



CITY OF SOLANA BEACH

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February 18, 2020

San Dieguito River Valley JPA Board
Attn: Barbara Bry, Chair
18372 Sycamore Creek Road
Escondido, CA 92025

SUBJECT: MARISOL RESORT (FORMERLY DEL MAR RESORT)

Dear Chair Bry,

On October 10, 2018, the City of Solana Beach City Council unanimously adopted Resolution 2018-137 stating its opposition to the rezoning that would allow for development of the Marisol Resort. The proposed Marisol Resort (Project) is located on the City's southwest border and would significantly and adversely impact residents and businesses in Solana Beach as well as the surrounding areas under the authority of the San Dieguito River Valley Joint Powers Authority (JPA).

It should be noted at the outset that the Project contemplated in the ballot measure to be considered by Del Mar voters on March 3, 2020 (Measure G), has had no project application submitted to the City of Del Mar for review. Furthermore, the Draft Environmental Impact Report (DEIR) prepared for the Project states that the DEIR "is an informational item for voter consideration" and has not been prepared in compliance with CEQA at this time. Nevertheless, the impacts of the proposed specific plan, rezoning, General Plan and Local Coastal Program Amendment that would allow 411,000 square feet of commercial use, 182 hotel rooms, and buildings of up to 46 feet in height on this scenic, residentially-zoned and mostly undeveloped site would be both significant and excessive. Significant adverse environmental impacts to Solana Beach and the surrounding communities would result from the Project in the areas of transportation and traffic, noise and vibration, air quality, greenhouse gas emissions, geology and soils (i.e., bluff stability concerns), hydrology and water quality, public services and utilities and service systems.

Beyond the significant, potentially significant and significant and unavoidable adverse impacts already identified in the informational DEIR, the Solana Beach Community would also experience significant "quality of life/property" impacts resulting from the proposed overdevelopment of this site. These include, but are not limited to, impacts to aesthetics, impairment and/or elimination of scenic views, reduction and/or elimination of public on-street parking and coastal access, and an outright alteration of our community character resulting from the immense scale and bulk of the proposed Project.

Given the numerous adverse impacts that the Project would create, the City of Solana Beach continues to oppose the proposed rezoning of the site as well as the specific plan adoption that is the subject of the Measure G ballot initiative. The proposed increase in the intensity and density of development that will occur should Measure G be approved and the Project developed will also negatively impact the San Dieguito River Valley, particularly in areas immediately south and east of the Project site. The City is also aware that JPA staff has determined that the Project would be inconsistent with the San Dieguito River Plan (SDRP) Concept Plan. This was also the finding of the JPA's Citizen Advisory Commission (CAC).

Based upon the above, the City of Solana Beach urges the San Dieguito River Valley JPA Board to oppose the Project as contemplated under Measure G.

Should you have any questions, please feel free to contact me.

Respectfully,



Jewel Edson
Mayor

Cc: San Dieguito River Valley JPA Board Members

Enclosure: Solana Beach City Council Resolution 2018-137

RESOLUTION 2018-137

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, OPPOSING THE PROPOSED REZONE OF THE 16-ACRE SITE LOCATED AT BORDER AVENUE AND CAMINO DEL MAR (APNs: 298-241-06, 07; 298-241-34, 29; 298-241-35; 298-241-06, 07; 299-303-15)

WHEREAS, the City Council requested for an item be placed on a Council meeting agenda to receive information and testimony related to the proposed development project located at its southwest border within the neighboring jurisdiction of the City of Del Mar, specifically the 16-acre site located at Border Avenue and Camino Del Mar (APNs: 298-241-06, 07; 298-241-34, 29; 298-241-35; 298-241-06, 07; 299-303-15) to address the heightened community interest; and

WHEREAS, the current existing R1-14 and R1-40 zoning for the sites allows for 18-22 estate-size homes as specified in the City of Del Mar's certified Local Coastal Plan; and

WHEREAS, the proposed rezone from the current residential zone designations to a new visitor-serving zone could include a 251-room resort, 76 short-term vacation villas, 15 affordable residential units, 4 restaurants, meeting rooms and a 700-car underground garage and the elimination of up to 40 on-street beach parking spaces; and


WHEREAS, on October 10, 2018, the City Council received and heard public testimony on the concerns for potential impacts of the proposed rezone on the City of Solana Beach and its residents including, but not limited to, traffic, parking, visual impacts, increased water rates, and overall quality of life.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitations are true and correct.
2. That any rezone of the 16-acre site on the City's southwest border that would increase the intensity and density of development that could negatively impact the City of Solana Beach and its residents will be opposed.

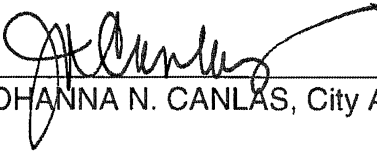
PASSED AND ADOPTED this 10th day of October, 2018, at a regular meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers – Zito, Edson, Hegenauer, Heebner, Zahn
NOES: Councilmembers – None
ABSTAIN: Councilmembers – None
ABSENT: Councilmembers – None

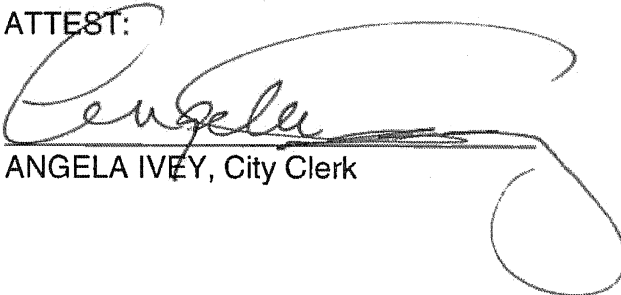


DAVID A. ZITO, Mayor

APPROVED AS TO FORM:



JOHANNA N. CANLAS, City Attorney

ATTEST:


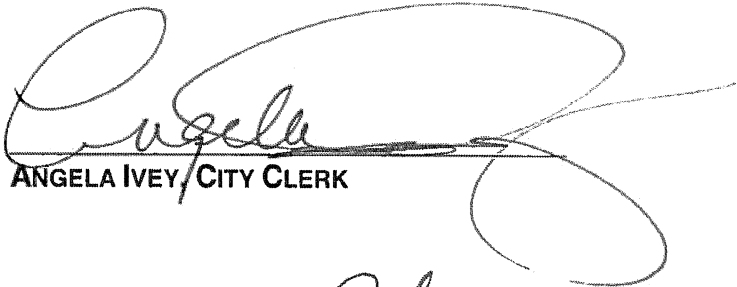
ANGELA IVEY, City Clerk



RESOLUTION CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } §
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution 2018-137** opposing the proposed rezone of the 16-acre site located at Border Avenue and Camino Del Mar, as duly passed and adopted at a Regular Solana Beach City Council meeting held on the 10th day of October 2018. The original is on file in the City Clerk's Office.


ANGELA IVEY/CITY CLERK

CERTIFICATION DATE: Oct. 17, 2018

February 18, 2020

Board of Directors
San Dieguito River Park Joint Powers Authority
18372 Sycamore Creek Drive
Escondido, CA 92025

Honorable Board Members,

On March 3rd, the Measure G - Marisol vote will be determined. The San Dieguito River Park Joint Powers Authority (JPA), San Dieguito River Valley Conservancy and we share exceptional public benefit opportunities to be implemented over the near future. We share the vision of the priceless resource that is the San Dieguito River Park, a 55 - mile jewel that extends from Volcan Mountain inland near Julian, to the west and is planned to end at the coast. Our hope is that the JPA and we can work together to realize this vision.

The property located directly to the south of the Brigantine, .67 acres in size, would be dedicated to the City of Del Mar, and this parcel should likely be incorporated into the park. Our perimeter walking trail on the 16.5 - acre site will provide an amazing addition to the trail system, offering stunning views of the ocean, La Jolla to the south and inland mountains and the valley to the east. Again, we should work together through the process of approval on these important elements that will benefit the park, fulfilling design objectives while preserving private property rights. The preface of the San Dieguito River Park Concept Plan clearly states: "*Mere inclusion in the Focused Planning Area does not indicate that private property is part of the Park and does not in any way affect the private property rights of the owner.*"

The subject private property is required to go through all the administrative public hearing processes in the City of Del Mar. This includes Design Review, and the applicability of the Design Review Ordinance, Planning Commission and City Council approvals.

Let me briefly address some of the assertions made in JPA Staff's report. Two JPA park objectives are cited:

CONSERVATION OF SENSITIVE RESOURCES - Preserve the existing natural character, visual quality, and sensitive resources of the open space corridor, including the preservation, enhancement, and protection of sensitive coastal wetlands, hillsides, riparian and other freshwater habitat, native vegetation and historical and cultural resources.

As mentioned, this is private property, typically more than 70 feet above the valley and not contiguous to the park. A Specific Plan and Draft Environmental Impact Report (DEIR) have been prepared. While the objective is clear, we do not agree that there is any such impact to sensitive resources of the park area. As referenced in the visual impact assessment of the DEIR, implementation of the Specific Plan project would not result in substantial change to the existing view in comparison to existing conditions.

The JPA's comments to the DEIR have been provided and a response will be prepared as part of the CEQA process.

ESTABLISHMENT OF DESIGN GUIDELINES - Establish and seek to have enforced design and development standards for future development within the

Focused Planning Area that would ensure the retention of the largely rural character of the planning area and would limit the visual and physical encroachment of development into the Focused Planning Area.

The Marisol Specific Plan includes design guidelines and development standards. When approved, the Specific Plan development standards will become a part of the City's Community Plan along with the visitor-serving use regulation.

With the Marisol Specific Plan, we are promoting public coastal access, consistent with the California Coastal Act as well as one of the primary objectives of the JPA and the trail system's ultimate goal of connecting to the coast.

Our plan does not cover 70% of the site. This is incorrect. As described in the Specific Plan, buildings will be one, two and not to exceed 3 stories in limited circumstances. The site coverage limits described a maximum of 33% of the total site, and the floor area ratio is described as a maximum limit of .57. The 410,000 square feet reference is a maximum limit of floor area, including walkways, decks, balconies, patio areas, partially enclosed spaces, all areas per the City's definition of floor area.

When approved, our plan would provide the JPA's planned Coast to Crest Trail the vital and integral linkage to our property trails that are to be dedicated to the public and maintained by our ownership management. Subject to the City of Del Mar and Coastal Commission approval, our perimeter trail also would provide an access point to the neighboring North Bluff Preserve, owned by the City of Del Mar.

The City's current residential zoning for the site allows the construction of exclusive coastal mansions. The City's Design Review process would allow the approval of two-story homes, with each home having a separate architectural and landscape design proposal. In this case, the creation of a trail would be piecemeal and on very limited basis, as subdivision maps, lots and plans are approved for construction over an extended time. Construction of 16 to 18 homes would occur individually and over this extended time.

With respect, we feel that JPA should not adopt a position on the Measure G Marisol voter initiative as recently discussed in the January meeting. The City of Del Mar has its administrative process and full discretionary authority to review the Marisol plan after the voters' approval of Measure G. And the public will have the opportunity to participate during the entire process.

We look forward to working with you in the future toward our mutual goal of creating parkland and trails that will be valuable resources and legacies for the public.

Sincerely,



Jim McMenamin
Executive Vice President
Zephyr