

CALIFORNIA COASTAL COMMISSION

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Staff: LRO-SD
Staff Report: 2/15/01
Hearing Date: 3/13-16/01

AMENDMENT REQUEST
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-99-117-A1

Applicant: LHO Mission Bay Hotel L.P. Agent: Steve Rossi

Original Description: Renovations to existing resort/hotel facility consisting of conversion of café to lobby space, renovation and expansion of fitness center, conversion of lobby space for expansion of gift shop and addition of an indoor/outdoor delicatessen, renovation and expansion of existing presidential suites to restaurant space, conversion of six existing guest suites to four presidential suites, the addition of five bungalow guest suites in a detached building, and parking and landscape improvements on a 51.70 acre bayfront site.

Lot Area	2,252,237 sq. ft. (51.70 acres)
Building Coverage	402,222 sq. ft. (18%)
Pavement Coverage	403,263 sq. ft. (18%)
Landscape Coverage	1,446,752 sq. ft. (64%)
Parking Spaces	1,277
Ht abv fin grade	24 feet

Proposed Amendment: Relocation of five guest rooms from the previously approved location on the interior of the resort to the bayside of the resort.

Site: 1404 Vacation Road, Mission Bay Park, San Diego, San Diego County.
APN 760-038-03

Substantive File Documents: Certified Mission Bay Park Master Plan; CDP# 6-90-135;
6-90-135-A1; CDP #6-97-64

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed amendment as proposed. The subject amendment will not result in any adverse impacts to coastal resources and is consistent with the Chapter 3 policies of the Coastal Act.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the proposed amendment to Coastal Development Permit No. 6-00-117-A1 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a YES vote. Passage of this motion will result in approval of the amendment and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE A PERMIT AMENDMENT:

The Commission hereby approves the coastal development permit amendment on the ground that the development as amended, will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. Special Conditions.

The permit is subject to the following conditions:

1. Prior Conditions of Approval. All other terms and conditions of Coastal Development Permit No. 6-99-117 not specifically modified herein, shall remain in full force and effect.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Project History/Amendment Description. The subject property consists of a 51.70 acre bayfront site located on Vacation Isle within Mission Bay Park. The subject facility is a vacation resort that consists of a hotel, gift shop, meeting rooms, restaurants and other recreational amenities. There have been three past coastal development permits approved for the subject site. The first permit, CDP# 6-90-135, approved in August 1990, and 6-90-135-A1 approved in March 1991 was for construction of new guestrooms, additional service areas and meetings rooms for the convention center on the

upland portion of the leasehold. The second permit, CDP #6-97-64, approved in August 1999, was for construction of a 53 slip recreational boat marina and construction of support facilities including a new sanitation pump-out station, and construction of a two-story, 2,500 sq.ft. building with 500 sq.ft. of decks dock master's office, tenant services (restrooms, showers, and laundry) and meeting rooms. The third permit, CDP #6-99-117, approved in October, 1999, was for renovations to the existing resort/hotel facility which included, in part, conversion of existing uses to different uses (i.e., café to lobby space, lobby space to gift shop, etc.) as well as the construction of five bungalow guest suites in a detached building.

The subject proposal involves an amendment to CDP #6-99-117 to allow the relocation of five bungalow guest suites in a 3,510 sq.ft. detached building from the previously approved location in the interior of the resort to the bay side (north side) of the resort as additions to three existing detached structures on the bayfront. (Refer to Exhibit No. 2).

Mission Bay Park in this location is an area of original jurisdiction, where the Commission retains coastal development permit authority. Thus, the standard of review is Chapter 3 policies of the Coastal Act.

2. Parking/Public Access/Recreation. Sections 30220, 30221, and 30222 of the Act call for the protection and/or provision of public access opportunities. In addition, Section 30252 requires "that the location and amount of new development should maintain and enhance public access to the coast by...providing adequate parking facilities...." Further, Section 30213 also provides, "lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Development providing public recreational opportunities are preferred..." In the subject amendment request, five proposed guest suites will be relocated to a different area of the resort and will not result an increase to the number of guest suites. As such, there will not be a need for an increase in parking for the resort facility. In addition, there is a current surplus of on-site parking of 284 spaces.

As a result of the proposed amendment, no changes in public access to the site or surrounding area are proposed. The public will be able to continue to freely use the swimming beaches around the perimeter of the hotel site, and walk along the shoreline areas within the leasehold. Access to and around the shoreline, including an existing public parking lot on the island, will still be available after construction of the project. In addition, an existing marina is available to resort guests and the general public (for a fee).

