

CALIFORNIA COASTAL COMMISSION

SAN DIEGO DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
VOICE (619) 767-2370
FAX (619) 767-2384



F10a

A-6-NOC-22-0008 (Oliver)

April 8, 2022

EXHIBITS

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Project Location



EXHIBIT NO. 1

APPLICATION NO.

A-6-NOC-22-0008

Project Location



California Coastal Commission

Subject Site



EXHIBIT NO. 2

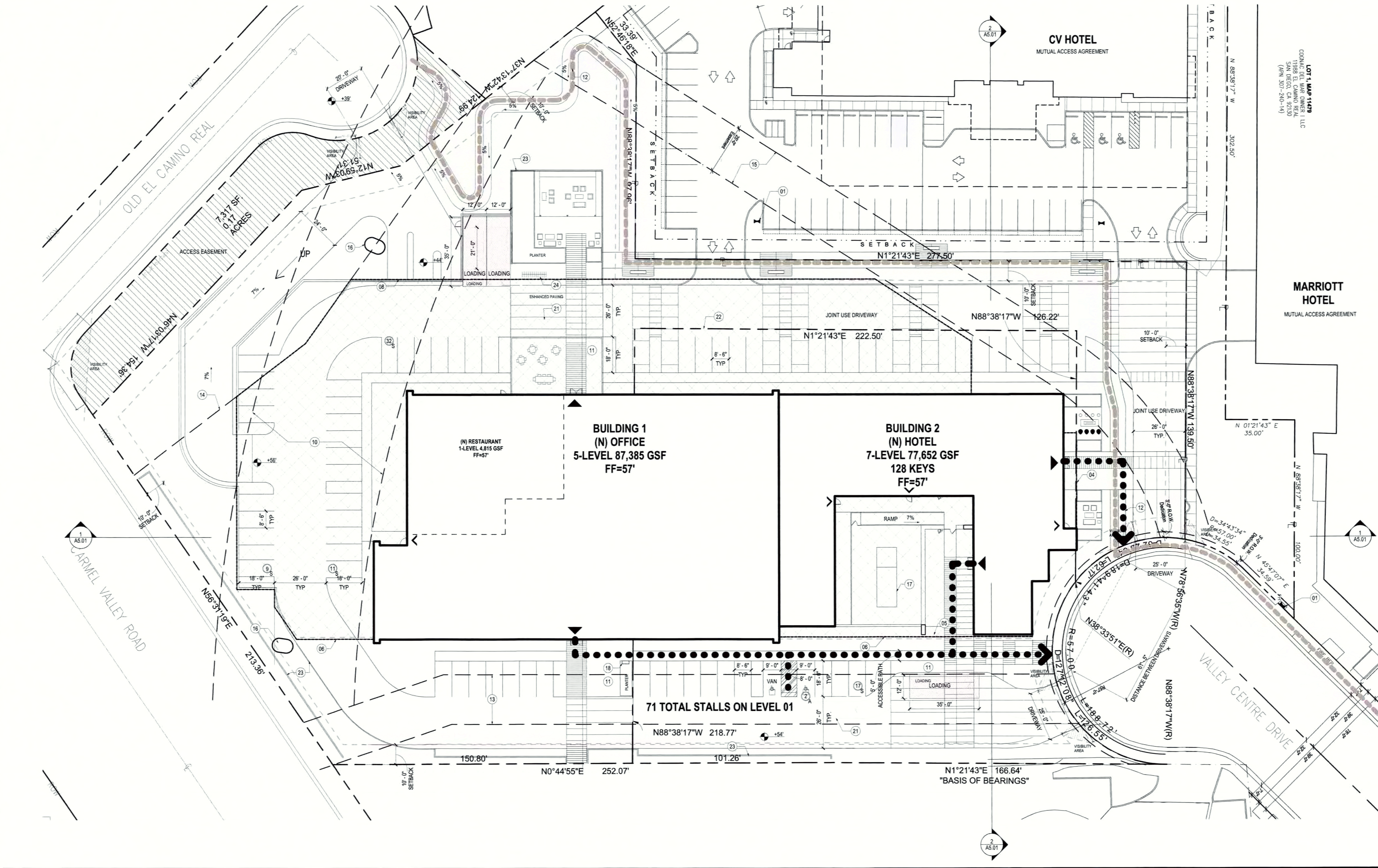
APPLICATION NO.

