

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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SAN DIEGO, CA 92108-1725
521-8036

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Staff Report: December 17, 1998
Hearing Date: January 13-15, 1999

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-98-138

Applicant: City of San Diego

Agent: Harry Slayen

Description: Construction of a 64 space parking lot, sports field, one-acre skateboard park including seating area, restroom, picnic tables, and landscaping within an undeveloped portion of an existing city park facility.

Plan Designation Parklands

Site: 2525 Bacon Street (Robb Field, Mission Bay Park), Ocean Beach, San Diego, San Diego County. APN 448-142-15.

Substantive File Documents: Mission Bay Park Master Plan, Certified Ocean Beach LCP Land Use Plan and Implementing Ordinances; CDP Nos. 6-88-473, 6-94-100 and 6-95-7.

STAFF NOTES:Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed project with special conditions requiring final landscaping, project, and staging area/access corridor plans to ensure that no adverse impacts to visual resources and public access and recreation would occur. An advisory condition relating to future improvements is also proposed.

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the

provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Final Landscaping Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a final landscape plan indicating the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant native or naturalizing plant materials shall be utilized to the maximum extent feasible. Said plan shall be submitted to, reviewed and approved in writing by the Executive Director.

The permittee shall undertake the development in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the plan shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Future Development. This permit is for construction of various public park improvements, including construction of a skateboard park. The establishment of a user fees for the proposed skateboard park shall require review and approval by the Coastal Commission, or its successor in interest, under an amendment to this permit.

3. Final Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final site and project plans in substantial conformance with the plans submitted with this application dated October 24, 1998.

The permittee shall undertake the development in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the plan shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. Construction Schedule/Staging Areas/Access Corridors. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, detailed plans identifying the

location of access corridors to the construction sites and staging areas, and a final construction schedule. Said plans shall include the follow criteria specified via written notes on the plan:

- a. Use of the existing improved park area, public access paths and public parking, including on-street parking in the area, for the interim storage of materials and equipment is prohibited.
- b. Access corridors shall located in a manner that has the least impact on public access and existing public parking areas.
- c. The existing improved park area shall remain open and available for public use throughout the construction period.

Prior to the commencement of construction, the applicant shall submit evidence that the plans have been incorporated into construction bid documents

The permittee shall undertake development in accordance with the plans and construction schedule. Any proposed changes to the approved plans or the stated criteria shall be reported to the Executive Director. No changes to the plans or schedule shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description/History. The City of San Diego is proposing to construct a 64-space parking lot, sports field, one-acre skateboard park including seating area, restroom, picnic tables and landscaping within the undeveloped portion of Robb Field, an existing City park facility. The flat, undeveloped site is approximately six acres in size and consists of fill and non-native vegetation. All drainage will be directed towards the street into City drainage systems.

Robb Field is an existing public park located at the western terminus of Interstate 8, adjacent to the San Diego River Channel. It currently contains 8 baseball fields, 12 tennis courts and picnic tables and parking areas for the uses. The Commission has reviewed several permit requests for various improvements within the existing park over the years. In CDP #6-88-473, the Commission approved installation of two modular buildings totaling 2,152 sq.ft. on permanent foundations. In CDP #6-94-100, the Commission approved the installation of 2 parking lots with landscaping. Under CDP #6-95-7, the Commission approved the construction of a restroom facility and patio area.

2. Visual Impacts. Section 30251 of the Coastal Act states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas....

The proposed improvements will take place in undeveloped dirt/gravel areas adjacent to an existing grass ball field and the San Diego River Channel; the improvements are not anticipated to result in any adverse visual impacts and views of the river channel and Mission Bay will remain unaffected. The City has submitted a preliminary landscape plan indicating that landscaping will be provided consisting of trees, shrubs and ground cover provided around the parking areas and islands and the skateboard park. Special Condition #1 requires a detailed final landscape plan indicating the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant native or naturalizing plant materials shall be utilized to the maximum extent feasible. The project site is currently undeveloped, consisting of sparse vegetation and fill. The proposed development will enhance the visual appearance of this area through the installation of proposed park and landscape improvements. Thus, the proposed project will not have a significant visual impact on the park, and the Commission finds the proposal consistent with Section 30251 of the Act.

