

FILED

Ernest J. Dronenburg, Jr. Recorder County Clerk

AUG 18 2017

BY: [Signature]
DEPUTY

FILED IN THE OFFICE OF THE COUNTY CLERK

San Diego County on AUG 18 2017

Posted AUG 18 2017 Removed _____

Returned to agency on _____

Deputy [Signature]

Notice of Exemption

CEQA Guidelines Appendix E

To: ■ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency)
San Diego Unified Port District
Real Estate Development Department
3165 Pacific Highway
San Diego, CA 92101

■ San Diego County Recorder/County Clerk
1600 Pacific Highway, Suite 260
San Diego, CA 92101-2480

Project Title: License Agreement for Temporary Advertising on Tower 1 and Tower 3 of the Wyndham San Diego Bayside

Project Location – Specific: 1355 North Harbor Drive, San Diego, CA 92101

Project location – City: San Diego, California

Project Location – County: San Diego

Description of Nature, Purpose, and Beneficiaries of Project:

The proposed project is a License Agreement and the installation of temporary advertising signage; proposed to be placed on the two north-facing outer wall surfaces of Tower 1 and Tower 3 of the Wyndham San Diego Bayside Hotel. The advertising signage shall face N Harbor Drive and the signage shall be directed toward the Bay. The area proposed for use under this License Agreement shall be used only and exclusively for the purpose of installing, operating and removing two (2) non-illuminated vinyl wall signs and displaying advertising thereon and for no other purpose whatsoever. The proposed advertising is for a temporary campaign promoting the Qualcomm Corporation, a prominent San Diego based corporation. A total of two advertising signs would be allowed with one measuring approximately 1,400 square feet (sf) (20 feet wide by 70 feet high) on the north-facing wall of Tower 1 and the other measuring approximately 1,400 sf (20 feet wide by 70 feet high) on the north-facing wall of Tower 3. The advertising would be displayed for a total of no more than thirty (30) days, including set-up and take down. Consistent with the terms of the License Agreement, the following items are strictly prohibited and shall result in immediate termination of the License Agreement without notice to Licensee: (a) light shows, (b) electrical improvements to the signage, wall or premises, or (c) illumination, including but not limited to electronic, digital, or similarly illuminated components, of the signage, premises, or walls.

In August 2017, an aesthetics analysis was performed, entitled Aesthetic/Visual Quality Analysis for the Wyndham San Diego Bayside Building Wrap Project (Aesthetics Analysis), and is available with the Development Services Department at the San Diego Unified Port District, located at 3165 Pacific Highway, San Diego, CA 92101. The Aesthetics Analysis found that the signage features, the temporary nature of the signs, and the urban nature of the surrounding area (i.e., the County of San Diego Administration Building, B Street Cruise Ship Terminal, 1220 N Harbor Drive Naval Facility North Embarcadero attractions, downtown San Diego) will ensure that the signage will not create visual or aesthetic impacts.

The License Agreement is anticipated to commence on September 1, 2017 and terminate on September 30, 2017 for a total period of thirty days. No extensions are allowed pursuant to the License Agreement. Both the installation and the removal will require the use scaffolding; however, the District's Standard License Agreement Terms for building wraps, which applies to all building wraps, and is incorporated as project features, requires that:

- Installation and removal shall not block access to and from parking areas, public recreation areas, or surrounding properties;
- During installation and removal, if surrounding pedestrian walkways are temporarily blocked, they shall be redirected via a temporary detour for users of those pedestrian walkways. The detour area would be limited to only that which is necessary to circumvent the area under the boom lift and must be clearly delineated

with signs. If a detour is not possible based on the position of the boom lift, the operator shall ensure that the boom lift not be in operation and workers on boom lifts are not actively working during any period of time that the general public is traversing under the path of the lift. These measures shall only be implemented when needed to ensure safety of pedestrians; and

- Signage, including without limitation, building wraps, may not be installed or removed on days where an event is permitted in adjacent areas or during peak am and pm traffic periods. The operator must demonstrate this by submitting a Traffic Management Plan to the District's Development Services Department for periods of installation and removal, if equipment used for installation, removal, and/or maintenance encroaches into public right of way.

Name of Public Agency Approving Project: San Diego Unified Port District (SDUPD)

Name of Person or Agency Carrying Out Project: David Kohuetek, Felcor Hotel Asset Company LLC, 1355 North Harbor Drive, San Diego, CA 92101; (972) 444-4978

- Exempt Status:** (Check one):
- Ministerial (Sec. 21080(b)(1); 15268);
 - Declared Emergency (Sec. 21080(b)(2); 15269(a));
 - Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
 - Categorical Exemption: 15301 (Existing Facilities), 15303 (New Construction of Conversion of Small Structures, and/or 15311 (Accessory Structures)
 - Statutory Exemption. State code number:

Reason Why Project is Exempt: The project is determined to be Categorical Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction of Conversion of Small Structures, and/or 15311 (Accessory Structures) and 3.a., 3.c. and 3.i. (5) of the District's Guidelines for Compliance with CEQA because the project proposes installation of temporary advertising signage that would have no permanent effects on the environment. Sections 3.a., 3.c., and 3.i. (5) of the District's CEQA Guidelines are as follows:

3.a. Existing Facilities (SG § 15301) (Class 1): Includes operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

AND/OR

3.c. New Construction or Conversion of Small Structures (SG § 15303) (Class 3): Includes construction of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and conversion of existing small structures from one use to another with minor modifications to the exterior of the structure.

AND/OR

3.i. Accessory Structures (SG § 15311) (Class 11): Includes construction, or placement of minor structures accessory to (appurtenant to) existing facilities, including, but not limited to:

(5) Placement of temporary use items.

Lead Agency Contact Person and Telephone Number: Juliette Orozco, (619) 686-6237

Signature: Julia Ozyer **Date:** 8/17/17 **Title:** Associate Planner

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR/Clerk:
Page 2 of 2



State of California - Department of Fish and Wildlife
2017 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 12/15/15) Previously DFG 753.5a

RECEIPT NUMBER:
 37-2017- 0709
 STATE CLEARINGHOUSE NUMBER (If applicable)
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SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN DIEGO UNIFIED PORT DISTRICT	LEAD AGENCY EMAIL ---	DATE 08/18/2017
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COUNTY/STATE AGENCY OF FILING San Diego County	DOCUMENT NUMBER *20170709*
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PROJECT TITLE
 LICENCE AGREEMENT FOR TEMPORARY ADVERTISING ON TOWER 1 AND TOWER 3 OF THE WYNDHAM SAN DIEGO BAYSIDE

PROJECT APPLICANT NAME DAVID KOHUETEK, FELCOR HOTEL ASSET COMPANY LLC	PROJECT APPLICANT EMAIL ---	PHONE NUMBER 9972) 444-4978
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PROJECT APPLICANT ADDRESS 1355 NORTH HARBOR DRIVE	CITY SAN DIEGO	STATE CA	ZIP CODE 92101
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PROJECT APPLICANT (Check appropriate box)
 Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,078.25 \$ _____
- Mitigated/Negative Declaration (MND)(ND) \$2,216.00 \$ _____
- Certified Regulatory Program document (CRP) \$1,550.00 \$ _____
- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued receipt copy)
- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
- County documentary handling fee \$ _____ \$50.00
- Other \$ _____

PAYMENT METHOD:

Cash Credit Check Other
 TOTAL RECEIVED \$ _____ \$50.00

SIGNATURE X <i>Grace SARA</i>	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County GRACE SARA, Deputy
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