A-6-NOC-22-0008

Subject Site



California Coastal Commission



1 SITE PLAN
SCALE: 1" = 20'-0"

GENERAL NOTES

1. PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER FHPS POLICY P-006 (UFC 901.4.4)
2. PROJECT NOT ADJACENT TO TRANSIT STOPS
3. EVERY BUILDING FOUR STORIES OR MORE IN HEIGHT SHALL BE PROVIDED WITH NOT LESS THAN ONE STANDPIPE FOR USE DURING CONSTRUCTION INSTALLED IN ACCORDANCE WITH CFC 3313.1. STANDPIPE SHALL BE INSTALLED WHEN THE PROGRESS OF CONSTRUCTION IS NOT MORE THAN 40 FEET IN HEIGHT ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT ACCESS. CFC 3313.1
4. 1.7 MILES TO NEAREST TRANSIT STOP: N TORREY PINES & STATE BEACH
5. NO VEGETATION, OTHER THAN TREES, IN THESE AREAS WILL EXCEED 24 INCHES IN HEIGHT IN VISIBILITY AREAS
6. SEE A2.01 FOR FURTHER INFORMATION ON TYPICAL PARKING STALL DIMENSIONS

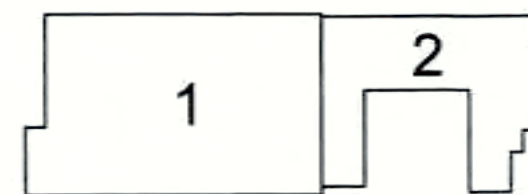
LEGEND

- | | | |
|--------------------------------------|--|--|
| PROPERTY LINE | ACCESS EASEMENT AGREEMENT, PARKING CIRCULATION & LANDSCAPE | PRIMARY BUILDING EXIT |
| SETBACK | GARAGE BELOW | SECONDARY BUILDING EXIT |
| ACCESSIBLE PATH OF TRAVEL | INTERNATIONAL SYMBOL OF ACCESSIBILITY | SPOT ELEVATION, SEE CIVIL |
| PEDESTRIAN & BICYCLE PATH 8'-0" WIDE | CROSS SLOPE | NUMBER OF STALLS IN RUN |
| | L.S. LANDSCAPE AREA | S=STANDARD
A=ACCESSIBLE
M=MOTORCYCLE
C=CLEAN AIR /
VANPOOL
BL=BIKE LOCKER |

KEYNOTES

- 01 (E) FIRE HYDRANT TO REMAIN
- 04 LINE OF BUILDING OVERHANG ABOVE, TYP.
- 05 LINE OF ENTRY CANOPY ABOVE, TYP.
- 06 LINE OF GARAGE BELOW, TYP.
- 08 LINE OF GUARDRAIL, VEHICLE BARRIER
- 10 LINE OF FUTURE FREEWAY CONNECTOR AERIAL EASEMENT PER CAL TRANS
- 11 PASSENGER DROP-OFF
- 12 PEDESTRIAN & BICYCLE PATHWAY
- 13 SDG&E EASEMENT, HIGH VOLTAGE UNDERGROUND CABLE
- 14 ENCROACHMENT AGREEMENT/WATER SEWER & DRAINAGE EASEMENT
- 15 (E) DRAINAGE EASEMENT PER MAP NO. 11478
- 16 FUTURE FREEWAY CONNECTOR COLUMN PLACEMENT
- 17 POOL ON RAISED POOL DECK
- 18 CARPOOL / RIDE-SHARING INFORMATION KIOSK
- 21 TRUCK MANEUVERABILITY
- 22 INTERNAL LOT LINE, PER FORTHCOMING LOT E AGREEMENT
- 23 RETAINING WALL PER CIVIL
- 24 SHORT TERM BIKE STORAGE, 23

KEYPLAN



PREPARED BY:
NAME: **Gensler** 225 Broadway
Suite 100
San Diego, CA 92101
United States
PHONE #: 619.557.2355