With regard to Section 30213, referenced above, the existing Princess Resorts hotel/resort facility is not a lower cost visitor serving recreational facility. The proposed amendment will not result in the displacement of any existing lower-cost visitor serving recreational facilities and, as such, does not raise any conflicts with the Coastal Act. Therefore, the proposed permit amendment can be found consistent with all of the applicable public access and recreation policies of the Coastal Act.

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

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

The subject site is located on Vacation Isle in Mission Bay Park which is a scenic area entirely surrounded by water. The subject facility itself is located at the northwest corner of the island. The island is bisected by a major coastal access road; Ingraham Street. Public parkland and picnic facilities exist to the east of this road. Other public recreational facilities including picnic areas and a model yacht pond exist to the south of the hotel/resort facility west of Ingraham Street. The subject hotel/resort is highly visible from Riviera Shores to the north across Fisherman's Channel and from other portions of Mission Bay Park by both recreational boaters in the bay as well as people using the recreational facilities along Ventura Point to the southwest and Bahia Point to the west.

As previously described, the proposed amendment consists of relocating five bungalow suites which were previously approved to be located in the central part of the resort to a location adjacent to the bay (north side) of the resort. Presently, there are several detached structures around the bayfront of the resort which contain several guest suites. Through the proposed amendment, the five guest suites will be relocated and added to three existing detached structures in this area. The guest suites will observe the same configuration and setback from the Bay as the existing bayfront resort structures. In addition, the relocated guest suites will be compatible in design and scale with the existing guest suite structures. In addition, due to the location of the guest suites, no impacts on public views will result from the proposed relocation of the structures. The perimeter of the resort is not identified as a view corridor or visible from any public roadways on Vacation Isle itself. Although the guest suites will be visible from various points along Mission Bay and from the south side of Riviera Drive near Ingraham Street, the units will be added onto existing buildings and will blend well with the existing structures after they are constructed. Therefore, the proposed project can be found consistent with Section 30251 of the Act.

4. Local Coastal Planning. Section 30604(a) 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 project site is a designated lease area in the Mission Bay Park Master Plan. The Commission recently certified a land use plan (the Mission Bay Park Master Plan) for Mission Bay. There are no implementing ordinances in place as yet. Thus, the entire park remains an area of deferred certification, and Chapter 3 of the Coastal Act is the standard of review. Even after an implementation plan is certified, much of the park will

remain under direct Commission permit jurisdiction, since many areas of the park were built on filled tidelands. As discussed above, the proposed amended project is consistent with all applicable Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the amendment should not result in any adverse impacts to coastal resources nor prejudice the ability of the City of San Diego to obtain a certified LCP for the Mission Bay Park segment.

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, 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 and community character 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.

