

RESOLUTION NUMBER R-292188

ADOPTED ON SEPTEMBER 14, 1999

WHEREAS, BOSA Development, Owner/Permittee, filed an application for a Coastal Development Permit to develop subject property located in the Marina Sub Area of the Centre City Redevelopment Project, described as Lots G through L, inclusive, in Block 31 of New San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof by Gray and Johns, in the Office of the County Recorder of San Diego County; together with Parcels 2 and 3 of Parcel Map No. 14799 in the City of San Diego, County of San Diego, State of California, as filed in the Office of the County Recorder of said San Diego County, May 14, 1987 as File No. 87-266443, located in the Marina Planned District of the Centre City Community Plan; and

WHEREAS, this Coastal Development Permit is for the Park Place Project which is a 178-unit condominium project bounded by Harbor Drive to the south, Kettner Blvd to the east, "G" Street to the north, and the vacated California Street right-of-way and the Embassy Suites hotel to the west; and

WHEREAS, on August 27, 1999, the Centre City Development Corporation Board of Directors unanimously recommended that the City Council approve Coastal Development Permit No. 99-0476 and related actions; and

WHEREAS, the matter was set for public hearing on September 14, 1999, pursuant to San Diego Municipal Code [SDMC] sections 101.0510, 103.1904, and 111.0203, testimony

having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Coastal Development Permit No. 99-0476:

1. **The proposed development will not encroach upon any existing physical access way legally utilized by the public or any proposed public access way identified in an adopted Local Coastal Program Land Use Plan; nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points.** The proposed development maintains the California Street pedestrian access. In addition, the location, orientation, and mass of the tower will maximize views from existing residential and commercial developments.
2. **The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources.** The construction will not adversely affect the environment as examined in the Secondary Environmental Study.
3. **The proposed development will comply with the requirements related to biologically sensitive lands and significant prehistoric and historic resources as set forth in the Resource Protection Ordinance (SDMC section 101.0462) unless by the terms of the Resource Protection Ordinance, it is exempted therefrom.** A full archaeological study has been completed and accepted for the site as required by previous project approvals and the Master Environmental Impact Report prepared for the Centre City Redevelopment Project. The development will comply with any applicable requirements.
4. **The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources.** The project will not adversely affect access to other facilities within the Coastal Zone.
5. **The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources.** The project will not adversely affect sensitive habitats as it lies within a urbanized setting.
6. **The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geological and erosional forces and/or flood and fire hazards.** The project will develop a relatively flat vacant site previously occupied by a surface parking lot.
7. **The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance visual quality in visually degraded areas.** The project is compatible with surrounding developments which include the


Embassy Suites and Hyatt hotels and will provide needed housing units to contribute to the Marina residential district.

8. The proposed development will conform with the General Plan, the Local Coastal Program, or any other applicable adopted plans and programs. The project is consistent with the Centre City Redevelopment Plan, the Centre City Community Plan, and the Marina Urban Design Plan and Planned District Ordinance.

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

BE IT FURTHER RESOLVED, that the recommendation of the Centre City Development Corporation Board of Directors is sustained, and Coastal Development Permit No. 99-0476 is granted to BOSA Development, Owner/Permittee, under the terms and conditions set forth in the attached permit.

APPROVED: CASEY GWINN, City Attorney

By 
Elisa A. Cusato
Deputy City Attorney

EAC:lc
03/14/00
Or.Dept:CCDC
R-2000-214
Form=r-t.frm

RECORDING REQUESTED BY
CENTRE CITY DEVELOPMENT CORPORATION
PLANNING DEPARTMENT
225 BROADWAY, SUITE 1100
SAN DIEGO, CA 92101

AND WHEN RECORDED MAIL TO
CITY CLERK
MAIL STATION 2A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

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

COASTAL DEVELOPMENT PERMIT NO. 99-0476

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**CENTRE CITY DEVELOPMENT CORPORATION
COASTAL DEVELOPMENT PERMIT NO. 99-0476**

