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San Diego Coast District

CONSENT CALENDAR

Monday, November 13, 2000

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CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4402

67-2370

**Mon 4a**

Filed: September 15, 2000
49th Day: November 3, 2000
180th Day: March 14, 2001
Staff: EL-SD
Staff Report: October 19, 2000
Hearing Date: November 13-17, 2000

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-00-82

Applicant: City of San Diego/Engineering
& Capital Projects Department

Agent: Kevin J. Oliver

Description: Installation of picnic shelters at seven different locations in Mission Bay Park, and restriping parking spaces at four of the sites to meet current ADA requirements for parking space size and configuration, resulting in loss of one existing parking space at each of the four parking lots.

Site: Playa Pacifica, Tecolote Shores, Ventura Point, Sunset Point, De Anza Cove, South Shores and Vacation Isle, Mission Bay Park, San Diego, San Diego County. APNs 423-680-11; 424-460-06; 430-080-04; 435-480-15

Substantive File Documents: Certified Mission Bay Park Master Plan
CCC Files #6-92-223; 6-94-151; 6-94-154**I. STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

1. **MOTION:** *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a YES vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Construction Access/Staging Area/Project Timing. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit plans showing the locations, both on- and off-site, which will be used as staging and storage areas for materials and equipment during the construction phase of this project. The staging/storage plan shall be subject to review and written approval of the Executive Director. Use of sandy beach and public parking areas, including on-street parking for the interim storage of materials and equipment shall be avoided. The plans shall also indicate that no work may occur during the summer months (Memorial Day to Labor day) of any year.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans 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. Detailed Project Description. The City of San Diego proposes to install picnic shelters of two different sizes at seven locations in Mission Bay Park. The facilities will consist of a concrete pad holding either four or nine picnic tables, a shade structure and walkways connecting the shelter to the nearest adjacent street/parking area. The larger (nine table) shelters will be located at Playa Pacifica, Tecolote Shores and De Anza Cove which are areas of very high public use. The four-table shelters will be located at Ventura Point, Sunset Point, South Shores and Vacation Isle, which are also popular recreational sites, but not as heavily used as the others.

In conjunction with providing picnic facilities that accommodate persons with disabilities, the project also includes modifications to the existing parking lots at four of the sites to bring the parking lots into conformance with current ADA standards. These modifications will occur at Playa Pacifica, Ventura Point, Sunset Point and Vacation Isle, and will result in the loss of one parking space in each lot – three regular spaces and one disabled space.

The Commission has certified, with suggested modifications accepted by the City, the Mission Bay Park Master Plan Update of 1994. However, there is no implementation program yet for this LCP segment, so coastal development permit jurisdiction remains with the Commission at this time. Moreover, since much of the park consists of filled

tidelands and public trust lands, the Commission will retain jurisdiction over many portions of the park in perpetuity.

2. Public Access and Recreation. The Coastal Act policies most applicable to this specific project are the following, and state in part:

Section 30210.

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 30211.

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30213.

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

Section 30223.

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Section 30252.

The location and amount of new development should maintain and enhance public access to the coast by ... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation,

Section 30604.

... (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)...

Six of the seven proposed picnic shelter locations currently consist of upland, grassy areas already used for picnicking, among other recreational activities. The seventh, South Shores, is a newly improved area of the park which sees very little public use as yet. The immediate area where the shelter is proposed to be installed consists of an existing circular walkway surrounding a central ring of sand. The existing walkway includes several projections with individual picnic tables on concrete pads and the area outside the walkway is turf.

There is little or no shade in any of these various locations, so the picnic shelters will enhance the recreational experience of the public by providing much-needed shade, without changing the level or type of use in each area. Moreover, they will enhance public access for the disabled, since the existing picnic tables are scattered throughout grassy areas of the park, which makes wheeled access very difficult. The proposed concrete pads for the shelters will be connected by walkways to existing sidewalks and/or parking lots to provide a solid surface for wheelchairs and walkers. The walkway system will also enhance access to picnic sites by bikers and skaters.

A potential issue with the proposed development is the overall loss of four existing public parking spaces. Current ADA standards for parking lot size and configuration require the City to make changes at the four identified lots. At Sunset Point, one existing disabled space will be lost to reconfiguration of the existing disabled spaces to meet ADA requirements. At Playa Pacifica, Ventura Point and Vacation Isle, three existing regular parking spaces will be replaced with two disabled spaces at each lot. The four existing lots, in their current configurations, total almost 700 parking spaces. The Commission finds that the loss of four existing parking spaces overall will not have a significant impact on public access in Mission Bay Park, and further finds that the increase in disabled spaces (five more than currently exist) is appropriate at these locations where picnicking amenities are being made more accessible to the disabled.

A more significant issue with respect to public access and recreational enjoyment is the temporary construction impact associated with the installation of the picnic facilities. The City maintains that the fenced construction area at each site will be adequate for all staging and storage of materials and equipment. Moreover, the tentative construction schedule indicates the need for approximately 100 working days, and is designed to complete construction prior to Memorial Day, 2001. To assure that temporary impacts are minimized, Special Condition #1 requires submittal of final plans delineating both the staging/storage areas at each location and a final construction schedule.

In summary, the Commission finds that the proposed development will increase public use and enjoyment of certain areas of the park. The Commission has already reviewed and approved three prior permits for the installation of individual picnic shelters at three other locations in Mission Bay Park (Coastal Development Permits #6-92-223, 6-94-151 and 6-94-154). Although a total of four parking spaces, out of nearly 700, will be lost to the development, parking spaces for the disabled will increase, enhancing the recreational experience for that segment of the public and no adverse impacts on public use of these

areas is expected, save for the minor loss of parking. Finally, the attached special condition provides that construction activities are prohibited between Memorial Day weekend and Labor Day, to avoid access impacts during the prime summertime beach season. As proposed by the applicant and reinforced through the special condition, the Commission finds the development consistent with the cited policies of the Coastal Act.

3. Water Quality. The following policy of the Coastal Act is applicable to the proposed development and states, in part:

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff...

All surface runoff in Mission Bay Park flows into the waters of Mission Bay. Water quality has been a significant issue for the Bay for the past several years, particularly for areas along the eastern shoreline where several municipal storm drains exit into the Bay. The proposed picnic shelters will be located primarily in the eastern and south/central portions of the park.

The City has analyzed the potential for significant increases in runoff from new impermeable surfaces associated with installation of these facilities. The concrete pads and walkways for the smaller shelters range from 1,596 sq.ft. to 2,373 sq.ft., and for the larger shelters, the pads/walkways range from 3,693 sq.ft. to 4,143 sq.ft. All shelters are sited such that they are surrounded by permeable surfaces (turf and sand), and precipitation will drain off the roofs of the structures to the dripline of the roof at the perimeter of the slab. The slabs themselves are crowned to drain towards the perimeters. It is the City's determination that the seven shelters, because they are quite small in size and surrounded by permeable surfaces, will not increase the amount of runoff, nor impede or change the existing drainage patterns. Although four of the existing parking lots are being restriped, the existing paved area of each lot is not being expanded through this proposal, such that this aspect of the project will have no effect on runoff.

The Commission concurs with this determination and finds that the project is designed and sited appropriately to minimize any potential runoff impacts. It has been the Commission's practice of late, in approving single-family residences where the amount of new impervious surface is comparable to, or in many cases exceeds, that proposed herein, to require plans that show all drainage directed into impervious surfaces that can act as filters before the runoff enters municipal storm drains or surface waters. The proposed development is designed to operate in that fashion, and will exist in a far more open, undeveloped and permeable environment (Mission Bay Park) than a typical residence. In addition, the City already employs Best Management Practices (BMPs) in

Mission Bay Park to address water quality concerns through operational means. The park is well maintained, with frequent trash and litter pickup, a supply of trash cans placed throughout the park, particularly in high use areas, and regular parking lot sweeping. Therefore, the Commission finds that the proposed development is consistent with Section 30231 of the Coastal Act.

4. Visual Resources. Section 30251 of the Coastal Act provides for the protection of scenic coastal resources, and states:

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, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The seven project sites are located in Mission Bay Park, a public aquatic recreational venue of regional, if not national, popularity. The proposed improvements will be similar in bulk and scale to the other structures found in the park, which primarily consist of public restrooms, existing picnic shelters, utility enclosures, scattered picnic tables, drinking fountains, walkways, etc. There also exists a wide assortment of larger structures, including major hotel resorts, in the various commercial leaseholds throughout the park. The new picnic shelters, which are an average of 19 feet high, give the general appearance of outdoor dining canopies – they are open all around except for supporting columns. Thus, they will have no significant effect on any existing views nor change the general visual ambience of the park. In addition, Special Condition #1 specifies that construction must take place outside the summer beach season, when less visitors are in the park to be disturbed by the noise, dust and visual disruptions. Therefore, the Coastal Commission finds the proposed development consistent with Section 30251 of the Act.

5. 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.

Mission Bay Park is primarily unzoned. As a whole, Mission Bay Park is a dedicated public park, and includes numerous public beaches with grassy uplands supporting both passive and active recreational uses. Most of these upland turf areas are popular picnicking sites, including the locations chosen for the seven new picnic shelters proposed herein. The proposed development is consistent with the land use designations in the Mission Bay Park Master Plan, and will enhance the picnic experience in areas

where this is already a primary form of public recreation. As conditioned, the development has been found consistent with all applicable Chapter 3 policies of the Coastal Act, as well. No local discretionary actions are required for the improvements proposed herein. Therefore, the Commission finds that approval of the project should not prejudice the ability of the City of San Diego to prepare a fully-certifiable LCP for its Mission Bay Park segment.

6. 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, water quality and visual resource policies of the Coastal Act. 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. 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.
5. 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.

