

RESOLUTION NUMBER R- 291442

ADOPTED ON MAR 30 1999

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING GASLAMP QUARTER SPECIAL PERMIT 98-0354 (GASLAMP SQUARE) WITHIN THE GASLAMP QUARTER SUB AREA OF THE CENTRE CITY REDEVELOPMENT PROJECT.

WHEREAS, Champion Development Group [the Developer] has submitted to the Centre City Development Corporation an application for a Gaslamp Quarter Special Permit to permit the development of Gaslamp Square, a mixed-use project with hotel, retail and parking uses on the block bounded by Fourth, Fifth, Island and "J" Streets in the Gaslamp Quarter Sub Area of the Centre City Redevelopment Project; and

WHEREAS, the Basic Concept/Schematic Drawings have been reviewed and recommended for approval by the Centre City Redevelopment Project Area Committee and Centre City Development Corporation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

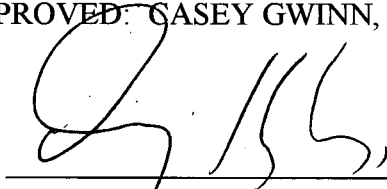
1. That the proposed use will not adversely affect the neighborhood, the General Plan, or the Community Plan, and, if conducted in conformity with the conditions provided by the Permit, will not be detrimental to the health, safety, and general welfare of persons residing or working in the area.
2. That the proposed use will comply with all the relevant regulations in the San Diego Municipal Code.

3. That the requirements of Agency Resolution No. 2130 for approval of the Basic Concept/Schematic Drawings are satisfied.

4. That Gaslamp Quarter Special Permit 98-0354, including the Basic Concept/Schematic Drawings, is hereby granted to Champion Development Group, subject to the conditions stated in Attachment A attached hereto and incorporated herein by this reference.

APPROVED: CASEY GWINN, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

DKH:lc
02/24/99
Or.Dept:CCDC
R-99-892
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**GASLAMP QUARTER
SPECIAL PERMIT NO. 98-0354**

PURSUANT to the regulations of the Gaslamp Quarter Planned District Ordinance #17738, an application was received by Centre City Development Corporation (CCDC) from Champion Gaslamp, Ltd. to construct a 367-room hotel, 86,000 sq.ft. of retail/commercial use and parking for 472 vehicles. The project site is located on a 60,165 sq.ft. site on the block bounded by Island Avenue, "J" Street, Fourth and Fifth Avenues. Lots "A" through "L" inclusive of Block 114 of Horton's Addition in the City of San Diego, County of San Diego, State of California in the Gaslamp Quarter Sub Area of the Centre City Redevelopment Project.

The project was subject to the discretion of the City Council to grant a height exception (because the project is on a parcel over 30,000 sq.ft. south of Island Avenue), up to 125 feet provided that the maximum floor area ratio shall not exceed 6.0 and building elements greater than 75 feet in height observe a setback of 50 feet along Fifth Avenue. The City Council has determined that the project is consistent with the regulations of the Gaslamp Quarter Planned District Ordinance. Gaslamp Quarter Special Permit No. 98-0354 is granted by the City Council of the City of San Diego to Champion Development Group.

1. General

The Developer shall construct, or cause to be constructed on the Site, a mixed-use project consisting of approximately 359,844 gross square feet of hotel, retail and parking uses as generally shown on the Basic Concept/Schematic Drawings dated January 8, 1999. The total height of the development shall not exceed 125 feet.

2. Refinements

The following refinements to the Basic Concept/Schematic Drawings shall be submitted by the Developer:

- a) The Developer and Architect shall continue to refine the elevations, including the facade, parapet and roof treatments. The revisions shall be approved by staff during review of the Design Development Drawings.
- b) A complete set of coordinated drawings shall be submitted within 30 days of approval of this project revising the Basic Concept/Schematic Drawings showing sections and all floor levels based on the new requirements of the hotel operator.
- c) All refinements that may be required to ensure that issues relating to the appropriateness of the exterior storefronts are in keeping with the intent of the Gaslamp Quarter Planned District Ordinance (GQPDO).

Attachment A

b. Building Materials

Building materials including brick, stone, stucco, or composition which humanize the structure shall be used as contrasted to large areas of glazing and reflective surfaces. Reflectivity of the glass shall be the minimum reflectivity required by Title 24.

A materials board which illustrates the location, color, quality and texture of proposed exterior materials including awnings, overhang canopy and on- and off-site paving materials shall be submitted with Design and Development Drawings.

c. Street Level Design

Street level windows shall be clear glass and may be lightly tinted. Blank facades shall be enhanced by architectural detailing, artwork, landscaping or other similar features which have visual interest.