PROJECT ADDRESS:
3515
SAN DIEGO

PROJECT NAME:
COSTA
MIXED
-

SHEET TITLE:
A0.50

EXHIBIT NO. 3

APPLICATION NO.
A-6-NOC-22-0008

Site Plans

Page 1 of 2

California Coastal Commission



1 HOTEL BLDG 2 - WEST ELEVATION
SCALE: 1/8" = 1'-0"

GENERAL NOTES

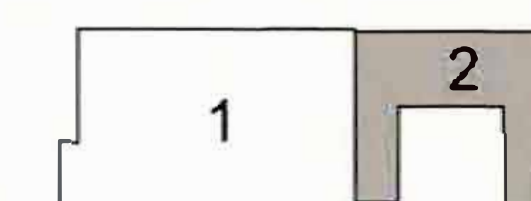
1. SEE CIVIL FOR EXIST VS. PROPOSED GRADE

LEGEND

	GL-1	1" INSULATED GLASS SOLARBAN Z75 OPTIBLUE		PL-1	WHITE PLASTER
	GL-1 BP	1" INSULATED GLASS SOLARBAN Z75 OPTIBLUE W/ BACKPAN		PL-2	DARK GREY PLASTER
	GL-2	1" INSULATED GLASS SOLARBAN 70XL			
	GL-2 BP	1" INSULATED GLASS SOLARBAN 70XL W/ BACK PAN			