6-00-82

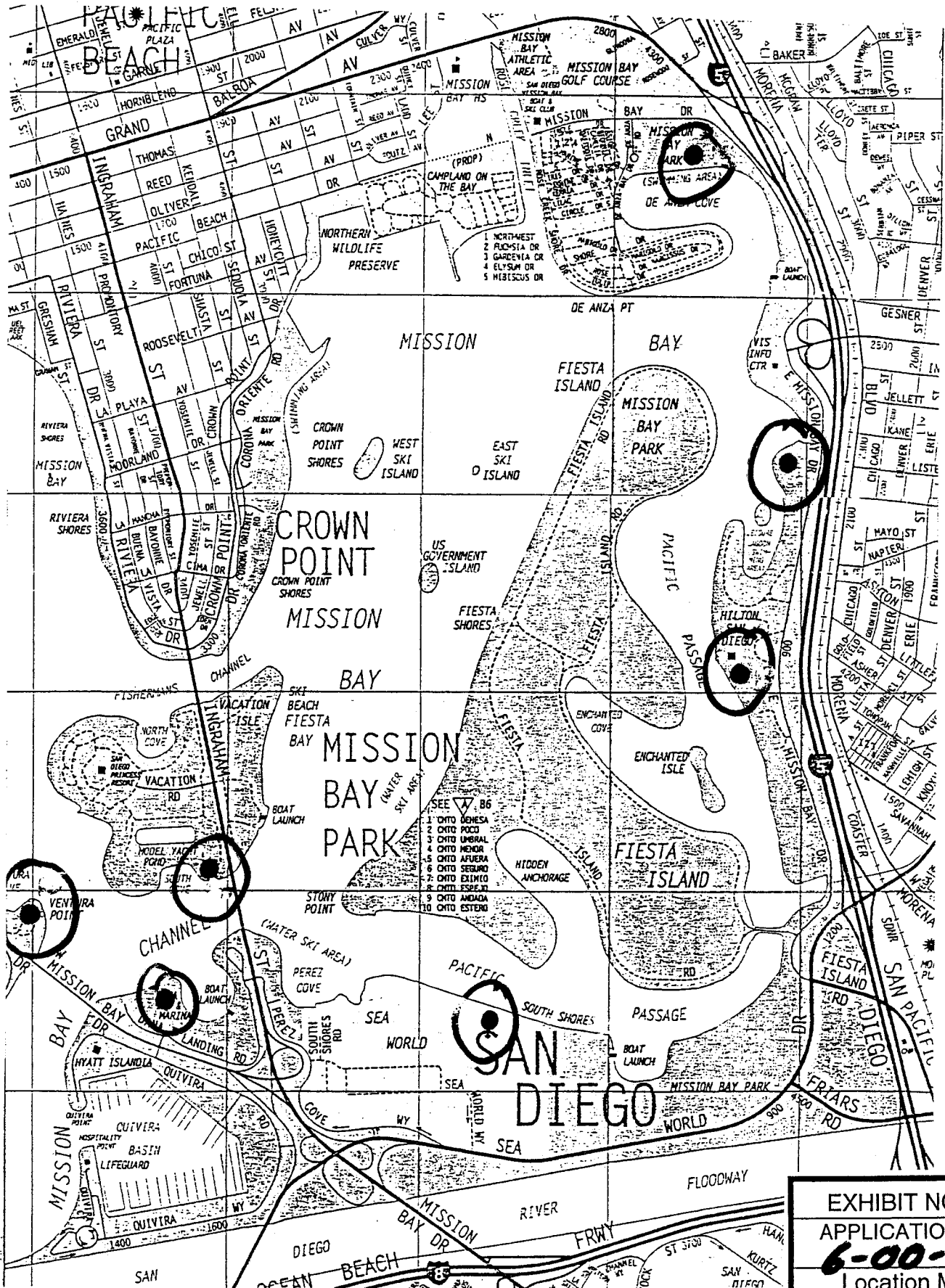
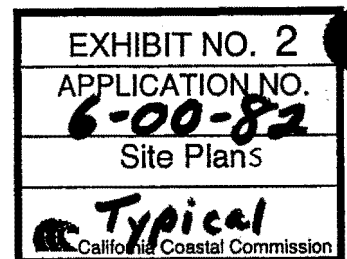
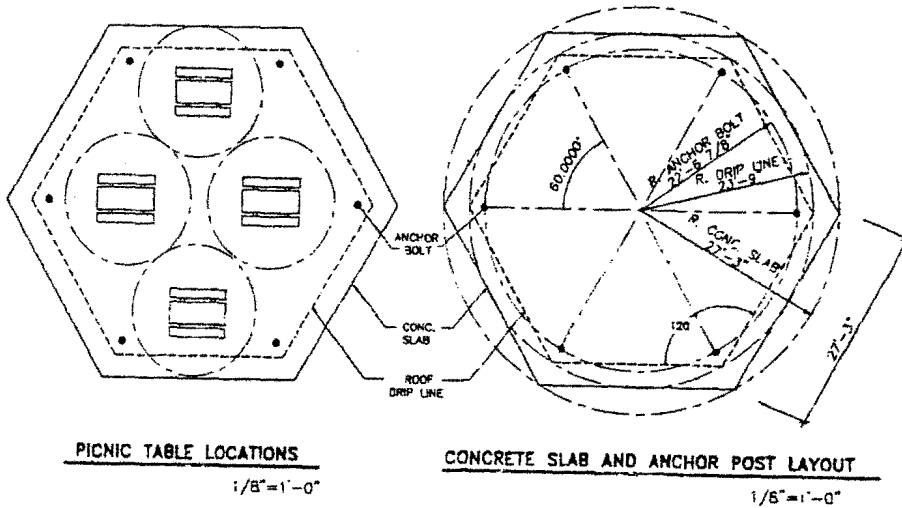
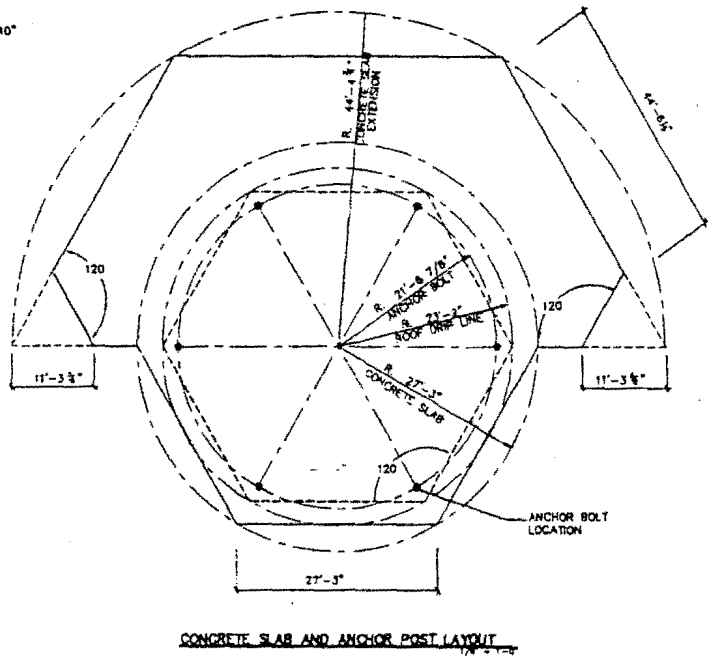
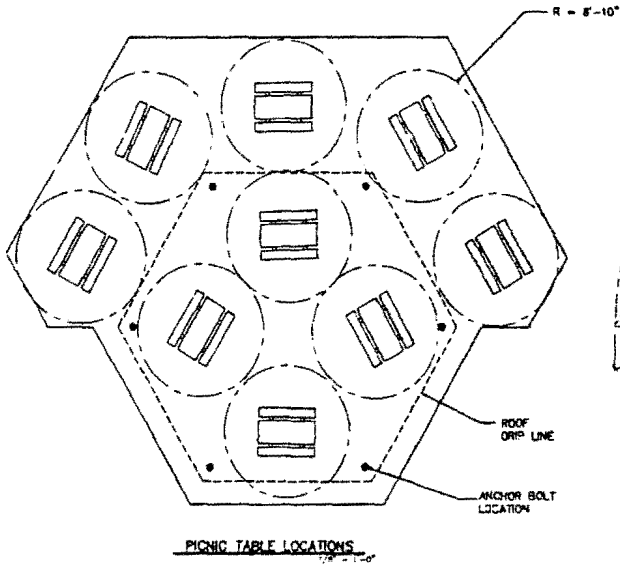


EXHIBIT NO. 1
APPLICATION NO.
6-00-82
Location Map

[illegible]

6-00-82





CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4402

67-2370



Mon 4b

Filed: September 29, 2000
49th Day: November 17, 2000
180th Day: March 28, 2001
Staff: EL-SD
Staff Report: October 23, 2000
Hearing Date: November 13-17, 2000

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-00-112

Applicant: William Berridge

Agent: Michael Batter

Description: Lot line adjustment between three adjacent legal lots, and construction of a three-level, 4,698 sq.ft. single family residence on the vacant middle lot.

Lot Area (middle lot only) 10,006 sq. ft.
Parking Spaces 5 (2 covered)
Zoning R1-10
Plan Designation Single-Family Residential
Ht abv fin grade 25 feet

Site: 2150 Balboa Avenue, Del Mar, San Diego County. APN 299-072-51

Substantive File Documents: Certified City of Del Mar Local Coastal Program
Design Review Board Approval (DRB-00-13)
Land Conservation Permit (LC-00-03)

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

1. **MOTION:** *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following condition:

1. Final Drainage Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final drainage and runoff control plans, which shall be approved by the City of Del Mar. The plans shall document that the runoff from the roof, driveway and other impervious surfaces shall be directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation, prior to being conveyed off-site in a non-erosive manner.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans 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. Detailed Project Description/Site History. The applicant is proposing to construct a single-family residence on a vacant site in the northern area of Del Mar. The proposed residence is a three-level, 4,698 sq.ft. home, including a two-car garage, on a 10,006 sq.ft. parcel, and the project proposes less than 200 cu.yds. of grading. The project also proposes landscaping and drainage improvements, a pool and a spa.

A minor lot line adjustment between this lot and the lots immediately north and south of it occurred in 1985 and was recorded without benefit of a coastal development permit. At that time, all three lots were in the same ownership. The owner wished to sell two of the lots, but had to adjust the lot lines first because the middle lot (where the home is now proposed) was slightly under the 10,000 sq.ft. minimum lot size required in the underlying zone. Thus, the applicant is also including a request for after-the-fact approval of the lot line adjustment in this application. The other two lots are already developed with single-family homes, and the property owners have been invited, and have declined, to be co-applicants on this application. The site is not located in any overlay zones established by the City and is, in fact, in an area covered by a Categorical Exclusion adopted by the Coastal Commission in 1977. The exclusion exempts construction of single family homes on existing legal lots. Because the lot configuration

on the subject site was slightly modified by the 1985 lot line adjustment, the Categorical Exclusion does not apply to the home proposed herein.

Although the City of Del Mar has a fully-certified land use plan, it does not yet have an effectively-certified implementation program. Thus, coastal development permit jurisdiction for the entire city remains with the Coastal Commission at this time, with Chapter 3 of the Coastal Act being the legal standard of review and the certified land use plan used as guidance.

2. Visual Resources/Community Character. Section 30251 of the Coastal Act provides for the protection of scenic coastal resources, and 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, and, where feasible, to restore and enhance visual quality in visually degraded areas.

The site is located in the northern portion of the City of Del Mar, and is completely surrounded by other developed sites. The proposed residence will be similar in bulk and scale to the surrounding residential development, and will not alter the existing pattern of development in the community. In addition, the proposed home will not result in impacts to public views. Therefore, as conditioned to address other concerns, the Commission finds the proposed development consistent with Section 30251 of the Act.

3. Runoff/Water Quality. Section 30231 of the Coastal Act is applicable to the proposed development and states, in part:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff...

