

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4421

(619) 767-2370

RECORD PACKET COPY



Staff: LRO-SD  
Staff Report: 4/22/04  
Hearing Date: 5/12-14/04

# Fri 10b

AMENDMENT REQUEST  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-86-396-A6

Applicant: Thomas Lochtefeld

Original: Demolition of roller rink building and annexes to Mission Beach Plunge,  
Description: reconstruction of indoor swimming pool room, and construction of eight  
(8) new buildings, totaling 70,000 sq.ft. of floor area, and other  
improvements (described in more detail on pages 3-4 of the staff report).

Proposed Demolition of exiting Building #6 which is two-stories in height and is a  
currently vacant building that has been approved in the past for  
restaurant/retail use and the interim use of Building #6 footprint/premises  
as outdoor temporary pavilion restaurant use with associated temporary  
support facilities.

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

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Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed project, subject to special conditions. The proposed development involves the demolition of Building #6, an existing two-story, 11,477 sq.ft. structure (with 7,000 sq.ft. of rooftop area) adjacent to the public boardwalk and the use of its footprint as a temporary pavilion for restaurant and retail uses until such time that the building is reconstructed under a separate coastal development permit amendment in the near future. With the proposed special conditions, the proposed improvements are consistent with all applicable Coastal Act policies.

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Substantive File Documents: Certified Mission Beach Precise Plan and Planned  
District Ordinance; Certified City of San Diego LCP Implementing  
Ordinances; CDP #6-82-543, 6-86-396, 6-86-396-A, 6-86-396-A2  
6-86-396-A3; 6-86-396-A4; 6-86-396-A5; 6-00-12 and 6-00-12-A.

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- d) A final construction schedule shall be submitted demonstrating that the proposed work will be completed by Memorial Day weekend.
- e) The applicant shall submit evidence that the approved plans/notes have been incorporated into construction bid documents. The staging site shall be removed and/or restored immediately following completion of the development.

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 legally required.

2. Prior Conditions of Approval. All other terms and conditions of Coastal Development Permit No. 6-86-396, as amended, not specifically modified herein, shall remain in full force and effect.

3. Future Development. This permit amendment (6-86-396-A6) is for the demolition of Building #6 (which is anticipated to be reconstructed under a separate permit) and the interim use of the building footprint for restaurant/retail use. All other development proposals for the site, including, but not limited to, construction of other structures, shall require review and approval by the Coastal Commission, or its successor in interest, under a separate coastal development permit or an amendment to this permit.

4. Final Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT AMENDMENT, the applicant shall submit to the Executive Director for review and written approval, final plans for the proposed interim use of the building footprint for restaurant and retail use.

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 legally required.

### III. Findings and Declarations.

The Commission finds and declares as follows:

1. Site History/Amendment Description. There have been five past Commission actions for the subject site. The first was CDP #6-82-543, approved on 1/28/83, which was for the renovation and construction of an existing park and recreation facility, and which authorized 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.

A fourth amendment was approved in June, 2000 for conversion of a 9,846 sq. ft. vacant tenant space to a television studio and construction of an approximately 4,800 sq. ft. two-story temporary film set, up to 43 feet in height including outdoor decks and a pool, for an MTV television production at Belmont Park from 4/28/00-8/31/00 and miscellaneous other temporary improvements.

The fifth amendment was approved on 10/7/04 for installation of safety/security fencing around the previously approved wave machines, installation of co-generation utility room and electrical metering room, relocation and upgrade of existing trash and recycling facility, relocation of handicapped parking space, and installation of an ADA-compliant elevator in a new structure at the northeast corner of Building #6.