3. Public Access and Recreation. Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30212 of the Coastal Act states in part:

- (a) Public access from the nearest public roadway to the shoreline and along the coast
shall be provided in new development projects except where:
 - (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,
 - (2) adequate access exists nearby....

Section 30213 of the Act is also applicable and states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

In addition, Section 30604(c) requires that a specific access finding be made for all development located between the sea and the first coastal roadway. The proposed facilities are for public access and recreational uses within an existing public park. 64 additional paved parking spaces will be provided for public use through this development, included specially marked spaces for handicapped users. The improvements will be adjacent to the public walkway along the San Diego River, but will not infringe upon or affect the walkway in any way. In CDP #6-95-7 the Commission prohibited construction activities between Memorial Day and Labor Day because of concerns that work done during the peak summer season might have an adverse impact on public access. In this case, however, construction of the project should not interfere with the use of the existing facilities or impede public access given the 6-acre site provides ample space for a staging area within the construction site. The construction site is at the end of the park and is isolated from existing improvements. Finally, there is currently no existing formal public use of the project site.

Special Condition #4 requires submittal of access and staging plans, identifying the location of access corridors to the construction sites and staging areas, and a final construction schedule. Use of the existing improved park area, public access paths and public parking, including on-street parking in the area, for the interim storage of materials and equipment is prohibited. Additionally, access corridors shall be located in a manner that has the least impact on public access and existing public parking areas. The plans must assure that the existing improved park area shall remain open and available for public use throughout the construction period.

Section 30213 of the Coastal Act provides that lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. The proposed skateboard park will be providing a public recreational use. Although no fee for its use is anticipated at this time, the City has indicated a fee may be charged in the future. Currently, a \$4.00/day fee is being charged for use of the adjacent tennis courts at Robb Field. To assure that any future fee can be found consistent as a lower cost use, Special Condition #2 requires that user fees for the proposed skateboard park will require approval by the Coastal Commission. Only as conditioned can the proposed project be found consistent with Section 30213 of the Coastal Act.

Therefore, as conditioned, the Commission, finds the project consistent with Sections 30210, 30212 and 30213 of the Coastal Act.

4. Local Coastal Planning. Section 30604 (a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

Robb Field is an area of original jurisdiction, where the Commission retains permanent permit authority. The proposed project is officially within the Mission Bay Park planning area; however, Robb Field also has a close relationship with the Ocean Beach

community. The project site is designated for park uses in the certified Mission Bay Park Master Plan. The project is consistent with this designation. The project, as conditioned, is also consistent with the recommendations in the Ocean Beach certified LCP. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the ability of the City of San Diego to prepare a fully certifiable LCP for the Mission Bay Park segment of its LCP or the Ocean Beach community and is consistent with all applicable Chapter 3 policies of the Coastal Act.

5. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect, which the activity may have on the environment.

The proposed project has been conditioned to be found consistent with the public access policies of the Coastal Act. Mitigation measures, including staging and construction restrictions, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