The middle lot of the three-lot project site is currently undeveloped, but is surrounded by existing residential development, both on the other two subject properties and sites to the east and west. The site is not adjacent to, or upstream from, any wetland resources, but stormwater from the site eventually makes its way into the Pacific Ocean. In order to reduce the potential for adverse impacts to water quality resulting from drainage runoff from the proposed development, Special Condition #1 is attached. The condition requires that runoff from the roof, driveway and other impervious surfaces be directed into the landscaped areas on the site for infiltration and/or percolation, prior to being conveyed off-site. Directing runoff through landscaping for filtration of on-site runoff in this fashion is a well-established BMP for treating runoff from small developments such as

the subject proposal. As conditioned, the proposed development will serve to reduce any impacts to water quality from the project to insignificant levels. Therefore, as conditioned, the Commission finds the proposed project consistent with Section 30231 of the Coastal Act.

4. No Waiver of Violation. Although development, in the form of a minor lot line adjustment, has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Approval of the permit does not constitute a waiver of any legal action with regard to this violation of the Coastal Act that may have occurred; nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit.

5. 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.

The site is designated for Low Density Residential uses in the certified City of Del Mar Land Use Plan, and is zoned R1-10. The designations allow single-family residential development on lots of a minimum 10,000 sq.ft. in size. The lot line was adjusted between these three parcels in 1985 specifically to assure that each lot met that minimum standard. There were already three lots in existence prior to the Coastal Act, and the minor adjustment to the lot lines does not raise any Coastal Act concerns. In addition, the prior findings have demonstrated that the proposed single-family residence is also fully consistent with Chapter 3 of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, and including after-the-fact approval of the 1985 lot line adjustment, will not prejudice the ability of the City of Del Mar to complete its LCP certification process.

6. 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.

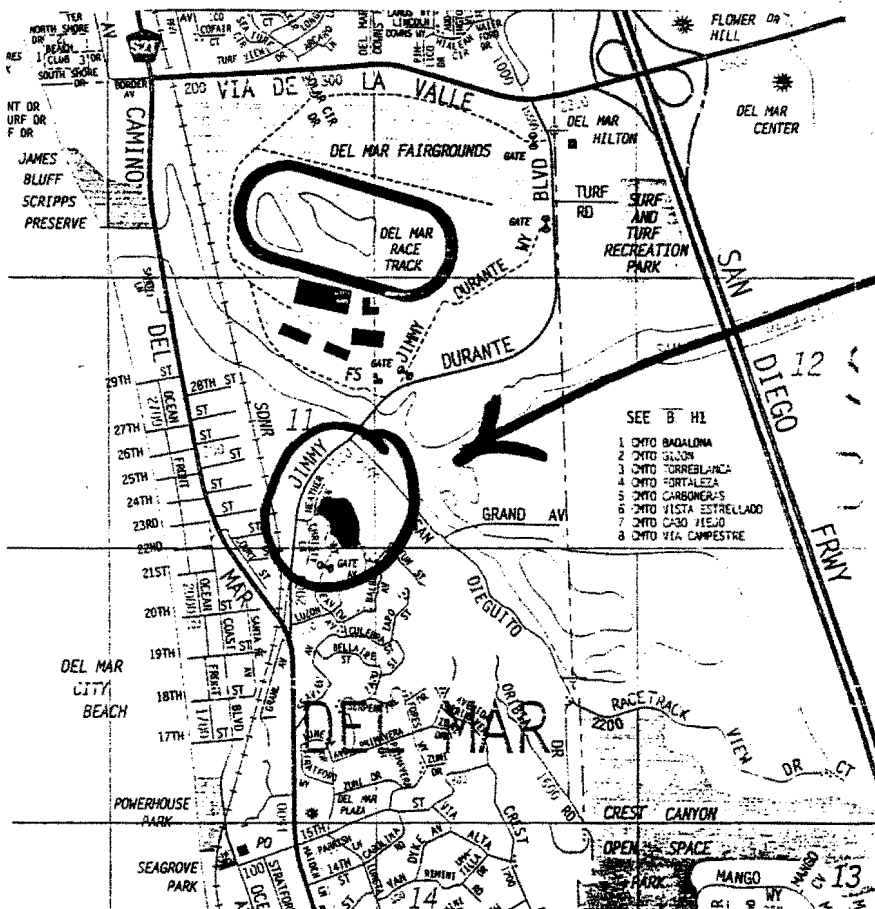
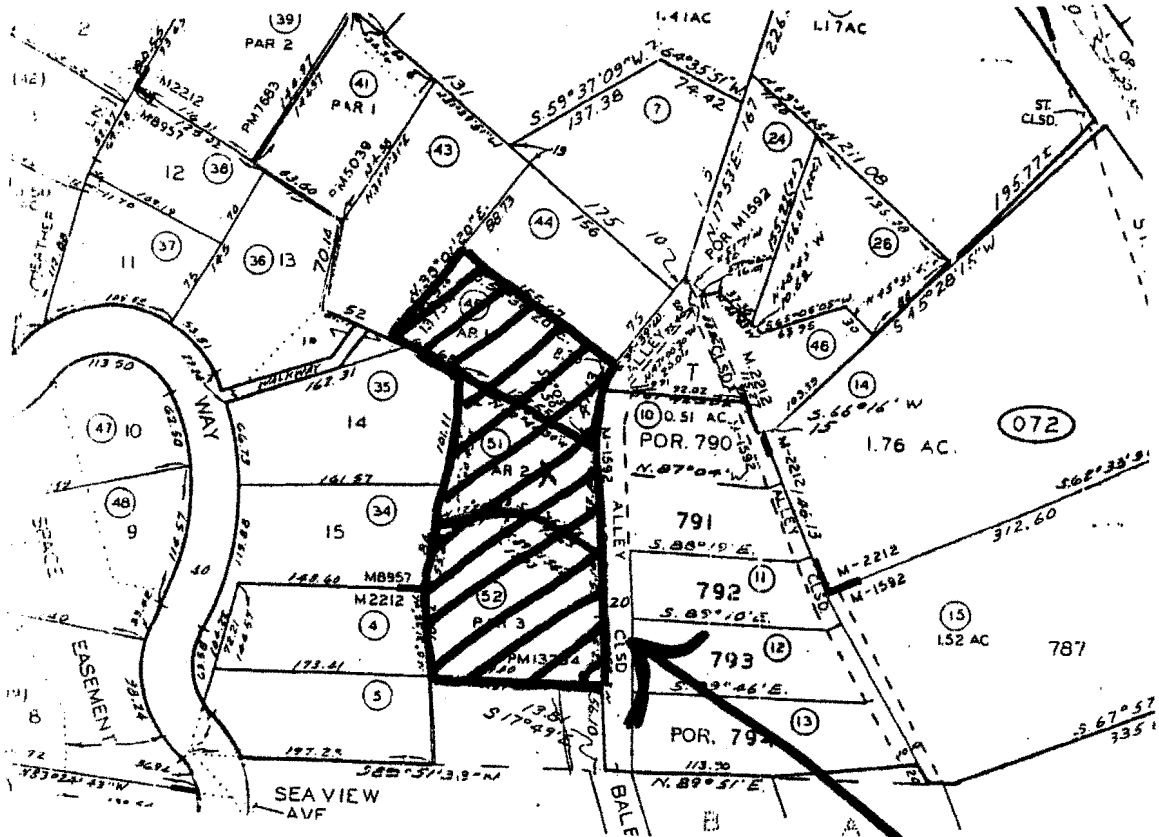
As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, as conditioned, the project has been found consistent with the water quality and visual resource policies of the Coastal Act. There are no feasible alternatives or mitigation measures 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. 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.

6-00-112



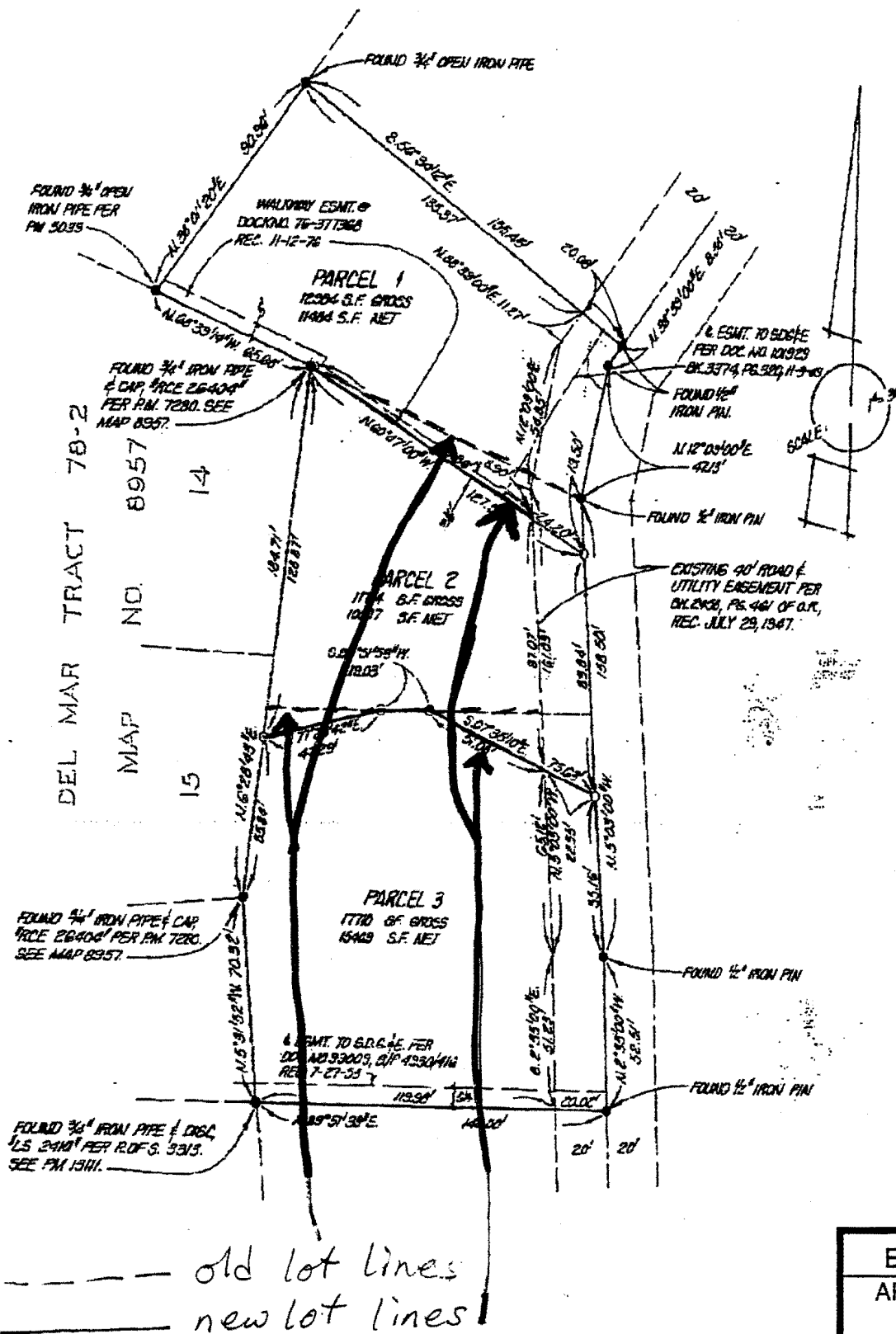
Site

EXHIBIT NO. 1
APPLICATION NO.
6-00-112
Location Maps
California Coastal Commission

6-00-112



EXHIBIT NO. 2
APPLICATION NO.
6-00-112
Site Plan of
Proposed Residence



CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



Mon 4c

Filed: 9/6/00
49th Day: 10/25/00
180th Day: 3/5/01
Staff: LRO-SD
Staff Report: 10/19/00
Hearing Date: 11/13-17/00

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-00-129

Applicant: University of California, San Diego Agent: Milt Phegley

Description: Construction of a new four-story over basement, 75 ft. high, 105,000 sq.ft. engineering building and the relandscaping of a portion of Warren Mall.

