

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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Fr 10a

Staff: DL-SD
Staff Report: August 26, 1999
Hearing Date: September 14-17, 1999

AMENDMENT REQUEST
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-99-112-A

Applicant: Hotel del Coronado

Original
Description

(Appeal 52-75): Construction of a rock and earth berm, approximately 250 feet in length, averaging approximately four feet in height, filling behind the berm, landscaping of the berm, installation of an irrigation system, and the sodding of the area between the berm and the existing structures.

Original
Description

(Appeal 53-75): Landscape and armor face of existing protective berm with stones taken from old seawall in front and to the west of main hotel building.

Proposed
Amendment:

Move a portion of the 5-6 foot wide permanent public walkway through the Hotel del Coronado property from R.H. Dana Place to Avenida del Sol that was required as a Special Condition of both of the above permits, approximately 5 feet southwest, and revise recorded deed restriction to reflect new location.

Site: Hotel del Coronado, 1500 Orange Avenue, Coronado, San Diego County. APN 537-630-28

Substantive File Documents: City of Coronado Certified Local Coastal Program; CDPs #2004; F1945; 52-75; 53-75.

STAFF NOTES:

Summary of Staff's Preliminary Recommendation: Staff is recommending approval of the proposed minor revision of the approved walkway with a Special Condition requiring that the previously recorded dedication agreement be amended to reflected the revised walkway location. The walkway will remain open to the public, will not encroach on any beach area, and will improve access for handicapped persons. There is no known opposition to the project.

PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit amendment for the proposed development, subject to the conditions below, on the grounds that the development, as amended, 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. Special Conditions.

The permit is subject to the following conditions:

1. Amended Dedication Agreement. PRIOR TO ISSUANCE OF THE PERMIT AMENDMENT, the applicant shall execute and record, in a form and content acceptable to the Executive Director and the City of Coronado, an amendment to the Dedication Agreement recorded on January 28, 1976, as Instrument No. 76-025423 to indicate that the location of the permanent public walkway through the Hotel del Coronado required under Coastal Development Permit Appeal Nos. 52-75 and 53-75 has been modified to move a portion of the walkway approximately 5 feet southwest as shown on Exhibit 2. The recorded document shall include a legal description of the entire public walkway as modified. The document shall be recorded free of prior liens and any other encumbrances which the Executive Director determines may affect the interest being conveyed.

2. Prior Conditions of Approval. All other terms and conditions of the original approval of Coastal Development Permit Appeal Nos. 52-75 and 53-75 not specifically modified herein, shall remain in full force and effect.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Amendment Description/Project History. The proposed amendment would relocate a small segment (20-30 feet long) of an existing public walkway on the seaward side of the Hotel Del Coronado property, to approximately 5 feet southwest of the existing alignment. The existing walkway runs from R.H. Dana Place south to Avenida del Sol in the City of Coronado. The walkway is being relocated to accommodate redevelopment of various hotel facilities, including removal of tennis courts and their replacement with a lawn area, and relocation of the building known as the Windsor

Cottage. These developments will be reviewed and permitted (or exempted) by the City of Coronado. The new walkway would be located on developed hotel property, and would not encroach on any sandy beach area.

The City of Coronado has a certified Local Coastal Program (LCP), and the Hotel del Coronado is located within the City of Coronado's coastal development permit jurisdiction. However, the proposed walkway relocation requires review by the Coastal Commission, since the walkway and its dedication for public use was required as a condition of approval for two past permits approved by the Commission prior to certification of Coronado's LCP. The standard of review for the proposed amendment is the certified LCP and the public access and recreation policies of the Coastal Act.

On November 1, 1974, the San Diego Coast Regional Commission approved coastal development permit #F1945 to landscape and armor the face of an existing protective berm (constructed in part under an emergency permit) with stones taken from the old seawall in front and to the west of the main Hotel Del Coronado building. The permit was approved with a condition requiring that a permanent paved public beach access walkway be provided parallel to and behind the berm, and a "dedicated license" be recorded. The permit was appealed (Appeal #53-75) to the State Commission. The State Commission upheld issuance of the permit, and required that the paved walkway be provided and dedicated to public use.