KEYNOTES

KEYPLAN

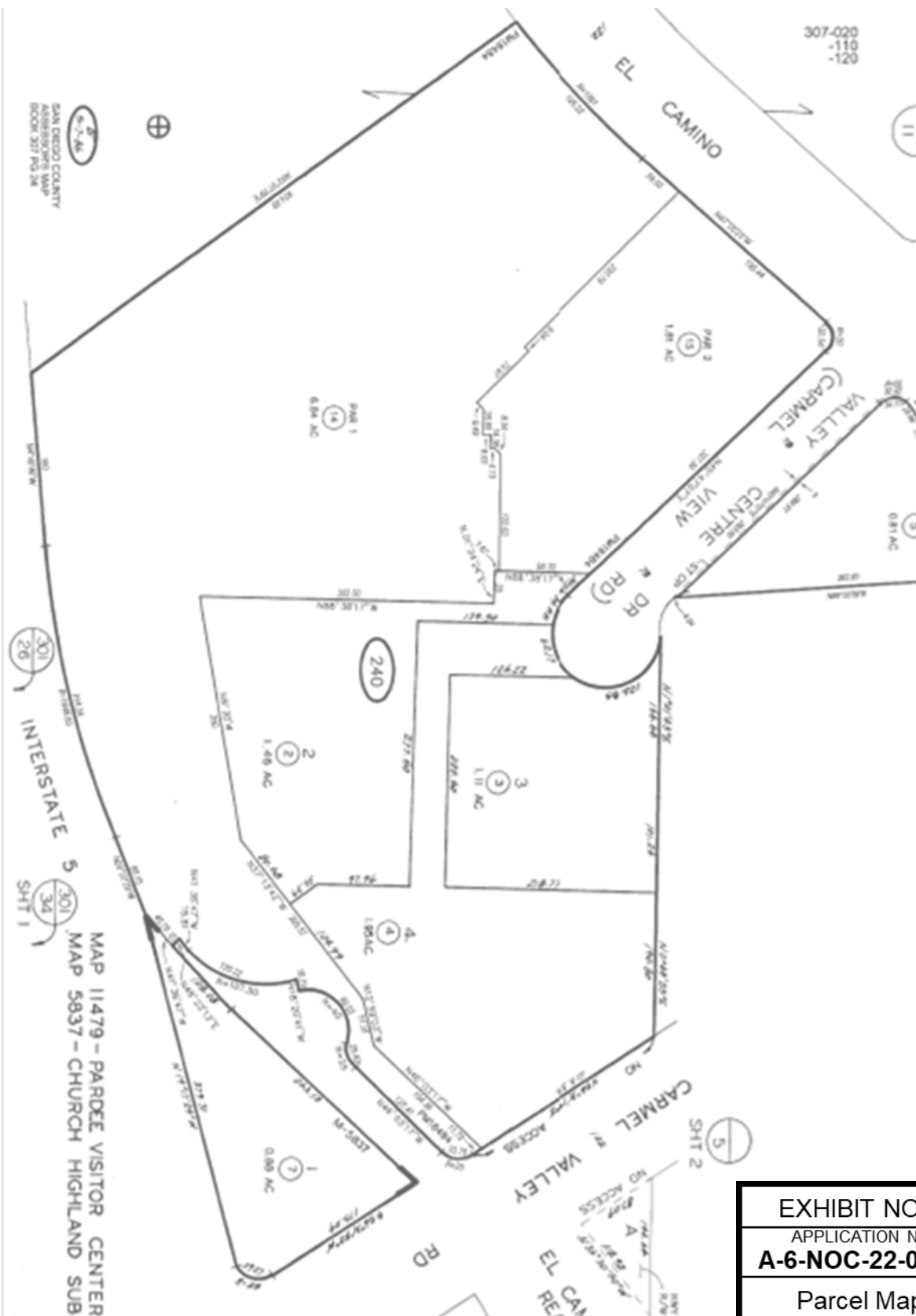


PREPARED BY:
NAME: **Gensler** 225 Broadway
Suite 100
San Diego, CA 92101
United States
PHONE #: 619.557.2500