Site: On the east side of North Torrey Pines Road, south of Voight Drive, University of California San Diego, La Jolla-La Jolla Shores, San Diego, San Diego County.

Substantive File Documents: 1989 Revised Long Range Development Plan; Certified La Jolla - La Jolla Shore LCP Segment

I. **STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. **Standard Conditions.**

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Final Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit final plans for the proposed development. Said plans shall be in substantial conformance with the plans submitted with this application by Anshen and Allen Los Angeles dated 7/18/00, shall be subject to the review and written approval of the Executive Director and shall indicate that the proposed exhaust stacks on top of the building shall not exceed a height of ten feet and shall be visually screened with construction of an enclosure or other screening measures.

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

2. Disposal of Graded Spoils. Prior to the issuance of the coastal development permit, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. Proposed is the construction of a five-level (four stories over basement level), 75 ft. high, 105,000 sq.ft. building (Powell-Focht Bioengineering Building) on a 2.25 acre site consisting in, part, of an existing sports field at the Warren Campus of the University of California San Diego (UCSD) in the La Jolla community of San Diego. Also proposed is the is the relandscape of Warren Mall, immediately south of the project site which will include installation of enhanced paving and planting of trees and along both sides of the mall. Grading will consist of a total of 30,000 cubic yards of cut to be exported off site for all proposed improvements.

The proposed structure will be located in the area of an existing sports playing field (Pryatel Playing Field) which currently hosts lacrosse and soccer play. Due to the size of the proposed structure, the remaining play field area for recreational use will not meet regulation-size standards. To compensate for the loss of the playing field, the University constructed a replacement field approximately 600 feet to the southeast of where the proposed bioengineering building will be located which is outside of the coastal zone. In addition, the portion of the Pryatel Field that is not used by the Bioengineering Building will be used as a temporary staging area for that project and then as a temporary recreational area after the structure is completed. All of the existing Pryatel Field will

eventually be used for building sites in the near future, including the landscaped courtyard between the buildings, under separate coastal development permits.

UCSD has five engineering departments in the Irwin and Joan Jacobs School of Engineering. The bioengineering department is the fastest growing department in the school. Presently the departments are housed in three separate buildings in two areas of the campus in both the Warren College and Muir College campuses. In order to accommodate anticipated growth, new facility space must be constructed. Thus, the purpose of the new building is to provide sufficient space to meet program requirements now and in the future, to provide space that will allow consolidation of programs currently located at the Muir College campus and to construct new academic space in areas identified for academic use in the draft UCSD Long Range Development Plan.

The subject site is located on the interior of the campus well inland of North Torrey Pines Road, south of Voight Drive and east of Interstate-5. The entire project is within the Commission's area of permit jurisdiction. Thus, the standard of review is Chapter 3 policies of the Coastal Act.

2. Visual Resources. Section 30251 of the Act states, in part, the following:

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 structure will be located in the interior of the college campus and is somewhat removed from any major coastal access routes such as North Torrey Pines Road or La Jolla Shores Drive. As such, the proposed structure will not be visible from these areas. Although portions of the building may be visible to the north and east from either Genesee Avenue or Interstate-5, the structure will not pose an adverse visual impact because it will be surrounded by other institutional structures including Warren housing to the north, an engineering building to the east, a literature building and lecture hall to the south and another engineering building to the west.

In addition, as stated in the mitigated negative declaration for the proposed project, mechanical equipment will be clustered on the roof of the southwest portion of the building behind screening material compatible with the design of the building. Exhaust stacks which are proposed to be ten feet in height are also proposed to be located in the central portion of the roof and will be visually screened with an enclosure to minimize the height and visual impact of the stacks. Although there are no project plans or cross-sections that currently depict the rooftop appurtenances, the elevations of the proposed structure show an enclosure on the roof and a portion of the exhaust stacks above the enclosure. Although it is acknowledged that the proposed structure is well removed from the nearshore coastal areas, such devices, nevertheless, can pose an adverse visual impact on top of *any* structure. In order to assure that the proposed structures will be

appropriately screened, Special Condition No. 1 requires submittal of final plans that show the proposed rooftop equipment and that any proposed structures (i.e., exhaust stacks) shall not exceed a height of ten feet and shall be visually screened with an enclosure or other screening measures.

It should be noted that although the proposed height of the new structure will be approximately 75 feet high, the university isn't subject to local permits and the 30-foot height limit which is imposed in most coastal zone areas throughout the City is a City ordinance, not a Coastal Commission requirement. The university is not within the City's certified LCP and therefore, the standard of review is Chapter 3 policies of the Coastal Act. In this particular case, the proposed four-story structure over subterranean level is compatible in scale, height and size with other surrounding campus development (i.e., Thurgood Marshall College to the west) which includes buildings that are also four stories above ground in height. In addition, as noted previously, the proposed structure will be located on the east side of North Torrey Pines Road which is not located between the first coastal road and the sea, therefore, the proposed project will not result in any adverse visual impacts on public views toward the ocean.

In addition, substantial landscaping is proposed around the perimeter of the proposed structure consisting of both trees and shrubs, as shown on the submitted landscape plan which will serve to buffer the new development. As noted previously, landscaping is also proposed on both the north and south side of Warren Mall south of the project site including the installation of decorative pavement. With regard to signage, the only signs proposed for the new building are wall signs and/or directional signs associated with the new parking structure.

A total of 30,000 cubic yards of material is proposed to be exported off site. Special Condition No. 2 advises the applicant that if the disposal site of the export material is within the coastal zone, that a coastal development permit must first be obtained. In summary, with the proposed landscaping, no adverse impacts on visual resources are expected to occur. Therefore, the Commission finds the proposed development, as conditioned, consistent with Section 30251 of the Act.

3. Public Access/Parking. Section 30252 of the Coastal Act states, in part:

"The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities..."

With respect to projects on UCSD's Main Campus, which is not between the sea and the first coastal roadway, nor within walking distance of shoreline recreational areas, the primary concern is maintaining free-flowing traffic on the major coastal access routes surrounding the campus. These include I-5, Genesee Avenue, North Torrey Pines Road

and La Jolla Shores Drive. The Commission has taken the position that on-campus parking problems on the main campus, are not a Coastal Act issue unless they result in spill-over effects within the surrounding off-campus area, particularly North Torrey Pines Road and La Jolla Shores Drive, which serve as major coastal access routes. In the case of the subject proposal, the proposed development will not have any such effect.

With regard to parking, as stated previously, currently, the site of the subject development consists of a recreational playing field, and as such, construction of the proposed structure will not result in the displacement of any on-site campus parking. As stated in the mitigated negative declaration for the proposed project, parking will continue to be available in lots 502 and 503 located northeast of the project site. Additional parking is also available at the Gilman parking structure which is approximately one-quarter of a mile south of the project site. With the completion of the recently constructed Gilman Drive parking structure, a net gain of approximately 731 spaces in the immediate area was realized. Construction staging will occur east of the building site on Pryatel Field.

UCSD plans to construct another parking facility, in addition to that discussed above, approximately within a year. Overall, a total net gain of 2,216 campus parking spaces is projected to be available during the current semester (Fall 2000) according to a recent campus parking study. Although it is difficult to determine an approximate parking ratio for the wide variety of campus uses and facilities, especially when a large percentage of students live on campus, there is no apparent shortage of parking to serve the University's existing and proposed needs. In addition, the University provides ongoing parking surveys with current information with each coastal development permit application documenting the adequacy of on-site campus parking. With regard to the subject proposal, at no time will the campus experience a net decrease in the total amount of campus parking associated with the proposed structure. Therefore, inasmuch as the proposed development will not result in the usurption of any campus parking or adversely impact public access, the Commission finds the proposed development consistent with the Chapter 3 policies of the Coastal Act addressing protection of public access.

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. The University of California campus is not subject to the City of San Diego's certified Local Coastal program (LCP), although geographically the Scripps Institute of Oceanography (SIO) campus is within the La Jolla Shores segment of the City's LCP. UCSD does, however, have the option of submitting an LRDP for Commission review and certification.

While UCSD has submitted a draft LRDP, its EIR and topographic maps to the Commission staff informally, as an aid in analyzing development proposals, the Coastal Commission has not yet formally reviewed the LRDP, and the University has not indicated any intention of submitting the LRDP for formal Commission review in the

future. The proposed structure is consistent with the University's LRDP to accommodate campus growth.

As stated previously, Chapter 3 policies of the Coastal Act are the standard of review for UCSD projects, in the absence of a certified LRDP. Since the proposed development, as conditioned, has been found consistent with all applicable Chapter 3 policies, the Commission finds that approval of the proposed project, will not prejudice the ability of UCSD to prepare a certifiable Long Range Development Plan for its campus.

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.

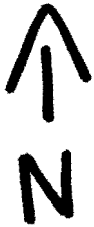
The proposed project has been conditioned in order to be found consistent with the visual resource policies of the Coastal Act. Mitigation measures, including conditions addressing export of graded spoils will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives 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.

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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.

5. 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.