Architectural features such as recessed storefronts, colorful awnings, bay windows, or other design features which add human scale to the streetscape, are encouraged where they are consistent with the design theme of the structure (as approximately shown on Schematic Drawings dated 1/8/99).

d. Roof Tops

A rooftop equipment and appurtenance location and screening plan shall be prepared and submitted with 100% Construction Drawings.

e. Signing

A comprehensive signage plan prepared in accordance with Municipal Code and standards contained in the Gaslamp Quarter Planned District Ordinance shall be prepared and submitted in conjunction with submittal of the Design and Development Drawings. Any exceptions to the standards contained in the GQPDO will be considered by CCDC.

f. Lighting

A lighting plan which highlights the architectural qualities of the proposed project and also enhances the lighting of the public right-of-way shall be submitted with Design and Development and 100% Construction Drawings. On-site lighting shall meet appropriate requirements for compliance with light pollution regulations.

g. Noise Control

All mechanical equipment, including but not limited to, air conditioning, heating and exhaust systems, shall comply with the City of San Diego Noise Ordinance and California Noise Insulation Standards as set forth in Title 24 of the California Code of Regulations. All mechanical equipment shall be located to mitigate noise and exhaust impacts on adjoining development. Developer shall provide evidence of compliance with the Noise Ordinance at 100% Construction Drawings.

h. Energy Considerations

The design of the improvements shall include, where feasible, energy conservation construction techniques and design, including cogeneration facilities, and active and passive solar energy design.

i. Utilitarian Areas

Areas housing trash, storage, or other utility services shall be located in the building and be completely concealed from view of the public right-of-way and adjoining developments.

j. Circulation and Parking

The parking structure shall meet the requirements of the Building Inspection Department, Fire Department and City Engineer and meet all required air ventilation codes. The exhaust system for mechanically ventilated structures shall be located to mitigate noise and exhaust impacts on adjoining development, particularly residential.

k. Street Address

Building address numbers shall be provided that are visible and legible from the public right-of-way.

5. On-Site Improvements

All off-site and on-site improvements shall be designed as part of an integral site development.

a. Paving

Paving within any setback area on private property shall complement the design and quality of the paving within the public right-of-way.

6. Off-Site Improvements

The following public improvements shall be installed in accordance with the Centre City Streetscape Manual:

- a. City Utilities (sewer, water and storm drain) - The Developer shall be responsible for the connection of on-site sewer, water and storm drain systems from the development to the City Utilities located in the public right-of-way. Sewer and water shall be connected to the appropriate utility mains within the street and beneath the sidewalk. The Developer may use existing laterals if acceptable to the City, and if not, Developer shall cut and plug existing laterals at such places and in the manner required by the City, and install new laterals.
- b. Franchise Public Utilities - The Developer shall be responsible for the installation or relocation of franchise utility connections including, but not limited to, gas, electric, telephone and cable, to the project and all extensions of those utilities in public streets. Existing franchised utilities located above grade and in the sidewalk right-of-way shall be removed and incorporated into the adjoining development where feasible.

Electrical transformer vaults shall be installed in a subterranean location accessible to the franchise utility from the public right-of-way where feasible. Covers to utility vaults located in the public right-of-way shall be designed as a pan which allows the lid to be in filled with the same paving materials used in the adjoining right-of-way.

- c. Fire Hydrants - If required, the Permittee shall install fire hydrants at locations satisfactory to the Fire Department and Development Services Department.
- d. Backflow Preventers - The developer shall locate all water meters and backflow preventers in locations satisfactory to the Water Utilities Department and CCDC. Backflow preventers shall be located outside of the public sidewalk area where feasible in an unobtrusive location.

All items of improvement shall be performed in accordance with the technical specifications, standards, and practices of the City of San Diego's Development Services Department and shall be subject to their review and approval. Improvements shall meet the requirements of Title 24 of the State Building Code.

If, during construction, any improved portion of the public right-of-way is damaged or destroyed, the Developer shall be responsible for the replacement or repair of those improvements.

7. Removal and/or Remedy of Soil and/or Water Contamination

The Developer shall (at its own cost and expense) remove and/or otherwise remedy as provided by law and implementing rules and regulations, and as required by appropriate governmental authorities, any contaminated or hazardous soil and/or water conditions on the Site.

8. Environmental Impact Mitigation and Archaeological Protection

The Developer shall implement mitigation measures and/or mitigation monitoring requirements as identified in the Environmental Secondary Study prepared for the Gaslamp Square project prior to the issuance of a building permit.

9. Centre City Assessment Districts

Developer shall agree to participate in the formation of one or more assessment districts or other similar financing mechanisms. Such district(s) shall be for the purpose of providing or maintaining landscape enhancement, park, open space or similar improvements in the downtown area of the City of San Diego.

The Developer reserves the right to be heard and present evidence regarding the amount of any assessment payment proposed to be levied on the Developer.

Notwithstanding any Provisions to the contrary hereinabove, Developer does not waive any legal right as may exist at law or in equity, whether established by statute or otherwise, to appear and/or protest the mechanism for, the fairness of, or the amount of, any fee, tax, levy, assessment or exaction proposed to be imposed upon Developer's development of the Site, or any portion thereof.

10. Model

On or before submission of 100% Construction Drawings to CCDC, the Developer shall provide a one (1) inch to fifty (50) foot scale block building model which illustrates the true scale of the buildings on the Site based on the building facade and the floor plate of the structure from the ground floor to and including the rooftop. Landscaping at the ground level, intermediate level terraces and at the roof level shall also be shown. Architectural detail such as windows, doors and balconies shall not be shown. The model shall be painted white and be compatible with the model of downtown on display at the Centre City Development Corporation's Downtown Information Center. Upon acceptance by CCDC, the model shall be installed by the Developer or his designated representative on the model of downtown, and the model shall become the property of the Centre City Development Corporation for its use.

11. Construction Fence

Developer shall install a construction fence pursuant to specifications of, and a permit from, the City Engineer. The fence shall be solid plywood, painted in a manner which is consistent with the project's design, and shall contain a pedestrian passageway, signs and lighting, if required by the City Engineer. The construction fence shall be maintained free of litter and in good repair.

12. Development Identification Signs

Prior to commencement of construction on the Site, the Developer shall prepare and install, at its cost and expense, two signs on the barricades around the Site which identify the development. Each sign shall be at least four (4) feet by six (6) feet and be visible to passing pedestrian and vehicular traffic. The design of all signs as well as their proposed location shall be submitted to the Agency for review and approval prior to installation. All signs shall at a minimum include:

- Color rendering of the development
- Development name
- Developer
- The phrase:

A project of the Redevelopment Agency of the City of San Diego
Mayor Susan Golding

- Council Members Harry Mathis
- Byron Wear
- Christine Kehoe
- George Stevens
- Barbara Warden
- Valerie Stallings
- Judy McCarty
- Juan Vargas

and

Centre City Development Corporation

- Completion Date _____.
- For information call _____.

The Developer shall obtain a current roster of Redevelopment Agency members before signs are manufactured.

14. This permit shall be conditioned upon obtaining a building permit within eighteen (18) months from the date of issuance. If a building permit has not been obtained in eighteen (18) months and the project is to proceed, the permittee must request

- d) To the extent possible, all four sides of the basement wall shall be set back six feet from the curb line.
- e) The Developer shall submit to CCDC a layout for the off-site improvements.
- f) The Developer shall get concurrence from the City Traffic Engineer that the ingress and egress for parking and loading as shown on the Basic Concept/Schematic Drawings will be allowed.
- g) Development of a safe drop-off area for hotel guests and an appropriate entrance into the hotel.
- h) A colors and materials board shall be submitted at the submission of Design and Development Drawings for review and approval.
- i) Any exterior equipment such as transformers, refuse bins, backflow preventers, gas meters and valves, fire sprinkler equipment, and other such equipment shall be placed totally within the project Site.