Presently, the applicant proposes to amend the previously-approved permit for the subject site by demolishing Building #6, an existing two-story, 11,477 sq. ft. building (with 7,000 sq. ft. of rooftop area) adjacent to the public boardwalk. The foundation of the existing building is proposed to remain. The foundation is approximately 19-inches high adjacent to the boardwalk. A safety rail is proposed around the perimeter of the elevated foundation, as needed. The applicant also proposes the interim use of the building footprint (11,477 sq. ft.) as an outdoor pavilion for restaurant and/or retail use including assembly and banquet facilities, temporary restrooms and temporary food service facilities. Building #6 has been used for restaurant use in the past and is proposed to be continued as restaurant use in the future when the building is reconstructed. The existing building has been vacant for five years. In this particular case, the applicant has stated that although the structure was originally permitted to be renovated, it costs the same to demolish it and rebuild it. Since the building is about 15 years old, the applicant chose to demolish it and reconstruct it instead. It should also be noted that since the building was originally constructed in 1989, it is not a historical structure, and as such, its removal will not result in the loss of any historical resources. In addition, the applicant proposes to "safe-off" the building after demolition. This refers to the proper disconnection and capping of utility sources within the building so that they are not improperly exposed. The applicant recently presented the subject proposal to the Mission Beach Precise Planning Board at their monthly meeting. The board voted unanimously in favor of the project as described in CDP #6-86-396-A6.

As noted above, the applicant recently obtained an amendment for renovations at Belmont Park as an effort to revitalize the amusement park and draw business to the area. The use of Building #6 as restaurant use has been previously authorized and the demolition of the building at this time and its eventual reconstruction through a separate permit amendment is part of the overall plan for the upgrades to Belmont Park.

Belmont Park is an amusement park and commercial/retail center on land owned by the City of San Diego that includes ten buildings consisting of the Plunge Building (indoor municipal swimming pool) and includes amusement rides such as the roller coaster (Giant Dipper) which is a well-noted landmark for visitors at the northwest corner of the site, bumper cars, tilt-a-whirl, carousel, and various other carnival-type rides. Existing leaseholds in the park also consist of miscellaneous food establishments and retail shops including Pirate's Cove, a children's indoor play area. Several of the existing buildings

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,
- (2) adequate access exists nearby, or,

#### Section 30252

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....

#### 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).

In addition, upon reliance of these policies, plan goals addressing parking and traffic circulation were incorporated into the certified Mission Beach Precise Plan as follows:

"The provision of increased residential, commercial, and recreational parking in order to reduce the serious deficit that presently exists."

"The provision of increased parking in order to reduce the serious deficit that presently exists."

"The reduction of overall vehicular congestion plaguing Mission Boulevard."

Mission Beach is one of the most heavily used public beach areas in San Diego County. The subject site is located between the first coastal road and the sea. There is existing improved public access all along the oceanfront via the boardwalk (Ocean Front Walk) to the west of the site. The proposed development is for the demolition of Building #6 and the use of its footprint as a temporary pavilion restaurant/retail Use. Given that this building was previously authorized for restaurant use and has operated as a restaurant in the past, the use of the building footprint as a temporary restaurant use during the summer months does not change the intensity of use of the building. As such, it is not anticipated that the proposed development will result in any adverse impacts on public access. However, because the building is adjacent to the public boardwalk, its demolition could result in potential adverse impacts on public access both along the boardwalk as well as in the north parking lot where people park to gain access to the beach and/or Belmont Park and the retail establishments on the north side of Ventura Court. These potential impacts would be short-term in nature until the

Condition No. 1(d) requires, among other measures, that the applicant submit a final construction schedule demonstrating that the proposed work will be completed by Memorial Day weekend. In addition, during the demolition of Building #6, the accessways around this building through Belmont Park to and from the ocean will be temporarily blocked/removed. However, there is alternative access across the site to and from the beach/boardwalk immediately to the south and north in Belmont Park. As such, the proposed project is consistent with Section 30212 of the Act which requires that public access from the nearest public roadway to the shoreline be maintained except where alternative access is available nearby.

The proposed interim use will not trigger the need for additional parking as Building #6 has already been authorized for restaurant use. In addition, the primary food preparation area for the interim pavilion restaurant/food area will be located in the previous McDonald's leasehold adjacent to the North Plaza in Building #7. All of the above-described improvements, as conditioned, will not alter or impede public access nor result in adverse impacts to parking and/or traffic circulation the area. Furthermore, none of the proposed changes will result in a change in intensity of use and as such, no additional parking is necessary. Adequate parking for all existing and proposed uses at Belmont Park will continue to be provided consistent with Section 30252 of the Coastal Act. Special Condition #4 requires the applicant to submit final plans for the proposed interim use of the building footprint for restaurant and retail use. Therefore, the proposed development, as conditioned, can be found consistent with all of the applicable Chapter 3 policies of the Coastal Act addressing public access and the certified LCP.

