

VERA L. LYLE
COUNTY RECORDER

NORTH CITY WEST PLANNED DISTRICT DEVELOPMENT
PLAN PERMIT NO. 88-0941
(EMPLOYMENT CENTER AND VISITOR CENTER)

Planning Commission

This Planned District Development Plan Permit is hereby granted by the Planning Commission of The City of San Diego to CARMEL VALLEY PARTNERS, a general Partnership, Owner/Permittee, under the conditions in Section 103.0611 of the Municipal Code of the City of San Diego.

1. Permission is granted to Owner/Permittee to construct a hotel on Lot 1, a restaurant on Lot 2, an office building on Lot 3 and an office building on Lot 4 of Tentative Map No. 88-0941, known as Carmel Del Mar Hotel, located on the east side of El Camino Real between Carmel Valley Road (SR-56) and Valley Centre Drive, described as Parcels 2 and 3, Map No. 12871 and a Portion of the Southeast Quarter of Section 19, Township 14 South, Range 3 West, SBM, in the VC, EC, and Coastal Zones of the North City West Planned District.
2. The facility shall consist of the following:
 - a. Lot 1: a 226-room, hotel, 52 feet in height
Lot 2: a future restaurant, 28 feet in height
Lot 3: a future office building, 40 feet in height
Lot 4: a future office building, 40 feet in height; and
Lot 5: no development with this permit;
 - b. 235,000 square feet of floor area as follows:
Lot 1, 113,000 square feet
Lot 2, 12,000 square feet
Lot 3, 55,000 square feet
Lot 4, 55,000 square feet and
Lot 5, none;
 - c. Six hundred and twelve (612) parking spaces (based upon the shared parking study); and
 - d. landscaping on 37 percent of the site.

3. Prior to the issuance of any building permits, complete grading and building plans (including signs and exterior lighting) shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity with Exhibit "A," dated March 16, 1989, on file in the office of the Planning Department. The property shall be developed in accordance with the approved grading and building plans except where regulations of this or other governmental agencies require deviation therefrom. Prior to and subsequent to the completion of the project, no changes, modifications or alterations shall be made unless and until appropriate applications for amendment of this permit shall have been approved and granted.

4. Prior to the issuance of any grading or building permits, a complete landscaping plan, including a permanent watering system, shall be submitted to the Planning Director for approval. Said plans shall be in substantial conformity with Exhibit "A," dated March 16, 1989, on file in the office of the Planning Department. Approved planting shall be installed prior to the issuance of an occupancy permit on any building. Such planting shall not be modified or altered unless and until this permit shall have been amended to permit such modification or alteration. If any existing hardscape or landscape indicated on the approved plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind per the approved plans.

5. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.

6. Construction and operation of the approved use shall comply at all times with the regulations of this or other governmental agencies.

7. This Planned District Development Plan Permit shall not be final until the seventh day following the decision of the Planning Commission and is subject to appeal to the City Council as provided for in Section 103.0606 of the Municipal Code of The City of San Diego.

8. The effectiveness of this Planned District Development Plan Permit is expressly conditioned upon, and the same shall not become effective for any purpose unless and until the Permittee shall have agreed to each and every condition hereof by having this Planned District Permit signed.

9. After the establishment of the project as provided herein, the subject property shall not be used for any other purposes unless specifically authorized by the Planning Commission or unless the proposed use meets every requirement of the zone existing for the subject property at the time of conversion.

10. The property included within this Planned District Development Plan shall be used only for the purposes and under the terms and conditions as set forth in this permit unless specifically authorized by the Planning Director or the permit shall have been revoked by The City of San Diego.
11. In addition to any other remedy provided by law, any breach in any of the terms or conditions of this permit or any default on the part of the Permittee or its successors in interest, shall be deemed a material breach hereof, and this Planned District Development Plan Permit may be cancelled or revoked. Cancellation or revocation of this Planned District Development Plan Permit may be instituted by the City or Permittee. The Planning Commission may cancel or revoke this permit with that decision appealable to the City Council. Public notice will be provided as in Section 103.0606. An appeal from the decision of the Planning Commission may be taken to the City Council within seven (7) days after the decision is filed with the City Clerk. The Clerk shall set this matter for public hearing before the City Council giving the same notice as provided in Section 103.0606.
12. This Planned District Development Plan Permit shall inure to the benefit of and shall constitute a covenant running with the lands, and the terms, conditions and provisions hereof shall be binding upon Permittee, and any successor or successors thereto, and the interests of any successor shall be subject to each and every condition herein set out.
13. This map and site plan shall comply with the standards, policies and requirements of all ordinances in effect at the time of approval of this map, including the Interim Development Ordinance adopted by the City Council on July 21, 1987 and successor ordinance, plan or policy imposing the same or similar requirements upon environmentally sensitive habitats, floodplains, hillsides, wetlands or coastal bluffs, which approval shall be required for the development.
14. The first phase of this development shall provide a minimum of three hundred (300) parking spaces, with the remaining three hundred and twelve (312) parking spaces provided with the next phase.
15. The elevation, floor, and landscape plans for Lots 2, 3, and 4 shall be approved by the Planning Director prior to their submittal to Building Inspection for building permits.
16. Lots 3 and 4 of the Tentative Map No. 88-0941, shall be a minimum 110,000 square feet in size on the final map. If either lot is less than 110,000 square feet the floor area of the building on the lot shall not exceed a ratio of .5.

17. The developer shall provide a sound attenuation wall per the acoustical study and Exhibit "A," dated March 16, 1989. The Noise Abatement Officer of the City of San Diego shall approve the noise wall prior to the issuance of building permits.

18. The developer shall provide a transit shelter and bus pad (concrete) along the western edge of Lot 2 (adjacent to El Camino Real, near the intersection of Valley Centre Drive). The shelter and bus pad shall be located on Lot 2 and the developer shall be responsible for and provide for the maintenance of the transit shelter and bus pad.


19. A drainage and erosion plan shall be provided and approved by the City Engineer and the Deputy Director of the Environmental Quality Division.

20. A pedestrian walkway linking all elements of the project and the surrounding streets, shall be provided and approved by the Planning Director in conformance with Exhibit "A," dated March 16, 1989.

21. Prior to the issuance of building permits, the developer shall obtain a coastal permit from the City of San Diego for this project.

22. Prior to the issuance of building permits, a reciprocal parking and access agreement shall be created by separate instrument to the satisfaction of the Planning Director.

Passed and adopted by the Planning Commission of the City of San Diego on March 16, 1989.

	<p>City of San Diego Development Services 1222 First Ave., MS 302 San Diego, CA 92101 (619) 446-5000</p>	<h1 style="margin:0;">Ownership Disclosure Statement</h1>	<p>FORM DS-318</p> <p>October 2017</p>
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Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: Carmel Center **Project No. For City Use Only:** 057923
Project Address: Valley Centre Drive & Carmel Vista Road

Specify Form of Ownership/Legal Status (please check):

Corporation Limited Liability -or- General - What State? _____ Corporate Identification No. _____
 Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: CDM Retail, LP Owner Tenant/Lessee Successor Agency
 Street Address: 20 Corporate Plaza Drive
 City: Newport Beach State: CA Zip: 92660
 Phone No.: (949)640-8300 Fax No.: _____ Email: _____
 Signature: [Signature] Date: 12/16/19
 Additional pages Attached: Yes No

Applicant

Name of Individual: Heritage Building & Development Owner Tenant/Lessee Successor Agency
 Street Address: 4350 Executive Drive, Suite 305
 City: San Diego State: CA Zip: 92121
 Phone No.: (858)259-2960 Fax No.: (858)259-2933 Email: bnorby@heritage-build.com
 Signature: [Signature] Date: 12-16-19
 Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency
 Street Address: _____
 City: _____ State: _____ Zip: _____
 Phone No.: _____ Fax No.: _____ Email: _____
 Signature: _____ Date: _____
 Additional pages Attached: Yes No

CARMEL PARKWAY CENTER

11925 EL CAMINO REAL
SAN DIEGO, CA 92130

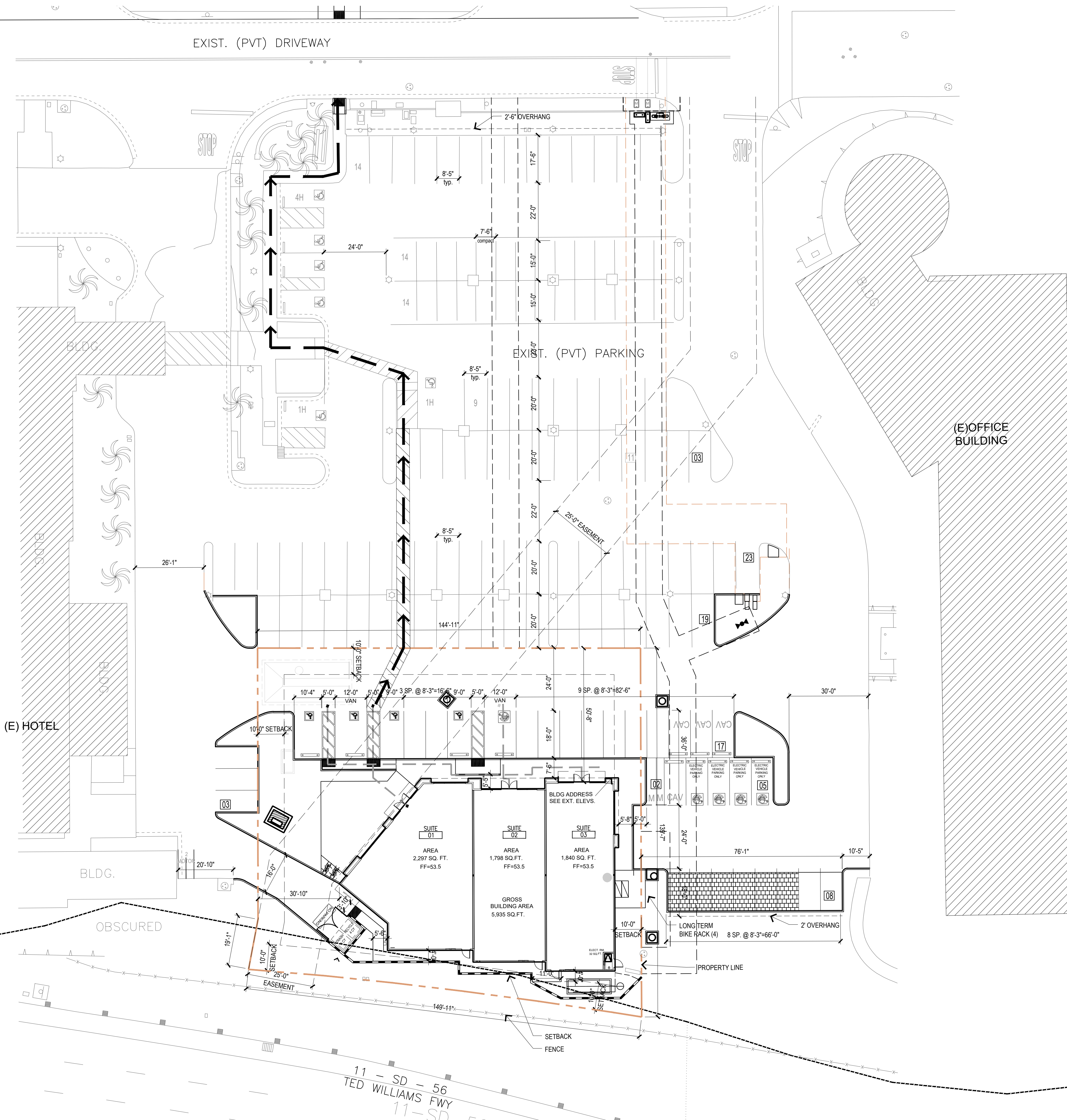


PROJECT DATA	SEE LIFE SAFETY SHEET(S) FOR COMPREHENSIVE CODE ANALYSIS	PROJECT ADDRESS	SHEET INDEX
1 - ADMINISTRATION A. ALL WORK SHALL BE IN CONFORMANCE WITH THE CODES IDENTIFIED IN THE GOVERNING CODES SECTION LISTED BELOW. 2019 CALIFORNIA BUILDING CODE 2019 CALIFORNIA MECHANICAL CODE 2019 CALIFORNIA PLUMBING CODE 2019 CALIFORNIA ELECTRICAL CODE 2019 CALIFORNIA GREEN BUILDING STANDARDS 2019 CALIFORNIA FIRE CODE 2019 CALIFORNIA ENERGY CODE LOCAL JURISDICTIONAL AMENDMENTS B. ACCESSIBILITY REQUIREMENTS PER THE FEDERAL ADA, ANSI 117.1-2003 AND 2019 CBC OR AS AMENDED BY STATE OR LOCAL REGULATIONS, WHICHEVER IS MOST RESTRICTIVE C. REFER TO SITE DEVELOPMENT SET FOR PARKING AND BICYCLE REQUIREMENTS D. REFERENCE THE GEOTECHNICAL REPORT PREPARED BY GEOCON CONSULTANTS. E. THE EXTERIOR WALL / ROOF/ STOREFRONT ASSEMBLIES FOR BUILDING WILL REDUCE NOISE LEVELS BY 29-34 DB, RESULTING IN PREDICTED INTERIOR NOISE LEVELS OF 34-39 DB. THE RESULTS OF THIS ANALYSIS INDICATE THAT OVERALL INTERIOR TRAFFIC NOISE LEVELS ARE PREDICTED TO COMPLY WITH THE 50 DBA LEQ LIMIT SPECIFIED IN CAL GREEN CODE SECTION 5.507.4.		11925 EL CAMINO REAL SAN DIEGO, CA 92130	GENERAL 00 COVER SHEET 01 SITE PLAN 02 EXISTING SITE CONDITIONS CIVIL C1 SITE PLAN/ACCESSIBILITY PLAN/SITE SECTIONS C2 GRADING & DRAINAGE PLANS, TOPOGRAPHIC MAP C3 FIRE ACCESS PLAN LANDSCAPE T1 LANDSCAPE COVER SHEET L1 CONCEPTUAL LANDSCAPE PLAN L2 LANDSCAPE CALCULTIONS ARCHITECTURAL 03 PROPOSED FLOOR & ROOF PLAN 04 PROPOSED ELEVATIONS 05 PROPOSED SECTIONS 06 PHOTOGRAPHIC SITE SURVEY 07 PROPOSED COLOR ELEVATIONS
3 - OCCUPANCY A. PRIMARY OCCUPANCY (CHAPTER 3): A B. ADDITIONAL OCCUPANCIES: A-2 C. NO MORE THAN 10 TOTAL EMPLOYEES FOR ENTIRE BUILDING		LEGAL DESCRIPTION THE LAND REFERRED TO HEREIN IS SITUATED IN THE CITY OF SAN DIEGO IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS: PARCEL A: PARCEL 2 OF PARCEL MAP NO. 18098, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 25, 1998 AS FILE NO. 1998-541314 OF OFFICIAL RECORDS. PARCEL B: A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR VEHICULAR AND PEDESTRIAN TRAFFIC AND VEHICLE PARKING TOGETHER WITH OTHER USES AND RIGHTS AS MORE FULLY AND SPECIFICALLY DESCRIBED IN ARTICLE X, PARAGRAPH (A) "GRANTS OF RECIPROCAL EASEMENTS" CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED "AGREEMENT BETWEEN LAND OWNERS, INCLUDING EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING LAND FOR CARMEL VALLEY COMMERCIAL", RECORDED SEPTEMBER 29, 1994 AS FILE NO. 1994-0579026 OF OFFICIAL RECORDS, OVER, UNDER, ALONG AND ACROSS THOSE PORTIONS OF THE COMMON AREA LYING WITHIN LOTS 2 THROUGH 9, INCLUSIVE, OF PIAZZA CARMEL II UNIT NO. 1, MAP NO. 13138, RECORDED SEPTEMBER 13, 1994, LOT 1 OF PIAZZA CARMEL II UNIT NO. 1, MAP NO. 13138, RECORDED SEPTEMBER 13, 1994, PARCEL MAP NO. 15957, RECORDED JANUARY 17, 1990 AND PARCEL 1 OF PARCEL MAP NO. 17382, RECORDED JUNE 30, 1994; AND PARCEL 1 OF PARCEL MAP NO. 18098, RECORDED AUGUST 25, 1998.	PROJECT DATA DEVELOPER HERITAGE BUILDING DEVELOPMENT 4350 EXECUTIVE DRIVE, SUITE 305 SAN DIEGO, CA 92121 PH: (858) 259-2960 X110 CONTACT: STEVE BALDWIN OR ERIC JOHNSON EMAIL: SBALDWIN@HERITAGE-BUILD.COM ARCHITECT AO ARCHITECTS, LLC 144 N. ORANGE STREET ORANGE, CA 92866 PH: (714) 639-9860 X225 CONTACT: JEFF RABBITT EMAIL: JEFF@AOARCHITECTS.COM GEOTECH GEOCON, INC. 6960 FLANDERS DRIVE SAN DIEGO, CA 92121 PH: (858) 558-6900 CONTACT: MATT R. LOVE EMAIL: CIVIL HUNSAKER & ASSOCIATES, INC. 9707 WAPLES STREET SAN DIEGO, CA 92121 PH: (858) 558-4500 CONTACT: TROY BURNS EMAIL: TBURNS@HUNSAKERSD.COM LANDSCAPE ARCHITECT TRIBUTARY LA, INC 2725 JEFFERSON STREET, SUITE 14 CARLSBAD, CA 92008 PH: (760) 434-9300 CONTACT: TOM PICARD EMAIL: TOM@TRIB-LA.COM STRUCTURAL ENGINEER OKAMOTO ENGINEERS, INC. 3186 AIRWAY AVENUE, SUITE F COSTA MESA, CA 92626 PH: (714) 444-2422 CONTACT: SIVARAM NAGARAJAN EMAIL: SNAGARAJAN@OKAMOTO-SE.COM MECH / PLUMB / ELECTRICAL ENGINEER SCHNACKEL ENGINEERS, INC 80 SOUTH LAKE AVENUE, SUITE 650 PASADENA, CA 91101 PH: (626) 486-0246 CONTACT: MATT VELDER EMAIL: MVELDER@SCHNACKEL.COM
4 - BUILDING AREA A. CONSTRUCTION TYPE (CHAPTER 5): V-B B. FULLY SPRINKLERED PER CHAPTER 9: YES C. ALLOWABLE: a. ALLOWABLE STORIES (TABLE 503, SEC. 504.2): 1 STORY b. ALLOWABLE HEIGHT (TABLE 503 & SEC. 504.2): 40 FT + 20 FT = 60 FEET c. ALLOWABLE FLOOR AREA (TABLE 503 & SEC. 506): BASE ALLOWABLE FLOOR AREA (A OCCUPANCY): 6,000 SF 12,000 SF D. BUILDING SEPARATED INTO THREE SEPARATE TENANTS, PER FIRE WALL CBC SECTION 706 a. FIRE WALL FIRE-RESISTANCE RATING (TABLE 706.4): b. CBC SECTION 706.5, EXCEPTION 1, EXTERIOR WALLS: c. CBC SECTION 706.6, EXCEPTION 2.1, LOWER ROOF ASSEMBLY, NOT LESS THAN:		BIKE PARKING GREEN BUILDING BICYCLE PARKING SECTIONS 5.106.4.1 SHORT TERM: 76 SPACES @ 5% = 3.9 MIN. (4) LONG TERM: MINIMUM = (4) TOTAL BIKE PROVIDED = (8)	SCOPE OF WORK <ul style="list-style-type: none"> CONSTRUCT NEW 5,968 S.F. BUILDING, ONE-STORY HIGH IN EXIST. PARKING LOT (REMOVING 40 PARKING SPACES, SITE OVER PARKED) NEW (3) FOOD TENANTS TO BE DETERMINED NEW TRASH ENCLOSURE, ADD BIKE RACKS INSTALL NEW UTILITIES, FIRE LINE, FIRE HYDRANT, DOMESTIC LINE, GAS LINE, POWER LINE WITH NEW TRANSFORMER NEW LANDSCAPE & IRRIGATION TO MATCH EXISTING CENTER
5 - OCCUPANCY SEPARATIONS A. BUILDING IS CLASSIFIED AS NON-SEPARATED PER SECTION 508.3 NO OCCUPANCY SEPARATIONS REQUIRED		SCOPE OF WORK (continued)	CALCULATIONS. AREA: PARCEL 2: 18,749 SQ. FT. (0.435ACRES) BUILDING: 5,935 SQ. FT. PARCEL: 0.32 LANDSCAPE (PARCEL 2): LANDSCAPE PROVIDED: SEE SHEET L3 FOR COVERAGE PERCENTAGE.
6 - TYPE OF CONSTRUCTION A. CONSTRUCTION TYPE (SEC. 603): TYPE V-B B. FIRE RESTITUTIVE CONSTRUCTION REQUIREMENTS (TABLE 601): a. PRIMARY STRUCTURE 0 HR b. EXTERIOR BEARING WALL 0 HR c. INTERIOR BEARING WALL 0 HR d. EXTERIOR WALLS (< 10- FEET FIRE SEPARATION - TABLE 602) 0 HR e. EXTERIOR WALLS (10- FEET OR MORE FIRE SEPARATION TABLE 602) 0 HR f. INTERIOR NON-BEARING WALL 0 HR g. FLOOR CONSTRUCTION & ASSOC. SECONDARY MEMBERS 0 HR h. ROOF CONSTRUCTION & ASSOC. SECONDARY MEMBERS 0 HR		ZONING CURRENT: CVPD-VC, WITHIN CARMEL VALLEY COMMUNITY PLAN, OVERLAY ZONES INCLUDING COASTAL OVERLAY ZONE, ENVIRONMENTALLY SENSITIVE LANDS, PARKING IMPACT OVERLAY ZONE AND TRANSIT PRIORITY AREA. JURISDICTION: NORTH CITY WEST PLANNED DISTRICT DEVELOPMENT PLAN PERMIT (NCWPD) NO. 88-0941 BUILDING SETBACK REQUIREMENTS: STREET FRONT: 10' MINIMUM RIGHT SIDE YARD: 10' MINIMUM LEFT SIDE YARD: 10' MINIMUM REAR YARD: 10', MINIMUM 25' EASEMENT ON RIGHT SIDE ASSESSOR PARCEL NUMBER 307-410-1400 GEOLOGICAL HAZARDS: 100 YEAR FLOOD PLAINS LIQUEFACTION: HIGH POTENTIAL VERY HIGH FIRE HAZARD SEVERITY ZONE	GENERAL NOTES 1- DEVELOPMENT OF THIS PROPERTY IS GOVERNED BY NORTH CITY WEST DEVELOPMENT PERMIT (NCWPD) NO. 88-0941 APPROVED BY THE CITY ON MARCH 16, 1989, AND SUBSEQUENTLY AMENDED BY SITE DEVELOPMENT PERMIT/COASTAL DEVELOPMENT PERMIT (SDP/CDP) NO. 40-0180 APPROVED ON MAY 1, 2001 2- AGREEMENT BETWEEN LANDOWNERS INCLUDING COVENANTS, CONDITIONS, AND RESTRICTIONS AND GRANTS OF EASEMENTS FOR CARMEL CENTER AND INCLUDING AMENDMENT AND RESTATEMENT OF FORMER DECLARATION AND TERMINATION OF PRIOR GRANTS OF EASEMENT 3- THIS LOT/PROJECT IS ALLOCATED 125 PARKING SPACES IN THE ADJACENT PARKING STRUCTURE. 4- PER CC&R THIS SITE IS INTENDED FOR RESTAURANT USE. 5- PERMIT 40-01180 FOR ADJACENT PARCEL TO PROPERTY.