(G:\San Diego\Reports\2000\6-00-129 UCSD stfrpt.doc)



PACIFIC OCEAN

Project Site

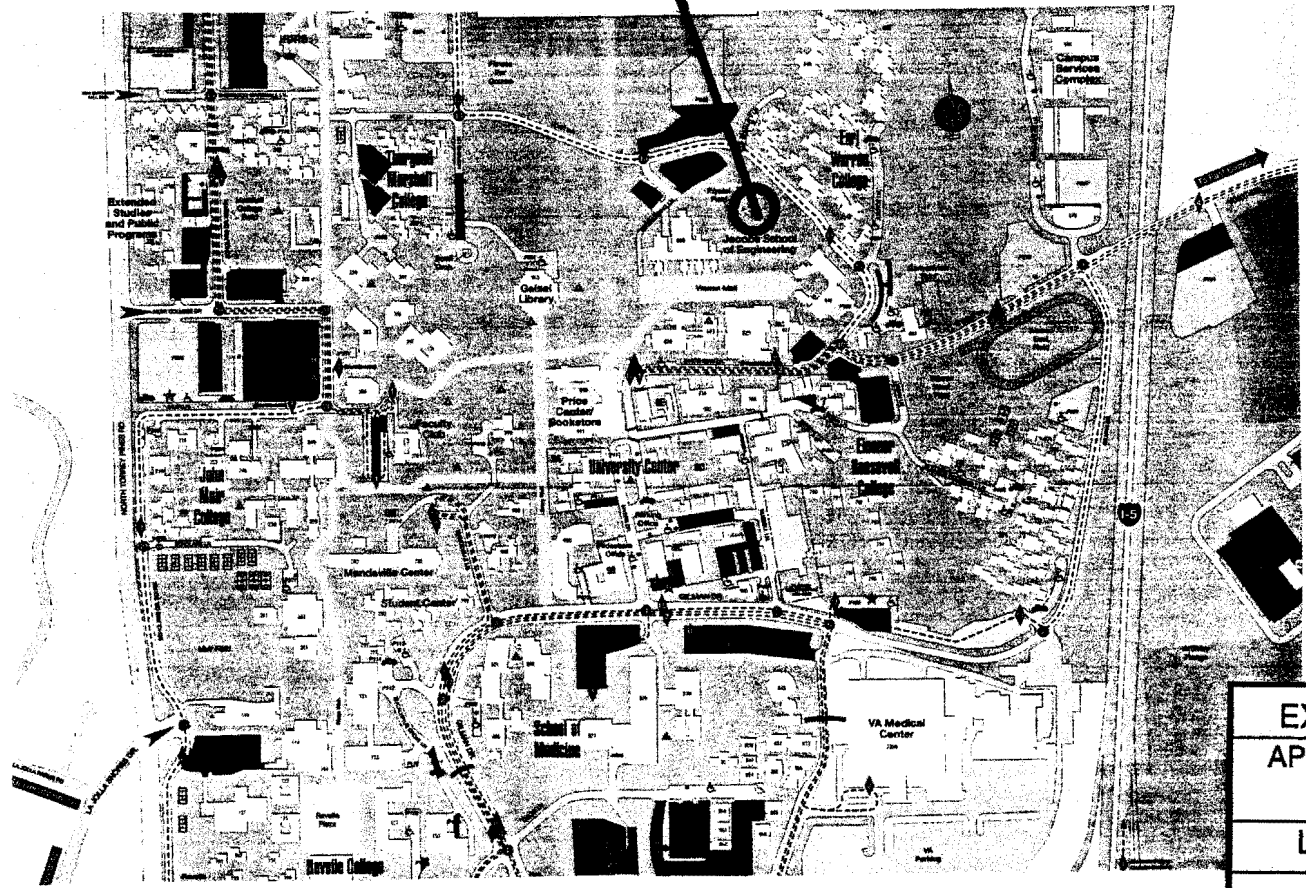
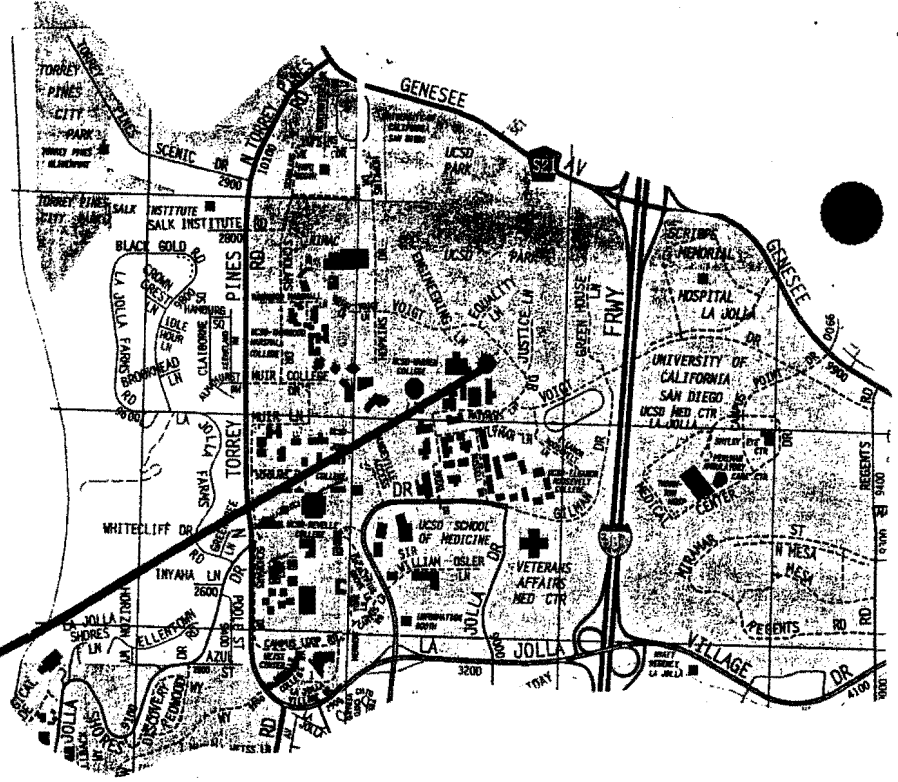

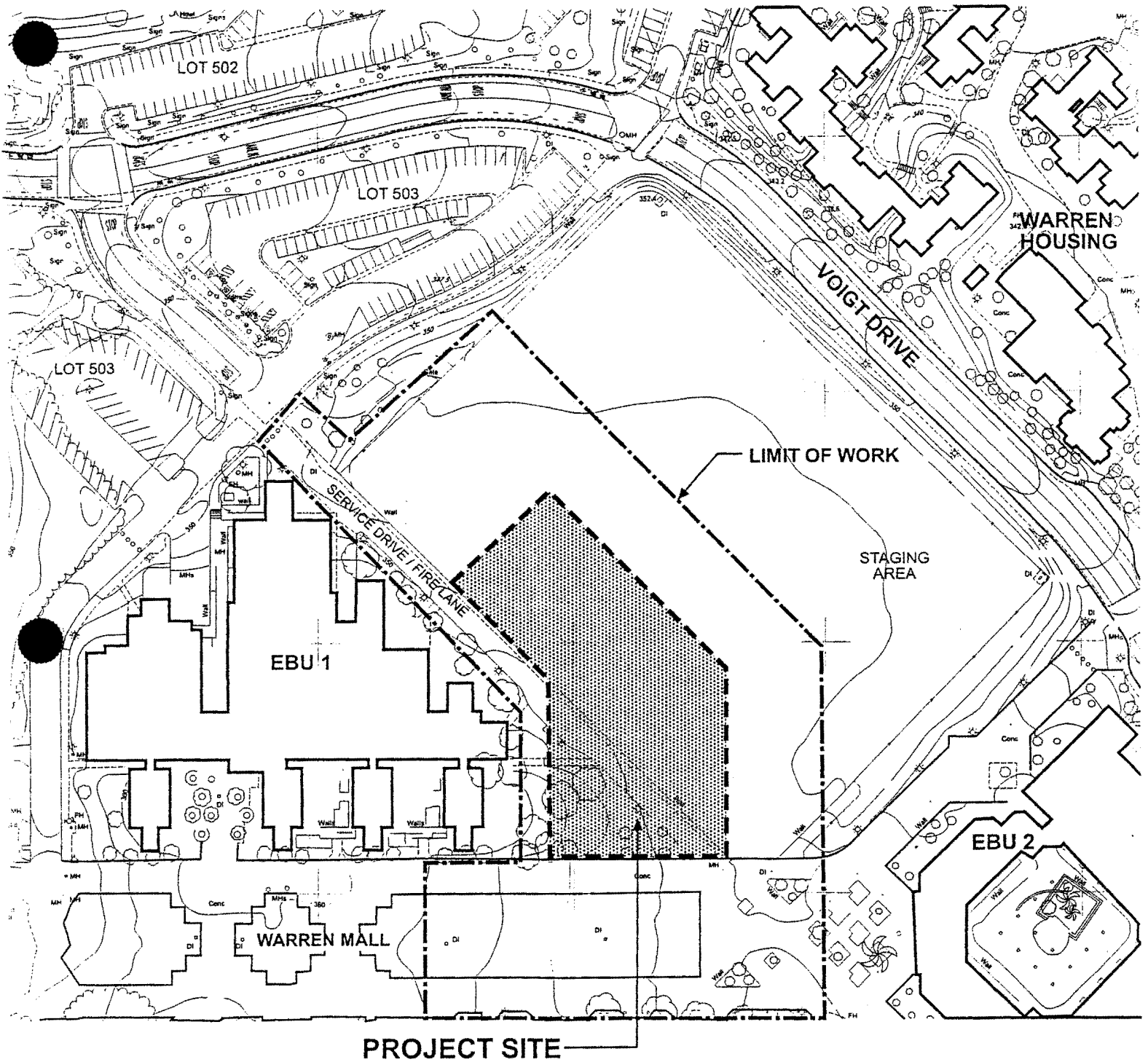


EXHIBIT NO. 1
APPLICATION NO
6-00-129
Location Map

 California Coastal Commission

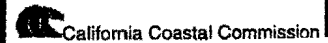


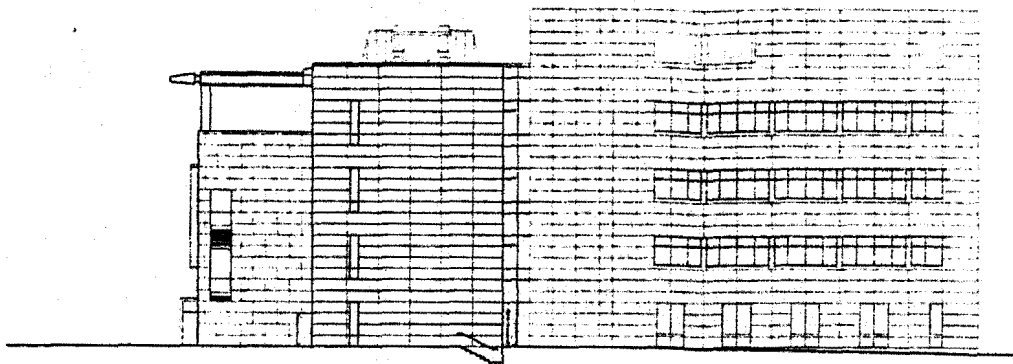
0'

UNIVERSITY OF CALIFORNIA
BIOENGINEERING BUILDING (ENGINEERING)

(PHYSICAL PLANNING 1:1 MAPS_GRAPHICS)