PROJECT ADDRESS:
3515 VALLEY CENTER DRIVE
SAN DIEGO, CA 92120

PROJECT NAME:
COSTA AZUL CARMEL VALLEY
MIXED USE DEVELOPMENT

SHEET TITLE:
A4.04 HOTEL BLDG 2
EXT. ELEVATIONS



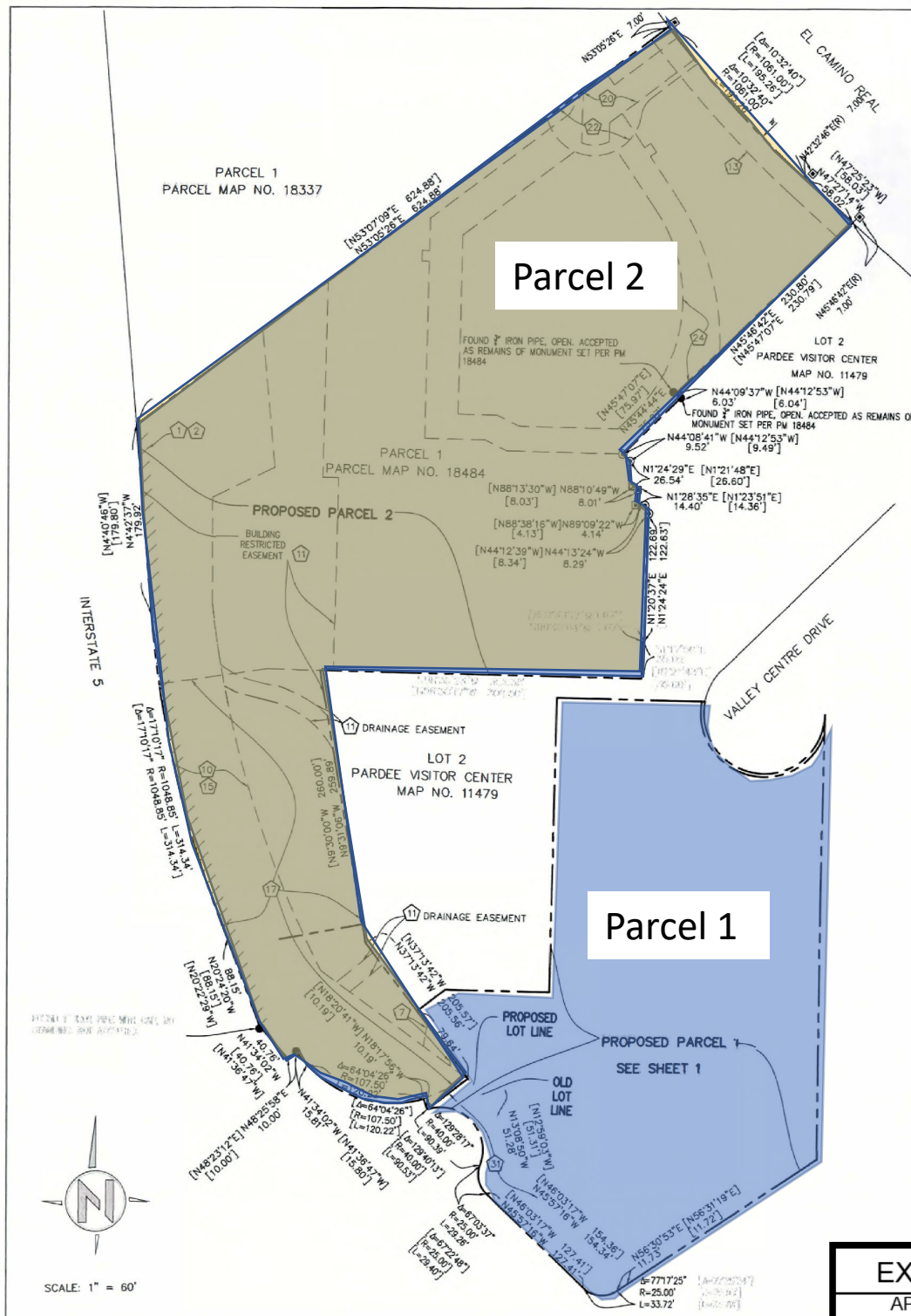


EXHIBIT NO. 5

APPLICATION NO.

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Tentative Parcel Map



California Coastal Commission

CALIFORNIA COASTAL COMMISSION

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RECEIVED

FEB 08 2022

**APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT**

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Commissioner Donne Brownsey
Mailing Address: 455 Market Street, Suite 300
San Francisco, CA 94105
Phone Number: (415) 904-5202

SECTION II. Decision Being Appealed

1. Name of local/port government: City of San Diego
2. Brief description of development being appealed: Subdivision of an undeveloped 9.89-acre site into two Parcels (Parcel One 3.2-acres and Parcel Two 6.7-acres) and construction of a 77,652 sq. ft. seven-story, 128-room hotel, a 96,040 sq. ft. five-story office building including a 4,815 sq. ft. restaurant and accessory uses on Parcel One.
3. Development's location (street address, assessor's parcel no., cross street, etc.): 3501 Valley Centre Drive, San Diego, Ca 92130.
4. Description of decision being appealed:
 - a. Approval; no special conditions: ☐
 - b. Approval with special conditions: ☒
 - c. Denial: ☐
 - d. Other : ☐

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-6-NOC-22-0008

DATE FILED: 2/8/22

DISTRICT: San Diego

EXHIBIT NO. 6
APPLICATION NO. A-6-NOC-22-0008
Appeals
California Coastal Commission

5. Decision being appealed was made by (check one):

a. ☐ Planning Director/Zoning
Administrator

c. ☐ Planning Commission

b. ☒ City Council/Board of
Supervisors

d. ☐ Other

Date of local government's decision: October 21, 2021

Local government's file number (if any): 1402084

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

Name and mailing address of permit applicant:

Hunter Oliver
7969 Engineer Road #108
San Diego, Ca 92111

Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

SECTION IV. Reasons Supporting This Appeal


Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

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FEB 08 2022

**Appeal of local CDP decision
Page 5**CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT**5. Appellant certifications**

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Donne Brownsey
SignatureDate of Signature 02/08/2022**5. Representative authorizations**

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

• If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

• If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.



Attachment A

02/8/2022

Project Description and History

The project is the subdivision of an undeveloped 9.89-acre site into two Parcels (Parcel One 3.2-acres and Parcel Two 6.7-acres) and construction of a 77,652 sq. ft. seven-story, 128-room hotel, a 96,040 sq. ft. five-story office building including a 4,815 sq. ft. restaurant and accessory uses on Parcel One. The project includes an approved height deviation for the 76' hotel structure and 68'6" office building as zoning limits structures to a 60' maximum. While the site is currently vacant, the site was previously developed with a restaurant and at-grade parking located at 3501 Valley Centre Drive in the North City community of San Diego.

