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San Diego Coast District

ADMINISTRATIVE CALENDAR

Monday, April 10, 2000

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6-00-22

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
3111 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8036



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Permit Application No. 6-00-22/lro
Date 3/23/00

ADMINISTRATIVE PERMIT

APPLICANT: Thomas J. Lochtefeld (Wave Loch/Wave House)

PROJECT DESCRIPTION: Installation of a prefabricated show wave and installation of temporary bleachers in the west plaza of an existing commercial development/amusement park (Belmont Park) on a 6.7 acre beachfront site.

PROJECT LOCATION: 3146 Mission Boulevard, Mission Beach, San Diego, San Diego County. APN 760-217-0700

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE and TIME: April 10, 2000 LOCATION: The Queen Mary
10:00 a.m., Monday 1126 Queens Highway
Long Beach, CA 90802

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Laurinda R. Owens

STANDARD CONDITIONS:

1. **Notice of Receipt and Acknowledgement.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Compliance.** All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

Proposed is the installation of a prefabricated show wave with temporary bleachers in the west plaza of an existing commercial development/amusement park (Belmont Park) on a 6.7 acre beachfront site. Belmont Park is an amusement park and commercial/retail center on land owned by the City of San Diego that includes several buildings and amusement rides such as the roller coaster. The site is at the southwest corner of Mission

Boulevard and Ventura Place immediately adjacent to, and east of, the boardwalk (Ocean Front Walk), Mission Beach and the ocean. The subject site is bisected in such a manner that the approximately western half of the site is located within an area of the Commission's original jurisdiction and the eastern half is located within the City of San Diego's permit jurisdiction, the latter of which is also within the Commission's area of appeal jurisdiction. As the portion of the site where the proposed project will be located is within the Commission's area of original jurisdiction, Chapter 3 policies of the Coastal Act is the standard of review.

There have been two past coastal development permits approved for the subject site. The first permit, CDP #6-82-543 approved on 1/28/83, was for the renovation and construction of an existing park and recreation facility which consisted of creation of a large, open space play lawn area, picnic areas, two large parking lots, restroom facility, landscaping and walkways. This area is immediately south of Belmont Park.

The second permit, CDP #6-86-396, was approved in 1986 which was for the extensive renovation of Belmont Park including demolition of several buildings and construction of eight new buildings totaling 70,000 sq.ft.; renovation of existing restroom and lifeguard facilities parking and landscaping improvements; and, offsite improvements such as construction of a pedestrian overpass over Mission Boulevard, resealing and restriping of parking lots, and upgrading existing bus stops on Mission Boulevard and West Mission Bay Drive.

There have also been three material amendments to CDP #6-86-396, described above. The first amendment, approved on 6/10/88, amended the permit to allow construction of external stairways and rooftop dining decks on three of the approved commercial buildings (Buildings #4,5 & 6), replacement of a water feature with a carousel in the interior of the project, the addition of a ferris wheel adjacent to the roller coaster leasehold on the Mission Boulevard frontage, and the delay of the construction of the pedestrian overpass pursuant to City Council action.

The second amendment was approved on 5/9/89 to amend Special Condition #3 of the previously approved permit to eliminate the pedestrian overpass and utilize the equivalent funding for miscellaneous street and traffic circulation improvements along the major coastal access routes in the immediate vicinity including landscaping improvements.

The third amendment was approved on 9/17/99 to allow the installation of water theme features (sheet wave devices) in outdoor court yards, plazas and rooftops of existing buildings designed for body boarding and surfing on what resembles a moving wave and often referred to as "wave loch flow rider". The combined footprint of all aquatic recreation enhancements totaled to 9,200 sq.ft.

The subject proposal, as noted above, consists of the installation of a prefabricated show wave including installation of temporary bleachers in the west plaza of Belmont Park. The structure is intended to be "temporary" in nature such that it will not remain as a permanent fixture at the park. It will only be in use until as late as May, 2001 or when

the other permanent water theme park features are constructed, pursuant to 6-86-396-A3 described above. The proposed prefabricated show wave is mobile in nature and can be relocated/removed. It is proposed to be located in the same area where the main show wave was approved to be located as part of CDP# 6-86-86-A3, described earlier.