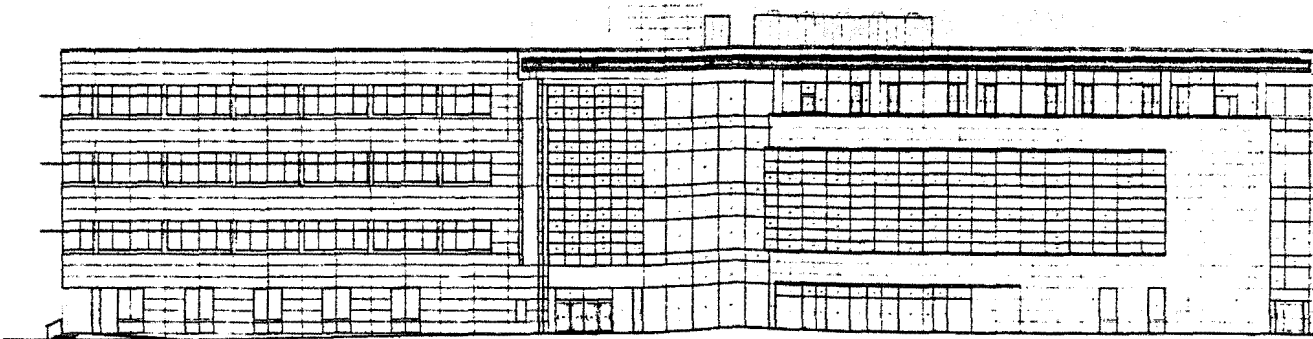
EXHIBIT NO. 2
APPLICATION NO.
6-00-129
Site Plan





13'-0"	T.O. PENTHOUSE	426.0
13'-0"	ROOF/PENTHOUSE	413.0
12'-0"	4TH-FLOOR	398.0
12'-0"	3RD-FLOOR	383.0
15'-0"	2ND-FLOOR	368.0
13'-0"	1ST-FLOOR	353.0
13'-0"	BASEMENT	338.0

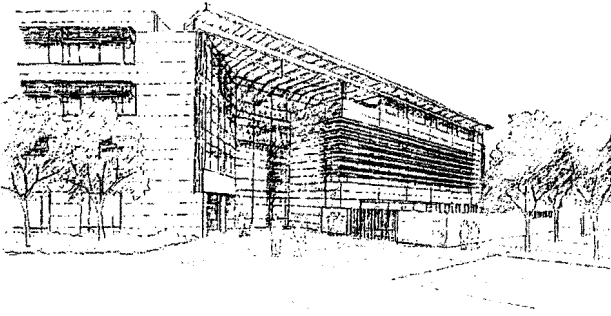
1 COMPOSITE NORTH ELEVATION
(FOR REFERENCE ONLY)



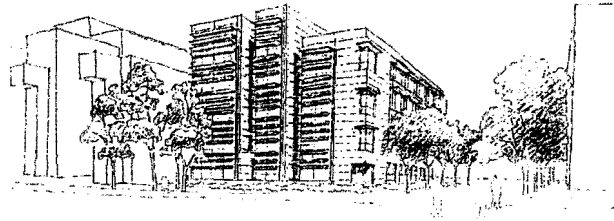
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13'-0"	13'-0"
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2 COMPOSITE EAST ELEVATION
(FOR REFERENCE ONLY)

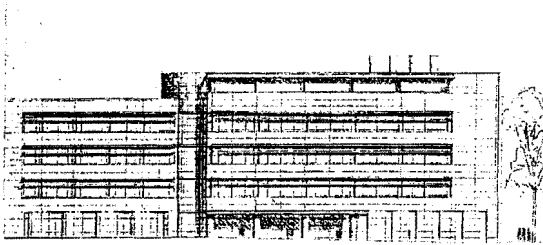
EXHIBIT NO. 3
APPLICATION NO.
6-00-129
North/East
Elevations



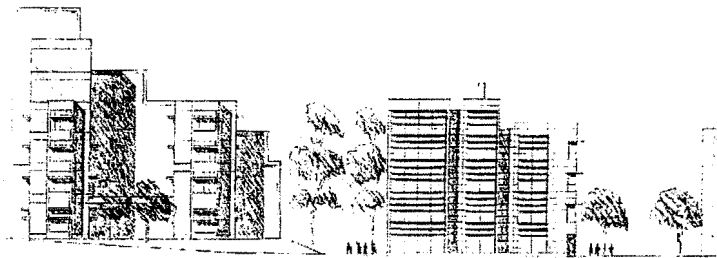
4. View from Academic Court



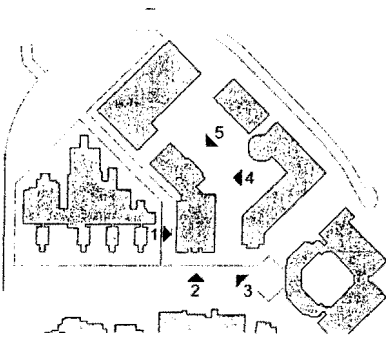
3. View from Warren Mall



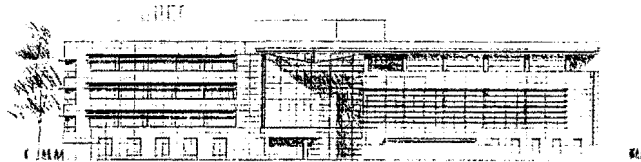
1. Elevation from EBU-1



2. Elevation from Warren Mall



View Legend



5. Elevation from Academic Court

13

UNIVERSITY OF CALIFORNIA, SAN DIEGO
BIOENGINEERING BUILDING (ENGINEERING BUILDING UNIT 3)
BUILDING ELEVATIONS
FIGURE 5

CONCEPTUAL DESIGN STUDIES

POWELL - FOCHT BIOENGINEERING BUILDING

University of California, San Diego

Anshen+Allen Los Angeles

EXHIBIT NO. 4

APPLICATION NO.

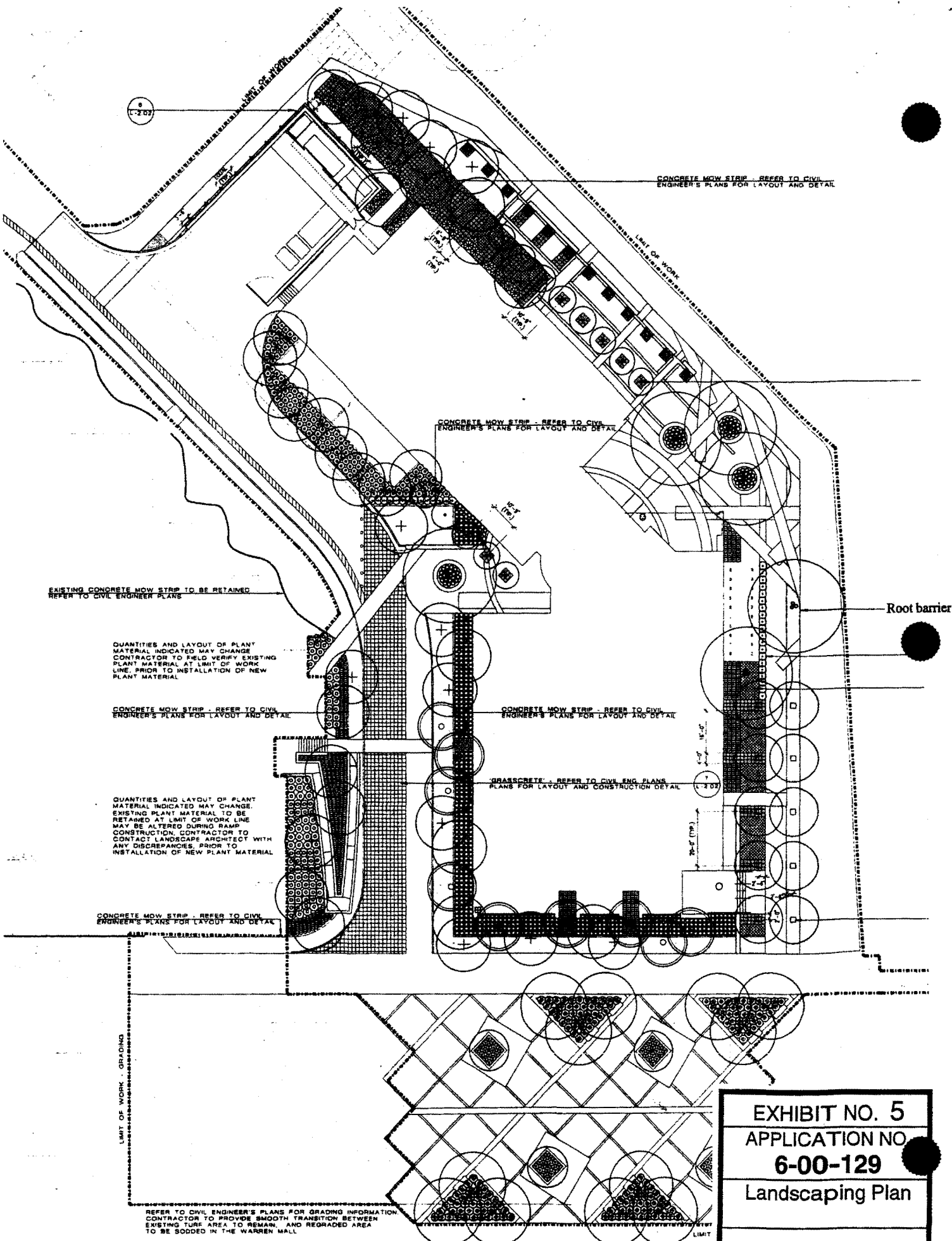
6-00-129

Elevations from
surrounding areas



California Coastal Commission

in 1960



<p>EXHIBIT NO. 5</p> <p>APPLICATION NO.</p> <p>6-00-129</p> <p>Landscaping Plan</p>
<p> California Coastal Commission</p>

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



Mon 4d

Filed: 9/7/00
49th Day: 10/26/00
180th Day: 3/6/01
Staff: LRO-SD
Staff Report: 10/17/00
Hearing Date: 11/13-17/00

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-00-130

Applicant: City of San Diego, Transportation
and Drainage Division

Agent: Danny Schrotberger

Description: Improvements to existing public boardwalk consisting of removal and replacement of the existing pile cap and parapet wall at base of several existing light poles situated on top of the existing concrete seawall adjacent to, and west of, the public boardwalk (same size and same dimensions); removal of existing concrete walkway and replacement with colored concrete with decorative pattern; and, installation of stenciled signs on the ground to separate pedestrian use from wheeled traffic.

Site: Along public boardwalk of Ocean Front Walk between San Fernando Place north to Ventura Place, Mission Beach, San Diego, San Diego County.