Carmel Center - Parcel D

11925 El Camino Real, San Diego, CA

TITLE SHEET



SITE SUMMARY

SITE AREA:	18556 S.F.	0.43 ACRES		
TOTAL BUILDING AREA:	5935 S.F. + 32 S.F. ELEC. RM.			
F.A.R.	0.32			
BUILDING AREA & PARKING SUMMARY:		PARKING RATIO:	REQUIRED PARKING:	
TENANT 01-RESTAURANT	2297 S.F.	12.8 / 1000	29.4 STALLS	
TENANT 02-RESTAURANT	1798 S.F.	12.8 / 1000	23.0 STALLS	
TENANT 03-RESTAURANT	1840 S.F.	12.8 / 1000	23.6 STALLS	
		(N) TOTAL	76 STALLS	
(E) HOTEL		ALLOCATED	55 STALLS	
PARKING SUMMARY:			(BUILDING)	(OVERALL)
	EXISTING		REQUIRED	PROVIDED
STANDARD	197 STALLS		76	126 STALLS
ADA (INCLUDING 1 VAN STALL)	6 STALLS		4 STALLS	10 STALLS
CAV (INCLUDING 1 VAN STALL)			4 STALLS	4 STALLS
FUTURE EV			5 STALLS	5 STALLS
REMOTE ALLOCATED STALLS	125 STALLS			125
TOTAL AUTO PARKING:	328 STALLS		131 STALLS	270 STALLS
REMOVING EXIST. AUTO SPACES	58 STALLS			
MOTORCYCLE			2	4
OVERALL VEHICULAR PARKING:			133 STALLS	274 STALLS