3. Design and Development and 100% Construction Drawings

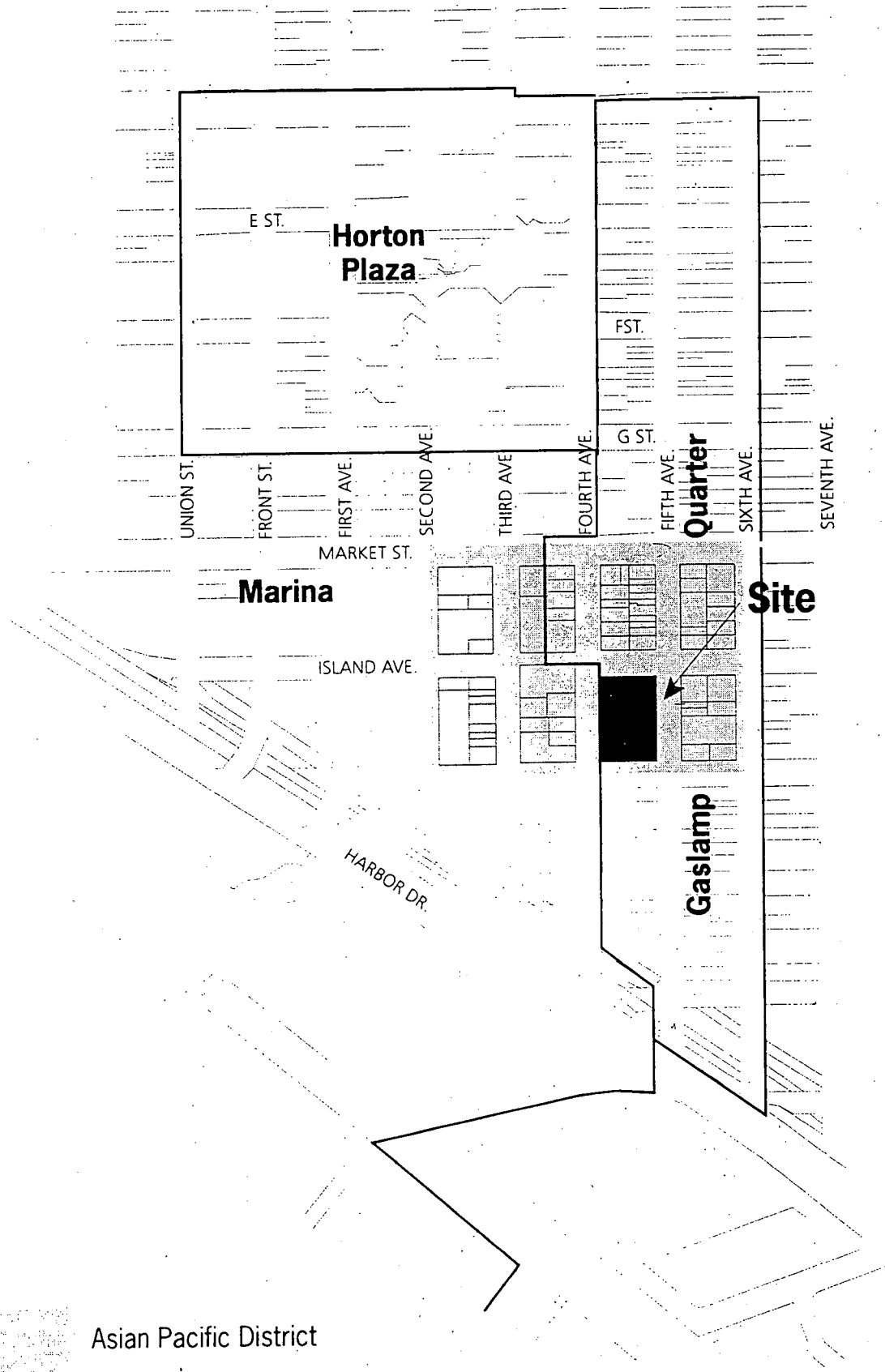
The Developer shall submit for approval to CCDC Design and Development and 100% Construction Drawings which implement the design intent of the Basic Concept/Schematic Drawings and which incorporate appropriate revisions as stated herein.

4. Urban Design Standards

The proposed development, including its architectural design concepts, landscape features and off-site improvements, shall be subject to design review by CCDC in accordance with adopted procedures. The Developer shall conform to the Centre City Community Plan, the Gaslamp Quarter Planned District Ordinance and Urban Design Manual and the Centre City Streetscape Manual. These standards, together with the following specific conditions, will be used as a basis for evaluating the development through all stages of the design review process.