Project Site

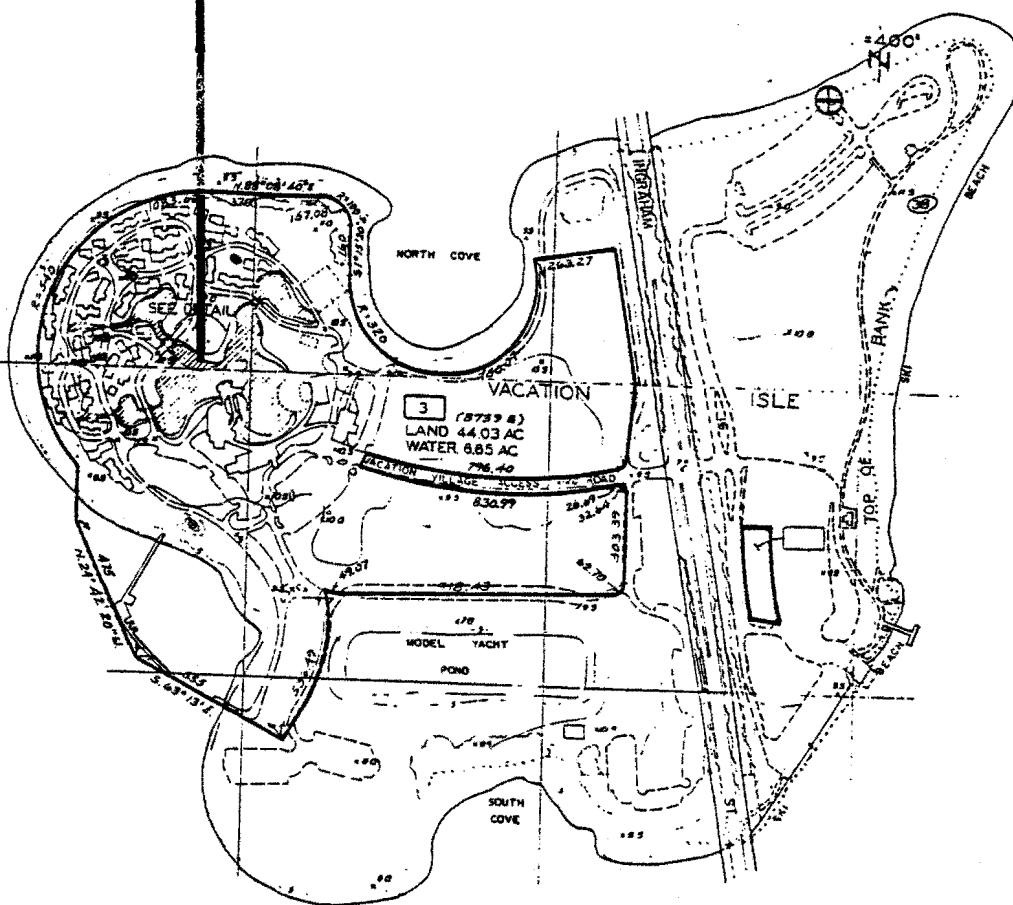
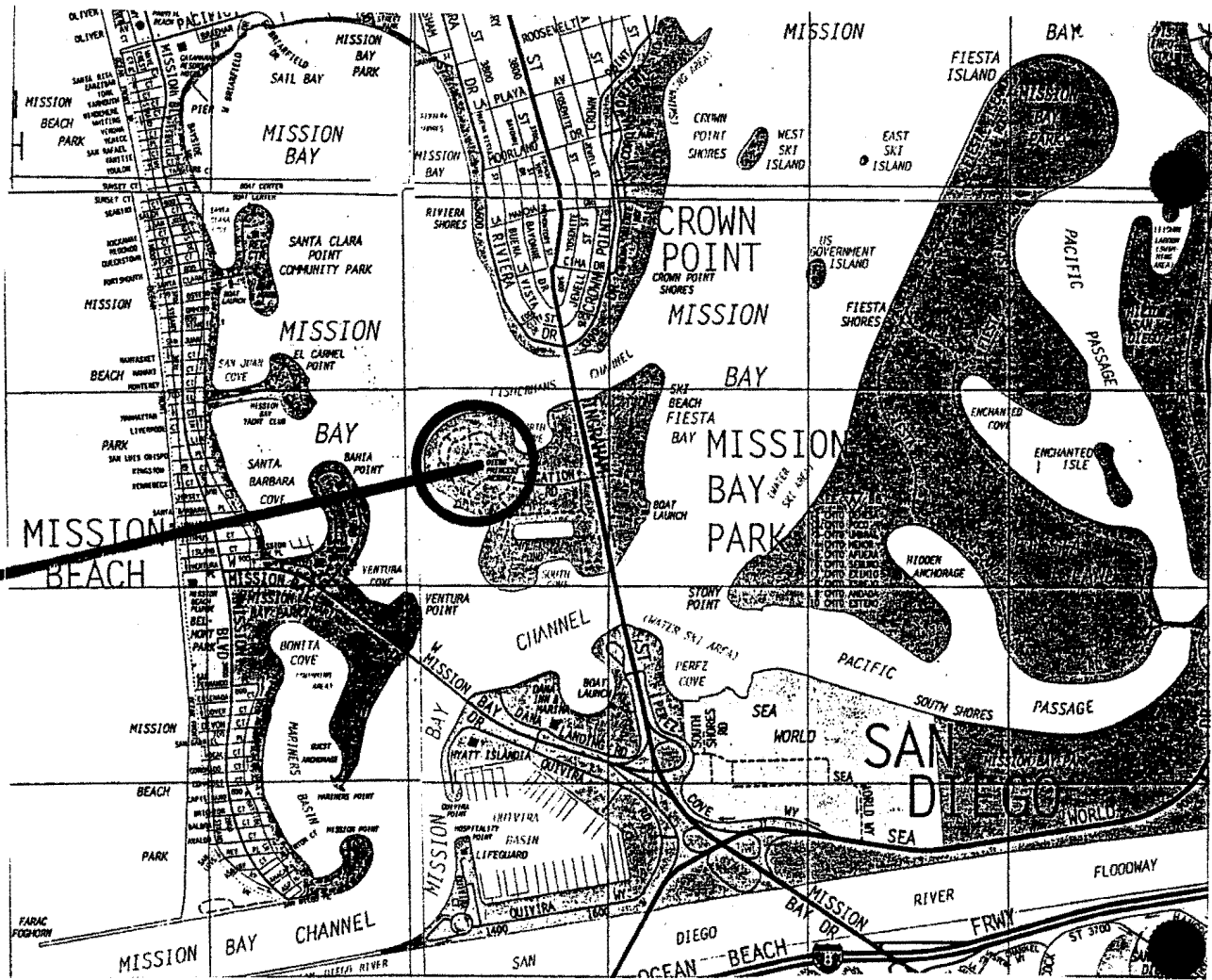