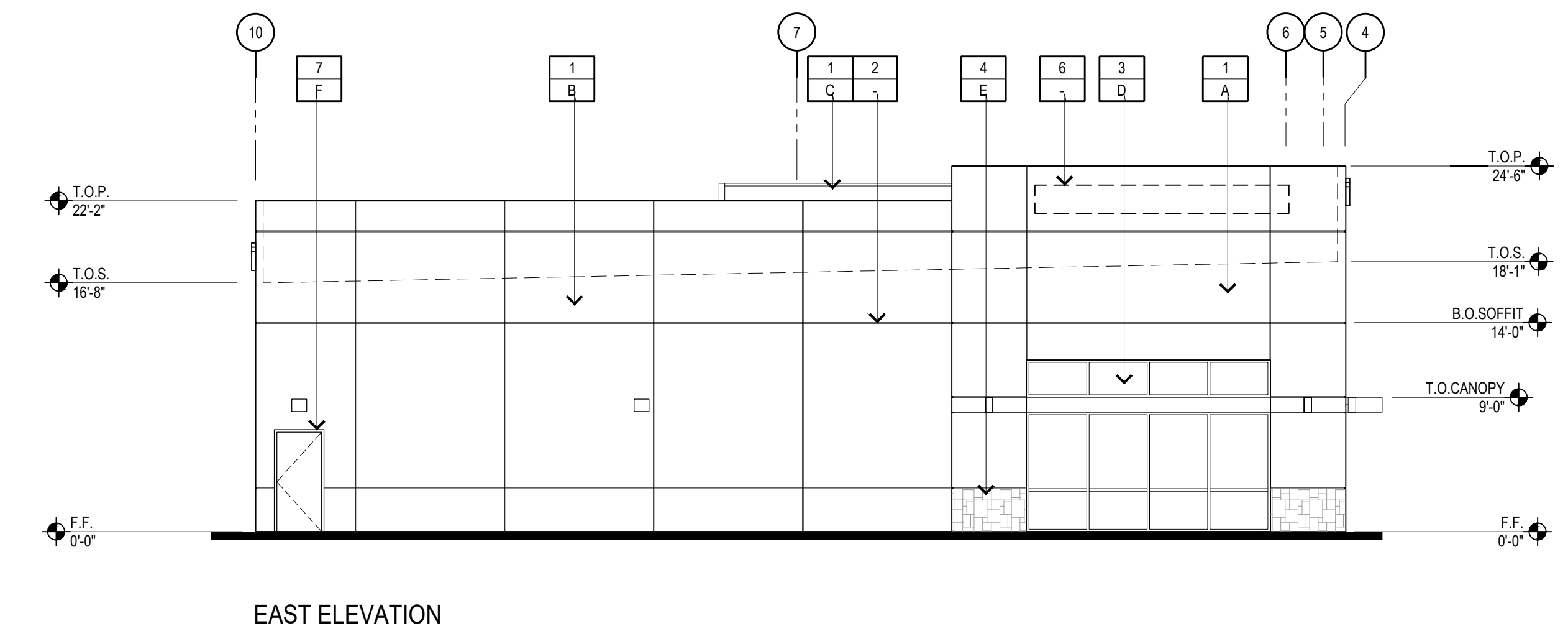
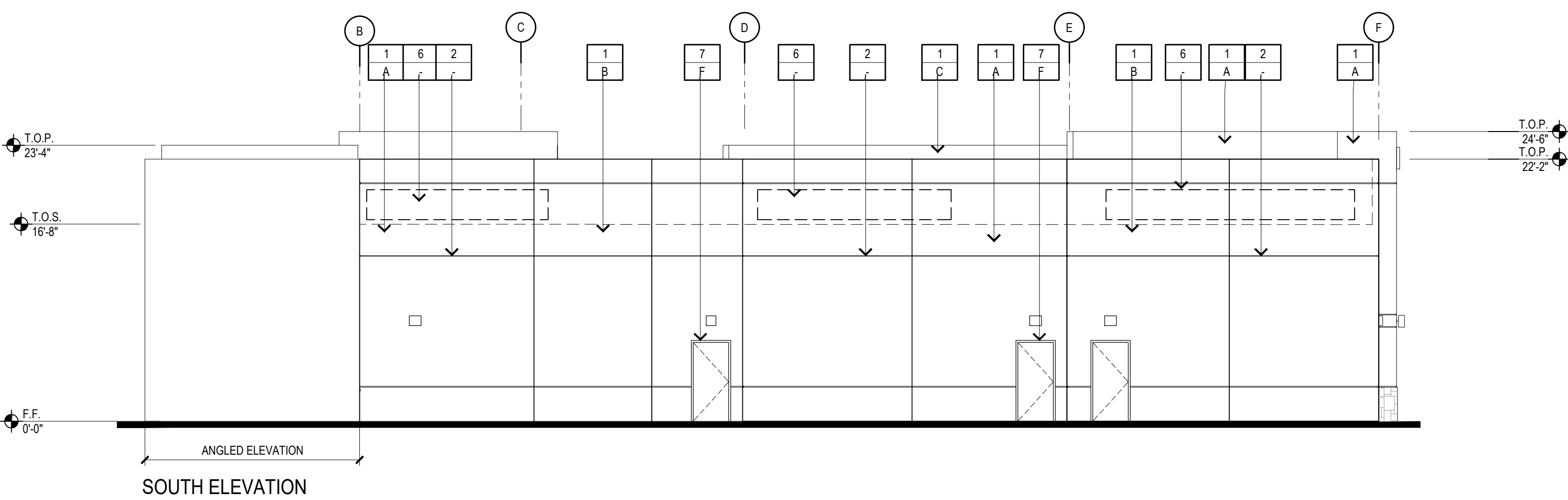
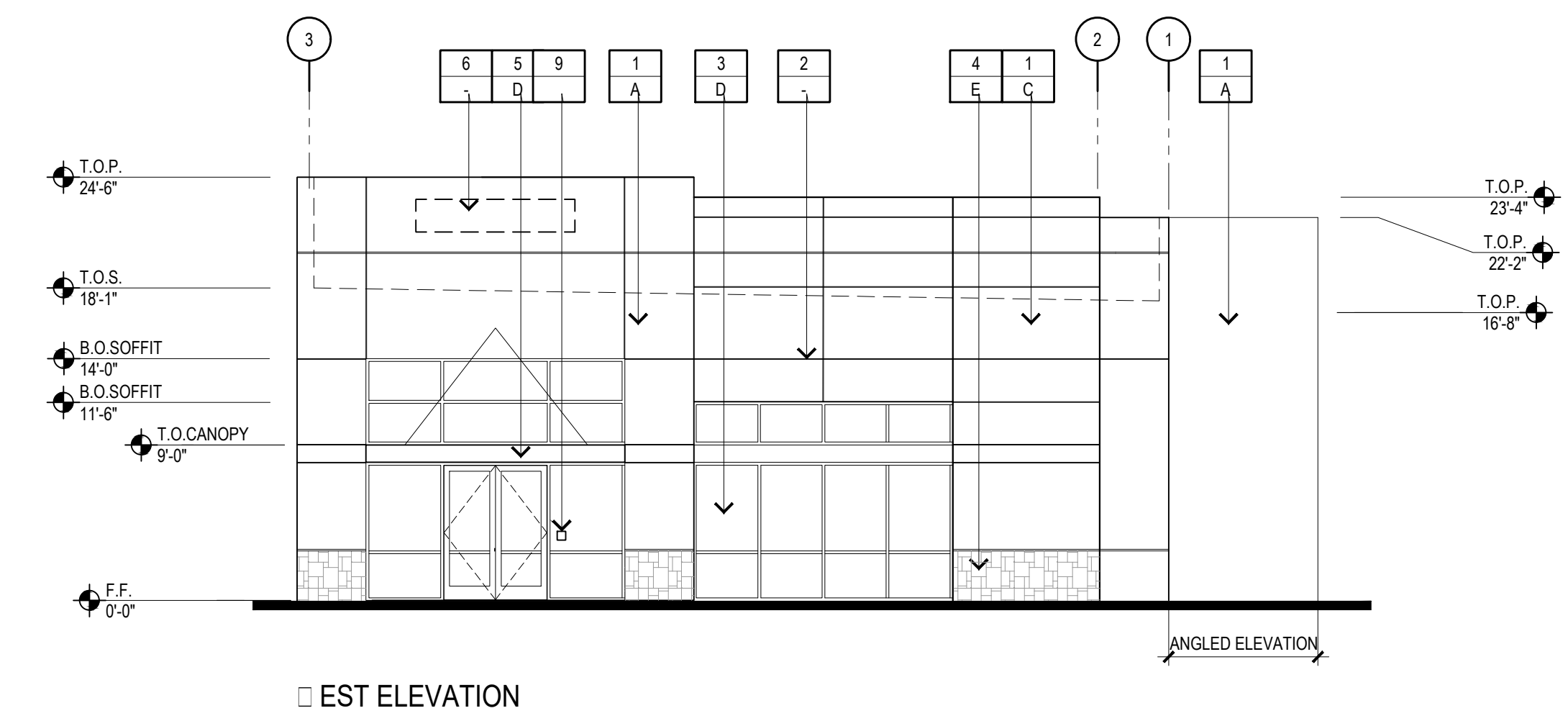
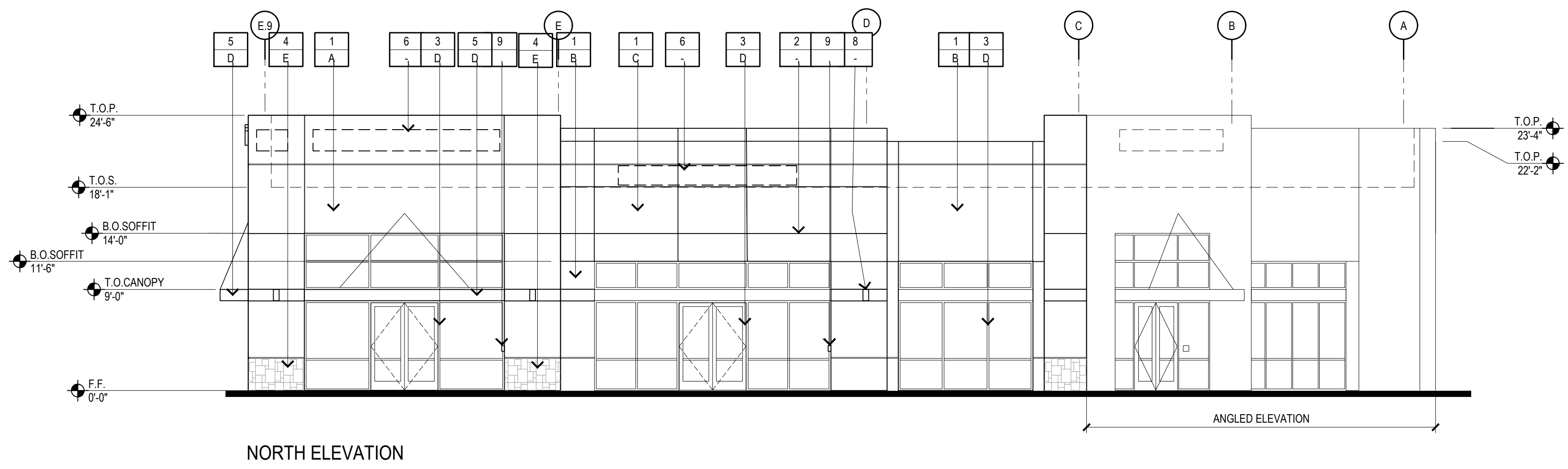
	REQUIRED	PROVIDED
BICYCLE STORAGE		
SHORT TERM	4	4
LONG TERM	4	4