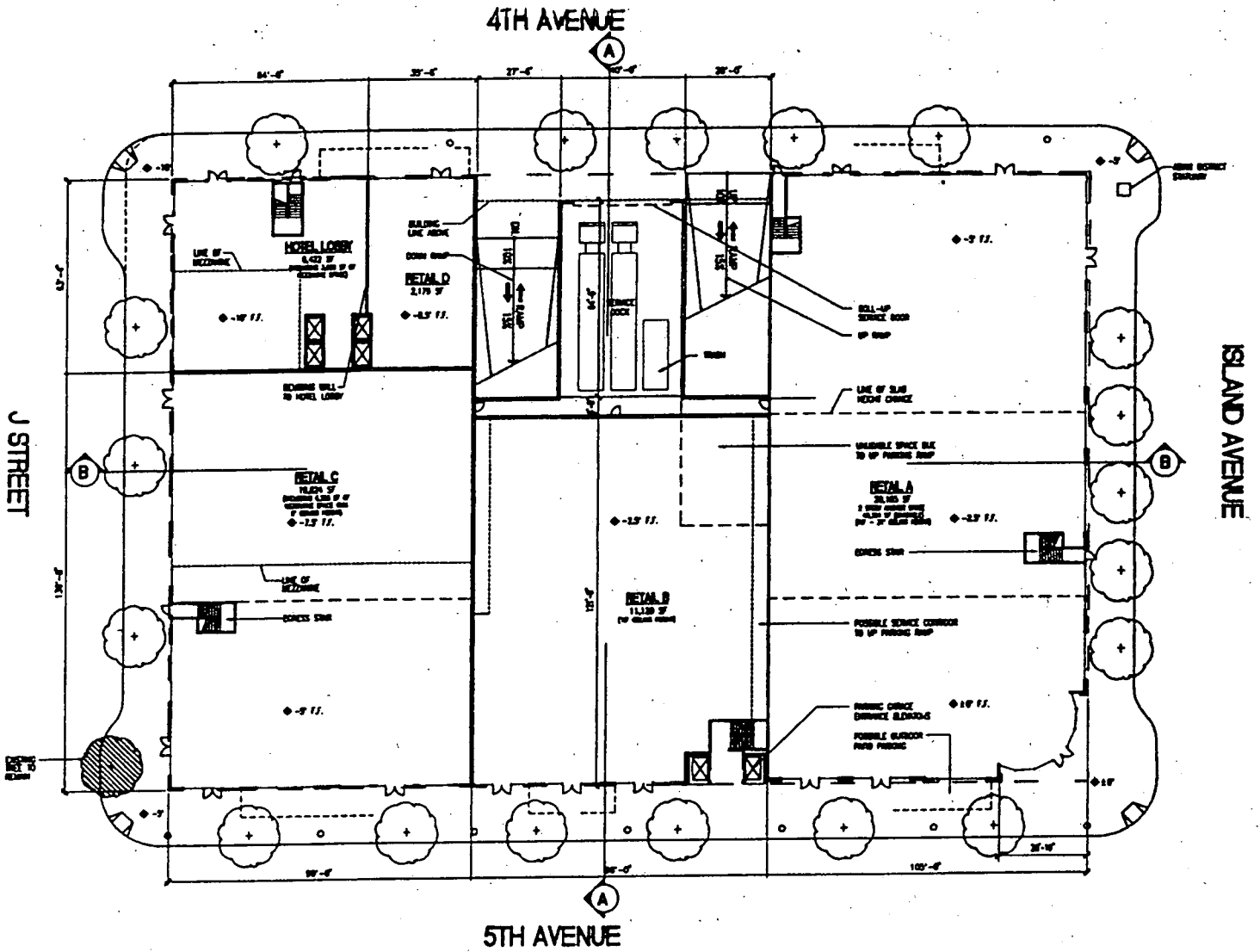
a. Architectural Standards

The architecture of the development shall establish a high quality of design and complement the design and character of surrounding buildings. Additionally, the following architectural details shall be provided:



Asian Pacific District

Gaslamp Square Site



GROUND FLOOR PLAN

Gaslamp Square
 SAN DIEGO, CALIFORNIA

CEU

R. 291442

Exhibit 2



EAST ELEVATION



NORTH ELEVATION

EAST & NORTH EXTERIOR ELEVATIONS

Gaslamp Square
SAN DIEGO, CALIFORNIA

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R-291442

Exhibit 3



WEST ELEVATION



SOUTH ELEVATION

WEST & SOUTH EXTERIOR ELEVATIONS

Gaslamp Square

SAN DIEGO, CALIFORNIA

R-291442

Exhibit 4

an extension of time of up to three (3) years by filing a written request to the President of CCDC.

15. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
16. This permit is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interest of any successor shall be subject to each and every condition set out.
17. This project shall comply with the standards, policies, and requirements in effect at the time of approval of this project, including any successor or new policies, financing mechanisms, phasing schedules, plans and ordinances adopted by the City of San Diego.
18. No permit for construction, operation or occupancy of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until this Permit is recorded in the OFFICE OF THE COUNTY RECORDER.

This Gaslamp Quarter Special Permit is granted by the Centre City Development Corporation on _____, 1999.

BEVERLY SCHROEDER
SENIOR PLANNER

PETER J. HALL
PRESIDENT