



CEQA and COASTAL DETERMINATIONS and NOTICE OF APPROVAL

Project: Hyatt Hotel Southeast Pool Replacement and Spa Demolition
Location: Manchester Hyatt, 1 Market Place, San Diego, CA 92101
Parcel No.: 019-001
Project No.: 2024-001
Applicant: Ian Blake on behalf of Mark Allan & Associates, LLC
Date Approved: 01/31/2024

PROJECT DESCRIPTION

Replacement of an existing third-level outdoor (Approximately 25'x75') commercial inground swimming pool located on the southeast portion of the Hyatt Manchester Hotel property. The proposed new inground swimming pool will comply with the 2022 CBC (California Building Code) requirements with respect to railings, stairs, ladders, and drainage protection systems. The deck around the pool will need to be cut back approximately two feet to allow for access and to tie in waterproofing around the new swimming pool shell. Existing swimming pool equipment and piping to the swimming pool will be reutilized. The project will also include the demolition and infill of the existing inground spa and associated equipment. The new concrete deck space over the existing inground spa will be used for additional seating. Moreover, the project includes the demolition of an existing curved bench wall. The existing low bench wall will be infilled with flatwork concrete, allowing for additional moveable seating. Finally, the project includes the demolition of the existing cabanas.

Construction is estimated to begin in Spring 2024, with a duration of approximately three months. Up to 15 construction workers will be onsite every day and will park at an Ace parking lot north of Harbor Drive within the City of San Diego. The proposed equipment consists of hand power tools, concrete saw cutters, a concrete pump, a crane, and welding tools. The new swimming pool vessel is constructed of stainless steel and will be delivered in pieces that will be welded together onsite. During construction materials will be maneuvered with buggies, pallet jacks and accessed to the project site with the hotel's freight elevators. Some larger debris and the new pool pieces will be moved with a ground level crane (maximum of two days total). Crane operations, due to an abundance of caution, will require part of the public access between the Marriot and Hyatt to be temporarily rerouted with a traffic control plan for pedestrian access. The primary staging area will be located on the third-floor swimming pool deck, and the loading dock.

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, impacts related to air quality, greenhouse gas emissions, and transportation and traffic are not anticipated to occur. Furthermore, the Applicant and 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: CEQA Guidelines Section 15301 (Class 1)/District Guidelines for Compliance with CEQA Section 3.a: Existing Facilities and CEQA Guidelines Section 15303 (Class 3)/District Guidelines for Compliance with CEQA Section 3.c: New Construction or Conversion of Small Structures

3.a. Existing Facilities: 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:

- (1) Repair, maintenance or minor alteration of existing mooring facilities, floats, piers, piles, wharves, bulkhead, revetment, buoys, or similar structures; marine terminal facilities; airport facilities; and commercial industrial, or recreational facilities.

AND/OR

- 3.c. New Construction or Conversion of Small Structures: 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. Examples of this exemption include:
 - (2) Accessory (appurtenant) structures and mechanical equipment including, but not limited to, garages, sheds, railway spur tracks, pilings, temporary trailers, industrial equipment enclosures, fences, parking, on-site roadways, walkways and health and safety devices.

The proposed project is determined to be Categorical 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 would result in the replacement of an existing swimming pool like for like, and the demolition of an existing spa. Furthermore, none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2).

CALIFORNIA COASTAL ACT

PORT MASTER PLAN CONSISTENCY

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

Land Use Designations: Commercial Recreation

The proposed project conforms to the certified Port Master Plan because the replacement of an existing swimming pool like for like, and the demolition of an existing spa is consistent with the existing certified Land use designations. The proposed project would not change the use of the site, nor would it interrupt or expand the existing conforming uses of the site.

CATEGORICAL DETERMINATION

Categorical Exclusion: Section 8.b: Replacement or Reconstruction

- 8.a. 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, including but not limited to:

- (1) Replacement of a commercial structure with a new structure' of substantially the same size, purpose, and capacity

The proposed project is determined to be Categorical Excluded pursuant to the Section of the District's *Coastal Development Permit Regulations* as identified above. This is appropriate for the proposed project because it would involve a negligible expansion of use beyond that previously existing.

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 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 repaving project is consistent with the Public Trust Doctrine.

RANDA CONIGLIO
Acting President/CEO

Determination by:
Kevin Parker, AICP
Senior Planner
Development Services

Signature: _____
Date: _____ 01/31/2024

Deputy/Assistant General Counsel

Signature: _____
Date: _____ 01/31/2024