REFER TO CIVIL SHEET C1 FOR ADDITIONAL INFORMATION

Carmel Center - Parcel D

11925 El Camino Real, San Diego, CA

PROPOSED SITE PLAN
Architectural

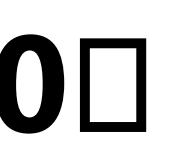


EXTERIOR MATERIALS		EXTERIOR COLORS / FINISHES	
1	EXTERIOR CEMENT PLASTER OMEGA DIAMOND - ALL ONE COAT SYSTEM // CRACK ISOLATION	1	SHERWIN-WILLIAMS PAINT COLOR "TOOQUE WHITE" S: 7003
2	PLASTER CONTROL JOINT	2	SHERWIN-WILLIAMS PAINT COLOR "AMAZING GRAY" S: 7044
3	ANODIZED ALUMINUM STOREFRONT SYSTEM	3	SHERWIN-WILLIAMS PAINT COLOR "SULTRY CASTLE" 3562
4	PRECAST STONE - ALL CLADDING	4	METAL FINISH TO MATCH "BLACK 95" BY VISTA
5	METAL CANOPY	5	CORONADO STONE, 3" SPLIT LIMESTONE, COLOR "ALNUTT" PRECAST STONE - ALL CLADDING MODEL
6	NE: SIGNAGE (N/C) PROVIDE POWER	6	TO MATCH SURROUNDING - ALL
7	HOLLOW: METAL DOOR	7	
8	EXTERIOR LIGHT FIXTURE	8	
9	BUILDING ADDRESS PER PHPS POLICY P-00-6 (UPC 901.4.4)	9	

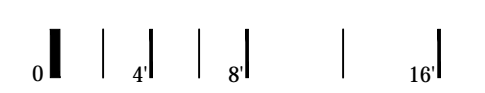
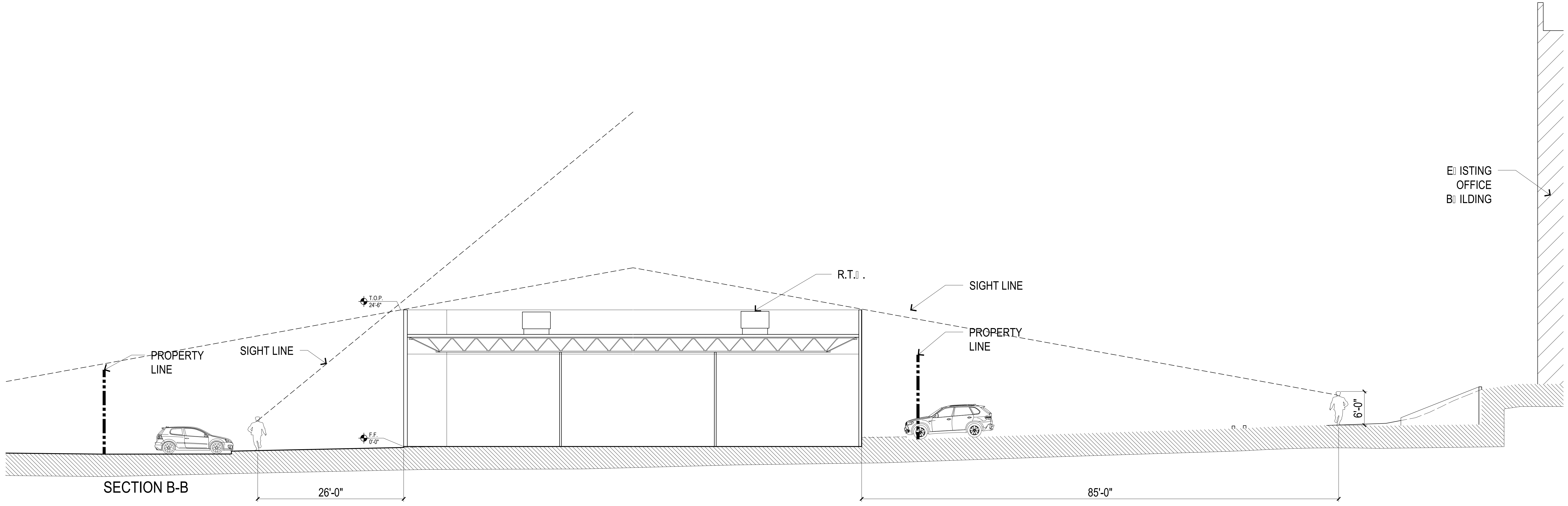
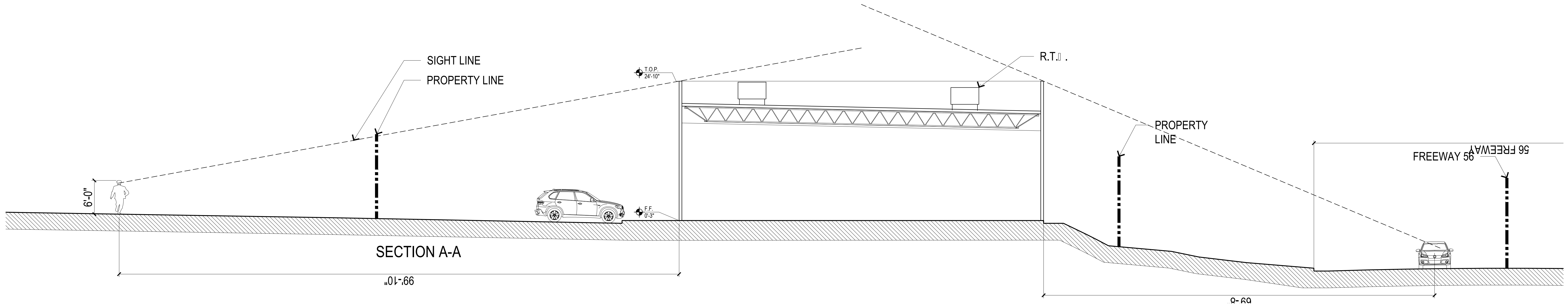
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Carmel Center - Parcel D
11925 El Camino Real, San Diego, CA

PROPOSED ELEVATIONS



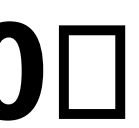
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Date 2021-10-7