Substantive File Documents: Certified Mission Beach Precise Plan and Planned District Ordinance; Certified City of San Diego LCP Implementing Ordinances; CDP #s 6-00-123 and 6-99-90

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a YES vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Final Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit final plans for the proposed improvements to the pile cap and parapet wall, light poles and public boardwalk. Said plans shall be in substantial conformance with the plans submitted with this application by the City of San Diego Engineering and Capital Projects Department Commission date stamped 9/7/00 and shall be subject to the review and written approval of the Executive Director.

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

2. Storage and Staging Areas/Timing of Construction. As proposed, the applicant shall comply with the following:

- a. The existing boardwalk shall remain open to two-way traffic throughout the proposed improvements.
- b. No overnight storage of equipment or materials shall occur on public parking spaces with the exception of a 2,500 sq.ft. area (10 parking spaces maximum) located in the southeast corner of the Belmont Park south parking lot. The staging site shall be removed and/or restored immediately following completion of the development.
- c. The City shall not perform any of the proposed work between Memorial Day weekend and Labor Day of any year.

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

3. Export of Graded Material. All material removed from the project site must be disposed of at a legal disposal site, dumpster, or trash collection facility.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. Proposed is the removal and replacement of the existing pile cap and parapet wall at the base of several existing light poles (approximately 30-40) situated on top of the existing concrete seawall adjacent to, and west of, the public boardwalk (Ocean Front Walk) in the vicinity of Belmont Park, an amusement park and retail/commercial center. No other work is proposed on the existing seawall. In addition, the concrete boardwalk will be replaced with colored concrete and "scoring" designs. A typical concrete sidewalk consists of 5 ft. squares whereas the historic boardwalk in this location consisted of 3 ft. squares. As such, the concrete will be replaced with new 3 ft. squares along the entire project site. The work will occur in phases. First, the City will work on the replacement of the pile cap and parapet wall of the existing light poles. Next, the City will work on the boardwalk improvements which will include working on one side first, and then the other so as to allow the continued use of the boardwalk by the public at all times.

The purpose of the proposed improvements to the light poles and boardwalk is to restore the light fixtures and walkway to its original 1925 appearance according to the "Secretary of the Interior Standards for the Treatment of Historic Properties". This portion of the boardwalk, along with the Plunge Building and roller coaster at Belmont Park, are designated historic structures. The portion of the boardwalk proposed to be improved was the first part of the boardwalk constructed in 1925. The existing improved public boardwalk extends from its southern boundary of Asbury Court in Mission Beach all the way north to Thomas Avenue in Pacific Beach. Under a federal grant, the City intends to restore the portion of the boardwalk from San Fernando Place to Ventura Place to its exact appearance in 1925 which includes changes to the base of the light poles as well as the boardwalk itself.

Also proposed is the separation of pedestrian and wheeled traffic (i.e., bicyclists, roller-bladers, skateboarders, etc.) along the boardwalk through the striping of the middle of the boardwalk with double solid yellow lines. The west side of the boardwalk will accommodate pedestrian use and the east side of the boardwalk will accommodate wheeled traffic use. In addition, the east side of the boardwalk will also be striped with a dashed line in the center to indicate the direction of travel for wheeled traffic. The west side of this part of the boardwalk will accommodate south-moving traffic and east side will accommodate north-moving traffic. On the east side of the boardwalk graphics will also be painted onto the boardwalk depicting different kinds of wheeled traffic (i.e., bicyclist, skateboard and roller blade.) On the west side of the boardwalk graphics will depict footprints to indicate pedestrian use (i.e., walkers, joggers). (Reference Exhibit No. 3). The graphics depicting two-way traffic for different types of users will be the last project component to be implemented as this would be difficult to do during the actual project construction.

The subject site constitutes the portion of the public boardwalk of Ocean Front Walk from San Fernando Place north to Ventura Place. The area of the site where the light posts will be restored is directly west of Belmont Park. Other existing uses to the east of the boardwalk in this location are the existing lifeguard tower at the southeast corner of Ventura Place and the boardwalk, public restrooms, a large public parking lot south of Belmont Park and an improved grassy picnic area with tables to the south of the parking lot.

The subject site is located within the community of Mission Beach in the City of San Diego. The boardwalk is located in an area of the Commission's original jurisdiction, therefore, Chapter 3 of the Coastal Act is the standard of review.

2. Visual Resources. Section 30251 of the Act states, in part, the following:

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 project is sited immediately west of the public beach in close proximity to a well-established commercial neighborhood including a variety of retail and restaurant leaseholds. The proposed improvements will be compatible with the character of the surrounding development in this community. In addition, public views will continue to be preserved along the east-west access corridors and no view blockage of regional or statewide significance will occur. As noted in the project description, the purpose of the proposed project, in part, is to restore the lights and walkway along the public boardwalk to its original 1925 appearance. The proposed project will result in the removal and replacement of the existing pile cap and parapet wall and replacement with materials of a different kind in the same location such that they will resemble their original historic appearance. The existing pile cap and parapet wall are coated with gunite. They will be replaced to match the original surface. Presently they are composed of fiberglass and are proposed to be replaced with cast-iron. In addition, the existing light poles on top of the parapet wall will be salvaged and reinstalled. The proposed improvements to the parapet wall as well as to the light poles will not result in an increase to the size or height of either structure and thus, will not result in any public view blockage.

In summary, the proposed development will not result in adverse visual impacts to the boardwalk but will simply change the parapet cap and wall to its original 1925 appearance as well as other decorative improvements (installation of colored and textured concrete on boardwalk). Therefore, inasmuch as the proposed development can be found compatible with the character of the surrounding area and will not adversely impact public views toward the ocean, the Commission finds the proposed development consistent with the Chapter 3 policies of the Coastal Act addressing protection of visual resources.

3. Public Access/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 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, or,
- (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway....

Section 30221 states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222 states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

The existing Ocean Front Walk boardwalk is a recreational facility heavily used by pedestrians, bicyclists, skaters, skateboarders, runners, and persons in wheelchairs. The walkway is accessible from the east/west streets off of Mission Boulevard, and provides access to the sandy beach at stairways located at various points along the seawall. The City has recently required property owners adjacent to the boardwalk to remove the private accessory improvements that encroach onto the boardwalk right-of-way for purposes of expanding the boardwalk. The City has already expanded the portion of the boardwalk from Santa Barbara Place south to Ventura Place.

The subject site, however, is not adjacent to any residential properties and consists of the portion of the boardwalk that is directly west of the Belmont Park Amusement Park and the public park and picnic area south of it. The boardwalk is wider at this location (approximately 16 feet wide) as compared to the remainder of the boardwalk that is approximately 12-feet wide that is located adjacent to the residential properties to the north and south. The proposed decorative enhancements of the boardwalk (i.e., colored concrete and "scoring") will not impede pedestrian or bicycle movement in any way as it will not consist of a bumpy surface or other textured materials. In addition, the proposed stenciled signs onto the boardwalk to separate pedestrian traffic from wheeled traffic will enhance the public's safety while using the boardwalk and demarcate the different areas for different recreational users. The proposed separation of movement on the boardwalk with directional signing (i.e., two-way "traffic") will also improve the circulation and help to improve the safety for people walking, jogging, skating or bicycling, etc. along the boardwalk. Presently, sometimes two or three people walking abreast can take up one whole side of the boardwalk as can a single roller-blader who takes long strides to the side while skating. Conversely, sometimes fast roller-bladers and skateboarders interfere with the use of the boardwalk by people leisurely walking or strolling along the boardwalk. The proposed separation of uses is vital to the public's enjoyment and safe use of the area and will improve a significant recreational and access facility, consistent with the public access and recreation policies of the Coastal Act. However, because the site is used so heavily, particularly in the summer months, construction activity that impedes use of the boardwalk would have a significant adverse impact on public access and recreation.

The City of San Diego has proposed maintaining two-way access on the boardwalk at all times during the proposed improvements. In addition, the City has indicated that no street closures would be permitted for the proposed project. Typically, the Commission restricts work on public recreational areas to outside the summer season, to avoid impacts to the public during the time of highest demand for recreation and public beach access. The City has proposed using up to approximately 2,500 sq.ft. in the southeast corner of the Belmont Park south parking lot which is also the same area where the City is temporarily proposing to store construction equipment and materials associated with its two permits (CDP #s 6-00-123 and 6-99-90) for removal of private encroachments on the public boardwalk approved by the Commission. Although this staging area would impact 10 public parking areas in a beach area with a severe parking shortage, the City has proposed limiting all work that it performs, to outside the peak summer season (Memorial Day to Labor Day). Because many of the residential units in Mission Bay are occupied by summer renters, the demand for parking in Mission Bay drops considerably in the non-summer season. Thus, temporarily usurping 10 parking spaces is not expected to significantly impede the public's ability to access the beach.

In order to avoid impacts on coastal access, the applicant proposes to keep the boardwalk open during the restoration activities and not to perform any work during the summer season. As noted earlier, the City will only perform the work on one-half of the width of the boardwalk at one time. As such, the other half will remain open to public use at all times. When both halves of the boardwalk have been replaced with colored concrete and

"scoring", then the graphics and painting to separate pedestrian use and wheeled traffic will be installed as the last project element. In addition, the applicant proposes to not involve the use of more than 10 parking spaces for construction staging. The applicant has incorporated these requirements into the project plans. Because the submitted plans are conceptual, in nature only, Special Condition #1 calls for submittal of final plans. Special Condition #2 requires the applicant to implement the proposed storage and staging/timing of construction measures. Thus, the removal/restoration activities will not adversely impact public access or recreation. In addition, Special Condition #3 advises that all material removed from the sites must be properly disposed of.

The project would allow for the improvement of the existing boardwalk, a public recreational amenity. As conditioned, no short or long-term impacts to coastal resources are anticipated. Therefore, the proposed project can be found consistent with the public access and recreation policies 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.

The subject site is located in an area of original jurisdiction, where the Commission retains permanent permit authority. The site is zoned Open Space-Recreation (OS-R) and Commercial-South (C-S). The proposed enhancement of the public boardwalk, a major recreational facility, is consistent with this designation. The project is also consistent with the certified Mission Beach Precise Plan and all applicable Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the ability of the City of San Diego to implement its certified LCP for the Mission Beach community.