3. Visual Resources/Community Character. 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...

Upon reliance of this policy, plan recommendations related to protection of visual resources were developed and incorporated into the certified Mission Beach Precise Plan as follows:

"To enhance the quality of the physical environment of Mission Beach by upgrading the existing community and encouraging attractive development in the future."

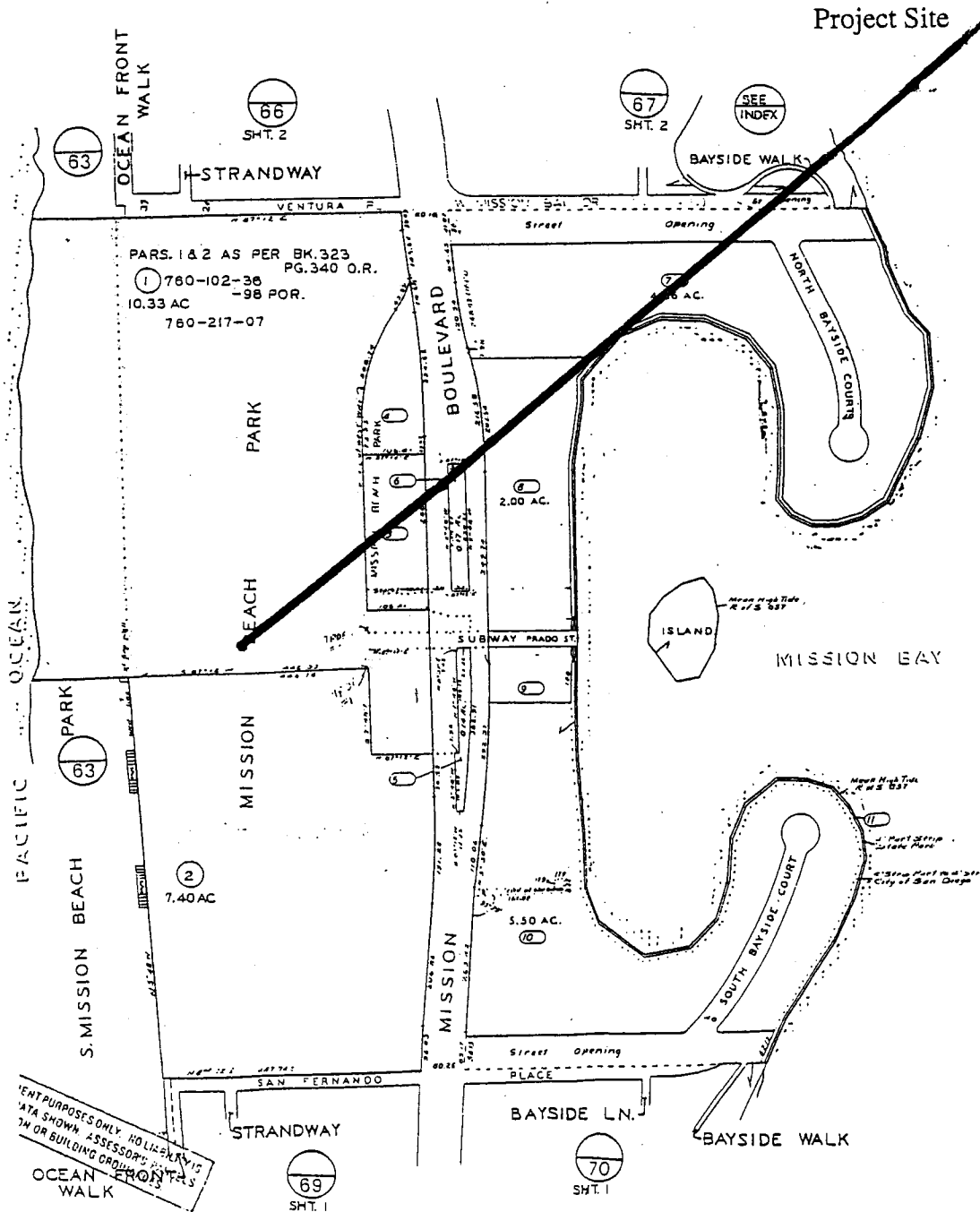
"To eliminate both visual and non-visual nuisances in Mission Beach."