With regard to public access and parking, several policies of the Coastal Act provide for the protection of public access to the coast. As noted in the findings for the most recent material amendment (CDP #6-86-396-A3), the subject site is located between the first coastal road and the sea. There is an existing improved public access all along the oceanfront via the boardwalk (Ocean Front Walk) to the west of the site. Although the location of the show wave will be west of the Plunge Building in close proximity to the public boardwalk (Ocean Front Walk), it will be confined within the boundaries of the park without encroaching onto the boardwalk or interfering with public access. However, given the nature of the structural components of the show wave, they must be transported to the site by large tractor trailers. The show wave consists of metal containers that bolt together. The applicant has indicated that one of two possible methods will be used for placing the containers at the site.

The first method, which is preferred by the applicant, will be to transport the containers to the site by trucks entering through Belmont Park itself. If for any reason there is inadequate room to access the project site this way, the second alternative will be to use a crane to lift the containers and drop them into place. However, if it becomes necessary to use the latter alternative, the crane will need to be set up on the beach west of the site because the public boardwalk adjacent to the site would not be strong enough to support the weight of the crane without causing damage to it. While the crane will be on the beach, it will only occupy a small area and will not result in closure of the beach. Given the concerns related to impacts to public access with a crane on the beach, the applicant has proposed to incorporate into the proposal, to work only at night from approximately 10 PM to 10 AM for three consecutive weekdays. In this way, construction and staging activities will not occur during the peak periods of beach use and will not alter or impede public access at this location. The applicant has indicated that, at most, the amount of time that will be necessary to install the device will be 24 hours. The applicant proposes the same construction access and staging methods for removal of the show wave when it is eventually dismantled and has assured that this will also occur outside the summer months. Typically, the Commission conditions projects located adjacent to beach areas such that no construction, staging or access activities occur in public parking lots or sandy beach areas, etc., to minimize impacts on public access. However, in this case, the applicants propose to perform the construction, access and staging activities in a manner that will reduce the potential impacts to public access to the maximum extent feasible. As such, the proposed development can be found consistent with the public access and recreation policies of the Coastal Act.

With regard to parking, there is more than adequate on-site parking for all of the uses within Belmont Park. As further noted in the CDP #6-86-396-A3, the proposed water features are recreational amenities similar to the roller coaster and other amusement rides at the park facility that do not in, and of themselves, require the need for additional

parking for the site. As such, no adverse impacts to existing parking for beach visitors should result from approval of the proposed development.

With regard to visual resources, Section 30251 of the Coastal Act provides for the protection of scenic coastal resources and for the compatibility of new and existing development. The proposed show wave will be compatible with the existing uses in the retail/commercial center and Belmont Park and the proposed open-water features will not pose any adverse impacts to public views. As such, the proposed development can be found consistent with Section 30251 of the Coastal Act.

The site is currently zoned "OS" for Open Space and the plan designation is Public Park in the certified Mission Beach Precise Plan and Planned District Ordinance. According to the Mission Beach Land Use Plan (Precise Plan), where the City finds it appropriate, commercial-recreation uses can be found consistent with a park designation. The proposed water theme recreational features for the existing amusement park do not raise any conflicts with these designations and can be found consistent with all applicable policies of the Coastal Act. In addition, as an enhancement to existing recreational amenities at Belmont Park, the proposed development is also consistent with the visitor-serving uses in the area, consistent with the policies of the certified LCP and Coastal Act policies. In summary, the Executive Director determines that the proposed development conforms to the Coastal Act Chapter 3 policies and project approval will not prejudice the City of San Diego to continue implementation of its fully-certified local coastal program.

SPECIAL CONDITIONS:

1. Timing of Construction. The applicant shall agree that any proposed use of the crane and related equipment shall not be placed on the beach during the summer months. In addition, the crane shall be permitted on the beach only during the evening hours.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing