



**CEQA and COASTAL DETERMINATIONS
and
NOTICE OF APPROVAL**

Project: Vela Restaurant Renovation by Hilton San Diego Bayfront at Centre City Embarcadero
Location: 1 Park Boulevard, San Diego, CA 92101
Parcel No.: 019-044
Project No.: 2020-117
Applicant: Todd Hersperger, Vice President of Asset Management, Sunstone Hotel Investors,
 200 Spectrum Center Drive, 21st Floor, Irvine, CA 92618
Date Approved: Dec 4, 2020

PROJECT DESCRIPTION

The proposed project would involve restaurant and patio renovations and lobby improvements by Hilton San Diego Bayfront (Tenant) in the City of San Diego, California. Work to specifically complete the proposed project would involve renovations to an existing 7,079 square foot (sq. ft.) restaurant and associated 1,663 sq. ft. outdoor patio dining area, and furniture, fixtures, and equipment (FF&E) improvements to a portion of adjoining lobby on the first floor of the Hilton San Diego Bayfront. Specific improvements would include the following:

Demolition and selective removal of the following:

- Interior walls, partitions, ceiling structures, floor, bases and finishes
- Portions of interior and outdoor floor slabs
- Doors, windows, and frames
- Plumbing, heating ventilation air and cooling (HVAC), fire, electrical, and audio/visual systems
- Interior accessories including FF&E and appliances

Construction and installation of the following:

- Interior walls, partitions, ceiling structures, floor, bases and finishes
- Floor slabs where demolished for installation of utility improvements
- Doors, windows, and frames
- Plumbing, HVAC, fire, lighting, electrical, and audio/visual systems
- Interior accessories including FF&E and appliances
- Interior glass partition, fire-rated, and operable exterior door systems
- Renovated buffet, kitchen, and bar area and equipment
- New grab-and-go market and restrooms

Construction of the proposed project is anticipated to occur in the beginning of 2021 and would take approximately seven (7) months to complete.

Due to its nature and limited scope, construction of the proposed project would generate a minor amount of vehicle trips and would require limited use of equipment. Therefore, significant impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Tenant would be responsible for complying with all applicable federal, state, and local laws regarding construction demolition debris, hazards and hazardous materials, and stormwater.

The following categorical determinations are based on the project submittal and all project information known to the District as of the date of this determination.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CATEGORICAL DETERMINATION

Categorical Exemptions: SG §15301, Class 1/Section 3.a: Existing Facilities; and SG §15302, Class 2/Section 3.b: Replacement or Reconstruction

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, including but not limited to:

- (3) Interior and exterior remodeling or alterations, involving negligible or no expansion of use beyond that previously existing, including, but not limited to, marine terminal facilities, and marine-oriented commercial, industrial, and public and commercial recreational facilities, including buildings, piers, wharves, marine ways; railroads; airport facilities, runways, taxiways, aprons, and ancillary structures to those facilities; or mechanical systems and equipment.
- (5) Minor exterior or interior alterations to incorporate architectural changes.
- (7) Existing facilities used to provide electric power, natural gas, sewerage, or other public utility service.

AND/OR

- 3.b. Replacement or Reconstruction (SG § 15302) (Class 2): Includes replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure being replaced.

The proposed project is determined to be Categorically Exempt pursuant to the CEQA Guidelines and the Sections of the District's *Guidelines for Compliance with CEQA* as identified above. These are appropriate for the proposed project because it consists of renovation of existing restaurant, patio, and lobby area, and would involve no expansion of use beyond that previously existing, would not result in a significant cumulative impact due to the continuation of the existing use, would consist of the reconstruction of existing facilities, would be located on the same site as the structure replaced, and would have substantially the same purpose and capacity. The District has determined none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

Pursuant to CEQA Guidelines Section 15062, a 35-day statute of limitations for this CEQA exemption shall apply from the date a Notice of Exemption is posted with the San Diego County Clerk, or a 180-day statute of limitations for this CEQA exemption shall apply if no Notice of Exemption is filed.

CALIFORNIA COASTAL ACT

PORT MASTER PLAN CONSISTENCY

Planning District: 3 - Centre City Embarcadero (Precise Plan Figure 11)

Land Use Designation: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because it consists of renovation of existing restaurant, patio, and lobby area, consistent with the existing certified Land use designation. The proposed project would not change the use of the site nor would it interrupt or expand the existing conforming use of the site.

CATEGORICAL DETERMINATION

Categorical Exclusions: Section 8.a: Existing Facilities; and Section 8.b: Replacement or Reconstruction

- 8.a. Existing Facilities: The 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, including but not limited to:

- (1) Interior or exterior alterations involving such things as partitions, plumbing, and electrical conveyances;
- (2) Public and private utilities used to provide electric power, natural gas, sewer, or other utility services;

- (12) Interior and exterior remodeling of airport facilities, marine terminal facilities, existing marine-oriented industrial structures, and commercial or recreational facilities.

AND/OR

8.b. Replacement or Reconstruction: Replacement or reconstruction of existing structures and facilities where the new structure will be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

- (2) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

The proposed project is determined to be Categorically Excluded pursuant to the Sections of the District's *Coastal Development Permit Regulations* as identified above. These are appropriate for the proposed project because it consists of renovation of existing restaurant, patio, and lobby area, would involve no expansion of use beyond that previously existing, would be located essentially on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Pursuant to California Coastal Act Section 30717, there is a 10-working-day period to appeal this "Coastal Act Categorical Determination of Exclusion" to the California Coastal Commission.

CALIFORNIA PUBLIC TRUST DOCTRINE

The proposed project complies with Section 87.(a)(2) of the Port Act, which allows for all visitor-serving commercial and industrial uses and purposes, and the construction, reconstruction, repair, and maintenance of commercial and industrial buildings, plants, and facilities. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed project is consistent with the Public Trust Doctrine.

RANDA CONIGLIO
President/CEO

Determination by:
Michael Paul
Assistant Planner
Development Services

Signature: Michael Paul
Date: Dec 4, 2020

Deputy General Counsel

Signature: Rebecca S. Harrington
Date: Dec 4, 2020