On January 17, 1975, the San Diego Coast Regional Commission approved coastal development permit #F2004 to construct a rock and earth berm, approximately 250 feet in length, adjacent to the beach and seaward of the "old tennis courts" at the Hotel del Coronado. The permit was approved with a condition that the applicant construct and maintain a public walkway behind the berm connecting with the walkway required under permit #F1945, and "irrevocably guarantee continued public use of the walkway through dedication of a license therefore". This permit was also appealed (#52-75) to the State Commission, which upheld the permit subject to special conditions requiring that a "continuous and permanent public walkway between 5-6 feet in width through the Hotel del Coronado property from R.H. Dana Place to Avenida del Sol and access to the beach shall be provided by appropriate dedication."

One dedication was recorded to satisfy the condition of both Appeals No. 52-75 and 53-75, and the recorded dedication agreement cites both permits, thus, both permits must be amended. The recorded document dedicated the required walkway to the City of Coronado and includes a legal description of the required walkway. Thus, any approved change to the walkway location requires an amendment to the recorded document. Since the City now owns the walkway, the City must agree to and be a party to the amended dedication agreement. The City has indicated that it is in support of the proposed walkway revision.

Because the two permits dealt with the same walkway, and one dedication was made in compliance with the permit requirements, the amendments to permits 52-75 and 53-75 are being combined in one permit and staff report. In order to be consistent with the

Commission's current document naming format, the permit amendment has been renumbered 6-99-122-A, and any future amendments will be numbered accordingly.

2. Consistency with the Certified LCP and Chapter 3 Policies. Section 30604 of the Coastal Act states in part:

(c) Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200)...

The City of Coronado's certified LCP contains the following policies relevant to the proposed walkway revision:

VISUAL RESOURCES AND SPECIAL COMMUNITIES

1. Consider and protect as a resource of public importance the scenic and visual qualities of the community.
2. Require that permitted development be sited and designed to safeguard existing public views to and along the ocean and bay shores of Coronado, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

SHORELINE ACCESS

14. That offers of dedication of easements to local or state agencies or private associations for public access along the shoreline (lateral access) shall be required in association with new development fronting on the ocean or bay except for repair and maintenance activities or replacement of structures destroyed by natural disaster....

RECREATIONAL AND VISITOR SERVING FACILITIES

3. That no new development shall be permitted on existing sandy beach areas....

The project site is located between the sea and first coastal road. The proposed project involves rerouting a small portion of an existing public walkway to accommodate revised upland development. The new area will replace a portion of the existing walkway, that currently includes a stairway, with a continuous flat walkway, thus bringing the walkway into compliance with the American with Disabilities Act (ADA), and increasing public access to the shoreline for disabled persons. The relocated walkway area will be consistent in appearance with the existing walkway, and will be visually compatible with the surrounding area. No public views will be blocked, and views from the new portion of the walkway will be comparable with the existing views. The revised location is

consistent with the intent of the original permits requiring provision of the walkway. Consistent with the terms of the previous permits, Special Condition #1 requires that the applicant amend the dedication agreement to reflect the modified walkway location. Special Condition #2 informs the applicant that all aspects of the prior conditions of approval, (which specified the required hours of operation for the walkway and required public signage) remain in full force and effect. Therefore, as conditioned, the project is consistent with all applicable policies of the certified Local Coastal Program and the public access and recreation policies of the Coastal Act.

3. Local Coastal Planning. Section 30604(a) requires that a coastal development permit amendment 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.

The project site is located within the City of Coronado, which has a certified Local Coastal Program. However, the proposed project requires amending a special condition of two past permits issued by the Commission prior to certification of the LCP, therefore, the amendment must be reviewed by the Commission. The certified LCP is the standard of review. The subject site is planned and zoned "Hotel/Motel" in the certified LCP. The proposed public walkway revision is consistent with this designation. As discussed above, the proposed project will not result in any additional encroachment on the beach. Therefore, as conditioned, the proposed project can be found consistent with all of the zoning and planing designations of the City of Coronado. Thus, approval of the project will not prejudice the ability of the City of Coronado to continue to implement its certified LCP.

4. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permit Amendments 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 in order to be found consistent with the public access and recreation policies of the Coastal Act. Mitigation measures 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 is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

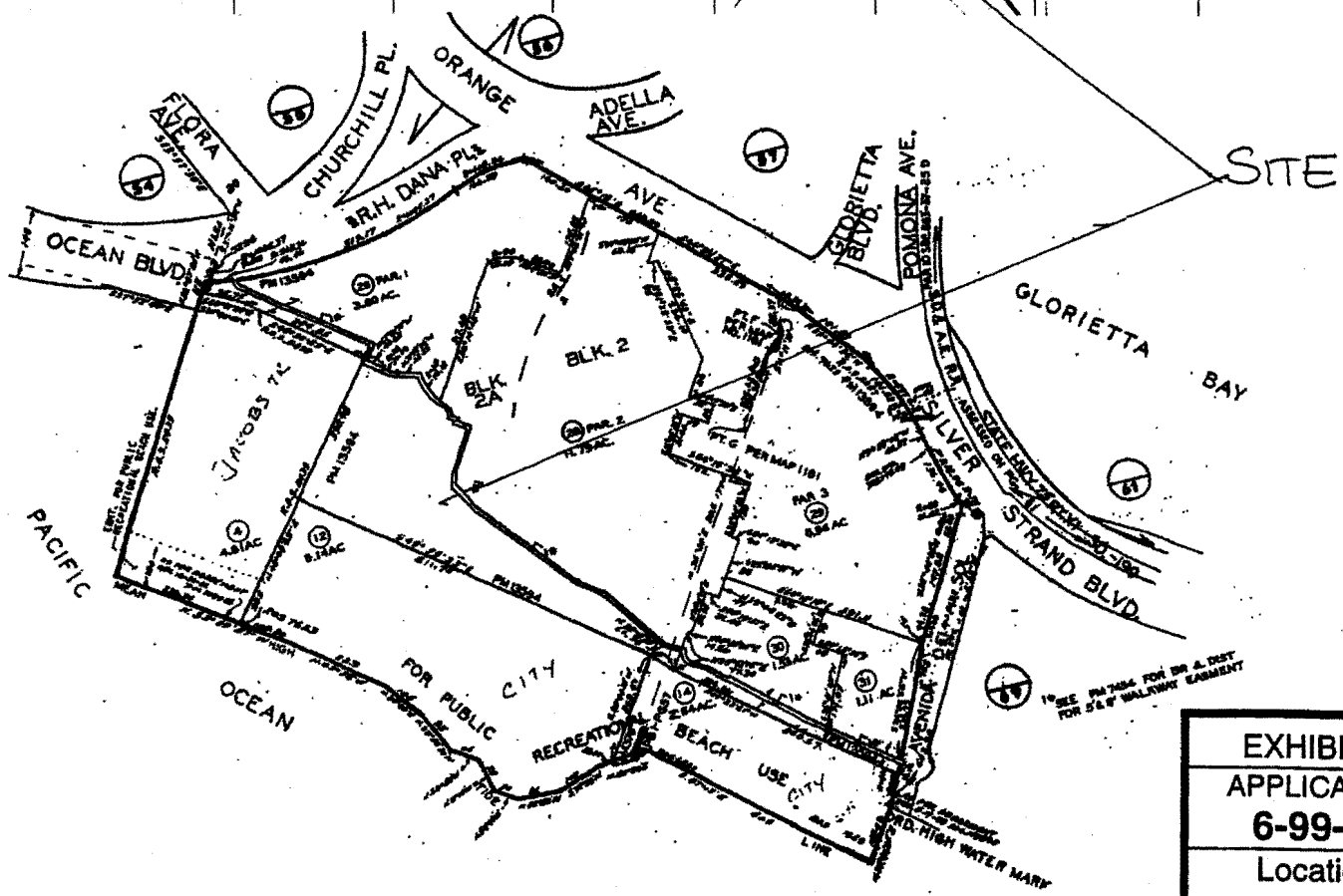
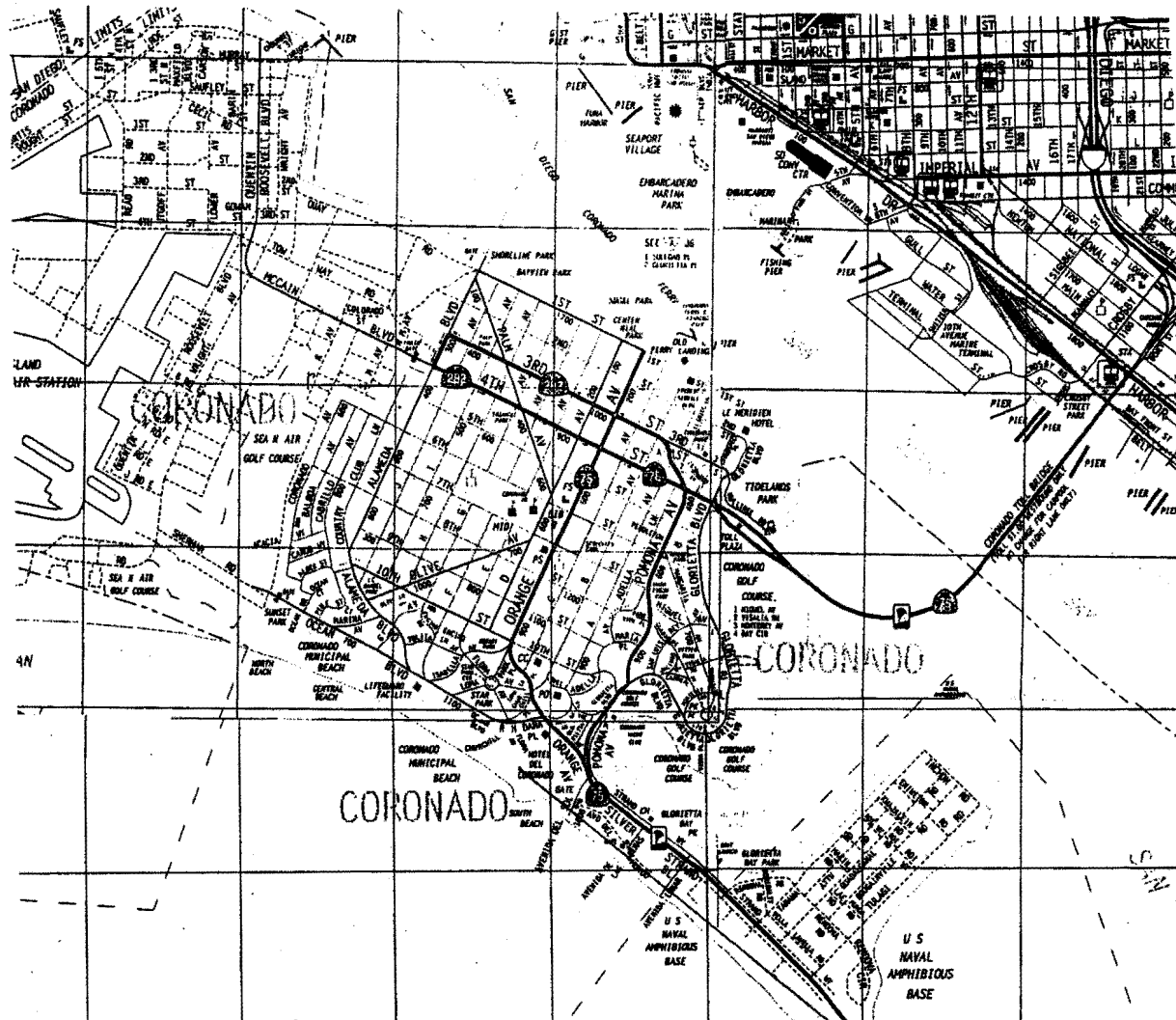
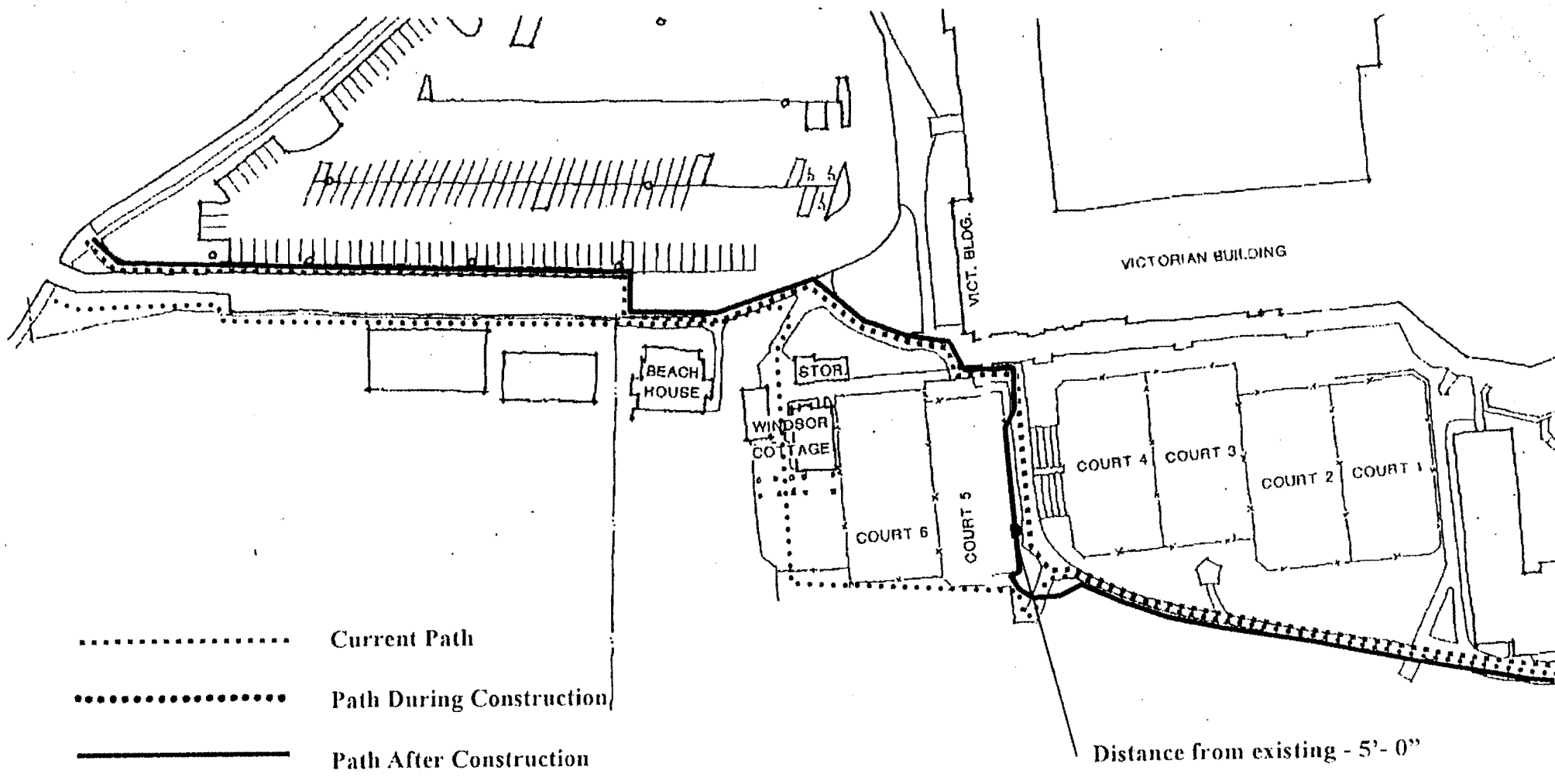


EXHIBIT NO. 1
 APPLICATION NO.
6-99-112-A
 Location Map
 California Coastal Commission



- Current Path
- . - . Path During Construction
- Path After Construction

Distance from existing - 5'- 0"

	EXHIBIT NO. 2
	APPLICATION NO.
	6-99-112-A
Site Plan	

6/17/99