Carmel Center - Parcel D

11925 El Camino Real, San Diego, CA

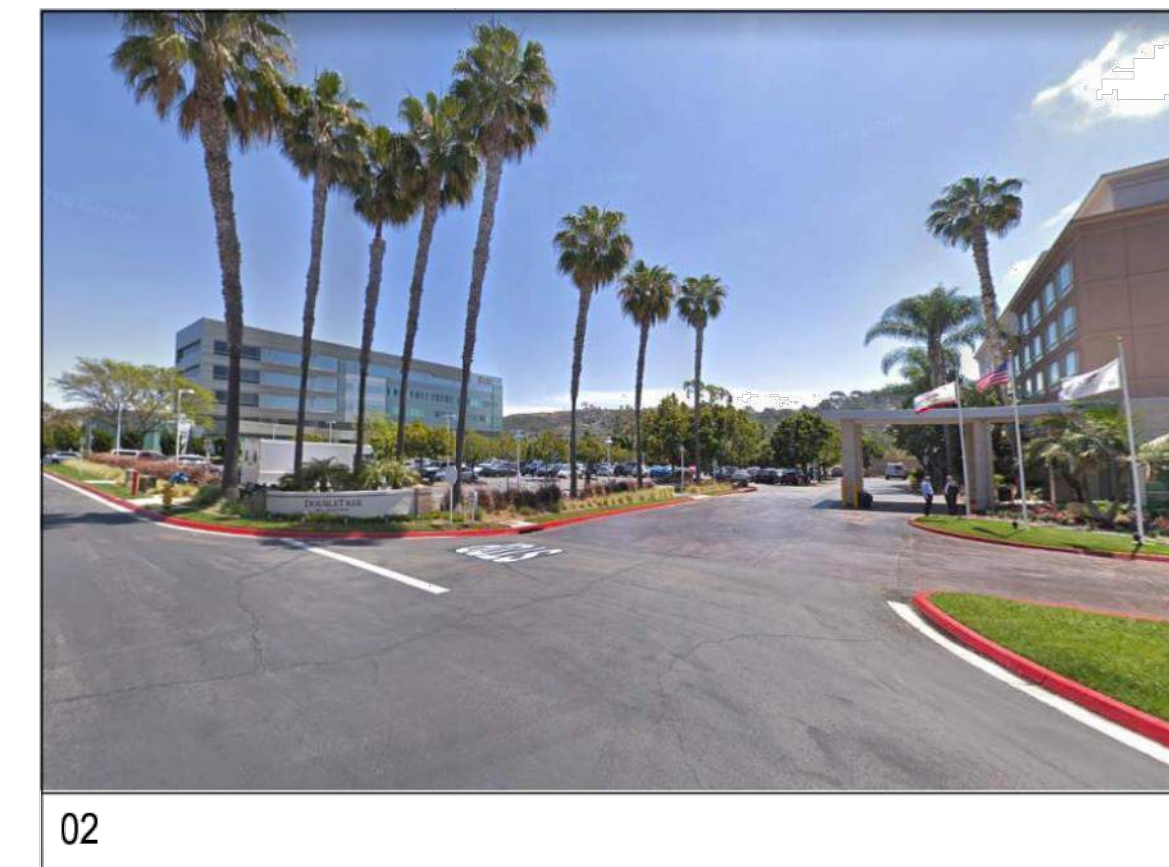
ARCHITECTURAL SECTIONS



Job No. 2019-160
Date 2021-10-7



01



02



03



04



05



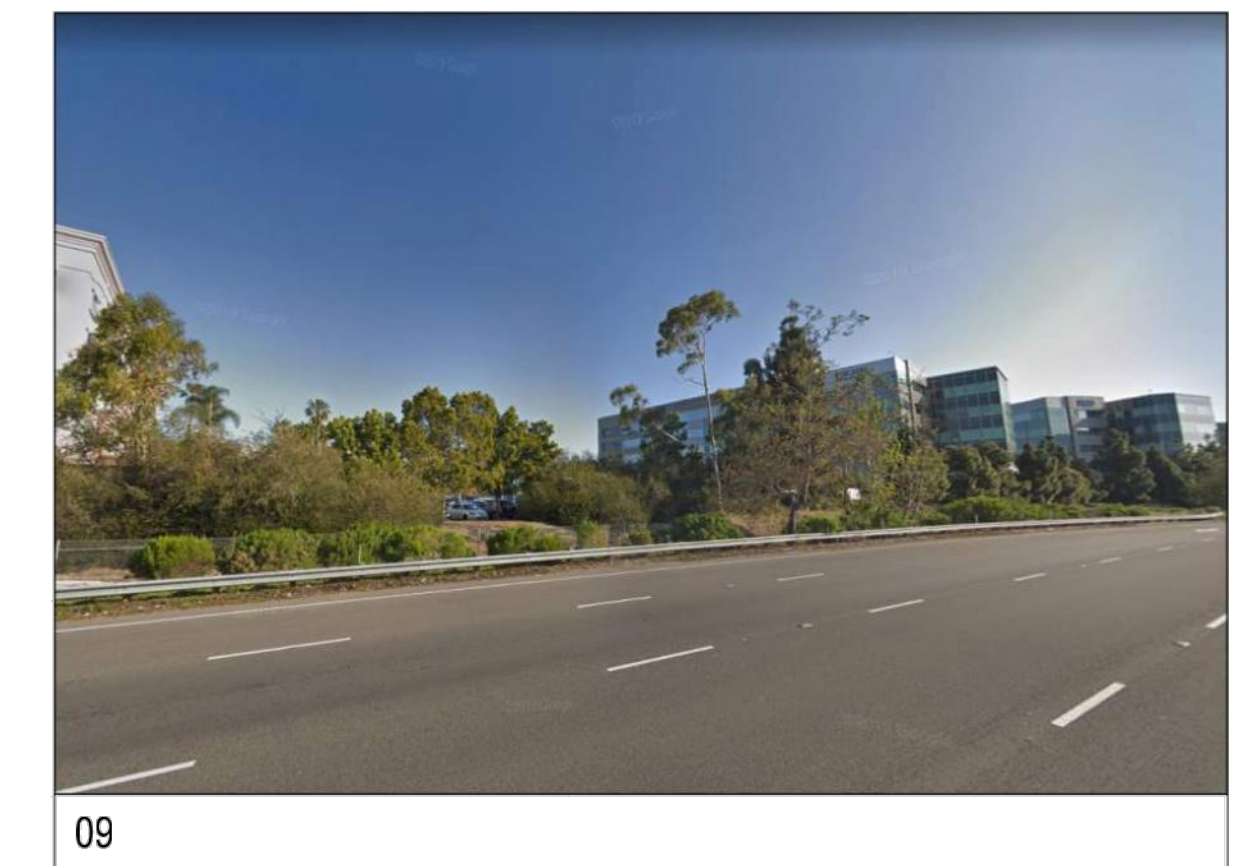
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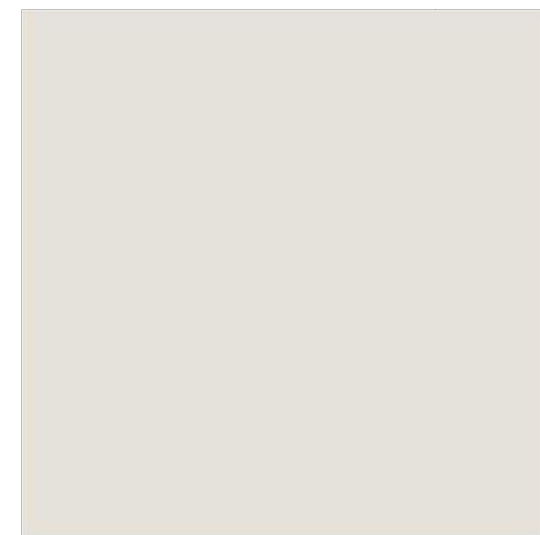
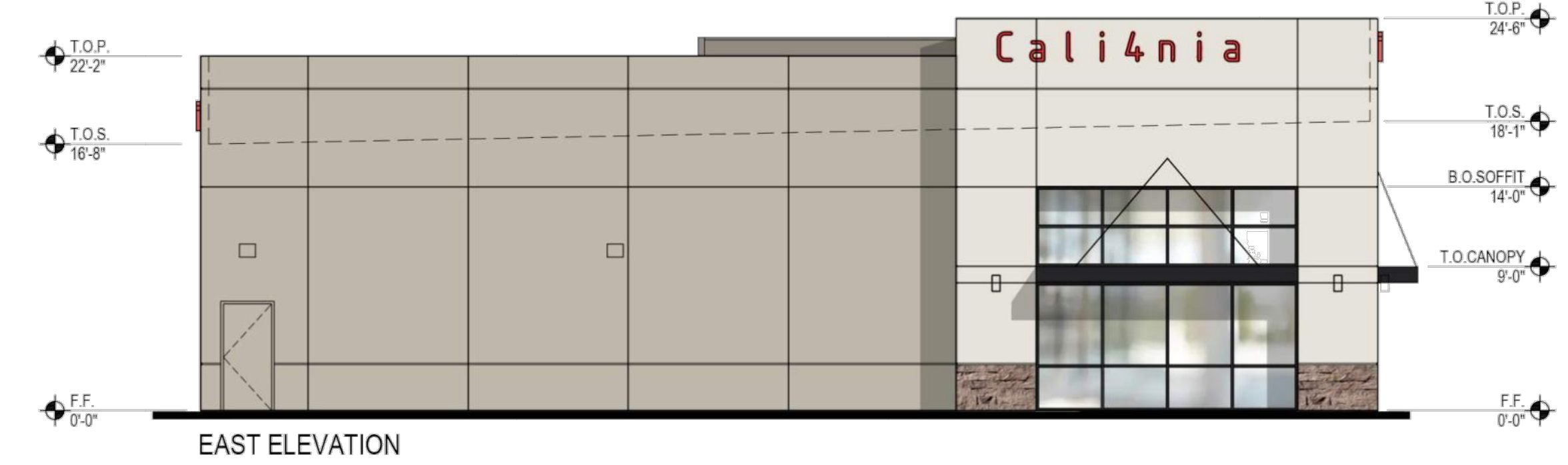
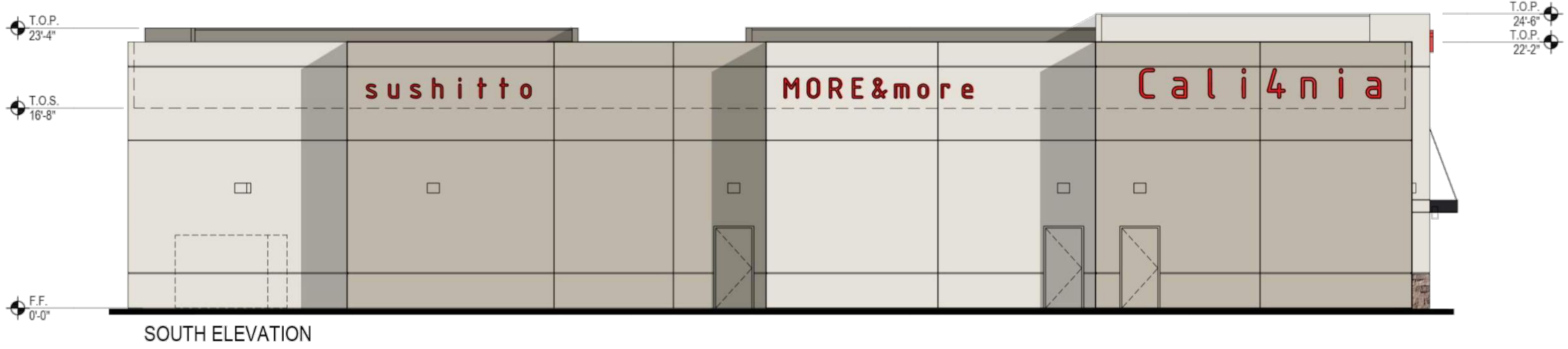
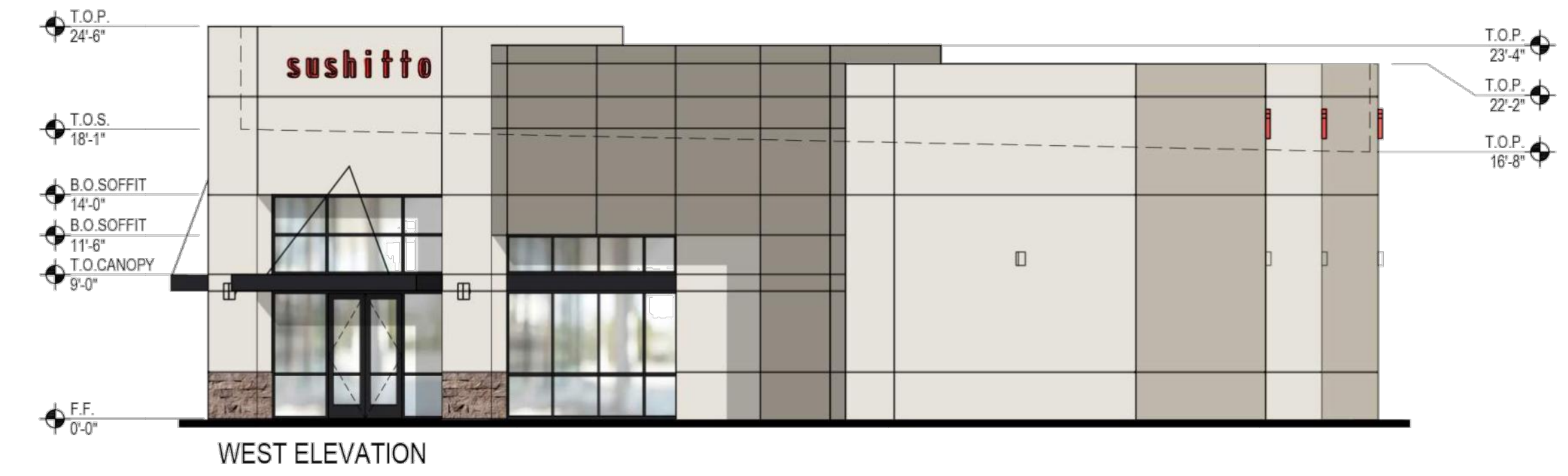