Pursuant to the regulations of the Municipal Code of the City of San Diego, an application from BOSA Development to construct a residential project located on a 61,000 square foot site located on the block bounded by Harbor Drive to the south, Kettner Boulevard on the east, G Street to the north, and the vacated California Street right-of-way to the west, in the Marina Sub-Area of the Centre City Community Planning Area, was reviewed by the Centre City Development Corporation (CCDC) and the City Council of the City of San Diego. The property is hereby described as Lots G through L, inclusive, in Block 31 of New San Diego, in the City of San Diego, County of San Diego, State of California, according to Map thereof by Gray and Johns, in the Office of the County Recorder of San Diego County; together with Parcels 2 and 3 of Parcel Map No. 14799 in the City of San Diego, County of San Diego, State of California, as filed in the Office of the County Recorder of said San Diego County, May 14, 1987 as File No. 87-266443.

A Coastal Development Permit is granted by the City Council to BOSA Development, Owner/Permittee.

1. General

The Developer shall construct, or cause to be constructed on the Site, a residential project consisting of approximately 178 condominiums. The development shall also include parking facilities to accommodate approximately 310 vehicles on the Site. The total floor area ratio of the development for all uses above ground shall not exceed a floor area ratio of 5.5 and a height of 344 feet (measured to the peak of the roof).

2. Refinements

The following refinements to the Basic Concept/Schematic Drawings on file in the Office of CCDC shall be submitted by the Developer with the Design and Development stage and shall be subject to CCDC staff approval:

- a. The project shall provide a revised conceptual landscape plan which shows enhancements within the California Street pedestrian walkway, the utility easement adjacent to the walkway, and a significant landscape statement at the corner of the Harbor Drive and Kettner Boulevard.
- b. The cornice elements of the two-story tower base and low-rise townhouse units shall utilize upgraded architectural materials (such as pre-cast concrete).
- c. The planter area between the driveways off Kettner shall utilize a signature entrance feature including the project sign and landscaping. The driveway shall utilize enhanced paving materials.

3. Design and Development and 100% Construction Drawings

The Developer shall submit for approval to Centre City Development Corporation (CCDC) Design and Development and 100% Construction Drawings which implement the design intent of the Basic Concept/Schematic Drawings and any refinements/requirements listed in the Conditions. A final materials/color board shall be submitted for staff approval.

4. Environmental Impact Mitigation and Archaeological Protection

The Developer shall implement mitigation measures and/or mitigation monitoring requirements as identified in the Master Environmental Impact Report for the Centre City Redevelopment Project prior to the issuance of a building permit.

A qualified archaeologist is required to carefully monitor the excavation and grading activities while the project is underway. The responsible firm shall be identified to CCDC prior to issuance of a building permit. If resources are encountered in the course of ground disturbance, the archaeological monitor shall be empowered to halt grading and to initiate a testing program and a report shall be prepared and submitted to CCDC.

5. This project shall meet all applicable requirements and conditions of Marina Development Permit 99-0476 as approved by the Redevelopment Agency of the City of San Diego.

6. This Coastal Development Permit shall be conditioned upon obtaining a building permit within three (3) years from the date of issuance. If a building permit has not been obtained in three years and the project is to proceed, the permittee must reapply for a Coastal Development Permit under legislation that exists at that time. This approval may be extended for a period of three (3) years if it finds that there have been no material changes of circumstances since the permit was originally granted.

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

8. 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.

9. 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.

Coastal Development Permit 99-0476

10. 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 Coastal Development Permit is granted by the City Council on September 14, 1999.

CENTRE CITY DEVELOPMENT
CORPORATION

PERMITTEE(S) SIGNATURE

Brad Richter
Senior Planner

Eric Martin, Vice President, Development
BOSA Development Corporation

AUTHENTICATED BY THE CITY MANAGER

By _____

The undersigned Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Permittee hereunder.

BOSA DEVELOPMENT
Owner/Permittee

By _____

By _____

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1180 et seq.**

Permit 99-0476