1. Land Use Plan Consistency.

The North City West (Carmel Valley) Community Plan (the Land Use Plan for the area) designates the site for Visitor Commercial uses. The Implementation Plan designates the site as Commercial Visitor Zone (CV-1-1). The Commercial Visitor Zone does not permit Office as an allowed use. The City approved the office use through the issuance of a Planned Development Permit (PDP). The provisions for PDPs allow development to occur with uses that are not permitted in the underlying base zone, if the development complies with the applicable land use plan.

The Community Plan designates the site for Visitor Commercial uses. The plan further states:

Commercial Element - Visitor-commercial development on a 15 acre site is proposed at the juncture of State Route 56 and Interstate 5 at the El Camino Real off ramp. The basic proposals for this area are motel, restaurant, and related services to provide for both the adjacent industrial-office park in North City West and industrial complex in Sorrento Valley. In addition, the site is located in favorable proximity to Carmel Valley which is proposed for open space use. The recreational potential of open space can be very desirable factor in enhancing the development of the visitor commercial site.

As described above, the allowable uses provided in the LUP include motel, restaurant and related services as well as open space. A majority component of the project is low-priority office use; even with a restaurant component, offices uses are not consistent with the land use plan, which calls for high-priority visitor serving uses. Additionally, The Community Plan reserves only two locations for this high-priority use, the first being the subject site, which is located directly east of Interstate-5, North of State Route-56 along either side of El Camino Real. The second is located east of the subject, also north of State Route-56. Thus, given the limited number of sites designated as Visitor Commercial within the Community Plan (LUP), any deviations from the land use designation must be reviewed through an LCPA to ensure adequate land is reserved for visitor-serving uses.

In 2001, a similar project was reviewed by the Commission as an amendment to the City's LCP. San Diego Major Amendment No.1-2001 was submitted by the city to accommodate a proposed office development on a 1.1 acre site designated for Visitor-Serving uses located directly east of the subject site. Through that process, the amount of land currently providing visitor-commercial uses was thoroughly reviewed, and the Commission determined that there was enough land remaining as visitor-serving to support the change at that time.

Thus, the approved permit allows a use not authorized by the certified LUP or zoning and failed to certify the change in allowed use through certification of an LCP Amendment, inconsistent with the requirements of the LCP. Additionally, by authorizing office use on lands designated for Visitor Commercial, the approval also fails to ensure that adequate land is reserved for prime Visitor Commercial uses, inconsistent with the requirements of the LUP.

2. Protection Lower Cost Overnight Accommodations

Policies in the adopted LUP include the following:

Goals and Planning Concepts of Community Plan state:

Page 50: Goals for North City West

1. To establish a physical, social, and economically balanced community

Page 63: Objectives:

2. In order to promote self containment and community identity, the community must be designed as a total physical-social-economic unit. (Emphasis in original).

Page 79:

Commercial uses such as visitor and office facilities are also considered within the element of the Plan. The allocation of these facilities is based upon access considerations and locational requirements.

Page 111:

In order to promote North City West as a balanced community, a variety of park and recreational facilities will be necessary. The balanced community policy will insure a population representative of all ages, interests, social and economic status in North City West. This population will have different recreational needs. For example, one park may contain playfields and active sports areas while another may offer picnic areas and view points.

The project includes construction of a seven-story hotel development. This area is designated for visitor-serving commercial such as visitor accommodations. Affordable

accommodations located in the Coastal Zone support access to the coast for a range of people. Additionally, the certified LUP includes provisions in the Community Plan that require development of the area to be representative of people from all social and economic backgrounds. The city did not evaluate the room rates expected for the approved hotel; however, renderings of the proposed hotel depict a new hotel with guest amenities that appears to be outside of the lower-income range. While the project will result in an increase of 128 guest rooms on the subject site, thereby increasing the supply of overnight night accommodations in the Coastal Zone, the city did not evaluate the loss of area that could have been developed with lower-cost overnight accommodations or consider mitigation to offset this loss. Thus, the approved project does not ensure a range of affordability for overnight accommodations, inconsistent with the LCP.

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SAN DIEGO COAST DISTRICT

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TO BE COMPLETED BY COMMISSION:APPEAL NO: A-6-NOC-22-0008DATE FILED: 2/8/22DISTRICT: San Diego

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Appeal of local CDP decision
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COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

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Print name Caryl Hart


Signature

Date of Signature 2/8/22

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