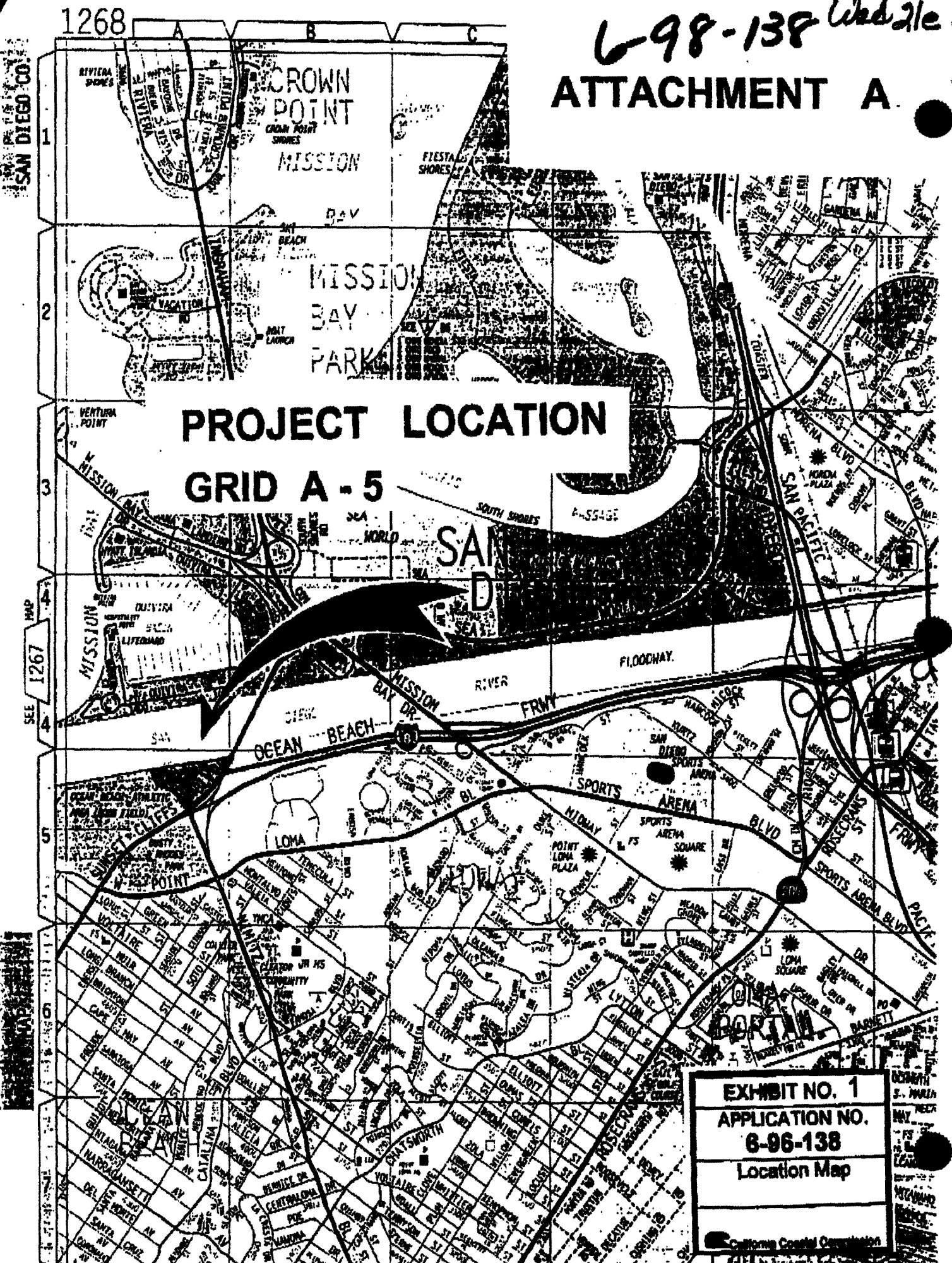
1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

(6-98-138 Robb field stf rpt)

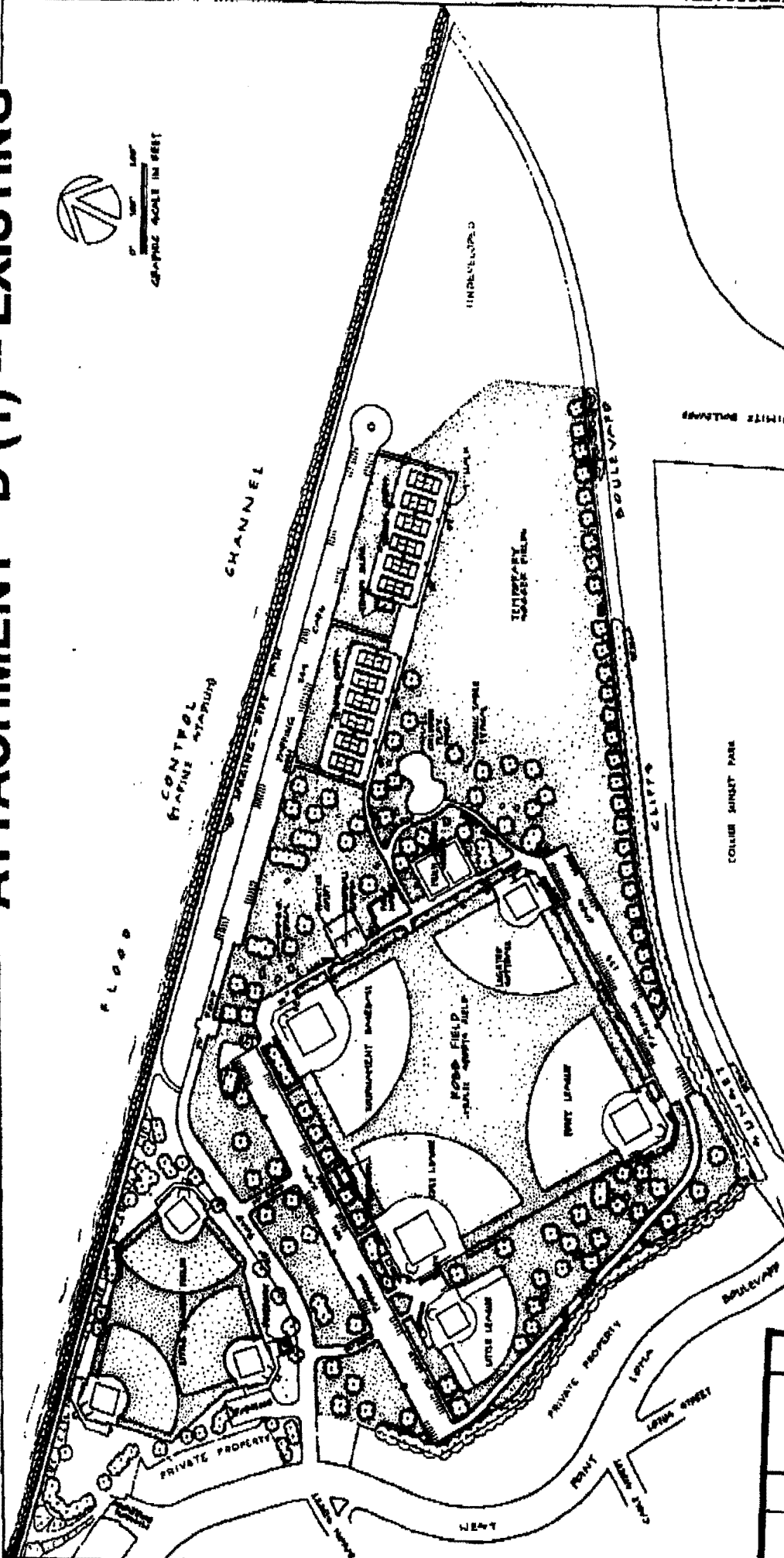
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ATTACHMENT A

**PROJECT LOCATION
GRID A - 5**



ATTACHMENT D (1) -- EXISTING

6-98-138



CITY OF SAN DIEGO PARK AND RECREATION DEPARTMENT
THE GENERAL DEVELOPMENT PLAN
OCEAN BEACH ATHLETIC AREA
MISSION BAY PARK

ITEM	DESCRIPTION	QUANTITY	UNIT	AMOUNT	TOTAL
1	FOOTBALL FIELD	1	ACRE	1.00	1.00
2	BASEBALL FIELD	1	ACRE	1.00	1.00
3	SOFTBALL FIELD	1	ACRE	1.00	1.00
4	TENNIS COURT	10	COURT	10.00	10.00
5	VOLLEYBALL COURT	10	COURT	10.00	10.00
6	PARKING	100	SPACE	100.00	100.00
7	WALKWAY	100	LINEAL FOOT	100.00	100.00
8	BICYCLE LANE	100	LINEAL FOOT	100.00	100.00
9	CLIFFS	100	LINEAL FOOT	100.00	100.00
10	BOULEVARD	100	LINEAL FOOT	100.00	100.00

ITEM	DESCRIPTION	QUANTITY	UNIT	AMOUNT	TOTAL
11	PRIVATE PROPERTY	100	LINEAL FOOT	100.00	100.00
12	CLIFFS	100	LINEAL FOOT	100.00	100.00
13	BOULEVARD	100	LINEAL FOOT	100.00	100.00
14	WALKWAY	100	LINEAL FOOT	100.00	100.00
15	BICYCLE LANE	100	LINEAL FOOT	100.00	100.00

EXHIBIT NO. 2
APPLICATION NO.
6-96-138

Existing Park

"D.1"