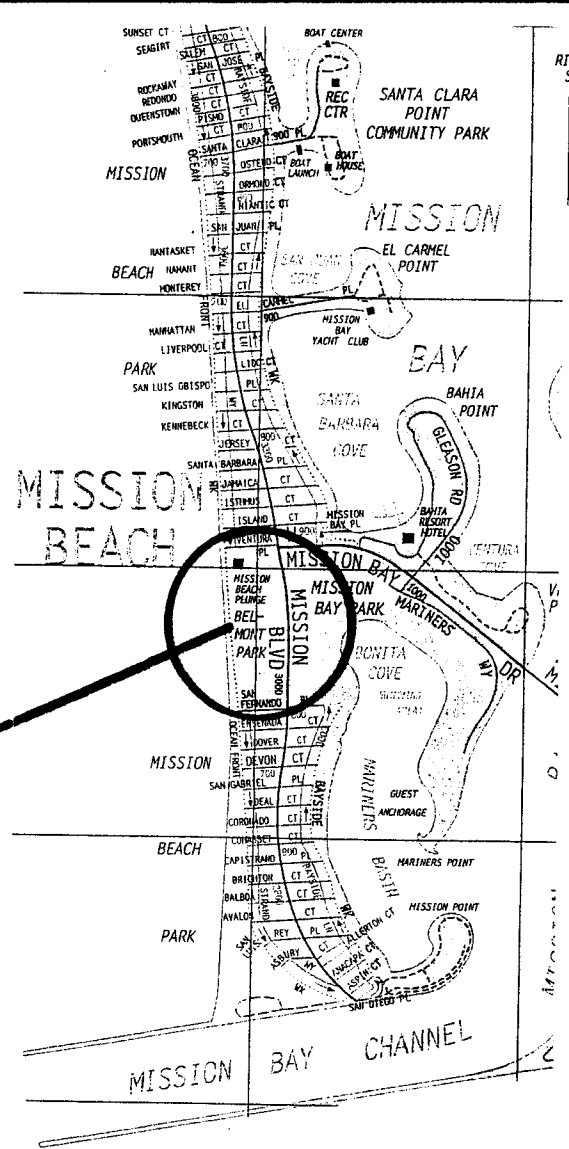
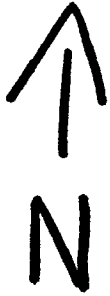
5. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of 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 in order to be found consistent with the public access policies of the Coastal Act. Mitigation measures, including conditions addressing storage and staging areas and timing of construction, 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.

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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. 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.



Project Site

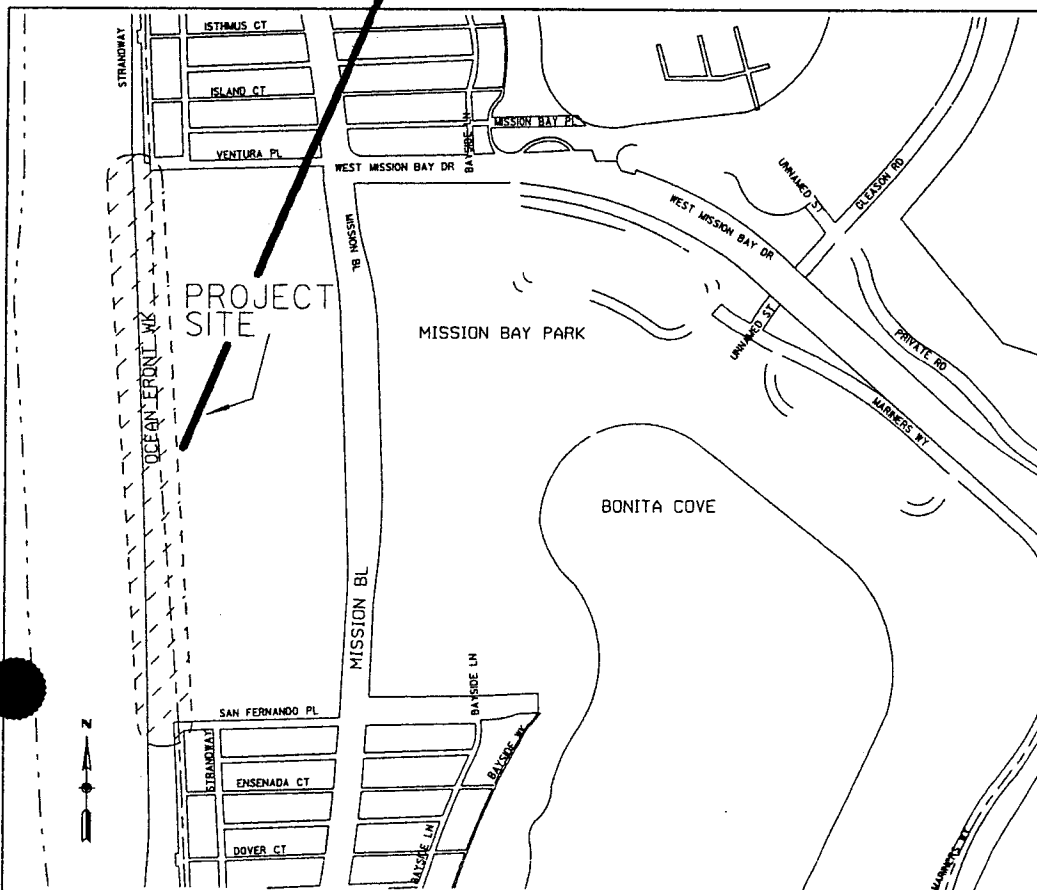
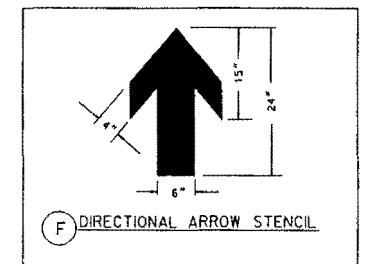
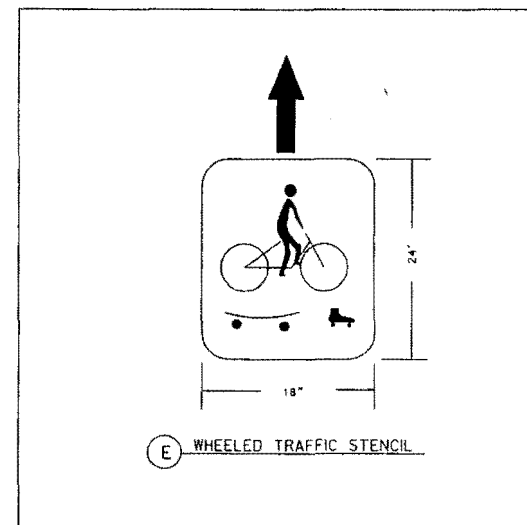
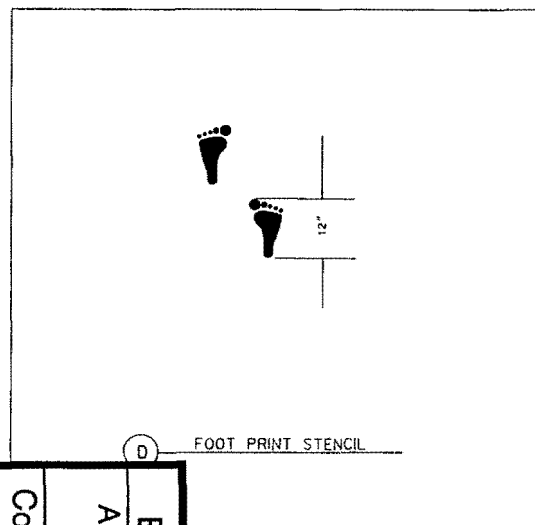
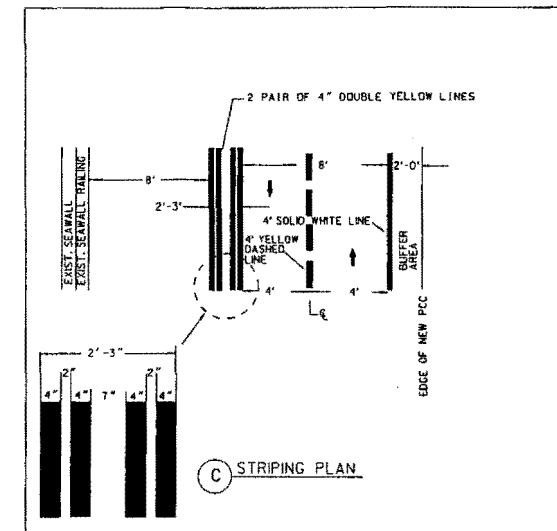
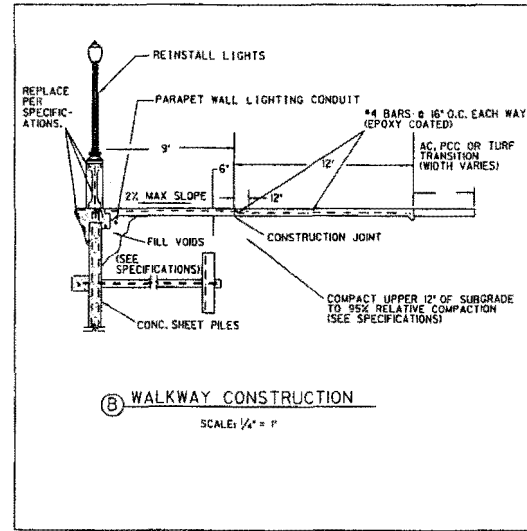
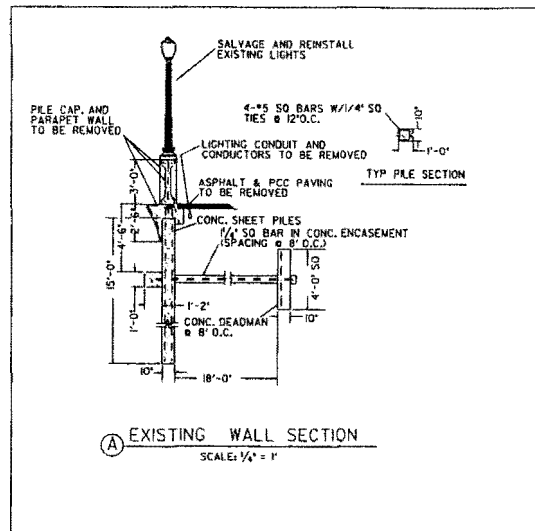


EXHIBIT NO. 1
APPLICATION NO.
6-00-130
Location Map





<p align="center">OCEAN FRONT WALK REPLACEMENT BETWEEN SAN FERNANDO PL. AND VENTURA PL.</p> <p align="center">CONSTRUCTION DETAILS</p>		<p>CITY OF SAN DIEGO, CALIFORNIA ENGINEERING AND CAPITAL PROJECTS DEPARTMENT</p>		<p>NO. 526710</p>	
		<p>FOR CITY ENGINEER</p>		<p>DATE</p>	
<p>CONTRACTOR MUST NOTIFY THE BELOW LISTED AGENCY AT LEAST TWO (2) WORKING DAYS PRIOR TO COMMENCEMENT OF EXCAVATION :</p>	<p>REVISION</p>	<p>BY</p>	<p>APPROVED</p>	<p>DATE</p>	<p>FILED</p>
<p>UNDERGROUND SERVICE ALERT 825/31 1-800-422-4133</p>	<p>CONTRACTOR</p>	<p>DATE STARTED</p>	<p>DATE COMPLETED</p>	<p>220-1692</p>	<p>29914-3-D</p>

EXHIBIT NO. 3
APPLICATION NO.
6-00-130
Construction Details

California Coastal Commission