09

Carmel Center - Parcel D

11925 El Camino Real, San Diego, CA

PHOTOGRAPHIC SURVEY



EXTERIOR CEMENT PLASTER OMEGA
DIAMOND WALL ONE COAT SYSTEM W/
CRACK ISOLATION, TO MATCH SW7003,
TOQUE WHITE, BY SHERWIN WILLIAMS



EXTERIOR CEMENT PLASTER OMEGA
DIAMOND WALL ONE COAT SYSTEM W/
CRACK ISOLATION, TO MATCH 0562 SULTRY
CASTLE BY: VISTA PAINT



METAL FINISH, TO MATCH BLACK 05,
BY VISTA PAINT



EXTERIOR CEMENT PLASTER OMEGA
DIAMOND WALL ONE COAT SYSTEM W/
CRACK ISOLATION, TO MATCH SW7044,
AMAZING GRAY, BY SHERWIN WILLIAMS



PRECAST STONE WALL CLADDING MODEL: 3"
SPLIT LIMESTONE, COLOR: WALNUT,
BY: CORONADO STONE.

Carmel Center - Parcel D

11925 El Camino Real, San Diego, CA

COLORED ELEVATIONS

PROJECT DATA SHEET

PROJECT NAME:	Carmel Center CDP/SDP (Project No. 657923)	
PROJECT DESCRIPTION:	New one-story, 5,935 square-foot commercial building for three future tenants	
COMMUNITY PLAN AREA:	Carmel Valley	
DISCRETIONARY ACTIONS:	Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859	
COMMUNITY PLAN LAND USE DESIGNATION:	Visitor Commercial	
ZONING INFORMATION:		
ZONE:	Carmel Valley Planned District Visitor Commercial Zone (CVPD-VC) and CV 1-1 city-wide commercial zone	
HEIGHT LIMIT:	30 feet / 26.4' proposed	
LOT SIZE:	0.43-acres	
FLOOR AREA RATIO:	2.0 standard / 0.31 proposed	
FRONT SETBACK:	10' standard / 51' proposed	
SIDE SETBACK:	10' standard / 30.8' & 10' proposed	
STREETSIDE SETBACK:	10' standard / NA	
REAR SETBACK:	10' standard / 11.9' proposed	
PARKING:	126 spaces	
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Employment Center; CVPD-VC	Employment Center; Office Building
SOUTH:	None; CVPD-VC	Freeway
EAST:	Office Commercial; CVPD-SC	Office Commercial; Office Building
WEST:	Visitor Commercial; CVPD-VC	Visitor Commercial; Hotel
DEVIATION REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On October 22, 2020, the Carmel Valley Community Planning Board voted 3-6-0 to recommend approval of the project.	

PLANNING COMMISSION RESOLUTION NO. _____
COASTAL DEVELOPMENT PERMIT NO. 2402858
SITE DEVELOPMENT PERMIT NO. 2402859
AMENDMENT TO NORTH CITY WEST PLANNED DEVELOPMENT PERMIT NO. 88-0941
CARMEL CENTER - PROJECT NO. 657923

WHEREAS, CDM RETAIL L.P., a California Limited Partnership, Owner/Permittee, filed an application with the City of San Diego for a permit to construct a one-story, 5,935 square-foot commercial building for three future tenants (as described in and by reference to the approved Exhibit "A" and corresponding conditions of approval for the associated Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941), on portions of a 0.43-acre site;

WHEREAS, the project site is located at 11925 El Camino Real and is in the Carmel Valley Planned District – Visitor Commercial Zone (CVPD-VC), Coastal (Non-Appealable) Overlay Zone, Parking Impact Overlay Zone, Transit Priority Area, and Environmentally Sensitive Lands for floodplains within the Carmel Valley Community Plan area;

WHEREAS, the project site is legally described as Parcel A, Parcel 2 of Parcel Map No. 18098, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, August 25, 1998 as File No. 1998-541314 of the Official Records, and Parcel B, a non-exclusive easement for ingress and egress for vehicular and pedestrian traffic and vehicle parking together with the other uses and rights as more fully and specifically described in Article X, Paragraph A, Grants of Reciprocal Easements contained in that certain document entitled Agreement between land owners, including easements with covenants and restrictions affecting land for Carmel Valley Commercial, recorded September 29, 1994 as File No. 1994-0579026 of the Official Records;

WHEREAS, on March 25, 2022, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15332 (In-Fill Development Projects) and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on June 22, 2022, the Hearing Officer of the City of San Diego considered and approved Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941, pursuant to the Land Development Code of the City of San Diego; and

WHEREAS, on July 6, 2022, Julie Hamilton filed a Development Permit Appeal Application on the Project (Appeal); and

WHEREAS, on September 8, 2022, the Planning Commission of the City of San Diego considered associated Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941 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, that it adopts the following findings with respect to associated Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941:

A. COASTAL DEVELOPMENT PERMIT [San Diego Municipal Code (SDMC) Section 126.0708]

1. Findings for all Coastal Development Permits:

- a. 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 located approximately 1.5 miles east of the Pacific Ocean and is not within the First Public Roadway. There is no public view or coastal access from the project site, as identified in the Community Plan. The project complies with the community goals regarding public view preservation and enhancement since the project was designed to comply with the development regulations of the underlying Carmel Valley Planned District Visitor Commercial Zone (CVPD-VC) and the CV-1-1 city-wide commercial zone (development within the CVPD-VC Zone is subject to the development regulations of the CV-1-1 Zone, per SDMC Section [153.0305](#)), including a floor area ratio (.31) that does not exceed the base zone requirement, building setbacks, and a building height (26 feet 4 inches) that is below the 30-foot height limit. No deviations or variances are required. Therefore, the project 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 project 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.

- b. The proposed coastal development will not adversely affect environmentally sensitive lands.**

The project site is mapped as urban developed and does not contain any sensitive vegetation. There are no impacts to biological resources, and the site is not within or adjacent to the Multiple Species Conservation Program/Multi Habitat Planning Area. In addition, there are no impacts to the special flood hazard area, and drainage for the project complies with the City's drainage regulations and standards. Therefore, the proposed coastal development will not adversely affect environmentally sensitive lands.

- c. 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 is a commercial use located within an existing commercial development that was approved by North City West Planned District Development Plan Permit No. 88-0941. The project was designed to comply with the development regulations of the underlying Carmel Valley Planned District Visitor Commercial Zone (CVPD-VC) and the CV-1-1 city-wide commercial zone. No deviations or variances are required.

The project is consistent with the Community Plan and the Land Use Element of the Precise Plan since the area is designated as Visitor Commercial, which is appropriate for visitor accommodations, eating and drinking establishments, and related services. The Design Element of the Community Plan also provides guidelines for architectural form and character, including building form, materials and colors, and details among other elements. The project conforms with this Community Plan policy by incorporating earth tone colors and materials, and off-setting planes with adequate fenestration to avoid blank walls along the front facade. The project also proposes a design that is compatible with the adjacent commercial uses and a building height (26 feet 4 inches) that is below the 30-foot height limit.