EXHIBIT NO. 1
APPLICATION NO.
6-99-117-A1
Location Maps
 California Coastal Commission

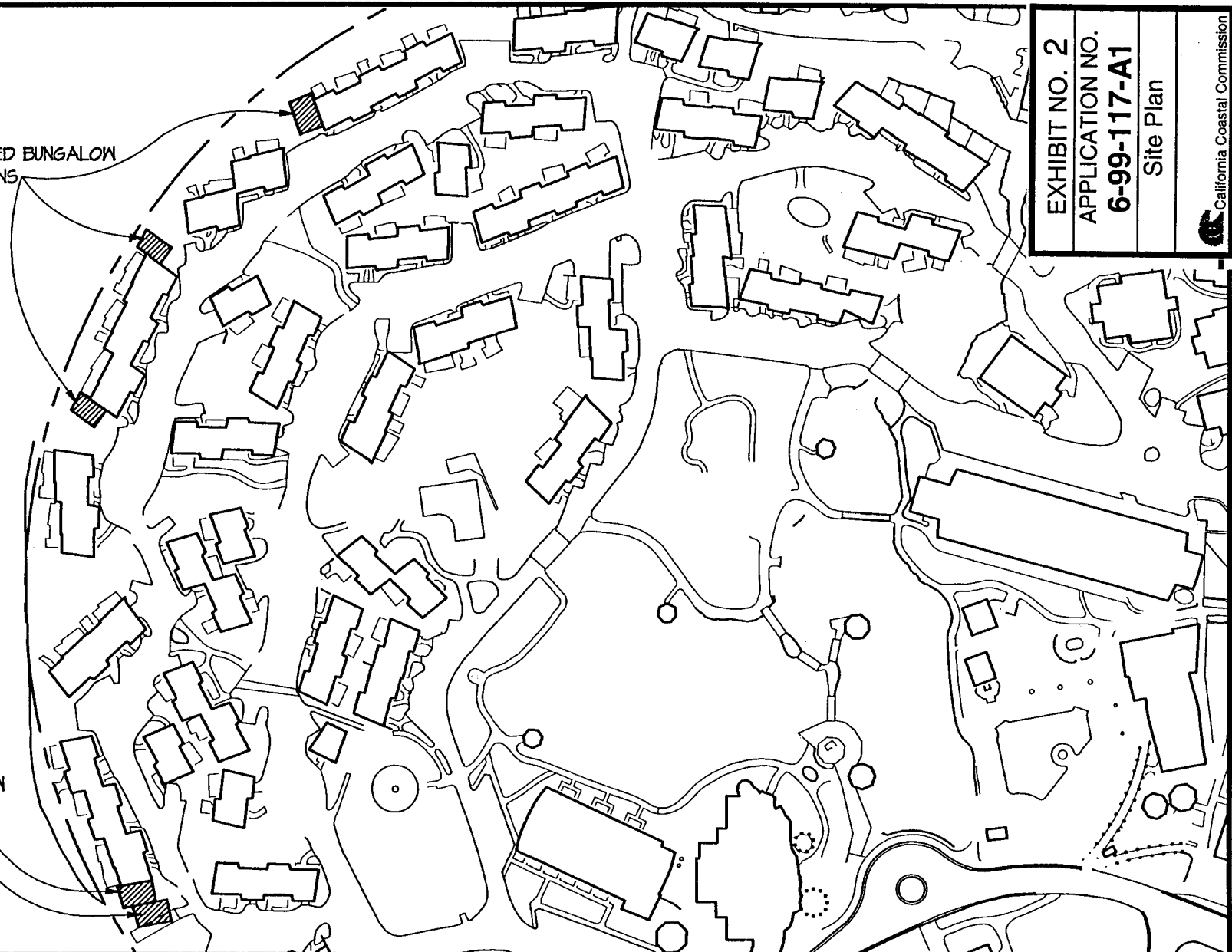
EXHIBIT NO. 2
APPLICATION NO. 6-99-117-A1
Site Plan
California Coastal Commission

PROPOSED BUNGALOW LOCATIONS



PROPOSED BUNGALOW LOCATIONS

SCALE: 1" = 120'-0"
DATE: 9-12-00



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SAN DIEGO
PARADISE POINT
RESORT

NEW BUNGALOWS

