

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA

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STAFF REPORT: CONSENT CALENDAR

Application No.: 6-98-122

Applicant: City of San Diego

Agent: Lee Orianne

Description: Reduction of one parking space in public parking lot.

Lot Area	110,000 sq. ft.
Building Coverage	700 sq. ft. ( 1%)
Pavement Coverage	71,300 sq. ft. (64%)
Landscape Coverage	38,000 sq. ft. (35%)
Parking Spaces	151
Zoning	Parklands
Plan Designation	#19 Mission Bay Park

Site: North Cove parking lot at northern terminus of Vacation Road, Mission Bay Park, San Diego, San Diego County.

Substantive File Documents: Certified Mission Bay Park Master Plan

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. Timing of Construction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a final construction schedule, which shall be incorporated into construction bid documents. The schedule shall specify that development shall not occur between Memorial Day weekend and Labor Day of any year.

## IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description. The City is proposing to salvage 10-14 existing mature trees which are severely buckling the surface of the public parking lot at North Cove. To accommodate the tree salvage, the City will need to reduce the number of parking spaces in the existing parking lot from 152 to 151 spaces. Because any change (increase or reduction) to the number of parking spaces results in a change in the intensity of use, a coastal development permit is required for these latter improvements.

North Cove is located at the northern end of Vacation Isle in Mission Bay Park just south of Fisherman's Channel. The isle contains a privately owned resort but also provides public access to two public/recreational areas with parking and picnic facilities, etc. located at North Cove and South Cove as well as a large model yacht pond located just north of South Cove.

The project also includes the provision of larger planter boxes along with the planting of three additional trees and installation of a root barrier and irrigation system, the re-orientation, of existing parking medians, and repair to parking lot surfaces which have been pushed up by roots. In addition, the access road which extends north from Vacation Road at Ingraham Street will be lined with new concrete curb and gutter to replace an existing asphalt curb and berm. However, all of these components of the project are exempt from coastal development permit requirements.

The project site is located within Mission Bay Park in an area of original jurisdiction where the Commission retains permit authority permanently. As such, the Chapter 3 policies of the Coastal Act are the standard of review.

2. Public Access and Recreation. Many policies of the Coastal Act address the provision, protection and enhancement of public access to and along the shoreline, in particular Sections 30210, 30212.5, 30213, 30221 and 30223. These policies address maintaining the public's ability to reach and enjoy the water, preventing overcrowding, and providing adequate parking facilities for public use.

In this particular case, the proposed project would not, in and of itself, have any significant impact on public access or recreation. As stated, the proposed development includes the removal of one parking space from the existing public parking lot. The loss of the one parking space will result from the slight reconfiguration of existing parking islands and their replacement with larger parking islands such that a root barrier system to prevent re-occurrence of the damage to the parking lot surface can be installed. The reduction is necessary to preserve existing mature vegetation in the public parking lot which will serve to enhance the visual amenities of the area. The applicant has indicated that even with re-orientation of the parking spaces, it will not be possible to recapture the lost parking space. Although the proposed development will result in a net loss of one parking space, this should not significantly affect coastal access opportunities because there are several other public parking lots available in the vicinity on Vacation Isle at both South Cove and also on the east side of Ingraham Street south of Fisherman's Channel.

The City has indicated that it will be necessary to close the parking lot for approximately three weeks to complete the proposed work. Unlike some of the other public parking lots in the Mission Bay area, this one only has one vehicular access road leading to it for ingress and egress; thus, it will be necessary to close the lot during construction. However, public access along the shoreline will not be adversely impacted for pedestrian use since the public can still walk under the Ingraham Street bridge crossing or access the general vicinity from other areas on the island that lead to North Cove. Thus, although the proposed development will have an adverse impact on vehicular access to the area, the impact will be temporary (three weeks) and pedestrian public access to and along the shoreline from other areas will still be maintained. The City has indicated that all equipment and material will be stored within the existing parking lot and not within the picnic area or beach. In addition, the public restroom at North Cove will remain open for the majority of the construction period with the exception of approximately one to two days when some work is proposed at the concrete walkway near the entrance to the restroom.

In addition, given that the proposed construction is expected to be completed prior to May 28, 1999, the potential for impacts to public recreation is further reduced. However, to further assure that construction does not occur during the peak summer season, Special Condition #1 has been attached requiring that construction not occur between Memorial Day weekend and Labor Day. In summary, while the subject project will result in a reduction of one parking space within a public parking lot within Mission Bay Park, as

conditioned, no significant impacts to public access or public recreation are anticipated. Therefore, the Commission finds the proposed development can be found consistent with Sections 30210, 30212.5, 30213, 30221 and 30223 of the Coastal Act.

3. 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. As conditioned, such a finding can be made for the subject development.

Mission Bay Park is both an area of deferred certification and an area of original jurisdiction, where the Commission retains permit authority permanently. The project site is zoned Parklands and is designated for Open Space in the certified Mission Bay Park Master Plan. The proposed parking lot improvements are consistent with these designations. The project has been found consistent with all applicable Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the conditioned project should not prejudice the ability of the City of San Diego to prepare a fully certifiable LCP for Mission Bay Park.

4. 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, 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.

As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project has been found consistent with the public access policies of the Coastal Act. As conditioned, there are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity might have on the environment. Therefore, the Commission finds that the proposed project 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 Acknowledgment. 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.

SITE

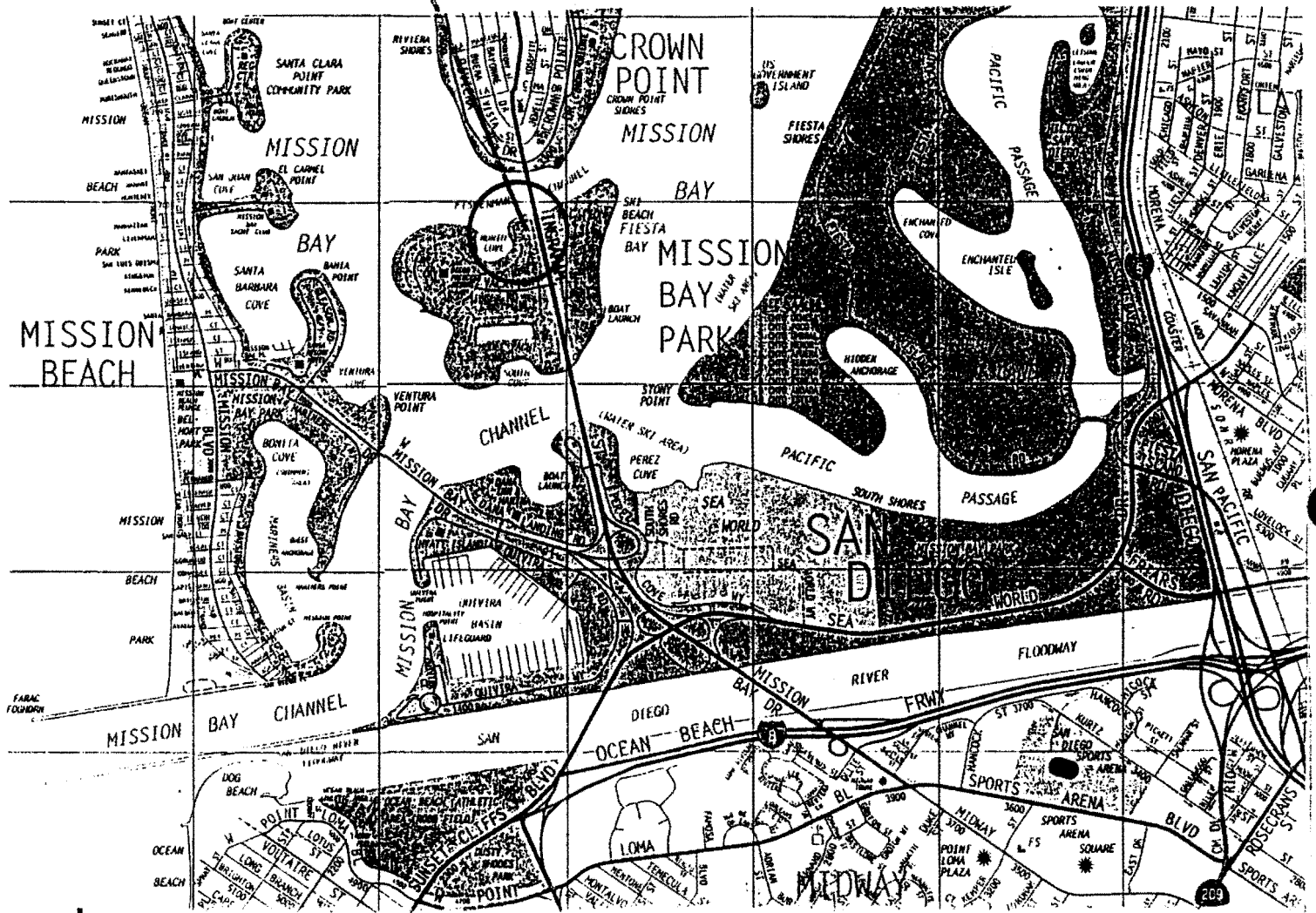
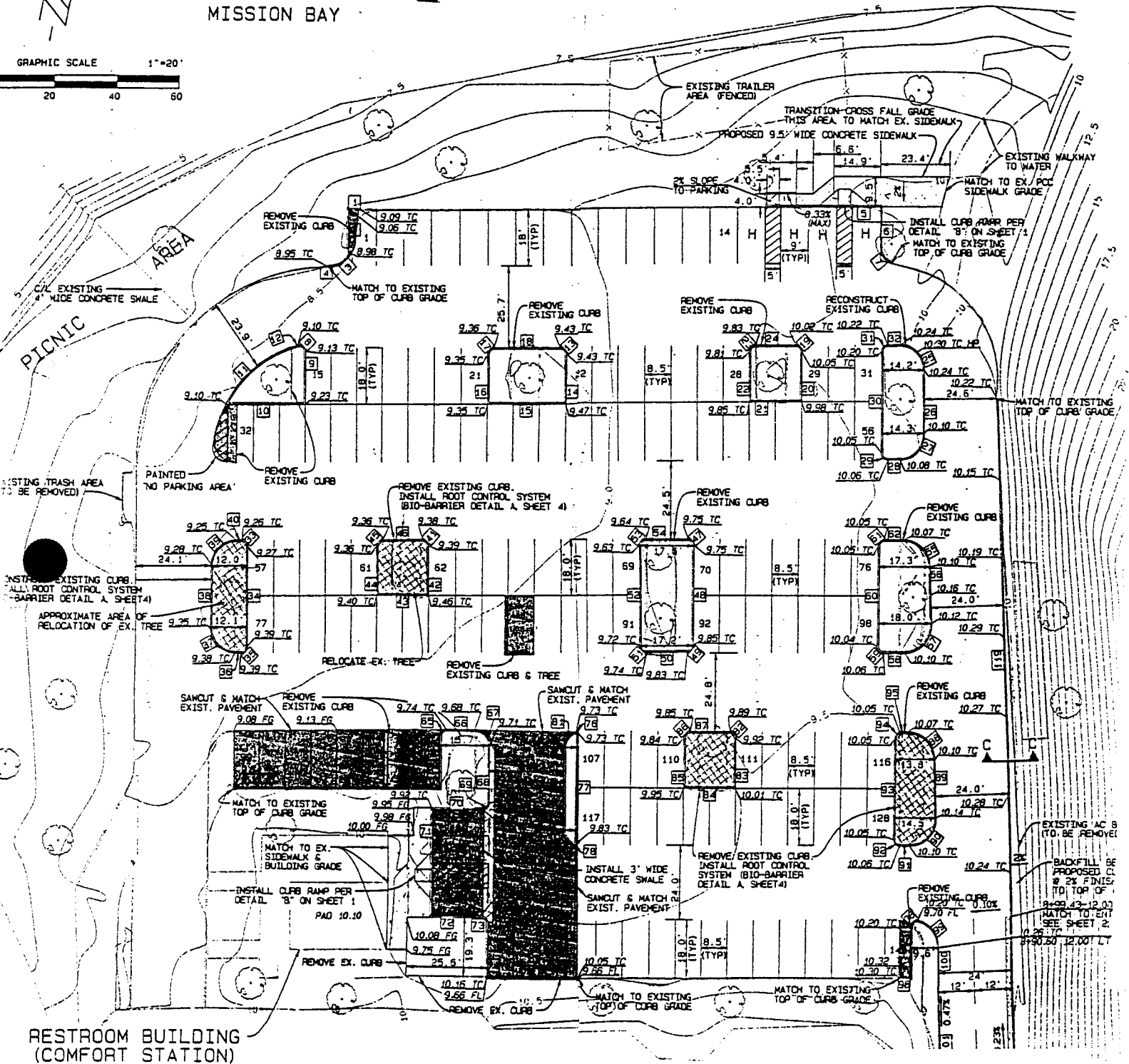
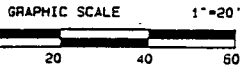


EXHIBIT NO. 1
APPLICATION NO.
6-98-122
Location Map
California Coastal Commission

# MISSION BAY



RESTROOM BUILDING  
(COMFORT STATION)

EXHIBIT NO. 2
APPLICATION NO.
6-98-122
Site Plan
California Coastal Commission