"Views to and along the shoreline for public area shall be protected from blockage by development and or vegetation."

The subject site is located in the heart of the Mission Beach community and is in a visually prominent area. As noted earlier, the site is immediately adjacent to the

proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the public access and visual resource policies of the Coastal Act. Mitigation measures, including conditions addressing timing of construction/construction access and staging, 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 is consistent with the requirements of the Coastal Act to conform to CEQA.



California Coastal Commission

EXHIBIT 2

## THE CITY OF SAN DIEGO

March 9, 2004

VIA FACSIMILE TO (619) 767-2384

Ms. Laurinda Owens  
California Coastal Commission  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108

Dear Ms. Owens:

Re: Phased Development -- 3125 Mission Blvd., Building #6, San Diego, CA 92109

Currently Building 6 is undergoing renovation pursuant to City Plan File #12836 and #12990 and Permit No. 025009 and 025397 (the "Building 6 Rebuild"). This structure is currently approved for commercial restaurant/retail use.

The applicant, Thomas J. Lochtefeld, Wave House San Diego, LLC is in process to complete the renovation in accordance with these plans. However, a phased approach is necessary given the moratorium on summertime beach front construction prohibits immediate implementation of the plan. A phased approach will also accomplish the following:

- (1) Productive economic use of a public asset;
- (2) Removal of a derelict vacant building and hazards associated therewith; and
- (3) Enhanced view corridors to the ocean and increased public coastal access from the interior of the park to the boardwalk in the interim until development of the project is complete.

The applicant is requesting demolition of the existing structure and interim use as outdoor and temporary pavilion restaurant/retail with associated temporary support facilities. It should be noted, this is not a change in use since the previously approved coastal amendments to the original permit allowed for both interior and exterior dining.

The City of San Diego requests confirmation that if Coastal Commission allows demolition of Building 6 and its interim use as outdoor and temporary pavilion restaurant/retail with associated temporary support facilities, then, Coastal Commission will also acknowledge the vested rights of City to allow the subsequent completion of "Building 6 Rebuild".

**Real Estate Assets**

202 C Street, MS 98 • San Diego, CA 92101  
Tel (619) 236-6144 Fax (619) 236-7003

**EXHIBIT NO. 3****APPLICATION NO.****6-86-396-A6****Letter from City Real  
Estate Assets Dept.**

California Coastal Commission





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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

THE CITY OF SAN DIEGO

COUNCILMEMBER MICHAEL ZUCCHET

SECOND DISTRICT

April 21, 2004

Laurinda Owens  
California Coastal Commission  
7575 Metropolitan Drive, Suite 103  
San Diego, CA 92108

Dear Ms. Owens:

On behalf of the Mission Beach community, I am writing to request that you docket Mr. Tom Lochtefeld's Belmont Park proposal on the California Coastal Commission's May agenda. The Mission Beach Town Council and the Mission Beach Precise Planning Committee voted to unanimously support Mr. Lochtefeld's proposal. At my request, Mr. Lochtefeld held a community forum to gather information and support for his proposal for the park. Business owners, Belmont Park lessees, Plunge members and members of the community attended and all support the proposed project as follows:

- I. MOTION: I \_\_\_\_\_ make a motion to approve Wave House revitalization proposal including all renderings shown tonight, detailed as follows:
1. Demolition of Building 6
  2. Construction of Outdoor and Temporary Pavilion Restaurant & Retail w/ associated Event Facilities
    - ☐ Outdoor Restaurant (Memorial Day - Labor Day)
    - ☐ Outdoor Event Center with tent structure pavilions (Labor Day - Easter)
  3. Option to Rebuild Building 6 or equivalent square footage elsewhere in Belmont Park Leasehold
  4. Show Wave Location Options
    - ☐ North Plaza
    - ☐ Adjacent to Boardwalk at north end of property
  5. Signage
    - ☐ Monument Sign located at the SW corner of Mission Blvd. and Ventura
    - ☐ Entry Arch sign to existing Plunge building (Wave House Athletic Club)
    - ☐ Flags

EXHIBIT NO. 4  
APPLICATION NO.  
**6-86-396-A6**  
Letter of Support