The project site is located approximately 1.5 miles east of the Pacific Ocean and is not within the First Public Roadway. There is no public view or coastal access from the project site, as identified in the Community Plan. Therefore, the proposed project is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

- d. 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 approximately 1.5 miles east of the Pacific Ocean and is not within the First Public Roadway. There is no public access from the project site, as identified in the Community Plan. The project will be developed entirely within private property and will not adversely impact any public recreation opportunities. Therefore, the project conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

B. SITE DEVELOPMENT PERMIT [SDMC Section 126.0505]

1. Findings for all Site Development Permits:

- a. The proposed development will not adversely affect the applicable land use plan.**

The project is a commercial use located in an existing commercial development that was approved by North City West Planned District Development Plan Permit No. 88-0941. The project will provide space for three future tenants and is consistent with the Community Plan and the Land Use Element of the Precise Plan since the area is designated as Visitor Commercial, which is appropriate for visitor accommodations, eating and drinking establishments, and related services.

The Design Element of the Community Plan also provides guidelines for architectural form and character, including building form, materials and colors, and details among other elements. The project conforms with this Community Plan policy by

incorporating earth tone colors and materials, and off-setting planes with adequate fenestration to avoid blank walls along the front facade. The project also proposes a design that is compatible with the adjacent commercial uses and a building height (26 feet 4 inches) that is below the 30-foot height limit.

The project site is located approximately 1.5 miles east of the Pacific Ocean and is not within the First Public Roadway. There is no public view or coastal access from the project site, as identified in the Community Plan. Therefore, the proposed development will not adversely affect the applicable land use plan.

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

Staff has reviewed and accepted a geotechnical report for the site that concluded that the project adequately addresses the site's soil and geologic conditions. There are no impacts to the special flood hazard area, and drainage for the project complies with the City's drainage regulations and standards.

The project permit also contains specific requirements to ensure compliance with the regulations of the Land Development Code, including those adopted to protect the public health, safety and welfare. Permit requirements include: obtaining an Encroachment Maintenance Removal Agreement for the private storm drains, parking stalls and pavement within the public storm drain easement; obtaining a bonded grading permit for the grading; implementing storm water construction best management practices and entering into a Maintenance Agreement for ongoing permanent BMP maintenance; submitting an updated geotechnical report that addresses the construction plans; assure by permit and bond the design and construction of new water and sewer services outside of any driveway or drive aisle, including the abandonment of any existing unused water and sewer services; installing appropriate private back flow prevention devices; obtaining an Encroachment Maintenance Removal Agreement for the required ADA ramp (for compliance with the Americans with Disabilities Act); and maintenance of all landscape improvements. Therefore, the project will not be detrimental to the public, health, safety, and welfare.

c. 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 is a commercial use located within an existing commercial development that was approved by North City West Planned District Development Plan Permit No. 88-0941. The project was designed to comply with the development regulations of the underlying Carmel Valley Planned District Visitor Commercial Zone (CVPD-VC) and the CV-1-1 city-wide commercial zone. No deviations or variances are required. Therefore, the project will comply with the regulations of the Land Development Code.

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

BE IT FURTHER RESOLVED that, based on these findings adopted by the Planning Commission, associated Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in associated Coastal Development Permit No. 2402858 and Site Development Permit No. 2402859, an amendment to North City West Planned Development Permit No. 88-0941, a copy of which is attached hereto and made a part hereof.

Xavier Del Valle
Development Project Manager
Development Services

Adopted on September 8, 2022

IO#: 24008530

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: 24008530

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COASTAL DEVELOPMENT PERMIT NO. 2402858
SITE DEVELOPMENT PERMIT NO. 2402859
AMENDMENT TO NORTH CITY WEST PLANNED DEVELOPMENT PERMIT NO. 88-0941
CARMEL CENTER - PROJECT NO. 657923
PLANNING COMMISSION

This Coastal Development Permit No. 2402858 and Site Development Permit No 2402859 to amend North City West Planned Development Permit No. 88-0941 is granted by the Planning Commission of the City of San Diego to CDM RETAIL L.P., a California Limited Partnership, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0702 and 126.0502. The 0.43-acre site is located at 11925 El Camino Real and is in the Carmel Valley Planned District – Visitor Commercial Zone, Coastal (Non-Appealable) Overlay Zone, Parking Impact Overlay Zone, Transit Priority Area, and Environmentally Sensitive Lands for floodplains within the Carmel Valley Community Plan area. The project site is legally described as: Parcel A, Parcel 2 of Parcel Map No. 18098, in the City of San Diego, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, August 25, 1998 as File No. 1998-541314 of the Official Records, and Parcel B, a non-exclusive easement for ingress and egress for vehicular and pedestrian traffic and vehicle parking together with the other uses and rights as more fully and specifically described in Article X, Paragraph A, Grants of Reciprocal Easements contained in that certain document entitled Agreement between land owners, including easements with covenants and restrictions affecting land for Carmel Valley Commercial, recorded September 29, 1994 as File No. 1994-0579026 of the Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct a one-story commercial building for three tenants described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 8, 2022, on file in the Development Services Department.

The project shall include:

- a. Construction of a one-story, 5,935 square-foot commercial building for three tenants; and
- b. 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 September 23, 2025.
2. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until the Owner/Permittee signs and returns the Permit to the Development Services Department, and the Permit is recorded in the Office of the San Diego County Recorder.
3. 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.
4. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
5. 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.).
6. 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.
7. 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.
8. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this

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

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

CLIMATE ACTION PLAN REQUIREMENTS:

10. 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:

11. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the proposed private storm drains, parking stalls and pavement within the public storm drain easement, satisfactory to the City Engineer.

12. The proposed drainage system is subject to approval by the City Engineer.

13. Prior to the issuance of any building permits, the Owner/Permittee shall obtain a bonded grading permit for the proposed grading. All grading shall conform to the requirements of the San Diego Municipal Code (SDMC), in a manner satisfactory to the City Engineer.

14. Prior to the issuance of any building permits, the Owner/Permittee shall incorporate into the construction plans or specifications any construction Best Management Practices (BMPs) necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC.
15. Prior to the issuance of any building permits, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent Best Management Practices (BMP) maintenance, satisfactory to the City Engineer.
16. Prior to the issuance of any building permits, a Technical Report shall be submitted based on the Storm Water Standards in effect at the time of construction permit issuance and is subject to approval by the City Engineer.
17. Prior to the issuance of any building permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

18. Prior to issuance of any construction permits, the Owner/Permittee shall submit complete construction documents for the revegetation and hydro-seeding of all disturbed land in accordance with the City's Landscape Standards, Storm Water Design Manual, and to the satisfaction of the Development Services Department. All plans shall be in substantial conformance to this permit and Exhibit A on file in the Development Services Department.
19. Prior to issuance of any construction permits, the Owner/Permittee shall submit to the Development Services Department for approval complete landscape construction documents for public right-of-way improvements. The 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 to not prohibit the placement of street trees.
20. Prior to issuance of any construction permits, the Owner/Permittee shall submit to the Development Services Department for approval complete landscape and irrigation construction documents, which are consistent with the Landscape Standards. 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 SDMC Section 142.0403(b)6.
21. 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.
22. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the public 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.

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

GEOLOGY REQUIREMENTS:

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

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

PLANNING/DESIGN REQUIREMENTS:

26. 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.

27. 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:

28. All on-site parking stalls and driveway aisles 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.

WATER & SEWER DEVELOPMENT REQUIREMENTS:

29. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond the design and construction of new water and sewer services outside of any driveway or drive aisle, including the abandonment of any existing unused water and sewer services within the

public right-of-way adjacent to the project site, in a manner satisfactory to the Public Utilities Director and the City Engineer.

30. The Owner/Permittee shall apply for a plumbing permit for the installation of appropriate private back flow prevention devices (BFPDs) on each water service (domestic, fire and irrigation), in a manner satisfactory to the Public Utilities Director and the City Engineer. The BFPDs shall be located above ground on private property, in line with the service and immediately adjacent to the public right-of-way.
31. The Owner/Permittee shall grant private water and sewer easements for all cross-lot private water and sewer services from one lot to another as shown on the Project Civil Sheets.
32. The Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement for the proposed ADA ramp adjacent to the south of the existing public water and sewer easement.
33. All proposed private water and sewer facilities are to be designed to meet the requirements of the California Uniform Plumbing Code and will be reviewed as part of the building permit plan check.
34. No trees or shrubs exceeding three feet in height at maturity shall be installed within ten feet of any sewer facilities and five feet of any water facilities.

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 September 8, 2022 and Resolution Number_____.

Coastal Development Permit No. 2402858
Site Development Permit No 2402859
Date of Approval: September 8, 2022

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Xavier Del Valle
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.

**CDM RETAIL L.P.,
Owner/Permittee**

By _____
NAME
TITLE

**CDM RETAIL L.P.,
Owner/Permittee**

By _____
NAME
TITLE

**NOTE: Notary acknowledgments
must be attached per Civil Code
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